

Borough of Kinnelon

Planning Board

November 7, 2019

The regular monthly meeting of the Kinnelon Planning Board was called to order by Chairperson Mrs. Roselius at 7:30 p.m., Thursday, November 7, 2019 in the Municipal Building.

It was reported that adequate notice of this meeting had been given in accordance with the Sunshine Law by posting a notice on the municipal bulletin board, by publication of a legal notice in the Suburban Trends on January 2019 and by sending the meeting date to the Daily Record and Herald News.

Present and answering roll call in addition to Mrs. Roselius was Mr. Savino, Mrs. Smialek, Mr. Diani and Mr. Schwartz. Mayor Freda, Councilman Yago and Mrs. Hankes was absent from this meeting. Mr. Bacchetta was present at this meeting.

A motion to approve the August 1, 2019 minutes was offered by Mr. Savino, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call.

A motion to approve Resolution #835, 19 Whitty Road, Site Plan Waiver, T-Mobile was offered by Mr. Savino, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call.

A motion to approve the request for an extension for application #825, 63 Voorhis Road was offered by Mr. Savino, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call. The extension will run until January 9, 2020.

Mrs. Roselius stated that Barbara Davis will be giving a presentation regarding the Critical Conservation and Management Plan. The presentation is attached.

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# Kinnelon Borough Critical Habitat Conservation and Management Plan

Planning Board Meeting  
November 7, 2019



The Land Conservancy of New Jersey  
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# Introduction



Background | Kinnelon  
Community Center



Project Requirements



Critical Habitat  
Conservation and  
Management Plan

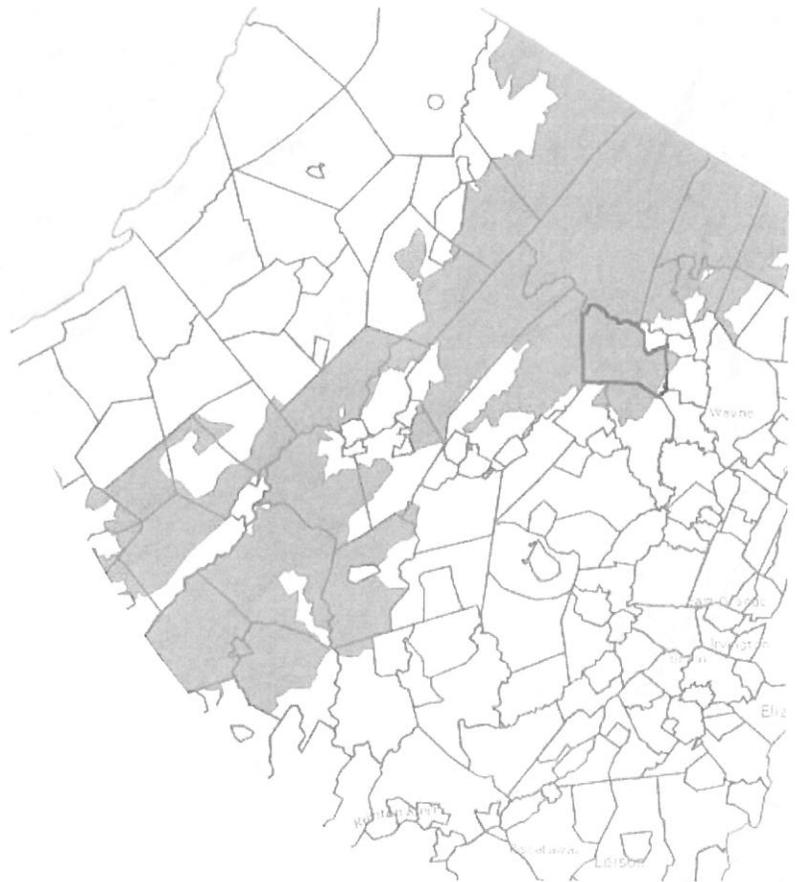
# Kinnelon Community Center

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In order to build a community center, Kinnelon Borough was required to apply for a Highlands Waiver

As a condition for permitting, the Highlands Council requires the completion of a *Critical Habitat Conservation and Management Plan* for adoption into the Kinnelon Master Plan

This is the first Critical Habitat Plan to be written in the Highlands



# Project Highlights

## Shelter

- Natural Disasters & Emergencies
- Superstorm Sandy

## Community Center

- Ideal location for public events and recreational activities

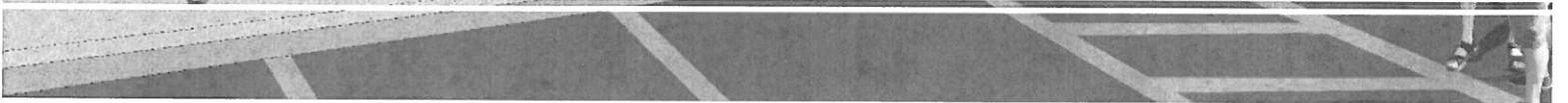
## Additional Recreational Fields

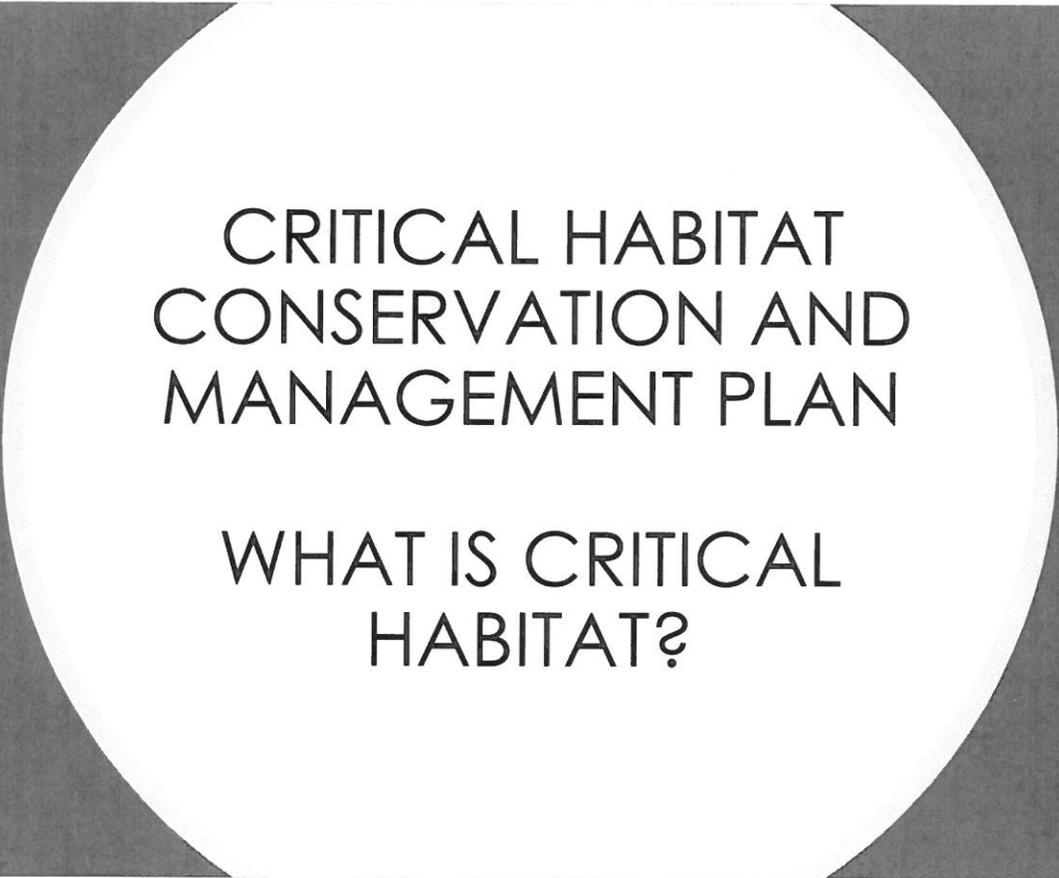
- 1958 Master Plan
- Current fields limited and heavily utilized





Borough of Kinnelon  
Shelter and Community Center





CRITICAL HABITAT  
CONSERVATION AND  
MANAGEMENT PLAN

WHAT IS CRITICAL  
HABITAT?

# What is Critical Habitat?

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## **Critical Habitat:**

- Confirmed Vernal Pools with a 300 meter buffer
- Significant Natural Areas
- Critical Wildlife Habitat



Wood Frog  
Vernal Pool Obligate Species



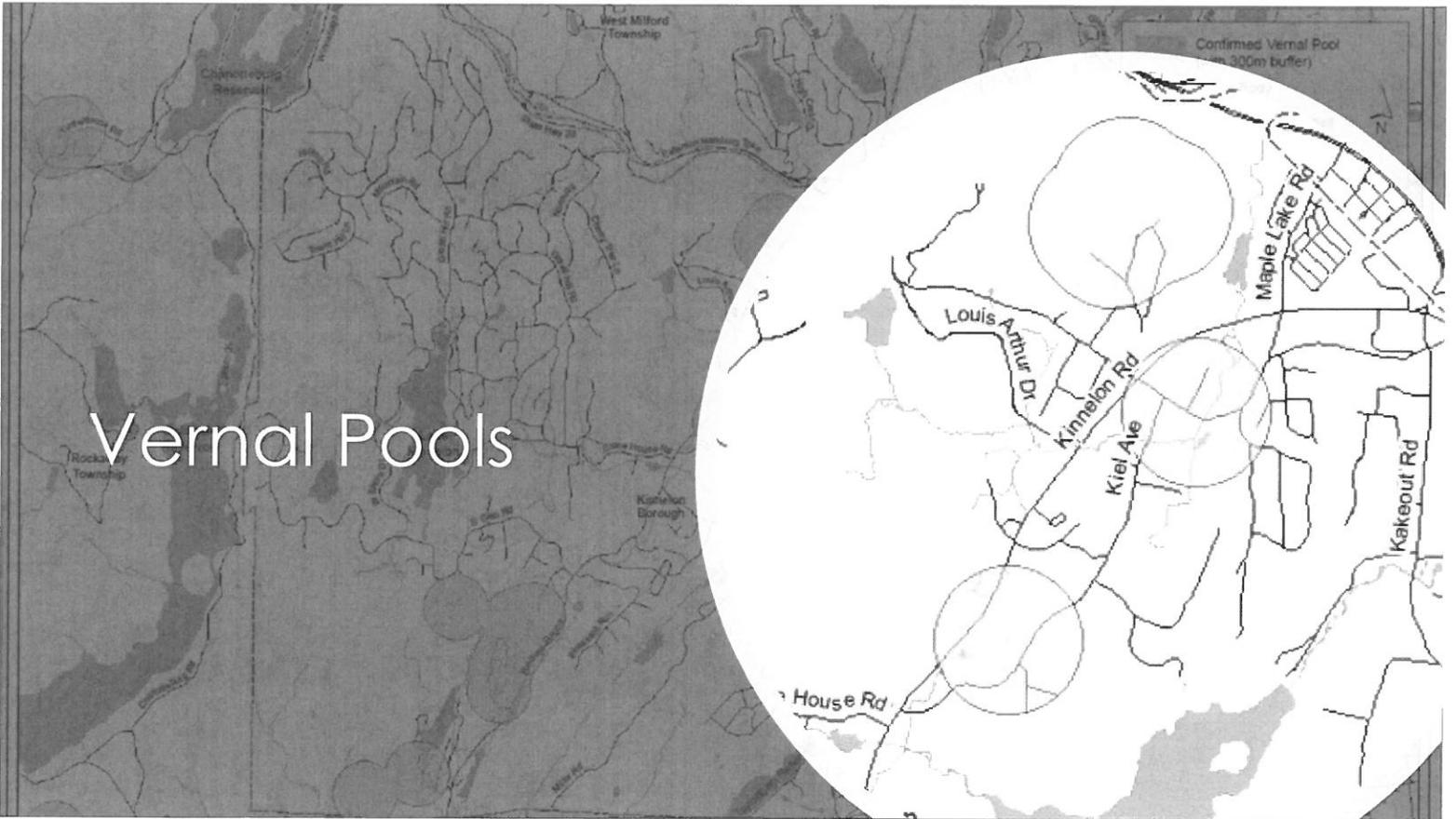
## Vernal Pools

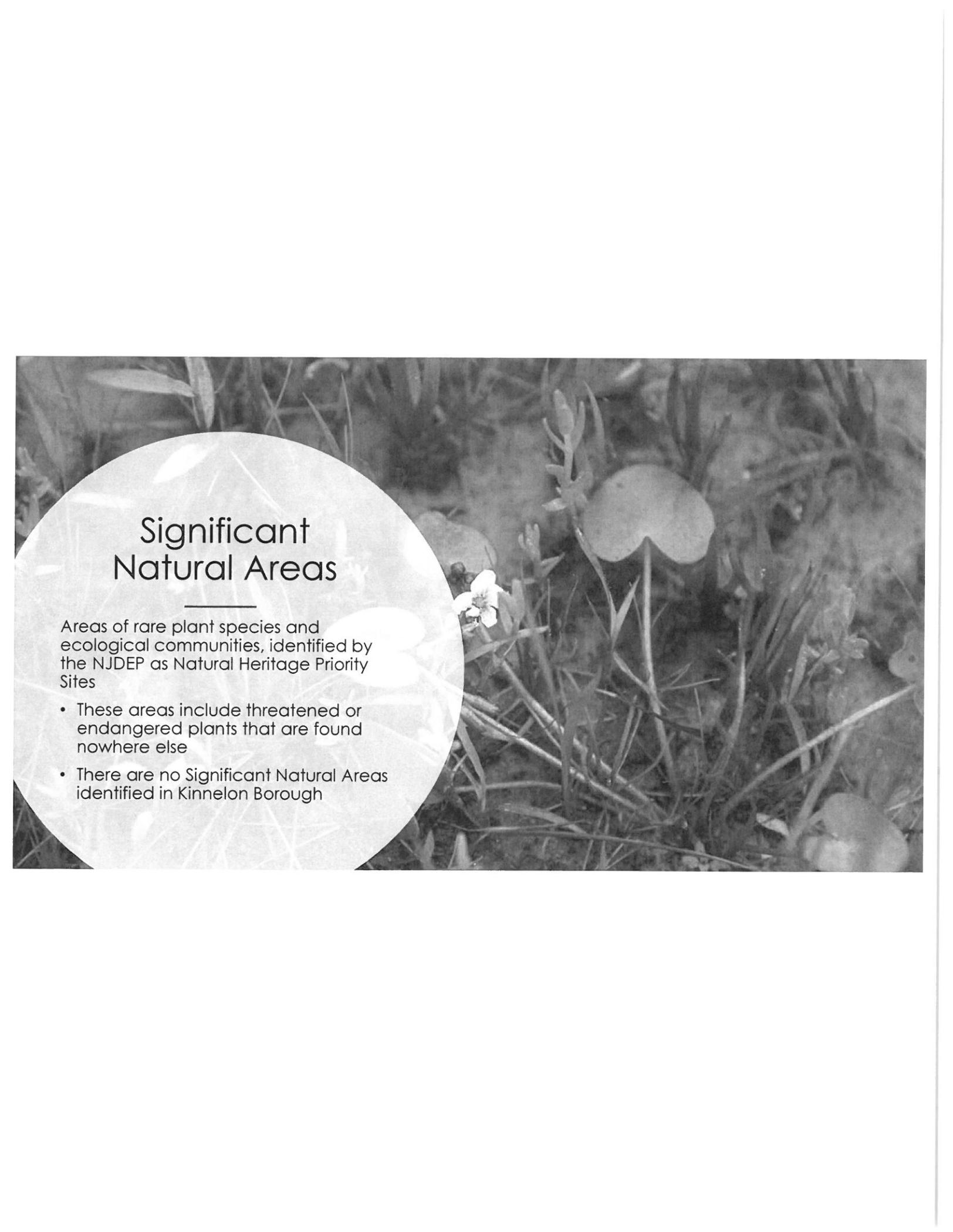
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Vernal Pools: confirmed by NJDEP with 300 meter buffer

- Vernal pools are seasonal depressional wetlands that provide habitat for rare plants and animals that are uniquely adapted for and dependent on this environment
- Vernal pools are a valuable and increasingly threatened ecosystem
- Efforts are being made to protect the remaining vernal pools, as their disappearance marks the loss of rare habitat and the associated plant and animal species

# Vernal Pools





## Significant Natural Areas

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Areas of rare plant species and ecological communities, identified by the NJDEP as Natural Heritage Priority Sites

- These areas include threatened or endangered plants that are found nowhere else
- There are no Significant Natural Areas identified in Kinnelon Borough



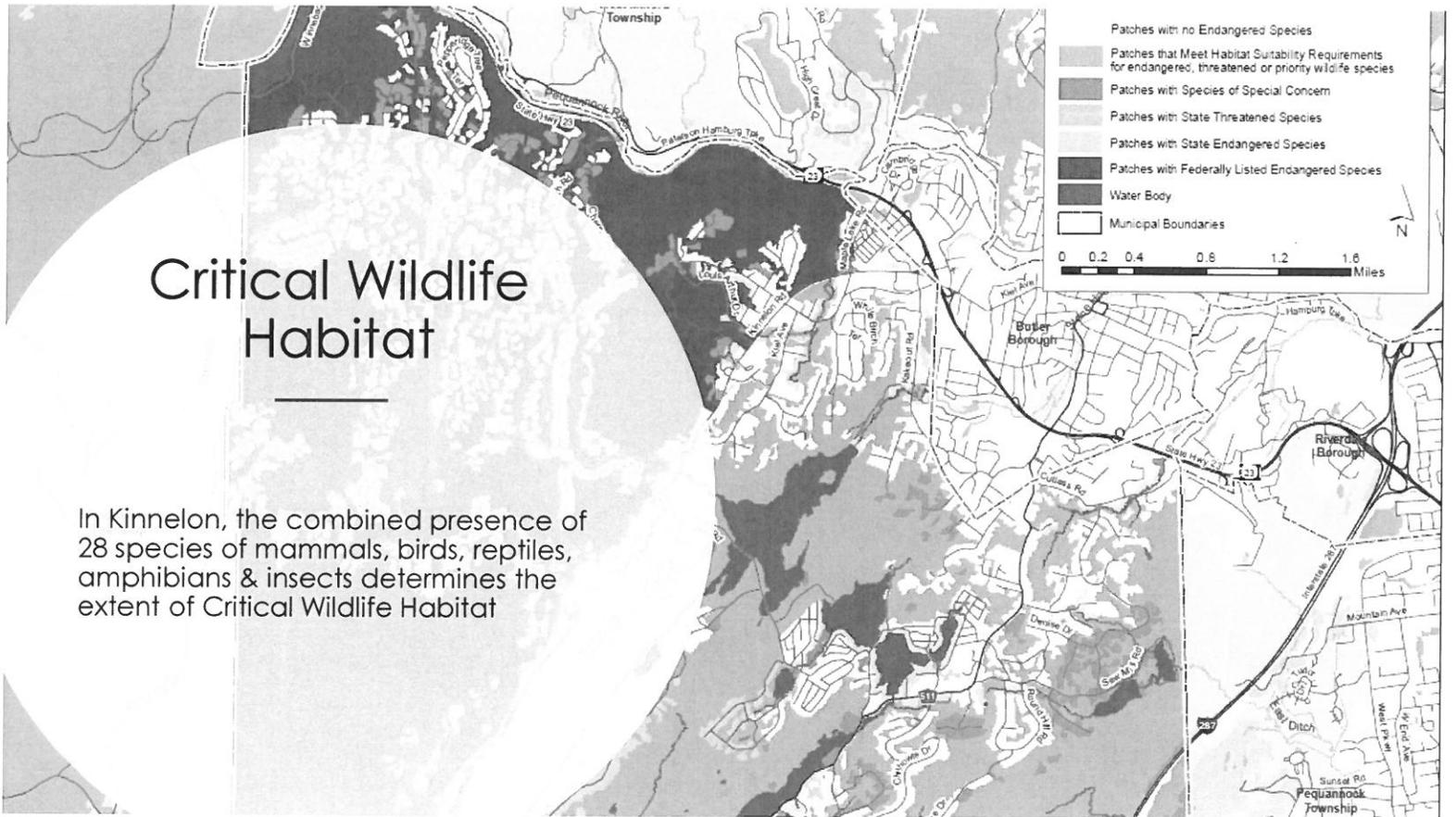
## Critical Wildlife Habitat

Critical Wildlife Habitat areas are home to endangered species, threatened species, and species of special concern

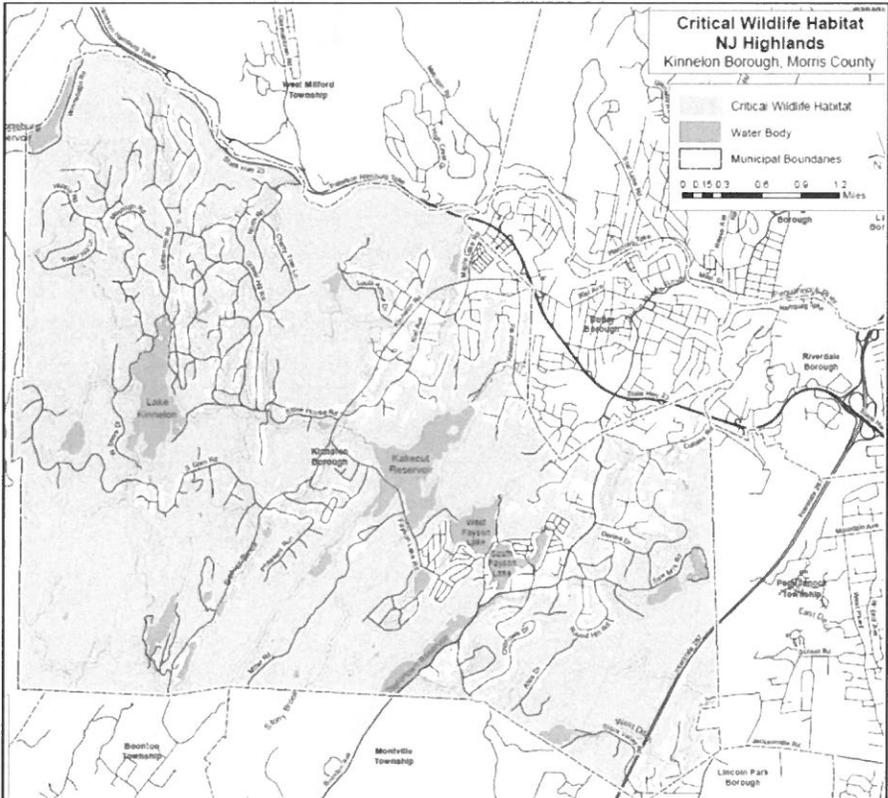
- This includes endangered and threatened species listings at both the federal and state level
- Over the course of many years, NJDEP has identified the habitats for species listed for conservation

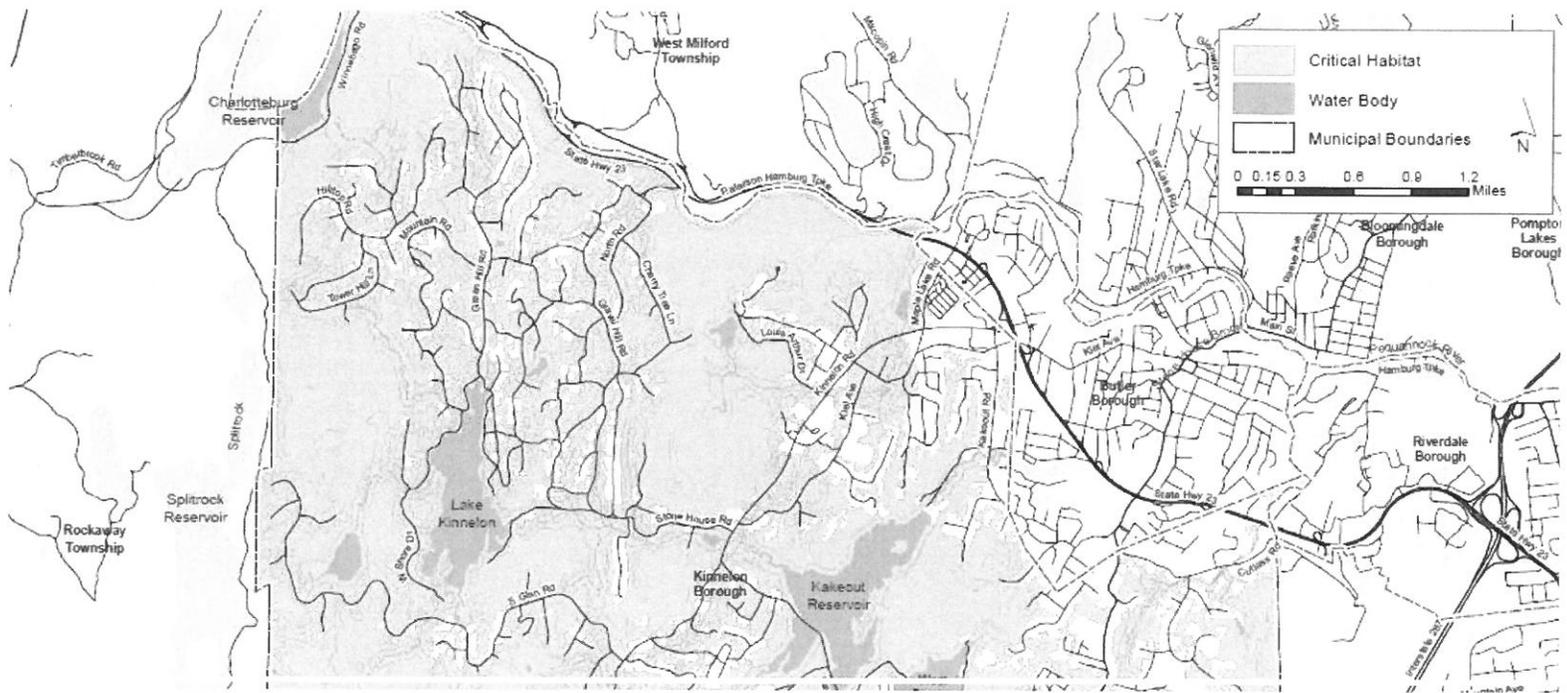
# Critical Wildlife Habitat

In Kinnelon, the combined presence of 28 species of mammals, birds, reptiles, amphibians & insects determines the extent of Critical Wildlife Habitat



# Critical Wildlife Habitat

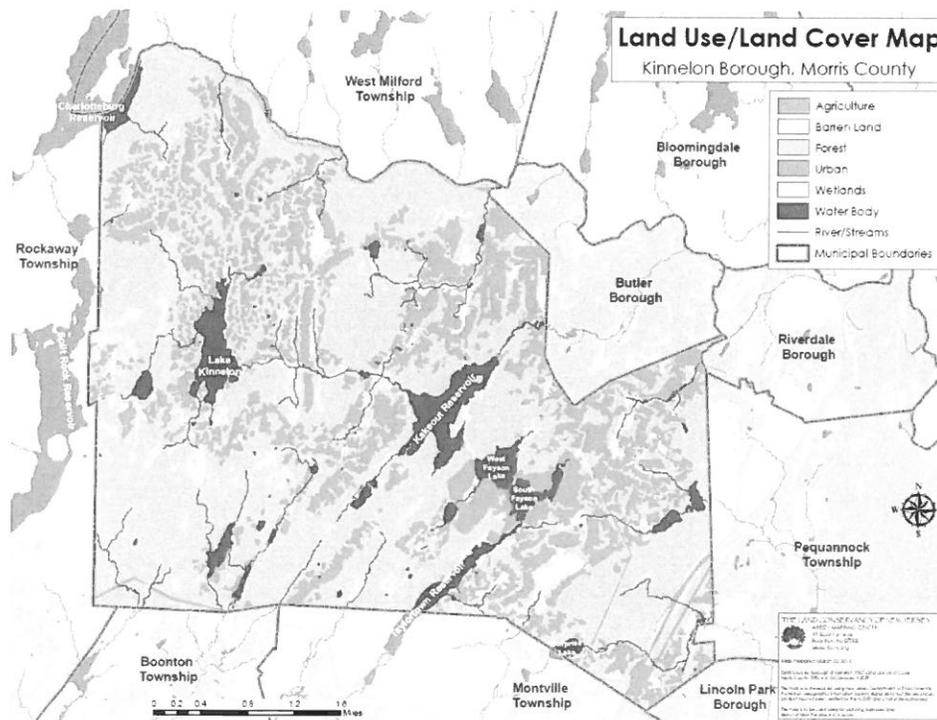




# CRITICAL HABITAT MAP



What habitats in Kinnelon are species depending upon, and how is this analyzed for the *Critical Habitat and Conservation Management Plan*?



Species occurrences are simplified according to groupings by Habitat (Land Cover) Types and by Species Activity

HABITAT OBSERVATION	ABBREVIATION	FINAL CODING
Nest	Br	
Roost Site	Br	Breeding
Territorial Display	Br	
Foraging	F	Foraging
Hibernaculum	H	Hibernaculum
Nesting Colony	NCo	Nesting Colony
Occupied Habitat	OH	Occupied Habitat
Active Season Sighting	S	
Breeding Sighting	S	
Capture Location	S	
Casual Flyby	S	
Live Individual Sighting	S	Sighting
Non-breeding Sighting	S	
On Road	S	
Physical evidence	S	
Telemetry: Home Range	S	
Wintering	W	Wintering

Common	Shoulders, Easements, and Upland/Wetland ROW's	Residential areas, Vegetated lots, Lawns, and Parks	Altered lands and Transitional Areas	Agricultural land	Deciduous Forests	Coniferous Forests	Mixed Forests	Brushland/Shrubland	Surface Water Bodies (lakes, streams, canals)	Wooded wetlands	Other
Blue Jay	1+00s	1100s, 1700s, 1800s	7+00s, 7500s	2100s, 2+00s	4100s	4200s	4300s	4+00s	5100, 5200, 5300	6210s, 20s, 50s	6+
Hawk					Breeding Sighting	Breeding Sighting	Breeding Sighting			Breeding Sighting	
Red-shouldered Hawk					Nest; Breeding Sighting	Nest; Breeding Sighting	Nest; Breeding Sighting			Nest; Breeding Sighting	
Indigo Bunting					Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Blue Warbler	Breeding Sighting				Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Green Warbler	Breeding Sighting				Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Warbler	Breeding Sighting				Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Blackbird	Breeding Sighting	Breeding Sighting		Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Chickadee	Breeding Sighting	Breeding Sighting			Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Chimney Swift	Breeding Sighting				Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Starling	Breeding Sighting				Breeding Sighting	Breeding Sighting	Breeding Sighting	Breeding Sighting		Breeding Sighting	B
Woodpecker		Non-breeding Sighting			Breeding Sighting; Non-breeding						
Titmouse					Nesting Colony	Nesting Colony	Nesting Colony		Foraging	Foraging; Nesting Colony	F; C

17 Species  
Activities Based  
Upon 14 Habitat  
(Land Cover) Types

Threatened and Endangered Avian Species in the Borough of Kinnelon

Species Activity by Habitat Type

S = sighting; Br = breeding; NCo = nesting colony; F = foraging; W = wintering

Avian Species	Urban			Barren		Agricultural	Forest				Surface Water	Wetlands		
	Housing	Shoulders and upland/wetland ROWs	Artificial Greenspace	Altered and Transitional Areas	Sand or Rock substrate		deciduous	coniferous	mixed	Brushland and shrubland		Forested	scrub-shrub	Emergent
Bald Eagle					br; w;	br;	f; br; w;	br; w;	f; br; w;	br;	f; br; w;	f; br; w;	br;	br; w;
Barred Owl		s;					s;	s;	s;			s;	s;	
Black-billed Cuckoo	s;	s;	s;			s;	s;	s;	s;	s;		s;	s;	s;
Black-throated Blue Warbler		s;					s;	s;	s;	s;		s;	s;	
Black-throated Green Warbler		s;					s;	s;	s;	s;		s;	s;	
Broad-winged Hawk							s;	s;	s;			s;		
Cooper's Hawk							s; br;	s; br;	s; br;			s; br;		
Golden-winged Warbler							s;	s;	s;	s;		s;	s;	s;
Great Blue Heron							nco;	nco;	nco;		f;	f; nco;	f; nco;	f;
Hooded Warbler		s;					s;	s;	s;	s;		s;	s;	
Kentucky Warbler		s;					s;	s;	s;	s;		s;	s;	
Northern Goshawk		s; br;					s; br;	s; br;	s; br;			s; br;		
Red-headed Woodpecker	s;						s;							
Red-shouldered Hawk							s; br;	s;	s;			s; br;	s;	
Veery		s;					s;	s;	s;	s;		s;	s;	
Wood Thrush	s;	s;	s;				s;	s;	s;	s;		s;	s;	
Worm-eating Warbler		s;					s;	s;	s;	s;		s;	s;	

# Conservation Strategies and Best Management Practices

Species - Common Name	Species - Scientific Name	Lay Classification	Taxonomic Order	Conservation Strategies	Restoration Methodologies/Strategies	Best Management Practices for Low Impact Development to Avoid, Minimize, & Mitigate Impacts
Harris' Checkerspot	<i>Chlosyne harrisii</i>	Insect	Lepidoptera	Maintain early-and mid-successional vegetation in utility rights-of way.	Replant with locally-sourced flat-topped aster ( <i>Aster umbellatus</i> , syn. <i>Doellingeria umbellata</i> ), the Harris' Checkerspot larva food plant. Replant successional areas and rights-of-way with native, locally occurring shrub and herbaceous species. Replant with native, locally derived, pollinator-friendly shrub and herb species (see list).	Use mechanical clearing on in maintaining succession areas, and only conduct clearing from period September through March. Avoid pesticide and herbicide use in utility rights-of way, avoid clearing of rights-of-way during period April-August.
Tiger Spiketail	<i>Cordulegaster erronea</i>	Insect	Odonata	Preserve large tracts of forested uplands, particularly those with small streams and seepage areas (wetland patches with isolated skunk cabbage and fern growths in uplands). Maintain maximum stream buffers, and buffers around vernal ponds and seepage areas.	Reforestation of logged, dead, or damaged trees with appropriate local species restoration of vernal ponds and seepage areas. Replanting of native, locally occurring shrub and herbaceous species.	Avoid use of pesticides and herbicides. Avoid changes in stream drainage. Avoid artificial stream bank material-riprap, plastic sheeting, etc. Avoid changes to hydrology that would alter the water table and impact small streams, intermittent streams, and seepage areas.

# SECTIONS



What are the Statutory Guidelines?



What is Critical Habitat for Kinnelon?



What are the Species found in Kinnelon?



What are the Strategies recommended to Avoid/Minimize/Mitigate?



What are the Stewardship Recommendations for Critical Habitat ?



What are the Highlands Ordinance documents to be adopted?

A grayscale map showing a complex network of land parcels, likely a residential or commercial development. The map is overlaid with a grid of lines, possibly representing a planning or zoning overlay. The text 'Critical Habitat Overlay Zone' is centered on the map in a large, white, sans-serif font. A vertical white line is positioned to the left of the text. The map includes labels for various areas: 'Township of Rockaway' in the bottom left, 'Borough of Butler' in the center right, 'Borough of Riverdale' in the top right, and 'Township of Pequannock' in the bottom right. Specific parcels are labeled with 'SR', 'AH', 'C', and 'RC'.

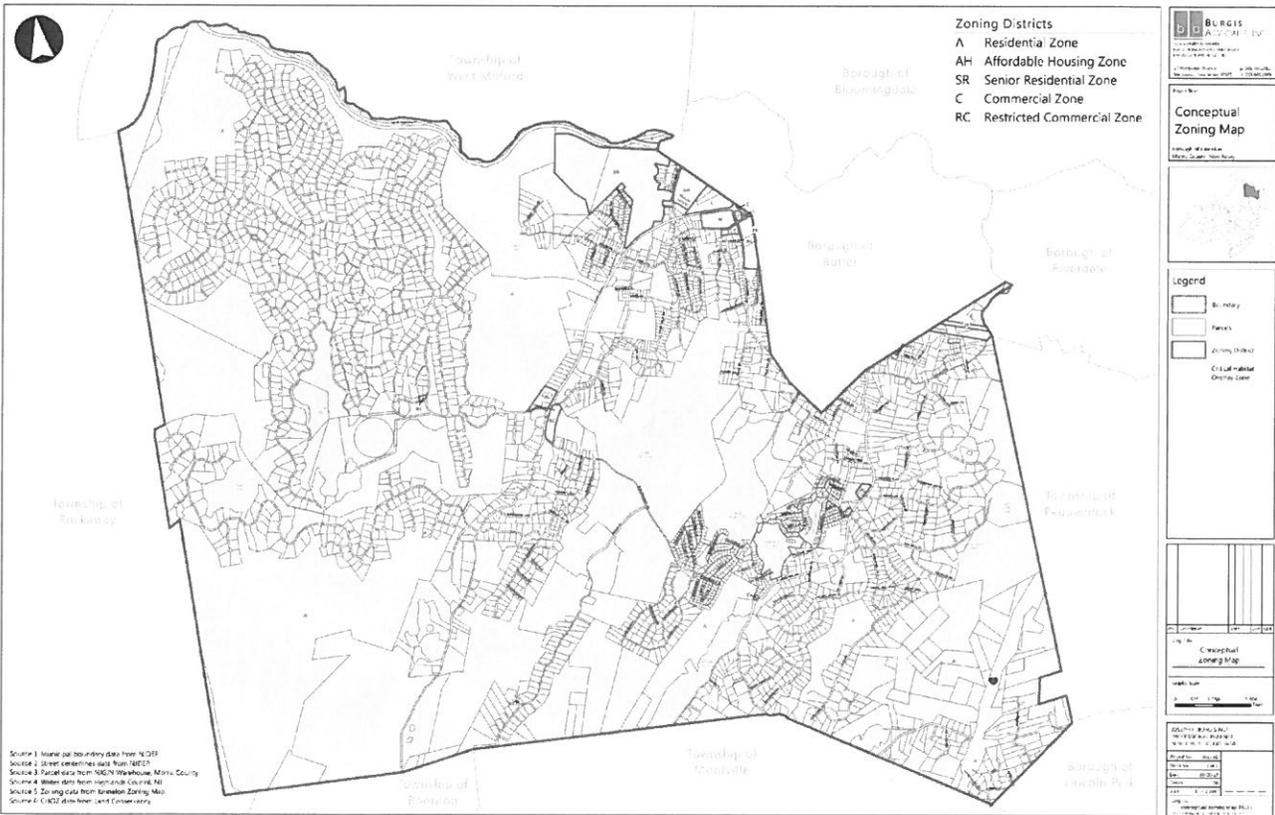
# Critical Habitat Overlay Zone

Township of  
Rockaway

Borough of  
Butler

Borough of  
Riverdale

Township of  
Pequannock

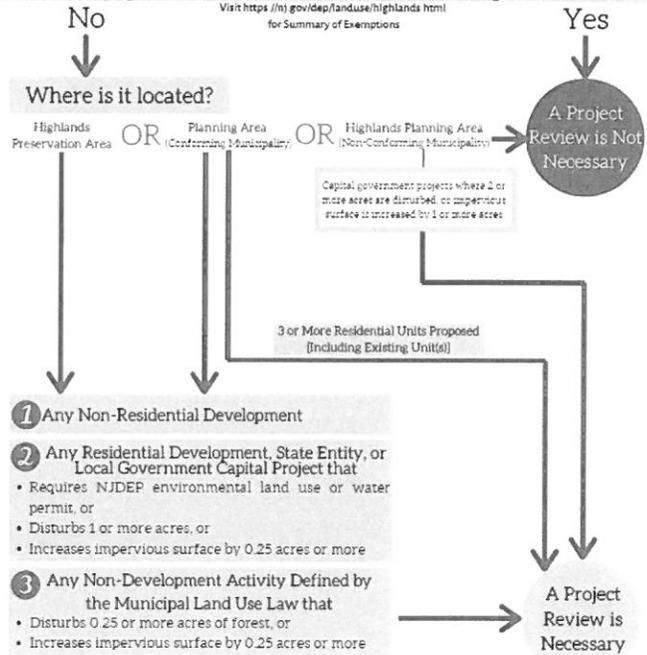


When is a Project Review Necessary?

## When is Project Review for Critical Habitat Necessary?

### Is Your Project Exempt from the Highlands Water Protection and Planning Act?

Visit <https://nj.gov/dap/landuse/highlands.html> for Summary of Exemptions



# Next Steps

-  Presentation to Planning Board (November 7)
-  Preparation of Highlands Ordinance Templates
-  Development of Draft Plan
-  Review by Borough and Highlands Council staff
-  Presentation of Draft Plan to Borough
-  Update Plan and Templates as needed
-  Presentation of Final Plan to Planning Board
-  Adoption by Planning Board



The Land Conservancy of New Jersey  
Barbara Heskins Davis, PP, AICP  
(973) 541-1010, extension 33  
[bhdavis@tlc-nj.org](mailto:bhdavis@tlc-nj.org)

Thank You



Mrs. Roselius opened the meeting to the public and hearing no one closed the public portion.

Mrs. Roselius stated that the Planning Board will be going out for RFP's for a Attorney, Engineer and Planner. Mrs. Roselius stated that this is because the Mayor & Council adopted Resolution 10.01.09 Authorizing and Directing the Planning Board to conduct a Preliminary investigation to determine whether the proposed study area, qualify as an area in need of condemnation redevelopment.

A motion to approve the bills and adjourn was offered by Mr. Savino, second by Mrs. Smialek with the affirmative "yes" vote of all on roll call.

Respectfully submitted,

Jennifer Highers, Secretary

cc: Planning Board Members  
Planning Board Attorney  
Planning Board Engineer  
Borough Clerk  
Board of Health  
Fire Prevention Bureau  
Zoning Official  
Construction Official  
Environmental Commission  
Tax Collector  
Assessor  
Department of Public Works  
Police Department  
Morris County Planning Board