

Princeton Environmental Commission
Monday, September 28, 2022, at 7:30 p.m.
Virtual Meeting
Princeton, NJ 08540

Meeting opened by Acting Chair, Anne Soos, at 7:33 p.m.

Land Acknowledgement: *"We gather today on the land of the Leni Lenape. As members of the Princeton community, we aspire to show appreciation, respect, and concern for all peoples and our environment. We acknowledge the genocide and continuous displacement of indigenous peoples and the harm inflicted upon the indigenous communities and people of color across the country. We honor the Lenape and other Indigenous caretakers of these lands and waters, the elders who lived here before, the Indigenous today, and the generations to come. We further acknowledge the millions of enslaved Africans and their descendants on whose backs this nation was created."*

Opening Statement: Adequate notice of this meeting as required by Sections 3d and 4a of the Open Public Meetings Act has been provided and filed with the Princeton Clerk.

Commissioners in Attendance: Fichtenbaum (arrived 7:40), Marcus-Levine, Persky (arrived 8:39), Soos, Tech-Czarny, Zemble, Symington (Sustainable Princeton), Ludmer (Sustainable Princeton -- arrived 7:40), Niedergang (Council Liaison)

Commissioners Absent: Sands, Board of Health Representative

Presenters in Attendance: Louise Wilson, Chair, Princeton Planning Board & Justin Lesko, Princeton Acting Planning Director/Senior Planner

Public in Attendance: Pallavi Nuka, Chiara Smorada

- I. **Approval of Agenda** – Approval of the agenda was motioned by Tech-Czarny, seconded by Levine, unanimously approved.

- II. **Approval of Minutes**
 - a. March 23, 2022: Motioned by Zemble, seconded by Tech-Czarny, all approved. Marcus Levine abstained as she was absent from that meeting.
 - b. April 27, 2022: Motioned by Marcus Levine, seconded by Tech-Czarny, all approved.
 - c. July 27, 2022: Motioned by Tech-Czarny, seconded by Marcus Levine, all approved.
 - d. September 12, 2022, Special Meeting: Motioned by Tech-Czarny, seconded by Marcus Levine, all approved.

III. **Public Comment** – None

IV. **Council Report** (Niedergang)

Parking restriction changes for the Tree Streets and Witherspoon-Jackson neighborhoods and for Witherspoon Street. Municipal garage parking will go from 30 minutes to one hour free until the Witherspoon Street project is completed. First block of Witherspoon will be free and 30-minute, metered north of that to Paul Robeson Place.

Waste and compost group continues to meet. ~ Authorized the installation of four public charging stations for Witherspoon Street, at Witherspoon Hall and discussion of more chargers for Municipal Hall and recreation department parking. ~

Developing a non-lethal deer management plan -- dealing with NJ Fish & Wildlife to make that possible, as there are currently legal complications. ~ New plan for Hilltop Park has an inclusive playground, new lighting, new basketball court and batting cage. Grass field will remain. Looking at renovations for an ADA design on the bathrooms.

V. **Discussions & Decisions**

a. Master Plan Update

(Louise Wilson, Chair, Princeton Planning Board & Justin Lesko, Princeton Acting Planning Director/Senior Planner)

A presentation by Mr. Lesko of Princeton Community Master Plan Engagement Hub website. The process of developing the new MP is being done by a thirteen-member steering community of Princeton citizens and five planning board members. Clarke Caton Hintz (CCH) is the consulting firm on the project. Two community surveys are being done. All Princeton Boards, Commissions and Committees are encouraged to give input even if they do not have representation on the steering committee. The PEC will not create a new GBESE but can submit a written revision. The GBESE will get woven into most, if not all, the other elements of the MP. They are preparing for a November 30th Open House to present findings and proposals. Recommendations from the PEC should ideally be submitted by November 1, but before Thanksgiving is fine (Nov 30 is absolute latest). After the new year there will be a more focused survey and another open house. They are aiming for a draft of the new MP early in 2023 with planning board review and adoption in summer of 2023. One goal is to make the MP as visual as possible.

Elements to be incorporated were shown as proposed by CCH. For the first time, NJ requires a Climate Change Related Hazard Vulnerability Assessment section to be included in the Land Use Plan Element. The Circulation Element category will be changed to Mobility Element. Recommendations by the PEC for the Stormwater Management Element would be helpful. They will combine the recreation, open-space and conservation elements. The Green Building and Environmental Sustainability Element (GBESE) will be included. With the

adoption of the GBESE in 2020, it is assumed there are no amendments needed, but should the PEC have changes, (as proposed in our memo) they will look into incorporating them.

Mr. Lesko ended his presentation, reiterating the need to get our memo to him asap given the November 30 Open House.

Mr. Lesko addressed pre-prepared questions from the PEC.

Question on 3D modeling. Mr. Lesko says they would love to, but Princeton is not at that level. We are at the GIS (mapping) stage. The next step being static 3D and then advance to dynamic, changeable software. This may be a starting point to get there.

Questions on zoning – non-conforming lots and overlays. Definitely looking into the large number of non-conforming lots and amending zoning. Open to exploring environmental overlay zones and would appreciate PEC input. Mentions the incentives in the affordable housing and historic overlay zones such as offering more units or fewer parking spaces.

The **Environmental Resource Inventory** is being studied and will be incorporated. Louise added that the engineering department and the Flood & Stormwater Commission are evaluating studies to develop a SW management/mitigation plan. And the entities will overlap.

Question on how the consultants are engaging the BCCs. (Lesko) Only a few BCCs are being brought in right now (as per the contract). Written comments are best for the other BCCs. (Wilson) The MP is in a good position because of the work done in creating the GBESE. It will likely find its way into every other element of the MP. They are hoping to hear from all the BCCs as to their priorities for the MP. In particular, the PEC could update info on the GBESE, such as stormwater data sources. DEP now requiring data cited from Rutgers.

After the presentation, questions from commissioners were answered by Mr. Lesko and Ms. Wilson.

Soos asks if the PEC should respond to the survey as a group. (Wilson) No, each member individually answering the survey. (Lesko) No formal process for what the BCCs submit as recommendations for the MP.

Fichtenbaum asked if **tree canopy** is addressed in the Conservation Element? Also, will the MP identify **areas of susceptibility to more intense change**? She suggests those areas are especially important to model -- such as a local architect has done for the downtown in simple 3D software. This would be a more transparent way for the community to see what changes could be coming before it is too late to affect any real change in a proposed project. (Lesko responding to

tree question) Not Prejudging what might go into the MP at this time – still in a public outreach phase. Make these recommendations in our memo. As for the question on 3D modeling, it is something that could come out of this MP; it has not been a priority to date. But he would love to see what is being done by others in the town. (Wilson) If there are 3D models or folks have access to 3D software and might partner with the town, that is something to be explored. These tools definitely could inform the granular recommendations in certain zones. Local professionals could give input as to the best software out there. As for tree canopy, she hopes public comment supports a healthy urban forest, and we should be looking forward 100 years.

Tech-Czarny (ZTC) asked what is happening with the **Urban Design Element**? (Lesko) Will check on it. (Wilson) Not a separate element for urban design in the consultant's scope of work. She thinks it will be a section in the Land Use Element.

ZTC asked if it makes sense to put the Recreation Element with Community Facilities Element. Regarding the MLUL elements of MP are not rigid. Option for something like a Landscape Systems Element, that is a broad range. ZTC is **concerned that the GBESE will get relegated to an appendix**. This is an opportunity to get all elements adopted at the same time (not staggered as it has been done). A new GBESE should be created in the same format as the other elements for a cohesive MP. Idea of an **environmental overlay** has potential to be thought through and implemented eventually as zoning. Opportunity to set green building requirements. CCH can investigate and advise as to what developers can be compelled to do. Finally, what form should **our memo** take and what will happen to these recommendations moving forward? (Lesko) Re: memo, basically the format of our PB memos, with absolute recommendations and then comments for consideration. It will go to CCH and then the steering committee. (Wilson) recommended looking at the Flood & Stormwater document as a template, with a goal and then action items for the goal to be met. (Zemle) said she will send the document to the PEC when it is finalized. (Wilson) ZTC's suggestion of combining rec and facilities is interesting. Many of these elements are interconnected. The GBESE is not going to be an afterthought. It is central to the MP.

Niedergang commented that consideration of incentives similar to those offered for affordable housing for things like tree canopy and green building have encountered **concerns from legal**. Is Gerry Muller, attorney for the Princeton Planning Board, in on these meetings? We must be realistic while being ambitious. (Wilson) Atty. Muller will be at all the PB hearings. A healthy tree canopy will be crucial to climate change resilience. They are part of the bigger picture of public health and welfare. Council could justify actions in that light. Need a strong set of statements in the MP for desired sustainability measures so that subsequent ordinances and amendments can prove consistent with the MP.

Public education is also important. (Lesko) Need faith in CCH for their knowledge of what is possible legally. And the town's attorneys and professionals will be reviewing proposals along the way.

Fichtenbaum sees the MP as a vision with ordinances the way to implement that vision. We **should not limit our vision** even if the implementation is not immediately evident. As for the tree canopy, we need to **protect and restore the overall canopy** in the town and the ecoservices it provides. As we write an element on resiliency we need to think about the forest and not just the tree.

Persky interjected that we cannot have a healthy tree canopy without the participation of individual landowners; there is not enough public land.

Marcus Levine made a comment that in many of these categories, **maintenance needs to be stressed** -- street maintained for bikers; sidewalks for pedestrians; trees for a healthy, mature tree canopy. (Wilson) Has noticed that maintenance for street trees comes from the open space tax revenue, and maybe it should be coming from the infrastructure budget.

ZTC commented that a **MP can help guide capital improvements** and asked if there has been a discussion of using it that way. (Wilson) No, not yet. Zenon suggests that the MP direct certain funding to be used for specific landscape systems purposes. (Lesko) The capital improvement plan is controlled by council. He hasn't seen capital improvements used that way in the past. ZTC commented that he hopes stormwater management dollars would be spent to mitigate stormwater but also advance environmental quality overall. (Wilson) Noted that Complete Streets have received capital funding, as an example of a goal moving from MP to council to reality.

Niedergang said council has been trying to be cognizant of maintenance, not just the set up.

ZTC hopes we can incorporate findings from the Environmental Resource Inventory into recommendations.

Soos summarized the conversation to this point. 1) Sustainability needs to be the thread throughout the MP. 2) The PEC can update the GBESE as part of our memo submitted to the steering committee. (Louise) clarified that we should recommend ways that it should be updated. 3) Our memo should be received before Thanksgiving.

Symington stated she understands her role is one of liaison to the community, to educate them and have their input heard. **The PEC should identify each individual group which will be impacted by and benefit from its**

recommendations to the MP. This is crucial in educating the public and engaging them in the process.

Public questions:

Pallavi Nuka, Leabrook Lane – Regarding issues of flooding on Terhune and all the new development, will the MP contain guidelines and/or specifications for what type of paving or permeable surfaces should be used and what drainage is required on the larger developments? Will the PEC be making such recommendations? Is the MP trying to shift transportation modes away from cars? (Lesko) If people say they want to shift away from cars, then it will be incorporated. Pretty good bet it will. As for the stormwater question, it can recommend standards and serve as a basis for ordinances. (Wilson) The GBESE already de-emphasizes cars and promotes bike and pedestrian transportation. Stormwater is already a consideration for developments that come before PB. Every application must reduce runoff or the rate of runoff. But we are up against more rainfall and heavier rainfall events, so we will always be playing catch-up with flooding. The question is, will the MP take chronically flooded properties out of the housing stock? We do have ordinances that set standards higher than the state requires for commercial developments. (Lesko) suggested calling the engineering department when the flooding is occurring. Ms. Nuka said the town says the street is on a schedule for upgrade, but not immediately.

Soos asked when survey #1 results would be released publicly. Sometime after they collect the university students' responses in October.

Soos thanked Wilson and Lesko and closed the discussion.

b. Commissions & Secretary

Soos noted that Harrison Watson had to resign from the PEC because he could not find affordable housing in the municipality, and it is required that Commission members live in Princeton. Tech-Czarny will take over Watson's Open Space responsibilities. There are seats to fill on the commission and we need a PEC secretary.

c. Plaque & Dedication for Deb Mercantini

There is a plaque at Barbara Boggs Park in honor of Debra Mercantini, and Eve will schedule a time with staff for a memorial service. (Niedergang) First a few dates will be proposed by the PEC.

d. NJ Task Force: Climate Change & Biodiversity

Persky, Sands and Soos have attended meetings of the task force which is focusing on forest management vis-à-vis climate change and biodiversity, with a goal of presenting a set of recommendations to the state senate that could be translated to laws that protect our state forests.

e. Neighboring Warehouse Development

The state is close to passing a bill setting guidelines to advise municipalities on how to evaluate warehouse applications in their town.

f. ERI Status

There are two upcoming meetings on the Environmental Resource Inventory. Cindy Taylor has just received GIS data needed to move forward.

(Niedergang) Ms. Taylor is doing a great job. The document will be more comprehensive with her work than if it were just the PEC crafting it. (Soos) Concerned it won't be done in time to inform the MP. Anne will try to get a timeline from Ms. Taylor.

g. Sustainable Landscaping

Regarding the toxic algae blooms, the PEC recommends continuing efforts for true sustainable landscaping, particularly fertilizers in our waterways.

h. Letter of Support for Princeton's Garden Club

Letter to support the garden club's effort to maintain riparian zones, with changes to draft as reviewed in the meeting, was approved. Fichtenbaum motioned, with Tech-Czarny seconding. All approved.

VI. Reports from Liaisons

a. Sustainable Princeton (Symington/Ludmer)

The Landscape Transition Fund (to move to electric equipment) gave out forty-two landscapers up to \$500 reimbursement. Initial interest was low, so the amount was upped to \$1,000 and most of the fund has been dispersed. Feedback is batteries are not sufficient for completing a full day of work. ~ E-Commuter Fest is September 30, from 4:00-7:00p.m., At Westminster Choir College parking lot.

b. Flood and Stormwater Committee (Zemble, dual member)

The Watershed and the Flood Commission are looking into basements that flood as a result of new development. The town consultant, The Nader Group, is studying Harry's Brook for the new FEMA map, though they can only use existing data and not projected numbers. They estimate that the 100-year storm will result in a 1.2 foot rise in Harry's Brook between Harrison Street and Snowden Lane. Still waiting on the full report from the consultant. ~ Sands had asked Zemble to attend a NJ state meeting on two laws proposed regarding banning gas leaf blowers. They are still in committee. ~ As a follow-up to a document sent to Princeton Public Schools parents informing them there are thirty instances of lead in the water in the schools, Zemble spoke to teachers and administration and learned that twenty-eight are in bubblers (the old drinking fountains attached to sinks) which are no longer used, and the rest are in the elementary schools, but are not of concern. Zemble commented, she is still concerned.

c. Planning Board (Tech-Czarny)

The first September meeting reviewed the Jeyamohan application on Van Dyke. It was the second meeting on that application. Marcus Levine had attended the first in ZTC's place. ZTC did not fully review that meeting so had

to recuse himself on the discussion and vote. There was an extended, intense discussion on stormwater management for the site. The project was approved. Because of the time taken by the first application, the CRX project on Witherspoon was postponed (possibly to be reviewed October 20). The September 22nd meeting reviewed the 701 Mt. Lucas application, and the duration of that discussion pushed the Schmidt Hall concept review to October 13. Mt. Lucas is a good green design, though they did not completely commit to a 100% electric project. The application was approved.

VII. **Adjournment**

Motion to adjourn moved by Tech-Czarny and seconded by Zemble at 9:52, approved unanimously.