



## ***Bernards Township Environmental Commission***



### **BERNARDS TOWNSHIP ENVIRONMENTAL COMMISSION MINUTES – May 24, 2021 – 7pm**

#### **CALL TO ORDER**

Chairperson Ann Parsekian called the meeting to order at 7:01 pm via Zoom Conference call in accordance with the Open Public Meeting Act of 1975.

#### **FLAG SALUTE**

All those assembled saluted the flag.

#### **ROLL CALL**

**Present:** John Crane, Jane Conklin (arrived 7:43 pm), Debra DeWitt, James LaMaire (left at 8:58 pm), Ann Parsekian, Alice Smyk, Sarah Wolfson

**Absent:** Joan Bannan, Jason Roberts, Nancy Cook

**Also Present:** Kaitlin Cartoccio – Recording Secretary, Todd Edelstein – Resident

#### **APPROVAL OF MEETING MINUTES**

Motion to approve April 26, 2021 minutes made by Alice Smyk, seconded by Debra DeWitt. All others in favor, motion carried.

#### **REPORTS & MISCELLANEOUS CORRESPONDENCE**

- a. **Correspondence – TWA approval permit – LCB Senior Living**  
No comment

#### **OLD BUSINESS**

- a. **Status on Current Projects**

- i. **Public Outreach**

Started “Tip of the Week” for every Monday to post on the Township website and Facebook page. So far there’s been: Recycling plastic bags, minimizing online orders (packaging) and “swap this for that”. More information about Spotted Lantern Fly.

- ii. **GSWA Native Plant Sale**

430 customers orders for 13,000 plants. This is the first year they’ve done it. Planning for next year with additional plant varieties. Possibly for the fall. Partnered over several counties. Ann Parsekian thanked the local volunteers that helped with the plant delivery.

- iii. **Reusable Bag Design Challenge**

As of this time there are no entries despite several schools showing interest. The group agreed to extend the deadline to June 15<sup>th</sup> to allow time for students to submit entries.



## ***Bernards Township Environmental Commission***



### **NEW BUSINESS**

- i. Fairmount Cemetery Assn of Newark & Somerset Hills – 95 Mt Airy Road – Prelim/Final Site Plan for Expansion of Existing Cemetery**

John Crane recused himself at 7:20 pm. Comments to be drafted concerning the environmental impact statement on pages 3 and 4 regarding accuracy.

Motion by James LaMaire , seconded by Debra DeWitt .

All in favor, motion carried.

- 1. Colucci – ZB-21-013 – 373 Lyons Road – Pool not Located Behind the Rear Building of Adjacent Dwellings, Steep Slope Disturbance.**

John Crane returned at 7:34 pm. Jane Conklin arrived at 7:43 pm. The Environmental Commission notes that construction has already started on this property and it may be difficult to understand the amount of trees already removed. There should be a tree survey based on the site pre-construction. A tree replacement plan should also be provided. The photos provided are insufficient to give any idea of what the environment is like.

The Environmental Commission recommends the addition of stormwater features to minimize downhill stormwater discharges from the project site.

Due to the steep slopes on the property, pool water discharge may result from backwashing of filters, or from the draining of swimming pools at the end of season, or during maintenance. This water often contains pool treatment chemicals that can cause damage to the receiving environment in the form of non-point source pollution. Therefore, the Environmental Commission wants township residents to use the best management practices available when discharging pool water. Also in regards to the property's steep slopes, the proposed location does not seem to be suitable for a pool and patio.

Motion by John Crane, seconded by Jane Conklin.

All in favor, motion carried.

- ii. Kenken – ZB21-014 –1 Brownlee Place – Addition & Site Improvements Requiring Preliminary/Final Site Plan Approval, Bulk Variances, Floor Area Ratio.**

Comments to be prepared regarding historic preservation.

Motion by Sarah Wolfson, seconded by Alice Smyk.

All in favor, motion carried.



## ***Bernards Township Environmental Commission***



- vi. **Baston 95, LLC – ZB21-015** – 95 Morristown Road – Demolish Existing Bldg. & Replace with New Structure – Preliminary & Final Site Plan. Use Variance, Bulk.

Debra DeWitt recused herself at 8:49 pm. Comments to be prepared regarding the use of native plants, trees and shrubs. James LaMaire left at 8:58 pm

Motion by John Crane , seconded by Jane Conklin.

All in favor, motion carried.

### **COMMENTS BY MEMBERS**

Debra DeWitt returned at 8:59 pm. Todd Edelstein sent a video about plastic wars to the meeting secretary, made a comment regarding the small historic house on South Maple and Lewis that was knocked down, and commented on the Task Force’s survey about internet use.

### **PUBLIC COMMENT**

Sarah Wolfson - Spotted Lantern Fly – Morristown hired a tree consultant to eradicate trees on public land. Lord Stirling Environmental Center is creating an invasive species task force. Alice Smyk – suggested an app to identify trees. There may be one specific to the area. Ann Parsekian went to Pleasant Valley Park to take a picture of the Trex bench. RHS Plastic project is paused at the moment. Shared the Girl Scout Caps for a Cause which ends June 30<sup>th</sup>. John Crane had comments about tree replacement.

### **ADJOURNMENT**

Meeting was adjourned at 9:25 pm by Alice Smyk and seconded by Debra DeWitt. All in favor, motion carried.

Respectfully submitted,  
Kaitlin Cartoccio, Meeting Secretary



## *Bernards Township Environmental Commission*

**TO:** Planning Board Chairperson and Members

**FROM:** Ann Parsekian, Chairperson  
Bernards Township Environmental Commission

**DATE:** May 25, 2021

**RE:** **Fairmount Cemetery Assn. of Newark & Somerset Hills – PB21-003-95 Mt. Airy Rd.**

### **Planning Board**

The Environmental Commission reviewed this application at their May 24, 2021 meeting and submits the following comments:

#### **Fairmount Cemetery Assn. of Newark & Somerset Hills – PB21-003 95 Mt. Airy Rd.**

The Bernards Township Environmental Commission reviewed this application at its May 24, 2021 meeting and makes the following comments:

The EC requests clarification of two statements in The Project Report and Environmental Impact Assessment. First, the report states that “Impacts to groundwater quality are anticipated to *improve* with the change from pavement to roof area at the addition site.” (Italics added) Since the report anticipates no decrease in traffic, it is possible that normal roadway contaminates might be concentrated into a smaller area rather than reduced in quantity as suggested by the statement.

Second, the report states that if the project were not constructed, “the applicant would not be able to meet the demand for cremation services. Such a *discontinuance* of service would have a negative impact to the community.” (Italics added) The statement implies that the Applicant would cease to provide crematory services if the application is not approved.

**Cc:** David Schley, Township Planner  
Cyndi Kiefer, Secretary; for distribution to PB members and Attorney to applicant



## *Bernards Township Environmental Commission*

**TO:** Zoning Board Chairperson and Members

**FROM:** Ann Parsekian, Chairperson  
Bernards Township Environmental Commission

**DATE:** May 25, 2021

**RE:** Applications review

The Environmental Commission reviewed these applications at their May 24, 2021 meeting and forwards the following comments.

### **Zoning Board**

#### **Board of Adjustment**

#### **Colucci ZB-21-013. 373 Lyons Road**

The Environmental Commission has reviewed this application at its May 24, 2021 meeting and has the following comments:

Photographs supplied are insufficient to understand the pre-existing conditions of the site and property. The project site is not visible from the road.

The EC notes that work may already have commenced based on the photograph provided, making it difficult at best to understand the original vegetation of the proposed pool/patio site. A tree survey based on the pre-disturbance conditions should be provided. A tree replacement schedule and plantings plan should be provided.

Although the proposed increase in impervious area is less than the 1,000 sf trigger to require stormwater recharge, due to the steep slopes within and adjacent to the project site, the EC urges the Board discuss the addition of stormwater features to minimize downhill stormwater discharges from the project site.

Due to the steep slopes on the property, the Applicant should discuss plans for discharging pool water. Pool water discharge may result from backwashing of filters, or from the draining of swimming pools at the end of season, or during maintenance. This water often contains pool treatment chemicals than can cause damage to the receiving environment in the form of non-point source pollution. Therefore, the Environmental Commission wants township residents to use the best management practices available when discharging pool water, which can be found here: [BMPs: Pool Water Discharge](#)



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### **Colucci ZB-21-013. 373 Lyons Road—Cont.**

In light of the site's existing steep slopes, and the Master Plan's comments regarding "strict adherence to development standards limiting the extent of disturbance in areas greater than 15%," the proposed location does not seem to be suitable for a pool/patio.

### **Kenken ZB21-014 1 Brownlee Place**

The Environmental Commission reviewed this Application at its May 24, 2021 meeting and offers the following comments.

1. In the State of New Jersey, the Department of Environmental Protection includes the Historic Preservation Office.

2. The EC has concerns about this application consistent with the following Bernards Township Master Plan Goals and Objectives:

(a) MP Goals: 1. To protect neighborhood and community character and to retain and improve on the attractive streetscape throughout the Township; 12. To maintain the mixed-use character and protect the unique quality and character of the villages of Basking Ridge and Liberty Corner; 13. To promote the preservation of the Township's historic sites and districts.

(b) Land Use and Management Objectives: 1. Land use policies should strive to maintain and enhance community character, protect the integrity of existing neighborhoods and prevent the intrusion of incompatible new development.

(c) Historic Preservation Objectives: 1. The distinctive character of the historic villages of Basking Ridge, Franklin Corners and Liberty Corner and the hamlet of Madisonville should be maintained; 3. Encourage the preservation of historic buildings and structures and promote the protection of archaeological, historic and other culture resources; **4. Promote the adaptive reuse of historic structures in ways that respect architectural and historic integrity.** (Bold added)

(d) Historic Preservation Polices in the Historic Preservation Plan Element: 2. Maintain cohesive neighborhoods; **ensure a compatible and harmonious context for historic buildings, structures, sites and districts;** and discourage new construction that would destroy the character of Bernards Township's neighborhoods; (Bold added)



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### **Kenken ZB21-014 1 Brownlee Place –Cont.**

In addition, the New Jersey Municipal Land Use Law (MLUL) lists among its purposes:

**j. To promote the conservation of historic sites and districts**, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land. (Bold added)

3. The EC notes that the building at 1 Brownlee Place dates from the 19<sup>th</sup> century (i.e., post-Colonial) and was originally a small barn or wagon house for the main house on the same property. **The property is a contributing resource with good integrity, and is part of the Basking Ridge Historic District listed in Table XI-1 in the Master Plan**, which is delineated on a map that is part of the Basking Ridge Historic District National Register Nomination Form. (In 1994, the historic district was deemed to be eligible for listing on the National Register. Although the Nomination was ultimately not approved, the eligibility designation remains in effect.) The building is described at #108 in the Inventory of Historically Significant Homes in Bernards Township compiled by the Township Engineering Department and Township Historian June Kennedy in 1998, which states, “During the Civil War, soldiers’ uniforms were made in the building.” Although the building has been altered over the years, this activity enhances the building’s significance. The house and its small barn are part of a noteworthy collection of 19<sup>th</sup> century vernacular buildings in the center of Basking Ridge Village.

4. In accordance with the above referenced Master Plan Goals and objectives, the EC does not support the proposed use of stone veneer to replace the existing wood shake siding because stone was a seldom-used building material for domestic buildings during the 18<sup>th</sup> and 19<sup>th</sup> centuries in Bernards Township (except for use in foundations). The 18<sup>th</sup>-century “Stone House” at the intersection of Stone House Road and Valley Road is a notable rare exception. There are no 18<sup>th</sup> or 19<sup>th</sup> century stone buildings in Basking Ridge Village. (The Bishop Janes Church was constructed in 1900.) The applicant’s proposal to “add thin stone façade and detailing to give building a historic colonial look” is thus incompatible with the existing surviving historic architecture of Basking Ridge. **The EC urges the Applicant to look for inspiration from the existing historic dwelling on the property (Atelier) or from other wood and brick 19<sup>th</sup>-century buildings in the Village.** Wood clapboard, wood shingles, or brick would be compatible materials. Smooth cementitious clapboard would be compatible; however, vinyl clapboard or cementitious shingles would not provide a compatible appearance.



*Bernards Township Environmental Commission*

**Baston 95, LLC – ZB21-015**

The Bernards Township Environmental Commission reviewed this Application at its May 24, 2021 meeting and offers the following comment:

The applicant should consult the native plant lists posted on the EC webpage for appropriate native trees, shrubs, and plants, or use this link: [Recommended Tree and Shrub List](#)

Cc: David Schley, Township Planner  
Cyndi Kiefer, Secretary; for distribution to BOA members