

Kinnelon Open Space Advisory Committee

July 16, 2008 Meeting Minutes

Meeting called to order, reading of sunshine law, roll call.

Attendance: Bob Collins, Jeff Derwin, Lucy Meyer, Gene Orcutt, Mayor Glenn Sisco, Carol Sventy, Carol Vreeland, Matt Dank (MLC)

Public Session: No public attendees.

Committee Report: Bob Collins

- Bob announced that David Helmer of the MCPC has agreed to commit up to \$500,000 to partner for the purchase of the Weber Tract. The amount of acreage will be determined. This is excellent news.
- David Epstein of the MLC has been meeting with the Federal Forest Legacy people. They will help fund, but have not yet committed to an amount.
- Norman Eckstein, the boro CFO, has confirmed 2 PIG (Green Acres) for a total of \$600,000. The current balance of the Kinnelon Open Space Fund is \$671,000.
- MLC will also participate with funding. There is also some money from the public.
- A willing seller plus identified funders plus MCPTF puts the Weber Tract in a strong position (for preservation). The strength of the application is helped by funders.
- Bob asked David Helmer three times to be sure the amount (up to \$500,000) was formally approved and could be made public. David Helmer said yes. Bob said this was great news prior to the application being submitted. He thanked David Epstein for his continued efforts.

Discussion of Bob's report and application related issues:

- Lucy asked whether the MCPC would oversee the 50 acres. Matt's reply was yes, 50 - 60 acres.
- Re. minutes of last meeting, Lucy restated need for ordinance for off road vehicles to be prohibited from preserved public lands. She said that the MCPC and the feds in the green program have met and talked extensively about the damage done to critical areas, eg. vernal pools and endangered species, by the off road vehicles.
- Carol V. has a concern about MCPC taking only 50 – 60 acres for parkland. That would take away some preservation criteria which could affect the integrity of the Weber Tract. She doesn't want to see a portion of the land left over and unpreserved. The Park commission has been touting environmental preservation. Why not here? There is a large portion they could take over and they are not. They are being very selective. COAH and developers could be after the Weber Tract. Who will oversee the rest of the property? Answer: The Borough of Kinnelon.
- Matt said Weber Tract will be entirely preserved. Many funders will help preservation and contracts will say property cannot be touched. Bob said re. COAH, Edward Busak is representing a number of municipalities in a lawsuit, including Kinnelon. COAH plan is not realistic. They (COAH) want to build in areas that may be built out.

Morris Land Conservancy Report: Matt Dank

- Most of Weber Tract has already been covered.

- Matt spoke with attorney Stuart Koenig who represents the League of Municipalities in COAH affairs. The state has a lack of communication and inconsistent data (incorrect growth projections). COAH's plan is expected to be shot down in Oct. and redone. Eileen Swan (Highlands Council ED) told Matt to expect changes with COAH re. Highlands.
- Developers in West Milford and Ringwood are selling property for practically nothing because they can't use it.
- Koehler: Subdivision plan due on Monday. If not this month, next month. Waiting for engineer's and surveyor's reports.
- Weber definitely much stronger than last year. Willing sellers and funding partners finally coming out of the woodwork. The final application will be ready for us on Friday.

Discussion of Weber Tract MCPTF application:

- Carol V. asked about including ridge lines in MCPTF application.
 - Mayor Sisco didn't think there was a ridge line, but maybe one.
 - Lucy recommended USGS map and said ridge line is highest peak
 - It was decided on 5% ridge line on Weber Tract.
- Carol V. asked Mayor Sisco to verify that there were no development approvals for the WT. It had only been presented as a concept at planning board and council meetings.
- Lucy: re. Endangered and threatened species habitat.
 - Most species on H5 (?) are not federally listed. Indiana bat not in area.
 - Cannot use Rank 5 as defined in 2.0 Landscape Project. Species must be spotted, reported and documented per 3.0 Landscape Project.
 - Myotis (bat) doesn't belong on application. It is not state or federally endangered.
 - Where did you get water hook-up info? Matt: from borough engineer.
 - Mayor Sisco noted that the Weber Tract could be designated as a foraging area for the bald eagle, but not as a habitat.
- Breaching of Maple Lake Dam:
 - Matt has contacted DAG and project manager. He will call DEP when ready to see about breaching.
 - Mayor Sisco recalled the dam had already been breached by Roseland by court order to DEP standards.
 - Bob said to let nature take its course after breaching occurs.

Selection of Vice Chair for remainder of 2008:

- Bob would like committee to be chaired by member of public in 2009 who could step up when he is unavailable.
- Mayor Sisco recommends vice chairman and then chairman. Who has burning desire to be chairman? No takers.
- Jeff: What would be the tasks of a vice chair? Answer: To run meetings in absence of chairman and know what is going on.
- Bob nominated Carol S. Jeff seconded nomination. Vote: unanimous

Return to Weber Tract discussion: Public hearing to be July 17, 2008.

- Bob noted that the vote for MCPTF application is not unanimous on borough council. Some ask why preserve when protected? Trenton, people and situations change. Our committee fulfills needs for open space and funds that have been voted for by referendum and

allocated accordingly. Our Open Space Survey showed strong support for water preservation.

- Bob asked Matt for talking points for public hearing.
- Matt's talking points include: water quality protection, large tract, wildlife habitat, fragmentation is undesirable, can't use if not preserved, danger of development (Kinnelon desirable location), and possible modified Highlands Act.
- Bob: After tax reduction, land will be assessed at less than \$4,000,000, possibly by \$1,000,000. Potential taxes would therefore be less than \$100,000. Our Open Space tax is to preserve open space, although some have other designs for funds. Survey indicated that re. development, people want land to be saved.
- Mayor Sisco said he hopes people from areas other than the Valley Road neighborhood will speak at the public hearing. He noted passive recreation opportunities, contiguous to Silas, a lot of people in favor of preservation and water. The water originates here, goes to the Pequannock River, then to the Pompton River, then the Passaic River, then to the Passaic Valley Water Commission where it is used. It's not going to waste. The land is also a recharge for aquifers.
- Carol V: Concerned about public attendance because of postponement and vacation plans. Irwin Citer (deceased) was our Webmaster. He and his wife Jackie were active members of our Citizen's Committee.
- Bob: Reach out to Environmental Commission for application letter.
- Mayor Sisco: Everyone has opportunity to speak out at public hearing.

New Business:

- We would like to use borough's website to circulate open space success and memorialize Buck Mtn., Pyramid, 34 Acres, etc.

Miscellaneous:

- Lucy asked about GA round in Sept. Matt said we could apply and use funds for next project. MUA will match borough contributions. Money is not a problem. \$5,000,000 could be raised if needed. Bob said that Weber will not deplete borough open space funds because of other contributions. We should have \$500,000 left after Weber for other projects.
- Motion to approve minutes for May and June with corrections: Bob (1ST), Carol V. (2nd).
- Many thanks to Matt Dank for all his work on the MCPTF Weber Tract application.
- Motion to adjoin meeting: Carol S. (1st), Lucy (2nd).

Minutes approved (with corrections) at the Nov. 12, 2008 meeting – Bob Collins (1st), Gene Orcutt (2nd)

Minutes prepared by Carol Vreeland, submitted by Carol Sventy