

**ENVIRONMENTAL COMMISSION
MEETING MINUTES
March 22, 2011
7:30 PM**

CALL TO ORDER

The Regular Meeting of the Environmental Commission was called to order at 7: 33 P.M. Chairwoman Debbie Kratzer called the meeting to order and read the following notice requirements.

Notice Requirements

Adequate notice of this meeting was provided in accordance with the Open Public Meetings Act and published in the Hunterdon County Democrat and the Courier News on February 3, 2011, and by telefaxing a copy of the notice to the Star Ledger, and the Express Times on February 1, 2011. A copy of the notice was also posted in the Kingwood Township Municipal Building and Post Office on February 1, 2011.

In order to ensure full public participation in this meeting, all members of this Commission, and also members of the public are requested to speak only when recognized by the Chair, so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

ROLL CALL

Present

Debbie Kratzer
Lois Voronin
Elaine Niemann
Gail Ashley
Sandra McNicol
David Posey
Jerry Fields
Cynthia Niciecki

Absent

Richard Abbott
Joe Zgurzynski

Special Presentation

David Posey - Underground Storage Tanks Loans and Grants for Removal

David Posey introduced himself and stated that he was present to give a presentation on underground storage tanks, and to educate residents on the process of what they can do to obtain loans and grants for the removal process. Mr. Posey explained what petroleum tanks were and talked about the difference between the removal of an above ground tank and an in ground tank. He explained how the N.J.D.E.P gives the public an incentive to remove their in ground tank and what they do after the tanks are removed. He explained how it would be possible to be an eligible applicant for a grant.

2.

He stated that if your tank is removed and it is not leaking, the State will pay an applicant to take it out and keep it out, and to have a tank installed above ground. He explained that if your tank is removed and it has leaked, then there are fees an applicant will pay. It must be a DEP certified contractor who will dig up the tank. David Posey explained that there are many contractors in the State that will remove the tank, the ground soil is then tested, and if your tank has leaked the DEP then gets involved. He noted that the N.J.D.E.P. will assist with oil tanks only. David Posey reviewed the literature he had available for the public. If your income is \$250,000 or less you would qualify to apply to have your underground tank removed. He noted that the application has a cost of \$250.00. He described the process if your tank has leaked. He said you should call the N.J.D.E.P. within 24 hours after the tank has been dug up and found to be leaking. He explained that it would be best to stay with the contractor who has started the removal of the tank, to do the cleanup. It was discussed what they look for, as far as, damage to the tank. He stated they often find holes in the tanks that are leaking. The certified cleanup company must sign a form stating whether there is any damage to the tank. They then take two soil samples and must send them to two different companies for testing. He described the color of the soil and what they look for in the leaked area. The N.J.D.E.P. requires two soil samples tested, which is ranged by number chart, then after review them, they can give the owner the clean bill of health. The contractor writes up a report, which gets reviewed by the DEP. He stated that when you go to sell the house and property, it's best to save any letters and reports that have documented any information and questions regarding any tanks that have been removed. He stated that one of the most important things you do after the tank is removed it to file a claim. You would file the claim with your insurance company. He spoke of the third party being involved, a neighbor, or another resident that may be affected. In this case this must be also reported. It is recommended to get a proposal. Mr. Posey stated that there are over 2000 applications a month that are received by the N.J.D.E.P. It takes approximately 120 days before they can actually review the applications to decide if the application is approved or not. He noted that there are just as many tanks that have been filed that have not leaked. This process usually takes at least 60 to 80 days before it is reviewed. He explained that EDA reviews whether money is returned for the reimbursement of the removal of the tank. He noted that the State can go up to \$500,000 by giving a reasonable reimbursement of funds. He stated that each cleanup contractor has to hire a disposal facility to remove and take the contaminated soil away, and that the DEP will tell you if you are being over charged for this process. Mr. Posey suggested that if you want a proposal, do not go with someone that is very expensive, shop around first before making your decision. The DEP steps in and tells the homeowner if their clean up is too high in cost. He reviewed the web page and explained how to find information regarding removal of in ground oil tanks. Mr. Posey stated that anyone that has any questions or needs help to call him directly at the State at (609-984-1355). He noted that the State funding was flushed, and almost completely used up for all of the 2011 allotment. He explained that you do not get the full allotment as applicants once did in the past.

3.

He stated that this means that your application will be sitting for a while. He told everyone that if you decide to have an in ground tank removed, to fill out an application as soon as possible. He noted that the DEP receives about 200 applications a month. Mr. Posey explained that an application is a guide for people to follow, and suggested that if you want to obtain the application to get one for a leaking tank, and a non leaking tank. He explained that there is a cost guide on the application also, which is often amended. A member of the public that was present stated that homeowners insurance maybe helpful to the homeowner to cover some of the costs. He noted that the Township’s zoning ordinances have a lot to do with removing the tank. Mr. Posey suggested that anyone who goes through the process of the removal of the tank should document everything that has happened from the time you take the tank out until it is replaced. The State will pay for the permits that have been applied for to have the tank removed from your town. Mr. Posey had a question and answer session, and responded to all questions and concerns.

There were approximately 50 people present at this presentation. The Environmental Commission thanked Mr. Posey for his excellent presentation and everyone that attended the presentation.

Approval of the February 22, 2011 Regular Meeting Minutes

Motion and Adoption of February 22, 2011 Regular Meeting Minutes of the Environmental Commission

It was moved by Sandra McNicol, seconded by Jerry Fields and carried to adopt the February 22, 2011 Regular Meeting Minutes of the Environmental Commission.

Roll Call Vote:	Aye	- D. Kratzer, L Voronin, G. Ashley, S. McNicol, D. Posey, J. Fields, C. Niciecki
	Nay	- None
	Abstain	- None
	Absent	- None

Correspondence

N/A

Reports

Freshwater Wetlands Application Checklist: Muddy Run Road and Barbertown-Point Breeze Road – Block 24, Lots 4 & 7 – Applicants: Chuck Graybar @ Sundancer Capital, LLC

Chairwoman Debbie Kratzer reviewed. There was a discussion whether or not an application has been submitted to the Planning Board regarding this property. Elaine Niemann stated not at this time, but probably soon. The Commission noted that this will be one of the largest solar farms in Kingwood Township.

4.

There was a lengthy discussion on the application and the procedures that have to be followed. David Posey noted that there are several procedures that they would have to complete to get approval by the N.J.D.E.P.

The Commission members stated that they would like to see the maps for this project. Elaine Niemann stated that the Township would be very interested in the Environmental Commission reviewing the maps, and looking into this solar project.

Freshwater Wetlands Application Checklist: 102 Featherbed Road – Block 26, Lot 16 – Victoria Farneski

Chairwoman Debbie Kratzer reviewed.

Receptor Evaluation Form from NJDEP re: All American Auto Chris's Citgo 1120 - Route 12

Chairwoman Debbie Kratzer reviewed. David Posey explained the evaluation form to everyone. He explained how to read the case tracking number, and the site remediation number. He read aloud the results on the tank that was removed.

Letter of Interpretation Extention re: Block 9, Lot 13 Anthony Schlachter

Chairwoman Debbie Kratzer reviewed.

Letter of Interpretation Type IV Regulatory Line Verification from Trident Environmental Consultants re: Alethea Cleantech Advisors, LLC - Block 21, Lot 1 – 550 Barbertown Point Breeze Road – Point Breeze Road Solar Farm

Chairwoman Debbie Kratzer reviewed. She noted that this is a proposal for a solar farm on Barbertown Point Breeze Road, and that she is concerned about the buffers. David Posey offered to obtain maps of this area for the Commission to review for next months meeting.

Authorization for Freshwater Wetlands Statewide General Permit No. 10A. Water Quality Certification, and Waiver of Transition Area for Access Re: Proposed Driveway to Residential Dwelling – Block 37 Lot 9.01

Sandra McNicol reviewed and explained the authorization notice.

Statewide General Permit#25 Authorizes the Replacement of the Existing Failing Septic System with a New Septic Field Re: Block 40, Lot 10 #135 Byram Kingwood Road

Chairwoman Debbie Kratzer reviewed.

5.

Hunterdon County Soil Conservation District

N/A

Recycling Update/Coordinator Cynthia Niciecki

Cynthia Niciecki Recycling Report for March 2011

Cynthia Niciecki read the following Report for March 2011:

March 22, 2011 Kingwood Recycling Coordinators Report

This month's Recycling Day went well. I cleaned up a lot of the commingled items that blew out of the dumpster, but there is still a lot of cardboard and bags in the ditch. The Girl Scouts might come to our May Recycling Day to help out.

I sent a second letter to the businesses who have not responded to my request for their recycling reports for 2010. I am working on the tonnage report for the State of NJ, which is due on, April 30, 2011. So far the numbers look good.

The dumpsters at our depot are filling up quickly. The metal dumpster was switched and the Township received \$649.00 for the metal which goes into the Recycling Account.

A total of 8 buckets of Household Batteries were picked up by Alan Johnson for the County Hazardous Waste Collection Day. That was the last time for the batteries to be collected. We are no longer accepting alkaline batteries for they are no longer considered as hazardous waste and can safely go in the trash. We will accept lead-acid batteries (car batteries) at our depot, and all rechargeable batteries are accepted at Lowe's at no charge and no limit.

We will be getting a 14 yard container at our depot for E-Waste at no charge from Donjon Recycling. The container should arrive sometime in April. Acceptable items include:

- Computers, laptops, monitors
- Keyboards, mouse, cables, hard drives
- Televisions
- Scanners, printers, copiers, and Fax machines
- Telephone handset systems, cell phones
- Home stereo and entertainment systems
- Cameras and video equipment and
- Electronic scrap

Unacceptable materials are:

- Construction or demolition debris
- Solid waste
- Hazardous materials and
- Liquid waste

6.

All materials collected will be handled in an environmentally sound and compliant manner.

A recycling event receptacle was used at the Boy Scout's Spaghetti Dinner on March 18, 2011. Cynthia Niciecki noted that on March 26th there will be a Hazardous Household Clean Up at the County from 9 till noon.

An Article in the Hunterdon County Democrat "A Pound's Worth" – From Cynthia Niciecki

Recycling Coordinator Cynthia Niciecki read aloud the article to everyone.

Volunteer for April 9, 2011

Jerry Fields will be volunteering on April 9, 2011 recycling.

"Electronic Waste Management Act" – New Law in Effect January 1, 2011 – Update

Cynthia Niciecki reviewed an update for Kingwoods electronic recycling in her March report.

Information on Battery Management

Jerry Fields gave an update on Batteries. Cynthia Niciecki read aloud an article Jerry Fields brought to the meeting titled "Homeowners Guide to Proper Household Battery Management, "If it's Rechargeable, If it's Recyclable". She stated that this article gave residents many website links to go to and numbers to call for each County to ask questions.

There was a discussion on the trash along the park and school walkway, and how it needs to be addressed. The Commission discussed a day to cleanup the trash possibly by the local Scouts. Chairwoman Debbie Kratzer noted that it needs to be discussed with the Department of Public Works regarding putting up a fence to prevent the garbage from blowing into the woods along the trail. Cynthia Niciecki will be in contact with the Scouts.

Old Business

2009 ANJEC Smart Growth Planning Grant – Open Space & Recreation Plan – Update

Sandra McNicol reviewed. She stated that the Attorney for the Planning Board has explained that this needed to be reviewed one more month.

Kingwood SEIA (Statement of Environmental Impact and Assessment) and Threatened and Endangered Ordinance Draft – Update

7.

Sandra McNicol noted that nothing has been discussed on this ordinance at this time.

Wind Energy Ordinance Draft 1-12-2011 Update

Sandra McNicol explained that this has been discussed at a Planning Board meeting and would like to see a draft ordinance reviewed at next months meeting.

Eagle Scout Project Planned at Kingwood Park – Native Rain Garden, Path, Kiosks & Bulb Plantings – Update

Chairwoman Debbie Kratzer reviewed.

Driveway Procedures Update –

Elaine Niemann noted that she has obtained the Township's current driveway ordinance, and also requested driveway procedures and ordinances from other Township's. She stated that she will be reviewing what the other towns do with there driveway procedures once she obtains all the information.

"N.J.A.C. 7:7A-2.7 Transition areas due to freshwater wetlands on adjacent property

Trash Handling on Open Space Properties Update – Jerry Fields

Chairwoman Debbie Kratzer reviewed what was discussed at last months meeting. Sandra McNicol stated that the park and walkway will be worked on. She explained that the other parks will be taken care of by NJ Conservation. David Hewitt, who was Director of the Parks Systems for the State of New Jersey, and who is currently Vice Chairman for the Parks and Recreation Committee for the Township was present and gave the Commission members some ideas for signs at the parks. He stated that signs would be a very good idea to put up. He discussed the idea of carry in, carry out policy for parks. The Commission is worried about the trash bags being found somewhere on the trails. David Hewitt noted that there is usually enforcement for parks regarding trash. The Commission is willing to try the signs for the carry in, carry out plan first. David Hewitt will look into possibly getting signs for the parks around the Township. Sandra McNicol stated that this will be discussed at the Open Space/Ag Advisory Committee meeting also regarding preserved properties and trash.

NJ Invasive Species Strike Team - <http://www.njisst.org/Index.asp> - Annual Strike Team Steering Committee Meeting – Friday, March 25, 2011 10:00a.m.- 12:00p.m. Echo Hill Park Main Lodge – Reminder to All

Several of the members discussed possibly attending.

8.

Letter to Amy Cradic of NJDEP about River Impacts

The Commission noted that there were no responses from the letters that were sent last month. There was a lengthy discussion on the issue, and who they could maybe talk about this concern.

Wastewater Management Plan - Public Hearing on the Draft Sewer Service Areas - Update of March 9, Board of Health Meeting

Elaine Niemann noted that there was a public hearing on the draft, and that it was found that there is a facility on Treasure Island, and that the Township has decided that the County Agriculture Board has already researched this facility.

Lokatong & Wickecheoke Creek Watersheds Restoration and Management Plan - Update

No update at this time.

County Planning Board's first 2011 "Coffee with the County" event 2/23 7:30-9am on the "Time of Decision" legislation – Reviewed

Elaine Niemann noted that she attended the meeting and reviewed what was discussed.

Upcoming speaker at May 24 EC meeting: Larry Herrighty, Assistant Director of the NJ Division of Fish and Wildlife: Whitetail Deer & Deer Hunting in NJ

Chairwoman Debbie Kratzer gave everyone a reminder of the next presentation on May 24th with Larry Herrighty.

Review of Ordinance No. 16-05-2011 To Designate Riparian Zones and to Protect Streams, Lakes and Other Surface Water Bodies of the Township

Chairwoman Debbie Kratzer reviewed. It was noted that there will be a final adoption on this ordinance at the next Township Committee meeting in April.

New Business

Presentation for Kingwood Twp School 6th graders - Debbie Kratzer

Debbie Kratzer reviewed.

Action Items

Environmental Commission Site Plan Reviews

(Applicant Alethea Cleantech Advisors, LLC - Review Site Plan Completed)

9.

Chairwoman Debbie Kratzer noted that the Board of Adjustment has denied this application.

Sustainable Jersey Program – Update

Elaine Niemann stated that they will be meeting again next week. She stated that Diana Haywood would be reviewing the Township's audit application.

MEL – Update

Receptor Evaluation MEL Chemicals Inc. Report from ENVIRON

Gail Ashley explained that there is a report that is scheduled to come out in the month of March. She stated that this is a heads up and suggested that the Commission wait till the report comes in to review.

Deer Overpopulation – Update

Chairwoman Debbie Kratzer mentioned again that there will be a presentation by Larry Herrighty on May 24th on the Deer problem.

Maintenance of Trail on Township Property - Between School and Park – Update from Sub-Committee

The Commission will be meeting to discuss the maintenance and to speak to the Township's Department of Public Works.

Open Space

Open Space Chairwoman Sandra McNicol – Update on March 1, 2011 Open Space/Ag Advisory Committee Meeting

Sandra McNicol reviewed the Open Space Meeting of March 1, 2011. She talked about the outcome of the Dedication for the Gergar property that was held on Friday, March 19, 2011. She noted that it was a nice presentation, many residents from the Township attended, and that several residents in the Township talked about their memories of Helen Gergar. She also stated that on Friday, April 8, 2011 there will be a Dedication for the Ukarish property. Sandra explained that farmland preservation is moving along, but no that there is no update on anything at this time.

Public Comment – Privilege of the Floor

No comments.

10.

Adjournment

It was moved by Gail Ashley, seconded by Lois Voronin and carried to adjourn the meeting at 10:30PM. **All** voted **Aye** on **Roll Call Vote**.

Respectfully submitted,

Cynthia L. Keller,
Secretary