



TOWNSHIP OF HOPEWELL

ENVIRONMENTAL COMMISSION

Approved Minutes
For the regular meeting of
Tuesday, February 16, 2016

* The meeting was called to order at 7:06 p.m. by Nora Sirbaugh.

Statement of Compliance & Roll Call

Members present: Rex Parker, Bill Washburn, Nora Sirbaugh, Tim Wilson, Jim Gambino, Ray Nichols (7:20), Mike Aucott (7:30)

Members absent: George Kerr

Also present: Bob Miller – Twp Administrative Officer, Vanessa Sandom (7:45) – Twp Committee Liaison

Members of the Public present: None

Minutes for Approval

The January 19, 2016 minutes were discussed, amended and approved. Motion –Bill, 2nd Tim.

Action: Jim will forward the approved minutes to Bob for distribution and filing.

Planning & Zoning Application Reviews – EC Concerns

1. Robert Diprato

Block 78.02 Lot 7.01; 7 Bramble Drive - Lot Coverage Variance to construct a new rear yard patio.

We recommend denial of this application. The owner seeks approval to construct a new rear yard patio that will result in impervious coverage of the lot exceeding the maximum lot coverage area of 20% allowed in this zone, going from 19.49% of lot coverage to 22.3%. We are also concerned that if this application is approved, it would set a precedent for other lots in this newly established subdivision, and other similar subdivisions.

We suggest that the owner consider alternatives that might meet his objectives while not exceeding the 20% maximum impervious lot coverage allowed in this zone. These include installing a raised deck and/or removing some existing impervious surfaces (e.g. driveway, sidewalk) from their property so that the new total remains below the maximum lot coverage area.

In addition, we noted that the proposed planting plan shows a row of *burning bush* shrubs. While considered attractive by many, this is a non-native species which has been classified as invasive since it out-competes and displaces native species in our forests. Therefore, we recommend planting native shrubs.

2. **Richard Hutchinson**

Block 91, Lot 18; 1569 Reed Road - Use Variance and Site Plan to operate a wood mulch production operation.

We have two concerns regarding the potential environmental impacts of the proposed wood mulch production operation: Excessive noise generated by the operation of the tub grinder, and excessive nutrients in the water runoff from the decay of the vegetative matter that will be stored on the site, both before and after it is converted into mulch.

Regarding the proposed noise wall on North side of property:

- * We recommend the township have an independent, professional review of the noise report prepared by the applicant's consultant.
- * To verify that the model used by the applicant's consultant adequately reflected reality, we recommend post-construction testing by an independent professional while tub grinder is operating with a full load of material to determine if the noises generated comply with the relevant standards at all property lines.

Regarding stormwater runoff and nutrient loading in nearby surface waterways:

* We are concerned about the leaching of nutrients, especially Nitrogen, Phosphorus and Potassium (NPK) from the piles of woody material that will be stored on site (both before and after it has been converted into wood chips). During the outdoor storage of woody plant material, there will be some organic decay, resulting in the leaching of these nutrients into surface water runoff. How will the owner treat that stormwater runoff from this industrial operation so that it does not contribute to the degradation of the nearby stream? We noted the proposed construction of stormwater management or settlement ponds on the site plan but did not see if or how nutrient loads in the runoff would be controlled or removed.

* Please consider:

How will NJDEP regulate this wood recycling operation?

Does NJDEP regulate the maximum contaminant levels of surface water discharges for NPK in stormwater runoff from this type of industrial operation?

- * If the ZBOA decides to grant a use variance, we recommend that as a pre-condition of any on-site construction or storage of woody material that:
 1. The applicant demonstrates all required permits have been obtained from NJDEP, including the Division of Solid Waste Management, and that
 2. the surface water discharge from the site will meet the applicable anti-degradation standards for the discharge of nutrients, especially for NPK.

3. **Pennwell Holding LLC, The Gadbey Organization**

Block 37, Lot 17.011; 30 Pennington-Hopewell Road (the Kooltronic Site) - applying for an Interpretation of the Ordinance (17-172 j.3.) Deed Restriction language conformance.

* We note that previous plans to develop this site that were reviewed by the Planning Board generated substantial controversy and concerns on environmental grounds. Therefore, we recommend that, in addition to the ZBOA, the Township's attorneys, the Planning Board, and the Open Space Committee carefully review the terms of the applicant's proposed Deed Restriction language before any interpretation is rendered.

4. **Matthew Halbert and Laurie Hudson**

Block 24, Lot 1; 53 Marshalls Corner-Woodsville Road - side yard setback and Lot Coverage Variance to construct a side yard addition to existing dwelling.

We have no environmental concerns regarding this application. The creation of this lot and construction of the residence predates the existing zoning code. This pre-existing small lot is in a recently created 14 acre zone. Furthermore, the coverage with the proposed addition would be below the 20% limit established for small lot zones.

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**Actions:**

- a. Jim will prepare and send a memo from the EC to the Zoning Board members regarding the above application review comments.

Note: Vanessa asked Bob if applicants are notified when the EC is scheduled to review their applications. A short discussion ensued regarding some meeting protocols.

- b. We will place this issue on our next agenda for further discussion
- c. Bob will send EC member’s information related to application #3, Pennwell Holding, for further review.

**Subcommittee Reports / Discussions / Updates for on-going projects**

**A. Municipal Environmental Ordinance Review – Woodlands Protection**

Members had a thorough discussion regarding ways to help strengthen the wording in the existing woodlands protection ordinance.

**Actions:**

- \* Nora will incorporate our agreed changes into a proposed draft and forward the same to Vanessa, Bob and Paul Pogorzelski.
- \* Members should review the stream corridor protection ordinance and be prepared for a similar discussion at our March 15 meeting.

**B. ANJEC Conservation Easement Grant**

Ray reported that he and Jim recently completed reviewing the Twp’s approved sub-division plans for conservation easements.

**Actions:**

The latest notes will be incorporated into the conservation easement spreadsheet.

Draft letters to twp property owners are being reviewed by Paul P.

The Twp will mail letters to all owners who have a conservation easement on their property.

Paul will help coordinate production of a GIS file map showing general locations of all conservation easement within the township.

**C. Community Forestry Management Plan**

Bob reported our 5-year plan was updated with the state recommendations and is being sent to the state for final approval.

The Tree Work Request Form was discussed.

**Action:** Nora will send Jim a copy of the State Forestry form for comparison. Jim plans to meet with Twp. public works to review the draft form(s).

#### D. **Water Resources Monitoring**

Mike mentioned that we still did not receive word back from the Twp regarding our proposal to have USGS monitor our Scotch Rd well.

**Action:** Vanessa will check to see if this item is included in the Twp budget.

#### E. **Municipal Street Lights**

Members discussed the draft survey prepared by the high school's Youth Environmental Society. The Yes group plans to crowd source the survey to all Hopewell Valley student parents.

**Action:** Mike will make suggested revisions to the survey and forward it to the YES group.

#### F. **Planning Board and Green Team updates**

Rex shared news from both groups.

**Action:** should the EC have a representative working with the NJDOT & Mercer County on their joint Bike Trail Plan?

#### G. **Arbor Day**

We are planning to conduct a tree seedling giveaway on Saturday, April 30.

#### H. **Tree Seedling Giveaway**

Bob submitted our application to NJDEP for the NJ Tree Recovery Campaign. He asked for 750 trees. Jim discussed having an EC handout for each participant.

**Note:** Seedling pickup is April 29 at the Mercer County Soil Conservation District office in Hamilton Square.

**Action:** Further logistical planning is needed for this event, including a timely news/web release.

#### **New Business**

A. **Ash Tree Inventory** – Nora discussed having Rutgers expert, Jason Grabosky, conduct a Twp presentation on March 30 about the Ash Borer threat.

**Action:** Further logistical planning is needed for this event, including a timely news/web release.

#### **Correspondence**

A. Come Outside and Play – this item was discussed, but members do not plan to organize an activity for this June event.

B. Notice, General Permit, Bear Tavern Rd, Bk 61 Lot 5.01

C. Notice, State Wide, Rights – of - Way vegetation maintenance

D. Notice, Flood Hazard Waiver, Lawrence Hopewell Trail

E. ANJEC, 2016 Open Space Grants

\* The meeting adjourned at 10:28 p.m. Motion –Rex, 2<sup>nd</sup> Mike.

Respectfully submitted,

Jim Gambino  
Secretary