

Keyport Environmental Commission Minutes for August 22nd, 2022 – Conducted in Keyport’s Borough Hall

Call to Order

Meeting called to order at 8:04pm by **Chairperson Ken DeGroat**.

Sunshine Law was Read

Salute to the Flag

Roll Call

	NAME	STATUS	TERM EXPIRES	PRESENT	ABSENT
1	KEN DEGROAT (KD)	COMMISSIONER, CHAIRPERSON	12/31/2024	X	
2	MIKE PALMISANO (MP)	COMMISSIONER, VICE CHAIRPERSON	12/31/2024	X	
3	JOE SHERIDAN (JS)	COMMISSIONER, SECRETARY	12/31/2023	X	
4	DON PACHECO (DP)	COMMISSIONER	12/31/2022	X	
5	ROY JIMINEZ (RJ)	COMMISSIONER	12/31/2022	X	
6	MATT TEVIS (MT)	COMMISSIONER	12/31/2022	X	
7	JIM AUMACK (JA)	COMMISSIONER	12/31/2023	X	
8	HEATHER BRADY-MILLER (HBM)	COMMISSIONER, 2 YEAR ALTERNATE	12/31/2022	X	
9	DOUG WEIDER (DW)	COMMISSIONER, 2 YEAR ALTERNATE	12/31/2022		X
10	DELIA SOSA MCDERMOTT (DSM)	KEYPORT BOROUGH COUNCIL LIAISON	12/31/2022	X	
11	MIKE LANE (ML)	PUBLIC	-	X	

Review/Approval of Meeting Minutes:

Minutes of the July 25th, 2022 meeting; Motion to Accept by Mike Palmisano (MP); Ken DeGroat (KD) 2nd; No comments/edits/revisions; All Others Approved; M. Tevis Abstained.

Keyport Unified Planning Board (KUPB) Updates:

1. Brown's Point Marina (Mariner's Village)

(DP):

- KUPB project is in progress. Action is scheduled for September's KUPB Meeting.

2. Mystic at Keyport (44 Beers St)

(DP):

- KUPB project is in progress.

3. 25 E. Front Street (5 Story Apt. Bldg – 54 Units)

(DP):

- No further discussion.

4. 31 W. Front St (restaurant and 9 residential units)

(DP):

- KUPB project is in progress-possible action on project in September.

5. 333 1st Street

(DP):

- No new update.

6. Hudson Pointe (Henry Hudson Trail drainage ditches)

(DP):

- KUPB project is in progress.

(DSM):

- The County continues to be aware of the issues.

7. Port 149 Bulkhead Damage

(DP):

- KUPB project is in progress.

8. Aeromarine/Landfill Bayfront Erosion Issues:

(DSM):

- No new update. DEP is managing litigation.

9. 317 Beers St (wetland infringement issue):

(DP):

- No new update.

10. Beach Park Outfall Pipe:

(DP):

- No new update.

New Business:

165 W. Front Street Remediation Project:

(DSM):

- Provided information link (attached to Minutes) to keep KEC aware of the project.

(MP):

- There may be funding available to assist with the remediation project at 165 W. Front Street.

(DP):

- Will make it known at the next KUPB meeting that funding may available to assist with the remediation project at 165 W. Front Street.

(KD):

- The availability of funding may be an incentive for the remediation at project at 165 W. Front Street.

Cedar Street Dune Project:

(MT):

- Will obtain the quote for the order of 1,000 beach grass plants to plant in November, 2022, in a similar manner as the plants were ordered in the Spring of 2022. The quote will be given to KD/DSM in time for the November planting.

(DSM):

- MP, KD, DSM, to walk down with Borough Administrator on 8/25/2022 at 5:15pm to identify new area in need of beach grass, new snow fencing, and new signage.

25 MPH Signage on Broad Street and First Street, and 4-Way Stop Signs:

(KD):

- No double lines or cross walks on First Street

(JA):

- Has noticed a ***positive*** difference in cars driving in Keyport from changing the 30 MPH signs to 25 MPH.

Lantern Flies:

(MP):

- Save Coastal Wildlife (SCW) had performed a recent survey – there is currently a significant number of lantern flies – and they secrete a dew on the trees that they land on. Someone can see which trees the lantern flies are infesting by seeing this dew. MP put up a trap to capture the lantern flies near his house. Maybe the Borough of Keyport should remove all Ailanthus trees, which are invasive species and not indigenous to Keyport, and make traps and knowledge of lantern flies available to Residents.

Ailanthus altissima

From Wikipedia, the free encyclopedia

Ailanthus altissima /ɛɪˈlænθəs ælˈtsɪmə/,^[3] commonly known as **tree of heaven**, **ailanthus**, **varnish tree**, or in Chinese as **chouchun** (Chinese: 臭椿; pinyin: *chòuchūn*), is a [deciduous](#) tree in the family [Simaroubaceae](#).^[1] It is native to northeast and central China, and [Taiwan](#). Unlike other members of the genus [Ailanthus](#), it is found in temperate climates rather than the tropics.

The tree grows rapidly, and is capable of reaching heights of 15 metres (49 ft) in 25 years. While the species rarely lives more than 50 years, some specimens exceed 100 years of age.^[4] Its [suckering](#) ability allows this tree to clone itself indefinitely.^[5] It is considered a [noxious weed](#) and vigorous [invasive species](#).^[1] and one of the worst invasive plant species in Europe and North America.^[6] In twenty-first century North America, the invasiveness of the species has been compounded by its harboring of the also destructive and invasive [spotted lanternfly](#).^{[7][8]}



Large specimen growing in a park in
Germany

(DSM):

- Sharing lantern fly information on the Borough website including trap education would be a good idea.
- Asked how much longer would they live?

(DJP):

- Lantern flies will live a couple more months. We will need a program to be proactive in the Spring.

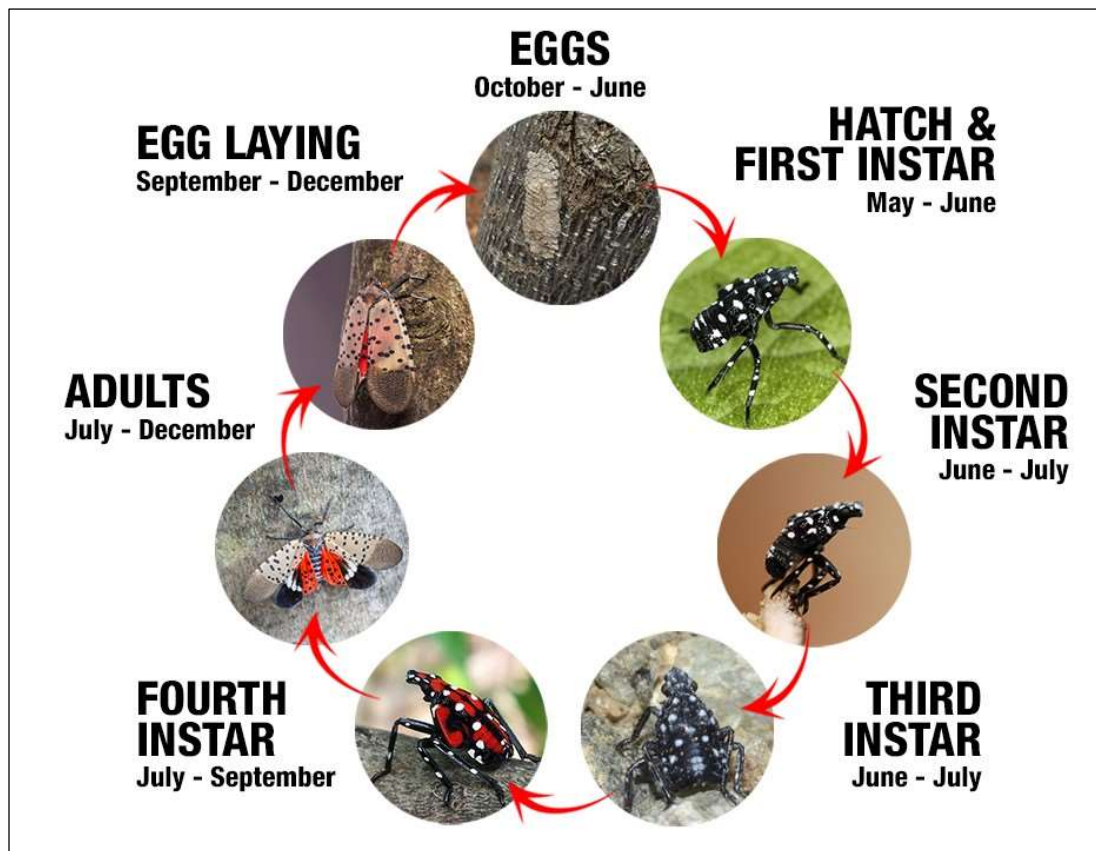


Image courtesy of <https://spottedlanternflykillers.com/pages/spotted-lanternfly-lifecycle>

(DSM):

- Asked when we should do the training?

(MP):

- The Spring is when we should start our Education Program.

(KD):

- The Spring before the Nymph Stage.
- We should make sure the Green Team knows about any Education Programs we initiate.

(DSM):

- The lantern flies land on people to hydrate – they need the water.
- When lantern flies are dehydrated, they react slower.

(MP):

- Ailanthus trees are an invasive species and should be removed.

(DSM):

- The State should take action first against the Ailanthus trees...perhaps the KEC should send them a letter.

(KD):

- It is not inexpensive to get rid of Ailanthus trees, or any other tree for that matter. We should be wary of adopting any ordinance that requires the taking down of Ailanthus trees so as not to cause an undue financial burden on Residents.

(DSM):

- Residents need to get educated on what an invasive tree is, and why it should be removed.

(KD):

- WHOM shall we write the letter to?

(DSM):

- Send the letter from the KEC to Keyport Borough Clerk Michele Clark and cc DSM.

(KD):

- Removing the invasive Ailanthus trees would be a good start.

Drones

(MP):

- Read about drones and the nuisance they cause flying over resident's houses.

(KD):

- Drones are not permitted to fly above 400'

(DSM):

- The Keyport Police Department does have/use drones-agrees that they should not be flown over residential homes.

(KD):

- Higher quality drones have GPS and are not allowed to go over certain places – cannot fly drones too high or near airports.

(JA):

- Cannot legally take down a drone and it is illegal to tamper with them.

(DJP):

- There is no law against drone usage other than height restriction and proximity to an airport.

(KD):

- The laws have not caught up with drone usage yet.

(DSM):

- Drone batteries may get low and pose a personnel injury/property damage threat should it fall from the sky.

(KD):

- Higher quality drones fly home when their battery level gets too low.

Open to the Public

8:40pm: KD opened the meeting to the Public.

Mike Lane (ML):

- M. Lane was kind enough to provide the following summaries of his concerns:

Input for KEC Mtg. 8/22/22

Keyport Towers and Marina - Notice for environmental study and remediation activities have been posted, 8/3/22. Copy of the complete fact sheet for this site is available from LSRP. **Suggest that KEC chair request all the LSRP reports generated by this investigation.** Having these reports for Aeromarine has been very beneficial for the Borough.

Browns Point Marina Notice for new CAFRA application issued 8/3/22 covering office and maintenance building, boat rack expansions, fueling tanks, and additional fueling docks. Public comment period is 30 days. Plans show fuel tanks

unanchored and on ground in SFHA. Should be full copy of application sent to KEC. **Suggest action to pick up documents and loan to me for 3 hours.**

Mystic at Keyport - No impact of new FDPO.

Need revised architectural drawings meeting VE Zone criteria for building on piles with breakaway walls, etc. and certified by a qualified architect. Requirement that deeds advise buyers of flood risk and are approved by KUPB attorney not evident in the project file.

Mariner's Village, Browns Point Marina Contamination - Roger Miller's 2/4/22 status report identifies dirt pile at end of Washington St as 'historic fill' to be used on the apartment lot by EOY 2022. KEC letter regarding contaminated fill at the north end of Washington Street still not addressed. Fences required to keep humans out of contaminated areas are still not documented.

KUPB Hearings

25 E Front – Application for Use and Bulk Variances continued at the July 28 KUPB meeting. During this session the applicant was proposing undocumented changes. Will be a restart at Oct. hearing with new documentation submitted 10 days prior to the meeting.

Nuisance Flooding

Division and East Front Basin Flooding – The Beach Park 30-inch Outfall Pipe problem with the significantly restricted outfall pipe capacity due to the duckbill on the end of the pipe continues. A fix is not a 2022 budget item. Flooding

occurred last week.

Third St Flooding – County officials are reviewing maintenance of the HHT drainage ditch between Manchester and Fulton streets. Drainage-ditch/floodway along HHT between Atlantic and Manchester flows to the pipe under the HHT just east of Manchester Street. Hudson Pointe is now approved to discharge their stormwater into the area of this pipe under the HHT, which will further intensify the flooding issue on E Fifth and E Third. This stormwater should flow down the HHT drainage ditch past Fulton to Chingarora Creek.

Harbor Pollution

AeroMarine Landfill – No update on efforts to end the pollution of the Keyport Harbor due to toxins leaking from the landfill site at Aeromarine. Council review of Aeromarine lawsuit was a closed session item at the 7/19/22 KBC meeting.

Erosion Clogging Waterways

Aeromarine Site – No update on efforts to eliminate the continuing erosion that is silting in the adjacent bay and creek. It is also exposing landfill trash.

Port 149 Bulkhead – Construction was initiated without required KBC review hearing resulting in a stop work order. The NJDEP prepared Coastal General Permit #10 has been filed with County Clerk. Rebuilding on same location as old bulkhead. Detailed bulkhead plans covering bulkhead “returns” along the Borough Lot 22 property line and at the County bridge are still needed. A return is required from the east end of their bulkhead to a point along W Front Street.

Details covering the interface with 1.) the County bridge steel sheeting, 2.) steel sheeting elevation and 3.) BSA sanitary-sewer pipes are still needed.

Approved Projects

333 First Street – Roofing and windows installed.

Raritan Bay/Cove – Retaining wall installed parallel to creek will not serve as a bulkhead due to its height above the creek. Construction of footings for the new buildings is progressing slowly.

31 West Front St – Condition of approval was delineation of flood zone boundaries (VE, LIMWA, and AE) in this SFHA. Need a report from a certified Flood Plain Manager. CAFRA permit and Floodplain Development Permit are required.

317 Beers Street – No update regarding continuing wetland infringement in violation of 8/25/2005 NJDEP FILL Permit. Not an enforcement action by the Borough.

Mike Lane did add an e-mail on 8/22/2022, 12:23pm, regarding the following flooding:

Attached are photos of flooded streets and property in Keyport taken during an intense short-duration rainstorm in the evening around 6:00 PM on 8/22/22.

Below is a picture of flooding on E Front Street. Heavy volume of stormwater was running off the 25 East Front site. Still needs a trench drain across parking lot entrance and operational pump station.



Below is a picture of a stormwater drain discharging stormwater onto Third Street at the corner of Osborn. This drain failure was contributing to the river of water flowing across Third Street into the Division Street basin.



Below is a photo of the East Third Street flooding in front of the townhouses and homes. A resident was patrolling to prevent cars from proceeding down the street and generating a wake. He stated he already had a flooded basement.



Below is a photo of the ponding at the end of Manchester where it abuts the Henry Hudson Trail (HHT). Just imagine the future with all the stormwater from the Hudson Ponte project draining into this pond.



This stormwater flooding needs to continue to be an action item for Council. The 25 E Front pump station and the drainage ditch along the HHT need to be made functional. Failing stormwater infrastructure needs to be inspected and cleaned out.

All comments and corrections are appreciated.

Michael Lane

Public Portion - Closed 9:10pm: KD closed the meeting to the Public.

(DSM):

- The Keyport Borough Administrator did make his rounds inspecting the August 22nd flooding conditions – the sewer lines have been cleaned out – a Grant has been approved to mitigate flooding at East Third Street.

Meeting Adjourned 9:12pm: Motion to Adjourn by D. J. Pacheco; J. Sheridan 2nd; Unanimous Approval.

Next meeting will be on **Monday, September 26th, 2022, at 8:00pm, at Keyport Borough Hall Council Chamber.**

Minutes submitted by Joe Sheridan.

June 30, 2022

RECEIVED
JUL 06 2022

VIA Certificate of Mailing

Borough Of Keyport
70 West Front Street
Keyport, NJ 07735

RE: Public Notification of Environmental
Investigation at
Hans Pedersen & Sons Marina
165 West Front Street
Block 21, Lots 6, 8, 8.01, 9, 10, 10.02,
11, 11.02, 12, 13, 14, & 14.01
Keyport Borough, Monmouth County
New Jersey 07735
NJDEP Program Interest No. 019818
AES Project No. X19002



30 High Street, Mount Holly, NJ 08060
Office : (609) 491-2864

For: West Front
Block 22, Lot 20.01
Keyport Boro, Monmouth County, New Jersey

Dear Borough Of Keyport:

Advanced Environmental Services LLC (AES) on behalf of the Person Responsible for Conducting the Remediation (Keyport Towers and Marina LLC) is providing this letter to notify you of ongoing environmental investigations and remediations (cleanup) at the above referenced property located at 165 West Front Street, Keyport, New Jersey (referred to as the "Site" or the "Subject Property". You are receiving this letter because the above referenced property is located within 200 ft. of the Site. The Site's reference number with the New Jersey Department of Environmental Protection's (NJDEP) is Program Interest (PI) number 019818.

Underground storage tanks (USTs) containing leaded and unleaded gasoline as well as light diesel fuel (No. 1-D), removed from the Site in April 1999. The leaking USTs have released the gasoline contaminants benzene and tertiary-butyl alcohol (TBA), impacting the Site's groundwater above the NJDEP standards. Five (5) monitoring wells currently installed onsite and several temporary well points have roughly delineated groundwater contaminants.

Soil contaminants of concern include the metals arsenic and mercury, which have been associated with the onsite historic fill material. Polychlorinated biphenyls (PCBs) have also been detected in soil samples from the Site above the NJDEP Soil Remediation Standards. The soil contamination has been roughly delineated; however, additional soil sampling will likely be needed to better define the extent of the contamination and select an appropriate cleanup strategy.

The Person Responsible for Conducting the Remediation (Keyport Towers and Marina LLC) is soliciting public comment via a 30-day public comment period starting on the date of mailing. Comments received by Keyport Towers and Marina LLC the Licensed Site Remediation Professional (LSRP) will be considered and will receive a written response. Keyport Towers and Marina LLC and the LSRP may choose to prepare a response summary to be made

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Public Notification
165 West Front Street, Keyport, NJ
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available to the public instead of preparing individual responses, depending on the response. Comments should be submitted by mail or email to the LSRP at the address below:

Christopher Colabaugh, LSRP
Advanced Environmental Services LLC (AES)
80 High Street
Mount Holly, NJ 08060
ccolabaugh@aes-nj.com
Phone: (609) 491-2864

Alternatively, comments can be submitted by mail to the Person Responsible for Conducting Remediation at:

Keyport Towers and Marina LLC
494 Sycamore Ave, Suite 201
Shrewsbury, NJ 07702

Please include a copy of this letter with your comments in order to reference the case.

At major milestones of the environmental investigation/cleanup of the Site, you may receive notification letter updates. Keyport Towers and Marina LLC and the LSRP will provide electronic copies of remedial documents upon request. Documents will be available through an online data repository at the below link:

<https://www.dropbox.com/sh/k6qsp3qb6jwsalv/AAB06BdagwcJm8u-Zv2wS1Mna?dl=0>

Remedial documents can also be mailed to you on a CD by request. If you have and questions or wish to request remedial documents, please contact the LSRP at the above address.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,
Advanced Environmental Services LLC



Christopher Colabaugh, LSRP
Project Manager

CC:
Keyport Towers and Marina, LLC
Keyport Borough Clerk
Monmouth County Department of Health
NJDEP – Office of Community Relations

