

Established 1948

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CALENDAR OF UPCOMING EVENTS

The following Morris Township meetings are held at township Hall, 50 Woodland Ave., Morris Township unless otherwise stated:

Planning Board - February 2 and 17, March 1 and 15,
April 19 -- all at 8pm.

Township Committee - February 4 and 18, March 3, March
17, April 7, 21 - all at 8pm. Open Space Committee - March
18, 7:30. Environmental Commission – March 9, May 11,
also at 7:30pm.

Open Space Committee - March 18, 7:30. Environmental
Commission – March 9, May 11, also at 7:30pm.

Next Burnham Park Association meeting-March 4 @
Bill Claxton's, 32 Dorothy Dr. @7:30pm.

BPA's Annual Arbor Day Celebration/cleanup/planting -
April 24, 9am-noon at Burnham Park, raindate, April 25
(refreshments provided) - see article below

UPDATE on the Abbey/Delbarton/RLS CCRC

Contrary to recent publicity, THE CCRC CANNOT BE BUILT IN ITS PRESENT FORM

Recent NJDEP Denial of Permits subjects the CCRC to new, more stringent water quality requirements.

Despite "victory" headlines about the preliminary site plan approval granted (and then memorialized by the Township Planning Board on Dec. 29, 2003), this intensive commercial development cannot be built. It failed to meet the requirements of the State Department of Environmental Protection and was therefore denied a wetlands permit and a stream encroachment permit, which were needed to "grandfather" the application under the old water quality rules. The Township, in essence, approved something that cannot go forward.

The new State water quality regulations impose far more stringent standards including a 300' buffer zone (instead of current 150') around the site's Category I waters and much more stringent infiltration standards. A complete redesign of the project will likely be necessary since some structures in the plan are located within the new buffer zones and steep slopes will make the other water quality requirements extremely difficult to meet.

Additionally, the sewer plans for the development will not even be considered until Morris Township submits to NJDEP a "credible" and "substantially complete" wastewater management plan (WMP) requiring the sign off of several municipalities which are part of Morris Township's sewer service area. The WMP, required of every community, is a planning

(continued on next page) →

document which shows how the municipality expects to grow while ensuring adequate wastewater capacity and protection of the town's environment.

The WMP submitted by Morris Township in July and cited by the DEP in October for "substantial deficiencies", has yet to receive state approval.

Other hurdles include the recent decision by the Great Swamp Watershed to appeal the Nov. 6th spot zoning decision. Additionally, in coming months, the State plans to institute new regulations to more strictly protect endangered and threatened species habitat such as that found on the Abbey property.

Additional facts to bear in mind:

The monks are NOT going to be living in the CCRC. Spokesman Anthony Cicatiello stated they would continue to live in the Abbey.

The monks are NOT going to be taking care of residents of the CCRC. RLS will administer the CCRC and will provide all staffing.

The purpose of the CCRC is to generate money (nearly \$100 million in initial entrance fees and nearly \$10 million annually).

If the plans as currently drawn were to go into effect:

According to public hearing testimony on 9/10/03 by Sean Kelly, VP for Development of RLS, anyone who purchased long term care insurance cannot use it if that person resides in the CCRC. According to CCRC spokesman Kelly, the CCRC will provide its own care and personnel...no one can bring in any additional personal caregivers (including relatives) to assist a resident.

Approximately 3,153 trees will be removed from the property if the plans were to go forward (including 289 large, "specimen" trees with 24" or greater diameters) – to be "replaced" by approximately 1,000 trees (of 2 1/2"-3" diameters, according to the Star Ledger, 9/18/03)

The initial soil removal plans proposed removal of approximately 334,000 cubic yards of soil removed from the site – and required approximately 38 trucks per hour (19 exiting, 19 returning), 7 hrs., each day, over 8 consecutive months to accomplish. A second scenario, approved by the Morris Township Planning Board, calls for the removal off-site of approximately 230,000 cubic yards of soil, and using the remaining 100,000 cubic yards to raise the proposed new athletic fields approximately 6'). In either scenario, no destination for the soil has yet been identified.

Ball fields with loudspeaker systems and large parking areas (with lights) are located within 250 feet of Sugarloaf Rd. (and adjacent Jockey Hollow National Park)

There will be up to 2,260 lineal feet of retaining walls – many 12' in height and, in some cases, in a stepped arrangement – combining to reach a total of at least 20' in height

The main building will include 7 connected sections...most being several stories high...

The much vaunted "open space" to be preserved will NOT be available or open to the public and is land that could not be developed anyway under existing environmental regulations

Bottom Line: This is FAR FROM OVER....and the outcome is

certainly NOT a "done deal" for the Abbey.

What can you do to help? Write to the Governor and to Commissioner Campbell. Support their firm stance against sprawl (such as this proposed development) and their actions to strengthen protections for clean water, endangered and threatened species habitat and environmentally sensitive areas in general.

Addresses:

The Honorable James McGreevey, Governor/ State of New Jersey/ Statehouse/ PO Box 001/Trenton, NJ 08625-0001 and Bradley Campbell, Commissioner/ NJ Department of Environmental Protection/ PO Box 402/Trenton, NJ 08625-0402

New Jersey's new clean water rules are hailed as boon to Morris County

The new stormwater rules calling for 300' buffers around designated category 1 streams, cleaner stormwater runoff, as well as increased infiltration (water that flows directly back into the ground), were hailed in the "Daily Record" by Ray Zabihach, director of Morris County Planning Board, as "a positive development, we have a chance to make things better."

The new rules cover residential developments, as well as highways, hospitals and other construction projects. And in the same article, DEP commissioner Campbell said that studies indicate that up to 1/2 of surface water pollution is caused by non-point pollution and stormwater runoff.

Planning director Zabihach also said these rules require that developers produce no more runoff from a developed site than what was produced prior to development. Although it will take years to reduce depletion of the county's water supply, according to Zabihach, "this is a start."

Polluters beware:

NJDEP to seek "natural resource damages"

"Natural resource damages", as they are known, could, as reported in The NY Times "create hundreds of millions of dollars in additional costs for NJ businesses, especially any heavily polluting chemical and petrochemical companies." New Jersey will initially focus on areas of significant groundwater contamination. Although such damages were collected in the past, they were generally only assessed for catastrophic events such as oil spills. New Jersey's program would be the first concerted attempt to seek compensation for environmental restoration following routine pollution: "Like in other states, our natural resources have been diminished far more by the accretion of smaller environmental insults from various sources of contamination, and it would shortchange the public interest if we write off these claims instead of pursuing them.", said Bradley Campbell, NJ Commissioner of Environmental Protection. These regulations, first developed under the Whitman administration, have until now been rarely enforced. Please note that some record fines have already been levied and collected against major NJ companies such as Honeywell and others.

Morristown/Township environmental and open space meetings highlight issues

At the second public hearing hosted by the Township Open Space Committee on Jan. 15, 2004, facilitators from the Morris Land Conservancy presented a preliminary Recreation and Open Space Inventory (ROSI) map, reviewed points raised at the first public hearing (Nov. 13, 2003) and suggested improvements such as creating several overlay maps including a "greenway" map (as a guide for preservation), a "trail" map (perhaps linking adjacent towns) and a "water recharge" map to target sensitive areas for preservation (and which would strengthen applications to the county for open space funds since natural resources are critical to grant approval). Fred Rossi, Township Administrator, confirmed the "encumbered," open space status of the Jones Woods Reservoir (the pond), but Committee Members Watson and Nace indicated that Morris Township still wishes to keep its "set aside" 20 acres in Jones Woods rather than convert it to protected open space status (despite its suitability for such). Recent open space purchases of the Spence and Lupo properties in Washington Valley and plans to upgrade the mapping with GIS data were also discussed.

Morristown's Environmental Commission received a grant from the Association of NJ Environmental Commissions (ANJEC), and a matching grant from the Town Council to prepare an Open Space and Recreation Plan for Morristown. When completed, the plan will provide an inventory of Morristown's open spaces and recommend how best to preserve and protect them consistent with historical preservation, recreation, and environmental conservation. The initial phase of this project to identify, inventory and recommend land for preservation began with a public hearing on January 14 conducted by the Environmental Commission. Several applications for open space were approved. NJ will provide low interest loans, if land to be purchased involves some water quality protection element. After a second public hearing, the Commission's recommendations go to the Morristown Planning Board for approval and incorporation into the town's Master Plan.

Preservation of high water quality was also a theme of the Morris Township Environmental Commission's Jan. 13 meeting. Special guest speaker Joan Helinski, water quality expert for Southeast Morris County Municipal Utilities Authority (SMCMUA), discussed wellhead protection and presented possible model ordinances to accomplish such protection for Morris Township. As a chemist for Watershed Management Area 3, and regulatory compliance officer at SMCMUA, Ms. Helinski is addressing concerns about Black Brook, Todd and Wing wells, as well as maintenance of surface water quality.

At the request of the committee, she was asked to return at some future meeting with additional "break out" details on water quality at specific wells and service areas, and for further discussion of wellhead protection measures.

Get down and dirty on Arbor Day!

Where can you "dish the dirt" with like-minded neighbors and others who share your inclinations and still come away clean?

To find out, come join neighbors and other volunteers for the

Burnham Park Association's annual Arbor Day event on Saturday, April 24 at the Burnham Park gazebo. Sarah Cavanaugh, our own landscape designer and all around taskmaster, promises rewarding work as we continue our efforts to restore the riparian buffer zone around the pond. We usually begin around 9am. Whether you volunteer for an hour or for several, you'll have fun (we provide refreshments) and go home, maybe a little tired, but gratified that you not only met some wonderful people, but did your part to beautify and preserve our community gem: Burnham Park! Bring shovels, rakes, work gloves, hat, etc. Rain date is Sunday, April 25.

Flash!

Do you hate meetings but love your computer?

The Burnham Park Association is searching for a webmaster to maintain our site. If you would like to help and are so inclined, or know someone with the skills and interest, please call BPA President Lynn Siebert @ 973-540-1586, or Joe Attamante @ 973-538-7863. Please check the website: www.burnhampark.org

SAVE THE DATES! Saturday, March 20th, 2004 New Jersey Environmental Federation's 18th Annual Conference NEW JERSEY ~ MOVING INTO THE VANGUARD: PROTECTING PUBLIC HEALTH & THE ENVIRONMENT 9 a.m. ~ 5 p.m. at Princeton University Friend Center, Princeton, NJ Featured Workshops: *Drinking Water Protections *Precautionary Principle & Children's Health *Environment & Labor Working Together *Using NJDEP Right to Know Data *Environmental Justice *Healthy Schools *Water & Sprawl *Food Safety Key Note Speaker: NJ Governor James E. McGreevey (invited) & Ted Schettler, M.D., *Science Director, Science and Environmental Health Network, practicing physician, Boston Medical Center & East Boston Neighborhood Health Center and Author, In Harm's Way: Toxic Threats to Childhood Development Conference registration (includes coffee, snacks, lunch & reception) is \$30 per person, \$25 per person for groups of 5 or more. \$25 per person registering before March 10, 2004, and \$15 for students. To register with a credit card, please call Jenny Vickers at 732-280-8988. For more information, email jvickers@cleanwater.org : 1002 Ocean Avenue, Belmar, NJ 07719 Ph: (732) 280-8988 Fax: (732) 280-0371 www.cleanwateraction.org

Saturday, March 13th - VERNAL POOLS/ DEP TRAINING - Somerset Co. Environmental Education Center, Lord Stirling Rd., Basking Ridge, NJ- The NJDEP will train volunteers to assist the State Division of Fish and Wildlife in collecting information to identify vernal habitats that receive special protection under freshwater regulations. (These are the breeding habitats for several endangered species). To inquire or register, call (908) 735-8975 or email vernalpools@yahoo.com

Want to Adopt a stream!? Learn how on Sunday May 2, 2004 at the Great Swamp Outdoor Education Center, Southern Blvd., Chatham from 10am-3pm under the expert guidance of a DEP "ambassador". For questions or to register for this program, sponsored by the Morris County Park Commission, call Jennifer Brine or Mindy Becker @ 973-635-6629.

AD HAWK

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William H. Claxton
Attorney at Law

Member NJ & KY Bars 60 Washington St.
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CAR FOR SALE: Eagle 'Vision' 4dr sedan. Automatic shift on console. Similar to Chrysler Concorde and Dodge Intrepid. 100K miles. Black w/grey fabric interior. Handles nicely, a/c. Electric windows & seat adjust, AM/FM/CD, remote entry. New battery. Asking \$2,000. 973-540-0277.

Seeking owner or home for collarless dark striped **LOST CAT** who can be seen around West Lake and Fairmount Ave even on the coldest of days. Definitely must have been someone's pet -- sweet but scared. Call Michelle 973-538-7863.



Membership/Dues Payment I/We enclose our 2003 Burnham Park Association dues of:

- \$10 Basic/Pine
- \$25 Sponsor/Maple
- \$50 Patron/Beech
- \$100 Benefactor/Oak
- \$250 Thomas Paine Club

Name: _____

Address: _____

Telephone: _____

If making additional contribution, please indicate amount and purpose (e.g. plantings for Arbor Day, etc.)

Amount: _____ Purpose: _____

Fill in your name, address and telephone number on this stub. Make checks payable to the Burnham Park Association. Sent to our treasurer, Bill Claxton at 32 Dorothy Drive, Morristown, NJ 07960. Thanks to those neighbors who have supported BPA so generously. **DUES PAID IN THE THE LAST 3 MONTHS OF 2003 GET CREDITED TO CALENDAR YEAR 2004**

