



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



### **BERNARDS TOWNSHIP ENVIRONMENTAL COMMISSION MINUTES – November 28, 2022 – 7pm**

#### **CALL TO ORDER**

Chairperson Debra DeWitt called the meeting to order at 7:03 pm in the Warren Craft Room, Bernards Township Municipal Building in accordance with the Open Public Meeting Act of 1975.

#### **FLAG SALUTE**

All those assembled saluted the flag.

#### **ROLL CALL**

**Present:** Jennifer Asay, Nancy Cook, Debra DeWitt, Alice Smyk, John Crane, Todd Edelstein (Alternate 1), Corey Fischer, John Valeri Jr., Sarah Wolfson (Alternate 2)

**Absent:** James LaMaire

**Also Present:** Kaitlin Cartoccio, Recording Secretary

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

Motion to approve the October 24, 2022 minutes made by Todd Edelstein seconded by Alice Smyk. All in favor, motion carried.

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

**a. ETI Letter 11.1.22**

No comment

**b. ETI Letter 11.14.22**

No comment



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### **DISCUSSION**

- a. **Applications** – None
- b. **ANJEC** – 11/29/22 - Sustainable Landscaping Practices webinar. Todd Edelstein can send out information to anyone who's interested.
- c. **Native Pollinator Group** – None.
- d. **Community Outreach/Education** – Pumpkin Smash was a huge success. A few changes will be made to better it for 2023. No other community outreach or education currently.
- e. **Guerilla Gardening** – None.
- f. **Pumpkin Smash** – Saturday November 5th 11 am - 1 pm. Santa Picture Pop Up was happening at the farm - tons of people attended. Over 250 people attended for the Pumpkin Smash. Signage was great. 3 smashing stations. Get bigger bats/mallets and possibly water for next year.

### **OLD BUSINESS**

- a. **Status on Current Projects** – None.

### **NEW BUSINESS**

#### **a. Applications**

- i. **Fellowship Village, Inc. – PB 22-005 – 33 & 55 Allen Rd** – Construction of two-story structure to house staff on Lot 9 (Conditional use, prelim/final site plan.)

The Environmental Commission notes the presence of freshwater wetlands and a surface water body on the subject property. Best management practices to protect these sensitive ecological areas should be implemented during the site work (sediment and erosion controls) and post-construction (organic lawn care, protect and preserve natural soil, vegetation, and grading in buffer zones and within the stream).



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The Commission notes that due to the site and surrounding topography stormwater best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

The Commission notes the intermediate resource value wetlands on the property. The Commission would also like the Board to know that according to the Bernards Township Natural Resource Inventory, this property is an area for endangered species; specifically, critical area Rank III for the wood turtle in addition, according to the township's Natural Resource Inventory (NRI), this property appears to be ranked 3 for habitat for the wood turtle.

Due to the age of the existing dwelling, the Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition. During demolition, the Commission asks the applicant to consider recycling, repurposing, or gifting any materials involved in demolition that are not being reused with this application.

Motion by Todd Edelstein, seconded by Nancy Cook. Alice Smyk abstained from the vote. Motion carried.

- ii. Priscilla's Pantry, LLC – ZB 22-027 – 199 Morristown Rd – Amended preliminary / final site plan. Approval, bulk use & far variances for a sign. Installation of a self-contained refrigeration unit.**

The Environmental Commission notes the existing lot coverage exceeds the maximum amount. Increased impervious coverage increases the volume (quantity) of stormwater runoff, which can contribute to local and potentially area wide flooding. Site drainage is a concern with this application, therefore site features to promote the recharge of stormwater from the roof leaders should be considered. The New Jersey Department of Environmental Protection Green Infrastructure website is a good reference for "green" stormwater management practices for homeowners.

Motion by Nancy Cook, seconded by Debra DeWitt.

All in favor, motion carried.



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- iii. Devaney – ZB 22-029 – 476 Lyons Road** – Front yard setback variance for one story addition.

No comment.

Motion by John Valeri Jr., seconded by Sarah Wolfson.

All in favor, motion carried.

- iv. Sell – ZB 22-030 – 31 Lyons Road** – Impervious coverage variance for an in-ground pool & associated amenities.

The Commission asks the Board to suggest that applicants increasing impervious coverage manage stormwater runoff by planting native trees or shrubs. The roots of these plants will take up water and promote conditions that allow soil to retain water. Adding plants can mitigate the decreased water infiltration imposed by the new impervious coverage. Please refer to the Recommended Tree and Shrub List for an introductory list of native plants available at local nurseries.

The Commission notes that a tree inventory is not depicted on the plan and asks that the applicant discuss whether any trees will be removed as part of the construction.

Regarding this application, 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.

Motion by John Crane, seconded by Sarah Wolfson.

All in favor, motion carried.



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- v. **Signature Acquisitions LLC – ZB 22-028 – 150 Allen Rd** – Prelim/final site plan, D4-F.A.R., bulk variances to raze existing building & construct two (2) mixed used buildings

The Environmental Commission notes the presence of freshwater wetlands and a surface water body on the subject property. Best management practices to protect these sensitive ecological areas should be implemented during the site work (sediment and erosion controls) and post-construction (organic lawn care, protect and preserve natural soil, vegetation, and grading in buffer zones and within the stream).

The Commission notes that due to the site and surrounding topography stormwater best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

The Commission would like to bring to the Board's attention the steep slopes shown on the plan and recommends that testimony be given about stabilization for vegetation purposes.

This property contains a wetlands conservation easement and as such, the Commission would like to see an LOI. In addition, the Commission would like the Board to examine the Riparian Buffer.

The Commission asks that the applicant be required to contribute to the Township Tree fund for any trees they do not plant.

Due to the age of the existing dwelling, the Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition.

During demolition, the Commission asks the applicant to consider recycling, repurposing, or gifting any demo'd material that is not being reused with this application.

Motion by John Crane, seconded by Debra DeWitt.

All in favor, motion carried.



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### **PUBLIC COMMENT**

No public present.

### **COMMENTS BY MEMBERS**

Debra DeWitt let everyone know she would not be returning in 2023. John Crane commented that Debra DeWitt had been a dedicated chairperson and all members agreed. Neither Corey Fischer nor Jim LaMaire will be returning in 2023. Nancy Cook asked for an update for the neighbors who attended the September meeting and what the outcome of the Board of Adjustment and Planning Board meetings were. Alice Smyk also mentioned that Debra DeWitt's dividing of the work helped the board succeed.

### **ADJOURNMENT**

Meeting was adjourned at 8:24 pm. Motion by Debra DeWitt second by Nancy Cook. All in favor, motion carried.

Respectfully submitted,  
Kaitlin Cartoccio, Meeting Secretary



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

**TO:** Planning Board Chairperson and Members

**FROM:** Deb DeWitt, Chairperson  
Bernards Township Environmental Commission

**DATE:** November 30, 2022

**SUBJECT:** Application Review

The Environmental Commission reviewed this application at its November 28, 2022, meeting and has the following comments:

### **Fellowship Village, Inc. – PB 22-005, 33 & 35 Allen Road**

The Environmental Commission notes the presence of freshwater wetlands and a surface water body on the subject property. Best management practices to protect these sensitive ecological areas should be implemented during the site work (sediment and erosion controls) and post-construction (organic lawn care, protect and preserve natural soil, vegetation, and grading in buffer zones and within the stream).

The Environmental Commission notes that due to the site and surrounding topography storm water best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

The Commission recommends that the silt fence incorporate the stockpile to allow movement of soil, it doesn't appear to be that way on the plans.

This property contains a wetlands conservation easement and as such, the Environmental Commission would like to see an LOI. In addition, the Commission would like the Board to examine the Riparian Buffer.

Due to the age of the existing dwelling, the Environmental Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition.

During demolition, the Environmental Commission asks the applicant to consider recycling, repurposing, or gifting any demo'd material that is not being reused with this application.

**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:** Deb DeWitt, Chairperson  
Bernards Township Environmental Commission

**DATE:** November 30, 2022

**SUBJECT:** Applications Review

The Environmental Commission reviewed these applications at their **November 28, 2022** meeting and forwards the following comments:

**Priscilla's Pantry, LLC – ZB 22-027, 199 Morristown Road**

The Environmental Commission notes the existing lot coverage exceeds the maximum amount. Increased impervious coverage increases the volume (quantity) of stormwater runoff, which can contribute to local and potentially area wide flooding. Site drainage is a concern with this application, therefore site features to promote the recharge of stormwater should be considered. The New Jersey Department of Environmental Protection Green Infrastructure website is a good reference for “green” stormwater management practices for homeowners (<http://www.nju.gov/dep/gi/>)

**Devaney – ZB 22-029, 476 Lyons Road**

The Environmental Commission has no comments on this application.

**Sell – ZB 22-030, 31 Lyons Place**

The Environmental Commission notes the plans include a stormwater infiltration system to mitigate the excess impervious coverage planned.

The Commission asks the Board to suggest that applicants increasing impervious coverage manage stormwater runoff by planting *native* trees or shrubs. The roots of these plants will take up water and promote conditions that allow soil to retain water. Adding plants can mitigate the decreased water infiltration imposed by the new impervious coverage. Please refer to the Recommended Tree and Shrub List for an introductory list of native plants available at local nurseries.

[https://www.bernards.org/?option=com\\_fileman&view=file&routed=1&name=Tree%20and%20Shrub%20Replacement%20List.pdf&folder=Environmental&container=fileman-files](https://www.bernards.org/?option=com_fileman&view=file&routed=1&name=Tree%20and%20Shrub%20Replacement%20List.pdf&folder=Environmental&container=fileman-files)





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The Commission notes that a tree inventory is not depicted on the plan and asks that the applicant discuss whether any trees will be removed as part of the construction.

In regard to this application, 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.

### **Signature Acquisitions LLC – ZB 22-028, 150 Allen Road**

The Environmental Commission notes the presence of freshwater wetlands and a surface water body on the subject property. Best management practices to protect these sensitive ecological areas should be implemented during the site work (sediment and erosion controls) and post-construction (organic lawn care, protect and preserve natural soil, vegetation, and grading in buffer zones and within the stream).

The Environmental Commission notes that due to the site and surrounding topography storm water best management practices should be given extra consideration during site work and as part of final site grading and restoration. In addition, implementation of best management practices to preserve and protect trees during the site work should be considered.

The Commission would like to bring to the Board's attention the steep slopes shown on the plan and recommends that testimony be given about stabilization for vegetation purposes.

This property contains a wetlands conservation easement and as such, the Environmental Commission would like to see an LOI. In addition, the Commission would like the Board to examine the Riparian Buffer.

The Environmental Commission would like the Board to question why the applicant cannot close the gap in the tree removal/replacement requirements (417 trees being removed which requires 649 be planted and only replacing 176) and asks that the applicant be required to contribute to the Township Tree Fund for any trees they do not plant.

Due to the age of the existing dwelling, the Environmental Commission would like the applicant to be aware of the potential for in-ground tanks, lead paint and asbestos. Proper precautions should be taken during demolition.

During demolition, the Environmental Commission asks the applicant to consider recycling, repurposing, or gifting any demo'd material that is not being reused with this application.

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