

Historic Flemington Borough
Environmental Commission Meeting Minutes
Meeting Date: **Monday, August 19, 2019**
Location: Flemington Borough Hall

Attendees: Chris Runion, Tara Howell, Michael Harris, Geoff Chrisman, Jeff Doshna
Public: Necia Conchlin, Olivia Spildaroon, Lois Stewart
Called to order: 7:10 PM

Council Member Report - Chris

- No New Items

Planning Board Member Report – Chris

- Focus on Flemington Outdoor LLC and Spice Factory site plan reviews.

Shade Tree Commission Report - Chris

- No New Items

Parks & Rec – Chris

No New Items

Sustainable Jersey Initial Submission – No report for August

Spice Factory Site Plan Statement

- Although the Environmental Commission was not provided with an opportunity to review the site plan prior to approval, the following.
 - Enforcement of the number of trees are installed as per plan (19 tree shortage)
 - Green Roof maintenance plan
- We are reviewing after the fact and would like consideration going forward (write letter to Todd Cook, President of the Planning Board).
- Jeff Doshna recused from comment since he was on the Planning board when the application was originally submitted.

Site Plan and Environmental Statement review: Flemington Outdoor, LLC

Flemington Borough Environmental Commission, under ordinance *Chapter XXXI Environmental Commission, Section 31-1.6 Studies and Recommendations. [N.J.S.A. 40:56A-6]* reviewed impact statements and site plans of the organizations named above. The findings and recommendations from the Environmental Commission are noted in the following statements:

The property at 307 Route 202 Block 44, Lot 6 in Flemington currently houses an automotive service shop. Flemington Outdoor LLC is proposing a change of use to install a monument-style sign and living wall. The following list addresses environmental concerns and requests.

- Michael and Jeff were present for the discussion and abstained from the vote on avoid conflicts

with Flemington Outdoor review

- Chris abstained from comment on Flemington Outdoor review
- The following are concerns to be presented to Zoning Board of Adjustments:
 - Responses not received from external parties.
 - Unable to complete review without responses.
 - Soil and Landscape Protection
 - There are concerns about the current state of the soil that has sustained ~75 years of automotive servicing and repair and other vehicular use.
 - The Environmental Commission is requesting that the Department of Environmental Protection (DEP) perform a Phase 1 Environmental Assessment to ensure that all underground storage facilities are located and properly contained and soil contamination is non-existent.
 - Vegetation
 - There is an inconsistency in verbiage about types of plants, nativity and drought resistance. For instance, Butterfly Swamp Milkweed is not drought resistant and Ladies Mantle not native and 3rd most listed in plantings.
 - There are currently 3 trees on property which may require a review by the Shade Tree Commission.
 - The proposed living wall will require maintenance throughout the year and populated with seasonal vegetation.
 - The following are requested:
 - The vegetation plan be reviewed and updated to be consistent with drought and native requirements.
 - A maintenance plan for the living wall be provided with details of how and what will be planted seasonally.
 - The current trees are measured and determined if the Shade Tree Commission will require a permit for removal.
 - Water Resource Management
 - There are concerns regarding the proposed wall surrounding the site and causing pooling water which attract disease-bearing mosquitos.
 - The county currently sprays areas to eliminate mosquitos and avoid potential outbreaks of disease such as West Nile.
 - The Environmental Commission is requesting that the site plan be updated to ensure proper drainage to avoid water pools.
 - Fauna Safety
 - The site plans show sidewalks along the Route 31/Route12 merge. The Environmental Commission is concerned that people walking on sidewalks will be subject to potential harm from limited sight due to the 26' walk at the back of the property which limits site coming from Route 206 South to the circle.
 - The addition of a park-like setting may increase deer visits potentially automobile accidents.
 - The Environmental Commission is requesting that the plan addresses the safety of humans and animals that may be impacted by vehicular limited site lines.
 - Lighting

- The lighting is not consistent with current borough ordinances in regard to brightness and timing. In addition, bright lighting at night prevents living things that hunt in the dark (bats, chimney sweeps, etc.)
- Regarding the Sustainability Element of Master Plan, how do the ground mounted solar meet the specifications required?
- The following are requested for this concern:
 - A statement related to how the plan will to adhere to ordinances that state lights are timed and not allowed for certain hours
 - A statement how the plan will address the size and brightness as there are disparities with current ordinances.
 - A statement stating that the ground mounted solar towers meet requirements of the Sustainability Element of the Master Plan
- Site Maintenance
 - There is no statement regarding who will maintain the property after construction completion, how often, how seasonal concerns will be maintained (ie. snow on sidewalks).
 - The plan does not address if chemicals will be used to maintain the vegetation and pest control. If chemicals are used, the runoff will leach into the soil eventually ending in the Raritan River.
 - The Environmental Commission is requesting a testimony of site maintenance that addresses who will maintain the property, how it will be maintained, how often it will be maintained, and what will be used to maintain the property
- Tara proposed that the list above is provided to the Zoning Board of Adjustment.
 - 2 in favor of submissions; 3 abstained
- Tara will consult with Frank to prepare a letter to address concerns above and be including on August 27th hearing.
- Public comment:
 - Safety issue with “x” coming from ShopRite area
 - Does not meet sign ordinance – no billboards, etc.
 - 7 major variances; setback 35’ which changed to 3;
 - Proposing 1; # and square footage over what is permitted; side yard 25’ required, 2 proposed (get variances); site ordinance more than ¼ acre; this site is almost an acre;

Flemington Outdoor LLC Site Plan Statement

- Site Plan Concerns are addressed in the Flemington Outdoor LLC Environmental Impact Statement.

Additional time is requested for review as there were items not received on Environmental Statement.

Meeting adjourned at 8:24PM