



Environmental Commission

December 15, 2015

(Minutes)

Prepared by:

Paul Demarest

Chairman MacDonald called to order, at 7:35pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, December 15, 2015 at Borough Hall.



Attendance

Present

- Paul MacDonald- Chairperson
- Thomas Colwell- Full Member
- Sophie Heymann- Full Member (Planning Board Liaison)
- Sivert Hagen- Full Member
- Ethel Abrams- Alternate #1
- Bobbie Bouton-Goldberg- Alternate #2 (Historic Preservation Commission Liaison)
- Arthur Goldberg, MD- Associate Member

Absent

- Steven Isaacson- Full Member
- Brian Stabile- Full Member (Shade Tree Commission Liaison)
- Thomas Hennessey- Full Member (Council Liaison)
- VACANT- Associate Member
- VACANT- Associate Member



Miscellaneous

Being an agenda had not been prepared for this evening, the Commission decided to postpone a vote on approving minutes for the October 20, 2015 meeting until the January 19, 2016 meeting.

Due to a malfunction with the recording system in the Council Chambers of Borough Hall, minutes for the November 17, 2015 meeting were not prepared.

Chairman MacDonald opened the meeting to the public for questions and/or comments; no one wished to be heard.



Old Business

Trails

Chairman MacDonald expressed pleasure with the progress of the trail project being done by Kevin Riley, a Board member and Grounds Manager of the Borough of Demarest Nature Center. He reminded that said project is being funded through trail grant monies awarded to the Borough in 2014 initially obtained through the efforts of former Councilman/Commission member John Kashwick; he commented that Ms. Heymann persevered in seeing that the awarded funds were not lost due to inaction on the part of the Borough.

Mr. Hagen said he recently attended a meeting of the Environmental Commission in the Borough of Norwood to discuss the status of the inter-borough trail system; he noted he had been invited by its Vice Chairperson, James Elling, whom he conversed with at a December 8th meeting of the organizers for the 2016 Northern Valley Earth Fair. Mr. Hagen reiterated the event will be held in the Borough of Cresskill on April 23, 2016. Ms. Heymann believed Norwood's Chairperson, Christine Hageman, has been resistant to the idea of an inter-borough trail system, of which progress has unfortunately lagged. Mr. Hagen said the organizers request participating municipalities and vendors alike donate \$250.00 no later than February 2016, as well as furnish volunteers. He suggested Ms. Abrams contact Michael Swan, an organizer, regarding her search for an appropriate tablecloth/banner for the Commission to display at public booths, kiosks, etc. She replied that Norwood's cloth, which is 6' long and hunter green with white lettering, was purchased in 2013 for \$119.52 plus shipping from a vendor known as *Display2go*. Chairman MacDonald said he would request an estimate from Mr. Isaacson for a similar tablecloth/banner. Mr. Hagen said the organizers prepared a 14-item agenda and much discussion revolved around the type of vendors to be present at the Fair, such as those specializing in butterflies and bats. Chairman MacDonald noted that former Commission member, Brenda Cummings, should not have to make a donation being her environmental theatre show, Granny Green's Green Machine, would likely be performing, but rather be compensated for her service. Chairman MacDonald believed the Borough would authorize such a donation, especially given it donated that amount the prior 2 years. Ms. Heymann opined that Closter has not received \$250.00 worth of public exposure at the Fair in years past because its booth has not been located prominently. Mr. Hagen said he would relay her concern to Mr. Swan.

Ms. Heymann reminded she previously forwarded to the Commission a progress report prepared by Mr. Riley on his trail enhancements, noting photographs are also available. She requested that the Commission endorse the draft Resolution by the Governing Body for his hiring and compensation. She reiterated that Mr. Riley would be providing his labor for \$2,500.00, and the Borough's funds available from the subject trail grant is \$30,000.00, of which 20% is matched by the Borough; she noted transportation costs are being off-set by vehicles supplied through the Department of Public Works (DPW). She stressed, however, that signage associated with the trail project will be quite expensive given that aspect is to be contracted out. Dr. Goldberg asked that the Commission be supplied with a detailed budget proposal of how the remaining \$27,500.00 will be spent at its January 19, 2016 meeting. Ms. Heymann replied that such information is detailed the aforementioned progress report and added that both Buzzoni Farm Park and Schauble Park require trail installations located in upland areas, negating boardwalks and lessening the expense; she agreed to Dr. Goldberg's request.

A motion was made by Dr. Goldberg and seconded by Mr. Colwell, that monies already and to be expended relating to the trail enhancements provided by Kevin Riley, be approved as explicitly expressed in said Resolution pending before the Governing Body. The motion passed (7-0-0):
YES- Goldberg/Bouton-Goldberg/Abrams/Hagen/Heymann/Colwell/MacDonald;
NO- n/a;
ABSTAIN- n/a;

Ms. Heymann stated new signage for the trail system will not be finalized until the improvements are reflected on a revised trail map, which should include the Nature Center's trails and those relevant links located in Demarest. She concluded a fairly large map would be

required to include all such depictions; Chairman MacDonald countered that the more information included would require the scale and detail to be reduced.

Dr. Goldberg said an ad hoc committee was recently established by the Governing Body tasked with submitting a constitutionally compliant fair share plan in response to the Supreme Court of New Jersey's decision in March to relinquish oversight of the state's affordable housing process from the Council on Affordable Housing (COAH); he clarified that a COAH map prepared as part of the committee's efforts could, as a basis for updating the trail map, have an overlay of additional open space/trail information incorporated into it. He suggested Caroline Reiter, PP, of Christopher Statile, PA, (firm retained to assist the Borough's COAH committee), be contacted.

Dr. Goldberg further commented that a Commission subcommittee on addressing the trail system in northern Closter (Buzzoni Farm Park, conservation easement at Hartford Boulevard, etc.), and consisting of himself, Chairman MacDonald and Ms. Heymann, has yet to organize. Chairman MacDonald believed it to be premature to complete a trail map when several links, like those recently installed in Schauble Park, are not completed. Dr. Goldberg replied information can be added systematically to the trail map on a continuing basis until its depiction is all-encompassing. Ms. Heymann stated that creating a trail through said conservation easement requires boardwalks due to wetlands on-site, which is quite expensive; she noted that such was the reason the northerly portion of the Borough's trail system has not been installed. Dr. Goldberg felt there were several areas in and around the conservation easement by Hartford Boulevard which would not require planks.

Ms. Heymann said the subject grant funding the trail enhancements by Mr. Riley expires March 2016, however, if enough progress is documented, an extension to time to complete the work is possible; she reminded that the Borough squandered 2 of the 3 years allotted in the grant awarded due to inaction.

Chairman MacDonald, Ms. Heymann and Dr. Goldberg agreed to gather their subcommittee on the northern trails in early January 2016 to finalize mapping of the trail system so new signage can be planned; Ms. Heymann agreed to continue providing the financial status on Mr. Riley's project. Ms. Heymann suggested the Commission use trees to label its trails such as done at Tallman Mountain State Park in New York, admitting such an approach could be expensive. She commented that a cheaper but less effective means to mark a trail, used in arboretums, is to nail a piece of metal onto a tree.

Mary Mayer, 12 Mc Cain Court, Closter, New Jersey, introduced herself as a former Commission member, and said she recently shifted her duties at the Nature Center from President to Forest Stewardship and Trails; she noted she is part of a focus group including Elizabeth Ravit, PhD, a former Chairwoman of the Commission and current Treasurer of the Center as well as the Center's President, Lori Spechler. She said roughly 1 year ago, various Centers in the region realized they shared a common problem with respect to forest preservation; she said the Centers teamed up to avoid the pitfalls of political backlash and money constraints if dealt with individually. She noted that depleting of the forests is mainly caused by the white-tailed deer population, but also invasive species such as barberry, garlic mustard and Japanese stiltgrass overtake the areas of native species; she stressed that global climate change is also a major factor in the loss of forestry. Ms. Mayer stated forests are no longer resilient or sustainable largely due to the loss of understory. She revealed that disease spread by emerald ash borer has reached Bergen County, a threat to the Nature Center which is home to many ash trees. She said

that the Centers hired a group of certified forest stewardship surveyors (New Jersey Audubon Society) in May to analyze forests and conduct sustainability studies, which it completed in June/July. She said the Society then asked each Closter for a list of objectives; she clarified that the Closter Nature Center's would differ from those of Flat Rock Brook Nature Center in the City of Englewood, United Water Co., etc. Ms. Heymann questioned why all passive parks in Closter were not being included in said study; Ms. Mayer responded that the Center is the largest contiguous forest acreage (requirement for access to federal funding) in the Borough while acknowledging that deer can relocate to different areas. She noted that Schauble Park is another large parcel, and Mr. Hagen reminded that Olaf & Ingeborg Hagen Park is as well especially since it is adjacent to the Demarest Nature Center. Ms. Mayer promised to discuss those sites with various Center land managers at their next meeting on December 16th; she pointed out that the Society would give their recommendations upon receipt of their client's objectives. Both Ms. Bouton-Goldberg and Mr. Hagen noted that the Commission recently sent a memo to the Mayor and Council expressing its concern about deer overpopulation. Ms. Mayer said the Society's charge for its study is approximately \$6,000.00, noting the Nature Center applied for the Conservation Innovation Grant via the United States Department of Agriculture (Natural Resources Conservation Service); she said the federal government has since indicated Closter qualifies for funding but would not be awarded until the Society completes its study. Ms. Mayer said an additional \$5,000.00 would be accessed through open space monies.

Ms. Mayer said the community's feedback in establishing its objectives to be submitted to the New Jersey Audubon Society is vital. She opined that a solution could be to fence out an acre of the Center's property and observe if species blocked by deer overgrazing can be regenerated. She stated in the past 5 years, violent storms have resulted in fallen trees that have served as cover for ground plants; she clarified that open spaces have brought in many invasive species since parts of the forests are regenerating without any native species in them. She said the Nature Center preserves a unique function of flood control (cleansing of water within wetlands on-site), thereby preventing erosion; she stressed that actions should not be taken which would change stream banks. Ms. Mayer explained that Closter is an education center so a negative impact on its recreational trails must be avoided. Ms. Heymann believed invasive plants such as the Japanese stiltgrass and mile-a-minute weed are more harmful to the forestry than deer, citing their presence in both Schauble Park and Olaf & Ingeborg Hagen Park; Ms. Mayer agreed, saying deer do not feed on said plants, noting the Japanese stiltgrass is threatening the ferns at the Center. Ms. Heymann revealed there is also Japanese knotweed along Ruckman Road.

A motion was made by Ms. Heymann and seconded by Ms. Bouton-Goldberg, to endorse the Nature Center's efforts concerning forest stewardship and encourage it to broaden its effort to include additional Borough-owned properties. The motion passed by acclamation.

Jonathan Morgan, in contract to purchase an unspecified residential property on Blanch Avenue, which is 1,500' from the now-defunct Closter Swim Club, introduced himself. He expressed concern about the reported polychlorinated biphenyls (PCBs) discovered recently at the Club and its potential harm to nearby residents. Ms. Heymann replied that PCBs do not affect the human body unless inhaled or ingested and those found in Closter are located underground; she opined the concern initially by the public turned out to be an overreaction. In response to Mr. Hagen, Mr. Morgan confirmed the residence he is interested in buying has water utility service, not well water. Ms. Heymann confirmed that the Borough, which recently acquired the parcel, will soon be conducting further analysis on the Club's contamination, specifically the amount and how its distributed on-site. She suggested 2 theories as to how the PCBs originated: 1.) original construction of in-ground swimming pools and harboring within

cement, joints, etc.; 2.) aerial spray of pesticides. She clarified that the her 2nd explanation is unlikely being the site was never farmed (unlike Buzzoni Farm Park located further to the south) and no PCBs have been found where there is heavy forestation.



Liaison Reports

Governing Body

In light of Councilman Hennessey's absence, no new matters were discussed.

Shade Tree Commission (STC)

In light of Mr. Stabile's absence, no new matters were discussed.

Planning Board

Ms. Heymann said the Board is discussing the COAH issue as it relates to the Borough's obligation to provide an affordable housing plan for judicial review. She said the mandated number of housing units that Closter could be required to build ranges from 120 to 689. She revealed that the judge assigned to the Borough is the Honorable Menelaos Toskos, who formerly represented Closter in several capacities. She said the Borough has until May 2016 to submit its proposal, which will be a new Fair Housing Element to the Master Plan. She explained that both the COAH committee and Ms. Reiter are vetting the idea of demolishing the Closter Commons shopping center in order to build 3-story housing; she kept in mind the Borough must indicate enough areas to accommodate potentially 689 units. Ms. Heymann stated the Borough previously has used overlays, which allow for special invasiveness of low cost housing, for certain zoning districts to negate both changing them altogether and having to deal with both privately- and publically-held sites. She said Ms. Reiter is instead indicating every potential parcel regardless of ownership; she also expressed disappointment that 40 Old Hook Road, a 14-acre farm operated by Abram Demaree Homestead, Inc. which has been an eyesore for years, is not indicated while other farmlands at 639 Piermont Road and 102 Blanch Avenue are. She said the COAH process is tedious and expensive, resulting in much paperwork while failing to provide housing for those who truly are in need. Responding to Mr. Hagen, Ms. Heymann did not know if a vacant 6-acre tract (Homans Avenue/37 Homans Avenue) is indicated by Ms. Reiter, reminding that Closter recently wished to buy the properties to develop before determining the presence of contamination and wetlands. She said, however, 1.5 to 2 acres on-site are apparently buildable.

Mr. Hagen questioned if consideration has been made about affordable shopping in Closter, given the redeveloped Closter Plaza shopping center will likely consist of upscale stores. Ms. Heymann explained that the Plaza's co-owner/developer, Edens, LLP, wants to set it apart from other nearby shopping destinations such as Northvale which is more middle-class. She said 1 of the anchor tenants, Whole Foods Market, will be very popular with Borough residents; she acknowledged that the closing of discount retailer, Kmart, is unfortunate. Connecting the discussion back to COAH, Ms. Heymann said those deserving of such housing will not be able to afford the lifestyle in such an affluent community, noting there is no public transportation to speak of other than an infrequent bus route. She revealed that while such factors should play a crucial part in deciding how many units Closter can provide, they do not. Ms. Heymann said a municipality used to be able to assign its collected development fees to another where affordable housing was more appropriate, a process that has since ceased to prevent clusters of such

housing. She reminded that the Closter Food Pantry is supporting more and more residents due to the recent economic downturn. Ms. Heymann said the Borough of Alpine constructed a low cost housing complex but still may be required to provide several hundred units. She said the Borough of Cresskill did not provide for such provisions in its Master Plan, which led to a builder's remedy (unlimited freedom to build without regard to zoning regulations) and the invasive buildings on both sides of Piermont Road.

Historic Preservation Commission (HPC)

Ms. Bouton-Goldberg thanked Mr. Colwell for preparing a letter of endorsement on behalf of the Commission with respect to Blanch Avenue being considered historic. She revealed that because the subject nominee is a thoroughfare, not a building, and due to some resistance from nearby property owners, the HPC decided to change the nature of its request to the Governing Body so that Blanch Avenue receives recognition rather than designation; she noted that signage would still be installed. She also informed that the HPC would again attempt to have Hickory Lane recognized in the near future. Ms. Bouton-Goldberg expressed anger that an unspecified local publication wrote that the recognition of a roadway would cause property values to plummet; she revealed that Dr. Goldberg would be authoring a rebuttal.

Mac Bain Farm

Ms. Bouton-Goldberg distributed photographs of poorly-installed fencing at Mac Bain Farm; she stated the wrong material was used and certain sections are not high enough. Chairman MacDonald questions why the contractor was paid if the work was not acceptable. Ms. Heymann said John Mc Caffrey, caretaker and resident of the Farm, should have been supervising the project. She stated some areas are less than 6' high and others do not have enough posts installed; she further critiqued that smaller gauge pipe was used at gates and portions were tied with wire instead of being bolted/drilled into place. Ms. Bouton-Goldberg said an estimate of \$10,000.00 was given by Dimick Fence Co. to fix the shoddy work, a price she felt to be reasonable. She informed that Mr. Mc Caffrey has witnessed deer jumping over the 6' fencing, noting 2 rows of wire were used to make the fence in question technically 8' high. Chairman MacDonald stated the fence project would have to go out for bid, but beforehand, proper specifications are required; he promised to discuss the matter with the Borough Administrator, Jonathan De Joseph. Ms. Heymann was perplexed as to how the fence at Mac Bain Farm turned out so poorly when Mr. Mc Caffrey successfully installed an 8' high deer fence at her residence.

Ms. Heymann and Ms. Bouton-Goldberg said large amounts of broccoli rabe, hubbard squash, mint, parsley and pumpkins are still available at Mac Bain Farm. Ms. Heymann stated the DPW should be notified of a tulip tree leaning dangerously by a trail at the Farm being it is not the responsibility of Mr. Mc Caffrey.

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Plan Review

The Commission prepared the following administrative report(s):

Planning Board

248 Closter Dock Road: This is an application for Site Plan Approval involving the as-built enlargement of a plaza/front walkway as well as planter and ground sign installations. The

Commission made the following comment: 1.) clarify size of 5 proposed linden trees to be planted and ensure their openings will exceed drip line (4'x6') to accommodate potential growth.

Zoning Board of Adjustment

23 Naugle Street: This is an application for a Use Variance and Site Plan Approval involving the construction of a new building (prefabricated warehouse located between existing lumber yard facilities). The Commission had no comments.



Adjournment

Chairman MacDonald said the Code Enforcement Bureau recently issued a Notice of Violation for the dilapidated roof of the abandoned service station at 121 Schraalenburgh Road; he said the Borough is forcing the property owner to demolish the building given its condition. Mr. Colwell said he recently saw general maintenance/leaf removal occurring at said property.

There being no further items to discuss, a motion was made by Ms. Heymann and seconded by Mr. Colwell, to adjourn the meeting at 9:31pm. The motion passed by acclamation.