

X. FUTURE TOPICS

2023 MONMOUTH COUNTY PAPER SHREDDING DATES – TBA

XI. PUBLIC COMMENTS

XII. MINUTES TO BE APPROVED

XIII. MOTION TO ADJOURN

THE NEXT REGULAR MEETING OF THE LAKE COMO ENVIRONMENTAL COMMISSION WILL BE HELD VIRTUALLY ON THURSDAY, MARCH 16, 2023 AT 7:00 PM. ALL MEETINGS ARE OPEN TO THE PUBLIC.

PLEASE CLICK LINK OR DIAL IN TO JOIN MEETING:

To join the video meeting, click this link: <https://meet.google.com/rsy-foqo-xoj>
Otherwise, to join by phone, dial +1 970-409-4456 and enter this PIN: 886 100 896#
To view more phone numbers, click this link: <https://tel.meet/rsy-foqo-xoj?hs=5>

OATH OF OFFICE
BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION MEMBER

I, Deborah Hilliard, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all of the duties of the office of Chairperson to the Environmental Commission according to the best of my ability. So help me God.

Date: January 19, 2023

Attest: _____

Deborah Hilliard, Chairperson

OATH OF OFFICE
BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION MEMBER

I, Marilyn Weber, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all of the duties of the office of Member to the Environmental Commission according to the best of my ability. So help me God.

Date: January 19, 2023

Attest: _____

Dr. Marilyn Weber, Member

OATH OF OFFICE
BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION MEMBER

I, John Buckley, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all of the duties of the office of Member to the Environmental Commission according to the best of my ability. So help me God.

Date: January 19, 2023

Attest: _____

John Buckley, Member

OATH OF OFFICE
BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION MEMBER

I, Andrew Reiners, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all of the duties of the office of Planning Board Liaison to the Environmental Commission according to the best of my ability. So help me God.

Date: January 19, 2023

Attest: _____

Andrew Reiners, Planning Board Liaison

OATH OF OFFICE
BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION MEMBER

I, Barbara Rumsby, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all of the duties of the office of Alternate No. 1 to the Environmental Commission according to the best of my ability. So help me God.

Date: January 19, 2023

Attest: _____

Barbara Rumsby, Alternate No. 1

OATH OF OFFICE
BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION MEMBER

I, Colleen Greberis, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey and that I will bear true faith and allegiance to the same and to the Governments established in the United States and in this State, under the authority of the people; and that I will faithfully, impartially and justly perform all of the duties of the office of Alternate No. 2 to the Environmental Commission according to the best of my ability. So help me God.

Date: January 19, 2023

Attest: _____

Colleen Greberis, Alternate No. 2

**BOROUGH OF LAKE COMO
ENVIRONMENTAL COMMISSION
2023/2024 MEETING DATES**

PLEASE TAKE NOTICE that the Environmental Commission of the Borough of Lake Como will hold its Regular Meetings virtually on the 3rd Thursday of every other month starting at 7:00 pm as follows, except for 2nd Thursday, November 9, 2023 (due to League of Municipalities):

Thursday	March 16, 2023
Thursday	May 18, 2023
Thursday	July 20, 2023
Thursday	September 21, 2023
2nd Thursday	November 9, 2023 (League of Municipalities)
Thursday	January 18, 2024 (REORGANIZATION AND REGULAR MEETING)

PLEASE TAKE FURTHER NOTICE that said meetings will continue to be held virtually, as deemed necessary, until further notice, via the Google Meets Link found on the agenda and on our borough website: www.lakecomonj.org. When public meetings resume, they will be held in the meeting room at the Municipal Building located at 1740 Main Street, Lake Como, New Jersey. All meetings are open to the public.

A copy of this Notice is posted on the Bulletin Board at Borough Hall and a copy has been sent to The Coast Star and The Asbury Park Press and filed with the Borough Clerk for public inspection.

01/19/23

**Viveca H. Graham
Environmental Commission Sec.**

December 16, 2022

To All of the Borough Officials, Employees, Volunteers, Supporters & Friends of the EC,

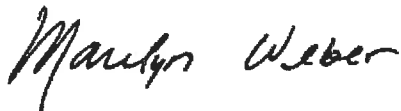
As we come out of the Thanksgiving Season into the Christmas Holiday Season and quickly approach a New Year, I would like to take time to thank each and every one of you who have supported the Lake Como Environmental Commission (LCEC).

I am very proud and honored to have served as a member, Vice-chairperson, and Chairperson of the LCEC for thirty years. During that time, I have worked on many projects to improve the environment, advance the public's education and improve the quality of life for our residents. I remember giving input when we applied for the Green Acres grant, planting the rain garden, helping design the fun and wildlife park at the lake, working with WHSAD students on their projects, helping with Patchwork for Wildlife award events and sessions at Candide's Garden, and doing the information tables at the Lake Como Day. I have enjoyed coordinating our Spring and Fall Lake Cleanups, taking part in the many projects, events and celebrations with our close-knit group of volunteers. If I were to begin to name individuals, surely, I would leave someone out.

So, please accept my heartfelt thank you for whatever part you played in making the Lake Como Environmental Commission a success and our community a cleaner, healthier, environmentally-friendly place to live. Over the years I have made many acquaintances who have become more like friends. I look forward to continuing my service on the LCEC.

I wish you all the very best of health and much happiness in the years to come.

Very truly,

A handwritten signature in cursive script that reads "Marilyn Weber".

Dr. Marilyn Weber, Chairperson
Lake Como Environmental Commission



Graham, Viveca <vgraham@lakecomonj.org>

Tree Ordinance

1 message

Jon Gibbons <jon1761@hotmail.com>

Tue, Oct 18, 2022 at 5:48 PM

To: "vgraham@boro.lake-como.nj.us" <vgraham@boro.lake-como.nj.us>, John Buckley <nursesurferb@aol.com>, Andrew Reiners <areiners@gmail.com>, "Cheryl (Dr. Weber)" <fitlady514@aol.com>, Peter Ventrice <pventrice@boro.lake-como.nj.us>, Debbie Hilliard <hilliard.deborah7@gmail.com>, Colleen Greberis <cg87889@gmail.com>, Barbara Rumsby <brumsby@yahoo.com>

Hi Folks,

As promised, here are the two documents which I believe cover the issue with tree removal:

1. **Tree Removal Ordinance** - (Code 10-4 and following) -

Go to lakecomonj.org

Down the left-hand side, select Borough Ordinances

Search for "Tree Removal"

2. **My update** - the trunk size chart for Mark - (Codes 10-4.8, 4.9. 4.10) - attached.

Enjoy!

Cheers...Jon

<https://www.youtube.com/channel/UC5p8Wbz0WfIG3nnIVFgQGaQ>

<https://www.facebook.com/candidessgarden>

https://www.instagram.com/candidess_garden/

“The single biggest problem in communication is the illusion that it has taken place.”

George Bernard Shaw

 **TREE REPLACEMENT SCHEME - Update 200117.docx**

14K

TREE REPLACEMENT SCHEME – UPDATE

<u>Dia. (DPM)</u>	<u>#</u>	<u>\$</u>
4-8	1	200
8-12	2	400
12-18	3	600
18-24	4	800
24-32	5	1,000
32-40	6	1,200
40-50	7	1,400
50-60	8	1,600

Thoughts:

1. Time limit before initiating work on the house from 1 year to three years.
2. Time limit before the Borough gets to use the funds – 1 year, possibly 2.
3. Borough should provide annually to the Environmental Commission the value of funds which can be used. (This money has been languishing in the coffers for years, and it is difficult to find out the amount. Last year it was reported by the Borough that \$3,400 was a safe figure the EC could use. These funds would help fund the Main Street arboretum.)

Chapter 10. Property Maintenance

§ 10-4. TREE REMOVAL PROJECT PERMIT AND TREE REPLACEMENT PROGRAM.

§ 10-4.1. Purpose.

[Ord. No. 2004-732 Art. 2]

The purpose of this section is to control and regulate the indiscriminate or excessive removal, large-scale, clear-cutting and destruction of trees and to control, regulate and prevent conditions such as: degradation of littoral areas or wanton destruction which cause an increase in stormwater runoff, sedimentation, soil erosion, loss of wildlife habitat, air or noise pollution or inhibit aquifer recharge or impair the ambiance or physical appearance of a neighborhood. The regulations contained in this section are designed to limit such adverse impact while not interfering with the right of a Borough property owner to appropriately remove trees in accordance with the regulations set forth herein below.

§ 10-4.2. Definitions.

[Ord. No. 2004-732 Art. 2]

As used in this section, the following terms shall have the following definitions:

- a. B&B (balled and burlapped) shall mean a method of excavation in which the subject tree is removed along with soil surrounding its roots and such soil and roots are wrapped and laced.
- b. Diameter at point of measure or DPM shall mean the diameter (caliper) of a tree at a point on the tree fifty-four (54) inches above the actual ground level.
- c. Emergency removal shall mean a removal which is necessitated by any event, whether natural or man-made, which requires the immediate removal of a regulated tree because it has been determined that such tree presents an immediate hazard to the public's safety. Such determination shall be made by the Zoning Officer or other designee, as authorized by the Borough Administrator.
- d. Zoning Officer shall mean the Zoning Officer and/or qualified arborist appointed by the Mayor and Borough Council for the purpose of enforcing the terms of this section.
- e. Person shall mean an entity whose existence is recognized by law, including but not limited to any individual, partnership, corporation (for-profit, nonprofit, or municipal and its agencies), firm, association or any combination of the foregoing.
- f. Project shall mean any undertaking whatsoever which would involve potential damage to or which may result in the planned or unplanned removal of regulated trees.
- g. Removal shall mean any activity that results in cutting down completely or substantially eliminating a living regulated tree within the Borough.
- h. Replacement plans shall mean a plan developed in accordance with and conforming to the provisions of this section which has been approved by the Zoning Officer.

- i. Replacement Tree shall mean a nursery grown certified, balled and burlapped tree bearing a durable label upon which the following data is set forth: genus, species, variety, watering and fertilization requirements.
- j. Site plan shall mean a plan as defined by the Borough's Land Development Ordinance.
- k. Tree shall mean any living woody perennial plant having a trunk diameter of at least four (4) inches measured at fifty-four (54) inches above the natural ground level.
- l. Vacant land shall mean land where no principal structure currently exists or where the principal structure is demolished pursuant to a demolition permit.

§ 10-4.3. Applicability.

[Ord. No. 2004-732 Art. 2]

- a. The terms and provisions of this section shall apply to real property, in all cases of vacant lots upon which new construction will take place and/or cases of demolition of existing principal structures. Nothing contained herein is intended to restrict a property owner's right to remove trees on his own property where no building permit for a new or replacement principal structure is sought.
- b. Unless specifically exempted herein, it shall be unlawful for any person to remove or cause to be removed any tree, under the circumstances set forth in paragraph a. above, with the trunk diameter of four (4) inches or more DPM (fifty-four (54) inches above the actual ground level) without first having obtained a tree removal project permit to do so as provided herein. Tree removal project permits shall be issued by the Zoning Officer or his/her designee.
- c. Notwithstanding paragraphs a. and b. above, trees removed from a property within one (1) year prior to an application for a building permit for a new or replacement principal structure shall be subject to the provisions of this section.

§ 10-4.4. Tree Removal Project Permit Process.

[Ord. No. 2004-732 Art. 2]

- a. Any person wishing to obtain a permit to remove one (1) or more trees or clear land as required under the provisions of this section shall make application to the Zoning Officer by filing a written application and paying such fee as set forth in subsection **10-4.9** of this section. Where an application, as required by this section, has been submitted, no permit shall be issued until a site plan, survey or plot plan of the lot or parcel has been reviewed and a tree replacement plan approved.
- b. Where an application is made in connection with the construction of a new principal structure, no building permit shall be issued until the tree removal project permit has been granted.
- c. The Borough Zoning Officer shall review the application to determine whether such project complies with this section and shall provide written notice to the applicant indicating one of the following:
 - 1. The project permit is granted; or
 - 2. The project permit is granted subject to prescribed conditions attached to such notice.
 - 3. The project permit is denied, in which event the written notice shall state the reasons for such denial.
- d. The Borough Zoning Officer shall make the foregoing determination and prepare and furnish the foregoing notice within thirty (30) days following submission of a completed application.

- e. Failure of the Zoning Officer to make said determination within such thirty (30) day period or within any extension of time granted by the applicant, shall constitute and have the same effect as an approval.
- f. Any proposed change in the approved project shall be submitted to the Borough Zoning Officer for approval in the same manner as an original application for approval of a project.
- g. The applicant shall maintain a copy of the approved project at the project location that shall be available for inspection.

§ 10-4.5. Conditions for Issuance of Permits.

[Ord. No. 2004-732 Art. 2]

Upon receiving an application for tree removal, the Zoning Officer shall issue a permit if the Zoning Officer determines that one (1) or more of the following criteria is met:

- a. The tree is located in an area where a principal structure will be placed according to an approved site plan and the tree cannot be relocated on the site because of age, type, or size of tree.
- b. The tree is dead, diseased, injured, in danger of falling, or is too close to existing or proposed structure(s) thereby creating an unsafe situation.
- c. The applicant elects to make a contribution to the Tree Replacement Fund in accordance with subsection 10-4.10 entitled Tree Replacement Fund.

§ 10-4.6. Tree Removal Project Permit Application.

[Ord. No. 2004-732 Art. 2]

- a. Tree Removal Project Permit Application Contents.
 - 1. The name and address of the owner of the land.
 - 2. Description of land in question including block and lot numbers of the land as shown on the current Tax Map of the Borough of Lake Como.
 - 3. The purpose of reason for removing the tree(s).
 - 4. The quantity, caliper size and species of tree(s) to be removed. In the case of the removal of trees with a DPM greater than twenty-four (24) inches, the plan shall include an analysis of design or layout alternatives.
 - 5. The proposed dates for commencement and completion of the project.
 - 6. Name and address of the person having express charge, supervision, and/or control of the proposed removal.
 - 7. A tree replacement plan, as set forth in subsection **10-4.8**.
 - 8. A statement granting permission to Borough officials or their employees to enter the premises to survey and inspect the project as work progresses; and
 - 9. A tree replacement plan that includes location, quantity, caliper size and species of tree(s) to be replanted.
- b. Fees. An application for tree removal project permit shall be accompanied by an application fee of fifty (\$50.00) dollars.

§ 10-4.7. Appeal.

[Ord. No. 2004-732 Art. 2]

Within ten (10) days of receipt of decision of the Zoning Officer, or his/her designee, which denies the approval for the tree removal or otherwise destruction, the applicant may appeal in writing to the Governing Body.

§ 10-4.8. Tree Replacement Plan.

[Ord. No. 2004-732 Art. 2]

A tree replacement plan shall consist of the following:

- a. A site plan, survey or plot plan of one (1) inch equals twenty (20) feet or less, showing the location of existing trees and clearly marked property boundaries. There shall be a list identifying the number and species of trees inventoried. The site plan shall include the lot and block numbers, the street address if assigned and a certification that it complies with the requirements of this section.
- b. The locations on the lot where tree removal is to take place.
- c. The total square footage of the lot.
- d. The total number by species of existing trees with a DPM of four (4) inches or greater on the lot.
- e. The total number by species of trees with a DPM of four (4) inches or greater, which are to be removed.
- f. A planting detail for replacement trees.
- g. All specific plans for replacement of removed trees shall be based on the following requirements:
 1. The replacement tree shall be planted on the property where the trees were removed or in a location designated by the Zoning Official.
 2. Replacement trees, including the size number of trees, shall be planted in accordance with the table:

Size of Tree Removed Inches DPM	Number of Replacement Trees with at least 2-1/2" DPM
Four, but not more than eight (4"-8")	1
More than eight, but less than twelve (8"-12")	2
More than twelve, but less than eighteen (12"-18")	3
More than eighteen, but less than twenty-four (18"-24")	4

§ 10-4.9. Replacement Tree Value Calculations.

[Ord. No. 2004-732 Art. 2]

The replacement value of all trees to be removed, where replacement trees are required by this section, shall be calculated as follows:

- a. Trees to Be Removed.

Size/DPM	Replacement Tree Value
Greater than 4" up to 8"	\$200.00
Greater than 8" up to 12"	\$400.00

Size/DPM	Replacement Tree Value
Greater than 12" up to 18"	\$600.00
Greater than 18"	\$800.00

- b. Dead and diseased trees as determined by the Borough Zoning Officer shall not be included as trees to be replaced.
 - c. The applicant may elect, in lieu of planting replacement trees, to pay to the municipality a sum of money as set forth in paragraph a. for each tree required to be planted pursuant to this subsection for the purpose of planting shade trees elsewhere in the Borough.
- Said funds shall be deposited into the Tree Replacement Fund.

§ 10-4.10. Tree Replacement Fund.

[Ord. No. 2004-732 Art. 2]

Where an applicant chooses to make a contribution to the Tree Replacement Fund in lieu of physically replacing the trees on said property as provided in subsection **10-4.5c**, the amount of said contribution shall be as set forth in subsection **10-4.9**. The Tree Replacement Fund shall be in a separate fund with the dedicated purpose of tree replacement within the Borough of Lake Como.

§ 10-4.11. Penalty.

[Ord. No. 2004-732 Art. 2]

- a. In the event that it is unknown how many trees were removed from any given site, and removal took place without a tree removal permit issued pursuant to this section, the number of trees requiring mitigation shall be computed by assuming ten (10) trees greater than twelve (12) inches DPM unless adequate proof is provided to the Borough Zoning Officer.
- b. Any person who violates, or fails, or refuses to comply with this section, shall be liable to a penalty of not less than one hundred (\$100.00) dollars nor more than one thousand five hundred (\$1,500.00) dollars for each tree removed.