

FRANKLIN LAKES ENVIRONMENTAL COMMISSION
MINUTES – May 16, 2016

In Attendance: Commissioners Carole Holden, Michael Colombo, Gary Sheppard, Larissa Symbouras, Lana Sherman King, and Moira Murphy. Green Team members Bob Clark and Kyle Stoker. Council Liaison Ann Swist, student observer Francesca Iacono. Guest JR Frank: Architect & professional planner, member of Wyckoff Green Team

Absent: Skip Williamson, Susan Barbuto, Don Scine

The May meeting of the Franklin Lakes Environmental Commission was called to order at 7:10 p.m. and held in the municipal building on Monday, May 16, 2016. The minutes of the previous meeting were not read, but were approved as written.

Chair's Report:

The Bottle Bill discussed at the last meeting is dead in the water for now, in that it's not going through in its current form, but it'll likely come back continually. We need to be vigilant.

Sustainable Jersey Recertification – Carole believes that Sustainable Jersey has accepted all our updates for the recertification, and hopes we get good news in June that we've been recertified at the bronze level.

Carole is trying to get new actions put in place. Right now we're working on getting points for shred days, which have been more successful with each succeeding one and the administration using recycled paper.

The mayor and council have approved land for community garden, originally suggested by Reverend Philip, in front of the water building, with the idea that, if successful, it could be expanded in size in the future. The numbers for the starting size of the garden have all been worked out, though we're not sure when it's starting. Carole told Mayor Bivona that we want to be a part of it to inform, educate, and recruit residents, and try to get members of the community involved. Rose Peligri is a member of Reverend Philip's congregation and is helping to spearhead the project. Francesca has assured Carole that multiple students from Ramapo High School are just waiting eagerly to get started – the environmental club especially is looking for a project, especially for the upcoming school year.

Carole went to a workshop a couple weeks ago on safe routes to school. You can get funds for it from the Department of Transportation. She's not sure it's exactly what we're looking for in that realm, but knows that there are some working toward bike paths in town – Kevin Boswell has plan for that, but Carole hasn't been able to get in touch with him so she left a message with one of his assistants. Gary and Ann suggested that

Carole call Eileen Boland. Carole's at the beginning stage of this, and Lana is interested in helping.

Gary commented that it's actually in the town's master plan to create more walkability in town.

Water (Mike) – Recently a test was completed of deep water under the Ringwood site, which showed dioxane readings, and that's our aquifer. Dioxane is a carcinogen and a multiplier (whatever your chances of getting cancer were get multiplied). There was also a test of a private well in the same plume from the old Dupont site where they dumped in Pompton Lakes and found hits of TCE (trichloroethylene). Because of this, Dupont now has to clean a larger area of the most contaminated area than originally intended, with a Catalytic Oxidizer unit in a big shed. For the people that live near it, this creates a perpetual jet engine sound nearby.

The likelihood of a drought for the summer is incredibly low now because of the rain we've had recently. More Ecotips will be out tomorrow.

Public Education and Outreach (Sue) – Sue was absent, so Liz reported on the film festival: The movie in conjunction with Ramapo High School (Mann v. Ford) went really well with good attendance because of homework passes that were given. The film was about toxic sludge dumped in the mountains that created health problems in the Native American population. The last film, the committee attempted to tie in mini green fair, and ended up with 3 organizations attending instead of 6. These organizations focused on the "reuse" part of Reduce-Reuse-Recycle, so it fit nicely with the recycling theme of the film (Racing to Zero). Planet aid was one of the organizations that attended; they're the ones that supply our textile bins. One was a nonprofit that takes high end kitchens out intact, resells them cheaper, and gives money to groups that help kids with drug issues. Liz sees no reason why there shouldn't be a 4th year of the festival.

Energy (Skip) – N/A

Recycling (Liz and Don) – N/A

Planning Board (Gary) – JR Frank attended to discuss the Wyckoff Low Impact Development Checklist with us.

Gary: It's a beginning, but as a developer, it's not worth the paper it's written on. You can't stop the developer because there's nothing in the ordinances that says any of the answers given by a developer in the checklist can affect anything he's going to do. You're just asking him to fill it out in a good faith, administrative way.

Low impact development means to develop the property with as little impact to the environment of the property as possible, and can include rain tanks, plantings, and not taking trees down. As you're creating impervious area with the construction, you're countering it in some way. It's a wonderful idea, but getting developers to run with it has

to include a “carrot and stick,” otherwise, no one will abide by it. Some municipalities already have a carrot – if you abide by this checklist, for every percentage of the property you leave undeveloped, you can develop with greater density. We need to consider what can we give a developer so we can ask him to do these things? As it stands, the checklist isn’t enforceable under our ordinances.

The problem in our town is enforcement. We have a lot of great ordinances on the books that just aren’t enforced because of town philosophy and not wanting to fine people. For example, a new house is being built near Gary, with a pipe that might be septic pointing out to drain from the new place onto three other neighboring properties. Gary told the builder it was a violation, and the builder responded with a simple shrug. Gary told Code Enforcement, who said “oh.” Gary hasn’t met the new owners yet. He thinks it’s a health violation.

Property lots in town that are over an acre because the land was less than perfect for development, now that the market is on the upswing, people are trying to develop bigger or more homes on these properties – disturbing wetlands and the like. Our ordinance doesn’t address buildable area versus lot area, which allows for this issue.

JR Frank: The checklist is a “best practices” guide, not a requirement. Two years ago when they applied for their silver sustainable jersey status, this was one of the things that helped with that. It addresses how developers are addressing existing vegetation, storm water drainage, etc. Wyckoff is trying to have the checklist made part of their town building application. It would be more for business construction and less for residential properties. Wyckoff has had a lot of clear cutting of trees, and they’re concerned with how developers are addressing the drainage and how it impacts adjacent property. He JR pointed out that zoning isn’t just about the applicant, it’s about how what you’re doing impacts the community, and is looking to improve the quality of life for everyone. The purpose of the checklist is therefore to bring items to the attention of applicant and also the planning board at the time of the application.

It hasn’t been made enforceable yet; it’s not even part of the application yet. They have resistance from the engineering department, he thinks it’s because they don’t have a good understanding of how the systems work – like permeable pavers, rain gardens, etc.

Liz suggested starting with two or three very specific items on the list (like permeable pavers) to give builders the carrots, and get people used to doing those, then add on more and more as they’re implemented.

Gary pointed out that the problem here in NJ is that we have a “builders remedy,” so if we have a developer who doesn’t want to comply with the checklist, they can go to court, and experience has shown they’ll actually get more than they were asking for. The courts are really developer/builder friendly.

JR Frank & Gary: Suggestion is that we as EC approve the checklist to go to the planning board for discussion to then, if they agree, recommend to the council. We could

incorporate it in the town's master plan when it's next reviewed to give the checklist more clout. Greg has already asked if any of these recommendations are in conflict with our master plan, and they're not. We don't address much of any of this in our master plan at all, except maybe to encourage low impact development. If someone wants to change zoning or use of their property, they could use the checklist to say they're comporting with the master plan and have an easier route by which to get approval. A small step that could be taken is to even get the checklist definitions into the town ordinances, even just a matter of "this is what low impact means."

Carol will be putting together a statement to send to the planning board, after circulating to the commission members for responses, for their consideration. Gary will tell the planning board this Wednesday, to let them know it's coming.

Old Business

N/A

New Business

N/A

Action Issues

N/A

The next meeting is set for June 20, at 7 p.m.

There being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,
Larissa Symbouras