

Keyport Environmental Commission
November 25, 2024 Meeting
Keyport Borough Hall

Call to Order

Meeting called to order at 8:05 pm 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	MIKE LANE (ML)	COMMISSIONER	12/31/2025	X	
7	DOUG WEIDER (DW)	COMMISSIONER	12/31/2026		X
8	KATHLEEN BULL DE LOS REYES (KBDLR)	COMMISSIONER	12/31/2025	X	
9	LENNIE WALKER	COMMISSIONER ALTERNATE #2	12/31/2024		X
10	HEATHER BRADY (HB)	KEYPORT BOUROUGH COUNCIL LIAISON	12/31/2024		X
11	DR. JUN CHENG	KEAN UNIVERSITY ASSOC. PROFESSOR		X	

Award Presentation:

Commissioner Michael Lane was presented with a Certificate of Appreciation for his tireless work on behalf of the Keyport Environmental Commission. Mr. Lane's efforts were submitted for a 2024 New Jersey Governor's Environmental Excellence Award (See Attachment #2).

Corrections to the October 28, 2024 KEC Minutes:

ML stated that the "BDA" was written as "BOA"-was corrected.

Review/Approval of Meeting Minutes:

Minutes of the **October 28, 2024**, meeting; Motion to Accept by LK; KBDLR 2nd; Edit Request by ML for "BDA" instead of "BOA"; Minutes Unanimously Approved.

Keyport Borough Council (KBC) Item Updates:

The Agenda offered the following KBC items for KEC discussion with Councilmember Brady/Administrator Humphrey Updates:

- 1. Mariner's Village** This project was granted a one-year extension at the Land Use Board meeting held on July 25, 2024.
- 2. Deputy Ventures (formerly Mystic at Keyport (44 Beers Street)** An invoice for \$257.50 was submitted for their review of recorded deeds, easements, and right-of-way dedications that were previously approved in draft form.
- 3. 31 W. Front Street (restaurant and Residential Units) (**
Project awaiting permits.
- 4. Aeromarine Issues** Engineers are currently meeting with potential buyers, signaling progress toward a possible sale or development.
- 5. Beach Park Outfall Pipe/Flooding Issues**
- 6. Port 149 Bulkhead Progress**

Contamination found along Aeromarine Bayfront:

No additional update as arsenic material found was identified as naturally occurring.

Dr. Cheng's Report

Dr. Cheng's Report to follow at a later date via e-mail.

Housekeeping:

(MP)-Talked about all the benefits of being a member of ANJEC and all the information available on their website, including training.

ANJEC 2025 Membership Approval: Motion: MP; 2nd: ML; Approved. **ACTION** on JS to submit Membership Approval to Mayor/Council. 2024 amount was \$425.00.

2025 KEC Meeting Dates: Proposed 4th Monday at 8:00pm: 1/27, 2/24, 3/24, 4/28, 5/26 (Memorial Day – No Meeting), 6/23, 7/28, 8/25, 9/22, 10/27, 11/24, (December Holidays – No Meeting): Motion: ML; 2nd: LK; Approved. **ACTION** for JS to submit Annual Notice to Borough Clerk.

Keyport Green Team November 14th Presentation on

'Clams':

(MP) – Spoke about Guest Speaker Rutgers Dr. Michael Acquafredda's well attended and fascinating presentation. A request has been made for a copy of the slides of the presentation. The next Keyport Green Team Presentation may cover 'Ducks' with a TBD date.

Mike Lane's Observations on Health and Safety Items:

Please see Attachment #1, ML's Health and Safety Input for KEC Meeting 11/25/2024.

New Business

(LK) – Spoke to the Keyport Environmental Commission's Liaison to the Keyport Planning and Zoning Board is allowed to speak freely at Keyport Environmental Commission meetings – completely opposite of ex parte.

What does ex parte mean in court?

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by or for one party

Latin term meaning "by or for one party." The term refers to an attorney's communication with: A judge or arbitrator without notice to, and outside the presence of, the other parties. Another party outside the presence of that party's attorney.

Google search; December 4, 2024; 7:42am

(LK)/(KBDLR) – Took photos with Ms. Manganelli's class towards the Cedar Street Park Dune Living Shoreline Project's need for permitting.

(LK) – Regarding the ideas for the Keyport Environmental Commission's 2025 Environmental Educational Flyer, the KEC should coordinate with Ms. Manganelli's class to create a Mailer that recommends removing invasive plants and replacing them with indigenous species.

(ML) – Spoke about the Pedestrian Safety Improvement System and requested a status on Keyport’s \$569,000 TAP (Transportation Alternatives Program) Grant (August 17, 2020) for pedestrian safety improvements. **ACTION** on JS to request status.

(ML)/(MP) – To investigate 4-way stop decision process at 1st Street/Green Grove and 1st Street/Atlantic St.

(JS) – Discussed the desire for Keyport Environmental Commission hoodies for the Commissioners to wear at beach cleanup events.

(JS) – Said that he received the following e-mail from the N.J. Forest Service Nursery following contacting them regarding having Keyport entered into its Sales Data Base for 2025:

Re: NJ Forest Service Nursery



DEP njforestservicenursery [DEP] <njforestservicenur...
To: Joe Sheridan

Reply Reply All Forward

Fri 11/22/2024 9:47 AM

Hello, I am sorry to inform you that we are no longer doing the Tree Recovery free tree program. It was a 10-year program, and it ended last year. In January the NJ Forest service Nursery will have trees for sale on our website. (www.forestnursery.org). We will have some bare root trees and also Tubes for sale year-round when available. If you have any questions, feel free to email me. Take care,

NJ Forest Service Nursery
Jackie Stark
370 East Veterans Highway
Jackson, NJ 08527



Open to the Public

9:47pm: JS opened the meeting to the Public.

Close to the Public

9:47pm: JS closed the meeting to the Public.

ACTION ITEMS LIST

- JS:** Submit ANJEC 2025 Membership Application Invoice for the Keyport Environmental Commission.
- JS:** Submit Annual KEC Meeting Notice to Keyport Borough Clerk.
- JS:** Request Status of Keyport's TAP Grant for pedestrian safety improvements.

ATTACHED ITEMS LIST

1. Mike Lane's November 25, 2024, Health and Safety Input for KEC Meeting 11/25/2024.
2. Notification from the New Jersey Department of Environmental Protection regarding our Mike Lane Application in the 2024 N.J. Governor's Environmental Excellence Awards.

Meeting Adjourned 9:48pm: Motion to Adjourn LK; KBDLR 2nd; Unanimous.

The next meeting will be held on **Monday, January 27th, 2025, at 8:00pm, at Keyport Borough Hall Council Chamber.**

Minutes submitted by Joe Sheridan.

Health and Safety Input for KEC Mtg. 11/25/24

Items marked NC are unchanged since the Sept. report.

KUPB Hearing - 10/24/24

105 Hwy 35 - Cannabis Retail site – 10/24/24 KUPB hearing approved the revised application containing new site plan that addressed bulk requirements for a Cannabis retail site and highway access issues. The revised building is dramatically reduced in size and the number of entry and exit points. With the 11/7 KUPB meeting canceled the applicant is still waiting for an approved Resolution to enable permitting of construction.

262 First Street – Multifamily in RAD – KUPB hearing to be rescheduled to the February 2025 meeting. Environmental issues are 98% impervious site, zero recreational area/open space for residents occupying 9 bedrooms, insufficient parking, bad site triangle made much worse at corner of Fulton and First. Need KEC input to KUPB on these health and safety items.

PEDESTRIAN SAFETY

TAP PSIP NC – Crosswalks with All Way Stops on First Street and on Broadway needed for traffic calming. To date, no agreement on All Way stops and no schedule. Will need a Notice to the residents who will be impacted by the construction.

Need to evaluate County criteria for implementing All Way Stops at Green Grove at Second and Green Grove at Third.

Need the Borough Engineer's status report with a timeline for this County Project. **At the August 2024 KBC meeting, the suggestion was made, by the Borough leadership, that First Street residents should put together a petition to the County in support of implementation of the TAP PSIP with its All Way stops and crosswalks.**

HARBOR ENVIRONMENT

Aeromarine Landfill NC – The NJ/NY Baykeeper reviewed the Century Land Group, Sadat, and Excel Geotechnical Environmental reports with the NJDEP staff. These reports have identified this site as a source of toxins polluting the harbor. Following this Baykeeper's initiative, the site owner, Bay Ridge Realty, received a NJDEP Notice regarding a \$297K fine for the landfill deficiencies.

A key environmental issue for KEC is the failure of Aeromarine owners 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 2024 Spring 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. Sections of the beach at this site are covered with**

multiple fallen trees that need to be removed prior to the next severe storm.

NJDEP posted signage restricting residents' activity in this area.

During July 2024, the Aeromarine owner, Bay Ridge Realty, was also served an NJDEP Notice of Violation for work in a riparian area without required permits.

Keyport Yacht Club

This winter, the KYC entity is outsourcing the storage of its small boats and dock floats to the Olsen's Marina site and the Keyport Towers and Marina site. As a result, the lower parking lot abutting the waterfront will be available for parking cars.

Ordinance 16-11 executed vacating of Atlantic Street north of First Street. This Ordinance states that the Borough maintains an easement for utilities (stormwater outfall pipe, etc.). This Ordinance also states that the Borough maintains an easement to preserve and ensure public access to the tidelands and Bay. Action needs to be taken by the Borough to understand how the KYC is adhering to/maintaining these two easements. These easements were not delineated in the latest Site Plan. Further, this public access needs to be delineated by site signage.

Browns Point Marina (BPM) – BPM has filed a revised CAFRA Waterfront Development Permit application with the NJDEP. This application covers construction of a two-story 5,500 sq. ft. office and maintenance building, additional boat

rack storage, and 2 additional 8' X 20' floating docks. The bulk of this construction is proposed for an area well below the Local Design Flood Elevation. KEC should monitor the design requirements imposed by the NJDEP to determine the need for additional KUPB variances.

No action on standpipe and fire hydrant deficiencies. At the 3/19/24 Town-hall meeting, the owner refused to address the issue. At the 8/22/24 KUPB meeting a Resolution granting another one-year extension of the BPM site plan variances was approved.

SITE CONTAMINATION

Mariner's Village, Browns Point Marina Contamination NC - 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 area 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**

Kaputshy Gas Station on Broad St - On 12/16/20, NJDEP approved funding from the Hazardous Discharge Site Remediation Fund (HDSRF) to conduct a Preliminary Assessment (PA) and Site Investigation (SI). The approved costs from the HDSRF is in the amount of \$44,242.

This is an example/validation of the need to reactivate the Brownfield Development Area team to identify hazardous sites in order to procure clean-up funding

and monitor sites to ensure timely implementation of the cleanup.

Keyport Towers and Marina NC – Recently, piles of dirt have been observed along the fence abutting West Front Street. Notice for an Environmental Study and Remediation Activities was posted, 8/3/22. **It is suggested that Borough Officials request all the LSRP reports generated by this investigation.** This project is not listed as a Pending Case in the KUPB file as of this report date. This project, in a SFHA, will require a Floodplain Development Permit approved by the Borough Floodplain Manager.

FLOODING

Mystic at Keyport/Deputy Ventures NC –The NJDEP issued CAFRA permit requires these homes in a CHHA be built on piles with breakaway walls, etc. Reportedly updated architectural plans have been generated. The KBC update indicates that documents were accepted by the engineer. The developer has failed to request and receive one-year extensions of the KUPB approved plans.

The-Flood Damage Prevention Ordinance (FDPO) and a KUPB Condition of Approval (COA) require the property Deeds advise buyers of the flood risk at this SFHA site. A Floodplain Development Permit is required prior to construction. 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 Street. Despite the flood

history at this site and the FDPO and the COA, the KBC update documents **indicate Deeds/declaration covenants and restrictions are under legal review.**

Flooding Due to Filled Drainage Ditch NC – 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).

Port 149 Bulkhead NC – Bulkhead project remains stalled. It 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 that require: 1.) a 10 ft. wide concrete splash pad/sidewalk and the ground elevated to the top of bulkhead, 2.) elimination of ~5 ft. 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 near the Fishery flooded during the 1/13/24 high tide.

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 under the HHT 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.

Development at the Hudson Pointe site has started. However, the HHT east of Manchester has not been cleared to allow this floodway to empty into Chingarora Creek.

Beach Park Outfall Pipe NC – 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, suggesting the need for a Keyport Pump Station. A Beach Park pump station fix was not a 2023 or 2024 budget item. Replacing the duckbill with a flapper valve has been done in other towns. No fix will lead to continued flooding of Division and E Front. The 6/14/24 intense rainstorm was the latest occurrence of this flooding problem.

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 of this parking lot, not a 100-year storm. There is no fix for American Legion Drive flooding by the Post Office fence abutting this road. The Borough has obtained 2 grants to cover a major part of the cost of the bulkhead replacement

Recent drilling at this site reportedly related to evaluation of bulkhead anchoring ability.

Developer's Sites in SFHA

Mariner's Village in CHHA

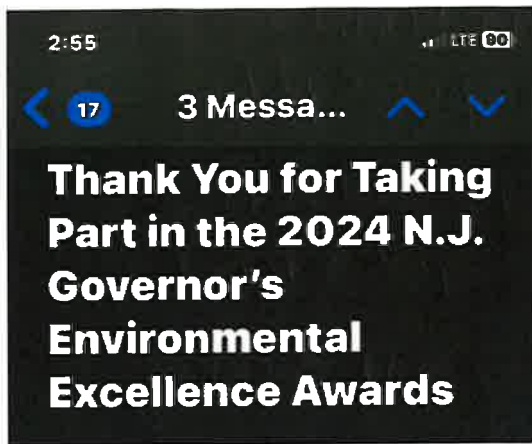
34 West Front Street in CHHA

333 First Street townhouses in CHHA

Raritan Cove abutting CHHA

Beach Park upgrades in VE Zone

25 East Front Mixed Use 5- Story apartment Project



Dear Applicant,

Thank you for submitting a project for consideration in the 2024 Governor's Environmental Excellence Awards program.

The N.J. Department of Environmental Protection (DEP) received more than 60 applications in the various award categories this year. The applicants' accomplishments were very impressive. The DEP's application reviewers faced a difficult task in reviewing, scoring, and determining which projects to recognize.

Although your submission was not selected to receive an award this year, we want to thank you for taking the time to apply. We encourage you to apply again next year because the depth and breadth of applications that DEP receives annually in each category does vary.

Again, thank you for your efforts in helping to restore, protect and sustain our environment and natural resources.

Best,

GEEA Team

