

MANCHESTER TOWNSHIP ENVIRONMENTAL COMMISSION

Thursday, March 15, 2018
Manchester Township Municipal Building
1 Colonial Drive, Manchester Township, NJ

REGULAR MEETING MINUTES

Chairperson Middaugh called the Regular Meeting of the Manchester Township Environmental Commission to order with the following statement: “Adequate notice of this meeting has been given in accordance with Open Public Meetings Act. Public Law 1975, Chapter 231. Said notice was advertised in the Asbury Park Press and the Star Ledger and was posted in the lobby of the Municipal Building.”

Time: 6:00 PM

This was followed with the Salute to the Flag.

ROLL CALL:

William Cook	Present
William Foor	Present
David Kiernan	Present
Peggy Middaugh	Present

APPROVAL OF MINUTES:

Motion to approve February 15, 2018 Organization Meeting Minutes and February 15, 2018 Regular Meeting Minutes by Mr. Cook, seconded by Mr. Foor.

Roll call vote: Mr. Cook, Mr. Foor, Mr. Kiernan, Ms. Middaugh; yes. Motion carried.

NEW BUSINESS:

ANJEC OSS Grants for Environmental Commissions

Ms. Middaugh: Seems like something we might be able to go for, it’s a small \$1,500 grant. The first thing we need to do is reach out to Open Space Committee, Planner or who wrote the Open Space Plan. Open Space Committee, Sustainability Committee, the Green Team? I think those people have really thought about these things and can help us come up with something new.

Mr. Foor: I think Councilman Fusaro is member of the Open Space Committee and Mr. Bloch is the Planner.

Mr. Cook: There isn’t a lot of time to put something together.

Secretary to email contacts to Commission members.

Annual Earth Day Project

Secretary reached out to Ridgeway, Whiting and Manchester Township Elementary Schools; as well as Stop & Shop in Whiting and Perlmart Shoprite in Manchester to see if they would like to participate again this year. Received “yes” responses from all except MTES, still awaiting response. Ms. Middaugh will pick up 220 bags from Stop & Shop and deliver to Whiting Elementary; Mr. Cook will pick up bags from ShopRite for delivery to Ridgeway Elementary (300 bags) and MTES (if they will participate, need count). Secretary to coordinate pickup / delivery times.

Ms. Middaugh: Just for public information, Secretary will post backup documents with the online agenda going forward.

Mr. Cook: Were there costs associated with getting electronic copies of the reports?

Secretary: No costs

Mr Foor: I wasn't able to open the pdf sent to me (Amerco Real Estate U-Haul App.) with Adobe Reader. Must be an issue with my computer.

It was agreed by all Commission members that for meetings going forward, the Secretary will not be bringing paper copies of agenda documents for the members.

Realignment of Beckerville & Rt. 70

Mr. Cook reviewed the Environmental Impact Study and it appears that this will improve the area and make the intersection safer. No issues as far as he can see.

Ms. Middaugh agrees.

TWA Permit – Sewer & Water Main – Ridgeway Blvd.

There is some confusion on project location. Discussion on if it is possible to look up a location on a map using block and lot numbers only. Secretary thinks block and lot numbers can be searched online and will look into this.

Ms. Middaugh: The application has already been approved by Pinelands Commission and Ocean County. At this point, it is more informational.

Mr. Cook: Looks like a good thing. They don't have to depend on wells or septic.

Mr. Foor: Seems like there should be a drawing/plan with this application.

Secretary to request drawing/plan from Mr. Yodakis, Public Works Director.

Air Pollution Control Operation Permit – OC Landfill

Mr Cook: Increasing capacity by 20%, will install environmental equipment to take care of hydrogen sulfite emissions. NJDEP will make the final determination.

Mr. Foor: I'm not sure if this was brought up at the last Council Meeting as I was not there. The public should have the chance to comment. A public meeting can be requested by the public. I was a little concerned when I got the documents that they were asking us to comment. I believe they sent this to us as a way to get the word out, a way of advertising to the public.

Ms. Middaugh: I agree with all of that. Note to Public: the Ocean County Landfill is increasing its capacity by what looks like 20%

Mr. Cook: I'm guessing they originally applied for a permit up to a certain amount, even though the cell could hold more. Now they are bringing it up to full capacity

Mr. Foor: It is a revenue source for Manchester Township.

Discussion on where garbage from Manchester goes first and winds up at the OC Landfill and what a lengthy process this project will be – years of permitting.

Ms. Middaugh: Anyone can request a public hearing from NJDEP on this expansion, request must be received by March 26, 2018.

Ms. Middaugh: Anyone know what a "permit shield" is? On page 2. Compliance schedules are not part of the permit. Maybe that is standard procedure.

Resident in audience read aloud the definition of permit shield: "like many environmental laws, the Clean Water Act (CWA) includes a "permit shield." Under this provision, the holder of a NPDES permit is shielded from both agency enforcement and citizen suits, provided—and this is key—the permittee complies with permit terms".

Ms. Middaugh: Reminder that a hearing can be requested before March 26, 2018.

Mr. Foor: There was a group of concerned residents that came to a Council Meeting that live on the south side. They were concerned about the one cell out there and how close it was. Hopefully they are aware this is available to them. I know one of the individuals that lives over there, I will reach out to him.

OLD BUSINESS:

Amerco Real Estate U-Haul Facility App. for Development

Mr. Cook: The Environmental Impact Report (EIR) appears to be deficient. I didn't see anything about endangered species or animal migration. There is a legal term – Res Judicata – which basically means "no do-overs". Years ago they applied for a similar application and it was turned down. It is the attorney's job to convince the Zoning Board of Adjustment to consider the application.

Mr. Foor agrees, application is benign and deficient.

Mr. Cook: It is in a Type AB Flood Zone – prone to flooding. They can handle that with retention basins.

Mr. Foor: I thought there were sewage lines that ran up Rt. 70. In their statement, they said they are putting septic in. Wondering if Zoning Board of Adjustment could take a look to see what's there.

Mr. Cook: Concerned that septic flooding will float down into the Toms River. Need to make Zoning Board of Adjustment aware of concerns.

Natural Resource Inventory

Mr. Cook: Is the Natural Resources Inventory included in the Master Plan?

Mr. Foor doesn't recall seeing it in the Master Plan

Mr. Cook: Should be part of the Master Plan according to the workshop I attended last week (ANJEC "Fundamentals for Effective Environmental Commissions" 3/10/18).

Mr. Foor will look into this at the next Planning Board meeting. Will ask about cost and find out if an update is needed.

Mr. Cook: According to the workshop, if over 10 years old it should be updated. However, it is not legally required.

Mr. Foor to check with the Town Council.

Heritage Minerals

Ms. Middaugh: NJDEP issued a deficiency letter to Hovsons stating the application is not ready – lengthy list of deficiencies regarding wildlife and wetland issues, air pollution, traffic issues, etc. Because of the natural timetable, they won't be able to resubmit the application until at least the Fall. This is the third or fourth time they have been issued a deficiency letter.

Save Barnegat Bay sent a letter to NJDEP requesting them to formally extend the official public comment period due to the deficiencies. If not possible, they request a new hearing.

Mr. Foor: We keep hearing about the remediation effort and what's being done out there. Could we request a briefing of the status? The last input I had, there were three options that were being pursued: 1) being tracked 2) mixing soil 3) trucking soil out.

Resident Frank Stavalo: May I speak?

Mr. Foor: Sure

Resident Frank Stavalo: I spoke to Hovsons representative (John Pagenkopf) regarding ground water contaminates. There are three separate oil spills. The last was a capacitor – the guys went out there and drilled a hole and it leaked out. He (John Pagenkopf) said they are working with the State on that. I wanted to make the town aware.

Mr. Foor: Thank you.

Mr. Kiernan: Would it be possible for us to take a trip to the Heritage Minerals site?

Mr. Foor: At the Planning Board, we were given an opportunity to do so.

Mr. Kiernan: Is that something you all would like to do?

Mr. Foor: I think it would be worthwhile and I think one of the topics we could include is what the status of the remediation is. All members cannot go at the same time due to the Sunshine Law. Secretary to send interoffice memo to Mayor Palmer requesting permission for the Environmental Commission to request a site visit to Heritage Minerals with the applicant, Hovnanian, to see the current status of the cleanup

Mr. Foor: Last time it was John (Pagenkopf), VP of Hovnanian, who rode us all around the property. He was very thorough; it was very well done.

MEMBER REPORTS:

ANJEC “Fundamentals for Effective Environmental Commissions” Workshop 3/10/18

Mr. Cook attended. It was a great workshop and he highly recommends it. The Handbook they gave out (ANJEC Environmental Commissioner’s Handbook, Sixth Edition) is filled with valuable information, can we request additional copies? Secretary to look into.

One of the things that came up was that the NRI should be part of the Master Plan to help “get the right development in the right place”. If we do have environmental concerns, they have to be read into the record, in case there is an appeal. Aquifer recharge is an issue that a lot of people have. We generally look at one application per year, between the Zoning and Planning Boards.

The purpose of having the NRI in the Master Plan is we look at the whole thing. How is it affecting the aquifer, climate change, flooding areas, insect migration? At the current rate of plastic use, by 2050 the ocean will be half plastic, half fish. We should have bi-laws and a mission statement. This is one of the best workshops I’ve been to through the years. If you go, make sure you bring your own water because they don’t give out bottles of water.

Ms. Middaugh: ANJEC has a biweekly newsletter which is chock-full of information. One of the most valuable environmental resources. You can sign up for the newsletter at ANJEC.org.

Pinelands Short Course at Stockton College 3/10/18

Ms. Middaugh attended. It was all about Pinelands issues: climate change, aquifer recharge, frogs. The programs were all excellent and she recommend it to those interested in the environment.

PUBLIC FORUM:

No comments from the Public.

ADJOURNMENT:

There being no further business, on motion by Mr. Foor, seconded by Mr. Cook, meeting was adjourned.

All in favor, motion carried.

Time: 6:50 PM

Respectfully submitted,

Lauren Frazee
Commission Secretary