

Minutes of the Franklin Township Environmental Commission meeting, October 17, 2022

The meeting was called to order at 7:05 PM, and the Sunshine Law Notice read. The roll was called. Present were: W. Andrews, T. Chase, S. Jaracz, J. Johnson, M. Santiago, A. Schmidt, R. Suydam, and P. Walitsky; and Sustainability coordinator T. Kenyon. Council liaison E. Potosnak arrived at 7:22 PM. Absent: E. Pires.

Chair's Report: P. Walitsky began by quoting Deuteronomy 20:19-20, forbidding destroying fruit trees: "do not destroy its fruit trees by putting an ax to them, because you can eat their fruit. Do not cut them down." He also quoted the Talmud: "He who covers an oil lamp or uncovers a kerosene lamp for no purpose violates the prohibition: do not destroy, since by doing so the fuel burns more quickly." He addressed the Somerset County Commissioners, pleading for a solar-powered flashing pedestrian sign on Weston Canal Rd at the D&R Canal. The commissioners thanked the Franklin EC for its resolution opposing the fossil fuel-powered generating plant proposed for the Keasby section of Woodbridge.

The minutes of the Oct. 3 meeting were approved, R. Suydam and T. Chase abstaining because they were not present.

The meeting was opened to the public, but only reporter B. Bowman was present. The meeting was then closed to the public.

Correspondence: P. Walitsky presented a request for an LOI, sent to DEP, for six houses on Ruth St. (a paper street, off Elizabeth Ave. north of I-287). T. Chase noted that a prior version of this proposal proposed storm drainage into ditches running along Ruth St., expecting that the township would maintain them. The township refused to do this, leading to litigation. The present plan appears to meet the need by proposing a dry well on each house lot. We await full plans. Another letter concerned hooking up a house on Hillcrest Ave. to the sewer system. No e-mails were received.

Site plan review: One site plan was presented, for a warehouse at Weston and Mettlers Rds, with truck access proposed from Schoolhouse Rd through the B9 property at the corner of Schoolhouse and Mettlers Rd. This is a request for a use variance, as the property has been zoned primarily R-O-L, with house lots RR-3; the recent amendment to the zoning code makes it all RR-3. They propose removing over 5000 trees, replanting 4391. According to the tree removal ordinance three 100' x 100' sample plots should be surveyed to characterize the existing tree cover; only one is shown on the plan. The plan does show pervious pavement in some parking areas, and charging stations for electric vehicles; we request a bicycle rack and anti-idling signs.

We would like to know when the plan was submitted; it was signed July 29, presumably submitted shortly thereafter, before the zoning amendment took effect.

We suggest a berm along Mettlers Rd, planted with evergreen trees, for maximum available screening of the building from homes in Canal Walk on the other side of Mettlers Rd. We also suggest an overhead barrier over the proposed entry for cars from Mettlers Rd, to ensure against trucks using this entrance.

We believe that this was a first version plan, submitted to beat the deadline of effectiveness of the zoning revision, and a more refined version will appear later.

Committee reports: for the Communications Committee, R. Suydam suggested that the Energy Committee should draft a letter to the township on-line newspapers about the proposal on the November ballot that the township adopt energy aggregation.

J. Johnson asked how the EC can contribute to and affect goals for the Master Plan to be adopted by the Planning Board, and other goals which might be adopted by Council. The EC

should develop goals well before the Planning Board considers goals. Another topic for communication is leaving fallen leaves on lawns rather than raking them. We should send an e-mail about this to persons who have signed up to receive e-mails from the EC.

A. Schmidt reported on the tree replacement ordinance. He read and reported on information received from Mark Healey about the present ordinance. The current fee in the Ordinance for not replanting trees, instead contributing to the Shade Tree Fund, is \$30/tree; this has not been updated for some years. A. Schmidt stated that the present cost of a 2.5 caliper (diameter, in inches) bare-root tree is \$40-\$50; and for a 2.5 caliper tree with a burlap-wrapped root ball, which the township usually plants, the cost is \$250-\$300. Both of these tree styles are usually 6 - 8 feet tall. Developers also routinely plant the burlap-wrapped root ball trees.

This \$250-\$300 is the fee the Shade Tree Fund should be receiving for each tree not replaced by developers, not the \$30 as currently indicated in the ordinance.

A. Schmidt further stated the intent for increasing the developers fee would not only be to reflect the actual current cost of each tree plus the labor to plant each tree but also hopefully to dissuade developers from cutting down so many trees. Currently cutting down 100 trees costs a developer \$3,000, the cost of doing business. With the updated fee, including labor, 100 trees would likely cost the developer well over \$30,000.

The township engineer should recalculate the value of a tree annually. R. Suydam moved that the EC ask that the township engineer (CME) recalculate the cost, including labor to plant a tree, as soon as possible and recalculate annually; and that the EC work on modifying the tree ordinance, in the light of the township's commitment to increasing tree canopy coverage, to require developers to preserve more existing trees on plots being developed. The first proposal was passed unanimously without further discussion. Regarding the second, the EC should form a working group, to which the Shade Tree Commission would also be invited, to develop a proposal. We could ask that an arborist from CME be assigned for some amount of time to work with the township. Problems of maintaining trees – watering after planting – were discussed. Formation of a working group – T. Kenyon, A. Schmidt, J. Johnson and R. Suydam – was approved. T. Kenyon will reach out to the Shade Tree Committee to join.

Sara Malone of the Shade Tree Committee recalculated the township's canopy percentage recently, using a new program, and again found it to be 37%. The township has committed to increasing this to 42%.

P. Walitsky suggested a township ordinance requiring warehouses and other industrial buildings to have actual solar cells on their roofs, not just being solar ready as required by state statute. We should do research directed at such an ordinance. R. Suydam has ordinances from other towns received from ANJEC. P. Walitsky, S. Jaracz and M. Santiago volunteered to be on this working group; Councilman Potosnak will also join it. This was approved unanimously.

Discussion of an anti-idling ordinance was postponed until the next meeting.

T. Kenyon reported quickly on other developments. The township has won a technical assistance grant from HUD to make us more climate resilient – responding to extreme heat as well as to flooding rains etc. She has had one virtual meeting with those who will assist us, and sent them a great deal of information.

Our Sustainable Jersey certification has been approved at the Silver level. Eighty-one township drains have been adopted. T. Kenyon and R. Suydam will present on our Local Health Assessment project at the League of Municipalities annual meeting in November.

The meeting was opened to the public. Shirley Tallman, of Tallman Lane in Canal Walk, spoke. She reiterated concern about the B9 warehouse proposal. She asked whether the township has an air quality report. (There are state monitoring reports.) She is concerned about air pollution from trucks. She mentioned that Somerset County has arborists working at Colonial Park. She also mentioned an upcoming virtual hearing by DEP on flood hazard regulations. She indicated that various businesses are concerned about traffic patterns on Schoolhouse Rd. She reported that Canal Walk has hired Princeton Hydro to assist them against the B9 warehouse proposal. Princeton Hydro has already found that the storm water report was very deficient. She noted drainage problems on Tallman Lane in Canal Walk. Engineering review of site plans and/or inspection during construction leave a great deal to be desired.

The meeting was then closed to the public. The meeting was adjourned at 9:30 PM.