



# **Environmental Commission**

**December 19, 2017  
Meeting**

**Minutes**

Prepared by:

Paul Demarest

Ms. Heymann called to order, at 7:47pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, December 19, 2017 at Borough Hall.



**Attendance**

***Present***

- Steven Isaacson- Full Member
- Thomas Colwell- Full Member
- David Barad, MD- Full Member/Council Liaison
- Sophie Heymann- Full Member/Planning Board Liaison
- Bobbie Bouton-Goldberg- Alternate #2/Historic Preservation Commission Liaison

***Absent***

- Paul MacDonald- Chairman
- Keren Kuperman- Full Member
- VACANT- Full Member/Shade Tree Commission Liaison
- Ethel Abrams- Alternate #1
- Steven Lopez- Associate Member



**Miscellaneous**

Due to the absence of Chairman MacDonald, Ms. Heymann chaired the meeting for this evening.

A motion was made by Ms. Bouton-Goldberg and seconded by Mr. Colwell, to approve the minutes for the November 21, 2017 meeting. The motion passed unanimously.

Ms. Heymann opened the meeting to the public for questions and/or comments. No one wished to be heard.



**Old Business**

***Trails***

Ms. Heymann said she had been walking the Borough's trail system as of late, especially since there is no poison ivy during the winter months. She mentioned a lot of maintenance is needed along various links, noting there are still many leaves remaining on trees despite it being late December. She stated Kevin Riley, a Board member and Grounds Manager of the Demarest Nature Center, who recently did trail improvements as part of the Recreational Trails Program Grant awarded to the Borough by the New Jersey Department of Environmental Protection (NJDEP) in 2014, said he would be available to provide additional service when spring arrives. She said, however, such a line item was not put into the Commission's 2018 budget proposal. Ms. Heymann agreed with Mr. Isaacson that trail maintenance should not be funded through the Commission but rather with open space or grant monies; she stressed, however, the expense

must still be indicated within a Borough budget. She informed that the Borough Administrator, Arthur Dolson, believed a grant would likely be awarded for such a project, but she said the actual funds would not be received for roughly 1 year. She said Mr. Dolson would try to revise the budget to reflect Mr. Riley's trail maintenance as well as research available grants, though she noted he was upset the Commission did not deplete the \$24,000.00 NJDEP grant from 2014, which could have helped in paying for such expenses and additional trail maps signs and associated pedestals. In response to Mr. Isaacson, Ms. Heymann said it is unlikely laborers from the Department of Public Works would have availability to do the needed trail maintenance this upcoming season.

Ms. Heymann said the updated trail map for the Borough of Demarest, which she previously emailed to Commission members, indicates coordinated coloring of blazes between its links and those it shares with Closter. She hoped Demarest's trails could be depicted in greater detail on Closter's trail map when it is updated in the future; Mr. Isaacson said an alternative would be to include an additional page in the Commission's trail brochure to highlight the Demarest links.

### ***2018 Northern Valley Earth Fair***

Mr. Isaacson stated the subcommittee tasked with organizing next year's Fair has been gathering regularly for 4 months. He said that the venue will likely be Northern Valley Regional High School (NVRHS) at Demarest, specifically the parking lot fronting on Knickerbocker Road, which allows for plenty of public exposure and on-site parking; if inclement weather arises, he said the cafeteria, library, media center as well as the school's wide corridors could be utilized for vendor booths, etc. He informed that Jessica Wang, Chairwoman of the Demarest Environmental Commission, would do a walk-thru of the facilities and grounds on December 21<sup>st</sup> before confirming their selection. Mr. Isaacson explained that Soci Kayserian (26 Taylor Drive) would handle much of the administrative aspects, most notably web applications. He said he is advocating for both NVRHS at Demarest and Old Tappan as well as Cresskill High School to become the permanent alternating venues for future Fairs so to simplify the organizing and coordination of 5+ municipalities each year. He hoped both the Boroughs of Haworth and Harrington Park would also participate in 2018.

### ***Eagle Scout Project (Mac Bain Farm)***

Ms. Heymann stated she informed Connor Goranson (492 High Street), a Life Scout for Troop 63 in the Boy Scouts of America organization who intends to construct a pergola at the Farm, about how the Governing Body decides all matters concerning funding; she noted its decision would determine if Mr. Goranson would need to fundraise to see the project to fruition. In the meantime, Mr. Colwell said he was seeking the Scouts organization's approval for the amended scope of work, which originally was to install an herb spiral garden until the Commission decided such was not optimal for the Farm. Mr. Isaacson noted that Mr. Goranson hoped to complete the project this spring in hopes of making his elderly grandmother proud.

### ***Foam Food & Beverage Container Ban***

At the November 21, 2017 meeting, Ms. Heymann reminded that the Commission endorsed starting a campaign to legalize the use of foam products by food and drink merchants located in the Borough. Upon researching, she said Councilman Barad found the City of Rahway adopted an ordinance relating to the subject matter and noted the Association of New Jersey Environmental Commissions (ANJEC) is endorsing 5 sample regulations for passage throughout communities in New Jersey. Ms. Heymann said the City of Teaneck adopted an ordinance banning plastic bags. Councilman Barad agreed to prepare a draft for the Commission's consideration and noted a newly-hired associate, Celia Bosco, with the Borough Attorney's firm, would provide great assistance in crafting such as ordinance. Ms. Heymann

emphasized that the wording need not be as lengthy as ANJEC's 10-page samples, which include enforcement and penalty provisions.



## **Liaison Reports**

### **Governing Body**

Councilman Barad said there were no new matters to discuss.

### **Planning Board**

Ms. Heymann said the Borough's acquisition of 511 Durie Avenue, the former Village Middle School, would have an environmental impact relating to density as a result of potentially 40 families residing on-site. She explained there have been several extensions of time granted by the assigned judge in which the Borough must provide a constitutionally-compliant fair share plan in response to the Supreme Court of New Jersey's decision in March 2015 to relinquish oversight of the state's affordable housing process from the Council on Affordable Housing (COAH); she informed that the most recent extension ends in February 2018. She believed the extensions will soon end and sometime next year the Planning Board will hold public hearings on the matter, then the Governing Body would take up the matter before final submission to the judge.

### **Shade Tree Commission (STC)**

Councilman Barad explained that the STC currently has jurisdiction over tree removal and planting within 10' and 15', respectively, from the edge of a thoroughfare when measured towards the abutting privately-owned parcel. He said the STC also refrains from planting species that would grow to interfere with utility pole lines. However, he stated none of the mentioned long-held practices are codified through the adoption of an ordinance; he stated he asked Ms. Bosco to draft an ordinance to legalize them, which would also make the process more transparent to the public.

Ms. Heymann said many years ago, the Borough would remove and plant trees located far greater than 15' in from the thoroughfare, but the practice proved to be too costly. She said the older sections of Closter tend to have narrower right-of-ways than the newer. For the past decade, Councilman Barad said the STC has been purposely planting trees next to sidewalks nearest abutting private property to ensure the root systems are not compromised by the sidewalk/curb as well as to prevent interference with utility pole lines. He commented that if such a tree is now removed, the responsibility and cost to do so falls on the abutting property owner despite the Borough planting it. He further stated that New Jersey deems private owners, not municipalities, responsibility for trees in the vicinity of a thoroughfare; thus, he said Closter has the flexibility in defining its right-of-way because it already provides a service not required by statute. He said the Borough Code does not define right-of-ways for neighborhoods because each is dependent upon the width of the roadway. Mr. Isaacson suggested the Borough offer to plant or remove trees at a reduced charge. Ms. Heymann informed that the Borough Code requires a developer to plant a tree every 100' of frontage for new construction projects. Councilman Barad stated the STC places a flag in the location where it wishes to plant, and the private property owner decides whether or not it is planted. He reiterated it can cost several thousands of dollars to prune or remove trees, especially if a crane is required. Councilman Barad emphasized that the STC only removes trees that are dead or diseased. He noted the Planning Board recently began requiring a review by the STC and/or Certified Tree Expert as part of the filing instructions for Major Soil Movement applications if tree removal was

proposed. Mr. Colwell said the cost the Borough incurs for tree maintenance can vary greatly year to year, especially if blight occurs. Ms. Heymann said the Borough keeps a tree inventory which it regularly monitors; Councilman Barad agreed, saying the STC selects where it plants or prunes each year via the Borough's 6 election districts.

**Historic Preservation Commission (HPC)**

Ms. Bouton-Goldberg announced that Borough Historian, Orlando Tobia, recently passed away.

Ms. Bouton-Goldberg said the architect retained to prepare a preservation plan for the Harold Hess Lustron House (421 Durie Avenue) recently spoke at a recent Mayor and Council meeting. She also said he donated a dual clothes/dish washer commonly found in Lustron housing units to the HPC and is now being stored in the attached garage. She further commented that local painting contractor, Michael Pisano, who was recently hired as caretaker of the House, has been doing yard work on-site. She said he has also been removing paint from the exterior metal panels of the prefabricated structure. Ms. Bouton-Goldberg reiterated that Mr. Pisano provided a sign-in table for the public who visit the site, upon which he offers a tour.



**New Business**

**2018 Meeting Schedule**

In order to prevent future scheduling conflicts with the Municipal Court as to use of the Council Chamber in Borough Hall and access to the computer recording system, Ms. Heymann said Chairman MacDonald asked that the Commission consider changing its regular monthly meeting date (3<sup>rd</sup> Tuesday of each month) for 2018.

A motion was made by Mr. Colwell and seconded by Mr. Isaacson, to set the Commission's 2018 meeting date as the 2<sup>nd</sup> Thursday of each month commencing at 7:30pm. The motion passed (4-1-0):

**YES-** Heymann/Barad/Colwell/Isaacson

**NO-** Bouton-Goldberg;

**ABSTAIN-** n/a;



**Plan Review**

The Commission did not receive any land use board applications for its consideration.



**Adjournment**

There being no further items to discuss, a motion was made by Mr. Isaacson and seconded by Ms. Bouton-Goldberg, to adjourn the meeting at 8:26pm. The motion passed unanimously.