

**TOWNSHIP COMMITTEE
TOWNSHIP OF MENDHAM
SPECIAL MEETING**

DATE: Tuesday, August 30, 2022
TIME: 7:00 PM
LOCATION: Municipal Building and Remote via Zoom

ROLL CALL

Mr. Baio	Present
Ms. Duarte	Present
Ms. Neibart	Present
Mr. Orlins	Present
Mayor Monaghan	Present

Also, present:

Mr. John M. Mills, Esq.
Mr. Jason Gabloff, Township Administrator
Ms. Maria Coppinger, Township Clerk

SALUTE TO THE FLAG – Led by Mayor Monaghan

STATEMENT OF ADEQUATE NOTICE – Read by Mayor Monaghan

Adequate Notice of this meeting of the Township Committee of the Township of Mendham was given as required by the Open Public Meetings Act as follows: Notice was given to the Star Ledger and Daily Record on August 18, 2022. Notice was posted on the bulletin board in the township offices and notice was filed with the Township Clerk.

OPENING STATEMENTS BY TOWNSHIP COMMITTEE MEMBERS

Mr. Baio had no opening comments.

Mr. Orlins is in support of the Mendham Mushrooms’ proposal.

Ms. Duarte’s statement attached.

Ms. Neibart believes we should be listening to the public and noted that it’s essential, specifically for the town hall, because it’s more of a conversation. She is excited to hear about the proposals and expressed that we must keep an open mind.

Mayor Monaghan’s opening statement is attached.

PRESENTATION - MENDHAM MUSHROOMS LLC

Mr. Bruce Flitcroft of Tingley Road and founder of Mendham Mushrooms LLC presented his presentation which is attached hereto.

COMMENTS FROM MENDHAM MUSROOMS ADVISORS

Mr. Andrew Bennet is an approved forester in the State of New Jersey. Mr. Bennet commented that the two properties they have looked at in Mendham Township are not much different than what we look at in northern New Jersey. We are looking at a forest in Mendham where there are a lot of stresses on our forest – noting that most of the stressors are man-made. Mr. Bennet also spoke on the natural succession of our forest. He pointed out a few things that Mr. Flitcroft is doing that he believes are ‘easy yeses’ like a deer browse (fencing) and containing the invasive species on the property; both will improve the forest.

Anthony Zienowicz is a resident of Mendham Township and one of the six volunteers on the scientific advisory committee for Mendham Mushroom LLC. Mr. Zienowicz explained some of the committee notes and some of the best practices – some of the fieldwork that can create unique challenges for the activities that may seem routine in a laboratory is not necessarily the same in fieldwork. However, well-regulated, along with procedural best practices that have been discussed and continuously analyzed with the committee, will lead to successful, safe methods in obtaining all the data.

QUESTIONS FROM THE TOWNSHIP COMMITTEE

The committee engaged in a question-and-answer session with Mr. Flitcroft.

OPEN TO THE PUBLIC

Martin Slayne, Indian Hollow Road – Chair of the Environmental Commission, asked for additional time to present the researched response by the EC and was given the standard 3 minutes to speak; statement attached.

Alana Van Rensselaer, Kennaday Road – Ms. Van Rensselaer is surprised that the township committee is considering letting a business use preserved land for this project. She asked a couple of questions regarding the proposal, which Mr. Flitcroft addressed. She knows many people who have donated this land for preservation; she thinks many would be horrified that the committee would allow the land to be used in this matter.

James Zemaitis, Corey Lane – Vice Chair of Historic Preservation Committee – Mr. Zemaitis read a prepared statement on behalf of the Historic Preservation Committee.

Diane Dinklage, East Main Street – Ms. Dinklage is unimpressed by Mr. Flitcroft’s presentation. She has lived in the township since the 1950s and knows how precious the properties in question are. She expressed that it’s very disturbing that this meeting is happening.

Jack Curtis, Michael Road – Mr. Curtis said that this is not fair; a private company is getting 100 acres of public land for a for-profit proposal. He said his feelings about farm-land-assessed properties and asked Mr. Flitcroft to approach those

property owners for land. He also resents that Mr. Flitcroft is on the finance committee. Finally, Mr. Curtis mentioned two articles on fungal and its threat.

Patrick Donnelly, Tingley Road – Mr. Donnelly expressed his support for Mr. Flitcroft and his proposal.

Diana Orban Brown, Ironia Road – Mr. Brown thinks it’s an interesting proposal; she favors conservation. However, as a former chair of the Open Space Committee, open space in Mendham Township was acquired by several means, including partnerships with the County, the State, non-profit organizations, land donations, etc. She noted that these partnerships often had deed restriction agreements. Therefore, she asked the committee to slow down the process and conduct thorough research on the deeds.

George Koenig, North Gate Road – Mr. Koenig complimented Mr. Flitcroft for coming forward with the project. However, he is concerned about deciding before September 23rd and strongly suggests that this not be the case and that the township takes a year to study it a little bit more; grants will be available in the future. Mr. Koenig is not for the proposal or against it, but it should not be approved as is right now because there are a lot of open questions. He asked a couple of questions regarding the proposal, which Mr. Flitcroft addressed.

Cameron Daggett, Aberdeen Drive – Mr. Daggett thinks the proposal is a fantastic idea, and we can work through all the other details, but from where he is standing, there is no profit motive or ulterior motive that Mendham Mushroom is trying to promote. Instead, he expressed that Mendham Mushrooms is trying to do something to advance the scientific study that will benefit more people than just those in Mendham.

Carolyn Lange, White Oak Ridge Court – Ms. Lange disagrees with Mr. Flitcroft’s proposal to intervene, to help our forest; she believes the wildlife and forest are flourishing. She expressed that nature is so much smarter than humans will ever be; let it go.

Mary Calabro, Mount Pleasant Road – Member of the Environmental Commission - Ms. Calabro encouraged everyone to read the Environmental Commission comments submitted to the township and to take the words seriously. She encouraged the town to hire an environmental consultant independent of Mr. Flitcroft and his concerns. She also thinks Mr. Flitcroft’s deadline should not be the townships.

Frank Zammataro, Corey Lane – statement attached.

Robin Johnston, Cold Hill Road – Ms. Johnston asked what precedent this would set if Mendham Mushroom is allowed to utilize private land. Also, how would the town be able to deny access to other commercial entities?

Bernadette Koenig, North Gate Road – She expressed that more time is probably needed to answer questions, and it might be helpful to try to get a grant in a year. She commented that knowing that he might use preserved land in a way that was not intended by the people who donated it is a little horrifying.

Joshua Moreen, Hardscrabble Road – Mr. Moreen has a strong belief in the project that Mr. Flitcroft proposed. However, the proposal seems very rushed, and he is concerned about the selected locations and the potential impact on the wildlife corridor. Finally, from his survey of the properties, he does not see a lot of invasives noting that the locations look healthy. He asked the committee to take the time to consider his concerns carefully.

Mitchell Riback, Tempe Wick Road – Mr. Riback asked the committee to consider how they would feel about the project if they lived in the preserve and were land stewards. Mr. Riback is concerned with the proposal, including wildlife and human access.

Monica Witmore, Dogwood Drive – Ms. Witmore disagrees with the township's consideration of any non-public use of public open space regardless of merit.

Peter Dumovic, Shelton Road – Mr. Dumovic applauded Mr. Flitcroft for bringing the project forward; he expressed it’s an intriguing idea. He described the importance of hearing from a group of independent qualified, experienced scientists in Ecology and Forestry Conservation. He also asked the committee to take their time to make the right decision; he doesn’t see the urgency.

Chris Neff, West Main Street – Mr. Neff expressed that the project has a lot of merit to it. However, he advised Mr. Flitcroft that he would be successful with the project, with full community support, if he just waited a little bit – do not rush the process.

George De Pompignan, Mendham Road – Mr. De Pompignan is in support of the proposal and expressed the Mendham Township should lead the way.

Tracey Moreen, Hardscrabble Road – Ms. Moreen thanked the committee for hosting the session; it’s vital to ask for the opinions of the public, and it’s also essential to follow the preferences. She reminded the committee that the open space we are debating belongs to the residents. She asked the committee to prioritize the open space; that doesn’t mean rejecting the project; it means being very careful. She has concerns with the deer fencing and hopes we find another way to protect the saplings. Finally, she asked the committee to take its time with the proposal and not rush.

Rob Meyer, East Ridge Road – Mr. Meyer expressed his support for the proposal.

Ken Dickerson, Tempe Wick – He would like to understand the whole profitability possibility and wonders if the township wants to take on the burden of reviewing such documentation. He wants the township to take the time to understand everything, and let’s make the proposal beneficial to all parties.

Martin Slayne, Indian Hollow Road – He expressed that more time is needed to fill some of the gaps in the proposal; it doesn’t make sense to run with it because there’s a deadline to meet.

George Koenig, North Gate Road – Mr. Koenig restated that he is not for or against the project. However, he does believe the proposal needs more vetting, and at this approval should not be given. He asked Mr. Flitcroft about the high and low-profit projections the township would receive under the proposal; and will it include any intellectual property that the township could use in other ways.

Jack Curtis, Michael Road – Mr. Curtis expressed that the township needs to look at the other side of the argument and not just Mr. Flitcroft’s side.

Carolyn Lange, White Oak Ridge Court – She agrees with the residents that the proposal feels rushed and asked the committee to take their time.

James Zemaitis, Corey Lane – Mr. Zemaitis spoke on the historical district Tempe Wick and Washington Corners, noting that there are all sorts of undiscovered, documented, or perhaps lost-in-time things in that forest. He also expressed concerns with parking and the lack of trails in that area, saying that not every open space needs to have trails or to be explored by humans – possibly, the place needs to be kept sacred.

Patrick Donnelly, Tingley Road – Mr. Donnelly expressed his opinion regarding some of the concerns of the residents.

Chris Neff, West Main Street – Mr. Neff requested the committee to take their time on the proposal.

Tracey Moreen, Hardscrabble Road – Ms. Moreen noted that intellectual property right is key to the contract. She feels that the township should have rights to some portion of the intellectual property if something is discovered; and expressed the importance of transparency during the process.

Matt Van kirk, Horizon Drive – He suggested that the township obtain an independent third-party environmental study. He also recommended that township not rush the process.

Rob Meyer, East Ridge Road – Mr. Meyer expressed that taking time is a good thing but no one said how much time.

Diana Orban Brown, Ironia Road – Ms. Brown mentioned the Environmental Commission’s report asks many questions the committee should answer. She also expressed that more time is needed to digest the project.

George De Pompignan, Mendham Road – Mr. De Pompignan spoke on the 14-point report from the Environmental Commission, noting that only one- point spoke on the impact and appropriateness of the research; many of the other points looked to be questions for legal counsel.

Derek Flitcroft, Tingley Road – Mr. Flitcroft is a partner in the Mendham Mushrooms and spoke in support of the proposal; he also invited the public to speak with them and they would be happy to share information on the project.

Joshua Moreen, Hardscrabble Road – He asked the township to take their time on the proposal.

Ken Dickerson, Tempe Wick Road – He hears the passion from the partners of Mendham Mushroom. However, they want additional information on the details.

Motion to close the open to the public session made by Mr. Orlins; seconded by Ms. Neibart. All members voted in favor to close the session.

Mayor Monaghan requested a map of the zones that Mr. Flitcroft expects to be working in.

ADJOURNED

Motion to adjourn made by Mr. Orlins; Seconded by Ms. Duarte.

Respectfully submitted,

Distributed: 10/14/2022

Approved: 10/24/2022

Maria F. Coppinger
Township Clerk

ATTACHMENTS

1. Mayor Monaghan, Opening Statement
2. Committee Member Amalia Duarte
3. Martin Slayne, Chair of the Environmental Commission
4. James Zemaitis, Vice Chair of the Historic Preservation Committee
5. Bruce Flitcroft, Mendham Mushrooms LLC
6. Frank Zammataro, Mendham Alliance for Preservation & Conservation

Mayor Monaghan's Opening Statement:

I'd like to provide an overview of how tonight's meeting will be run. First, each member of the Township Committee will be given 1 minute to make an opening statement.

Next, Bruce Flitcroft of Mendham Mushrooms will give a presentation of his proposed project, not to exceed 40 minutes, which will build on his previous presentation and hopefully answer many of the questions that have been raised so far.

Following Bruce's presentation, we will have a 10-minute segment where we will hear from Scientific Advisors to Mendham Mushrooms.

Then members of the Township Committee will be able to ask questions of Mendham Mushrooms or their scientific advisors. This should take no more than 20 minutes.

Finally, we will open the floor up to members of the public. As is our normal practice, we will alternate between those live here in Town Hall, and those on Zoom.

So that you can prepare your comments appropriately, given the large number of attendees, I am going to structure the public comment portion of the meeting as follows:

Members of the public will be able to speak for 3 Minutes at a time, including responses. I will ask that no one step up a second time until after everyone has had the opportunity to speak once. Then we will move to a second round and so on.

My target is to end the meeting by 10, but will not end in the middle of a round of questions/comments.

I would like to ask the members of the Township Committee, beginning with the Deputy Mayor, to make any opening comments that they like. I will go last, Tom?

THANK YOU TO EVERYONE WHO TOOK THE TIME TO COME THIS EVENING TO OUR MEETING OR IS PARTICIPATING ON THE ZOOM. WITH SCHOOL STARTING LAST WEEK, I KNOW IT'S A BUSY TIME OF YEAR FOR MANY FAMILIES.

I WANT TO THANK BRUCE FOR BRINGING THIS IDEA FORWARD. IN MY FIVE YEARS ON THE DAIS AND YEARS BEFORE THAT COMING TO TOWNSHIP COMMITTEE MEETINGS, IT IS DEFINITELY ONE OF THE MOST INTRIGUING PROPOSALS I HAVE HEARD PRESENTED.

I AM INTERESTED IN LEARNING MORE FROM BRUCE AND ALSO LISTENING TO THE PUBLIC FEEDBACK.

THE LAST TIME WE HAD A PRESENTATION FROM SOMEONE WHO WANTED TO TAKE OVER PUBLIC LAND, IT WAS A GROUP OF HIGH SCHOOL STUDENTS WHO RUN THE SHARING PROJECT.

SHARING PROJECT LAUNCHED IN THE SPRING OF 2020 AS THE IB PROJECT FOR TWO HIGH SCHOOL STUDENTS. THEIR IDEA WAS TO GROW VEGETABLES FOR DONATION TO THE CHESTER MENDHAM FOOD PANTRY. IT WAS SUPPOSED TO BE A SHORT-TERM UNDERTAKING – AND THEN COVID HIT.

THE PROJECT EXPLODED BECAUSE SO MANY FAMILIES WERE SUDDENLY OUT OF WORK AND NEEDED FOOD. THEY ESTABLISHED GARDEN PLOTS AT VARIOUS LOCATIONS INCLUDING IN BACKYARDS AND GREW HUNDREDS OF POUNDS OF VEGETABLES WITH THE HELP OF VOLUNTEERS.

THEY CAME TO THE TOWNSHIP COMMITTEE IN SEPTEMBER OF 2020, LOOKING FOR A CONSOLIDATED HOME. I HAD SUGGESTED THEY USE THE ABANDONED BASEBALL FIELD NEXT TO THE MOUNT PLEASANT TENNIS COURTS.

FIRST THING SHARING PROJECT DID WAS CLEAR IT WITH STAKEHOLDERS. THEY CONTACTED MENDHAM BASEBALL AND CONFIRMED THE FIELD WAS NO LONGER USED BY THE PROGRAM.

SECOND, THEY CONTACTED THE DPW AND RECREATION DEPARTMENT FOR THEIR APPROVAL.

FINALLY, THE SHARING PROJECT CAME TO THE TOWNSHIP COMMITTEE AND PRESENTED THEIR CONCEPT FOR A COMMUNITY GARDEN. HALF WOULD BE UTILIZED TO GROW VEGETABLES FOR DONATIONS TO THE FOOD PANTRY AND HALF OF THE PLOTS WOULD BE SET ASIDE FOR RESIDENTS TO USE. THE RESPONSE OF THE TOWNSHIP COMMITTEE WAS TO ONLY APPROVE A PILOT PROGRAM OF 8 TEMPORARY GARDEN BEDS. WE WANTED TO SEE A PROOF OF CONCEPT.

THE FOLLOWING SUMMER, THEIR PILOT WAS SUCCESSFUL AND THEY CAME BACK TO THE TOWNSHIP COMMITTEE SEEKING A 10-YEAR LEASE. THEY WANTED A LEASE BECAUSE IT WOULD HELP THEM QUALIFY FOR GRANT MONEY. THE RESPONSE FROM THE TOWNSHIP COMMITTEE WAS LUKEWARM ABOUT ENTERING INTO A LONG-TERM LEASE.

INSTEAD, THE TOWNSHIP COMMITTEE AGREED TO ALLOW SHARING PROJECT TO WORK UNDER THE UMBRELLA OF THE ENVIRONMENTAL COMMISSION. THE TOWN ALSO STATED IN THE RESOLUTION, THAT WE COULD TAKE BACK CONTROL OF THE PROPERTY AT ANY TIME.

THAT PROCESS TOOK EXACTLY 18 MONTHS.

NOW, WE ARE BEING ASKED BY A RESIDENT FOR 100 ACRES OF TOWNSHIP-OWNED LAND TO UNDERTAKE WHAT IS AS HE HAS DESCRIBED IT AN EXPERIMENT.

AN EXPERIMENT MEANS, HE IS NOT SURE OF THE OUTCOME.

I BRING UP THE SHARING PROJECT BECAUSE WE ACTED IN A VERY DELIBERATE AND SLOW MANNER - ALLOWING FIRST A PILOT ON A TINY PIECE OF PROPERTY. AND NOW WE HAVE ALLOWED AN EXPANSION BUT HAVE NOT ENTERED INTO A LEASE.

THE SAME PROCESS TOOK PLACE WHEN THE RALSTON CIDER MILL NONPROFIT CAME FOR A RENEWAL OF THEIR LEASE. IT TOOK YEARS TO RENEW THE LEASE.

MY POINT IS THAT WHATEVER YOU THINK OF THIS PROJECT – WE SHOULDN'T BE RUSHING IT.

RESIDENTS MOVE TO MENDHAM BECAUSE OF OUR OPEN SPACE AND ACCESS TO IT. THEY

I HAVE A LONG LIST OF QUESTIONS ABOUT THE PROPOSAL – AND CONCERNS ABOUT THE ENVIRONMENTAL IMPACTS WITHOUT EVEN GETTING INTO THE SCIENCE OF IT.

BUT HERE ARE SOME OF MY BIGGER PICTURE CONCERNS:

We haven't seen a real business plan for this project. It's been a very high-level concept and then questions answered via emails. Can we get an actual business plan? What are the potential risks to surrounding areas

and other habitats, species and waterways? Buck Hill has a pond and the Passaic River headwaters flowing through it. What is the impact to the waterway? The project includes “dirt road” grading? Is that for bringing in the shipping container. How much natural area will be disturbed?

FOR ALL OF THOSE REASONS, I WOULD LIKE TO SEE AN Environmental Impact Statement.

I have concerns about the legality of entering into a lease to give a for-profit business land that was purchased for preservation using taxpayer Green Acres and other funding. According to the township attorney John Mills, “If someone decides to challenge the project in court, a possible outcome could be a ruling that we "diverted" the protected land and the town would then have to replace the 100 acres with other unencumbered land to be put under restriction.”

We would have to lease over two tracts to come up with the total of 100 acres. Will the public have any access to the 100 acres, either for hiking or hunting?

Has he considered partnering to try this experimental project on state or county land instead of in the middle of our town?

What are liabilities for the township?

Finally, what happens if this project doesn't succeed, or if Bruce gets bored with it or moves out of Mendham? What are we left with..?

Mendham Township Environmental Commission

Comments on the Mendham Mushrooms proposal August 25, 2022

The Environmental Commission (EC) held a special meeting on August 23rd, despite the summer break period, specifically to review information relating to the proposal 'Mendham Mushrooms', in view of urgency to provide an EC view to help inform a Mendham Township Committee (TC) public meeting on this proposal to be held August 30th.

This position paper is the outcome of the EC special meeting and outlines the views of the EC members, which were unanimously agreed, without exception.

The 'Mendham Mushrooms' proposal was submitted to the TC, with a view to securing support to use Township land to conduct long-term studies on forestry conservation, including commercial production of mushrooms as a profit-sharing venture.

Bruce Flitcroft, the proposer, shared topline details of his proposal as a public attendee at the EC monthly meeting on June 25th. The idea sounded interesting to EC members to look into further. The basic proposition is to promote hardwood forests, remove invasive plants, and to encourage growth of fungi, claimed to represent typical woodlands from hundreds of years ago. However, upon reading further details of the proposal subsequently shared by Mr. Flitcroft, significant concerns were raised, and doubts about the legality, feasibility and scientific credibility of the proposal.

At a very basic level, no evidence was presented that would support that open space land owned by Mendham Township has a problem that requires the remedy proposed, and the proposal lacks specificity around execution of the plan, financial benefits and impact to the community.

After reviewing material submitted to the EC by Mr. Flitcroft, the following issues were identified as concerns of the EC:

1. Before considering the technical details and merits of the proposal, the EC has fundamental questions on the legality of what is proposed. The proposal to use large areas of Township land for commercial gain by an individual entrepreneur, whether such work is permitted on the protected open space and designated Green Acre areas, and the adjacency to sensitive protected category 1 waterways, needs review by legal and environmental professionals.
2. There are several New Jersey organizations that should be consulted about permissibility and environmental risks of this project, such as:
 - +The New Jersey Highlands Coalition
 - +The New Jersey Land Conservancy
 - +Raritan Headwaters
 - +New Jersey Dept. of Environmental Protection
 - +New Jersey Conservation Foundation
 - +Morris County

Without advance reviews on legality and permissibility on protected land, it would be inappropriate use of TC and EC time to pursue considering this proposal.

3. A legal view is needed on the potential conflict of interest in view of Mr. Flitcroft being an active member of the Mendham Township Finance Committee.
4. The proposal itself lacks any clear business plan. There is no clarity on how Mendham Township would benefit from this project. The benefits should be clearly stated along with the risks, cost breakdown, project partnership accountabilities, etc. How would the project benefits compare with alternative conservation projects that may offer greater benefits for Mendham open space and woodlands?
5. Mr. Flitcroft's plan is for a project to last 10 years. Such a lengthy term project should require a much more detailed plan with executive summary listing the following and more:
 - + Goals and fact-based benefits for Mendham Township and Mendham Mushrooms,
 - + Timetable,
 - + Overall cost, and cost for the Town to absorb,
 - + Work Schedule and who will do the work to implement and maintain the project
 - + Most importantly, the risks for this experimental research work and how they will be mitigated, to ensure no detriment to our local environment.
6. Much of the material is from Mr. Flitcroft, as an individual. Mr. Flitcroft's experience is primarily in IT and entrepreneurial business. He has not provided any clear documented evidence or references for his relevant experience or research, or scientific partners, or technical collaborators who are experts on relevant environmental issues, or scientific research. There is no apparent partnership or agreement with expert organizations in this area of conservation. Other material submitted is US Federal Government material and is not specific to the issue of mushrooms as put forward by Mr. Flitcroft.
7. Mr. Flitcroft describes the project as a 'research' project but gives no indications of possible risks or problems with the suggested approach. Mendham will not know if this experimental idea poses risks of damaging our environment. The US government references are mostly concerned with large tracts of land (1,000+ acres or

more) not in the Northeastern US and with the intent of limiting forest fires, which is not representative of Mendham.

8. This project would remove the use and access for residents to preserved open space land, while enabling a mushroom business for an entrepreneur, who has no documented established connections with credible environmental academic researchers or scientific expert partners or collaborators in relevant forestry conservation. While the proposal includes planting hardwood trees and removing invasive plants, the primary driver of the proposal is 'Mendham Mushrooms' business, inoculating Mendham woodlands with fungi, that may or may not provide any conservation benefits.
9. Mendham Township has approximately 11,500 total acres, of which 3,848 acres are open space, as indicated in the Township Masterplan. Mr. Flitcroft is suggesting setting aside 100 acres of Mendham preserved open space land for this project. To help frame this, the Schiff Preserve totals 380 acres. Mr. Flitcroft is proposing to take control of Township open space land that is equivalent in size to over 26% of the entire Schiff Preserve, to fence off this land from public recreational use and deprive enjoyment by Mendham residents.
10. A major concern is that the proposal would damage existing ecosystems, without sufficient knowledge of those existing ecosystems, or the potential negative impacts of introducing new fungal species that may not be currently compatible. A properly conducted expert ecological and ecosystem review would be necessary, to determine risks and possible benefits, and whether there is any need for fungal inoculation in our otherwise healthy woodlands.
11. The Government documents indicate the need for a Forest Management Plan and a Forest Management Professional for the work (666D). Mr. Flitcroft's paper says there is a need for long term custodial model, but no details are offered on who will do this work or how it would be funded.
12. This project has an aggressive schedule to meet submission dates for a government grant. Such Government grants are offered annually. There is no reason to force agreement to move forward with a project proposal which has so many fundamental flaws, uncertainties and potential risks. The schedule should not unduly pressure MT or the EC. Both organizations have work schedules that have been set well in advance of any specific project schedule. There is no reason for an interruption without more information, such as details elaborated above. Ad hoc long-term study ideas from individuals are no basis for urgency, and should undergo appropriate scrutiny and review for justification, before taking significant amounts of time from elected officials and volunteers serving in their best interests for our community.

The EC strongly suggests that if this project proposal is elaborated with information to support the concerns above, that further review would be necessary by independent experts in forestry conservation, ecology and ecosystems. Independent assessments would be necessary on the risks, potential benefits, costs, timetable and work schedule, at the cost of the proposer as part of the due diligence that would be expected in such a project proposal. The government documents indicate that some work has been done to improve forestry areas, but there is nothing obvious demonstrated about inoculating with mushrooms. There is no mention of how these other projects are progressing and if it is possible to learn from them to benefit the current proposal. Only with a significantly more robust proposal and appropriate expert analysis, would the Township be able to make an educated, informed decision about whether such project-work might make any sense for our local Mendham environment.

The proposed project appears to be essentially a commercial venture, based on theory, with limited technical field knowledge on how it would impact our environment, or clear benefits to our community. We would recommend an alternative reasonable way forward may be a pilot conducted by the owner, if desired, on private land, meeting environmental protections, and studied over a trial period to understand the pros and cons in practice, before any further proposals are put forward to use Township land.

A positive outcome arising from this proposal is the raised attention to conservation efforts in our Township, and while this proposal in its present form does not fit our community needs, the EC proposes to assist the TC in developing a conservation strategy for long-term management of its open spaces, woodlands and protected waterways. For example, programs for removing invasive plants that can choke and outcompete native plants, promoting growth of native beneficial trees and shrubs would make sense - a strategy to promote healthy, naturally-sustainable ecosystems, without forced interventions, without inoculation of commercial species that otherwise may be detrimental to our largely healthy woodlands. If native plants provide an ecosystem that supports growth of desirable fungi, then nature will lead the way. This is in line with EC efforts already underway to promote native planting, remove invasive plants and reduce unnatural interventions, such as detrimental chemicals and treatments.

**Submitted on behalf of the Mendham Township Environmental Commission
by
Martin Slayne, PhD
Chair, Mendham Township Environmental Commission**

August 25, 2022

"My name is James Zemaitis, I live at 58 Corey Lane, and I am speaking tonight as Vice Chair of the Historical Preservation Committee.

On behalf of my colleagues on the HPC, I would like to read into the record the following statement, to which we have unanimously agreed, without exception, following a special meeting held on Sunday, August 28th: "We, the Historical Preservation Committee, call attention to the fact that two of the township-owned Green Acres open space tracts included in the proposal submitted by Mendham Mushrooms, which are Buck Hill Tract Natural Area, and a section of forest known as the Leddell Preserve, are inside the boundaries of the Tempe Wick Road-Washington Corners Historic District, and therefore fall under our review.

Buck Hill preserve, which can be accessed via a gate on Tempe Wick Road, includes a three-acre lake which was constructed in the 1700s as a mill pond. There appear to be fragile, lichen-covered archaeological sites which border the forested side of the pond. The property, which lies within the headwaters of the Passaic River, includes rolling hills of hardwood forests, streams and springs, untrodden mossy manmade paths from an earlier era, and lowland swamps. Apart from the swampland and the heavy brush which grows between the pond and Tempe Wick Road, the site is remarkably free of invasive plant species. Currently undeveloped by contemporary trail infrastructure, Buck Hill's overall landscape might be described as scenic, historic and relatively undisturbed for many decades.

The Leddell preserve, which is further down Tempe Wick Road near the borders of Lewis Morris Park and Jockey Hollow, is a tract of forest located across the road from Leddell's Pond and its prominent ruins of an 18th Century grist and lumber mill. Noteworthy for its natural slope of native ferns along the roadside, the Leddell forest has no trail infrastructure of any type. It is currently unknown if there are any archaeological sites there. It might be described as exceptionally scenic and undeveloped and an essential part of the preserved historical landscape which marks the entrance to Mendham Township, after Tempe Wick Road passes through the Morristown National Historical Park, site of the 1779-80 winter encampment of the Continental Army.

It is the opinion of the HPC that any proposed agricultural projects or infrastructure (including Morris County trails grants) on public lands which fall within the boundaries of a Historical District, especially in a district of such national significance as Tempe Wick, require detailed study, analysis, and the advice of the HPC itself. We are alarmed by the lack of clarity in the Mendham Mushrooms proposal regarding the exact location and construction of test sites within these open spaces. If there are no contemporary trails which lead into these forests, how does Mendham Mushrooms propose to gain access to these sites? Will the fragile forest floor and archaeological sites be damaged by proposed fencing, storage containers and newly cut trails? Will these sites or their access roads be visible from Tempe Wick Road?

The HPC hereby requests the following: Should the Township Committee vote in favor of partnering with Mendham Mushrooms on this agricultural business in time for Mendham Mushrooms to submit grant applications in the coming months, it is imperative that the Buck Hill and Leddell forests and any other site on public land located within a Historical District be removed from grant proposals submitted by Mendham Mushrooms until these sites can be subjected to a thorough review by the HPC.



Mendham Reforestation Pilot Project

- Sponsored By Mendham Mushrooms
- Key participants include:
 - Rutgers University
 - Mendham Township
 - USDA NRCS
 - USDA FSA
- Other organizations to be invited to Participate:
 - USDA Forestry Service, NJMA (NJ Mycological Association), ACF (American Chestnut Foundation), NJDEP, NJCSIT (New Jersey Commission on Science, Innovation and Technology)

Project Scientific Advisory Committee

Sara Fitzsimmons

- Chief Conservation Officer, The American Chestnut Foundation
- B.S. Biology Drew University
- Masters in Forest Ecology Duke University

Edward Karlsson

- Horticulturist and Teacher Greystone Park
- Bachelor's degree Environmental Design and Horticulture Rutgers University

Dorothy Smullen

- Masters in Biology – Brooklyn College
- Member of New Jersey Mycological Association (NJMA) since 1975
- Past President of NJMA – 1995-1996
- President of the Northeast Mycological Federation (NEMF) 2004-2005
- Program presenter on diverse mushroom and lichen topics for NJMA, NEMF, NAMA, NJ Audubon, ANJEE, NY Botanical Garden and garden clubs
- Part-time teacher/naturalist at New Jersey Audubon

Project Scientific Advisory Committee Continued

Dr James White

- Professor Plant Pathology Rutgers University
- M.S. in Mycology and Plant Pathology from Auburn University, Alabama, and the Ph.D. in Mycology from the University of Texas, Austin.
- Member of American Phytopathological Society

Anthony J. Zienowicz

- Scientist, Department Of Defense
- B.S. Biochemistry
- Education: Rider University and Armaments Graduate School (AGS)

Andrew Bennet

- President Ridge and Valley Forest Management, B.S. Forest Management University of Tennessee
- Andy is an Approved Forester in the state of NJ; recognized as a Technical Service Provider (TSP) by the NRCS; licensed with the NJDEP as a Certified Pesticide Applicator; Certified Tree Farm Inspector; member of the Society of American Foresters (SAF); and member of the NJ Forest Association (NJFA)

- https://www.youtube.com/watch?v=T-pxCuyIZEI&ab_channel=PacBio

NJDEP Forestry Plan Quotes

- “Through sustainable science-based management and conservation practices, the New Jersey Forest Service promotes the resilience of New Jersey’s forests and their interdependent natural systems in the face of societal needs and a climate crisis that demands urgent and decisive action.”
- “Our Great Eastern Deciduous Forest now has a Eurasian understorey.”

-NJ DEP 2020 Forestry Plan

NJ Blights and Infestations

- The spotted lanternfly, Beech leaf disease, LDD Gypsy Moth,, Hemlock woolly adelgid (HWA), The emerald ash borer (EAB), sudden oak death (SOD), bacterial leaf scorch (BLS), Beech Bark Disease, Oak wilt, Scarlet Oak Sawfly, Thousand cankers disease (TCD), The Elm Zigzag Sawfly (EZZ), Black knot Disease, Oak Shothole Leafminer, Verticillium Wilt, The Chestnut Blight, Dutch elm disease (DED)

Four Stages of Re-forestry Plan Test Zones

- Stage 1) 0-30 years, No mature Hardwood trees, a few young Mesophytes in Zone
- Stage 2) 31-60 years, Mixed Mesphyte forest, Mid Canopy Maybe a few Hardwoods
- Stage 3) 61-90 years, Young Oak Forest with Some Mesophytes, Mid Canopy, starting to produce Mast
- Stage 4) 91-120 Years, Maturing Oak/Hickory, fragmented upper canopy forming, Some Mast Production







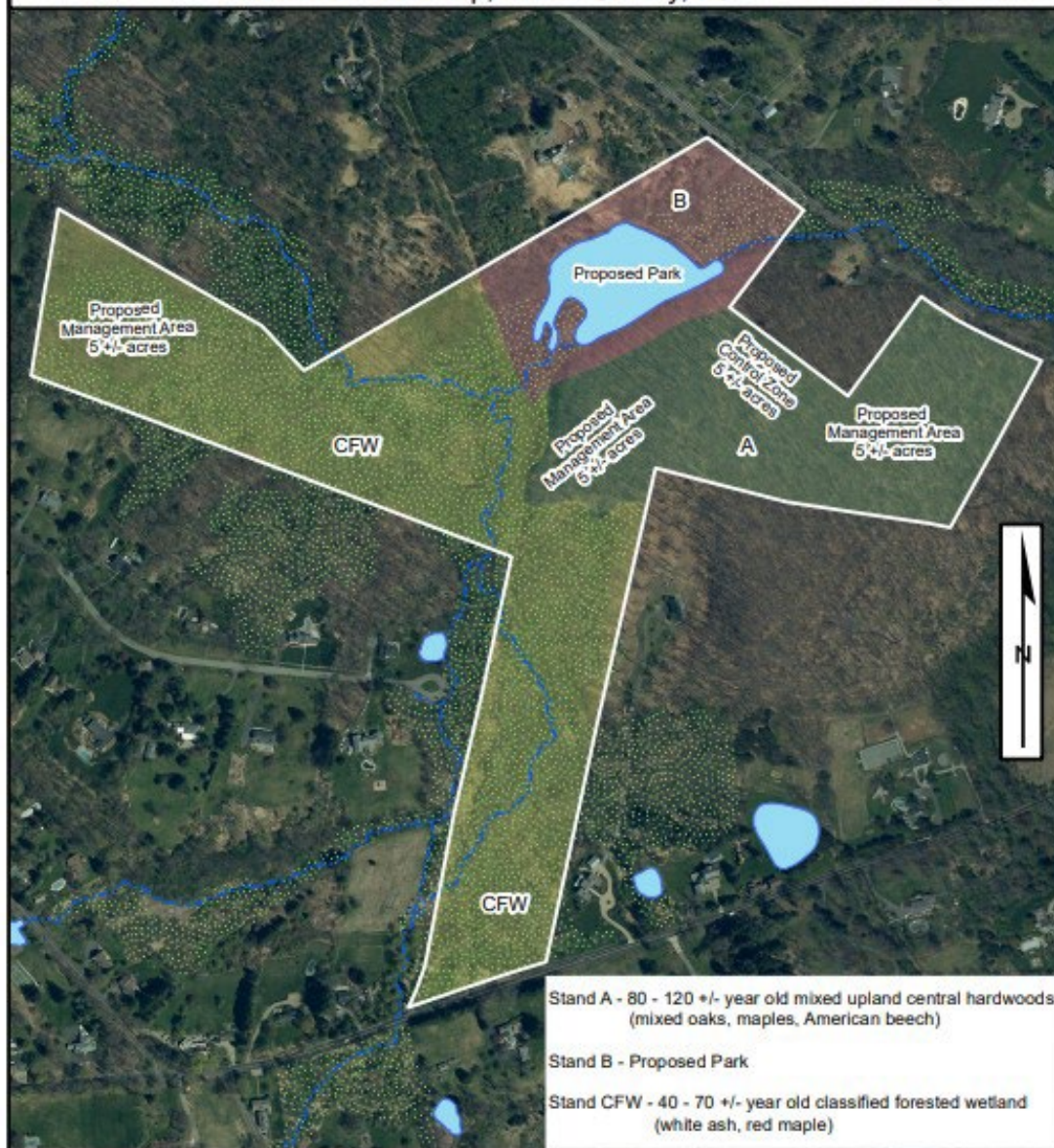


AERIAL MAP

Property of Mendham Mushrooms, LLC

Mendham Township, Morris County, NJ

September, 2022



The property boundary was taken from a digitized tax map and may not be accurate. This is not a survey.
This map was developed using NJ DEP GIS data, but this secondary product has not been verified by NJ DEP and is not state-authorized.

1 inch = 450 feet
0 260 520 1,040 feet

FOREST STAND MAP

Property of Mendham Mushroom, LLC

Mendham Township, Morris County, NJ

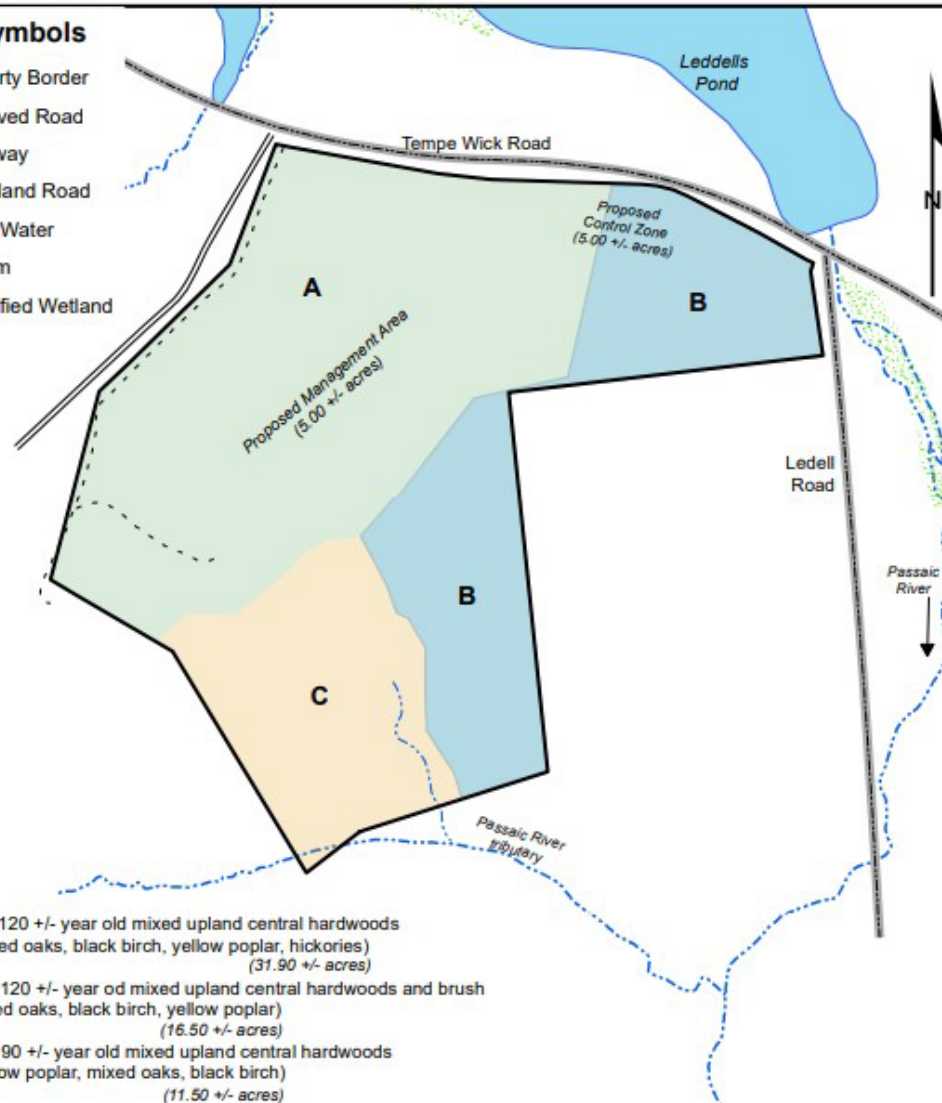
Block 147 / Lots 16 & 17

Total area = 59.90 +/- acres

September, 2022

Map Symbols

- Property Border
- Improved Road
- Driveway
- Woodland Road
- Open Water
- Stream
- Classified Wetland



Stand A - 80 - 120 +/- year old mixed upland central hardwoods
(mixed oaks, black birch, yellow poplar, hickories)
(31.90 +/- acres)

Stand B - 80 - 120 +/- year old mixed upland central hardwoods and brush
(mixed oaks, black birch, yellow poplar)
(16.50 +/- acres)

Stand C - 70 - 90 +/- year old mixed upland central hardwoods
(yellow poplar, mixed oaks, black birch)
(11.50 +/- acres)

The property boundary was taken from a digitized tax map
and may not be accurate. This is not a survey.

This map was developed using NJ DEP GIS data, but this secondary
product has not been verified by NJ DEP and is not state-authorized.

1 inch = 400 feet
0 200 400 800
feet



Three oaks in Mixed Forest





Invasive Brush Pile from this spring



Leaf Litter late November



Food



Snags with nests



Dry wood densities For Carbon Sequestration

- Hickory 51-58 lbs/ ft³
- White Oak 47.5 - 56 lbs/ft³
- Red Oak 44 lbs/ft³
- Black Cherry 43-56 lbs/ft³

- Red Maple 34 lbs/ft³
- Elm 35 lbs/ft³
- White Ash 39 lbs/ft³
- Tulip Poplar 26 lbs/ft³

Cleared This April



Cleared This May



Cleared in May/ Cleared last Fall



40 ft



30 ft



Clearing This August/ Cleared last Fall



Native Woodland Food



Fungal Cultures



Colony Monotubs





August 30, 2022

MAPC Position Paper on Mendham Mushrooms' Proposal

The newly formed Mendham Alliance for Preservation and Conservation (MAPC) has taken an active interest in the proposal brought forward by Bruce Flitcroft, of 23 Tingley Road, regarding his newly formed Limited Liability Corporation named Mendham Mushrooms.

From what the MAPC has been able to glean and learn from three meetings (the initial Township Committee Project Introductory PowerPoint Deck from July 2022, the early August Township Committee meeting, a Zoom call with Bruce and a visit to Bruce's Farm, is that Bruce, a self-taught ecologist-entrepreneur, would like to pursue his vision for reforesting existing healthy and failing forests by introducing woodland conservation methods which include:

- 1) Management of invasive species;
- 2) Topping and Holing of unhealthy trees for bird sanctuary;
- 3) Planting native species saplings;
- 4) Introducing various mushroom spores into the earth to help those saplings build resiliency and to propagate spread and growth of a forest that resembles the forests that existed here in Mendham 400 years ago;
- 5) Fencing in four (4), Five (5) Acre areas at Public Open Space Green Acre: specifically Buck Hill Natural Area and the Leddell Preserve to experiment;
- 6) Placing at least 2 metal Containers in nearby semi-permanent locations that would respectively house \$60,000 laboratories for the respective mushroom spores;
- 7) Creating habitat for animals;
- 8) Identifying methods and intellectual property that can be validated by State and National Environmental Agencies; and
- 9) Build a profitable business model for the future that includes mushroom cultivation, reforestation and invasive species management.

To accomplish this, it appears that Bruce and Mendham Township are in a "hurry" to execute a signed lease for partial use of these properties for between 5 and 12 years at a minimum. That lease will be used to acquire one or more grants from one or more State or Federal agencies to set-up the woodland experiments which is due on or about September 23, 2022.

Based upon our research of these public Open Space - Green Acres with historic, archeological and wildlife habitat significant (which was presented to the Committee at the early August TC Meeting attached), the MAPC's main interest is to help the Mendham Township Committee make a thoughtful, low or no-risk decision on this project, thus, here is an updated list of our current concerns and issues that the MAPC believes needs to be de-risked and fleshed-out further:

- 1) Bruce is quite an impressive, self-taught individual with lots of passion for this project, however, this is a "for-profit" entity. He wants to take his passion project/hobby and make it into a business for himself and his family. Can "for-profits" lease Green Acres - Open Space public land for private benefit?



- 2) We understand that Buck Hill and Leddell are the only target sites at this stage, however, we heard that there were other sites under consideration in Tingley and Mountainside Roads that may still be in discussion. Since Buck Hill & Leddell are "fee simple, encumbered" Open Space public lands, any lease agreement requires prior approvals of NJDEP Green Acres Program staff, Morris County Commission and Freeholders before execution. This is clearly outlined in the respective Deeds which are easily downloadable from Morris County's website. Any violation can potentially cause the lands to be transferred back to State and County entities and/or the Foundations involved;
- 3) Further, and I am quoting "local governments should be aware of the specific requirements of N.J.A.C. 7:36- 25 regarding maintenance and operation of Green Acres encumbered parkland..." Specifically, under N.J.A.C. 7:36-25.13, "the local government shall submit the proposed lease or agreement to the Department for approval at least **45 days before** it intends to execute the lease or agreement. Any such lease or use agreement that is executed without the Department's approval is void and of no legal effect." I am providing the statute URL web address with over 174 references to leasing public land (https://www.nj.gov/dep/rules/rules/njac7_36.pdf)
- 4) The MAPC recommended that further discussions be had with Bruce's "scientific advisors" either prior or at this August 30th meeting so the MAPC and other interested parties could discuss the project to understand their respective views and level of involvement. We hope that happens;
- 5) The MAPC and the general public should be able to see the specifics of the lease agreement lot plans for the 20 acres to be fenced in, location of roads or paths to access those acres as well as the location of the semi-permanent laboratory containers. We understand that this is again in flux primarily because of the grant timeline demands and forestry reviews that Bruce is conducting, but believe that since these are public land, those lot disturbance schematics should be made public **prior** to signing any lease agreement;
- 6) Verification from the Mendham Township Committee attorneys that there is no "conflict of interest" given Bruce's past and/or current roles in our volunteer government committees;
- 7) Since Mendham Mushrooms is a private entity that may derive intellectual property and future business value from this research on public land, Mendham Township should have the ability to benefit in the future. There is evidence of past public - private partnerships that have included "warrant" instruments that can be optioned for future investment by a governmental/municipal entity. This should be in the agreement if it proceeds and finally;



- 8) Seven (7) members of the MAPC and Five (5) residents visited both Leddell and Buck Hill on August 28th. These are healthy forests, with canopies as high as 60 to 80 feet, with no “invasive species” in the areas that Bruce is currently targeting. We recommend that any Township Committee member planning to vote on this lease take the time to walk these spaces and see for themselves.

Based upon this review and the various complexities involved with Bruce’s idea and venture, the MAPC recommends that Mendham Township and the Committee take the appropriate time to get this project right to avoid mistakes that can potentially damage these eco-systems or create a basis for losing ownership. This simply means to complete the homework needed, consider alternative approaches and not rush the process, perhaps making this a 2023 initiative.

Bruce has commented that the grant monies may not be there next year, however, based upon the the various laws recently passed at the federal level, it appears likely that the NRCS innovation funding buckets, for climate related research (including Bruce’s), will be full, albeit, it may mean a different or a new program other than the ones Bruce is currently targeting.

We like Bruce, he’s an engaging and passionate entrepreneur and we like the idea, however, Mendham Township should take the time to get this right.

It is for these reasons, that the MAPC believes any lease for this project associated with Open Space/Green Acres Public Land be delayed until all implications are **fully vetted**.

Mendham Township has incredible talent pools in the Environmental Commission, Historic Preservation Committee and Tree Protection Committee and the MAPC believes that they can help Bruce achieve his vision albeit later than he expected and perhaps with other alternatives to consider.

The MAPC will continue to advocate for creating sustainable attributes in the Mendhams, making it distinctive in New Jersey. It will take visions like Bruce’s and it will take a village like Mendham Township!

Thank you.

Submitted by Frank Zammataro
41 Corey Lane
President & Co-Founder of the Mendham Alliance for Preservation & Conservation.



Mendham Alliance for Preservation & Conservation (MAPC)

**Township Committee Mushroom Project
Initial Research**

August 2022



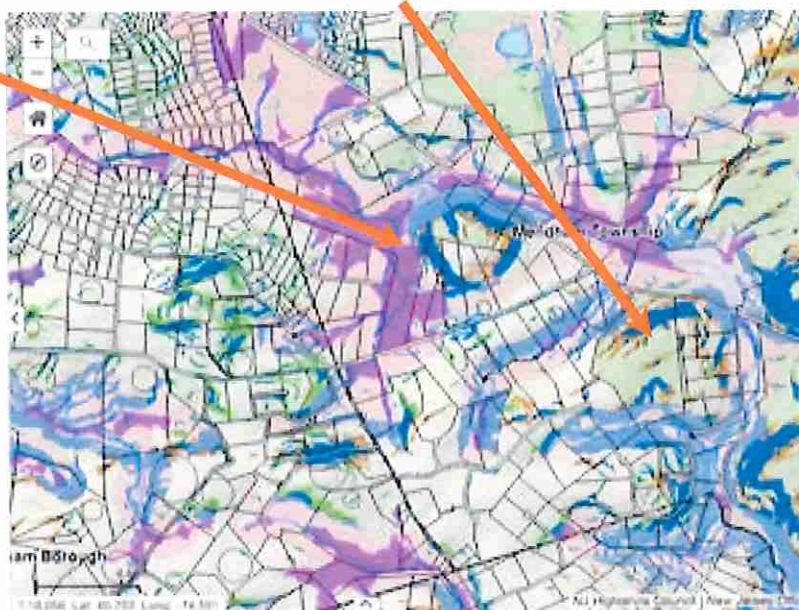
MAPC Project 2: Mushroom Proposal Initial Finding.

- Targeted properties appear to be public lands with Green Acres/Open Space status at State that have significant Category 1 Waterways and Wetlands with Archeological significance and Endangered Species.
- A thorough environmental land disturbance study on each target should be funded & conducted prior to entering into any binding contract.

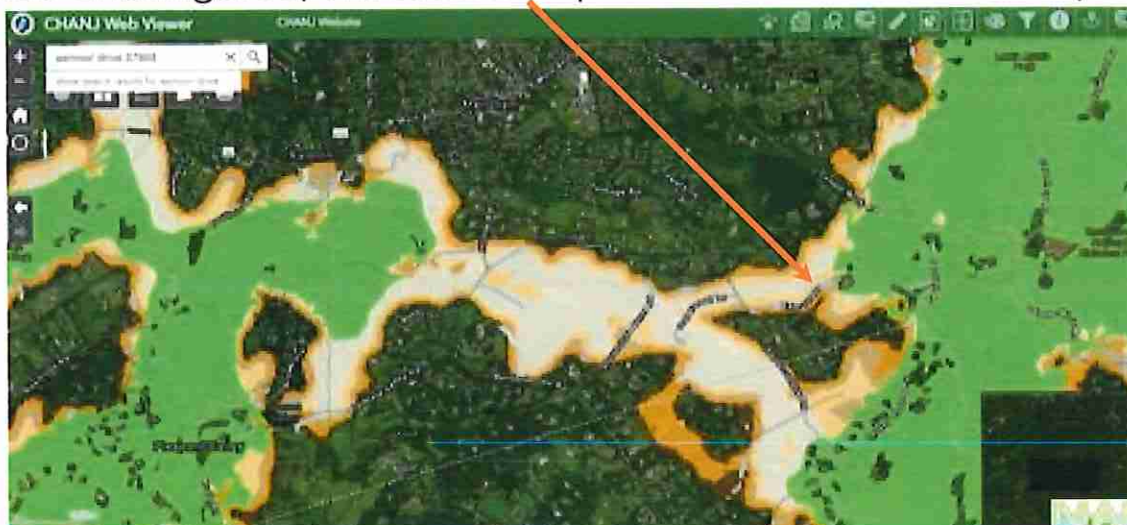


Buck Hill & Leddell Preserve Targets

- ☐ Preservation Priority
- ☐ Preserved Open Space
- ☒ Riparian
 - ☐ Riparian Corridor Integrity Score
 - ☒ Riparian Area
- ☐ Wildlife Corridor
- ☒ Topography
 - ☒ Steep Slope Protection Area
 - ☐ Limited and Constrained
 - ☐ Limited and Constrained
 - ☐ Moderately Constrained
 - ☐ Severely Constrained
- ☐ Bedrock Surface Topography
- ☐ Transportation
- ☐ Utilities
- ☐ Water Quality
- ☐ Water Quantity
- ☐ Zoning

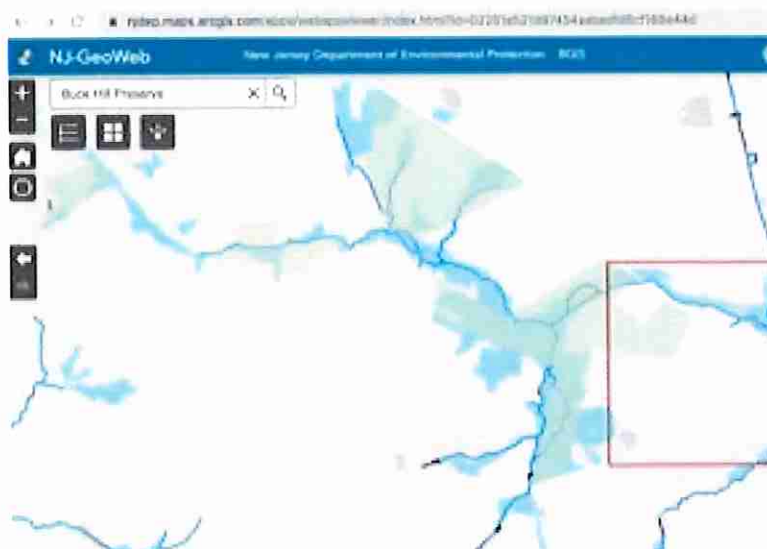


Issue: Leddell is a “Documented Corridor” for State & Federally listed Endangered/Threatened Species with a C1 Waterway.



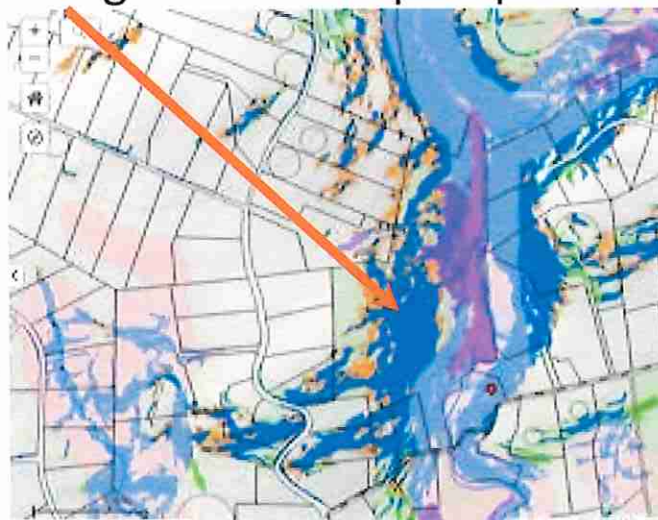
<https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=53339ff12f27488d8462e5e2c4c21b5c>

Part of Buck Hill is designated as an Archeological Site

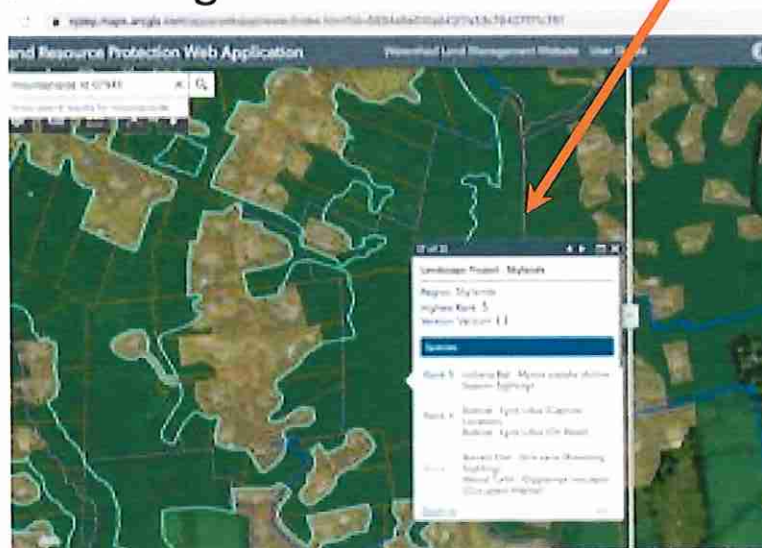


Issue: Mountainside Road target requires Wetland Riparian Limits & has significant steep slopes

- ☐ Preservation Priority
- ☐ Preserved Open Space
- ☒ Riparian
 - ☐ Riparian Corridor Integrity Score
 - ☒ Riparian Area
- ☐ Wildlife Corridor
- ☒ Topography
 - ☒ Steep Slope Protection Area
 - ☐ Limited and Constrained
 - ☐ Limited and Constrained
 - ☐ Moderately Constrained
 - ☐ Severely Constrained
- ☐ Bedrock-Surface Topography
- ☐ Transportation
- ☐ Utilities
- ☐ Water Quality
- ☐ Water Quantity
- ☐ Zoning



Issue: Mountainside Road target has C1 Waterway, Historic District Designation & Bobcats!

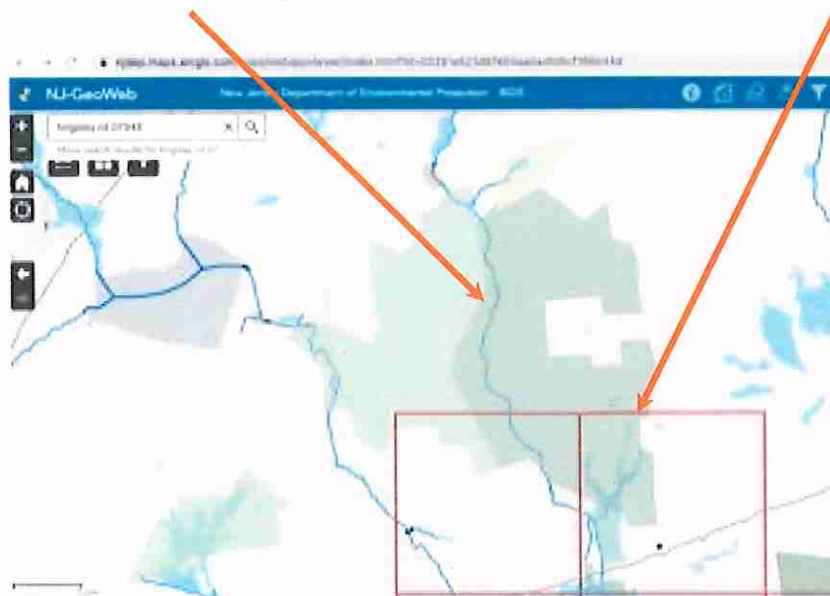


Tingley Road Target

- ▼ ☐ Riparian
 - ☐ Riparian Corridor Integrity Score
 - ☒ Riparian Area
 - ☐ Wildlife Corridor
- ▼ ☐ Topography
 - ☒ Steep Slope Protection Area
 - ☐ Limited and Constrained
 - ☐ Limited and Constrained
 - ☐ Moderately Constrained
 - ☐ Severely Constrained
 - ☐ Bedrock Surface Topography
- ▼ ☐ Transportation
- ▼ ☐ Utilities
- ▼ ☐ Water Quality
- ▼ ☐ Water Quantity
- ▼ ☐ Zoning



Issue: C1 Waterways, Wetlands and Archeological Site



Thank You/Discussion



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"Saving the Mendhams for Future Generations"