

# MAY 22, 2023, Environmental Commission Minutes

MEMBERS PRESENT: Brandt (at 8:20 pm), E. Duerr, M. Duerr, Link, McCarthy (by phone), Stippick  
MEMBERS ABSENT: Kohute  
ALTERNATES ABSENT: Cavone  
LIAISONS PRESENT: Keen  
LIAISONS ABSENT: Marsh  
GUESTS PRESENT: Mindy Curran, Roger Duerr, Barbara Halpern, Dave and Bonnie Marshall, Bill Petravich, and Al Wheeler.

The May 22, 2023, meeting of the Township of Franklin Environmental Commission was both a live meeting in the municipal building conference room and a virtual meeting on Zoom. It was called to order by Mr. Stippick at 7:36 pm.

- I. **Minutes:** Upon a motion by Mr. E. Duerr, seconded by Ms. M. Duerr, the minutes of the April 24, 2023, meeting were unanimously approved with one change: under Section IV. B. Malaga Lake Park, Evan Duerr's and Mindy Curran's names were omitted from the description of those who attended and helped with the Malaga Park cleanup.
  
- II. **Guests:** Ms. Curran raised two issues. One was about light pollution. There is an organization called DarksKies.org that has resource material about lighting that doesn't interfere with dark skies. Mr. R. Duerr commented that he has been a member of the organization and recommended a book on Dark skies by Jeff Schaff. Mr. Stippick advised that the Environmental Commission had a substantial amount of material on light pollution at its booth at the last Community Day. We could make it more of a topic this year as well. Mr. Keen remarked that we could partner with the Library Board that does talks for the public and develop a program for Franklin residents. Also, Rowan University's planetarium might be a good connection for this subject.  
Ms. Curran's second topic was about porous pavements. The application reviewed last month for the Newfield Bank in Malaga could have promoted use of porous pavements for the bank's parking lot expansion. Upon discussion, it was agreed that we need more information on porous pavement. Sometimes it's more expensive, although not always. It may also require soil borings to determine if it will be effective.
  
- III. **Emergency Response and Management Report:**
  - A. A notice from NJDEP dated April 25, 2023, Incident # **862224**, was received pertaining to the Iona gas station on Route 40. An unknown amount of benzene was found in the groundwater on April 25, 2023. The source is unknown but probably comes from a tank leakage. Benzene is a volatile organic compound found in gasoline. The contamination has been contained. An investigation will follow.
  - B. An accident on Route 55 near the Little Mill Rd. exit occurred on May 2, with a diesel fuel spill into the stormwater runoff area which is a wetland. No NJDEP notice has yet been received.
  
- IV. **Applications:** There were 4 Zoning Board and 2 Planning Board applications:
  - A. **ZB 23-02:** Elev8ed LLC. This application is for a use variance for a nonconforming use to allow a cannabis cultivation facility on block 7203/lot 4 at 1835 Harding Hwy. This is a wooded 10.4-acres lot in the highway commercial zone. A 3,833-sf. glass building would be built along with a 4,250-sf. parking area, requiring .33-acres of tree clearing. There is a stream at the rear of the property, but it is a distance

from the proposed building and no wetland or wetland buffer would be affected.

EC comments included noting that the amount of acreage is mislabeled on the site map and no well or septic is shown. Questions raised by the EC were:

- 1) **Is there a lighting plan?**
- 2) **How much water would be used for the cultivation and what are the disposal plans?**
- 3) **The building is close to the tree line (only 15'). Will the trees shade the solar lighting for the facility, requiring additional clearing of trees?**
- 4) **Will neighboring properties be affected by light spillage from the glass roof?**
- 5) **The EC recommends that testimony about odor mitigation be presented.**

- B. ZB 23-03:** CellCo/Partnership with Verizon Wireless. This is an application for a variance to allow more than one use at 4883 Lake Rd, block 5501/lot 30, which is a single lot in a light manufacturing zone. The application is to permit a 158 ft. cell tower monopole. There is a house on the property, so this variance would be for a multi-use.

Environmental Commission comments:

- 1) **Potential light spillage from security lights or from monopole could negatively impact neighboring properties.**
- 2) **Applicant should provide testimony about EMF (electromagnetic fields) radiation emissions created by the proposed communications tower and if they could affect the single-family home on the property or neighboring properties.**

- C. ZB 23-04:** Noria Chaberton JV LLC (Sahara Sands). Application for a use variance for a nonconforming use at the mining site at 4459 Coles Mill Rd., block 6301/lots 9 & 11, which is in a Pinelands Rural Residential zone, to permit two floating solar arrays on the water in the mining pit in Franklin and Monroe Townships. The larger rectangular array is in both Franklin and Monroe Townships and the smaller one in Franklin only. The generated power will be applied to their operation and provided to Atlantic City Electric. There appears to be no wildlife impact.

**The Environmental Commission had no comment.**

- D. ZB 21-08:** JC Company LLC. Application for a variance for a change of use and for multiple uses for an inground pool manufacturing and assembly operation at 870 Harding Hwy, block 7101/lot 30, which is in a Pinelands Highway Commercial zone. This activity was not a permitted use in this zone and the applicant was originally denied a variance, for which a court case was brought. The Superior Court remanded the case back to the Zoning Board for the proper permits. Both a residential and business use are requested on the site. The business use (limited manufacturing) is permitted but not the residential use. The building was originally permitted as a farm building and the property is adjacent to farmland. There is no water or sewer at the site. The fiberglass pool manufacturing entails application of a resin by spray gun.

Environmental Commission comments:

- 1) **Proposed use presents potential air quality hazards. Applicant should provide testimony about methods that will be used to minimize and isolate air quality hazards.**
- 2) **Proposed use will require storage of hazardous materials onsite.**

- E. PB 23-04:** Gloucester Solar Development Co. Application for approval of a preliminary site plan for the 262-acre farmland on Fries Mill Rd., block 1902/lot 1, which is in a business zone. The applicants already

won approval of a variance for use when Franklin's solar ordinance was struck down by the court the decision stating that if the Township has an industrial zone, it has to permit solar. Wetlands have been delineated. There are no buffers or landscaping around the site. Instead, there will be a chain link fence with barbed wire at the top. The EC did not receive an engineering review.

Environmental Commission comments were:

- 1) Proposed plan creates potential for heat island effect that could increase temperatures in surrounding area.**
- 2) There will be an inverter established at the northwest corner of Washington and Jackson Rds. The substation/Inverter building could potentially emit harmful EMF radiation.**
- 3) Noise emissions from proposed plan creates potential noise disturbances.**
- 4) Light intrusion on neighboring properties presents potentially harmful impacts to people and wildlife**
- 5) Potential glare created by the large scale solar field could be harmful to neighbors and motorists.**
- 6) The EC strongly recommends that a multi-layered evergreen landscape buffer be established around the perimeter for both esthetic reasons and to ameliorate impacts.**

- F. **PB 23-05:** Thomas & Karen Rosa. Application for a lot line adjustment between 1239 and 1231 Little Mill Rd., block 2402/lots 1.01 and 2. The lot line will adjust one lot that is **3 / 16**-acre being reduced to 1.1-acre and the **3 / 16**-acre being transferred to the other lot to make it 2.6-acres. There was insufficient information for the Environmental Commission to make any environmental comment.

**No Comment.**

#### V. Old Business:

##### A. Piney Hollow:

**NJDEP Green Acres Trail grant:** There is still no reply from the Pinelands Commission on the approval of the revised project. At this point, we would like to pursue the boardwalk alternative. Mr. Stippick has been pushing for the Township to start getting bids for that.

##### B. Malaga Lake Park:

Mr. Stippick reported that someone has weeded the wildflower garden, has added plants, and has labelled the plants.

- C. **Bird Quest:** This Gloucester County event, sponsored by the Gloucester County Nature Club, was held on Saturday May 6. Mr. Stippick and 7 others attended. Participants went to Malaga Lake Park trail, to Piney Hollow, and to Meredith Farms. A total of 71 bird species were identified (the largest number ever!) including a grasshopper sparrow, which is a bird that is heard more often than seen. It is both secretive and its numbers are in severe decline, due in large part to the loss of grassland habitat.

- D. **Bioblitz:** There will be a BioBlitz at Alcyon Park on June 10. It's a full-day event from 7 am to 12 am (June 11), sponsored by the Pitman Environmental Commission. Mr. Stippick will be doing a nocturnal insect count starting at 8 pm. Franklin Township's EC is a supporter and partner of this. Anyone who wants to participate may do so. Identification of species of plants and animals is done using the free application, iNaturalist.

#### VI. New Business: There was no new business.

#### VII. Mail: A certified letter of public notice was received regarding the June 13, 6 pm hearing at the Gloucester

County building on Delsea Drive in Clayton about the major diversion of public parkland in Scotland Run Park for a right-of-way for an electric line running from the proposed solar field on Fries Mill Rd. in Franklin. The diversion will occur on block 102/lots 9.01 and 11. This will be 30 ft. wide and will occupy a wooded buffer between farmland and homes. Replacement land for the diversion, which is required, will be 8 acres adjacent to the park.

Some questions were raised about the diversion such as whether herbicides will be used on the right-of-way. It was noted that a barred owl has been documented in forest across Fries Mill Rd. from the site. The question was asked as to why the row couldn't go up Fries Mill Rd. but it was thought that this would be too expensive since it would require cutting through driveways. These points can be raised by anyone who chooses to testify at the hearing. The Environmental Commission can also submit a comment letter. The deadline for comments is June 27.

**VIII. Adjournment:** Upon a motion by Ms. M. Duerr, seconded by Mr. Link, and approved unanimously, the meeting was adjourned at 9:47 pm.

Respectfully submitted by Suzanne McCarthy, Vice-Chair and Acting Secretary.

**The next meeting of the Environmental Commission is on Monday, June 26, 7:30 pm. It will be both a live meeting in the Municipal Bldg. conference room and a Zoom meeting.**