



Environmental Commission

July 16, 2013

(Minutes)

Prepared by:

Paul Demarest

Chairman MacDonald called to order, at 8:04pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, July 16, 2013 at Borough Hall.



Attendance

Present

Paul MacDonald- Chairman
Steven Isaacson- Full Member
Brenda Cummings- Full Member
Keith Scholz- Full Member (Shade Tree Commission Liaison)
John Kashwick- Full Member (Council Liaison)
Thomas Colwell- Full Member
Ethel Abrams- Alternate #1
Bobbie Bouton-Goldberg- Associate Member (Historic Preservation Commission Liaison)
Jaewook Jun- Associate Member

Absent

Robert Di Dio- Full Member (Planning Board Liaison)
VACANT- Alternate #2
VACANT- Associate Member



Miscellaneous

A motion was made by Mr. Isaacson and seconded by Mr. Scholz, to approve the minutes for the June 18, 2013 meeting; the motion passed by acclamation.

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

Chairman MacDonald stated there was no correspondence to read into the record.



Old Business

Trails

Chairman MacDonald circulated several 14”x22” signs identifying the “Cross-Closter Trail”, which he informed were found in the Commission’s mail slot in Borough Hall; so not to go to waste, Mr. Isaacson suggested they be posted at various trail entrances. He reported that he cleaned the 3 trail map postings (Closter Public Library, Olaf & Ingeborg Hagen Park and Memorial Park); while acknowledging the adhesive laminate of the trail map posting at the Closter Public Library is in need of refurbishing, Councilman Kashwick believed all needed updating to include the recent trail link to land near West Street owned by United Water Co.

Mr. Isaacson felt they should also indicate the Borough of Demarest being its trails interlope with the "Cross-Closter Trail" behind the A&P supermarket site (400 Demarest Avenue). Mr. Jun questioned if the meaning of the word "dark" should be clarified on the trail map postings via a specific range of hours in which said trails can be used; Councilman Kashwick noted that, depending on the time of year, sunset can occur anytime between 4:30pm and 9:00pm. Mr. Jun countered that the postings could dictate the trails are off-limits at 10:30pm or so throughout the year; Mr. Isaacson replied that accidents, danger, etc. could occur at such time of night. In response to a false rumor regarding a recent fatality at the Borough's compost site near the defunct Closter Swim Club, Mr. Colwell explained that, in actuality, a contractor freelancing for the Borough of Northvale was killed 3 to 6 months ago when a piece of equipment he was fixing on Northvale property fell upon him. Councilman Kashwick stressed that while contractors working on Borough land must follow strict liability insurance guidelines, such a matter is not the purview of the Commission.

Green Team

Ms. Cummings stated there were no new matters to discuss.

Mac Bain Farm

Ms. Bouton-Goldberg, on behalf of Farm volunteer and former Commission member, Mary Mayer, requested that a \$100.00 petty cash fund be made available to Farm volunteers during future growing seasons for purposes of purchasing office supplies (to provide temporary paper signs), buckets, etc. She stated that new permanent signage will be necessary in the near future since the existing front display is difficult to read with its congested listing of Farm rules and regulations. She envisioned having metal signs which could inform of available crops. Mr. Isaacson said inexpensive lawn signs could be used to indicate the locations of certain produce on-site; Ms. Bouton-Goldberg responded that such signs would not be optimal being crops, such as eggplant and tomatoes were scattered throughout the Farm this season rather than planted in 1 location. Mr. Isaacson noticed paint sticks were being utilized for signage during a recent visit to the Farm; Ms. Boston-Goldberg replied that, which such an approach was economical, it does not fulfill the need of an entrance sign indicating the availability of specific crops. Mr. Isaacson suggested *Velcro* or adhesive vinyl on acrylic be used for signage to allow its display to be changed with ease; Chairman MacDonald concurred, so long as such materials would hold up against the weather. Councilman Keswick said he would inquire about how the purchases could be requisitioned.

Ms. Boston-Goldberg reiterated the request by John Mc Caffrey, caretaker and resident of the Farm, that he be supplied with a new tractor or the option to lease in the alternative. Chairman MacDonald remembered a discussion he had with Mr. Mc Caffrey about his paying towards maintenance/repairs on the existing tractor. Chairman MacDonald pointed out that Mr. Mc Caffrey's contract with the Borough calls for reimbursements of up to \$25,000.00 on items relating to the Farm, not the residence on-site; he pondered if monies laid out relating to the tractor are billable according to his lease agreement and whether the Borough would approve such an expensive purchase. Mr. Isaacson reminded that the Commission previously agreed to having the Borough Administrator, Richard Sheola, handle all financial matters relating to the Farm; Councilman Kashwick concurred and promised to follow-up.

Chairman MacDonald believed a \$100.00 petty cash fund to be quite reasonable despite the Commission's meager \$3,000.00 annual budget. Councilman Kashwick stated such cannot be considered open space funds, and he questioned if accounting practices would call for such

purchases by Farm volunteers to be paid for through a petty cash fund. Mr. Isaacson suggested a separate budget of \$100.00 be established specifically for Farm volunteers' use; Councilman Kashwick agreed, saying the norm is for such purchase items to be dealt with via a qualified purchasing agent.

A motion was made by Ms. Bouton-Goldberg and seconded by Ms. Abrams, to authorize the Commission to expend up to \$100.00 of its annual budget towards the needs of Mac Bain Farm volunteers. The motion passed (7-0-0):

YES- Colwell/Scholz/Isaacson/MacDonald/Kashwick/Bouton-Goldberg/Abrams;

NO- n/a;

ABSTAIN- n/a;

Mr. Colwell stated he would inquire with an acquaintance who owns a sign-making establishment about options for permanent signage at the Farm.

With respect to the potential installation of an irrigation system at the Farm, Chairman MacDonald said he is still awaiting a response from Mr. Sheola, who is concerned about the unknown cost of such an endeavor; Mr. Isaacson reiterated that the Commission should receive the same financial support from the Borough as does the Recreation Commission, which spends large amounts on its active parks.

Chairman MacDonald said there had been discussion on a modified, less expensive barn project at Mac Bain Farm. Councilman Kashwick stated \$30,000.00 to \$40,000.00 had been set aside for the 1st phase of the proposal (plan design, surveying, etc.). Mr. Isaacson explained the original premise was for the barn to store Mr. Mc Caffrey's farm equipment and eventually it evolved into a meeting hall/multi-purpose building as well as an environmental showcase of sorts. He reminded that the Borough recently spent approximately \$180,000.00 for restroom/storage facilities at both Mollicone Park and Schauble Park. He felt the construction of a shed would be more practicable at this time or possibly to phase in the barn by budgeting in increments starting with a cement pad, then a poured or block foundation and eventually resulting in a temporary structure with the hopes of a permanent version sometime in the future; Mr. Scholz equated the approach constructing a modular house. Mr. Isaacson suggested a barn raising or fund drive to help pay for the project; he hoped Thomas Hennessey, a commercial general contractor and former Councilman, could be a project advisor and consult with the retained architect, Douglas Radick, RA, on start-up costs and the like. Ms. Bouton-Goldberg reiterated that Mr. Mc Caffrey should be consulted on all aspects of the project. Chairman MacDonald inquired if the design calls for the barn to have 1 large interior space or is it partitioned into several rooms; the Commission agreed to review the existing architectural drawings drawn by Mr. Radick and proceed with a new concept.

Tree Removal at 25 Westervelt Avenue

Councilman Kashwick reported that the property owner/builder, Ilan Shemtov, appeared before the Governing Body on June 26th to negotiate a penalty for the unauthorized clear-cutting of 25 Westervelt Avenue, which is being redeveloped as a new 1-family residence; he said the matter was tabled to July 10th, but Mr. Shemtov did not attend. Councilman Kashwick believed the Building Department initially considered a \$14,000.00 penalty with Mr. Shemtov making a counteroffer of \$10,000.00 plus mitigation. Chairman MacDonald noted he heard that a \$17,000.00 was considered at some point.

Plume Investigation at 400 Demarest Avenue

Chairman MacDonald said there was no new activity at the parking lot of the A&P supermarket, but stressed the Borough would be informed of any further environmental testing (monitoring wells) contemplated in the future.



Liaison Reports

Governing Body

Councilman Kashwick stated there were no new matters to discuss.

Planning Board

In light of Mr. Di Dio's absence, Mr. Isaacson reported that the Board began to hear testimony relating to the re-filed application for the redevelopment of "Closter Plaza"; he noted the applicant's landscape architect has yet to be heard, however, he hoped several Commission members could be in attendance when such occurs.

Shade Tree Commission (STC)

While Mr. Scholz said there were no new matters to discuss, Chairman MacDonald indicated there are several voids along certain thoroughfares (such as Durie Avenue which does not have overhead power lines in the vicinity) that could be eliminated with the planting of shade trees. Councilman Kashwick replied that property owners along Durie Avenue have indicated they do not wish to have trees planted in the Borough and/or Bergen County right-of-ways located in front of their residences. He clarified that 2 public trees in front of 275 Durie Avenue, 1 of which was a Borough-designated landmark tulip tree, were recently removed.

Green Team

Mr. Jun stated the Team recently established a unit of high school students, which is involved in several fund-raising events such musical entertainment and asking for public donations while distributing recyclable bags. He said a prototype of the Borough's brochure educating the public on sustainability is in development. Mr. Jun stressed the Team is concerned about the lack of recycling bins in both the downtown area and Borough Hall. Councilman Kashwick explained the Borough will soon be going out to bid for recycling services, at which time such requests could be negotiated; in the meantime, Mr. Jun said the Team will start a petition to collect a target of 200 signatures from those in favor of having more recycling bins throughout the Borough. Mr. Isaacson felt many signatures could be gathered from residents visiting the Department of Public Works facility on a typical Saturday. He said a meeting was recently held between Miele Sanitation Co. and several Council members to discuss the waste management vendor collecting paper in the future. Ms. Bouton-Goldberg offered to forward information on the recycling practices of municipalities in the area to help in the Borough's negotiations with Miele Sanitation Co.; she informed that the Borough has room for much improvement in that regard.

Historic Preservation Commission (HPC)

Councilman Kashwick stated while the HPC-nominated Harold Hess Lustron House (421 Durie Avenue) failed to be adopted by the Governing Body as a historic landmark, the privately-owned defunct railroad depot (1 Station Court) was designated.



New Business

Trail Maintenance

Chairman MacDonald informed that he spoke with the Mayor's office 2 months ago about clearing trails littered with downed trees, especially Schauble Park; he reminded that a DPW laborer did so last year but no action has been taken in 2013. He inquired if the newly-created trails within Schauble Park have officially been included in the "Cross-Closter Trail"; Councilman Kashwick said the new links should be drawn on a map, and the Commission should conduct a vote on their inclusion. He explained that the trail spoken of travels from Scholz Bridge to Ryerson Place, Grove Street, across Knickerbocker Road to Oak Street, across a pedestrian bridge (paper street) to Pearle Road and ends at Schauble Park; he hoped that said trail could eventually connect to Bergenline Avenue and Mollicone Park. Mr. Isaacson noted that an Eagle Scout project is underway near the Girl Scout's cabin located in Mollicone Park, which involves construction of bridge-type features and patios; he suggested contacting Eric and Denise Mattes, married residents who are both landscape architects employed with the New York City Department of Parks & Recreation, for guidance.

Proposed Trail Connection (Parsells Lane to Giletta Court)

Chairman MacDonald revealed that a deer path was recently discovered by Parsells Lane, which could make for a connection to Giletta Court via the portion of Anderson Avenue which has no sidewalk. Ms. Bouton-Goldberg stated that a large portion of the public land around Giletta Court is maintained by Betty Crump (19 Giletta Court). The Commission agreed that a map is required to visualize the potential link.



Plan Review

The Commission prepared the following administrative reports:

Zoning Board of Adjustment

318 Harrington Avenue: This is an application for an appeal of the determination of the Zoning Officer as to the legality of as well as seeking pre-existing/nonconforming status for a 3-family use (front building), 2-family use (middle building) and 1-family use (rear building) at the subject property; in the alternative, a Use Variance would be sought. Chairman MacDonald said the subject lot is deep but only 40' wide and no tree removal is proposed. While it expressed concern about how the site could accommodate vehicular parking for all tenants, the Commission had no comments.

Planning Board

14 Laurence Court: This is an application for Major Soil Movement Approval involving the construction of a new 1-family house. Chairman MacDonald said that despite the Commission's previous comments about the potential for clear-cutting of the site, such did occur on July 12th. Mr. Isaacson said that at the Work Session, the applicants answered the reason for the tree removal is simply to have a large and open back yard; Mr. Isaacson said the 3 proposed seepage pits would be relocated to the front yard since placing them in the rear yard would result in

them being underwater. Mr. Isaacson said the applicants explained several of the abutting properties drain into their rear yard and to counteract that, berms would be installed to reroute drainage to the seepage pits in the front yard. Chairman MacDonald informed that the property owners of 55 Wainwright Avenue were concerned about the project due to a minor waterway originating from 43 Wainwright Avenue that engulfs surrounding lands upon a rain event. He said there is further concern how the tree removal on-site would affect conditions downstream. Councilman Kashwick stressed that the Building Department could not issue a Certificate of Occupancy until mitigation had been fulfilled. Chairman MacDonald noted that the Borough has begun levying heavy penalties for illegal tree removal in recent months. Mr. Isaacson said contractors feel it is worth paying a penalty for illegal tree removal if they can have carte blanche in deciding the eventual landscaping; Chairman MacDonald concurred, saying the permit fee to remove 20 trees, as in the case of 14 Laurence Court, was only \$250.00. The Commission had no further comments.



A motion was made by Mr. Isaacson and seconded by Ms. Cummings, to cancel the Commission's August 2013 meeting due to both anticipated poor member attendance and the meeting date wrongly advertised as being August 13th instead of August 20th. The motion passed by acclamation.

Mr. Colwell stated that Public Service Enterprise Group (PSEG) recently installed 65' high utility poles in the Village of Ridgewood so that its power lines would peak above trees along thoroughfares and be less prone to outages during storms; Mr. Isaacson said the poles are made of wood even at such heights.

Mr. Colwell questioned the status of an abandoned property (119 Cedar Lane), which has been left unmaintained for several years; he informed the grass is several feet high, and the house is likely to have mold inside being the water service line burst sometime in the past. Councilman Kashwick explained such matters fall under the jurisdiction of enforcement agencies such as the Code Enforcement Bureau and Health Department; he noted a tax lien may be an option. Mr. Isaacson inquired about the Borough's right to invoke eminent domain on said site and other foreclosed properties; Councilman Kashwick said the Borough does not have the right under such circumstances.

Chairman MacDonald said he complained to the Health Department about several feral cats roaming his neighborhood; he said he was told the Borough has no ordinance regulating such and if he were willing to pay for it, the New Jersey Department of Health (Office of Animal Welfare) could take measures. Ms. Cummings suggested he contact local nonprofit organizations such as Caring About the Stray Cats (CATS) and Closter Animal Welfare Society (CLAWS) for assistance. Mr. Isaacson stated the cats could be fixed and then returned to nature; Ms. Cummings said adoption is often difficult.

Mr. Isaacson mentioned the well-publicized return of the 17-year periodic cicadas to eastern North America, noting the presence of their shells following emergence from underground.

There being no further items to discuss, a motion was made by Mr. Isaacson and seconded by Mr. Colwell, to adjourn the meeting at 9:01pm. The motion passed by acclamation.