



## Verona Environmental Commission

600 Bloomfield Avenue  
Verona, New Jersey 07044

[www.veronaec.org](http://www.veronaec.org)

Minutes of the Verona Environmental Commission Regular Meeting on Wednesday, June 20, 2018 starting at 7 pm, at the Conference Room, Verona Community Center, 880 Bloomfield Ave., Verona N.J.

**Attendees:** Gloria Machnowski (Chairwoman), Anthony Saltalamacchia (Vice Chairman), Jessica Pearson, Martin Golan, Sarah Yauch O'Farrell, Sean DiBartolo, Walter Steinmann and Frank Ceccacci and Mayor Kevin Ryan (Council Liaison).

**1. Call to order:** the Chairperson called the meeting to order and read the Open Public Meetings Act notice.

**2. Public Participation:** The floor opened to public participation, Jessica moved the motion, seconded by Sean, and approved by all. Dave Freschi from the Hilltop Conservancy presented the Prisoner's Pond Forest Restoration Project. The area is approximately 5 acres. A hundred years ago the trees in this area were harvested for timber, then the land was used for farming. Today there are foreign invasive species such as Asian bush honeysuckle and Norway maple – crowding out natives and preventing forest recovery. A solution is to “Patch the Roof” to help the forest regenerate. The plan includes clearing 1.5 acres per year and planting native canopy trees over 5 years. The first step is to clear shorter invasives down to the ground, apply herbicides, then cut dead and fallen trees and large honeysuckles, stack and/or remove cut brush and logs, seed understory species and plant native trees. Dave explained that their treasurer, Theresa Trapp, is licensed to apply herbicides and she treats recently cut invasive tree and bush stumps. VEC members asked what kind of chemicals are being used. They expressed concern about potential harm to fish, frogs, turtles, insects and wildlife in general; and recommended flagging the treated area to inform visitors of chemical applications. Dave mentioned that basically they do all the work with volunteers and the support of Verona DPW and one county parks' worker.

Next steps include:

- a. Cut down and remove dead / dying white ash trees (about 30 ashes down). Frank asked if the wood could be used for firewood, but it is not recommended, many of those trees were victim of the Emerald Ash Borer.
- b. Dig and prep tree planting holes (late fall 2018).
- c. Plant native trees (spring 2019). Essex County will provide some funding to purchase the trees.
- d. Begin clearing next 1.5-acre site (spring / summer 2019).

Dave will notify Gloria of any future events to invite residents to participate.

**3. Minutes approval:** minutes from the May 16, 2018 meeting were approved by members. Martin moved the motion, seconded by Tony, and approved by all present members.

#### **4. Updates :**

##### **a) Annual notice of meetings and VEC members' terms.**

The Council will appoint Jessica as the Class IV - Planning Board Member effective 7/1/18 through 6/30/21. Matt Cavallo will appoint Walter from Alternate I to full member, Frank will become Alternate I. Gloria recommended to appoint Michael Auteri as Alternate II. Michael participated in many VEC events. He is a Senior Software Engineer at Penske Media Corporation. The VEC subcommittee in charge of reviewing application plans and submitting comments to the Planning Board and Board of Adjustment is headed by Gloria, Sean and Jessica. Now that Jessica will serve as VEC Liaison in the Planning Board, Mayor Ryan recommended to check with Mr. Cavallo and the Planning Board Attorney to confirm that there is no conflict so she can continue participating in the VEC's plan review. Planning Board meetings take place on the 4th Thursday of each month.

In order to comply with the Open Public Meetings Act, public bodies must publish their "annual notice" of its regular meetings for the coming year. Jennifer Kiernan, the Municipal Clerk, requested to receive meeting details before June 25 in order to publish before July 1. Gloria checked the calendar to avoid scheduling meetings during holidays and confirmed room availability with Mary Farrell. Starting September 2018 VEC meetings will be held on the 2nd Wednesday of the month, instead of the 3rd Wednesday, at the Community Center Conference Room at 7 pm. Upcoming 2018 VEC meeting dates are July 18, no August meeting, and then every 2nd Wednesday of each month.

##### **b) ANJEC Grant for Rain Garden. Report by Sean DiBartolo.**

Last year Chris Perez from Rutgers Cooperative Extension Water Resources Program designed several rain gardens for Verona. The former town engineer, Mr. Helb, chose a location at the Verona Community Center. The VEC applied for a grant from ANJEC and got it, but didn't accept the grant yet, the deadline is September 1st. Gloria and Sean visited the site at the community center with Chuck Molinaro, Mike DeCarlo, Matt Cavallo, Steve Neale, and other town employees.

Verona's town engineer and the head of DPW were concerned about the clay-like soils below the rain garden and wanted more convincing that the site soils were considered in the design. The rain gutter is in the other side of the sidewalk and somehow the water will have to travel uphill to reach the actual rain garden. The group was also concerned about maintenance, liability issues, as well as the delivery of materials to the site which were not included in the budget. They wanted to know what Chris had assumed for a subgrade permeability or percolation rate and what the intention was for the excavated soils for the rain garden. The plan has a note indicating "MIN BERM ELEV.", but they didn't see anything like a berm shown in the cross sections. They visited other potential sites at the pool and at the Verona Public Library. The town could be more inclined to install the rain garden there. The VEC needed to know if Chris could visit the new site and create a new rain garden plan.

Gloria contacted Christopher Obropta, the Rutgers' Extension Specialist in Water Resources. He explained that they have exhausted all their financial resources and cannot continue to provide technical support to Verona. They cannot design any additional rain gardens or attend any more meetings or site visits. Mr. Obropta mentioned that the plans call for 12" of soil replacement. This should help store the water until it can infiltrate, evaporate, or be used by the plants. A minimum percolation rate of 0.5 inches per hour was used in the design but this should be verified in the field. If there is a clay layer under the proposed rain garden, an underdrain could be installed and connected to the inlet in the street but this will add significant cost to the project.

Gloria contacted Liz Ritter, ANJEC Deputy Director, to know if Verona will still be eligible to receive their grant funding if the location of the rain garden is changed from the Community Center to other place like the Library. Liz checked with her staff and said that perhaps we can work this out by answering a few questions:

-Who is the owner of the property that rain garden would be on?

-The work is supposed to be on open space.

-Her concern would be that there is nothing stopping the town from expanding the library in the future.

-Only rain gardens bigger than one acre require a deed restriction that needs to be filed with NJDEP.

-The town could dedicate a portion of the property as open space. That would obviously satisfy ANJEC as far as open space because it would be permanently protected property.

-She recommended to check with the township attorney and added that we shouldn't worry too much about ANJEC funding, they could extend our grant timeline as needed for this issue to be resolved.

Sean and Jessica visited the new proposed Rain Garden site at the library with Chuck. The area in front of the library under the pine is not good. The northwest corner has too many utilities. The southwest corner near the new walkway on the Gould side has approximately 300 square feet available for a rain garden and it is a good location. Sean can help determine the infiltration rates. He will talk to Mike to check site details including the presence of an emergency ladder, and the drainage situation near the foundation and basement. Gloria sent all this information to Matt Cavallo and asked for approval to install the rain garden in that site. She also asked if Mike DeCarlo could design plans for the new site. Matt will ask Mike and let the VEC know.

**c) Upcoming parking lots at the end of Park Place and at Verona Pool (Cedar Grove approved).**

Gloria and Sean heard that the new parking lot at the end of Park Place will be designed for 30 or 40 cars, which is probably double the amount that can park right now on the gravel. Gloria asked Mike DeCarlo if the footprint of the parking area is going to increase and how much. She was also told that most likely conventional impervious pavement will be used on the new parking lot. Gloria asked Mike how much the impervious surface will increase and how many trees will be removed.

The Impervious Cover Assessment Prepared for Verona by Rutgers in 2016 recommends reducing impervious area in Verona at least a 10% in order to repair our waterways, reduce flooding, and minimize erosion. The VEC recommended this to the town last year. Gloria took some photos at the site, the current gravel area is surrounded by mature trees. In contrast, the paved municipal parking lot has a few tiny trees in bad shape. Mike will prepare a concept and proposed to meet and discuss all our concerns once he gets that done. He explained that in our zoning ordinance gravel parking is considered impervious. He reached out to the NJDEP years ago on the same thing and they too took that position. Therefore he says that they will not add so much impervious, because they consider gravel to be as impervious as pavement. Gloria mentioned that the weight of vehicles make a gravel road or gravel parking lot get a compacted surface that will soak in some water but not as much as grass, and a lot less than trees. But a paved parking lot will soak no water whatsoever into the ground. Sean explained that gravel has a reduced runoff rate than pavement. Sarah recommended to use gravel instead of pavement. Mayor Ryan mentioned that commercial vehicles will be allowed to park with permit only.

Verona has plans to install another parking lot by the exit of the Verona Pool, with authorization from Cedar Grove. Apparently Essex County is considering adding a new parking lot to Verona Park, perhaps near the boat house. Walter and Gloria removed a few wooden pallets from the Peckman River near Bloomfield Avenue on June 3rd and observed pallets being stored behind the office building on Bloomfield Avenue at

Park Place (Steve Jannet's building). Members recommended to contact Mr. Cavallo to see if the pallets could be stored somewhere else to avoid the risk of falling in the river. Mayor Ryan will take care of this.

**d) Natural Resource Inventory.** Gloria asked Matt Cavallo to share with the VEC the new Natural Resource Inventory draft, but he didn't receive it yet and will notify the VEC as soon as it is complete.

**e) Recommendations for Verona Lake.** Walter was contacted by Mike with suggestions. Gloria put a draft letter together based on members' recommendations and shared the letter with all. Members should discuss and approve the letter before making it public. Members decided to review the draft and discuss the letter during the July meeting.

## 5. Events:

**a) Outcome: Peckman Trail / River Cleanup, June 2** (National Trails Day - 50th anniversary). The VEC had a wonderful time cleaning up the Peckman and spotted ducks, deer, some fish, and a water snake. The Verona Kids Rock group helped plant 50 milkweed plants by the trail and in the F. N. Brown school butterfly garden. Mayor Ryan mentioned that there is a Mayors' Monarch Pledge, a partnership between the U.S. Fish and Wildlife Service and the National Wildlife Federation to help save the monarch butterfly. VEC volunteers cleaned up the woods and trails near the Peckman River and walked the river with waders all the way to Bloomfield Ave. removing garbage such as plastic bags and bottles. Sarah observed a lot of poison ivy.

**b) Sustainable Jersey Sustainability Summit:** June 21, 8:30am to 4:00pm at the College of New Jersey.

The summit will explore how individual and community behaviors can impact the quality of necessities for better or worse, such as our air, water, health, and economy. The fee for elected and appointed officials is \$35. VEC members can attend and will be refunded. Sustainable Verona members Bob Prout and Sandy Williams are planning to attend the summit.

**c) Free Training: Implementing Complete Streets at the Local Level:** Tuesday June 26, 8:30 am to 4:30pm at the North Jersey Transportation Planning Authority in Newark. Gloria invited Counselman Jack McEvoy and Town Assistant Engineer Mike DeCarlo to attend, they both expressed interest. Sustainable Jersey, the Voorhees Transportation Center at Rutgers University, the North Jersey Transportation Planning Authority and Together North Jersey are offering free training and technical assistance to municipal officials, staff, and the public to support implementation of complete streets at the municipal level. The concept of complete streets is to design streets for all users, including motor vehicles (cars, buses, and trucks), bicyclists, and pedestrians of all ages and abilities. The successful implementation of this concept requires a focus on context and the unique needs of the community. The workshops cover a range of topics, including what complete streets are and why they are important; policy, implementation and design guidance; and funding sources. A Complete Streets Technical Assistance Program will support local government efforts to implement complete streets in nine municipalities. Selected participants will receive free direct technical assistance to complete a specific project related to advancing a complete streets initiative. Many of the projects can help earn Sustainable Jersey points. Online applications are due by July 27, 2018.

**d) West Essex Trail Cleanup: Update by Frank Ceccacci.** Frank and his wife Diane did a cleanup of the West Essex Trail on June 9 from Fairview Ave. in Verona to Bowden Road in Cedar Grove and were glad to see a relatively small amount of litter on the trail, only about 1/2 full garbage bag. The Aquabot site was still heavily littered so Nick Zamloot & Frank did a major cleanup of that area too. They cleaned the

Aquabot area from the trail path up to the parking lot and Frank is pleased to say that it looks great, now. He haven't given up on the idea of getting Aquabot more involved in future cleanups. Gloria went to the trail on Father's Day, the Aquabot parking lot is a mess and garbage flies into the trail. She also observed a box turtle on the West Essex Trail. The box turtle is listed under Species of Special Concern, species that warrant special attention due to decline, inherent vulnerability to environmental deterioration, or habitat modification that would result in their becoming a Threatened species. Frank will identify the areas that need machinery to remove barrels and other large items. Members suggested to schedule the cleanup for September 22.

**e) The Green Fair & Open Streets Fest** was cancelled due to bad weather. It will probably take place on September 15 so VEC members decided to schedule the cleanup on September 22. The Environmental Club at Montclair State University contacted Gloria. Their president, Ruthie Nguyenran said that the Environmental club would love to be a part of this fair. They would like to do something like a clothing hospital. People can bring in their ripped clothes and they will patch them up.

## **6. New Business:**

**a) Cleanup of waterway behind Annin Flag.** Wayne Gallagher lives at 30 Douglas Pl. in Verona. He contacted Mike DeCarlo and Gloria. Wayne complained about some trees that were in the stream and also various forms of debris. Mike met him after work at his house and noticed some large dead trees which had fallen in the stream and along its banks. He informed Mr Gallagher that the property was within the Annin property and also that this stream was under the jurisdiction of the NJDEP. Mike called Mike Allegretta, the project supervisor at Annin for Dinallao Construction. Mr Allegretta said he would work with him and clean up most of what he could to appease the neighbor and he did. He removed what he could legally. Streams carry a 50 wide riparian buffer on each side measured from the top of banks. So Mr Allegretta cleaned and cleared what he could without applying for a permit with the NJDEP. Later on Mr Gallagher expressed his satisfaction with the help but had some other items he was still looking to have removed from the stream corridor (inside the 50 wide buffer) so Mike went to the site again to inspect and informed Mr Gallagher that any work within this particular area was regulated by the NJDEP Annin would not have permission to enter that area. He informed Mr Gallagher that the Environmental Commission in Verona might be able to help.

### Mr. Gallagher contacted Gloria and mentioned the following:

- The creek used to be deeper and used to have concrete walls on both sides
- The concrete walls broke and are in the creek
- Some big trees fell and are blocking the flow, this is dry now but the water runs off pretty high during storms
- When there is no electricity his 2 sump pumps in his basement do not work and he got 3 ft of water in his basement in the past and had to re-do the whole thing, but had no trouble since Sandy.
- He is planning to buy a generator anyway
- There is no much litter currently in the creek (not many bottles, cans, etc), but a lot of invasive Japanese Knotweed, and big chunks of concrete walls.
- One tree fell from the Annin side across the stream and onto his property and the township had Annin removed it.
- If the VEC gets authorization from Township and DEP to do any cleanup there (remove litter, Knotweed or concrete chunks) Wayne will collaborate allowing us to enter the creek through his property, there is direct access on the side of his home.
- Wayne understand that fallen trees are helpful sometimes preventing erosion and as wildlife habitat and decomposing material that enriches the soil.
- He is concerned about materials blocking the flow of stormwater there and creating floods.

Gloria told Mr. Gallagher that the VEC will do some research to find out about DEP permits / requirements needed for cleanup options. Sean mentioned that the site looks very steep. Walter mentioned that the retaining walls look similar to the walls in Verona Park, but were not maintained. Sarah is concerned about the dirty water disposed by the car wash in the area. Members agreed to create a sub committee comprised of Walter and Sean to look at this location. Sean mentioned that he personally wouldn't give permission to access the waterway for a cleanup through an active construction site like the Annin Flag location.

**b) NJDEP rules report by Jessica Pearson.** Jessica spoke with the Division of Land Use - NJDEP. According to Mr. Demeo, the VEC doesn't need to request any permits to do the usual types of clean ups that the Commission does near waterways in Verona. This would apply to the waterway behind Annin Flag as well. What is required is to adhere to the rules below and gain approval for clean ups from the township. Mr. Demeo specifically cited NJAC 7:13 Starting on Page 58: [http://www.nj.gov/dep/rules/rules/njac7\\_13.pdf](http://www.nj.gov/dep/rules/rules/njac7_13.pdf)

## SUBCHAPTER 7. PERMITS-BY-RULE

### 7:13-7.1 Permit-by-rule 1 – normal property maintenance

(a) Permit-by-rule 1 authorizes clearing, cutting, and/or removal of riparian zone vegetation which is necessary to service, maintain, or ensure the continued safe use of a lawfully existing structure, easement, right-of-way, field, lawn, park, and/or garden. Normal property maintenance includes:

1. Pruning;
2. Selective tree cutting, such as removing a dead, fallen, or unsafe tree;
3. Planting native, non-invasive plant species;
4. Periodic clearing, cutting, and/or removal of vegetation within an actively disturbed area, such as mowing and clearing nuisance vegetation; and
5. Removing trash, debris, and dead vegetation by hand.

(b) This permit-by-rule does not authorize the following activities:

1. Burning or applying herbicide to riparian zone vegetation;
2. Grading and other changes in topography;
3. Construction of structures, or placement of fill or impervious surfaces; and
4. Removal of riparian zone vegetation not listed in (a) above, such as removal of vegetation to accommodate an ongoing or proposed regulated activity or to create new open or landscaped areas.

### 7:13-7.2 Permit-by-rule 2 – repair of a lawfully existing structure

(a) Permit-by-rule 2 authorizes the repair of a lawfully existing structure, provided the conditions at N.J.A.C. 7:13-6.7 are met and:

1. The timing restrictions set forth at N.J.A.C. 7:13-11.5(d) are observed;
2. No riparian zone vegetation is cleared, cut, and/or removed, except for vegetation within 20 feet of the structure, where such disturbance is necessary to facilitate its repair; and
3. No more than one-quarter acre of riparian zone vegetation is cleared, cut, and/or removed.

### 7:13-7.3 Permit-by-rule 3 – in-kind replacement of a lawfully existing structure

(a) Permit-by-rule 3 authorizes the in-kind replacement of a lawfully existing structure, provided the conditions at N.J.A.C. 7:13-6.7 are met and:

1. The structure is not located within a floodway;
2. The structure being replaced is not a retaining wall or bulkhead subject to the requirements of N.J.A.C. 7:13-12.13 or a habitable building;
3. No riparian zone vegetation is cleared, cut, and/or removed, except for vegetation within 20 feet of the structure, where such disturbance is necessary to facilitate its replacement; and

4. No more than one-quarter acre of riparian zone vegetation is cleared, cut, and/or removed.

7:13-7.4 Permit-by-rule 4 – removal of any lawfully existing fill or structures

(a) Permit-by-rule 4 authorizes the removal of any lawfully existing fill or structure, provided the conditions at N.J.A.C. 7:13-6.7 are met and:

1. The fill or structure is not located within a floodway;
2. The fill or structure is disposed of outside of any regulated area and in accordance with all applicable Federal, State, and local requirements;
3. No riparian zone vegetation is cleared, cut, and/or removed, except for vegetation within 20 feet of the fill or structure, where such disturbance is necessary to facilitate its removal; and
4. No more than one-quarter acre of riparian zone vegetation is cleared, cut, and/or removed.

7:13-7.5 Permit-by-rule 5 – removal of accumulated sediment and debris from a regulated water by hand

(a) Permit-by-rule 5 authorizes the removal of accumulated sediment and debris by hand, provided the conditions at N.J.A.C. 7:13-6.7 are met and:

1. No machinery is used within the regulated water except for handheld equipment such as hoses and hydraulic pumps;
2. The material removed consists solely of accumulated sediment and debris and does not alter the natural bed and banks of the regulated water;
3. Where work is proposed along a trout production or maintenance water, the appropriate timing restrictions set forth at N.J.A.C. 7:13-11.5(d) are observed;
4. No riparian zone vegetation is cleared, cut, and/or removed, unless such disturbance is unavoidable, necessary to gain access to the regulated water, and minimized;
5. No trees are cleared, cut, and/or removed in a riparian zone; and
6. All material removed from the regulated water is disposed of outside of any regulated area and in accordance with all applicable Federal, State, and local requirements.

7:13-7.6 Permit-by-rule 6 – removal of major obstructions from a regulated water with machinery

(a) Permit-by-rule 6 authorizes the use of machinery to remove one or more major obstructions from a regulated water that cannot be removed by hand, such as a fallen tree, abandoned vehicle, furniture, and other large debris, provided the conditions at N.J.A.C. 7:13-6.7 are met and:

1. All machinery is situated outside the regulated water, except for handheld equipment such as chainsaws. Heavy machinery such as backhoes may be used to reach into the regulated water to remove material, but cannot be driven or otherwise placed in the regulated water;
2. No fill material or accumulated sediment is removed from the regulated water;
3. No riparian zone vegetation is cleared, cut, and/or removed, unless such disturbance is unavoidable, necessary to gain access to the regulated water, and minimized; and
4. All material removed from the regulated water is disposed of outside of any regulated area and in accordance with all applicable Federal, State, and local laws.

**c) ANJEC Webinar: Electric Vehicle Charging in NJ, June 14. Report by Martin Golan.**

Verona applied for grants to install charging stations at Town Hall and the Community Center, but unfortunately didn't receive the grants. Martin mentioned that the webinar was simple but good.

Tony made a motion to adjourn the meeting and Walter seconded it . Next Meeting is July 18, 2018.