Voorhees Township Environmental Commission Minutes June 12, 2018

The Chairperson called the meeting to order. It was stated that this meeting is being held in compliance with the “Open Public Meetings Act and has been duly published and noticed as required by law”.

FLAG SALUTE

ROLL CALL

Present: Mrs. Brown, Mrs. Schwartz, Mr. Pike, Mr. Sytnik and Mr. Hale

Absent: Mr. Rashatwar, Mr. Gaffney and Mr. Khayati

Mr. Joseph Giddings, CME Consultant also present.

NEW BUSINESS

With no old business Mr. Hale opens the meeting as an informal discussion on the pros and cons of Voorhees introducing a Shade Tree Commission. Mr. Hale informs the commission that he has met with the Township Administrator, Mr. Spellman. He advised the VEC that Mr. Spellmans main concern with maintaining and promoting the tree stock for the town, would be any additional liabilities. Mr. Hale further explains that since we do not have a Shade Tree Commission and do not inspect trees/sidewalks, we currently rely on residents to inform us of damage to any area that is in the Townships right of way.

Ms. Shari Spero who is a NJ Licensed Tree Expert with CME is introduced. She advises that if we have a Community Forestry Management Plan, which is a 5 year plan, we are granted indemnification from lawsuits. If the Plan includes the objective to create a survey of the Township but has not yet begun the survey due to grant or available monies, the Township is still covered under the Plan. Once the Community Forestry Management Plan is written you can then apply for grant money through the State Forest Service. It should be noted that you do not have to have a Shade Tree Commission in order to write a Community Forestry Management Plan. In writing the Plan you are encouraged to determine an entity to handle the Plan. This can be your Public Works Department, your Environmental Commission, etc. Ms. Spero advised that the Management Plan lays out the goals that the Township is working towards. Some of those goals can be to establish a Shade Tree Commission, to complete a Hazardous Tree Survey, etc. Mr. Hale asks how the indemnification is given. Ms. Spero explains that you must write the Plan, complete an assessment report at the end of the year and remain compliant to receive the indemnification by the State. Mrs. Brown asks about the legality of lawsuits and whether any possible lawsuits would go through the State or the Township. Ms. Spero explained that there is nothing stating that a person cannot suit the homeowner, the township, the commission, etc. but one of the first questions that arises is whether we you have a Community Forestry Management Plan.

The commission would begin by applying for a grant from the state, which is a rolling grant and always available. The Plan would then be written for the cost of the grant. The maximum is $3000.00 and the township would have to match up to $1500.00. Mrs. Brown mentions that we have a Compensatory Tree Plan and asks Ms. Spero whether that can be integrated into the Plan. Mr. Hale then explains that he is under the impression that should a Shade Tree Commission be stablished and a Plan be created, that it can include the Compensatory Tree Plan, members of the Commission, how funds received as a result of the CTP be used, etc. Mr. Hale then asks whether the plan or the established commission would require any additional work to maintain the trees or the right of ways. Ms. Spero advises that anything the commission wishes to include in the Plan would be part of the Hazardous Tree Survey and would be followed accordingly.

Mr. Hale then addresses the VEC and advises that instead of adding an additional level of government, we could adopt a Tree Protection Ordinance which he believes would side-step the Shade Tree Commission and still protect the tree canopy. Mrs. Brown then asks whether the trees that the commission would target would be anything part of the canopy or only specimen trees? Ms. Spero suggests that removal of any tree should be part of a permit tree removal process. Who is in charge or enforcement would be up to the commission. However, she explains that if there is a tree that is slated for removal but does not meet certain criteria, she will try to convince the person looking to remove the tree that it is an important part of the tree canopy. Although she doesn’t have a specific title and is not part of any branch of the township government she follows the Township Tree Removal Ordinance. She further explains that if someone removes a tree without a permit she tries to work with them but will still send a violation in the hopes that they will submit an as is permit after the fact.

Mr. Hale then addressed the VEC in regards to Township Ordinances that the commission directly influences. He stated that he spoke with Mr. Spellman and advised him that the VEC wasn’t hearing the applications that he believes they should be hearing. Mr. Hale explains that he felt that the VEC should have heard the Royal Farms application because of the buried oil tanks on site and there were Phase 1 Environmental Assessments completed that the commission was not privy to. As a result our engineer, Mr. Giddings reviewed our code and requirements for applications heard. Mr. Giddings advised the commission that the expansion of the VECs domain may be met with some resistance following his conversation with the township solicitor. He explained that the solicitor spoke a lot about limited the responsibilities of the commission. Mr. Giddings explained to the solicitor that the VEC is not looking to limit the townships growth or scare development away but instead create effective and environmentally productive development. After reviewing (4) adjacent towns codes, he has found that we in fact have the weakest ordinance because it sets the bar at (5) acres. He advised that those (4) municipalities Gibbsboro, Evesham, Lindenwold and Cherry Hill are much more stringent when reviewing applications. All (4) municipalities also require preliminary environmental assessments for all applications. Mr. Giddings explains that almost all applicants developing large areas will have already completed a preliminary environmental assessment since banks will not invest in a project without one. He further explains that if a Co. buys and plans to develop an area of land, they will have a Preliminary Assessment completed to determine if there are things such as underground tanks, etc. They will gather historical aerial photography, conduct interviews with anyone who knows anything about the property, and also requires an EDR search, which is a full background of that particular site and if it can be found on a series of lists that are within a certain radius of problem sites. Most of the sample municipalities require the PA for any major site plans and major subdivisions, as well as an EIR. Mr. Hale asks Mr. Giddings about whether this can pose a major burden on the applicant. Mr. Giddings explains that for any applicant it can vary between $2,000 and $4,000 to complete.

Following the discussion, Mr. Hale asks Mr. Giddings for his recommendations. He explains that he feels that the threshold should be lowered to include site plans of all sort and major subdivisions to address the environmental impact. Mr. Hale states that he feels that the recommendation of all site plans will be met with resistance and Mr. Giddings explains that if that were to happen we could use the term “major site plans”. Mr. Hale and Mr. Giddings feel that the requirement of (5) acres should be eliminated and that the VEC should hear all major and minor site plans. Mr. Giddings further explains that the township already requires the Zoning and Planning board to flag an application that is environmentally sensitive. For example Mr. Giddings reminds the commission of the application a few years back that the Coliseum presented to the Township. At the time the project did not meet the threshold for the VEC to hear the application. It was however flagged for environmentally sensitive features and they were required to get a verification that stated that it drained more than 50 acres and it has a floodplain that was not shown on the site plans that is, in fact, a regulated floodplain by the NJDEP. At the time the applicant argued that it would cost them an unplanned expense. Unfortunately, without the verification and designation of the floodplain their construction could have been in violation of NJDEP regulation.

Mr. Hale requests a thorough review of our Ordinance in relation to applications that should be reviewed by the VEC. Should there be conflict within the ordinance Mr. Hale would like a list of additional requirements that Mr. Giddings feels are necessary. Mr. Giddings advised that there is a NJDEP State standard that should be followed. Mr. Hale asks if this is the standard for all applications and Mr. Giddings advised that it should be but isn’t always followed. Mr. Hale advised that he would like to start following the state standard for all applications going forward.

Mr. Hale then gives the floor to Mrs. Brown who introduces the Camden County plan to incorporate circuit trails in the area. The county is asking all municipalities to agree to “endorse” the idea of the (9) circuit trails. They further ask that municipalities connect to the existing trails but if that is not feasible, that they dedicate their own within their municipality.

Mr. Hale then opens the meeting to the Public.

Ms. Pam Rafter who resides at 333 Kresson –Gibbsboro Rd. approaches the commission. She states that she grew up in Cherry Hill but has been a resident of Voorhees for a number of years. She advises that she spends half the year living in Sanibel Island and that they have strict environmental restrictions. Her concern is that she has found trees marked in the area surrounding her home and she worries that they are preparing to clear the land. Ms. Rafter begins to explain that there is a resident who lives at the corner of Kresson-Gibbsboro Road and Route 73 that has expressed his concern about traffic patterns and decreased size of his property. She advises that she has the same concerns regarding the future development which will consist of a Tractor Supply Co. and Wawa. She is further concerned with the amount of tree tags and tire tracks she sees on the tract of land that is designated Open Space. Mr. Hale and Mrs. Brown advised Ms. Rafter that the trees may be tagged as “saved” trees or they could possibly be tagging “Wetland Buffers”. Mr. Hale asks what it is Ms. Rafter would like the VEC to do for her. She stated that she would like the VEC to “protect all the animals” and “copy Sanibel Islands environmental policy”. Mrs. Schwartz advises Ms. Rafter that the VEC is simply an advisory board and that she should attend the Planning Board Meeting to voice her concerns.

Seeing there is no further business, Mrs. Brown makes a motion to close the public portion and adjourn the meeting and Mrs. Schwartz seconds the motion.

MEETING ADJOURNED

VEC Secretary,

**Kendralyn Cornwall**