

# Open Space Committee

## Andover Township

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February 6, 2008

The Chairman, Dan Freed, opened the meeting at 7:33 pm. Present were members Lois deVries, Dan Freed, Diane Gillespie, Alex Gilseman, Carla Kostelnik, Mary Grace Rudolph. Late arrivals: Michael Morel (7:41 pm). Also present: Andrew Szwak, Consultant, Morris Land Conservancy (MLC); Mary Spector, Secretary.

The Chairman called for the flag salute, roll call, and OPMA statement.

Minutes: A motion was made by Lois, seconded by Alex, to approve the minutes of the January 22, 2008 meeting. In favor: Mary Grace, Diane, Lois, Carla, Alex, Dan. Opposed: None. Motion carried.

Adoption of Agenda: Lois asked to add an item under old business as a reminder to members to submit their time sheets for the last quarter, including tonight. A motion was made by Mary Grace, seconded by Lois, to adopt the agenda as amended. All in favor. Motion carried.

The Chairman opened the meeting to the public. There were no comments from the public.

Open Space Draft Plan Review – Procedure: Dan stated he wanted to discuss a procedure for this review meeting. He suggested the Committee listen to each member who submitted comments on the content of the Plan and respond to those comments one by one with an attempt to reach consensus on how to address them. He recommended each member have a limit of 2 minutes to speak on each of their items with 1 minute in response from individual members. Laura Gilseman from the public asked whether the public would be able to comment. Dan advised the Committee wants to complete this review before the public hearing. He suggested coming back to that question later.

Open Space Draft Plan Review – Discussion: Mary Grace noted her comments are mostly editorial. Diane asked about her suggestion #4 to provide an example of specialty agricultural crops. Andrew Szwak from MLC introduced himself to the group. He explained the specialty crop referred to here under the section on Soils is peat and the soil is that found at the Hyper-Humus site. Dan suggested that explanation be added in the Plan.

Diane noted her first comment refers to adding the term “vernal pools” after the reference to wetlands on page 5-3, in the section on preserving unique and sensitive environmental sites. Lois agreed with this suggestion. Diane further asked whether the Committee thinks the Plan should refer to “cluster zoning” as mentioned on page 8-8 under Zoning. Andrew explained this section is a way to call attention to useful planning techniques for preserving open space. There was further discussion on this item. Andrew stated they can rephrase this sentence to be a broad statement. He noted the Plan is advisory. Diane then asked about excluding “eminent domain.” Andrew advised against removing it, noting it doesn't go away if it is not included and it may at times be necessary. There was further discussion. Diane asked for input from the public. Laura Gilseman noted open space preservation was presented to the public as optional but this makes it

sound otherwise. John Carafello pointed out the option of eminent domain could be manipulated in the future for purposes not intended here. The Committee members agreed not to include this option in the Plan.

Alex stated his main concern was the inclusion of "eminent domain." He questioned the statement on page 4-3 of "over a dozen large lakes" as he didn't think there were that many. Lois suggested stating "lakes and ponds." On the same page Alex asked about the statement that Township water resources are "not adequately protected." He didn't think that was accurate. Diane asked Andrew why it was stated this way. Andrew reminded the Committee that the audience is both the residents and the state. He noted they want to convey a sense of urgency.

There was further discussion about this issue. Diane gave recent examples of lack of protection of a stream in her neighborhood. Carla noted there are many ordinances and regulations in place to protect water quality. Andrew stated the purpose here is to establish that water resource protection is a valid purpose for open space preservation. Dan suggested looking for another way to state this purpose and create that sense of urgency. Lois described the problems with water resources in the Township where they are not being protected. She stated there are many problems. Mary Grace suggested rephrasing the sentence to state, "water resources have not always been adequately protected." Diane suggested "need to be adequately protected." She noted specific problems are mentioned further on in the paragraph. Andrew stated this paragraph can be written to include both site specific problems and general issues such as stream buffers.

Carla asked about whether open space funds could be used to purchase facilities such as the well serving 22 homes presently owned by the American Water Co. Lois noted it is not the purview of the Open Space Committee to purchase a community well and she didn't think the Township was interested in operating a water company. Dan stated the Committee is a recommending body. He noted water quality will always be an issue in the Township. Carla asked about a discrepancy in the percentage of forest cover as mentioned in two different places in the report. Lois pointed out these referred to two different kinds of forest. Carla then asked about the use of the term "globally rare." Andrew stated it comes from the NJDEP and is a characterization used in connection with the Natural Heritage Priority Sites program. Carla asked about the term "Highlands" on page 1-12 and what it refers to. Andrew confirmed this reference is to the Highlands physiographic region of the state. Dan suggested that they clarify that reference somewhere in the text. Carla suggested making note that the homes in the Lake Iliff area were originally built as summer homes.

On page 1-17 in the discussion of roads, Carla noted there are two other connector roads between Rt. 206 and Newton Sparta Rd., being Stickles Pond Rd. and Goodale Rd. It was pointed out that the term "connector road" refers to a county road. Andrew stated he could mention those two as local streets. Carla referred to the section on private land, on page 3-2 and 3-3, and noted she is concerned that several properties are specifically named. Lois stated an alternate would be to name the block and lot numbers. Diane noted they are all listed in the Appendix. Andrew stated these particular lots were named because they show up as large yellow blocks on the open space map. Carla asked if the Committee is thereby advertising an interest in these parcels. Dan noted it is all public information. The Committee agreed to leave in the names. Alex was excused at 9:00 pm.

Carla noted she has difficulty with terms in the section on wildlife habitat. Lois gave the example of limestone fens which are unique and are also numerous in Andover Township. The Committee was okay with this section. Andrew stated it can be clarified in some instances. Carla asked about mentioning the Bundt camp as a historical resource of note. Mike remarked that it has since been turned into a useful structure in the town. On the question of writing ordinances that Carla raised, Dan stated it should be made clear that the Committee does not write ordinances. He suggested a statement clarifying that the Committee is a recommending body only. Carla thought that the Highlands Coalition should not be on the list of non-profit partnering agencies. Andrew stated this agency does offer resources to help do the job. The Committee agree that the Save Rural Andover Borough group name be removed from the list.

Lois commented that on the list of acknowledgments Linda Paolucci's name should be inserted as Secretary, Environmental Commission. Dan asked whether Cece Pattison's farm is on the list of preserved farms in town. Cece answered from the public that it is not yet on the list. Dan requested that the mapping information compiled by MLC be given to the Township in GIS format so that the Committee can keep the open space map dynamic. Andrew stated they would supply the electronic data. Lois inquired about the copyright. Andrew stated it is in the name of both the Morris Land Conservancy and Andover Township. He confirmed that either one can use the material without the permission of the other.

Dan called on Mike to review his comments on the Plan. Mike first asked who is presenting the Executive Summary. Dan explained it is a joint authorship. Mike questioned the last sentence in the second paragraph of the Summary which notes that large subdivisions have been "replacing" farmlands. He stated that sounds like the farmers are being forced out. Diane noted she did not read it that way. Mike asked about the overwhelming approval by the voters of the open space tax and stated he would like to see the number. Dan stated that could be added here. Mike then asked what was included in the numbers on Table #2, the chart of wetland types, on page 1-8. Lois responded that the numbers include whatever the DEP uses to determine wetlands. Mike questioned the term "flooding conditions" used on page 1-9. Lois stated the term describes the water at surface level. Lois then explained the Table on page 1-10 listing contamination sites was taken from a DEP website. Dan suggested that further source information be added for these two tables. Mike suggested that some of the plantation homes referred to on page 1-13 could have historic plaques posted for identification. Mary Grace was excused at 10:00 pm.

There was discussion about use of the term "limits public use" on page 1-14 where the Plan mentions the school district recreation facilities. Diane thought the language was helpful here. Mike stated he was looking for something tougher. Andrew stated he can expand on that portion. On the same page, Mike questioned whether it could be noted that Hillside Hall is also known as The Barn. Diane suggested putting in parentheses "(also known as The Barn)." Under private recreation facilities where it states "access to a variety of private..." Mike thought that should be changed. Diane suggested stating "a limited number of ..." and noting these are not long-term commitments. Mike suggested removing the sentence concerning temporary use while fields undergo maintenance. On page 1-15 he recommended adding the word "privately owned" before "golf courses." On page 1-16 Mike remarked he was surprised to see the greatest increases in Township population were prior to 1990. Andrew pointed out that was due in large

part to the full-time occupation of lake houses rather than new development. Mike noted on page 2- 1 it should be clarified that the Township Open Space Trust Fund is one of a number of sources for funding. Dan agreed this statement could be clarified.

Mike asked whether the Plan has been distributed to the Township Committee as stated on page 2-3. Dan stated that will be done. He has to make CD copies for them. Mike suggested it would be good to have full-size maps available for review. Dan noted there is a copy of the Plan now in the Clerk's office. Andrew stated they will have two large copies of each map available for the public to inspect at the time of the public hearing. Mike asked whether there are maps available that show the landscapes as described in the Sussex County Strategic Growth Plan. He wondered if part of the Township was in the Lake Communities landscape. Andrew stated he would check on that. Mike referred to the Table showing the amount of preserved land in the Township on page 3-3. He questioned whether similar tables could be placed on the maps and perhaps expanded to include other information.

Carla pointed to the sentence on page 3-4 that states the Township “can support a total of 10,189 acres...” Dan suggested that could be changed to read “are suitable for preservation” instead of “can support.” Mike continued with a reference to page 4-1 where it states “Development Pressures are Intensifying.” He stated as a builder this title annoys him. Diane noted the reference is to Andover Township as a nice place to live. Lois pointed out the Environmental Commission reviewed 20 applications for development last year. Andrew noted the rush of development in this area on the edge of the Highlands. Mike referred to the statement on page 4-1 that homeowners associations have a large role in decision-making. He didn't think this was true. Lois stated this reference applies to the lake communities. Andrew stated he would clarify this comment. Mike also objected to the wording on page 4-2 where it states “while it is unlikely that development will be completely prevented...” Dan agreed that comment should be reworded. Andrew stated he will emphasize the need for balance between new growth and open space preservation. He asked if there was anything else to add to the historic portion.

The Committee left the dais to review the Greenway map. Andrew explained the map combines both policy and natural features aspects. He stated the goal is to establish contiguity noting that contiguous lands have higher value. He asked for feedback from the Committee. Diane noted the name for Valentine's Pond should be added. Andrew pointed out the representations on the map can be changed if the Committee sees a problem. Lois noted some of the green colors are difficult to distinguish and they need to be more contrasting. Andrew asked if the physical connections make sense to the Committee and also the labels for the different greenways. Carla stated there needs to be some recreation facilities available in the Stickles Pond area. Gail Phoebus pointed out that much of the land in the Recreation belt is salable land. Andrew noted the Abbey is in the Farm belt because it is farmland assessed. There was further discussion about a number of areas shown on the map and highlighted.

Adjournment: A motion was made by Mike, seconded by Diane, to adjourn at 11:06 pm. All in favor. Motion carried.

Submitted by Mary Spector, Secretary