

JACKSON TOWNSHIP ENVIRONMENTAL COMMISSION
Meeting of December 18, 2007
MINUTES

Chairman Gene Fowler called the meeting to order at 7:36 PM followed by a flag salute. Compliance of the Open Public Meetings Act (N.J.S.A. 10:4) announced.

Roll Call:

Present – Lonnie Cromwell, Hank Aranda, Denise Garner, Gene Fowler

Excused – Dick Borys, Lori Neuman, Blanche Krubner

Also Present – Ian Borden of Professional Design Services

Motion to approve Minutes of November 13, 2007 Meeting : CROMWELL / Garner
Cromwell, Garner, Fowler - Ayes Aranda – Abstain

Block 20502 Lot 27 Casey Hunter, Whitesville Road and Cannon Blvd. This application has received preliminary approval of the Planning Board, final approval has not yet been applied for and no date has been set. Ian Borden of Professional Design Services (PDS) notes in response to concerns by Mr. Cromwell, that there was no prior garden center on the site. Mr. Cromwell has a Pinelands certification that there was a previous garden center on the site. A Wetlands study has been done and will be submitted to the Environmental Commission (Commission). Mr. Borden stated an Environmental Impact Statement (EIS) has already been submitted, but will re-submit the EIS to the Commission. The Stormwater Management Plan (SMP) is in compliance with the Township Ordinance 109-184 (Stormwater Management) and the new Pinelands requirements. Commission's letter of 11/13/07 will not be sent, new letter requesting additional information as to the prior site operations, SMP in compliance with Township Ordinance 109-184 and new Pinelands requirements, and the Pinelands Commission Comprehensive Management Plan will be sent to PDS.

Motion to approve new request letter: ARANDA / Garner All Ayes

Block 6501 Lot 42.06 & 43 Michelle R. Katz, History Lane Commission's letter of 11/13/07 will not be sent out, revised letter to include SMP in compliance with Township Ordinance 109-184 (non-Pinelands) requirements will be sent.

Motion to approve new letter of request: CROMWELL / Garner All Ayes

Block 2603 Lot 29, 30 & 31 James R. Johnson, Jr. , Patterson Road. Ian Borden of PDS appearing on behalf of the applicant states that this has been approved, plat? never filed. He states there are no wetlands on the site, the plan is to re-arrange lot lines to be create more effective usable lots. Previously applied in 1998, and bonds were posted. The property was a previous gravel pit and was used for the Police firing range. The property has been graded. Ms. Garner has visited the property and found obvious ground water contamination and wetlands filled with sand and gravel. The property is listed on the New Jersey Department of Environmental Protection (NJDEP) Known Contaminated Sites List (KCSL). Ms. Garner has digital camera photos of the property that were taken on 11/4/07 around 11 AM to 12 Noon. There are monitoring wells on the adjacent properties. Mr. Borden states that he has an active Wetlands Letter of Interpretation (LOI) from the NJDEP. Ms. Garner has a copy of a letter dated December 21, 1998 from the then Chairman of the Environmental Commission, Steve Chisholm. There was a lack of quorum at the meeting and this application was reviewed. If the area was a previous firing range, then you are dealing with spent ordnances in the area. Mr. Fowler requests that Mr. Borden submit whatever other information is available. Mr. Borden will submit an LOI and SMP for the property. The EIS does not apply in this case. Ms. Garner will put her concerns in writing and Mr. Borden is agreeable to a field meeting at the site. Mr. Fowler will schedule the site visit after the information is received.

Mr. Borden is in agreement with this. A letter will be sent to include Ms. Garner's comments along with copies of the 22 digital photos. Mr. Fowler notes that as mentioned in Ms. Garner's comments, there is no DEP Superfund List, but should be referred to as the Known Contaminated Site List. Mr. Aranda would like to see the original Master Plan, to see the property prior to any work being done. Mr. Borden has provided a second set of plans to Mr. Fowler, who will hold them for documentation when the other information is received. It is unknown if a Tree Save Plan has ever been submitted. Mr. Borden stated the site is a Proposed Industrial Development Site. Mr. Borden supplied a copy of the approved Soil Erosion Plan (11 sheets reviewed, various dates). The area is located within the waters of the Metedeconk watershed. The SMP is in compliance with the Township Ordinance requirements. It is noted that Chairman Fowler requested two very brief recesses because of conflicting site observations during the discussion between Ms. Garner and Mr. Borden. Mr. Borden requested to Chairman Fowler that he do something to resolve this situation. Mr. Borden commented that he is tired of being sand-bagged at Commission meetings.

In conclusion to Mr. Borden's presentation, upon receipt of documents and response to Ms. Garner's comments, a site visit will be scheduled. Upon receipt of the LOI, Mr. Fowler can contact the NJDEP's Land Use Project Manager to make aware, prior to the site visit date, to see if they would like to attend the site visit. Motion to send new letter with new requests: ARANDA / Garner

All Ayes

Block 19403 Lot 19 & 20 RG-2 Associates LLC, Grawtown Road. Applicant was denied at the Planning Board meeting of 12/17/07. Letter of 11/13/07 will not go out until amended information prepared by Mr. Borden of PDS including Lot #2 (amended 11/30/07) is reviewed. Mr. Borden advised the Commission that Lots 19 & 20 – Colts Run application and Lot 2 – Fox Run have combined into one project. This is consistent with the General Development Plan (GDP). Mr. Fowler will report back at the January 15, 2008 Commission meeting on the amended plans and site where the Dove Mill Branch area is of concern. Mr. Borden will attend the January meeting to address Mr. Fowler's findings. Motion to have Mr. Fowler review plans for next meeting:

CROMWELL / Aranda

All Ayes

Mr. Borden notes that the GDP resolution was held because Navy Lakehurst wanted it included that the residents would be advised of the base use. The applicant's attorney, Ray Shea, (not in attendance at the Commission meeting) objected to the language due to the record being closed. The Planning Board reopened the matter and denied passage of the Resolution, scheduled the matter for the March 3, 2008 Planning Board meeting and open to public to discuss the contents of the Navy Lakehurst letter base use requirement.

Block 82.01 Lot 8 & 9.01 Proposed residential subdivision – Bennetts Mills Road. Ms. Garner conducted a site inspection on December 2, 2007, 11 AM, conditions were cold, damp and snowy. Proposed subdivision for six houses. Ms. Garner encountered six hunters on the property and while the EIS stated there were no Barred Owls on the property, the hunters stated they saw owls on the property. One tributary of the Toms River head waters is running on the property. The property is 51.33 acres and the applicant proposes to preserve 44 acres. Ms. Garner is concerned about the rare and endangered species on the property. Names, addresses and statements from the hunters have been obtained by Ms. Garner. Ms. Garner notes there are vernal pools in the area. Ms. Garner recommends a Barred Owl study be done, a Threatened and Endangered (T & E) species report be provided, Vernal Pool study to be done in March of 2008 and a SMP in compliance with Township Ordinance 109-184 (non-Pinelands) be done. Ms. Garner provided Chairman Fowler with a copy of the EIS that was originally submitted to the Commission by the applicant's consultant.

Block 56.01 Lot 61 & 74 Megan's Associates, County Line Road & Bennetts Mills Road (for Zoning). Letter to be amended to include Township Ordinance #109-184 requirements. No T & E species report submitted. Motion to amend letter to include Township Ordinance and request T & E Report CROMWELL / Garner All Ayes

Block 2603 Lot 13 West Commodore Business Park – County Line and Wright DeBow Roads. LGA Engineering submitted Drainage Calculations dated 11/14/07. Mr. Fowler contacted the Engineer regarding the SMP. Drainage Calculations are not acceptable, must be as per Township Ordinance #109-184. Letter of October 1, 2007 still stands.

Block 111.03 Lot 105 & 107 Charlie Brown's Restaurant, Approved by the Zoning Board earlier this year. SMP concerns, Commission stands by letter of 9/2007. Ms. Garner will take the plans and will follow up on the SMP. To date no information has been received from the applicant. Ms. Garner will report back at the January 15, 2008 meeting. Ms. Garner stated that the NJDEP's stormwater regulations do not allow for an applicant to utilize a stormwater basin on an adjacent property even if the basin can store the amount of available runoff. Mr. Fowler thought that this situation is acceptable pursuant to Township Ordinance 109-184. Motion to have Ms. Garner follow up on plans including stormwater management concerns:

ARANDA / Cromwell All ayes

Block 4801 Lot 27 & 28 488 North County Line Road – Franklin M. Menzel. Application is a one page letter, referring to a variance sketch that is not included. No phone number, no listing in phone book. Mr. Cromwell and Mr. Aranda will try to research this further. Motion: GARNER / Aranda
All Ayes

Block 12705 Lot 1 Cooksbridge Retail Mall One set of plans (13 sheets) submitted by Challoner & Associates, LLC of Toms River. Plans taken by Ms. Garner for site inspection. Motion by ARANDA / Cromwell All Ayes

Block 14801 Lot 5 Cooksbridge Office Park - One set of plans (13 sheets) submitted by Challoner & Associates, LLC of Toms River. Plans taken by Ms. Garner for site inspection. Motion by ARANDA / Cromwell All Ayes

Block 12101 Lot 32 Bennetts Mills Road – JCP&L (for Zoning). Installation of new equipment for electrical substation. Mr. Aranda will review Zoning Application and packet of information submitted and report back at the January 15, 2008 meeting. Mr. Cromwell will assist Mr. Aranda during the site inspection.

Block 12001 Lot 1 & 2 Quick Chek – West Veterans Highway & Leesville Road
Mr. Fowler will review the submitted site plans (15 sheets) dated 10/25/07, cover letter dated 11/29/07, and LOI application dated 12/11/07 and report back at the January 15, 2008 meeting.
Motion: CROMWELL / Aranda All Ayes

OTHER:

2008 Jackson Township Commission Budget – will submit request as per the 2007 Budget
Motion to approve: ARANDA / Garner All Ayes

Stormwater Management - Mr. Fowler notes that Mr. Dan Burke, P.E., Township Municipal Engineer, who sits on the Planning Board, has requested that the Township Ordinance # 109-184 be cited in request for SMPs that are required and reviewed by the Commission. Mr. Burke asked Mr. Fowler to request that all commissioners read the Ordinance and a check list be developed for the Township Requirements.

Smart Growth Planning Grant Program and Environmental Education Projects – will be tabled to January 2008 meeting.

CORRESPONDENCE

Regarding LOI Applications – the Commission receives a copy of each application. Need a way to track these applications – preferably with a database spreadsheet. Denise will develop a spreadsheet to track the applications.

BILLS - Motion to pay the Secretary CROMWELL / Aranda All Ayes

AMERICAN LITTORAL SOCIETY – Ms. Garner states correspondence was directed to the Planning Board of Jackson Township, but no information was forwarded to the Environmental Commission. Ms. Garner requests a letter be sent to Ms. Helen Henderson of the Littoral Society requesting that the Environmental Commission be included in correspondence.

Year End Progress Statement - Chairman Fowler noted various personnel changes on the Commission in 2007 and pleased to announce that Ms. Kathleen Sevckenko accepted the position as Recording Secretary. The Commission has diligently worked as a team through rough times during 2007 by spending countless hours reviewing site plans, SMPs, and EISs; conducting site inspections; and attending Planning and Zoning Board meetings. The Commission will continue to progress as a team in 2008.

2007 Jackson Township Commission Budget – Year end expenditures include the following: Association of New Jersey Environmental Commissions (ANJEC) 2008 membership, total of \$350 (includes Workshop Plan); business cards for all commissioners (500 cards per set @ \$70 per set); name plates for all commissioners and Recording Secretary Sevckenko @ \$10 each; and one seminar at Rutgers University, New Brunswick, that includes attendance for three commissioners to the course titled “NJDEP New Flood Hazard Area Control Act Rules” on March 6, 2008 at a rate of \$210.00 per person.

MEETING ADJOURNED 10:00 PM

Minutes prepared and submitted by:

Kathleen Sevckenko, Recording Secretary