

Highland Park Environmental Commission

Meeting of June 20, 2001

Minutes

Present: Arnold Henderson, Laurel Kornfeld, Loren Muldowney

Absent: Michael Rosenberg, Jonathan Abrahams, Anthony Puniello, Wendy Rosen

Guests: Richard Marx, ShayMaria Silvestri, Eugene Young

1. The meeting was called to order at 8:25 PM.
2. The minutes of the May 16, 2001 meeting were unofficially approved (no quorum) with the following corrections:
 - a) Item 5b should read "Arnold handed out copies of a draft open space list."
 - b) Item 5d should add word "advisory" to read "Shade Tree Advisory Committee."
 - c) Item 6b's fifth line should read "alongside Cedar Lane" rather than "alongside Mill Brook."
 - d) Item 6b on the second page, second line should read, "The East Coast Greenway Association will create a directory," not "the Rutgers Bikeway Association will create a directory."
 - e) Item 5d should have added onto the end, "and therefore are not exempt from the maintenance requirements of buildings and their restrooms."
 - f) Item 6d should read, "the placement of debris piles too close to and partly into the wetlands."

3. Correspondence

- a) We received a copy of the 2001 Volunteer of the Year nomination form from the borough.
- b) We received a copy of a memo sent by Lloyd Young, Superintendent of the Department of Public Works, asking borough department heads to refrain from adjusting the air conditioning temperature in Borough Hall.

4. Site Plans

- a) Yechiel and Lisa Drillman
426 Benner Street
Docket No.: #38-43, 44-01
Block and Lot: B-38, L-43 & 44

The applicant wants to build a rear deck 5.7 feet from the front and 4 feet from the right side of the property line. A bulk variance is being sought for side yard setback. No Comments.

- b) Tuo Jin and Li Geng
445 Valentine Street
Docket No.: #82-52.03-00
Block and Lot: B-82, L-52.03

This application is before the Zoning Board, but it is incomplete because a copy of the application documents is not attached. The applicants specify that these are in the Borough Clerk's office, but we do not have access to them. Therefore, we have too little information to comment.

- c) PMJ Realty
214 Crowelles Road
Docket No.: #73-12, 13-01
Block and Lot: B-73, L-12 & 13

The applicant seeks to put a parking lot at the corner of Crowells Road and Labakan Street behind an auto body shop. There is currently a parking lot there with one big oak tree near the corner of it. The applicant proposes to cut down the tree and put vegetation at the edges of the parking lot. A use variance is being sought because this land is zoned residential. Although the lot will not be paved now, the applicant states it may be paved in the future. Also, two of the species proposed for plantings are invasive species. Ruth Bowers of the Shade Tree Advisory Committee compiled

a list of native plantings for the borough, such as native magnolia, sweet spire, and inkberry, that could be considered as alternative suggestions.

Comments: Keep the surface of the parking lot permeable (such as through use of gravel) and do not use asphalt or impermeable surfaces now or in the future. Also, consider whether it is really necessary to remove the large oak and whether a contribution to the borough's tree fund is in order if this tree is removed.

5. Old Business

- a) Water Watch. This is an Americorps program that recruits students and trains them in sampling water. Lorena Gabor may have students that can do this. Arnold suggested several streams in the borough that they could evaluate, including the stream below Crowells Road, the stream below Buck Woods, Mill Brook, Buell Brook, and the Raritan River.
- b) Biosurvey. Thonet finally obtained a decent base map, of which they will send Arnold six copies. They are currently on site surveying the landfill area and will try to send draft findings by the July Commission meeting. On June 14, Mike sent a letter to DEP requesting a six month extension.
- c) Dumping. Borough Administrator Richard Kunze will look into this. Some of the piles are stockpiles for DPW. The mowing at the bikeway was not done by DPW. We do not know who did it. Arnold labeled a lot of the plantings at the site and put cardboard down to keep weeds from growing, with DPW to cover the cardboard with chips. Richard emphasized that the asphalt against the pine trees needs to be removed. Arnold will talk with Richard Kunze about this after Kunze visits the site on Friday.
- d) Buck Woods. Anne Barron sent Arnold a copy of the judge's decision, which remands the application back to the Planning Board. The applicant must submit an amended application eliminating all alleged bulk variances for bulk size. The plaintiff is entitled to rely on their previous testimony. Nowhere does the judge's decision mention environmental ordinances. We noted that the word "environment" does not appear anywhere in the decision document. The Commission feels that the Planning Board should listen closely to Amy Greene's report and to testimony by members of the Environmental Commission in order to thoroughly fill in gaps and resolve disagreements from previous testimony. We continue to feel that the environmental information presented had many gaps and apparent errors. We will ask Mike to draft a letter stating this, which he will then circulate among the Commission for approval. Also, we would like a clarification of the borough's existing environmental ordinances and a determination as to whether environmental conditions and restrictions constitute a requirement for a variance.
- e) Greenway Environmental Education Center Plan. Gene submitted copies of a draft plan for this project. The plan proposes to have several connected sites rather than one large environmental education center building. The Freeholders will need the concept, the cost, and a map detailing the plan. We do not yet have the cost although landscape architects from Rutgers have volunteered to work on this. Arnold said the development of these sites should be an ongoing process in which volunteers take part, with each new phase itself being an environmental education project. Gene recommended we have self-guided tours with signs identifying various species. For special occasions, we could have guided tours. He also suggested we model these sites after the area behind the pavilion at Cook College. That area has restrooms, but they are open only when an activity is occurring. The next steps in this project are to do additional design work and to draw up the costs. Loren recommended we show how a low-impact building can be designed, such as one using passive solar. This project will also be done in conjunction with other projects such as trails and restoration of the meadows. For this reason, we should also bring in wildlife and restoration experts.
- f) Stream Corridor Protection Ordinance. Borough Administrator Richard Kunze has informed us that Councilman Steve Buzbee is looking over land use issues. Gene said in the past, the Council was worried that the stream corridor would go through residential properties. Richard Marx, who drafted the original Model Stream Corridor Protection Ordinance, informed us that pre-existing residential properties are exempt. South Brunswick passed such an ordinance; within their stream corridors are wetlands, slopes, etc. These areas are not prime development areas, and some developers like the ordinance because it focuses on design and performance criteria. Richard emphasized that the overlay zone is tied to an ecological unit rather than to some other hard to define category. Arnold listed borough streams in his draft open space list. He informed us that

when we received our Urban Forestry reforestation grant, one condition of the grant was that we consider enacting a stream corridor protection ordinance. He has a letter from former Mayor Polos saying that a model stream corridor protection ordinance had been sent to the appropriate subcommittee. We have a specific concern that the stream coming down from Buck Woods runs onto municipal property that is about to be zoned for single family residences. Gene suggested we contact the League of Municipalities to find out what other towns have done on this issue. Loren will find DEP codes for borough streams. We will also contact the South Brunswick Environmental Commission about this ordinance.

- g) Open Space, Master Plan, and Rezoning. The Planning Board's Draft Master Plan Review Report is a generic document that concludes our Master Plan must be redone. It provides some reference to open space by stating that the Board foresees a need for a Recreation Plan and an Open Space Plan. The draft will be presented in a more final form at the next Planning Board meeting on June 28. The report was handed to the Board at the last meeting but was not discussed. Richard recommended we read it during the public portion of the Board's next meeting. He also informed us that the Kaplan application (dating back about 12 years) to build on the landfill is in the borough's archives and contains information on the site's contamination. It has aerial photos of the filling operation of this site. Mike has more information about this. Loren raised the issue that the current Master Plan suggests having tot lots within one quarter mile of every borough resident, yet the Triangle area has no open space. Richard said he requested that a copy of any proposed land use ordinances be given to the Planning Board and Environmental Commission prior to the first reading.
 - h) Web Site. Jon was given access to the system. Arnold also gave him texts of brochures for possible use. Three maps in JPEG format were submitted for the site.
 - i) Bikeway Plans. Gene found information on "Tree Gator," a plastic bag that fits around the base of a tree and is filled with water that then trickles for 6-8 hours. He suggested we might buy some of these for use along the bikeway and have DPW fill them with water. Ruth Bowers said these are less likely to be carried off than buckets with small holes sometimes used for similar trickle irrigation. The evergreens at the bikeway and at the bottom of South Fifth Avenue should be watered by DPW. Additionally, the nylon ropes around various trees need to be cut away. Arnold spoke to Richard Kunze, who will consult DPW and Bruce Koch about tree replacements and watering.
 - j) Cedar Lane Bikeway. Arnold suggested we approach Frank Wong, head of the Rutgers Planning Department, regarding the design of this bikeway. He drafted a note suggesting native landscaping for the site although we are not yet sure to whom the note should be sent.
6. New Business
- a) Ordinance on Walls and Fences. Richard obtained a copy of an ordinance on walls and fences adopted in Chatham, which he praised as based on engineering and well done. He urged the Commission to review this ordinance and recommend Council adopt it in advance of other land use ordinances. We currently have a fence ordinance but none for retaining walls. Councilman Steve Buzbee is the contact person for this issue.
 - b) HERP Atlas. Arnold has the correct forms and has reported sightings of turtles, snakes, frogs, etc. for the statewide atlas currently in progress. All sightings should be reported to him with date, place, time, and amount of time observed. So far, his reports include 63 eastern painted turtles sighted at the same time at the pond by the railroad bridge.
 - c) Noise Ordinance. Loren obtained a copy of a Model Noise Ordinance from Rutgers. The equipment costs about \$1,000 and must be calibrated yearly. The noise enforcement officer does not have to be a police officer. We will obtain copies of all borough noise ordinances, review them, and make recommendations on what to do next. Laurel will bring copies of both borough and Board of Health noise ordinances to our next meeting. Loren will make copies of the Rutgers publication "Local Noise Enforcement Options and Model Noise Ordinance" for everyone.
7. The meeting adjourned at 11:25 PM. The next meeting will be on Wednesday, July 18, 2001 at 8 PM in Borough Hall.