



# Environmental Commission

June 17, 2014

*(Minutes)*

Prepared by:

**Paul Demarest**

Chairman MacDonald called to order, at 7:49pm, the Regular Monthly Meeting of the Environmental Commission for the Borough of Closter, New Jersey, convening Tuesday, June 17, 2014 at Borough Hall.



## **Attendance**

### *Present*

Paul MacDonald- Chairman  
Steven Isaacson- Full Member  
Thomas Colwell- Full Member  
John Kashwick- Full Member (Council Liaison)  
Bobbie Bouton-Goldberg- Alternate #2 (Historic Preservation Commission Liaison)

### *Absent*

Brenda Cummings- Full Member  
Keith Scholz- Full Member (Shade Tree Commission Liaison)  
Robert Di Dio- Full Member (Planning Board Liaison)  
Ethel Abrams- Alternate #1  
Jaewook Jun- Associate Member  
VACANT- Associate Member  
VACANT- Associate Member



## **Miscellaneous**

The Commission agreed to postpone a vote on minutes for the April 15, 2014 meeting due to their late distribution.

Chairman MacDonald informed that there was no correspondence to be read into the record.

Chairman MacDonald opened the meeting to the public for questions and/or comments.

Sivert Hagen, 72 Eckerson Avenue, Closter, New Jersey, introduced himself as the husband of Ms. Cummings; Chairman MacDonald noted Mr. Hagen's father had previously served as chairman of the Commission for several years and now, he was slated to become a member as well. Mr. Hagen said his wife has spearheaded the Borough-wide cleaning/recycling event for 4 consecutive years via the Green Team, revealing the Borough in turn has been awarded a \$300.00 grant from Bergen County each year along with supplies (gloves, tools, etc.). He relayed Ms. Cummings plea that if the Commission does not utilize the \$1,200.00 in grants the Team has earned, the Borough would spend it as general funding. Noting the County's new procedure in distributing grant monies, Mr. Hagen gave Chairman MacDonald a purchase order it generated indicating the Borough as a vendor. He said it must be given to the appropriate municipal official for signature and supply of the Borough's Taxpayer Identification Number. Mr. Hagen stated the 4 years-worth of grants have covered expenses associated with the event, noting funds were expended on a marquee (tent) for inclement weather, banners, etc. He said Ms. Cummings was disappointed that no Commission members were in attendance during her

presentation (Granny Green's Green Machine) at the Earth Fair held on May 3<sup>rd</sup> in the Borough of Norwood. Mr. Isaacson replied both he and his wife were at the event, but noted there was no advertisement referring to her presentation. Mr. Hagen acknowledged that many attendees opted to canoe in Norwood's pond, an activity Mr. Isaacson said was administrated by the Closter Nature Center. Mr. Hagen stated next year's Earth Fair would be hosted by the Borough of Old Tappan.

Mr. Hagen stated Mr. Jun would be resigning from the Commission to attend Cornell University; he said Mr. Jun has been an asset to the Green Team, and he persuaded fellow high school students to volunteer. Mr. Hagen said replacing him would be difficult because underclassmen have shown little interest. Touching upon a cause Mr. Jun pursued for the downtown area, Chairman MacDonald stated the Borough of Westwood has incorporated recycling bins within their commercial district.

Arthur Goldberg, MD, 75 Harvard Street, Closter, New Jersey, stated that in years past, the Boy Scouts were a source of young volunteers interested in environmental activism, noting while on the Commission, he coordinated the installation of benches throughout various Borough parks with the assistance of Scouts. He also suggested the superintendents and/or principals of the local schools be contacted to garner support. Dr. Goldberg felt the Commission has lost some control to the Recreation Commission over handling certain aspects of the Borough's open space. As an example, he questioned which entity should address complaints about grass clippings being dumped at Schauble Park and Mollicone Park. Chairman MacDonald concurred, saying that while the Commission oversees passive parks/unimproved Borough land and the Recreation Commission has jurisdiction over active parks, priorities must be decided upon and coordination between the 2 bodies must improve. He clarified that trees recently cut down, and not removed, at Mollicone Park, was done under the guidance of the Recreation Commission, which has since apologized for its actions. Mr. Hagen suspected said tree removal was in preparation for on-site parking along Knickerbocker Road, which would affect drainage at his residence nearby. He felt that while the Commission does not have much clout politically, the Planning Board is required to hear its advice, though it does not have to act on its recommendations. Mr. Isaacson said a major factor is that the Recreation Commission is funded generously.

Dr. Goldberg reminded that several years ago, the Commission voted to have removed a fence illegally installed across Hartford Boulevard, a 50'-wide paper street, during the construction of Temple Emanu-El of Closter (180 Piermont Road). He clarified that when the Temple was built, its property was divided into 2 pieces, an approximately 7 acre portion in the front of the site deemed a conservation easement never to be developed and the other portion in the rear reserved for the Temple less approximately 1 acre in the southwestern corner also deemed part of the conservation easement. He explained the southern border of 180 Piermont Road contains Hartford Boulevard while the northern border has another paper street (Albany Boulevard). Dr. Goldberg said the Temple took Hartford Boulevard as its own, an error not realized during the planning and/or construction of the Temple. Subsequently, he said he along with the Green Acres program administrated by the New Jersey Department of Environmental Protection (NJDEP), made note of the encroachment, with the latter penning a memo to both the Temple and Borough enlightening them of the illegal condition. He said the metes and bounds of the area in question were corrected and the paper street was removed from the conservation easement and indicated as Borough land once again. He mentioned that Bergen County required, as part of the Temple's construction, a sidewalk to be installed along Piermont Road, a county road, which elevated the area by 5'; prior to such, he said the public could walk directly to

Hartford Boulevard from Piermont Road. Dr. Goldberg stated the owner of a parcel abutting the paper has been restricted access to his land because of the illegal fence; he explained only recently, after 8 years of litigation, the property owner received confirmation that he owned the property through inheritance. Dr. Goldberg continued to explain that the Borough Attorney recently wrote twice to the Temple informing that the fence must be removed and it has not responded. Dr. Goldberg reminded that a decade ago, the Commission recognized the encroachment and asked the Governing Body to have the fencing removed from the paper street while proposing to re-grade the area by the County-mandated sidewalk along Piermont Road and install steps to regain access to Hartford Boulevard; he estimated that along with some landscaping to beautify the entrance, the cost would have been \$1,200.00. Dr. Goldberg stressed the importance of Hartford Boulevard in that it connects to the Nature Center, Ruckman Park and Buzzoni Farm Park. Mr. Hagen question if the Borough can remove the fence and he inquired about adverse possession. Dr. Goldberg stated that the Superior Court of New Jersey- Bergen County Law Division determined the fence is illegal and could be removed at any time. He mentioned the Mayor's office has reached out to the Temple's Rabbi David-Seth Kirshner to no avail. Dr. Goldberg said a ground sign reading "Closter Conservation Parkland" cost \$1,500.00 to manufacture and instead of it being installed at the entrance to Hartford Boulevard, it has been in storage for 10 years.



## **Old Business**

### *Trails*

Mr. Isaacson said he met with Christopher Connolly, a representative of the New York-New Jersey Trail Conference, at the recent Earth Fair in Norwood, and both toured the damaged trails by Scholz Bridge; Mr. Isaacson stated a construction firm affiliated with the Conference would provide an estimate for securing the boardwalks to the Commission so long as it could participate in the bid. Chairman MacDonald informed that 4 of this year's volunteers with the high school senior service program worked with the Borough of Demarest's Nature Center over several weeks to install approximately 250' of boardwalk consisting of 4x6 railroad ties and 2x10 planks up to 12' in length; he stated the lumber was secured to the ground with 4' rebar on an angle whereas the shifted boardwalks by Scholz Bridge were installed using 2' rebar straight down. Mr. Isaacson said the damaged planks by Scholz Bridge were improperly installed by the Boy Scouts using expensive wood (black locust); he believed recycled plastic material should be used for contact with the ground and wood on top. He warned the replaced boardwalks may have to comply with the Americans with Disabilities Act of 1990 (ADA) since public funding is involved; he theorized a cause of the now-defunct Closter Swim Club was that it could not afford to make their aging facilities ADA-compliant.

### *Mac Bain Farm*

Ms. Bouton-Goldberg stated a pollinator garden was recently planted at Buzzoni Farm Park, thanks in part to Chairman MacDonald and volunteers from the high school senior service program, though deer have begun to off it despite an effort to select species that would not attract them. She said the garden is located roughly 40' from the stone wall and waterway on-site; she noted laborers from the Department of Public Works (DPW) helped with planting and mulch as well. Ms. Bouton-Goldberg said she and Ms. Cummings spent approximately \$100.00 and \$35.00 respectively on plants from Metropolitan Farm (119 Hickory Lane), which were supplemented by donated plants originating from residents' private gardens. She said a path,

possibly made of flagstone, is being considered for within the garden itself to make weeding an easier task. She stated preferable stone selection costs about \$3.00 per square foot with 20 pieces at most being needed. Chairman MacDonald said he would stay in contact with the Building Department on upcoming demolition sites so the properties can be searched for stone. Ms. Bouton-Goldberg said she requested a \$200.00 budget to install the pollinator garden; Chairman MacDonald stated the Commission's operating budget for 2014 is \$3,000.00, which pays for various memberships, the annual Harvest Festival at Mac Bain Farm, etc. Ms. Bouton-Goldberg said netting would be attempted to prevent deer damage to the garden. Chairman MacDonald stated the whiteweed (ageratum) planted is low-lying, which should discourage the deer. She noted new species are being introduced like Joe-Pye weeds (eutrochium). Mr. Isaacson inquired about using woodchips for the proposed path; Ms. Bouton-Goldberg disagreed, saying such would too closely resemble the mulch in the vicinity. She stated she would look for sales on pussy willow bushes or serviceberry at the beginning of next spring.

Both Ms. Bouton-Goldberg and Mr. Hagen believed outgoing Mr. Jun should be recognized for his efforts, especially considering his age. They believed the public relations surrounding any such ceremony could attract much needed young members to the Green Team; Mr. Hagen noted such must take place by August before Mr. Jun leaves for college. Dr. Goldberg stated a letter by the Commission to Mr. Jun is called for; Chairman MacDonald believed Ms. Cummings would be most suited to pen such being she collaborated most often with Mr. Jun. Mr. Isaacson suggested that in the future, an academically-eligible high school senior student should be given the option to either participate in the volunteer program or serve on the Commission for a 1-year term.

Regarding the proposed signage at the entrance of Mac Bain Farm, Ms. Bouton-Goldberg reported that its volunteer coordinator and former Commission member, Mary Mayer, asked the wording be finalized so that she could discuss it with her volunteers on June 21<sup>st</sup>. Chairman MacDonald said the signs' wording, which is intended to curtail picking by non-residents, should be as concise as possible and believed it should be installed along Hickory Lane; Mr. Isaacson disagreed, saying such placement would increase illegal picking by advertising to the public the availability of produce. He said a vinyl banner, 5'x2' in area, could be manufactured in 1 week and placed between fence posts. Ms. Bouton-Goldberg said an A-frame/sandwich board sign should be situated along Hickory Lane so prevent confusion on locations of the Farm and nearby Metropolitan Farm. Mr. Colwell suggested the verbiage "Mac Bain Farm. Produce. Closter residents only."; Mr. Isaacson countered with "Mac Bain Farm. A Borough of Closter Park." along with indication that the Farm is open to the public. He noted the existing sign merely states at what time picking of produce is permitted. Mr. Colwell believed the site should be open from dawn to dusk being it is a park. Ms. Bouton-Goldberg stated an existing, non-descript sign at the Farm's entrance says the hours for picking as "Park open Wednesday through Sunday 9:00am to sunset. Closed Monday and Tuesday." Mr. Isaacson stressed that such signage proposals should be discussed with the Borough Attorney being the Farm is both funded by the Green Acres program and has trails throughout its grounds that must be made available to all Bergen County residents. Councilman Kashwick reminded that public access to the Farm cannot be restricted, though picking can. Researching the Borough Code on his cellular phone, Mr. Colwell revealed that it states entry to Borough parks and playgrounds is prohibited between 10:30pm and 6:00am with special exceptions given to tennis courts; he noted conflicting information, however, by saying a link to the Farm's walking tour section lists its hours as 9:00am to dusk from Tuesday to Sunday. Mr. Isaacson reiterated there should be means to travel the Farm without necessitating access to picking produce. He considered having the DPW produce a sign, which could read "Borough of Closter Park", to be suspended with eye

bolts underneath the existing ground sign reading “Mac Bain Farm” at the Farm’s entrance. Ms. Bouton-Goldberg noted that John Mc Caffrey, caretaker and resident of the Farm, locks the entry gate every Sunday at 6:00pm and reopens it again on Wednesdays at 9:00am; she noted that employees of his private landscaping operation usually tend the farm on Mondays and Tuesdays. Mr. Isaacson said the supplemental sign should be 36”x12” in area; Chairman MacDonald said the existing ground sign identifying the site is approximately 5’ in length and suggested a 40”x12” dimension for the sign underneath. Councilman Kashwick stated the DPW would be able to provide metal, not wood signage; Mr. Isaacson noted that the DPW has a budget for signage, but the actual manufacturing is handled by a 3<sup>rd</sup> party.

A motion was made by Mr. Colwell and seconded by Councilman Kashwick, to authorize the Commission to install a supplemental sign (40”x12” in area) underneath the existing ground sign (stating “Mac Bain Farm”) at the curbside along Hickory Lane to read “Borough of Closter Park” with no hours of operation indicated and colors not specified. The motion passed by acclamation.

Referring to an existing large sign situated on-site, Chairman MacDonald said its wording is partially crossed-out and believed the portion stating “Borough of Closter Property” is redundant and unnecessary; Ms. Bouton-Goldberg added that said sign also includes the following: 1.) “Mac Bain Farm is owned by the Borough of Closter and is open to the public for walking. Only Closter residents may pick vegetables on Wednesday, Saturday and Sunday.”; 2.) “Children under 13 must be accompanied by an adult.”; 3.) “Not pets allowed.”; 4.) “No picking of flowers.”

Ms. Bouton-Goldberg said a 3<sup>rd</sup> metal sign, located on the inside of the Farm’s fencing states the following: “Rules for picking vegetables: 1.) Use 1 bucket provided per family per day to collect vegetables. Return bucket before leaving with your own bag. 2.) Walk only on paths. Do not step on any plants. 3.) Use only a sharp knife or scissors to remove vegetables. 4.) Pick only fully grown ripe vegetables. 5.) Do not pick small unripe vegetables. 6.) Watch for and obey additional signs on certain rows. 7.) Close the gate as you enter and leave. Thank you. Enjoy your visit. John and Ruth Mc Caffrey. Curator/Caretaker. Closter Environmental Commission.”

While agreeing the wording of existing Mac Bain Farm signage should be revised, Mr. Colwell believed there should remain 2 signs on-site, 1 to inform the public of general rules and the other to relay picking instructions. Mr. Hagen believed the pictorial chart on-site is a valuable tool to help uninformed visitors on what produce should and should not be picked.

Councilman Kashwick reworked the wording of the 2 existing signs so that it could be placed onto 1 reading as follows: “Welcome to Mac Bain Farm. Public has access to trails only. Closter residents may pick produce (Wednesday, Saturday and Sunday 9am to 6pm). Proof of residency may be required. All visitors must sign in. Picking of flowers is not permitted. Only 1 bucket per family per day. No bags. Stay on the paths. Use only sharp knives or scissors. Choose only ripe fully-grown vegetables. Enjoy your visit. Closter Environmental Commission.” Chairman MacDonald said the draft would be sent to Ms. Mayer for critiquing.

*Historic Preservation Commission (HPC)*

Ms. Bouton-Goldberg said the HPC is considering the installation of signage to both commemorate Blanch Avenue at its intersection with Piermont Road signifying its historic value while somehow referencing nearby Buzzoni Farm Park.



## **Liaison Reports**

### Governing Body

Councilman Kashwick said the Governing Body recently introduced an ordinance to accept back the site with the now-defunct Closter Swim Club situated on it.

### Planning Board

In light of Mr. Di Dio's absence, information on Board activity was not available.

### Shade Tree Commission (STC)

In light of Mr. Scholz' absence, information on STC activity was not available.



## **New Business**

### Oaths of Office

Chairman MacDonald said the swearing in of reappointed and/or new Commission members would occur at its July 15<sup>th</sup> meeting.

### Dumping Yard Waste on Borough Land

Chairman MacDonald distributed correspondence authored by Councilman Kashwick to be distributed to property owners residing near Borough parks warning against illegal dumping. Mr. Hagen clarified that residents are permitted to keep their own compost on private property. Chairman MacDonald said upon reviewing Councilman Kashwick's draft, the Borough's Code Enforcement Officer, James Whitney, initially opined that he did not have jurisdiction on such a matter, but upon further consideration, he agreed to post notices at 2 sites on Haring Street which were found to be the origin of material dumped at Schauble Park recently. Councilman Kashwick stated dump sites have been found as well along Demarest Avenue and by Farrell Woods. Mr. Colwell reminded that recently the Borough began requiring residents wanting a pick-up of yard waste to contact the DPW for scheduling. Mr. Isaacson believed the memo should be sent, via regular mail or personal service, to all property owners abutting Schauble Park, not targeted individuals only; Councilman Kashwick said such an approach would be too costly. Mr. Hagen said Mollicone Park is littered with grass clippings from landscapers; Chairman MacDonald revealed the DPW is a guilty party. Mr. Isaacson inquired about using the Reverse 911 telephone system to communicate the Commission's message to all Borough residents. Councilman Kashwick said the memo could be made part of next quarter's property tax bill mailed out by the Tax Collector, which would save on postage; he noted, however, that those residents holding mortgages generally do not see their bill since it is paid as part of the mortgage payment. Mr. Isaacson suggested a letter to the editor of a local newspaper along with a posting on the Borough's website.



## Plan Review

The Commission prepared the following administrative report(s):

### Planning Board

**1 Piermont Road:** This is an application for Major Soil Movement Approval involving the construction of a new 1-family house. The Commission made the following comments: 1.) all remaining trees should be adorned with ribbon and protected so their health is not compromised during construction.

**12 Fourth Street:** This is an application for Major Soil Movement Approval involving the construction of a new 1-family house. The Commission made the following comments: 1.) all remaining trees should be adorned with ribbon and protected so their health is not compromised during construction.

**121 Alpine Drive:** This is an application for Major Soil Movement Approval involving the construction of a new 1-family house. The Commission made the following comments: 1.) appreciate means of tree protection indicated on site plan.

### Zoning Board of Adjustment

**421 & 437-439 Durie Avenue:** This is an application for a Use Variance and Major Subdivision Approval involving the merging of 2 existing lots for purposes of creating 4 lots (there is a 1-family house and a 2-family house currently situated on the existing lots). The Commission made the following comments: 1.) site plan should indicate construction will occur within 300' of a Category-1 waterway as designated by the NJDEP; 2.) confirm all trees not marked with "X" on site plan will be preserved; 3.) all remaining trees should be adorned with ribbon and protected so their health is not compromised during construction.

**309 Closter Dock Road:** This is an application for a Use Variance and Site Plan Approval involving the construction of a new building (containing a delicatessen and 2 apartments). The Commission had no comments.



## Adjournment

Mr. Isaacson informed that with the upcoming repaving of Hickory Lane, the Borough wants to remove 20 trees to allow for the widening of the thoroughfare and installation of sidewalks. Councilman Kashwick revealed the project will likely be scaled back with the roadway merely being resurfaced; he noted that any curbing contemplated should be of asphalt, not concrete, to save on cost.

There being no further items to discuss, a motion was made by Councilman Kashwick and seconded by Ms. Bouton-Goldberg, to adjourn the meeting at 10:09pm. The motion passed by acclamation.