

PRINCETON ENVIRONMENTAL COMMISSION
Minutes of Regular Meeting of April 24, 2013– 7:30 pm
Meeting Room A, Municipal Building
400 Witherspoon Street, Princeton, NJ 08540

I. Opening Statement

Adequate notice of this meeting as required by Sections 3d and 4a of the Open Public Meetings Act has been provided and filed with the municipal Clerk.

II. Chair Wasserman opened the meeting at 7:35 p.m.

Present were: Kaczerski, Wasserman, Fichtenbaum, Rojer, Ullman, Patil, Zemble, Molina, Chorney and Crumiller

Absent was: Herlihy and Birge

There were twelve (12) members of the public present.

III. Approval of Agenda:

A motion was made and seconded and the Commission voted unanimously to approve the agenda as it was prepared.

IV. Minutes:

A motion was made and seconded and the Commission voted unanimously to approve the February 27, 2013 minutes as written and amended.

A motion was made and seconded and the Commission voted unanimously to approve the April 9, 2013 (special meeting) minutes as written and amended.

V. Public Comment:

Mr. Sheldon Sturgis of Princeton Future said that Princeton Future would like to have an open meeting with the Princeton Environmental Commission and Sustainable Princeton on June 22, 2013 to discuss living more sustainably.

VI. Decisions/Discussions:

- a) Council Update: Crumiller stated that ZARC is starting to look at the two Land Use Ordinances and noted that it will be a long process before the two can be combined. Wasserman asked if the PEC would be included in the process and Crumiller said she did not know but would look into it. Wasserman said the PEC would like to weigh in on the issue, if possible. Crumiller noted that there will be recycling cans placed along Nassau Street and that recycling has been set up for Communiversy. She said it will be handled by staff rather than volunteers. Lastly, she noted that the Shade Tree Commission has been planting a bunch a trees throughout the town.
- b) **Transco Williams Proposed Pipeline Project:** Speaking first was a volunteer from the Sierra Club. She said she has spoken in front of the governing bodies a number of times regarding the protection of the ridge. She said she wanted the PEC to know that FERC’s mission is to facilitate licenses for the pipeline. She did say however, that there is a new law in place that allows the pipeline approvals to be segmented and it doesn’t have to be done all at once. She said she wanted the PEC to understand that FERC is in the “pre-filing” phase and this is a very important phase as it is during this time that FERC will decide whether to do an Environmental Assessment or a full Environmental Impact Statement. She said the EA is a final document and does not allow for public input where the EIS does. Now is the time for the PEC to get involved and share its expertise on the environmental issues of the ridge. She said FERC will hold a public hearing and allow for public to present information and they need to understand that an EIS needs to be done not an EA. She said she brought with her a sample resolution for the PEC to adopt if it is so inclined. She said the resolution (among other things) requests that FERC hold at least one meeting either in Princeton or Montgomery.

Katrina Wilkinson – Food & Water Watch: She said she had worked with the Sierra Club on three different pipeline projects and have taken an intervener status in the FERC process. She said the PEC can intervene during the pre-filing stage and can send comments to FERC through its website. She said once FERC is in the approval stage only interveners can still make comments, no one else. She suggested that the PEC ask for at least 2 scoping hearings (where FERC takes oral comments). She also suggested that the PEC pass a

resolution; she said she also brought a comprehensive draft resolution for the PEC's consideration. She said that everyone needs to look at the need for the expansion of the pipeline and whether it is truly needed. She handed out a fact sheet about the pipeline expansion. She noted that the gas coming through the pipeline is fracking gas. She encouraged everyone to go to FERC's website and keep updated on TF13-5 – it is the document concerning the pipeline and will be updated at least once a month.

Kip Cherry noted that the community should concentrate on the impacts this expansion will have on Princeton.

Jennifer Coffey – Stony Brook Millstone Watershed Assoc: she said the SBMWS is concerned about the potential stream crossings – how will the pipeline cross the streams? She said it is important for them to know so the streams and water quality is not damaged. She said the public needs to insist on an EIS. Not an EA because the ridge is so sensitive. She said the PEC and Town Council has the authority to speak up and demand an EIS. She said the Engineering Department has a copy of the pipeline documents but are not releasing them as per instructions from Transco, however, the attorney's are looking into this to see if they can be released under OPRA. She requested that the PEC move forward tonight in adopting the resolution asking for an EIS and requesting that the scoping meeting is held in Princeton or Montgomery. She noted that it will cost Transco more for an EIS but the full EIS is very important in determining impacts.

Kip Cherry noted that questions can be asked through the website, but the public meeting is the official record of FERC.

Marvin Preston, White Oak Drive, said he lives on the ridge, 30 feet from the existing pipeline noting that it will expand towards his property. He said he walked the pipeline and his big concern is the trees. He said a literal forest will disappear between him and his neighbor's property. He also estimated that approximately 1500 trees will be removed or destroyed with this project. He noted that the removal of the trees will cause increased water run-off onto the adjacent properties. He also noted that there will not be an inspection of the pipeline before or after construction. He said FERC said it is inspection once every 10 years and that's all that has to be done.

Barb Blumenthal, Ridgeview Road, said the residents are getting organized and becoming more informed about this project. She noted that there are many community issues at stake with this project. She said it is very important that the PEC and Town Council pass very strongly worded resolutions because the scoping meeting will be held in either late May or early June. She said it is her understanding that every community has asked for an EIS and it has been denied. She also noted that by law, they do not have to do an EIS if the pipeline goes down the existing one.

Kip Cherry, Dempsey Avenue, said the existing pipeline is 36 inches and the new one will be 42 inches. She said she is not very clear on the details other than the fact that it runs from Montgomery to Coventry Farm in Princeton. She said some of the questions that she has pertain to the trees; such as how large of a caliper will the replacement trees be, how will they handle the streams, and how big with the service area be and whether or not it is a part of the expansion site. She also noted that the bird habitat will disappear and then comes the issue of endangered species. She said she would also like to know if the municipality will get reimbursed for any damage that is done to the roads and will they be reimbursed for trees that will be removed. She said she would also like to see a mitigation plan from Transco. She also noted that because of time constraints it is very important for the PEC to get a resolution to Council.

Katrina Wilkinson said the maps are on file on the website. She said she will try to email them to everyone. She also noted that Transco does not want an alternative route for the pipeline; they want to use the existing one.

Wasserman asked if there were any other members of the public who wanted to comment on this. Hearing none, he thanked everyone for their comments and said the PEC will continue to discuss this.

The PE discussed the resolutions that were brought forth by the Sierra Club and Food & Water Watch. It was suggested that the PEC pass the Sierra Club resolution and continue to work on the Food & Water Watch resolution including the issues that were brought up about the birds, roads, drinking water, stream crossing and how the

ridge is becoming much smaller with all of the development. Suggestions were made that the resolution also includes the climate change issue, and a strong recommendation that an alternative route be found away from the Princeton Ridge.

A motion was made and seconded and the Commission voted unanimously to adopt the resolution submitted by the Sierra Club.

It was decided that the PEC would work on the Food & Water Watch resolution and schedule a special meeting to adopt the resolution so it can be sent to Council for adoption.

- c) **Avalon Bay Sustainability Report:** Wasserman noted that this was put on the agenda so everyone is aware that Avalon Bay put this report out and the PEC should hold their feet to the fire about sustainability when they resubmit their application. He noted that there will be an accelerated review process when Avalon Bay resubmits, and in all probability PEC will have to review the application before the engineering reports are completed. He said Avalon Bay is supposed to resubmit into the Planning Office by May 15th. The PEC then discussed the meeting schedules and whether or not they should rearrange its schedule. It was decided that the PEC would keep its May meeting date as scheduled already and depending on when Avalon Bay resubmits, it would be decided on whether or not the June and July meetings would need to be rescheduled.

The PEC then discussed some of its concerns with the Avalon Bay application such as physicality, density and height of buildings, visual impacts from the street, energy, waste and water. It was noted that the PEC, Town Council and the Community need to defend Princeton in this process.

Daniel Harris said there is 2.5 weeks until the drop dead date for submission by Avalon Bay. He said now is the time when the deals are being cut with the developer and it is a good time to deal with the key issues before they submit revised plans. He said he would encourage the PEC to bargain with the developer now. He encouraged everyone to read the Consent Order that was agreed upon.

VII. Focus Areas:

- a) **Chairs Report:** Wasserman explained that the previous PEC approved reimbursing Sustainable Princeton for the SP Leadership Awards. He said they had set aside \$1500.00 and the total came to \$1,461.00 and he needs a motion to approve the payment. A motion was made and seconded and the Commission voted unanimously to approve the bill.

Wasserman discussed the response from PNC Banks Attorney to the PEC memo. He said he sent a response to that response.

Wasserman noted that ANJEC will hold an Environmental Commission training session on 4/27/13 and he encouraged new members to attend. He said on 5/4/13 there will be an ECO conference at PDS; and on 6/2/13 ANJEC has a beer tasting event. He said he attended the stream clean-up at Port Mercer and was impressed with the amount of people that attended. He said it was a huge success. He also noted that there will be recycling containers at the Communiversitv Event.

- b) **Shade Tree Commission:** Crumiller said the STC has been working on meshing the two ordinances and it is a daunting task. She said the Borough requires that neighbors be notified and the Township ordinance does not.
- c) **Board of Health:** Rojer noted that the Board of Health recently passed an ordinance that bans smoking on municipally owned and park properties. He said they are looking at health issues in all policies and the advantage of looking at the impact of health in the community. He said the BOH is also coordinating with emergency responders for emergency health care.
- d) **Planning Board:** Ullman said the PNC Bank Drive-Thru application was approved. Fichtenbaum noted that the PEC memo was part of the record and she was able to summarize the PEC concerns at the meeting and also discuss “her” concerns as a member of the public.
- e) **Other Topics:** Kaczerski asked that Sustainable Princeton copy the PEC on its correspondence as a courtesy. She said they are copied on the PEC correspondence and feels it would be good practice for Sustainable Princeton to do the same.

VIII. Adjournment:

A motion was made and seconded and the PEC voted unanimously to adjourn the meeting at 9:45 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Debra Rogers", is written in a cursive style.

Debra Rogers, Secretary

Date Approved: May 22, 2013