

TOWNSHIP OF PARSIPPANY-TROY HILLS
PUBLIC HEARING

IN THE MATTER OF:
GREEN ACRES MINOR PARKLAND DIVERSION OF
0.164-ACRE PORTION FOR REPLACEMENT OF WELL 20
BLOCK 736, LOT 9.01
560 SMITH ROAD

TRANSCRIPT OF PROCEEDINGS

THURSDAY, MAY 13, 2021
COMMENCING AT 7:00 P.M.

PANELISTS:
JOHN WIEWORKA, Superintendent and Licensed Operator
-Parsippany-Troy Hills Water Department

SEAN ANDRES, Assistant Superintendent
-Parsippany-Troy Hills Water Department
DIANE N. HICKEY, ESQUIRE
-Riker Danzig Scherer Hyland & Perretti, LLP

KAREN E. BENSON, Hydrogeologist
-H2M Architects + Engineers
PATRICK K. COLE, P.E., Assistant Vice-President
-H2M Architects + Engineers

ALSO PRESENT:

EARLE HOFKER, IT Host
-Parsippany-Troy-Hills Township
RACHEL KIM, P.E.
-H2M Architects + Engineers

LOGAN W. GRANEY, Water Resources Engineer
-H2M Architects + Engineers

HUDSON COURT REPORTING & VIDEO (732) 906-2078

1 JOHN WIEWORKA: Good evening. I am
2 John Wieworka. I will be your moderator.

3 Welcome to the public hearing for the
4 Green Acres minor diversion for Parsippany-Troy
5 Hills water department replacement of Well 20.

6 Please note that this meeting is being
7 recorded. I will have Diane Hickey, counsel, read
8 in the public notice requirements.

9 DIANE HICKEY: Thank you, John.

10 In accordance with the New Jersey
11 Department of Environmental Protection Green Acres
12 regulation, public notice of this meeting was
13 published in the Daily Record on April 12th, 2021,
14 and April 27th, 2021.

15 Notice was also mailed via certified
16 mail to all municipal departments and county
17 agencies and to all property owners within 200 feet
18 of the subject property.

19 Posting of the notice was also posted
20 on the subject property.

21 Because this application also requires
22 minor diversion approval from the Morris County
23 Board of Commissioners notice was also posted on the
24 township website and a press release was sent to the
25 local newspapers.

1 Adequate notice was provided of this
2 meeting.

3 JOHN WIEWORKA: Thank you, Diane. We
4 will start with some housekeeping items before the
5 presentation.

6 To reiterate once again, this meeting
7 is being recorded. This public hearing is being
8 hosted by the Parsippany-Troy Hills Water Department
9 and consultants from the firm of H2M.

10 The public will be muted during the
11 presentation. Muting is not meant to discourage
12 interaction. Rather, in this format, we are trying
13 to eliminate the potential for unnecessary
14 background noise and allow the presenters to
15 effectively communicate and provide the participants
16 the best quality audio possible without any
17 distractions.

18 Our ITE moderators have muted all
19 participants by default. Should you find that your
20 computer is not muted, please click the microphone
21 icon until it is red and crossed out. When you are
22 unmuted the microphone icon will show up with a
23 green fill.

24 We will allow the meeting participants
25 to be unmuted during the question-and-answer portion

1 of this presentation. We'll discuss this protocol
2 and further detail immediately before opening the
3 floor to questions.

4 I just want to make a comment to one of
5 our attendees, Mr. Jay Thompson. We are having
6 trouble having -- you the ability to comment should
7 you desire. You may want to leave and rejoin the
8 meeting so that we have that capability for you.

9 The meeting agenda will be as follows:
10 Introductions will be made. We will present the
11 project details. At the end we will open up the
12 floor to comments. Please note that Part 1 of the
13 Green Acres final application submission is
14 available for review at the municipal clerk's
15 office, the local library and the Green Acres
16 Program offices in Trenton.

17 Due to the current state of emergency
18 we urge the public to make an appointment or reach
19 out via email first should there be any interest in
20 viewing the application documents.

21 Public comment period will last for two
22 weeks. The last date to submit public comments will
23 be May 27th, 2021. We will go further into detail
24 on the public comment submission towards the end of
25 this meeting when we open up the floor to

1 questioning.

2 Today's panelists include: Myself,
3 John Wieworka. I am the water superintendent for
4 Parsippany-Troy Hills Water Department and licensed
5 operator;

6 I have Sean Andres, the assistant water
7 superintendant;

8 I have Diane Hickey, Parsippany-Troy
9 Hills counsel with the firm Riker & Danzig;

10 I have Karen Benson, professional
11 geologist. Ms. Benson is a hydrogeologist with 23
12 years of diverse experience working with a variety
13 of water systems. She has extensive experience
14 conducting hydrological investigations of aquifer
15 and well yields for groundwater supply development
16 primarily in New Jersey;

17 We also have Mr. Pat Cole, P.E. He is
18 the vice-president and deputy marketing leader for
19 H2M. Mr. Cole is a licensed professional engineer
20 in the State of New Jersey with over two decades of
21 experience and is a leader in his field. His areas
22 of expertise include water treatment, distribution
23 system, hydraulic analysis, water quality
24 troubleshooting, and construction contract
25 administration.

1 Parsippany-Troy Hills Water Department
2 is seeking a Green Acres minor diversion to install
3 a potable water well and treatment facility. The
4 site address is 560 Smith Road. The parcel is Block
5 736, Lot 9.01 per local tax map designation. This
6 is a Green Acres designated parcel.

7 Green Acres regulations are outlined in
8 N.J.A.C. 7:36. Parsippany-Troy Hills Water
9 Department is seeking a minor diversion with the
10 Green Acres to install a potable water well and
11 water treatment facility.

12 Because this is a replacement well
13 additional water is not being diverted from the
14 aquifer. The replacement well is necessary to
15 provide the community with an adequate source of
16 clean drinking water.

17 Parsippany-Troy Hills Water Department
18 maintains a network of community water supply wells
19 to service approximately 50,000 people. There are
20 several wells that are underperforming or
21 compromised that require replacement. As is true of
22 civil infrastructure in general, all aging
23 infrastructure will eventually require replacements.

24 The well being replaced, Well 20, was
25 originally installed in 1986. It is a -- it is

1 screened in a sand and gravel aquifer known as the
2 Buried Valley aquifer system.

3 Well 20 is one of Parsippany-Troy Hills
4 Water Department's primary supply wells. It was
5 taken out of service in 2017 due to accommodation of
6 reduced performance and water quality issues.
7 Replacement of this well is crucial to restoring
8 Parsippany's water supply system to its full
9 capacity.

10 I will turn over the presentation to
11 our hydrogeologist, Karen Benson, at this time.

12 KAREN BENSON: Thank you, John.

13 So as John mentioned, Well 20 was taken
14 out of service in 2017 and there had been some work
15 done on it prior to that to try to restore the
16 capacity. And it became apparent that the well
17 needed replacement. And also there were some water
18 quality issues that would indicate that the well
19 would need to have some additional treatment in
20 order to meet safe drinking water regulations.

21 Looking at the parcel, basically it's a
22 wedged-shaped parcel, rather small. And to install
23 a treatment building and a new well on it had -- was
24 not really feasible. There were too many
25 constraints.

1 On the left-hand side there's the
2 treeline that has the Troy Brook running through it,
3 so there was -- the other two sides are bounded by
4 roads. And again it was a small parcel, also some
5 topography issues.

6 So it became apparent that replacement
7 would need to take place at another parcel. And
8 generally you want to look to put the well close to
9 the existing well. So Parsippany started on an
10 exploration and fact-seeking type of endeavor to try
11 to put the new replacement well on. Looked at a
12 variety of parcels within Parsippany, looked at it
13 in terms of the suitability for a well which is like
14 the aquifer needs to be substantial enough
15 underneath it, away from environmental issues,
16 sources, sensitive habitats, away from wetlands,
17 away from streams, and there needs to be about a
18 50-foot radius ownership around the well.

19 And then, as I mentioned, the aquifer
20 needs to be -- provide to a suitable replacement for
21 Well 20...

22 Next. So the township went through
23 and, as I said, they looked at a variety of parcels
24 that were township-owned and we determined that
25 there were three of them that were suitable for the

1 potential for replacing Well 20.

2 Borings were put at three of the
3 locations. The boring location one to the north, 69
4 Baldwin Road, was the first one. If you see
5 speckling area throughout most of the map that is an
6 indication of the aquifer being at least 100 feet
7 thick based on reports. And this is important
8 because of the way wells are constructed you need to
9 basically seal off the first 50 feet of the aquifer
10 to protect it from any surface flow. So the aquifer
11 needed to be at least in the vicinity of 100 feet or
12 more deep to give an adequate amount of aquifer to
13 get the capacity to replace Well 20.

14 The boring that was completed at Number
15 1 was only about 50 feet, even though it looked like
16 it was in the speckled area according to the report.
17 So that one was determined to not be suitable.

18 The second one was actually outside the
19 speckled area but worth looking at. That was the
20 one down at 761 Smith Road. And that one basically
21 hit bedrock at about 80 feet, which would only leave
22 about 30 feet of aquifer and the materials were
23 really not as coarse as you would want to have a
24 good replacement for Well 20.

25 The third, at 560 Smith Road, which is

1 the parcel in question, actually had -- the boring
2 went down to about 130 feet. The materials were
3 definitely suitable. It didn't hit bedrock, so it
4 was definitely an optimum place to attempt to place
5 the well.

6 So the next phase of work was actually
7 to then assess that particular site with other
8 constraints. Again the New Jersey DEP requires a
9 50-foot radius or area around the well that needs to
10 be owned by, in this case, Parsippany-Troy Hills
11 Water Department. There are setbacks to certain
12 things, like sewer lines and septic lines, storm
13 drains, that type of thing.

14 You want to make sure that it's not too
15 close to other supply wells that you could affect
16 other wells.

17 Also look at environmental impacts.
18 And as you can see from the different colors, the
19 site is kind of like in a beige area, the small lot,
20 9.02. And that means that it was basically a lesser
21 concern than the greens and the teals as far as
22 sensitive habitats. That was partially because the
23 land had already been disturbed previously so,
24 therefore, it was designated as it was.

25 Proximity to roadways was another one.

1 You know, just to make sure that it's not too close.
2 And that was not an issue here as far as major
3 highways.

4 And as far as contamination sites we
5 also looked at that and there were none that were
6 identified with close proximity that could
7 compromise the well.

8 So it appeared that this lot and block
9 was going to be the best potential for a replacement
10 for Well 20. It was in proximity to Well 20, which
11 is what the NJDEP would like to see for a
12 replacement well.

13 So then we basically, you know, again,
14 had determined that we could get like a 50-foot
15 ownership. And the -- so then the -- sorry, the
16 Green Acres group was contacted to find out if it
17 was feasible to do a minor diversion on this
18 property.

19 After going back and forth with the
20 Green Acres group we did an extensive alternatives
21 analysis on a variety of different sites. Again
22 this one was deemed the most suitable.

23 The entire Green Acres parcel is both
24 Lots 9.02 and 9.01. And the area that we're looking
25 for for the diversion is the small hatched rectangle

1 in orange, which is then even smaller piece of the
2 parcel in question.

3 And the total acreage that the township
4 is looking to divert is .164 acres is the area of
5 that rectangle, the combined lots of 9.02 and 9.01
6 is 4.968 acres. So the requested diversion is about
7 3.3 percent of that combined lot. So a very small
8 piece of it to have the room needed for the well and
9 the treatment building.

10 As part of the process there will be a
11 compensation proposal that has been discussed with
12 the state. Compensation is being offered in lieu
13 of a land swap because this was determined to be
14 such a small parcel that it really didn't make sense
15 to try to find something that was -- that was that
16 small to try to do as a replacement.

17 The compensation is based on the
18 percentage of the lot being diverted and the market
19 value of the site. So the total compensation
20 proposed is \$19,311.22, which will be remitted to
21 Green Acres for deposit into the Garden State
22 Preservation Trust Fund.

23 The Garden State Preservation Trust
24 Fund exists to accommodate green space throughout
25 the entirety of the state and acquire and preserve

1 open space, farmland and historic sites.

2 As part of this application process
3 Parsippany-Troy Hills Water Department made outreach
4 to the NJDEP Green Acres Program office, the
5 township clerk, the township environmental
6 commission, the township planning board, the
7 township open space committee, the county clerk, the
8 county planning board and the county preservation
9 board.

10 In addition a grant was provided by the
11 Morris County Preservation Trust to fund the
12 original Green Acres acquisition in 2005. The
13 preservation trust is aware of this application and
14 will be included in the application process. The
15 grant was in the amount of \$350,000.

16 The application also requires a minor
17 diversion from Morris County board of county
18 commissioners. The proposed minor diversion of
19 .0164 acre of Block 736, Lot 9.02, forms part of the
20 open space lands preserved, in part with funding
21 from the Morris County Open Space Farmland
22 Floodplain Protection and Historic Preservation
23 trust fund as part of Smith Road sheep farm in 2005.

24 As part of --

25 DIANE HICKEY: Karen, I apologize.

1 Could we just specify the amount of compensation
2 being provided to the county in connection with that
3 minor diversion application?

4 KAREN BENSON: Which is not on my
5 sheet.

6 DIANE HICKEY: \$11,619.

7 KAREN BENSON: Thank you.

8 DIANE HICKEY: Which, again, was
9 calculated based on a per acre value of the initial
10 Morris County Trust Fund contribution for the
11 acquisition of the property back in 2005.

12 Sorry to interrupt, Karen. Please go
13 ahead.

14 KAREN BENSON: No, thank you.

15 So basically as part of the entire
16 Green Acres parcel, once we did the alternatives
17 analysis, the Green Acres group also wanted to prove
18 viability, that this site was sufficient for a
19 production well even though we had the boring that
20 suggested it was. So they provided a temporary use
21 authorization for us.

22 So essentially we, H2M, our civil
23 department, performed a survey in early 2020 to
24 evaluate and survey the site. The field determined
25 that the parcel does have isolated wetlands in some

1 areas that needed to just be considered. They -- we
2 also requested the Natural Heritage data form from
3 the NJDEP to verify where wildlife species and/or
4 habitat on the site.

5 There is one basically brown thrush
6 sighted once that was determined. But if you
7 remember from the one map that had like the beige
8 site, said that it had the potential for some
9 sensitive, only the one had ever been determined,
10 and other areas around actually had more sensitive
11 receptors. So that actually made it better to go
12 with this site because it would have less
13 disturbance overall.

14 There is no intention of any tree
15 clearing or removal as part of the construction.
16 There might be some tree trimming to accommodate
17 work in the interest of safety.

18 In September, 2020, H2M oversaw the
19 construction of a test well at the site. And as
20 part of that also there was going to be aquifer
21 testing to show the impact of the well on the site
22 and natural surroundings. So there was an aquifer
23 test plan prepared and submitted to the NJDEP for
24 approval. Once it was approved in late January an
25 aquifer test was completed in late March to early

1 April.

2 The well was pumped for 72 hours in
3 accordance with the NJDEP requirements. The flow
4 was actually 840 gallons per minute, which is
5 120 percent of the permitted rate of Well 20, which
6 is 700 gallons per minute. And the well performed
7 adequately to be a good source of replacement for
8 Well 20.

9 Water quality sample was collected
10 also as part of that testing. Those results are
11 still pending. But that will be involved also then
12 in the overall treatment building and planning for
13 the remainder of the project.

14 Back to you, John.

15 JOHN WIEWORKA: Thank you, Karen. I
16 will turn the presentation over to our engineer,
17 Patrick Cole.

18 PATRICK COLE: Thanks, John.

19 So what is shown here is the conceptual
20 site plan developed with preliminary design criteria
21 to show the potential layout of this site as it's
22 been conceptualized and described so far.

23 The magenta line that we see here
24 indicates the total diversion area. And the lighter
25 red dot/dashed line indicates the line of the

1 isolated wetlands that have been detected and mapped
2 on-site.

3 The well and the treatment building are
4 sighted outside the boundary of those isolated
5 wetlands. And the treatment building as you can see
6 depicted in blue here, is approximately a footprint
7 of 40 by 40 feet. The diversion area will be
8 protected with fencing when it's constructed and
9 gravel access driveway is proposed to serve for
10 vehicular ingress and egress from a standpoint of
11 operation of maintenance.

12 Proposed diversion was located in such
13 a way on this site as you can see to minimize
14 disturbance of the wetlands that were detected. And
15 the dimensions of the treatment building are based
16 on conceptualization of the anticipated treatment
17 process used that might be required to treat
18 potential contaminants at this well and make the --
19 the groundwater suitable for consumption as potable
20 water.

21 The side that you see here should be
22 familiar to residents and local passersby in the
23 vicinity of the project. This is a photo of the
24 building adjacent to the proposed construction site.
25 It's known locally as the Parsippany soccer

1 clubhouse.

2 This building is constructed in the
3 colonial architectural style. It's brick facing.
4 Some vinyl siding. Windows flanked by shutters,
5 which is a typical architectural aesthetic for
6 residential communities in New Jersey. And one that
7 will be used to inform the architectural finishes
8 for the proposed well station.

9 Let's move to our next slide, please.
10 Here you see conceptualized in isometrics view a
11 potential for construction of the proposed well
12 station and its associated treatment.

13 Again as described earlier the intent
14 behind this model is to give folks the visual sense
15 of residential architecture. That is part of the
16 evolved practice of drinking water supply and
17 treatment engineering and is used in cases where
18 construction, as is being proposed here, is to be
19 performed in neighborhoods that are of primarily a
20 residential character.

21 Let's move to the next slide, please.
22 Here we see a three-dimensional rendering of how the
23 site could be conceptually constructed and finished.
24 It's preliminary in nature and intended to
25 demonstrate the ultimate look of the property after

1 it's been put into service and is -- and is the
2 subject of routine maintenance.

3 The driveway there is visibly evident
4 and what has been omitted from this mockup is the
5 typical feature of drinking water infrastructure
6 which is a fence, a secured fence again to ensure
7 secure operation for public water facilities.

8 So that will be it for me. Back to
9 you, John.

10 JOHN WIEWORKA: Thank you, Pat. That
11 concludes the presentation material.

12 We'll be opening the floor to questions
13 shortly. If you would like to participate in the
14 public commentary, please raise your hand. Next to
15 your name in the participant panel there is a hand
16 icon that you can click to indicate you would like
17 to speak up as shown by the red arrow in diagram at
18 the top of the screen. One of the moderators will
19 call on you. We will unmute you and you will be
20 given a chance to address the presenters.

21 Before asking your question you will be
22 prompted to clearly state your full name and address
23 for the record. Once you have asked your question
24 please click the hand again to lower your hand and
25 allow others a chance to raise their questions.

1 Approximately 3 to 5 minutes will be
2 allocated to each question. Should you feel your
3 question is not addressed to your satisfaction
4 please reach out to me, John Wieworka, whose email
5 and address will be listed on the screen on the next
6 slide.

7 We are opening up the floor for
8 questions now. Do we have anyone from the public
9 that would like to raise a question?

10 EARLE HOFKER: I see no hands raised.

11 DIANE HICKEY: John, let's give it a
12 minute or so to let people navigate --

13 JOHN WIEWORKA: Okay.

14 DIANE HICKEY: -- the screen if they
15 need to.

16 EARLE HOFKER: This is IT. Just so
17 everyone is aware of it, the hand raising option is
18 in the lower right-hand corner of your screen.

19 JOHN WIEWORKA: Do we have any
20 questions from the public?

21 EARLE HOFKER: I see no hands raised.

22 DIANE HICKEY: John, so seeing none if
23 you -- if you would like to close the public comment
24 portion and continue with the presentation?

25 JOHN WIEWORKA: Yes. At this time we

1 will close the public comment portion of the
2 presentation. The public comment period will last
3 two weeks following this meeting. The last date to
4 provide written comments is May 27th via email or
5 physical mail.

6 The contact information for submission
7 of comments is provided on the screen. Please send
8 any correspondence to both the township as well as
9 the Green Acres Program office in Morris County.
10 This concludes the Green Acres public hearing for
11 the minor diversion to accommodate the
12 Parsippany-Troy Hills replacement Well 20 project.

13 We can end the recording, please.

14 EARLE HOFKER: Recording has ended.

15 JOHN WIEWORKA: Thank you, everybody.

16 DIANE HICKEY: Thank you.

17

18 (Hearing concluded at 7:32 p.m.)

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C E R T I F I C A T E

I, ANGELA C. BUONANTUONO, a Notary Public and Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that the foregoing is a true and accurate transcript of the proceeding as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative, nor employee, nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative, nor employee of such attorney or counsel, and that I am not financially interested in the action.

Angela C. Buonantuono, CCR, RPR, CLR

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Dated: May 25, 2021

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