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DEPARTMENT OF PUBLIC WORKS
10 COMMERCE COURT
VERONA, NEW JERSEY 07044

July 7, 2020

Michael C. DeCarlo
Engineering Manager – Zoning Official
10 Commerce Court
Verona, NJ 07044

Township of Verona Planning Board
600 Bloomfield Avenue
Verona, New Jersey 07044
Attn. Mr. Larry Lonergan Chairperson

RE: Montclair Golf Club (Applicant)
Tennis Court Renovation Project

Dear Mr. Lonergan and Members of the Planning Board,

The engineering/zoning office has received a cover letter from the law firm of Ashenfelter, Trembulak, McDonough, Golia & Trevenen, LLP, dated June 15, 2020. The letter was submitted on behalf of their client The Montclair Golf Club which as you know currently has a site plan under review at the Planning Board. The letter included an application permit for the removal and replacement of trees located at the property known as the Montclair Golf Club in connection with the aforementioned site plan application. This submittal is in compliance with the Township of Verona's Tree Protection, Removal & Replacement Ordinance No. 2019-36.

We should note that the application did not include the calculation of any and all fees associated with the permit process. The attorney for the applicant has requested that this office calculate those fees (if any) and forward them onto their office for remittance back to the Township. We find this to be a reasonable request and shall include those fees as part of this offices review.

The following documents have been submitted for technical completeness so that they can be forwarded onto the board for consideration and subsequent approval or denial.

Single sheet (plan) prepared by The Moss Gilday Group in regards to a new project which is being proposed at the Montclair Golf Club. That plan is entitled "Tree Save and Removal Plan" sheet number LA-111, dated June 9th 2020, and plan entitled "Landscape Plan" sheet number LA-108, dated May 05, 2018 and revised through 10/09/19 (Issued for permit) also submitted was a report (letter) which was submitted to the Montclair Golf Club (applicant). The letter was prepared by Mr. Robert Finnesey NJ LTE #243 of Tree-Tech Inc. This letter serves as a brief inspection report of the conditions of the existing trees within the project area(s). The letter also mentions 17 existing trees which he states as having "some

longer term value". Mr. Finnessy was confirmed to be licensed tree expert in good standing with the New Jersey State Board of Tree Experts.

Zoning Office Completeness Review:

§136-6 Permit application. (Checklist)

The zoning office finds the application to be complete for the following:

§136-6 A. 1, 2, 3, 4, 5 a, b, c, e, h, i

The zoning office finds the application to be deficient for the following;

§136-6 A. 5 d, f, g, j, k

Most of the items which were found to be deficient this office feels can be addressed during testimony by the applicant's professionals, except for item "k".

Item "k" requires that the plans show "Any and all environmentally sensitive areas including but not limited to floodplains, riparian zones, steep slopes, transition zones, and wetlands." The inclusion of this information is important, we feel that the only environmentally sensitive area which may exist are "steep slopes". This office feels that while this information is important and required it can be prepared and offered as an exhibit at the hearing and testimony provided by the applicants design professionals.

The zoning office is therefore in acceptance of the applicant's plans and reports and has deemed them complete insofar that they can be tendered to each of the members of the Planning Board for their consideration and independent review.

Zoning Office Comments

§136-3 F Permit required.

Excepted from specific tree removal permit application fee, but not from tree replacement or from mitigation payments to the tree replacement fund, shall be:

(1) All land-clearing operations as authorized in accordance with a site plan approval or subdivision approval and conditions imposed with respect to tree removal and planting granted by the Planning Board or Board of Adjustment of the Township in accordance with the provisions of N.J.S.A. 40:55D-20. Under no circumstances shall clearcutting be permitted on any property.

- The applicant is required to mitigate by either physically replanting of trees on the property or by paying mitigation payments to the tree replacement fund as outlined within Ord #2019-36.

Based on the information received from the applicant's attorney and also from the site plan which was submitted and presented to the Board for consideration, the applicants are seeking both the calculation of the mitigation payments and to replant some trees on site.

§136-5 C Applicability of permit.

Nonresidential development. All commercial and industrial developments are required to replace all trees removed in accordance with §136-10 of this Chapter.

- The applicant's professionals should provide testimony why the replanting of trees is not being considered for the entire mitigation which is required.

§136-10 Tree replacement.

Any tree removed pursuant to this Chapter shall be replaced pursuant to at least one of the following criteria:

A. For each mature tree is removed, the applicant shall prepare a replanting scheme for other treeless areas of the property to compensate for the clearing of the tree area. The replanting scheme shall reflect a one-to-one tree replacement unless otherwise stated herein. All replacement deciduous trees shall have a DPM of not less than two-inch caliper. For each deciduous tree to be removed that is:

- 1) Six inches DPM but less than sixteen inches, replacement shall be by a single replacement tree;*
- 2) sixteen inches DPM but less than twenty-four inches, replacement shall be by two replacement trees;*
- 3) Twenty-four inches DPM or greater, replacement shall be by four replacement trees.*

For each coniferous tree to be removed that is:

- 1) between ten feet and under twenty-five feet in height, replacement shall be by a single replacement tree;*
- 2) twenty-five feet and over in height, replacement shall be by two replacement trees.*

B. Trees determined to be dead, diseased or a safety hazard by a licensed tree expert shall be exempt from the replacement requirements of this Chapter.

- This office feels that while the applicant can be exempt from providing mitigation through replanting as indicated above, it should be prepared to provide testimony as to why it cannot be provided as part of this site plan. Given the amount of disturbance of the project shown on the plans and the sensitive nature of drainage and storm water run-off and how matures trees play an important role in all of that, it is highly recommended that serious considerations be given to mitigation through re-planting all of the trees which are requested to be removed. It should be noted that mitigation efforts of re-planting can be performed in areas which are outside of the intended project area. There have been several areas on the property which historically have had mature trees removed prior to the adoption of the current tree removal ordinance, which may or may not have led to increased storm water run-off onto neighboring properties and local roadways. Perhaps these areas can be reviewed as areas where mitigation efforts are warranted.

§136-11 Tree replacement fund.

The applicants attorney had requested that the zoning office calculate the amount of fees to be paid in accordance with §136-10. Based on the applicants tree removal chart on the plan(s) reviewed we find the following;

The information contained within the chart below was taken from the “Tree Save and Removal Plan” submitted by the applicant. Trees which were classified as **dead** or that had **ash borer disease** have been **excluded** as part of the mitigation calculation. Trees classified as **marginal or poor** have **not been exempted** from the requirements of mitigation and therefore have been included in this list.

Tree No.	DBH (IN)	Species	# of Trees to be Mitigated
T-13	24"	Spruce	4
T-15	30"	Spruce	4
T-16	36"	Pine	0
T-17	18"	Spruce	2
T-18	18"	Pine	2
T-19	15"	Pine	1
T-20	18"	Pine	0
T-22	12"	Pine	0
T-23	18"	Pine	0
T-24	18"	Pine	0
T-25	13"	Ash	1
T-26	18"	Maple	2
T-27	12"	Maple	1
T-28	12 triple	Ash	0
T-29	8"	Cherry	1
T-30	18"	Pine	0
T-33	18"	Pine	0
T-34	12"	Pine	1
T-35	12"	Oak	1
T-36	18"	Pine	0
T-37	20"	Pine	0
T-38	20"	Pine	0
T-39	24"	Spruce	4
T-40	18"	Pine	0
T-41	10"	Oak	1
T-42	6"	Maple	1
T-43	12"	Maple	1
T-45	18"	Ash	0
T-46	12"	Oak	1
T-47	18"	Pine	2

T-48	6"	Maple	1
T-49	18"	Pine	0
T-50	18"	Pine	0
T-51	20"	Pine	0
T-52	6"	Maple	1
T-53	6"	Maple	1
T-54	6"	Maple	1
T-55	6"	Maple	1
T-56	6"	Oak	1
T-57	6"	Oak	1
T-58	8"	Maple	1
T-61	18"	Pine	0
T-64	6"	Dead-Unknown	0
T-66	6"	Ash	1
T-67	8"	Ash	1
T-68	12"	Ash	0
T-69	10"	Ash	0
T-70	6"	Maple	1
T-71	6"	Maple	1
T-72	6"	Maple	1
T-73	6"	Maple	1
T-74	6"	Maple	1
T-75	12"	Ash	0
T-76	6"	Maple	1
T-77	6"	Maple	1
T-78	6"	Maple	1
T-79	10"	Maple	1
T-80	12"	Ash	0
T-81	20"	Spruce	0
T-82	12"	Ash	0
T-83	10"	Oak	1
T-84	10"	Oak	1
T-85	24"	Pine	0
T-86	20"	Spruce	0
T-87	6"	Oak	1
T-88	20"	spruce	0
T-89	10"	Oak	1
T-91	24"	Spruce	4
T-93	6"	Maple	1

T-94	12"	Maple	1
T-95	24"	Spruce	0
T-96	8"	Maple	1
T-97	6"	Maple	1
T-99	8"	Cherry	1
T-100	24"	Pine	0
T-101	12"	Oak	1
T-102	24"	Pine	0
T-103	8"	Maple	1
T-104	18"	Oak	2
T-105	8"	Maple	1
T-106	12"	Maple	1
T-107	12"	Oak	1
T-108	30"	Pine	0
T-110	18"	Pine	0
T-111	12"	Pine	
T-112	6'	Dead-Unknown	0
T-113	6"	Dead-Unknown	0
T-114	8"	Dead-Unknown	0
T-115	6"	Dead-Unknown	0
T-116	30"	Spruce	0

The total number of trees requested for removal (all conditions)	90 trees
The number of trees requested (above) which require mitigation	52 trees
The equivalent number of trees to be mitigated per §136-11	69 trees
The number of trees being replanted by the applicant	<u>58 trees</u>

Deficit	<u>11 trees</u>
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A175 SCHEDULE OF FEES.

Ch. 136 Tree Protection, Removal and Replacement

Tree Replacement Fund payment per replacement = \$400

\$400.00 x 11 (trees) = \$4,400.00

Please feel free to contact my office should you have any questions,

Respectfully Submitted,

Michael C. DeCarlo

Michael C. DeCarlo
Engineering Manager / Zoning Official

cc. Mr. Larry Lonergan Chairperson Township of Verona Planning Board (via email)
Mrs. Ashley Neale, Township of Verona Planning Board Secretary, (via email)
Mr. Glenn Beckmeyer PE, Township of Verona Engineer, (via email)
Mr. Greg Mascera Esq. Township of Verona Planning Board Attorney (via email)
Mr. Alan Trembulak Esq. Ashenfelter, Trembulak, McDonough, Golia & Trevenen, LLP