

**Avalon Environmental Commission
November 17, 2020**

The meeting was called to order at 4:07 pm by Chairwoman Rothman.

Pledge of allegiance.

Chairwoman Rothman read the Open Public Meetings Act Statement.

Roll call: **Present:** Kevin Coyle, Claire Driscoll, Joe Dvorak, Steve Malyszka, Brian Reynolds, Donna Rothman, Beth Tipping
 Absent: None

A motion to approve the minutes from the October 20, 2020 meeting was made by Steve Malyszka and seconded by Claire Driscoll. Approved by all.

Review of Dune Vegetation Pruning Protocols: Joe Lomax noted the Borough of Avalon developed the Master Plan in the 1970s, which addressed the environment. That document has stood the test of time, and has evolved over the years to manage dune vegetation and the environment as issues presented themselves. After the 1962 storm, Japanese Black Pines were planted with good intentions. Over 200 Japanese Black Pines existed in the blocks near 74th Street. When it was determined that the Japanese Black Pines were an invasive species, a Borough-wide inventory was completed, and solutions to replace those Japanese Black Pines with native vegetation were explored. A proposal was drafted and approved by Borough Council. Work has continued in line with the plan since its approval. In May of 2020, a Dune Vegetation Management Program report was issued detailing how the program has functioned under Aaron Baker’s supervision since its implementation.

Aaron Baker added the DVMP Program began in 2010, and it has continued to evolve. Changes have been periodically made to the program, and the most recent update provided to the Environmental Commission memorializes what has been learned so far. Recently, there has been a growing interest in the maintenance pruning program in the dunes. A large majority of Japanese Black Pines in the dunes have been successfully replaced through this program. As an update, two projects have recently been completed, with two or three new projects being in the development stages. In response to this increased interest, the pruning protocols have been updated to memorialize the practices followed, and the lessons learned. This new document is more comprehensive and descriptive, and includes actionable guidelines to follow. Mr. Baker further detailed the changes and updates to the guidelines, which includes the limits of what can be pruned, and the frequency in which pruning projects can be completed. An application process has also been established. While mailings have been sent to property owners with an abundance of Japanese Black Pines on or near their properties in the past, solicitations are not made for participation in the maintenance program.

The Environmental Commission reviewed the proposed pruning protocols and recommended minor amendments to wording for clearer information conveyance. The Commission further suggested the pruning protocols be made part of the Dune Vegetation Management Program. The application and initiation processes were also reviewed. Further changes proposed by the Environmental Commission will be provided to the Lomax Consulting Group. When all edits are made to the Dune Vegetation Management Plan and the pruning protocols, the finalized document will be presented to Borough Council for final adoption and approval.

Joe Lomax made the Environmental Commission aware of a draft New Jersey Forest Action Plan, which is available for comment from the State of New Jersey. He recommended an appropriate review and submission of comments to have Avalon's voice heard. Furthermore, a Greenhouse Gas Emissions Granting Program has been developed as part of the New Jersey Global Warming Response Act, from which voluminous amounts of funding is available.

Review of Powers and Duties of the Environmental Commission: Donna Rothman reviewed the section of the Borough of Avalon Borough Code which created the Environmental Commission, and pointed out powers that have not been exercised in recent years, such as educational initiatives, ability to conduct research, coordinate activities of bodies assembled for similar purposes, and distribution of materials as seen fit. She stressed the importance of being aware of the capabilities of the Environmental Commission, and advocated for a comprehensive plan for the 2021 calendar year be developed to keep things on track. The Borough Code further allows for the allotment of funding to be set aside for the sole use of the Environmental Commission at the discretion of Borough Council. She reported a recent conversation with Business Administrator Scott Wahl regarding such funding, during which meeting \$20,000.00 was pledged to be added to the 2021 budget for these purposes. That funding could potentially be used for studies; however, she noted the responsibility of the Commission to show proof that the funding is spent on valuable tools and programs designed to benefit the residents and visitors of the Borough of Avalon.

Review of NJDEP applications: Donna Rothman noted six CAFRA Permit applications have been received since the last Environmental Commission meeting held in October. Of those applications, further review was recommended of an application submitted on behalf of the property located at 319 62nd Street. Unique characteristics of this property include the lack of a bulkhead and a cinderblock wall on the property abutting the nearby wetlands nearby to the property's inground pool and hot tub. Borough Ordinances require a four-foot uninterrupted landscape buffer for inground and above ground pools.

Brian Reynolds indicated the property line is where the wetlands begin, and noted the masonry wall was most likely constructed to protect the property. He voiced his concerns that, according to the drawings, there is only a two-foot separation between the inground pool and the retaining wall, which is in violation of Borough Ordinance.

Donna Rothman read an opinion issued by Avalon Planning/Zoning Board Engineer Joseph Maffei concerning the retaining wall and the setbacks required for same, which is as follows: "the required setback from a bulkhead or a mean high-water line to the pool is fifteen feet by Borough Ordinance. The property was approved by the Board and the NJ DEP without the wall. The original plan showed 25 feet from the pool to the mean high-water line. They added the wall and we required them to get a CAFRA approval. The wall is not considered a bulkhead, as per NJ DEP, since it's upland of the mean high-water line. The wall is considered a retaining wall. There are no setback requirements from the pool to a retaining wall; however, the design in the retaining wall must consider the pool and all other loads acting on the wall. The Borough does not have any requirements for the location of a wall. It's required to be masonry or plastic to withstand the superimposed loads."

After discussion, the Environmental Commission raised multiple concerns regarding the application, including the small separation between the pool and retaining wall, the safety of the conditions within and nearby to the property, and why no bulkhead is in place at the property along the bay.

2021 Plan-- Review -- Donna Rothman indicated the distribution of a preliminary draft of a 2021 Plan for the Environmental Commission, which includes the continuation of the previous plan as well as new items, including the Dune Vegetation Management Plan, Community Forestry Management Plan, and the Tree Committee. Regarding the Tree Committee, the plan mentions adding new trees to the Borough, eliminating hazardous trees, conducting a tree inventory, adding at least 20 new trees annually, and initiating and adopting a tree program for Avalon home owners to fund. It may be prudent to also provide educational programs and literature regarding appropriate plantings for the Avalon ecosystem.

Armocost Park is also part of the **2021 Work Plan** and Steve Malyszka expressed the opinion that more studies would be needed, especially where the presence of phragmites is concerned. From research conducted on studies centered around phragmites, hydrology may be a viable solution, provided the proper salinity can be obtained. Typically, a study is required to determine the nature and salinity of the soil in which these phragmites are thriving.

Joe Lomax and the Environmental Commission reviewed possible ways to alleviate the phragmite problem, including spraying water with a higher salinity, which makes the environment less habitable for such organisms. It was recommended that the Borough Engineer be involved in any processes employed.

Donna Rothman returned the meeting's focus to the environmental education aspect of the 2021 plan, and noted Bill Macomber's suggestion to host a small-scale dune grass seed planting for the school children, which would educate students about the Dune ecosystem. Other ideas and feedback for the plan were requested. New concepts could include outdoor environmental talks, a new pollinator garden with a pathway through the garden, the construction of a walkway around the existing pollinator garden, living bulkhead education, creating coalitions with the Garden Club or The Wetlands Institute, the reactivation of the Green Team, an Environmental Resource Inventory or Natural Resource Inventory. The latest version of the pollinator sign was presented which still needs some edits. She further reported the recent dune grass planting was very successful, and noted the intended continuance of that program, as well as the continuance of Community Connections and Arbor Day celebrations.

Review of Flood Mitigation Plan: Donna Rothman distributed the latest version of the Floodplain Management Plan Evaluation Report, and explained the program began in 2015, with this report being part of the annual recertification within the program. Comments can be submitted to Borough Council before it is adopted at the December 16, 2020 Regular Meeting.

Steve Malyszka spoke about the Floodplain Management Plan Evaluation Report, in which he noted the planned replacement of the bulkhead at 72nd Street in 2021.

Plastic Pollution Reduction Act: Donna Rothman announced the recent enactment of the Plastic Pollution Reduction Act, which will be effective in 2022, and advocated the positive effects of such a policy.

Brian Reynolds agreed with Donna Rothman; however, expressed concerns that people will not actively pick up dog waste when walking if plastic bags are no longer permitted.

Planning Zoning Board: Brian Reynolds announced that it has been requested that applications for approval be obtained from the County for DEP projects.

Bay Park Marina: Kevin Coyle announced Scott Wahl will soon be making a presentation to request funding from the Open Space Grant Program concerning the proposed Bay Park Marina project.

Pollinator Garden: Steve Malyszka asked that the Environmental Commission find out how the plants at the Pollinator Garden will be maintained during the winter months.

Other Business: Joe Lomax expressed the opinion that the Borough of Avalon would be a great candidate for the Greenhouse Gas Grants and recommended Chris Miller from the USDA Plant Material Center concerning dune grass education programs.

Steve Malyszka inquired if there are any plans for Gull Island.

Joe Lomax explained Gull Island has been dedicated to receiving dredged material from the intercoastal waterway, which is ironically a source of phragmites. Additionally, he expressed the desire to develop plans to promote Diamondback Terrapin breeding near Kayak Park.

Adjournment at 5:34.