



# Environmental Commission

May 15, 2012

*(Minutes)*

Prepared by:

**Paul Demarest**

Chairwoman Ravit called to order, at 8:05pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, May 15, 2012 at Borough Hall.



**Attendance**

*Present*

- Beth Ravit, PhD- Chairwoman
- Steven Isaacson
- Brenda Cummings
- Keith Scholz- Shade Tree Commission Liaison
- Paul Mac Donald
- Mary Mayer- Alternate #1
- Bobbie Bouton-Goldberg- Associate Member/Historic Preservation Commission Liaison

*Absent*

- Robert Di Dio- Planning Board Liaison
- John Kashwick- Council Liaison
- VACANT- Alternate #2
- Arthur Goldberg, MD- Associate Member
- VACANT- Associate Member



**New Business**

A motion was made by Ms. Mayer and seconded by Mr. Isaacson, to approve the minutes for the April 17, 2012 meeting; the motion passed by acclamation.

Mr. Isaacson believed activities at 119 Hickory Lane, doing business as “Metropolitan Farm” in the future, should be monitored, especially since the owner-in-fee has not filed soil testing results or a drainage report with the Borough. Ms. Mayer questioned if the new owner, Frank Vastano, is required to do so; Mr. Isaacson replied while he is not, it was anticipated that the Bergen County Agriculture Development Board (CADB) would be convening a public hearing on-site in a week or so. He said the composition and origin of imported soil, used in conjunction with the installation of several retaining walls (consisting of 3 courses of “mafia block”) and having heights as high as 9’, are unknown; he noted said soil has been compacted to terrace a part of the site and allow for 12 temporary greenhouses. Mr. Mac Donald reported that Mr. Vastano has retained David Watkins, Esq. as counsel and asked how to decipher between a permanent and temporary greenhouse. Mr. Isaacson answered that in order to be permanent, it should be anchored to the ground and its base usually consists of gravel. Ms. Bouton-Goldberg questioned if neighboring properties have experienced flooding as a result of the activities on-site; Mr. Isaacson responded while he believed not, the Borough’s zero increase in storm water runoff policy needs to be adhered to by Mr. Vastano, especially since there are 2 waterways designated by the New Jersey Department of Environmental Protection (NJDEP) as “Category

1” in the vicinity. He stated that although there is concern about the use of pesticides on-site, Mr. Vastano intends to grow seedlings in the greenhouses, thereby containing such chemicals.

Chairwoman Ravit stated she responded to a recent email transmitted by Mr. Vastano to Borough officials, outlining his intentions for 119 Hickory Lane, by inviting him to attend a Commission meeting and work with the Borough to ensure environmentally-friendly practices on-site; she noted he has yet to reply to her email. She believed the site would be ideal to showcase a rain garden if drainage issues had to be addressed. Mr. Isaacson noted that a retention system could be installed whereby storm water runoff is recycled and used to irrigate plants grown on-site.

Ms. Mayer asked if there is concern of an increase in impervious coverage on-site; Chairwoman Ravit stated that, in past conversation with the CADB, it has relayed to her that the intention of New Jersey’s Right to Farm Act is to preserve farming as an industry, allowing for leeway in terms of how 119 Hickory Lane has been and will be operated; she said that the body is seriously investigating the matter, noting the parcel is the 1<sup>st</sup> farmland preservation site in Bergen County to be conveyed, setting precedent for farm maintenance and development rights.

Mr. Mac Donald asked what the CADB can accomplish if it has no guidance or oversight in dealing with such an issue. Mr. Isaacson replied that a portion of the funds used in 2004 to pay Ellen Brooks, the prior owner of 119 Hickory Lane, for relinquishing development rights, came from Bergen County. He further stated that the Right to Farm Act was developed with rural areas in mind to counter “suburban sprawl”, which led to countless frivolous lawsuits being filed by city dwellers against farmers. Mr. Isaacson stated that by introducing a retail operation on-site, an approximately 12’ long section of road could be added to Wendy Lane allowing for direct access to the farm because Hickory Lane would not be suitable for increased traffic flow; he noted that the Borough Code allows for any thoroughfare to be utilized for local deliveries. Mr. Isaacson stated that the Borough Attorney, Edward Rogan, Esq., informed the Borough can only act if an issue arises that is not within the CADB’s jurisdiction.

Mr. Isaacson explained that the site work at 119 Hickory Lane is being performed by J. Fletcher Creamer & Son, Inc., nationally known for large-scale projects; he said it cleared 6 acres of trees (losing a means of water retention), however, the proposed greenhouses will only be situated on 2 acres. Ms. Mayer concluded that the tree removal occurred to allow for more sunlight. Ms. Bouton-Goldberg pointed out that wood chips were being spread in the swampy area east of the main house on-site. Both Ms. Mayer and Mr. Mc Donald said such is a temporary measure since they decompose. Mr. Isaacson believed most of the removed trees were sent to a sawmill.

Mr. Mc Donald inquired if, during the sale of the farm’s development rights, the CADB required a farm plan to be filed before or after activity commenced on-site. Chairwoman Ravit replied that the CADB said a plan would be part of the deed on file at the county seat; she noted that while some of the County’s deeds registry has been digitized, it could be difficult to locate the paperwork (arranged in dates of title transfer) in its possession to determine if a plan has been submitted. Chairwoman Ravit noted that her discussions with the CADB took place in 2011 when Oded and Nitsan Tal were negotiating to purchase 119 Hickory Lane and potentially demolish several structures and store antique automobiles on-site. She speculated any missing filed paperwork may be the result of massive government layoffs at the county level. Mr. Isaacson felt Bergen County was in possession of a farm plan but not releasing it to the public. Ms. Bouton-Goldberg informed that while the Historic Preservation Commission (HPC) was in receipt of a plan to reconstruct a chicken coop on-site, intentions for the groundskeeper’s

quarters are still unknown. Mr. Isaacson suspected an apartment existed in the upper level of the chicken coop. Mr. Scholz questioned if poultry farming is legal in the Borough; Chairwoman

Ravit replied that being it a farm (beside the fact that chickens were previously on-site), such is permitted.

Ms. Cummings stated the “Green Team” and Nature Center will have a table set up at the fair taking place at Tenakill Middle School on May 19<sup>th</sup>.



## **Old Business**

Continuing her reporting on the “Green Team”, Ms. Cummings said the *Sustainable Jersey* program has change several of its requirements for Borough certification, nullifying some tasks already completed. Ms. Cummings said the following issues remain outstanding in order to submit compiled documentation: 1.) computer uploading of documents to *Sustainable Jersey* website; 2.) fulfillment of 2 to 3 priority actions (1-time only rather than long-term commitment). Chairwoman Ravit suggested the Shade Tree Commission work with the “Green Team” to author an amendment to the Borough’s tree preservation and removal ordinance, thus, completing 1 priority action; Mr. Scholz concurred.

Ms. Mayer stated the repair of metal fencing at Mac Bain Farm (damaged by a fallen tree), has been delayed because of recent inclement weather and should be completed by Emerson Fence Co. within 1 week. She said there is roof repair pending for the residence on-site, which will be paid for out of the Borough’s budget, not the Commission’s.

Ms. Mayer said John Mc Caffrey, caretaker and resident of the Farm, expressed concern about costs for farm equipment maintenance, which he has encumbered, including but not limited to \$3,000.00 spent to repair a harrow for turning soil over in the fields. Ms. Mayer relayed to Mr. Mc Caffrey that the Borough would not purchase such a new item, especially if it is to be used only 3 to 6 times per year; she said renting such equipment, when needed during the season, is plausible, to which Mr. Mc Caffrey stated harrows, tractors and other heavy equipment are not usually available to lease. Ms. Mayer believed \$3,000.00 to \$4,000.00 could be appropriated within the Commission’s budget for farm equipment maintenance. Chairwoman Ravit said on-line pricing should be compared to both reimburse Mr. Mc Caffrey and determine if purchasing or renting such equipment is more cost effective. Mr. Isaacson noted that employees of “The Farm” (515 Piermont Road) had recently tilled the fields at 119 Hickory Lane and thought its owner, Theodore Sollod, should be asked about contracting his services.

Ms. Mayer reported 2 additional high school students, volunteering for the senior service program, would be working strictly at Mac Bain Farm for 4 weeks during the summer (planting, weeding, staking out forests, etc.) and supervised by Mr. Mc Caffrey.

Ms. Mayer revealed a 3<sup>rd</sup> complaint (within the past 2 years) has been received about Mr. Mc Caffrey’s children operating all-terrain vehicles (ATV’s) on Mac Bain Farm; she pointed out that such is illegal in all Borough open space. She stated the complainants, Gil and Efrat Shaked (32 Mc Cain Court), also oppose having animals re-introduced on-site. Ms. Mayer hoped to meet in person with the Shakeds and review those activities at the Farm which can be regulated by the

Commission and those which may be nuisances but are nonetheless legal (likening horses on-site to a noisy residential basketball hoop). Chairwoman Ravit reminded that ATV's were an area of contention when trying to encourage the Borough of Norwood to connect to an inter-

borough trail system via its "Central Woods"; she said the vacationing Councilman Kashwick will advise how to proceed, noting that the Shaked's filed incriminating photographs as well. Ms. Mayer noted it would be best to avoid the involvement of the Police Department and Municipal Court. Chairwoman Ravit stated that being the Commission's requests of the Mc Caffreys to cease the use of ATV's at the Farm have been ignored, formal notification from Mr. Rogan is warranted.

Mr. Isaacson reported that 20 to 30 participants from Closter, Norwood and Borough of Demarest recently walked existing local trails. He informed that Demarest's Environmental Commission approved a conceptual logo he designed for the inter-borough trail system. Within the past week, Mr. Isaacson said he has contacted the Borough of Alpine, Palisades Interstate Park Commission, Boy Scouts of America (both Northern New Jersey and Greater New York Councils) and Bergen County Planning Board; he stated although their permission is not required to extend the Borough's trail system to Route 9W, the agencies' blessings should be obtained. He explained the New York-New Jersey Trail Conference is interested in providing maintenance and signage for an inter-borough trail system. Mr. Isaacson said former Councilman Michael Kafer informed him of several easements located in the vicinity of proposed trail connections and that the Borough of Rockleigh, which has a large trail system, should be approached. He noted Alpine Scout Camp is hesitant to permit usage of its location for a trail connection due to concerns such public access would invite danger to children from sexual predators. He said he was contemplating a path which travels from the western edge of said campsite, north to Rockleigh's trails and terminating behind its firehouse. Ms. Mayer said such a connection can be made from behind the Borough of Northvale's police station; Mr. Isaacson disagreed, saying Closter could not connect. Chairwoman Ravit informed that Christine Hageman, Chairwoman of Norwood's Environmental Commission, has proposed several trail connections via the East Hill neighborhood, making such by far, Norwood's boldest response yet.

Chairwoman Ravit reported that an application to the State of New Jersey requesting funds for the inter-borough trail system received a positive response, however, when the Borough prepared the budget, only the initial stages of the trail project were taken into consideration; she explained the percentage of monies reserved for plan design by the Borough Engineer's firm (Boswell Mc Clave Engineering, Inc.) were deemed too much of the overall cost. Chairwoman Ravit said, upon New Jersey's request that the Borough review its budget and incorporate actual construction costs into its total (including signage, benches, wood chipping, blazing, etc.), she and the Mayor's office did so and re-filed the grant application. Mr. Isaacson summated the project, linking municipalities' individual trail systems, is simple in nature; Ms. Mayer pointed out that the New York-New Jersey Trail Conference designed maps for both Rockleigh and the Nature Center's trails. Ms. Bouton-Goldberg asked if the Lamont Reserve connects with Rockleigh's trails; Mr. Isaacson replied it loops to the east of the Lamont-Doherty Earth Observatory. While not contiguous to Rockleigh due to the Palisades Interstate Parkway, he believed it connects to Rockleigh via either Rockleigh Road or a pedestrian bridge by the Women's Federation Monument.

Chairwoman Ravit suggested contacting Ronald Kistner, Director of the Bergen County Park System, to determine if state funding can be awarded to the Borough for the inter-borough trail

system, especially since the County is advocating shared services between municipalities. Ms. Mayer believed board walking, rather than wood chipping, would be a more permanent approach for the trails in wet areas because, although more expensive upfront, it would require

much less maintenance (estimating the planks could last 10 years). Mr. Isaacson interjected, saying Mr. Kafer stated that Alpine Scout Camp has manual water pump stations to alleviate saturated areas. Ms. Mayer inquired if Ruckman Road can be utilized for trail connections rather than Alpine Scout Camp; Mr. Isaacson replied in the affirmative being the thoroughfare is an easement/paper street. He noted the northern section of the campsite is situated in Alpine and that Mayor Paul Tomasko is ecstatic about the trail project. Ms. Mayer reminded that by gaining access to Route 9W, 400 miles of New York trails could be reached. Mr. Isaacson pointed out connections should be made that keep in mind the regional history of the American Revolutionary War; he noted the warning by “The Closter Horseman” to General George Washington of the approaching British troops at Palisades, New York, formerly Sneden’s Landing. Ms. Cummings asked if the New York trails have historical markers; Mr. Isaacson responded there is 1 section overlooking the Hudson River that has a permanent property marker carved into a rock dated 1881. He continued saying there are tours of nearby mansions, gardens, ruins as well as Skunk Hollow, a 19<sup>th</sup> century community settled by former African-American slaves.

Ms. Mayer suggested having multiple trailheads with parking spaces to sectionalize the trail system; Mr. Isaacson reminded that signage would be required to inform the public which trails are to be traveled by foot and bicycle only.

Chairwoman Ravit stated the Borough purchased a 7-slotted bicycle rack, and the Governing Body will determine where to place it and have its use monitored to determine if additional racks are warranted. Mr. Isaacson said it should be placed near 1 of the outdoor basketball courts and asked for the price of the rack; Chairwoman Ravit replied the galvanized steel model cost approximately \$300.00.

Chairwoman Ravit reported that the Mayor and Council’s vote on designating landmark status for 2 trees at 11 Cedar Lane, as recommended by the Commission, is forthcoming; she noted the owner-in-fee of 29 Hickory Lane has yet to authorize said designation for 2 trees on-site (she suspected the delay may be due to the potential monetary penalty for removal of a landmark tree). She indicated that William Dahle, Superintendent of the Department of Public Works (DPW), retained a contractor to provide signage for the trees. Ms. Mayer questioned if a tree’s landmark status remains if a title transfer occurs; Chairwoman Ravit responded it does remain in effect.



## **Plans**

Being no land use board applications were forwarded to the Commission for its consideration, plan review was not conducted.



## **Other**

Ms. Bouton-Goldberg asked that additional detail (maintenance, water source, etc.) on the Commission's intent for a bee sanctuary at Buzzoni Farm Park be provided so she can approach the Master Gardener program for assistance with the project; she suggested there be input by

the Nature Center as well. Chairwoman Ravit revealed there is a water pipe within a stone enclosure on-site. Mr. Isaacson suggested a landscape architect be consulted, recommending Eric Mattes, formerly of the Improvement Commission, and wife, Denise. Ms. Mayer questioned if a meadow (subsequent to the 1<sup>st</sup> 3 years of its establishment) requires high maintenance; Ms. Bouton-Goldberg replied it does because of invasives; she pointed out that a meadow created by the Garden Club at Flat Rock Brook Nature Center in the City of Englewood quickly had its native plantings disappear due to invading garlic mustard and Japanese knotweed. She stated that native plants are what bees and other helpful insects thrive on and suggested the sanctuary's initial plantings consist mainly of trees and shrubs, requiring less maintenance than flowers. Mr. Isaacson questioned what the bees would then feed on after spring; Ms. Bouton-Goldberg answered certain flowers bloom at different times of the year. She suggested clover and other groundcover be planted. Mr. Isaacson felt Ron Breland, a beekeeper featured in the film *Queen of the Sun: What Are The Bees Telling Us?*, should be consulted being he owns a nursery as well in Nyack, New York; Chairwoman Ravit asked that Mr. Breland spearhead re-introducing bees to Mac Bain Farm, with Mr. Mc Caffrey providing their maintenance. Ms. Bouton-Goldberg said she hopes to rid Naugle-Auryansen Cemetery of invasives and replace them with serviceberry bushes, which deer do not feed on. Ms. Cummings stated, in order for bees to thrive at Buzzoni Farm Park, there must be both a viable food source and shelter.

Chairwoman Ravit said she recently visited a prairie (having high grass and flowers) near Champaign, Illinois, and its perimeter consisted of a children's park and gravel parking lot. Ms. Bouton-Goldberg assured that prairies require maintenance (weeding) every few years. Ms. Mayer believed grass dominates the ground within a prairie, not allowing for other plant life to survive. Chairwoman Ravit believed starting the bee haven on a small scale, with attention paid to areas with various degrees of tree cover, is essential. She hoped knowledgeable volunteers could join members of the Commission in visiting Buzzoni Farm Park to view its natural features such as the pond, stone wall, landmark tree (beech) and nearby alpaca farm (639 Piermont Road), spawning a conceptual design for the bee project. Ms. Mayer informed that she had prepared a map of Buzzoni Farm Park, outlining the roughly 10-acre tract less topographical data, approximately a decade ago. Mr. Isaacson wished that the alleyway on-site (road traveling through rows of trees) be beautified. Ms. Mayer informed that 2 high school students, not part of the senior service program, would be removing mulitflora rose from around the pond and cleaning near the trail having a boardwalk on-site.

Chairwoman Ravit stated the proposal for a rain garden at Lindgren Nursery School and Camp has been received from the Borough Engineer, Nick De Nicola, PE; she said the storm water management system would be part of an addition project recently approved by the Planning Board. She commended the idea, likening seepage pits to a septic system that eventually fills with sediment and fails; she did ask that detail of the proposal be forwarded to the Commission to avoid a situation recently found during a site inspection with Mr. De Nicola. She revealed that the rain garden at 1 Railroad Avenue (as part of a new affordable housing apartment complex) was improperly designed and installed; she stated a mild rainfall and excessive clay in the soil has resulted in constant standing water. She pointed out that the installed rain garden was not setback at least 10' from the apartment building and has instead become a mosquito

habitat. Chairwoman Ravit explained that the system typically includes a base (crushed shell, sand, etc.) that allows water to drain and filtrate quickly away from the ground's surface; she stated there is also an "over drain" to take excess standing water to a piping system running beneath the rain garden. She recommended to the Mayor's office that minimal standards for rain gardens be written into the Borough Code. Chairwoman Ravit stated a rain garden is more

than planting within a depression in the ground. Ms. Mayer questioned where the garden's piping system drains to; Chairwoman Ravit responded she did not know, but that a rain garden is normally designed to handle a 2" rain event, meaning a hurricane would cause it to fail.

The Commission expressed its gratitude to the retiring Chairwoman Ravit for her dedicated service; she will be moving to the Borough of Park Ridge.

There being no further items to discuss, a motion was made by Ms. Bouton-Goldberg and seconded by Ms. Mayer, to adjourn the meeting at 9:23pm. The motion passed by acclamation.