

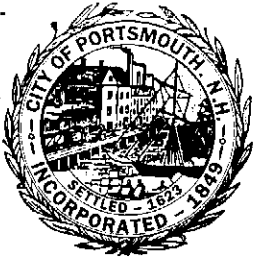
**MAYOR'S BLUE RIBBON COMMITTEE
TREES AND PUBLIC GREENERY**

AGENDA

**7:30 AM—Wednesday, June 9, 2010
Portsmouth City Hall, City Manager's Conference Room**

1. Acceptance of Minutes of May 12, 2010 Meeting
2. Tree Removal Requests:
 - Meetinghouse on Manning Street Side
3. Update on Lower State Street Improvements
4. Update on Sycamore Tree at 23 Sheffield Road
5. Opinion from City Attorney
6. Arbor Day Foundation Designation Letter
7. Letter Re: Atlantic Heights Street Improvements
8. Old Business
9. New Business
10. Next Meeting - Wednesday, July 7, 2010

Respectfully submitted, Peter J. Loughlin-Chair



CITY OF PORTSMOUTH

LEGAL DEPARTMENT

Robert P. Sullivan, City Attorney – 603-610-7204 (Direct Dial)
Kathleen M. Dwyer, Assistant City Attorney – 603-427-1338 (Phone/Fax)
Suzanne M. Woodland, Assistant City Attorney – 603-610-7240 (Direct Dial)

Municipal Complex
1 Junkins Avenue
Portsmouth, NH 03801
(603) 431-2000
(603) 427-1577 (FAX)

May 25, 2010

Peter J. Loughlin, Esq.
144 Washington Street
P.O. Box 1111
Portsmouth, NH 03801

Steven Marison, Chairman
Peirce Island Committee
38 Pickering Street
Portsmouth, NH 03801

RE: Trees & Greenery Committee/Peirce Island

Dear Peter & Steve,

The Public Work's Director has requested that I write to clarify the role of the City's Trees and Greenery Committee with respect to Trees & Greenery on Peirce Island.

The Peirce Island Committee is established by ordinance to, "provide advice and recommendations to the City Manager and the City Council with respect to all issues affecting the development and use of Peirce Island..." By comparison the Trees and Greenery Committee was established by the City Council on February 10, 2003 to assume many of the duties previously assigned to the City arborist. The arborist, by ordinance, has the, "exclusive jurisdiction and supervision over all trees, other plants, and grassy areas planted or growing in public places". That jurisdiction specifically includes, "the authority [and] duty to trim, plant, spray, preserve and remove trees, other plants and grassy areas in public places to insure safety or preserve the symmetry and beauty of such public places".

Thus it appears to me that although the Peirce Island Committee is the body which provides general advice in recommendations to the City Manager and the City Council with respect to Peirce Island, it is the Trees and Greenery Committee which

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PETER J. LOUGHLIN
ATTORNEY AT LAW

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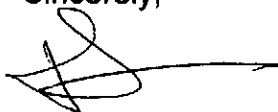
RE: Trees & Greenery Committee/Peirce Island

May 25, 2010

bears the specific authority not only to make recommendations to the Manager and Council with respect to trees, plants and grassy areas, but the Trees and Greenery Committee has actual authority to take action regarding those items, even on Peirce Island.

The relationship between the Committees which this suggests is that the Peirce Island Committee should consult with the Trees and Greenery Committee with regard to any recommendations it might have concerning cutting or planting trees or the like on Peirce Island.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Sullivan', with a long horizontal line extending to the right.

Robert P. Sullivan
City Attorney

RPS/rao

cc: John P. Bohenko, City Manager
Steve Parkinson, Public Works Director



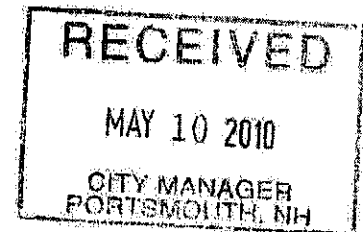
Arbor Day Foundation™

P.O. Box 81415 • Lincoln, NE 68501-1415 • 888-448-7337 arborday.org

We inspire people to plant, nurture, and celebrate trees.

April 29, 2010

Mr. John P. Bohenko
City Manager
1 Junkins Avenue
Portsmouth, NH 03801



Dear Mr. Bohenko,

The Arbor Day Foundation congratulates Portsmouth on being named a Tree City USA® community for 2009. Residents of Portsmouth should take pride in the fact that they live in a community where planting and nurturing trees is a priority.

You already know that trees are a vital component of the infrastructure in cities and towns, providing environmental and health benefits for your citizens. In fact, trees are a rare component of a community's infrastructure in that they actually increase in value and service over time from a modest investment.

Enclosed is a press release for your convenience as you prepare to contact your local media to share this commendable achievement with the public. We hope you are excited to share the significance of this accomplishment. If you wish to receive this press release in electronic form, please email Mark Derowitsch, Public Relations Manager of the Foundation, at mderowitsch@arborday.org. We will send it to you within one business day.

The Tree City USA program is sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service. Today, more than 3,400 cities and towns have been recognized as a Tree City USA community. State foresters are responsible for the presentation of the Tree City USA flag and other materials. We will forward your awards to Mary K. Reynolds in your state forester's office. They will be coordinating the presentation with you. It would be especially appropriate to make the Tree City USA award a part of your community's Arbor Day ceremony.

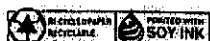
Again, we celebrate your diligence in improving the quality of life for the citizens of Portsmouth and thank you for creating a healthier, more sustainable world for us all.

Best regards,

John Rosenow
Chief Executive

cc: Steve Parkinson

Enclosure



For more information,
contact Mark Derowitsch,
Public Relations Manager, at
mderowitsch@arborday.org
or call 888-448-7337.



News from Arbor Day Foundation™

P.O. Box 81415 • Lincoln, NE 68501-1415 • 888-448-7337 arborday.org

We inspire people to plant, nurture, and celebrate trees.

FOR IMMEDIATE RELEASE:

Arbor Day Foundation Names Portsmouth Tree City USA® Community

Portsmouth, NH, was recognized by the nonprofit Arbor Day Foundation as a Tree City USA community for its commitment to urban forestry.

It is the eleventh year Portsmouth has earned this national designation.

The Tree City USA program is sponsored by the Arbor Day Foundation in cooperation with the National Association of State Foresters and the USDA Forest Service.

Portsmouth has met the four standards to become a Tree City USA community. Tree City USA communities must have a tree board or department, a tree-care ordinance, a comprehensive community forestry program, and an Arbor Day observance and proclamation.

"We commend Portsmouth's elected officials, volunteers and its citizens for providing vital care for its urban forest," said John Rosenow, chief executive and founder of the Arbor Day Foundation. "Trees provide numerous environmental, economical and health benefits to millions of people each day, and we applaud communities that make planting and caring for trees a top priority."

Communities that earn Tree City USA recognition not only have taken the time to meet the four standards, they know that trees:

- Promote healthier communities by filtering the air we breathe by removing dust and other particles.
- Moderate climate, conserve water and provide vital habitat for wildlife.
- Reduce the heat island effect in urban areas caused by pavement and buildings.
- Increase property values and reduce energy use and add beauty to our homes and neighborhoods.

More information about Tree City USA can be found at www.arborday.org/TreeCityUSA.

About the Arbor Day Foundation

The Arbor Day Foundation is a nonprofit, environmental and education organization of nearly one million members, with a mission to inspire people to plant, nurture, and celebrate trees. More information on the Foundation and its programs can be found at www.arborday.org.

From: David Moore <dmoore@cityofportsmouth.com>
To: 'Peter Loughlin' <Peter.Loughlin@pjllaw.com>
Date: 5/26/2010 2:53 pm
Subject: RE: Atlantic Heights Roadway Widths

CC: "Carla Marvin" <cmarvin267@aol.com>, Alan Brad...
Peter, Your letter is very timely.

Although, I plan on requesting time at a future Trees and Greenery Committee meeting agenda to request the necessary tree removals as we move closer to project construction, I wanted to advise you that since our May 11th meeting, I have worked closely with our engineers, other City staff, and the neighborhood to address the concerns you have raised. We have also been approached by members of the neighborhood about greening the streetscape on this project through our public input process.

These significant changes to the plan were presented at the final neighborhood meeting last night (May 25th) and we received positive reviews. I have outlined the plan changes we presented, which include the following:

Concord Way - Block 1. Elimination of most of the on street parking on the Concord block between Kearsarge and Preble. This change more closely reflects the actual parking demand we counted in March 2010. This permits an additional 8.5' of greenspace along most of one side of this block as well as new street tree plantings in the ROW.

Concord Way - Block 2. Elimination of one side of on street parking on the middle block of Concord Way. This change more closely reflects the actual parking demand we counted in March 2010. This permits an additional 8.5' of greenspace along one side of this block, as well as new street tree plantings in the ROW.

Concord Way - Block 3. The last Concord block is the most challenging from the perspective of meeting on street parking demands. With some creative work by our consultants we have been able to add three bump outs, which will increase greenspace and add three publicly-owned street trees.

There are no planned changes to Porpoise Way, which as you may recall includes, a travel way (14 feet), parking on one side (8.5 feet), with the remainder of the 40 ROW being sidewalk and greenspace.

In addition to the additional greenspace throughout the length of Concord Way, the planting plan includes 50 new street trees total on Concord and Porpoise Ways. Seven of them are proposed on private property (all on Block 3). Today, there are 23 street trees on these two streets.

I would be pleased to show our updated plan to you at any time. As always, I appreciate your input and look forward to updating the Trees and Greenery Committee more fully when we request the actual tree removals (closer to project construction).

Thank you for your time,

David Moore
Community Development Department
(603) 610-7226

-----Original Message-----

From: Peter Loughlin [mailto:Peter.Loughlin@pjllaw.com]
Sent: Wednesday, May 26, 2010 1:30 PM
To: David Moore
Cc: Carla Marvin; Alan Brady; John P. Bohenko; Fred Engelbach; ajdupere@dred.state.nh.us; rgadams62@post.harvard.edu; June Rogers; Elaine E. Boucas; Everett Kern; Steve Parkinson
Subject: Atlantic Heights Roadway Widths

David - Please see attached letter.
Sincerely, Peter