

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

MINUTES

**7:30 AM – Wednesday, June 13, 2012
City Manager's Conference Room, 4th Floor, City Hall**

Members Present: Peter Loughlin, Chairman; Richard Adams, Vice Chairman; Everett Kern, Public Works General Foreman; David Allen, Deputy Director, Public Works; Leslie Stevens;

Members Excused: John Bohenko; A. J. Dupere, Community Forester; June Rogers;

The Chair called the meeting to order at 7:30 a.m.

1. Acceptance of Minutes of May 9, 2012 Meeting. Postponed to the July 11, 2012 meeting.

2. Tree Removal requests:

410 Lincoln Avenue (photo provided). This tree is in front of the Ferguson home. They lowered the curb in the area and the rootball is showing. It is a Norway Maple and Attorney Loughlin thought it may need to be replaced. Ms. Stevens noted that the request was due to damage from the sewer project, which has also caused the tree to start leaning towards the sidewalk. There is a crack in the trunk. Rick Dolce, of Public Works, indicated that he spoke to the homeowner who had indicated that the tree was moving. He believes the roadway elevation lowered a little bit which lead to the current situation. He felt it may tilt to a degree that is may increase the liability. Ms. Stevens made a motion to remove. Mr. Adams seconded the motion. The motion passed unanimously.

433 Lincoln Avenue (photo provided). Mr. Dolce felt that this tree was critical due to construction. Because of the size of the tree, the new curb line, which is close to the old curb line, is going through the root mass and there is no way to get the curb around it. This tree will hold up the installation of the curb as they will have to figure out an alternative. The homeowner has expressed a concern as well. The roots of the tree, in the sidewalk, could require them to ramp up and over and they would only give it a couple of years before the sidewalk starts cracking. Mr. Adams made a motion to remove. Ms. Stevens seconded the motion. Attorney Loughlin indicated that he had mixed feelings as it is an important tree in that area but he understands the reasons for removal. The motion passed unanimously.

355 Lincoln Avenue. This tree was discussed in April. Mr. Kern confirmed it was tabled to allow people to look at it. Cynthia Huyghue-Fancy was present and stated she would like to see it removed as it is half way over her house and the roots buck up from the sidewalk. In 2005 the City did work on the street and the sidewalk was repaved and since then the roots have come back out of the sidewalk. The tree is leaning very badly as well. Ms. Stevens noted there was a very new injury on the tree. Mr. Dolce stated it was probably made by an excavator or dump truck within the last few weeks. Ms. Stevens referred to her literature which talks about hazardous trees and one of issues is when a tree is leaning. She feels this tree will continue to get hit. Mr. Adams felt that the roots were so close that they couldn't put in a sidewalk. Mr. Dolce confirmed that the water service is to the left of Cynthia's house and a contractor pulled the root out with a mini excavator by mistake. Mr. Kern added that when that happens, it doesn't bode well for the tree. Mr. Dolce shared that this is similar to a situation with the Silver maple at 433 where they will have to sub-grind 6-8" into the base of the tree, or the rootball, and this is more severe. Ms. Stevens made a motion to remove. Mr. Adams seconded the motion. Attorney Loughlin supported the motion but would not support a policy that if a tree is leaning it should be removed. The motion passed unanimously.

3. Discussion of Criteria for Tree Removal. Mr. Dupere had provided a packet to the Committee members to help them put together a checklist. Ms. Stevens felt that the most helpful section was how to recognize hazardous defects in trees and she suggested that they start with that. There are 7 hazards to look for: deadwood, cracks, weakening in the branches, decay, cankers, root problems, and poor tree architecture. As a group, they could review the checklist and do an assessment. Attorney Loughlin felt this would be helpful especially when they discuss a controversial tree. He would hope that the literature was written by someone who has a passion for trees. Ms. Stevens confirmed it was written by the US Department of Agriculture Farm Service. Mr. Adams was surprised that no one has ever advocated taking down the Boxelder at the entrance of Clough Drive which is leaning at a 45 degree angle and Boxelders are notoriously weak trees. Mr. Kern stated he would check to see if it was a City tree and get back to him. Ms. Stevens volunteered to put a checklist together for discussion at the next meeting.

4. Discussion of Practice/Policies for Pruning of New Plantings. Attorney Loughlin stated that they had a work session a month ago which was very informative. Ms. Stevens wondered if she can prune trees as she is walking through the City or do they need some sort of identification. It was agreed that there should be a policy on that. Mr. Kern felt they should have some sort of City ID. Mr. Allen asked if she was talking about having citizen volunteers doing pruning. Ms. Stevens clarified that this would be for members of this Committee who have had training. Mr. Kern added that Ms. Stevens was only referring to new plantings and young trees. Mr. Adams stated that he has been going around doing pruning and no one has ever asked him about it and the first year of trees growth is critical. If defects are allowed to continue they will have a problem that is difficult to correct. He would advocate that members of this committee with the proper training should be authorized to do pruning. Attorney Loughlin was happy to do it because otherwise it is not going to get done. Mr. Allen felt it made sense if they were just talking about new trees and they could have some type of City ID made up. Mr.

Kern will work with Human Resources to get ID's for committee members. Ms. Stevens asked if they could get a list of the trees that have been planted over the past three years. Mr. Kern will send the list to all members. Mr. Allen thought it might be a good idea to have Jamie McCarty, the City's GIS Manager, receive the list so that they could track them with GIS.

5. Report on Tree on Miller at Highland. Attorney Loughlin had received a letter from Allison Tucker about this Ash tree. Mr. Adams weighed in on the matter and the general feeling was to leave the tree.

6. Update on Report on Public Works Planting as Part of Sewer Separation

Contract #3. Attorney Loughlin understands that 11 trees are part of the contract for the phase that was done last year and is being completed this year. Mr. Dolce had put out some stakes for suggested locations and Attorney Loughlin talked to Mr. Kern saying the Committee had a list of sites. Attorney Loughlin was concerned on several locations that the site might preclude the planting of two trees in an area. He has a list of people who have specifically asked for trees. He also received a call from David Shore at Stratham Circle and he said he was short two trident maples, one parotia and one magnolia. He offered to look at the locations and suggest substitutes. The problem was that the early spring started the digging season earlier and also ended it earlier so their ability to get some species has been effected.

Mr. Dolce handed out a map of the stake locations. The quantity of 11 was an assumption based on the budget and they have not talked species. The layout generally follows the locations where trees have been removed. This is just a starting point and they are looking for advice and approval. The contract is around \$5,000. Mr. Dolce went through the locations.

The corner of Park and Lincoln was an open area where they did not remove a tree but would be a good area. Ms. Stevens noted that they had taken two huge trees down across the street so why wouldn't they put it in that location. Mr. Dolce stated it could be moved across the street. Mr. Allen noted that Park Street is part of the last sewer project so they want to make sure it doesn't get disturbed during the next phase. Attorney Loughlin indicated that they were caught unaware because Mr. Parkinson had asked them to wait until the job was done but obviously it works a little different with this contract. Mr. Dolce confirmed they have a warranty period on the trees. They would hire a subcontractor to put the trees in. Ms. Stevens felt it would be worth looking at Attorney Loughlin's list of people who want trees. Mr. Dolce agreed and they could kill two birds with one stone. Attorney Loughlin provided a list of the trees that people had requested be planted in front of their homes. Some sections are just under construction now. Attorney Loughlin went through the individual names and locations that he had. He has more concern about not precluding future locations, like at the corner of Lincoln and Wibold where there is a 12' wide section that would be ideal for two full size trees. Ms. Stevens felt it made sense to take the lists and look at the area to figure out what they can do. Mr. Dolce stated that the contractors have a lot of sidewalk to install, curbing should

be done the end of next week, they will then focus on the installation of the sidewalk which will take over a month and they will then loam and seed.

7. Update on spring 2012 Planting. Mr. Kern stated that 98% of the spring planting is done. One trident maple and one magnolia are missing. He handed out an updated list of what had been planted and what was left to be planted. Ms. Stevens asked about the warranty work. Mr. Kern explained that they just replace the tree at no charge.

8. Informational Items:

- May 14th Article from New York Times on Tree Liability
- May 17th Boston Globe Article on London Plane Trees
- May 29th Article on Baltimore Study on the Value of Trees

9. – Old business.

Ms. Stevens wanted to follow up on the trees on Park Street which Dan Rawlings had talked about. One had been taken down by the property owner and the other is still there but in desperate need of pruning. He stated that the value of the tree was \$600. Attorney Loughlin was going to send a letter to the City Attorney but has not gotten to it yet. Ms. Stevens was apprehensive about approaching the property owners to pay for the tree. She suspects they might be willing to put a small tree somewhere but she wasn't sure it was reasonable to ask them to replace it. Mr. Allen confirmed that they received approval from the BOA to build the fence which they put up. Attorney Loughlin will follow up on this.

Ms. Stevens brought up the tree on Lincoln Avenue with the sunflower painted on the inside of the crevice. She believes it is a Green Ash at 560/570 Lincoln and it leafed out very late. It is an enormous old tree with an old wound. She is worried about the tree and feels it needs some pruning. It would be a shame to lose the tree so she asked if they could keep their eye on it.

Mr. Kern mentioned two trees that will be on the Agenda for next month. One tree is at 26 Elwyn Road which needs to come down and the other is in front of Annie Osborne's house at 317 Thornton Street. It is full of ants and they have done quite a number on the tree.

Ms. Stevens asked Mr. Kern if they had had a chance to look at the tree on Willard Street which is pretty much dead. Mr. Kern stated he will look at it.

Ms. Stevens was concerned about a couple of trees on the road along the parking lot next to the South Church which were not doing well. Mr. Kern stated he will look at them.

Mr. Adams asked if they have a policy regarding having to post a tree if it is not of a significant size. There is a dead crabapple next to the employee parking lot at City Hall and there is a Norway maple which is totally dead at the southeast entrance to the Parrott

Avenue parking lot. Mr. Kern indicated that if it is a small tree they will take a picture of the tree in case there is any controversy afterwards.

Mr. Adams indicated that, after their pruning session last month, there was discussion on the clump of Boxelders along the Junkins Avenue causeway and that they may need to go to the EPA for authorization. Attorney Loughlin requested that they tag the trees and put them on next month's agenda. Even when the Comprehensive Shoreline Protection Act actually meant something there was a percentage that you could remove without approval and they wouldn't be even close to that.

10. New Business

Attorney Loughlin referred to a letter from Marjorie Fernald of 23 Sheffield Road who was requesting a tree be removed. Attorney Loughlin will put this tree on the Agenda for next month.

Ms. Stevens asked if people have to get permission to plant grass between the sidewalk and the road. Mr. Adams stated that Attorney Loughlin researched the state laws and he determined that people have every right to do that. Attorney Loughlin added as long as it doesn't interfere with a travel way or as long as it isn't a new street where the City may have a title. Ms. Stevens was referring to the four trees on Sagamore Road.

11. Next meeting – Wednesday, July 11, 2012.

A motion to adjourn at 8:40 a.m. was made and seconded and passed unanimously.

Respectfully submitted,

Jane M. Shouse
Administrative Assistant
Planning Department