

**MINUTES OF THE  
CRANBURY TOWNSHIP  
ENVIRONMENTAL COMMISSION**

**April 15, 2019**

**TIME AND PLACE OF MEETING**

The regular meeting of the Cranbury Township Environmental Commission was held in Town Hall, 23A North Main Street, Cranbury, N.J., on Monday, April 15, 2019 at 7:00 p.m.

**STATEMENT OF ADEQUATE NOTICE**

Pursuant to the Sunshine Law, adequate notice in accordance with the Open Public Meetings Act (N.J.S.A. 10:4-6) was provided on December 20, 2018, of this meeting's date, time and place, and the agenda was mailed to the news media, posted on the Township bulletin board, mailed to those requesting personal notice, and filed with the Municipal Clerk.

**CALL TO ORDER**

With a quorum present, Dr. Rogers called the meeting to order at 7:02 p.m., and Jean Golisano acted as Recording Secretary of the meeting.

**MEMBERS IN ATTENDANCE**

Mona Bhatia (7:05), Jim Gallagher, Josh Kohut, Becky Mathers Lowery (7:04 p.m.), Jason Mildenberg, Paul Mullen, Barbara Rogers, Michele Till and Theresa Vaccaro were present.

**NON-MEMBERS IN ATTENDANCE**

Daniel Davidow, Esq., Township Attorney  
Denise Marabello, Township Administrator  
Connie Bauder – Resident  
Ashley Chen – Cranbury School Student Representative  
Deepa George – Resident  
Laura Collins Zurfluh – Board of Health Chair  
Robert Zurfluh – Resident

**PRESENTATION/Q&A BY TOWNSHIP ATTORNEY**

Mr. Daniel Davidow, Esq., Township Attorney, was present at the meeting to explain the role of the Environmental Commission, advising members that the role of the EC is to ensure environmental issues in the Township are addressed properly. He reported the Township has an Ordinance that mirrors the language of State Statute 40:56A-1 eq.seq.

Mr. Davidow stated the EC is not a judicial body and may not interpret Zoning decisions. He stated there is an appeal process, which may be done by an interested party, not the EC. Mr. Davidow explained the EC is an arm of the governing body and its role is to present to the Planning Board any environmental concerns it may have on an

application. He further explained it is not within the EC's responsibility to advise the Planning Board on whether an application should or should not be accepted. Any letters written to the Planning Board should highlight the impact an application may have on the environment.

Members of the EC asked for clarification on how the EC's Penske memo could have been improved. Mr. Davidow stated he had not read the memo that the EC had sent; however, he suggested the EC only address environmental issues. He further explained questioning the Zoning Officer's interpretation is not within the EC's role. Mr. Gallagher stated perhaps the EC could have delivered the same message but written in a slightly different way.

Mr. Davidow stated a Planning Board member is on the EC so concerns may be brought back to the Planning Board. He stated the EC overstepped its authority by questioning the Zoning Officer. The role of the EC is to list all the environmental objections to an application. Mr. Mullen disagreed with Mr. Davidow. Mr. Mullen stated that, per Cranbury code, the EC has the authority to provide recommendations to the Planning Board on the development and use of all open areas, publicly or privately owned. Mr. Mullen asserted that the EC should be able to question a Zoning Officer's decision or advise the Planning Board to take a specific course of action, provided that these actions are tied directly to an environmental issue.

There was additional discussion. Dr. Rogers asked for comment on the 1968 and 1972 Statements of Legislative Intent that confirms the EC's role "as citizen advisory bodies which make recommendations to the elected governing bodies." In summary, Mr. Davidow stated any letters written by the EC to the Planning Board should address environmental concerns only. The memo should not say the EC approves or denies an application, which could lead to an allegation that the Planning Board prejudged the application. Mr. Davidow stated members of the EC could speak against an application as individuals, but not as members of the EC. The EC may make recommendations to the Planning Board about environmentally sensitive issues of the Township.

## **MINUTES**

The Minutes of the February 19, 2019 meeting were reviewed and amended. On a motion by Mr. Mullen, seconded by Mr. Gallagher, the minutes were approved by all members present, with the exception of Ms. Vaccaro who abstained and Dr. Kohut who is a new member. The March 18, 2019 minutes were tabled for review at the May meeting.

## **SUSTAINABLE JERSEY**

Dr. Rogers reported she will present information about Sustainable Jersey to the Township Committee at its next meeting on April 22. Dr. Rogers stated the Township has been certified twice in the last six years and it is time to recertify again. She stated the Township currently holds Bronze status and she has been reaching out and collecting information from other Boards and Commissions to coordinate activities. She would like to earn enough points to reach Silver in the future. Some ideas include a bike audit by volunteers, identify traffic areas and bike or pedestrian paths, and especially how we can make the Township more EV friendly.

Dr. Roger reported she attended the Invasive Species Strike Team Conference and stated deer management is a problem and the destruction from deer impacts native plants and encourages the growth of invasive plant species.

Mr. Mildenberg reported deer management was brought up at a Township Committee Meeting and the Committee was going to look into it. He stated as the management plan involves hunting, the Township will therefore need to have an ordinance in place allowing the related deer management activities.

#### Sustainable Jersey – School

Ms. Ashley Chen, Cranbury School's representative on the EC, reported the student council has another box of terracycle that was just sorted and mailed. She stated the students are thinking of using student council money to implement new environmentally-friendly items into the school, and asked the EC for recommendations of items they could purchase. She reported the students would be voting on items soon.

### **OLD BUSINESS**

#### Spring Stream Cleanup

Dr. Rogers reported this was the 13<sup>th</sup> year Cranbury participated in The Watershed's Spring Stream Cleanup. The event was well attended with many different volunteer groups. Dr. Rogers reported a group of Boy Scouts cleaned the area out by Amazon. Dr. Kohut stated he attended and was surprised there was not as much trash as he thought there would be in Village Park and the bike trail. Dr. Rogers reported approximately 400 pounds of trash was picked up; however, members agreed perhaps people are becoming more educated and aware not to litter.

#### Preserve Management

Dr. Rogers reported she and Ms. Bhatia planted native wildflower seeds in the Cranbury Preserve. She thanked DPW foreman, Mr. Bruno Bertucci, for tilling approximately 700 feet of grassland to plant the wildflowers. Mr. Bertucci also tilled and prepared the entrance area of the Preserve for the soon-to-be planted dogwoods.

#### Health and Wellness Fair

The Health and Wellness Fair will be held on Saturday, May 18<sup>th</sup> from 12 noon until 3:00 p.m. at the Cranbury School. The EC will be joining Parks and the Board of Health and will offer information on no smoking rules in Cranbury's parks and geocaching. Ms. Golisano will send out a sign-up sheet for volunteers to man the table.

### **NEW BUSINESS**

#### New Member

Dr. Josh Kohut, EC's newest member, shared with the EC members his background. Dr. Kohut is a Rutgers professor and sits on an advisory board of the DEP. Dr. Kohut stated he is excited to be on the EC, and the EC is pleased to have Dr. Kohut join the Commission.

#### Master Plan Update

Dr. Rogers reported she will be working on the two chapters of the Master Plan Update (Chapters 6 and 13) that pertain to Green Building, Sustainability Plans and Conservation Elements. A public meeting on the Master Plan Update will be held on April 25<sup>th</sup>. Dr. Rogers will be meeting with the Master Plan Re-exam subcommittee May 1<sup>st</sup> to provide updates on Chapters 6 and 13.

#### Parks Commission Update

There was no Parks update this evening.

### **APPLICATIONS**

Hagerty Property on South Main Street - Mr. Gallagher reviewed the Response Action Outcome Amendment for 1-37 Hamilton Drive (formerly 77 – 79 South Main Street and 12 Old Hightstown Road) that advised the Township the Hagerty Property has been remediated and the monitor well was decommissioned. He stated the property was a “brown” field site.

### **PUBLIC COMMENT**

Ms. Connie Bauder reported she and her husband took photos of a salt storage pile between Prologis Buildings 7 and 8 on Half Acre Road. She presented photos to the members and explained the salt is running off into the storm drains. Ms. Marabello will contact the Township Engineer to address the issue.

There was no additional public comment.

### **ADJOURNMENT OF MEETING**

With no further business, Dr. Rogers requested a motion to adjourn the meeting. On a motion by Mr. Gallagher, seconded by Ms. Vaccaro, with all in favor, the meeting was adjourned at 9:15 p.m.

### **CERTIFICATE OF SECRETARY**

I, the undersigned, do hereby certify that I am the duly appointed Secretary of the Cranbury Township Environmental Commission, and that this document, consisting of four (4) pages, constitutes a true and correct copy of the minutes of the monthly meeting held on April 15, 2019.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 18th day of June, 2019.

Jean Golisano

Jean Golisano  
Secretary