



# Environmental Commission

June 19, 2012

*(Minutes)*

Prepared by:

**Paul Demarest**

Councilman Kashwick called to order, at 8:00pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, June 19, 2012 at Borough Hall.



**Attendance**

*Present*

- Steven Isaacson
- Brenda Cummings
- Keith Scholz- Shade Tree Commission Liaison
- Paul MacDonald
- Robert Di Dio- Planning Board Liaison
- John Kashwick- Council Liaison
- Mary Mayer- Alternate #1
- Bobbie Bouton-Goldberg- Associate Member/Historic Preservation Commission Liaison
- Arthur Goldberg, MD- Associate Member

*Absent*

- VACANT- Chairperson
- VACANT- Alternate #2
- VACANT- Associate Member



**Miscellaneous**

A motion was made by Mr. Isaacson and seconded by Ms. Mayer, to approve the minutes for the May 15, 2012 meeting with a noted correction; the motion passed by acclamation.

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

Councilman Kashwick stated the Commission has received former Chairwoman Beth Ravit's letter of resignation effective immediately; he said it also received correspondence from Bohler Engineering, Inc. regarding a pending application before the Zoning Board of Adjustment (Case #Z-2011-17/TD Bank, NA) for site redevelopment at 597 Piermont Road as well as the 2 latest editions of the periodical, *New Jersey Municipalities*.



**Old Business**

Mr. Isaacson said that, at some point, the Commission and its collaborators, would need to approach the New York-New Jersey Trail Conference to get a sense of what responsibilities of

the proposed inter-borough trail system it would assume (blazing, maintenance, etc.). Ms. Mayer informed that said agency assigns its volunteers to assist trail overseers in several aspects

of maintenance; she noted it does frequent surveying of those trail systems it tends but noted that prior to any major undertaking (such as bridge construction), it would coordinate with the overseer on logistics. She pointed out that in order to receive the Conference's assistance, the overseer of a trail system must first become an organizational member. Councilman Kashwick asked for the cost to have the Conference prepare 1 of its well-regarded maps for the inter-borough trail system; Mr. Isaacson did not know if it would charge for such a service in this instance.

Mr. Isaacson stated confirmation from the Boy Scouts of America (Northern New Jersey Council) to allow access to its campgrounds was still outstanding. He continued saying that while Ruckman Road (paper street section) travels through Bergen County and not the Greater New York Council's parcel, it is still optimal to receive its blessing. Councilman Kashwick commented that without having access to New York trails, the Bergen County portion would still be quite extensive. Mr. Isaacson reported that he found the only other means to connect Ruckman Road to the gorgeous trails in the Borough of Rockleigh is through the Alpine Scout Camp; he stated permission for such access has been approved for during the wintertime and weekdays (not summertime or weekends) in hopes to avoid having the public on-site at the same time there are several children throughout the grounds. Mr. Isaacson informed that in the coming weeks, he and former Councilman Michael Kafer (261 Parsells Lane) would be venturing throughout Rockleigh.

Mr. Isaacson reported that maintenance is needed on Scholz Bridge; he said the surrounding area is washed up, including planks having driven-in rebar. Ms. Mayer suggested helical piers be installed (as was done with the Nature Center's trails) to prevent such damage in the future. She inquired about new signage for Scholz Bridge to replace the cardboard sign installed for the bridge's dedication ceremony 2 years ago, which has since been all but destroyed and kept in safekeeping at her residence. Councilman Kashwick said a more permanent sign is necessary, such as a brass plaque on the bridge itself; he promised to check on available monies in the Borough's open space fund. Ms. Mayer felt a directional sign was warranted at Tenakill Street so to indicate Scholz Bridge's location.

Mr. Scholz informed that the Department of Public Works (DPW) installed 1 bicycle rack, purchased by the Borough to monitor its use before acquiring more, at a bus stop as directed by the Governing Body.

Councilman Kashwick stated he would forward a recommendation letter to the Mayor and Council to place on its agenda the Commission's prior request to designate 2 trees at 11 Cedar Lane with landmark status.

Ms. Mayer said, thanks to the recent dry weather, progress is being made on the dredging of the pond at the Nature Center. She reported that test results found no contamination in the removed soil; she pointed out the testing, while not performed on the scale of a Superfund site, nevertheless proved it was safe to distribute to contractors, property owners, etc. She said the dredged material is considered sandy loam except for the fact it contains copious amounts of organic material. She noted the DPW had begun shipping the material to compost sites. Ms. Mayer explained the depth of the organic layer was not as much as previously thought; she

stated the clay barrier, which produces the pond, was not compromised by attempting to go deeper though such would keep the animals healthier during the summer and safer in the winter. She indicated the project's engineer, Frank Ross, PE, of Boswell Mc Clave Engineering, Inc., is proceeding cautiously based on his previous involvement with a project in the Village of

Ridgewood whereby the contractor broke through a pond's clay barrier and the pond was lost even to this day. Ms. Mayer explained that even if the clay is retained, a long dry spell would lower the groundwater table and make the clay become dusty and non-functional if the barrier were to be made too thin; she said the alternative decided upon is to have a central area (used as a trench to drain the pond) expanded by +/- 10' on each side. She stated a determination on the clay barrier's thickness cannot be made because, geologically, the depths are not uniform. Ms. Mayer informed that the pond is man-made, installed in 1959 when a marshy swamp was dug to the clay layer. She noted, on average, 18" of debris consisting of 15% mineral content (including woodchips, leaves, decomposing weeds, sand, clay, silt, etc.) has been dredged; she explained the wood chips were customarily placed around the perimeter of the pond after the grass would be destroyed by Canadian geese. Ms. Mayer said the Nature Center intends to use stone dust in front of the cabin on-site to avoid having material fall into the pond as the woodchips had. She stated the debris along Ruckman Road is being dried out prior to distribution. Mr. Isaacson asked if Hillside Elementary School would be given material to cover its rock-laden playground area, which came about after the construction of a recent addition. Ms. Mayer replied she would follow up on the question. Mr. Di Dio inquired if the dredged soil is suitable for lawn maintenance; Ms. Mayer responded it is so long as sand is added because it is too organic in its current state. She further stated that it does not contain enough mineral content to provide sufficient plant nutrition.

With respect to Mac Bain Farm, Ms. Mayer said a meeting with Gil and Efrat Shaked (32 Mc Cain Court) took place to discuss their dismay about the prospect of animals returning to the Farm; she revealed that the Shaked's son is allergic to bees. Ms. Mayer said she informed them the Borough Code allows for horses and bees with regulation. She reminded that the Shaked's are the only outspoken objectors to the Farm housing animals again. She noted that the Board of Health would not permit chickens on-site. Ms. Mayer said John Mc Caffrey, caretaker and resident of the Farm, was instructed to delay the introduction of the previously-agreed upon 1 horse to the site. She pointed out, however, that the Shaked's ongoing complaint of all-terrain vehicles (ATV's) being operated on-site is not resolved nor is the use of a varmint rifle (which is a traditional farmer solution to pest control), which is not in keeping with Borough ordinances. She reported there are 2 bee hives located behind the residence on-site and stated Mr. Mc Caffrey is searching for an available swarm to rebuild more hives lost from a harsh winter several years ago. Ms. Mayer confirmed he would obtain proper permitting beforehand. Ms. Bouton-Goldberg mentioned that an extensive article on bees and swarming in connection with recent weather patterns appears in *The New York Times* today. Ms. Mayer stated that 3 volunteers from the high school senior service program provided quality assistance at the Farm recently by staking, planting, etc., under Mr. Mc Caffrey's supervision.

Councilman Kashwick stated that undetermined activities at 119 Hickory Lane, doing business as "Metropolitan Farm" in the future, have been cited for violations by the New Jersey Department of Environmental Protection (NJDEP); he noted that an upcoming hearing before the Bergen County Agriculture Development Board (CADB) between the farm and its appellants has been postponed.



## **Liaison Reports**

Councilman Kashwick revealed that Richard Sheola was hired 2 weeks ago as the Borough's Administrator, Chief Financial Officer and Qualified Purchasing Agent; he noted Mr. Sheola had previously been employed having the same titles with the Township of Long Hill, a municipality in Morris County similar in size to Closter which is part of the Great Swamp National Wildlife Refuge.

Councilman Kashwick reported that several open space parcels in the Borough are inconsistent in that their signage cites different monetary penalties for dumping (\$200.00, \$500.00 or \$1,000.00) while the Borough Code stipulates a maximum fine of \$2,000.00 at the discretion of the Municipal Court. He hopes for the DPW to replace said signage so it reflects an accurate citation. Mr. MacDonald said many residents do not believe grass and branch clippings are dumping material, a topic he thought should be clarified on any new signage. Councilman Kashwick stated he viewed ATV's (he did not know whether their drivers originated from Closter or the Borough of Demarest) being operated behind the supermarket, A&P, (400 Demarest Avenue); he believed such to be another issue that must be addressed on new signage.

Mr. Di Dio reported that an Informal Review would be held by the Planning Board with respect to the redevelopment of "Closter Plaza" on June 28<sup>th</sup>; he stated no details on the proposal have been released as of yet. Mr. Isaacson, a Chamber of Commerce member, spoke with representative(s) of the new partial owner-in-fee of the shopping center, Edens, a real estate investment trust (REIT). He confirmed that it wishes not to disclose any plans for redevelopment and/or potential tenant changes prior to June 28<sup>th</sup>; Mr. Isaacson stated Edens confirmed the rumored construction of a 2<sup>nd</sup> story to "Closter Plaza" would not occur. He expressed his sole concern for the project is the numerous streams beneath the deteriorating parking lot. Ms. Mayer inquired about any discussion incorporating solar panels into the new parking lot, dually serving as means of shade; Mr. Di Dio replied he did not know, however, he stated 1 of the assumed anchor stores, *Whole Foods Market*, has expressed its intention to incorporate green building elements into any contemplated construction. Mr. Isaacson cautioned that it and Edens are not 1 in the same and may not have the same intentions.

Mr. Scholz indicated the Shade Tree Commission (STC) is operating on the final year of a 5-year plan for Borough tree maintenance; Councilman Kashwick noted that the State of New Jersey requires tree commitments to be completed by end of the calendar year. Mr. MacDonald believed there to be several areas throughout the Borough in which clusters of trees are being removed from the Borough's right-of-way. Councilman Kashwick replied that Bergen County recently cut down several along High Street while Rockland Electric Co. has done the same on Demarest Avenue. Mr. Isaacson questioned if the complaint filed by Christian Holl (275 Durie Avenue), pertaining to 2 trees planted by the Borough and now growing into utility power lines, has been rectified; Councilman Kashwick responded 1 of the trees is slated for removal and it is hoped the 2<sup>nd</sup> can be salvaged and relocated.

Ms. Cummings said the "Green Team" has been collaborating with Mr. Scholz on documenting its efforts in amending the Borough's tree preservation and removal ordinance for *Sustainable Jersey* certification. Furthermore, she stated it is promoting its film series in conjunction with

the Sierra Club (North Jersey Group), the latest installation being *Bag It: Is Your Life Too Plastic?*, which will be playing on June 26<sup>th</sup> at the Borough's public library.

Ms. Bouton-Goldberg said the majority of discussion by the Historic Preservation Commission (HPC) at its recent meeting was on 119 Hickory Lane; she said the HPC voted to allow the property owner, Frank Vastano, to install new drains and repair the roofs of several buildings

on-site. She stated a request to rehabilitate a chicken coop was withdrawn and would instead be considered by the CADB.



## **New Business**

Councilman Kashwick asked that the Commission mirror the practice by the HPC to set goals for accomplishment by year's end. Mr. MacDonald indicated that over a 3-day period, volunteers from the high school senior service program made headway in establishing new trails (via Birch Street, Haring Street and Demarest Avenue) primarily in Schauble Park, but also near Mollicone Park; he noted that a trail leading to Poplar Street, while blazed, does not yet exist. He hoped, as does the Mayor's office that Schauble Park can be further developed, made accessible and promoted because it is a Borough "gem". Ms. Mayer revealed a side trail in the vicinity was established 3 to 4 years ago but has since become not passable due to vine infestation and fallen vegetation. Councilman Kashwick envisioned a trail link leading from Oak Street to Columbus Avenue, Ryerson Place and terminating at Schauble Park; he reminded that there is an existing bridge crossing over the waterway that dissects Oak Street. Mr. MacDonald said Schauble Park benefits from having several paper streets surrounding it. Councilman Kashwick questioned if any of those paper streets should be vacated; Mr. MacDonald believed they cause confusion when viewing the Borough tax or zoning maps. Mr. Isaacson informed that if Schauble Park is encumbered in any way by the NJDEP's Recreation and Open Space Inventory, said lands should be vacated since they cannot be developed; he pointed out that, technically, the Borough could improve Haring Street to the nearby ball field. Councilman Kashwick believed, while vacating would simplify Borough documents, it is not a matter of urgency.

Mr. MacDonald inquired about the status of the civil defense siren at Schauble Park; Councilman Kashwick believed it to be defunct being it is in a residential neighborhood, unlike the 1 situated at Borough Hall, which is in a more commercial area. Mr. MacDonald was elated because the mechanism was quite loud and disruptive.

Ms. Bouton-Goldberg said she was finalizing a draft letter to be sent out to prospective landscape architects to garner help in planning a future bee haven at Buzzoni Farm Park. Mr. Isaacson said he spoke with Denise Mattes, CLA, a former Zoning Board of Adjustment member, who asked that the Commission merely provide her with a survey of the parcel and she would design a layout. He reminded that the Mayor's office is against unsupervised bee hives on Borough land, thus Ms. Mattes would concentrate on proposed gardens and appurtenances.

In lieu of bee hives at Buzzoni Farm Park, Ms. Bouton-Goldberg suggested bat houses on-site. Ms. Mayer said they may not be successful if placed too great a distance from bodies of water, though there is a small pond in the Park. Councilman Kashwick said he has not seen bats in the Closter area, only a plethora of swallows; Mr. Isaacson said bats, as well as hawks, are present in his neighborhood.

Dr. Goldberg reminded that several years ago, the Commission improved, in conjunction with both the DPW and a landscape architect, Buzzoni Farm Park by way of planting flowering bushes, stabilizing an existing stone wall, clearing overgrown areas and removing an “Atlantis tree”; he noted that prior to the improvements, the Borough had allowed the site to deteriorate into a dump site. He reported that as of 1 year ago, said improvements were standing the test of

time. Ms. Bouton-Goldberg replied she wished to build upon the Commission’s prior effort on-site, to which they both agreed to access the Park in its current state and gather ideas for its future. Ms. Mayer indicated, however, the landscaped berm near the stone wall has not been maintained and has been inundated with weeds from a nearby meadow. Ms. Cummings stated that the Park could still be bee-friendly without having hives on-site; Ms. Mayer concurred, saying a wild hive can sprout from any of the old, dead trees.

Dr. Goldberg questioned if Bergenline Avenue is open as a walking path as shown on the Borough’s tax map; Mr. MacDonald replied it is maintained up to the crest of its peak but beyond that point, the grass is not cut. Councilman Kashwick felt the Bergenline Avenue access should be left to grow in and recover because the area is eroded due to the several waterways channeling throughout; Mr. MacDonald agreed, saying the use of Poplar Street as a trail link instead is more of a “gentle” approach than Bergenline Avenue being the latter is quite steep at certain elevations.

Councilman Kashwick asked for recommendations to fill the Commission’s 3 vacancies. Ms. Mayer suggested Joseph Corrado (2 Taylor Drive) be approached and Mr. Isaacson indicated Mr. Kafer would most likely not accept a position. Ms. Cummings suggested Mr. Corrado’s wife, Leslie Burnel, though she is quite occupied serving on the Nature Center’s board; she also believed Tina Stratton (5 Jays Court) and Susan Argenziano (45 Bethany Circle), both members of the Parent-Teacher Organization, would be receptive. Mr. Di Dio mentioned Ann Brewster (11 Taillon Terrace).

Dr. Goldberg stated the path that travels through the picturesque alley of pine trees in Buzzoni Farm Park should be linked to a conservation easement situated by Hartford Boulevard (paper street) and Piermont Road, which would allow for access to Albany Boulevard (paper street) and the Nature Center; he pointed out that the compost site located behind the Park would remain independent. Councilman Kashwick stated such a connection would make New York trails reachable via Ruckman Road. He noted, however, most of the conservation easement is wetlands, requiring mostly boardwalks for passage; he continued saying that the ground is saturated (9 months out of the year) especially near the steps leading out of the easement to a driveway exiting onto Piermont Road. Dr. Goldberg disagreed, saying the grounds’ condition depends on the season.

Ms. Mayer discussed filling positions for paid workers at Mac Bain Farm during the summer; she believed younger people should be hired since elderly volunteers were unlikely to handle such intense farm tasks nor enforce rules on the visiting public. She suggested the wage could be \$15.00 per hour for 2 to 3 days a week to coincide with the Farm’s schedule for public picking (Wednesdays, Saturdays and Sundays). Councilman Kashwick informed that the STC has hired a consultant, not an employee, the past 2 years to maintain trees; Ms. Mayer said she would discuss the matter with Mr. Sheola.

Ms. Mayer commended the DPW, under the supervision of Superintendent William Dahle, for its efficient and environmentally-sound approach toward the pond dredging project at the Nature Center.

Mr. Isaacson revealed that a sidewalk and curbing is needed along Durie Avenue nearby the dirt-laden dead ends of several streets; Councilman Kashwick promised they are locations to be addressed during the Borough's next road improvement project.



## **Plan Review**

Councilman Kashwick suggested that upon a new Chairperson being elected by the Commission, a subcommittee should be established to review plans forwarded to it by the land use boards rather than having the full Commission produce the administrative reports; he confirmed those Commission members dually-serving as Liaisons were permitted on such a subcommittee.

The Commission prepared the following administrative reports:

### **Zoning Board of Adjustment**

- ◇ 170 & 176 Closter Dock Road: This is an application for Site Plan Approval (no Use Variance required) involving the conversion of existing office space to 2 residential units and stemming from a remand ordered on appeal by the Superior Court of New Jersey- Law Division. Mr. Di Dio indicated there would be a planter installed in the parking lot. The Commission had no comments.
- ◇ 441 High Street: This is an application for a Use Variance involving the ratification of an existing 2-family use. Being no improvements are contemplated, the Commission had no comments.

### **Planning Board**

- ◇ 40 Johnson Court: This is an application for Major Soil Movement Approval involving the reconstruction of a 14' high retaining wall with incorporated fencing and steps. Mr. Di Dio noted 1 tree is to be removed. The Commission had no comments.
- ◇ 72 Hickory Lane: This is an application for Major Soil Movement Approval involving the construction of a new single-family house. Aside from the Commission expressing concern on the site's proximity to NJDEP-protected waterways, it was pleased no tree removal was proposed. The Commission had no comments.
- ◇ 51 Willow Road: This is an application for Major Soil Movement Approval involving the construction of a new single-family house. Mr. Di Dio reported the site is 2 acres and an existing tennis court would be rehabilitated and a retaining wall installed. Ms. Mayer revealed the site's previous owner-in-fee, Elsie Downey, donated a 1.33 acre section of her rear yard to the Nature Center, which was to be incorporated into the Center's deed. She noted the site plan before the Commission does not indicate such delineations; she planned to discuss the

matter with Mr. Sheola. The Commission had no comments.

◇ 17 Poplar Street: This is an application for Major Soil Movement Approval involving the construction of a new single-family house. The Commission believed it was unnecessary to remove 2 trees on either side of the proposed driveway in order to accommodate seepage pit installations, especially since trees naturally-retain water; it suggested the seepage pits be relocated to salvage the 4 trees.



## **Adjournment**

There being no further items to discuss, a motion was made by Mr. Isaacson and seconded by Mr. Di Dio, to adjourn the meeting at 9:27pm. The motion passed by acclamation.