

Keyport Environmental Commission (KEC) Minutes for March 25, 2024 – Conducted in Keyport’s Borough Hall

Call to Order

Meeting called to order at 8:00pm by Chair Joe Sheridan.

Sunshine Law was Read

Salute to the Flag

Roll Call

	NAME	STATUS	TERM EXPIRES	PRESENT	ABSENT
1	JOE SHERIDAN (JS)	COMMISSIONER, CHAIR/SECRETARY	12/31/2026	X	
2	MIKE PALMISANO (MP)	COMMISSIONER, VICE CHAIR	12/31/2024	X	
3	ROY JIMENEZ, Sr. (RJ)	COMMISSIONER	12/31/2024		X
4	DON PACHECO (DP)	COMMISSIONER	12/31/2025	X	
5	LYNNE KOSOBUCKI (LK)	COMMISSIONER, 2-YEAR ALTERNATE #1	12/31/2025	X	
6	MATT TEVIS (MT)	COMMISSIONER	12/31/2025		X
7	MIKE LANE (ML)	COMMISSIONER	12/31/2025	X	
8	DOUG WEIDER (DW)	COMMISSIONER	12/31/2026	X	
9	HEATHER BRADY (HB)	KEYPORT BOUROUGH COUNCIL LIAISON	12/31/2023		X
10	DR. JUN CHENG	KEAN UNIVERSITY ASSOC. PROFESSOR	-	X	
11	KATHLEEN BULL DE LOS REYES	RESIDENT	-	X	
12	ALONDRA VALERIO	KEAN UNIVERSITY STUDENT	-	X	
13	MATTHEW WOLFE	KEAN UNIVERSITY STUDENT- TEAM LEADER	-	X	
14	DR. JUN CHENG	KEAN UNIVERSITY ASSOC. PROFESSOR	-	X	

Corrections to February 26, 2024 KEC Minutes:

None

Review/Approval of Meeting Minutes:

Minutes of the February 26th, 2024, meeting; Motion to Accept by Lynne Kosobucki (LK); Mike Lane (ML) 2nd; No comments/Edits; DW Abstained; Minutes Unanimously Approved.

Housekeeping:

- **Matt Tevis (MT)** resigned his position on the Keyport Environmental Commission effective March 25, 2024. He was thanked for his thoughtful additions to discussions, especially regarding trees and plants where he was highly experienced. He will be missed!

Action Item Recap

1. **JS:** Continue to work with the BA, Liaison Brady, and Planning Board Secretary Nellis on providing current updates on the Keyport Borough Council Update List and correspondences.
2. **ALL:** To elect a new Keyport Environmental Commission Secretary.
3. **JS:** To ask B.A. Humphrey for a copy of the monthly Keyport Engineer's Report to Mayor and Council.
4. **HB:** To contact the Marine Science Camp to see if they would invite the Keyport Environmental Commission to come talk about its Living Shoreline Project.
5. **HB:** To research Keyport's Lead Pipe Grant Status.

Keyport Borough Council (KBC) Item Updates:

The Agenda offered the following KBC items for KEC discussion:

- 1. Mariner's Village**
- 2. Deputy Ventures (formerly Mystic at Keyport (44 Beers Street)**
- 3. 31 W. Front Street (restaurant and Residential Units)**
- 4. Aeromarine Issues**
- 5. Beach Park Outfall Pipe/Flooding Issues**
- 6. Port 149 Bulkhead Progress**

HB Updates, dated 3/25/2024:

1. The monthly engineer's report from Trevor/ CME- could the Commission have access to this?

When I get the report, I will forward it to council – you can share it at that point – it is usually monthly

2. The grant monies received for the Fireman's Park lot, I'm assuming some of this will be used to repair/replace the Bulkhead. Do we have any updated information on that project?

This is part of the grant- we are in the process on working on a proposal for the design phase

3. Mariner's Village- how are we handling the contaminated soil with the potential of the project moving forward? Also, per MOD4, there's no information on taxes collected from the demolished houses. I know there's a delay in when this information is published, can we assume that's the reason for the missing tax data? There's also the issue of the standpipe for the fire department that was raised at the last council meeting.

MODIV- The assessor took ill. He will be back this week- I will get this when he returns

The standpipe is part of litigation that went before the Monmouth County Board of Appeal. We are currently working on a remedy w Fire/Code

4. Former Pederson's Marina- there's a dirt pile that has appeared withing the past few weeks. Do we know the origin of this dirt? Was it brought in for some use or is it from some work on the property? Plenty of concern about contamination in that soil considering the historical use of the site.

This is part of a soil permit that was submitted. I have no further information at this time. Construction and Engineering are handling this

5. 333 1st St- no tax abatement requests have been submitted to council, so we assume there have been no property sales at that location. Just confirming.

Again the assessor is out – I am not sure what this has to do with Environmental Commission – is there a contamination issue or something—just asking you--

6. The replacement of the lead pipes was brought up by a member of the public. I assured her this is a priority project, we have grant money, and that the boro is looking into available solutions considering the size and cost of the project. This was before the NJAW presentation.

Yes-

(JS):

- Still waiting on clarification of February 8, 2024 letter received from Atlantic Shores Offshore wind joint venture 50/50 with EDF-RE Offshore Development sediment boring.

(LK)

- Marine Science Camp will contact KEC.

(MP)

- Discussed dirt pile on Pederson's old marina.

(DP)

- Keyport has no Soil Officer-will go through Monmouth County for soil test results.

(MP)

- **ACTION** to write letter to the New Jersey Licensed Site Remediation Professional (LSRP) regarding the Keyport Environmental Commission's concerns with the pile of dirt.

Mike Lane's Observations on KBC Items:

- Please see attached document, entitled 'Input for KEC Mtg. 3/25/24', written from Mike Lane's viewpoint.

(LK)

- Spoke about the capstone project with Kean.

(Matt Wolfe, Kean Student Team Leader)

- Update: Project is making progress. Mapping has begun, working with the NJDEP on necessary permits/licenses, compiling research on Christmas Tree swales (recycled evergreen trees need sand), researching eel grass, researching oyster castles and rib mussels, and identifying native/invasive species of plants/trees.

(MP)

- Heard that it might be better to plant thousands of similar indigenous plants to have a better chance of success.
- Spoke about the need of a State-Approved Public Access Plan or possibly even a Coastal Area Facility Review Act (CAFRA) Permit.

(Dr. Cheng):

- The Union Beach Creek bulkhead project could adversely affect soil erosion.
- Spoke about the need to install a wave guide (see Attachment #2). Will coordinate with ML to install wave guide on his pier to acquire one week of data.

New Business:

(MP)

- Discussed the Association of New Jersey Environmental Commissions (ANJEC) website and their website of items to be discussed concerning Planning Board Projects.

(DP)

- Will speak to Fran Mullen regarding ANJEC checklist.

(LK)

- Planning Board Plans are still submitted to the Environmental Commission.
- Noted that Keyport has a number of invasive trees and it is a worthy effort to create an inventory of these invasive trees.
- Will speak with the Shade Tree Commission regarding how they handle invasive species of trees within town limits.

(MP)

- The Green Team is advertising a presentation regarding piping plovers and red knots...but people are needed to come and listen!
- There is a movement to help put horseshoe crabs on the endangered species list.
- There will be a Clean Ocean Action Beach Sweep on Saturday, April 13th, 9:00am – 12:30pm. Please register early!

(JS)

- Please see Attachment #3 regarding the Stormwater Drain Educational flyer that will be sent to the Mayor and Council for them to consider including with the next Keyport Water/Sewer Bill.
- Spoke of e-mail received from Holmdel Environmental Commission's Karen Strickland regarding her desire for all the Bayshore environmental commissions to meet regarding a regional approach to flooding issues, and how the Keyport Environmental Commission will definitely be involved.

Open to the Public

9:32pm: JS opened the meeting to the Public.

Close to the Public

9:32pm: JS closed the meeting to the Public.

ACTION ITEMS LIST

1. **MP:** To write letter to LSRP regarding dirt pile on Pederson's old marina.
2. **ALL:** To identify a new Environmental Commission Member.

ATTACHED ITEMS LIST

1. Mike Lane's Input for the Environmental Commission Meeting-January 22, 2024.
2. Dr. Cheng's Wave Guide explanation e-mail.
3. Keyport Stormwater Drain Educational Flyer.

Meeting Adjourned 9:33pm: Motion to Adjourn by **ML; LK 2nd**; Unanimous Approval.

The next meeting will be held on **Monday, April 22nd, 2024, at 8:00pm, at Keyport Borough Hall Council Chamber.**

Minutes submitted by Joe Sheridan.

Input for KEC Mtg. 3/25/24

Mariner's Village – A KBC sponsored Town-hall meeting on 3/19/24 provided Developer Clay Pearlman and his team a stage for marketing the 5-story 120-unit apartment project in the Brown's Point residential neighborhood. They restated that, 1.) this massive project is not economically feasible without a PILOT, 2.) as of the end of February 2024 all permits and approvals have been obtained, 3.) construction will be initiated as soon as they get a satisfactory Financial Agreement from the KBC. The developer's professionals used a slide presentation to promote this project along with its PILOT price tag. Former Mayor Bergen and Ken Schwartz championed the project for its benefit to the GCD, a couple of hundred more patrons, less than a couple % increase. The parallel redevelopment of Brown's Point Marina was also sighted as a positive outcome of the PILOT financing. *Is the PILOT also funding Marina redevelopment?*

A check of the County Tax Board MODIV data shows the 12 pre-existing lots listed in the KUPB Resolution for this project have been replaced with 2 lots. The latest input as of 3/25/24 is that these 2 new multi-million dollar lots (15.01 and 16.01) are **STILL** listed on the tax rolls with **ZERO** tax billed.

Browns Point Marina - According to the latest status report from the applicant, NJDEP was requiring a refile of the CAFRA application for the marina changes. An additional KUPB hearing is required for boat rack expansions, fueling tanks, and additional docks. Plans show fuel tanks unanchored and on the ground in the Borough wellhead area. A previous application for fueling facilities was withdrawn from KUPB consideration. **No action on standpipe and fire hydrant deficiencies.** Tony Vecchio took the owner to Court. Developer argued successfully that the standpipe was not required until the site plan is fully implemented. **In the meantime, the pier is fully utilized with boats and some patrons overnight on boats. At the 3/19 Town-hall meeting, the owner would not address this issue.**

Mariner's Village, Browns Point Marina Contamination - Roger Miller's status report identifies the contaminated dirt pile at the end of Washington St as "historic fill" to be used under the 120-unit apartment lot by the EOY 2022. This action has not occurred. **KEC letter regarding contaminated fill at the north end of Washington Street is still not addressed by Borough officials.**

Mystic at Keyport/Deputy Ventures –The NJDEP issued CAFRA permit requires these homes be built on piles with breakaway walls, etc. Updated architectural plans need to be generated by a qualified professional. There is a requirement that deeds advise buyers of the flood risk. The 1/13/24 high tide put the site under more than a foot of water, flooding the street and garage areas of dwellings on the east side of Beers. Nothing new on KUPB engineers' schedule for architectural review. A Floodplain Development Permit is required prior to construction.

Landfill – Past reports have identified this site as a source of toxins polluting the harbor. A key environmental issue is the failure to conduct on-going sampling in the test wells on the site and having the reports provided to the Borough. Still no update on any efforts to eliminate the continuing erosion that is silting in the adjacent bay and creek. This erosion is also exposing landfill trash. A recent low-low tide exposed more than 120 plus feet of the Harbor floor in front of the bulkheads, exposing tires, logs, and trash. **Installation of an Aeromarine bulkhead along the bayfront and the abutting Creek is required to eliminate the mud and toxins flowing from this site.**

Flooding Due to Filled Drainage Ditch – No update regarding continuing wetland infringement in the area behind Saint Peter's Place. No enforcement action by the Borough. Filling in of this wetland area and its floodway between Beers and Main has contributed to flooding on Main at Monroe, Broad by the schools, and Atlantic by the ballfield (flooding basements in multifamily buildings across from the ballfield).

Library Flooding – A sump pump failure resulted in flooding of the basement. Mold was found during clean up. In the past, there were reports of flooding and icing at the outside entrance to the basement. Action was taken to address this issue.

Beach Park Outfall Pipe – 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 remains unresolved. Without a pump to push the water through the duckbill flooding continues. Note that multiple pump stations will be part of the ACE Union Beach flood mitigation project, validating the need for a Keyport Pump Station. A Beach Park pump station fix was not a 2023 budget item, which will lead to more Division and E Front flooding.

Beach Park Upgrades - NPP has recently paved a walkway from First Street to the pavilion and from the playground area to the pavilion. NPP plans to replace the gazebo with a new gazebo with a concrete floor. They are studying options for new playground equipment.

Port 149 Bulkhead – Project requires removal of multiple power transformers by JCPL before additional work on the last 50 feet of bulkhead by the bridge can resume. The new bulkhead structure is not presently built to permitted specs with:

1.) a 10 foot wide splash pad and ground elevated to the top of bulkhead, 2.) ~5 feet of vinyl sheeting patched on top of old steel sheeting, and 3.) old piles and sheeting are still in place for the last ~50 feet before the bridge. **West Front Street flooded in the area of fishery during the 1/13/24 high tide.**

Keyport Towers and Marina – This is not a listed Case in the KUPB file as of this report date. Reportedly, updated plans have been given to the Council Redevelopment Committee with one less story and some minor front façade changes. Notice for an environmental study and remediation activities was posted, 8/3/22. This project, in a SFHA, will require a Floodplain Development Permit. **It is suggested that Borough Officials request all the LSRP reports generated by this investigation. Having these reports for Aeromarine has been very beneficial for the Borough.**

25 E Front – A Floodplain Development Permit is required prior to start of construction. The architectural design needs to comply with Local Design Flood Elevation of BFE +3. The KUPB has approved a 5-story 50-unit apartment mixed-use structure with a 16-parking space deficiency and a sidewalk level commercial area along East Front Street. **KFD chief has reviewed plans for the landscaping along their abutting property line.**

105 Hwy 35 - On 6/24/23 KUPB approved a one-story Commercial building at this site. A cannabis establishment at this site requires an additional KUPB review of compliance with Cannabis security standards. **To date, there is no Notice for a KUPB filing.**

Firemen's Park Bulkhead – Borough Bond Ordinance was approved for \$4M to fund elevation of the bulkhead and parking lot. This elevation increase will only deal with tidal flooding, not a 100-year storm. There is no fix for American Legion Drive flooding by Post Office. The Borough has obtained 2 grants to cover a major part of the cost of the bulkhead.

333 First Street – Units are for sale. Flood warning signs are posted in the driveway for these units. **Master Deed is required to delineate flood level and risk. The project does not qualify for a 5-year tax abatement. Walnut Street, site driveway, and some parking areas flooded during 1/13/24 high tide. The site fails to provide the required 300 sq. ft. of open space/unit, a total of 7,200 sq. ft. for the development.**

Raritan Cove – Multiple units have sold and received a 5-year tax abatement. Construction of the fifth building is underway. For new bottom floors in the SFHA, elevation needs to be recorded and checked against BFE+3. The retaining wall installed parallel to the creek will not serve as a CHHA bulkhead due to its footing height above the creek.

East Third St Flooding – The drainage-ditch/floodway along the Henry Hudson Trail (HHT), between Atlantic and Manchester, flows to the pipe under the HHT just east of Manchester Street instead of continuing down the floodway to Chingarora Creek. This 20-inch pipe dumps water into the street below the HHT, resulting in flooding of homes on East Third and East Fifth Streets. Hudson Pointe is now approved to discharge their stormwater into the pit abutting this pipe under the HHT, which will further intensify the flooding issue on East Third and East Fifth. This stormwater should flow down the HHT drainage-ditch past Fulton to Chingarora Creek.

Joe Sheridan

From: Jun Cheng [redacted]
Sent: Wednesday, March 20, 2024 10:54 PM
To: Joe Sheridan; Michael Palmisano
Subject: Wave gauge question

Hi Joe and Michael,

I am thinking about mounting a wave gauge on a piling of someone's pier in your town to monitor wave conditions when the next winter storm comes over. We have two piers in our town, A and B. I think A belongs to Mike Lane's house, is that right? B may belong to the yacht club. How can I get permission to hook the wave gauge to their pilings? The gauge is fairly small, with the size twice of a regular pen. I may just use some ropes or something similar to mount to the piling.

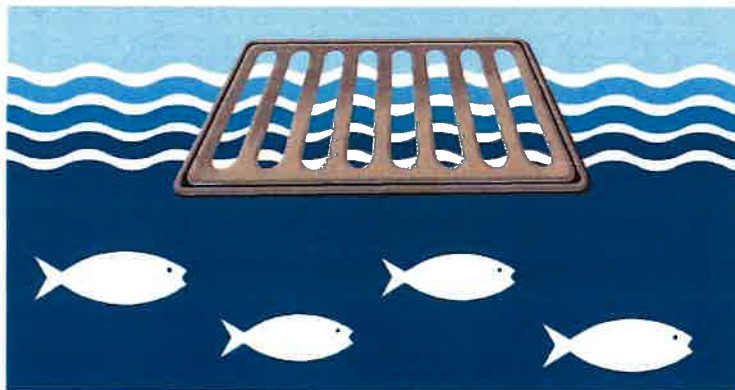
Thanks!



--
Jun Cheng, Ph.D.
Assistant Professor
Department of Environmental & Sustainability Sciences
Kean University, Union, NJ.

[redacted]
[redacted]

Remember, Keyport



The Pearl of the Bayshore™
Keyport
NEW JERSEY

Let's do our part in keeping our town's drainage system free of contaminants and clear of debris for protection of our Raritan Bay and Watershed.

Stormwater Pollution Prevention Tips

1. SWEEP!

Your curb and gutter clean.

2. BAG IT!

Use compostable bags to dispose of grass clippings and leaves.

3. SCOOP THE POOP!

Kindly pick up after your pet.

4. RECYCLE RIGHT!

Separate paper and plastic.

5. DON'T LITTER!

Dispose of trash properly.

6. REPAIR!

Vehicle leaks on time.

7. PREVENT!

Illegal dumping.

8. MAINTAIN!

Your curb inlet clear of brush debris.

9. PROVIDE!

Proper sediment and erosion controls at your construction sites.

10. SHOVEL!

Keep stormwater drains clear of snow and ice in the Winter months.