

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

MINUTES

**7:30 AM – Wednesday, March 13, 2013
Portsmouth City Hall, 1st Floor, School Board Conference Room**

Members Present: Peter Loughlin, Chairman; Richard Adams, Vice Chairman; Steve Parkinson, Director, Public Works; Todd Croteau, Public Works General Foreman; A. J. Dupere, Community Forester; Leslie Stevens; Dennis Souto

The Chair called the meeting to order at 7:30 a.m. He introduced the Committee members to the public.

1. **Acceptance of Minutes of the February 13, 2013 Meeting** – No action taken.
2. **Tree Removal Requests**

Attorney Loughlin stated that the usual process for tree removal requests is that they review requests from both residents and the Public Works Department and the Committee members visit each site and often they have a presentation on the request and a site walk. They are very reluctant to remove any healthy trees and those requests are usually denied. The public hearing is for residents and neighbors to have a chance to voice their views.

410 Lafayette Road - request by PSNH, replacement pole. Bob Bernier, of PSNH addressed the Committee. He explained this was to facilitate the installation of a new pole. The tree is leaning against the existing pole. If they cleared a portion of the tree to set the new pole, the tree would not survive. Attorney Loughlin asked about their discussions with Mr. Croteau or Mr. Dupere about a replacement tree. Mr. Bernier stated it was not their policy to replace trees and they will review it on a one-to-one basis in the future with this Committee. He said this was a volunteer tree, seeded in naturally and he doesn't feel it has much value to the landscape. It is a cherry tree. PSNH has spoken with the property owner who supports the removal.

Mr. Dupere made a motion to remove the cheery tree as well as the dead elm next to it which would not need to be posted as it is a dead tree. He would also suggest that PSNH take care of both of those trees for the City. Ms. Stevens seconded the motion. The motion passed unanimously.

882 Middle Road - request by resident to remove. No one was present from the public. Mr. Adams spoke to the home owner and he did not actually say he wanted it removed but felt it was a potential hazard because of the large limb hanging over the road. Despite the fact that telephone company cable has completely girdled the tree but the tree looks healthy. Mr. Adams would not argue for removing it at this point. Ms. Stevens concurred.

Mr. Adams made a motion to not remove the tree. Ms. Stevens seconded the motion. The motion passed unanimously.

Lincoln Ave at Middle Street - request by City. Mr. Croteau stated this tree was dead. Ms. Stevens made a motion to remove the tree. Mr. Souto seconded the motion. The motion passed unanimously.

399 Richard Avenue – letter received from Barbara Collier. No one was present from the public. Mr. Collier strongly preferred that the tree not be removed. Ms. Stevens stated that they went out and looked at it and their concern was partly the drainage and the rise from the sidewalk back towards her house.

Rick Dolce, DPW, Project Manager for the sewer project, stated that in conjunction with Underwood Engineers, the design of the new roadway, curbing and sidewalk going by this tree would have a significant impact to the root structure on both sides and as Ms. Stevens mentioned, the sidewalk would have to be raised about 4”-6” or more which would adversely cause drainage impacts to the neighboring property owner. Attorney Loughlin noted that this was one of the trees that was not originally slated for removal. It is a Norway Maple and was reasonably healthy, he thought it could survive the sidewalk work and he was not in favor of removing it. Mr. Croteau asked how deep the drain line would be that was being installed adjacent to the tree. Mr. Dolce stated that the drain line goes right by the tree so they will have a large excavator digging down that side of the street.

Mr. Adams felt they should give some background to the members of the public who were present. This tree looks very healthy and they are very loath to cut down healthy trees but they found with the Lincoln Avenue project several years ago that they were quite conservation in leaving the trees in place that they felt probably would suffer severe impact as the roots were being cut and they ended up having to remove the trees with even more expense. Mr. Souto couldn't picture what the construction would look like 3-dimensionally. He wondered if there was another street further along where he could see how it would look. Mr. Parkinson asked about the curblin. Mr. Dolce confirmed the curblin would be moving away from the tree slightly. During construction, the contractor will be digging up the roads and removing asphalt and then the curbing will get pulled so they will have a grass strip and a gravel roadway. To reinstall the curbing, they have to trench out 24” for the curb setter to come through and lay a line of curbing. This is an extensive excavation. Mr. Dupere felt that part of their concern is that there would be a cut on the sidewalk side as well. Mr. Dolce added that in their experience of Project 3B, they also have a water/sewer service that services each house and that trench is perpendicular from the road so there will be additional impact with that also. Attorney Loughlin preferred to air on the side of the tree surviving and he would like to take a chance with it, especially when they have a neighbor who has lived there for 50 years and has enjoyed the shade of the tree. If it doesn't survive, they then made the wrong bet. Mr. Adams was concerned about the sidewalk issue. Mr. Dupere stated that the homeowner would have to take care of it during the construction and it will need a lot of water.

Mr. Dupere made a motion to not remove the tree with the condition that the Mr. Dolce, or the appropriate project manager, will follow up with Mr. Croteau or Mr. Dupere during the construction process if an immediate decision needs to be made. Ms. Stevens seconded the motion. Mr. Souto was uneasy with leaving it to see if it makes it but didn't want to start making a lot of changes. The motion passed unanimously.

Attorney Loughlin explained for the benefit of the public that the packet that was submitted by DPW and Underwood Engineering was as exhaustive as anything they had ever seen. There were photos of each tree, a listing of each tree with recommendations by locations street by street.

452 Richards Avenue. – Requested by Project Team. Glenn McAuliffe, the homeowner, was interested to know why it needs to come down. He has owned the property for 32 years and has a landscaping company that takes care of the property and fertilizes the trees in front and trims the trees with help from the landscaper. Attorney Loughlin stated this was a small flowering crabapple. Mr. McAuliffe stated that he trimmed it in the fall. His friend, the owner of Applecrest, has helped to maintain the tree.

Mr. Dupere indicated that there is not room for the plow to go between the tree and the sidewalk so they have some broken bricks coming up at the walkway. He stated that the limb that came off the tree was dead and that section of the tree is in is dead as well. Mr. McAuliffe asked if they will replace it with another tree. The Committee confirmed that they would. Mr. McAuliffe indicated that trees on the other side of his property are ugly pear trees, which the power company comes down and clips on the street side and he doesn't care what the City does with those. Ms. Stevens asked if he would have a request for a special type of tree to be replanted. Mr. McAuliffe did not have a preference. Ms. Stevens agree that the tree has rot on the back and made a motion to remove the tree. Mr. Adams seconded the motion. Attorney Loughlin added that this was one of the few trees on the list that he felt should be removed. The motion to remove passed unanimously.

323 Union Street – Requested by Project Team. Monica Sylla, the property owner, believed both trees in front of her property are tagged and asked why. Ms. Stevens indicated they are 12" Norways and Underwood has listed them as having impact to the sidewalk construction. Ms. Stevens noted that one concern is that there is such a small space between the sidewalk and the road and the tree would loose stability. Ms. Sylla noted that one tree is lifting the sidewalk and the other is growing over the sidewalk. They are all excited about the widening of Union Street. Mr. Dolce indicated this is similar to what is happening on Richards Avenue. They have the drainline on that side of the street, a catch basin and a water line and a drainage line on either side of the first tree in question. The curb line will probably come out a foot or so from the edge of grass so the grass strip will be widened by a foot or so. Attorney Loughlin remembered the tree as appearing healthy with minimal lifting of the sidewalk. Mr. Dolce also indicated that there will be a trench box which is probably at least 3' wide and 4' wide trench and 2' wide excavation for curbing. The foot they are gaining on the grass strip will be chewed up during installation. Mr. Dupere felt that the difficult thing is that a lot of big trees are gone as they physically just didn't fit. They are aggressively replanting trees in those areas but they wait 2 years for everything to settle. A 2" diameter tree is not going to replace a 12" tree in 2 year. But you have to look at the survival chances of a big tree during the construction process and the trees would have to be watered properly. The tree roots will be cut off so the tree won't find any water on its own. After construction they would have a great planting site for a new tree.

Ms. Sylla noted that across the street there is no grass. Mr. Dolce confirmed they are planting grass on both sides of the street. Ms. Sylla understands it is all about long term. They are not happy about losing the shade but, over the long term, they will have a beautiful tree lined street with sidewalks and it will be nice.

Mr. Stevens wanted to see appropriate trees re-planted as the current trees are not appropriate. She would love to take the trees down and give Ms. Sylla a choice of what to replant. It will take 5 years for it to be a bigger tree. She is not sure it is better to put a bigger tree in as they don't adapt as well to their surroundings. They are currently working with Willard Avenue to plant more trees and Union Street will be similar but not for a couple of years.

Mr. Adams would agree that the tree just wouldn't survive the construction. They have seen more often than not where trees do not survive and it is more complicated and expensive to deal with them later on. This Committee should be mindful that if they keep some trees but in 2-3 years they are having to cut them down, they should rethink their basic philosophy.

Mr. Adams made a motion to remove the trees. Ms. Stevens seconded the motion. The motion passed with Attorney Loughlin voting in the negative.

351 Union Street – Requested by Project Team. Ms. Stevens indicated this is the same issue they just talked about. It is the same row of trees, same curblin, and the same root issues. Mr. Dupere felt this has more crown dieback in it and it is not well. Attorney Loughlin pointed out that Underwood slated to remain. He would rather take a change on a tree and leave it. Ms. Stevens made a motion to remove. Mr. Parkinson seconded. The motion passed with Attorney Loughlin voting in the negative.

34 Hawthorne St – Requested by Project Team. The homeowner, Leslie Brenner, stated these are some of the largest trees that they are taking down. The trees are partially dead and have been losing branches over the years, however, part of the charm of her street is the old trees. She is fairly indifferent because the trees have outlived their life. Her concern is the street and the property line. She asked whose property the trees are on. There isn't a sidewalk on her side of the street and she doesn't want one. Mr. Dolce confirmed that they are not proposing a sidewalk on her side of the street. During construction an excavator will be used to chip away at the tree, pull it back and break off the roots. They will pull the giant mass of rootball out and a standard fill will go back in. They are putting curbing in front of her house which will slope down. Mr. Dupere continued to explain that once the construction process is done they will be contacting property owners to talk about replanting new trees. Mr. Brenner asked if the telephone pole was staying. Mr. Dolce stated it is staying but may be relocated a little

Attorney Loughlin did not see any reason to take down either tree. A tree of that size is 170 times more effective in putting good things in the air than a new tree. He thinks it would be a crime and Underwood did not recommend removal. The Committee's function is to protect trees & greenery. Mr. Parkinson countered that it is also their duty to protect the public and these trees are the same type where they have had issues on Lincoln. One has a lot of dead in the upper crown which has been trimmed a lot, and the other is leaning at such an angle that it could be a hazard to the public.

Ms. Stevens made motion to remove. Mr. Dupere seconded the motion. The motion passed with Attorney Loughlin and Mr. Souto voting in the negative.

535 Union Street – Requested by Project Team. Robin Nitschelm, the property owner, stated that she appreciates both sides. She would love to see her trees stay and wanted to know what the reasons were for removal. She would like to save them. Mr. Dolce explained that the drain line is right on that curb line. In the same location they will have the water service between the two trees so the roots will be cut off. There is also a drainage stub that is slated to go between the trees with impact to the roots. The sewer line is proposed to go to the left of a tree. Mr. Dupere clarified that they are cutting all roots on the street side. Trees roots are usually within the top 18" – 24" of soil and can go out as far as the limbs and beyond. With these two trees they will cut every one of those tree roots that extend out on three sides, which are 50% - 60% of the roots. It is the end of the roots which bring all of the nutrients into the tree. On the second tree they will cut about 40% of the roots. Ms. Nitschelm asked if they could try to save one of the trees. Mr. Dolce felt that the roots on the back of the sidewalk will all be cut so from a construction standpoint, the tree would be impacted. Mr. Dupere said if he was a betting

man, he would bet against this tree surviving long term. Construction damage shows up 3-4 or even 7 years down the road.

Attorney Loughlin asked if these were the multi stem trees. Ms. Stevens confirmed that they were. Ms. Nitschelm stated that her house is the only section surrounded by beautiful trees on the street. Attorney Loughlin did not believe the trees are ideal specimens.

Ms. Stevens made a motion to remove the trees. Mr. Adams seconded. The motion passed with Attorney Loughlin voting in the negative.

51 Park Street – requested by Project Team. Chris George, was present. He first stated that the City employees have been extremely helpful during this process. He understands they are looking out for the best interested of their project. The tree is a Norway Maple and has been described to him as an invasive. It is very healthy although it does have untamed roots that are coming up through the sidewalk. This tree provides a lot of nice shade and he would like to save tree. Mr. Dupere indicated they are either looking at cutting the sidewalks as the tree is lifting his front steps or, if the tree is to be retained, the City is looking to lift the sidewalk 8’ – 10” in height. The significant root impact to the sidewalk is already impacting water and holding it in the street. Mr. Dolce confirmed there is a catch basin being installed which means they need a 6’ – 7’ minimum hole in width and 6’ in depth to install it. For ADA compliance, you could probably make it up and over the sidewalk however there is nothing to back it up on the rear side. They would run into a conundrum with the stairs being moveable and it would not tie in that well.

Mr. George stated they would be willing to replace those steps if that would be option. Mr. Dolce felt it would still be pretty tight to maintain a 5’ width sidewalk. Ms. Stevens lives on Park Street and she said, of all the trees she looked at, this is the only tree she didn’t have a question about. What is happening is going to continue to happen and it will heave the new sidewalk. It is not the appropriate tree for that spot and it was identified by Underwood as needing to come out. She does not see any room for this tree to grow.

Mr. Adams made a motion to remove the tree. Ms. Stevens seconded the motion. The motion passed unanimously.

126 Wibird Street – requested by Project Team. Albert Lantinen was present and was curious why the trees need to be removed. They are fairly small ornamental trees and he doesn’t see any problems with them. Mr. Dolce stated that the roots are not impacting the sidewalk too severely. Attorney Loughlin noted there would be more room for the roots after construction. Mr. Dolce explained that there is a water service that goes between the two trees. Mr. Parkinson thought that it looked like fairly new curbing in front of the trees so this area has already been dug up. Attorney Loughlin doesn’t see why they would remove them when they are increasing the area where they will be growing. Dr. Lantinen felt they were fairly small trees so it wouldn’t be very difficult to take them down later if necessary.

Mr. Parkinson made a motion not to remove the trees. Mr. Adams seconded the motion. The motion passed unanimously.

15 Wibird Street – request of Project Team. This is a 24”- 36” maple in front of Roger Clum’s house. Attorney Loughlin felt it was a critical tree and a major tree in the landscape. Ms. Stevens agreed. Mr. Dolce indicated that the sidewalk is already significantly disturbed. The curbing is going back in the

same location and they are showing services going in there. Ms. Stevens asked if they could remove the sidewalk if the homeowner was agreeable. Mr. Parkinson stated that was not an option. Mr. Dolce added they cannot push the sidewalk back any further because it's right on the property line. Mr. Parkinson suggested that they leave that short stretch of sidewalk alone and leave it as asphalt.

Mr. Parkinson made a motion to not remove the tree and leave the asphalt sidewalk as is. Mr. Souto seconded the motion. The motion passed unanimously.

Mr. Dolce noted that he will be talking to the homeowner at 404 Union Street regarding the hedges and pruning them so that they don't have to be removed. Mr. Dupere felt the owner will be left with a blank side for a long period of time. They will re-sprout with a little bit of extra care but 30% of the roadside shrub will be removed. Mr. Parkinson agreed they will need to keep that shrub line cut back to the property line. Mr. Dolce confirmed that he will talk to the homeowner.

Mr. Parkinson made a motion to remove the remaining trees listed below. Mr. Souto seconded the motion. The motion passed with Attorney Loughlin voting in the negative.

404 Union Street
88/90 Wibird Street
100 Wibird Street
243 Wibird Street

Ms. Stevens wanted to state that this was a very effective process and she felt the packets from Underwood Engineers and the City are very helpful. The blue vs. red marking of trees is a little unclear. For further consideration, she wanted to think about a different way to identify trees. They have learned many good lessons on how to deal with trees as the engineers consider different factors than the Committee does. They can work on streamlining the process even more. She pointed out that they took a lot of time to go through the lists with site walks and subsequent discussions. Everyone has different ideas of what is important and what is not and they have come up with creative ideas to save some trees. Everything was very valuable and they have all worked very well together. Attorney Loughlin also felt they were extremely fortunate to have a Public Works Department that is sensitive to these issues.

3. **Letter from Barbara Collier, 399 Richards Avenue (Attachment C)** This was provided to the Committee members.

4. **Presentation by David Desfosses on Daniel Street Improvements**

Dave Desfosses, of the Department of Public Works, addressed the Committee primarily on where the trees will go on the Daniel Street and Wright Avenue parking lot improvement project. He was also looking for feedback on species which they would need fairly quickly as they are waiting for this information to go out to bid. He discussed the first plan. The City is working with the State and Archer Western, the bridge contractor, to re-do the Wright Avenue lot. Six new trees are planned in the Wright Avenue lot. There will be an expansive brick area installed and a pedestrian corridor between Prescott Park and Daniel Street and Bow Street. This area will become a pedestrian corridor rather than just a parking lot. There will be the antique street lights plus the trees. The two State Street trees will be in tree grates and the remaining trees will be in raised curb boxes so the tree is elevated which seem to be working around the City.

The second plan is the actual Daniel Street project. They are planning on bumping out the curbing in front of the Connie Bean. They have eliminated two parking spaces so they can really open that space up. That space is not under wires so they won't become a factor until you get up to the third tree. The wires are typically 18' in the air until you get to the telephone wires. The four trees in front of the Connie Bean are in granite raised planters, like Congress Street. On the other side of Chapel Street to Penhallow there are five trees which will all be in tree grates due to the narrow sidewalk and they are all under wires. They tried to allow plenty of room for the sidewalk tractor to maneuver around all of the trees. They believe they have picked some good tree locations but he welcomes their input.

Mr. Adams asked if they could get small versions of the plans. Attorney Loughlin asked if the tree grates will have the vertical protection as well. Mr. Desfosses confirmed that was the plan. They did not narrow the road in front of the Post Office as requested by the business owners. As you get past Ambrosia Gardens the curb moves out a little bit to give more room for the lights and the trees.

Attorney Loughlin disclosed that he is representing the Connie Bean Center but he did not feel that created any conflict.

Mr. Dupere suggested that the Committee could schedule time to do a site walk and come up with species recommendations in the next couple of days.

5. Spring 2013 Tree Planting Proposal:

- Todd Croteau's 02/27/13 Planting List (Attachment D)
- Leslie Stevens' 02/26/13 Planting List (Attachment E)
- Dick Adams' 03/04/13 Planting List (Attachment E-1)

Attorney Loughlin indicated that Dick Adams' list is the final proposal. Mr. Dupere had one amendment at 484 where the Japanese lilac was amended to a flowering cherry. He confirmed they are ready to go out for quotes on the trees. Ms. Stevens asked if they wanted to add anything for Willard Avenue. Mr. Croteau suggested that they get this list out so they will have them for early spring planting. Ms. Stevens referred to Tricia's list which included a few they had already talked about. Mr. Croteau felt those could be added to a fall or late spring planting. He was concerned because the more trees they add to this list, the process will change and they will have to go out to bid instead of getting quotes.

Mr. Dupere made a motion to go out to quote with the list. Mr. Parkinson seconded the motion. The motion passed unanimously.

Mr. Croteau was looking for a time when the quotation should be submitted by and a date of when they wanted them planted by. Mr. Parkinson felt if they gave them a couple of weeks they should know what they are getting for stock. It was suggested to request a quote by April 1st and have them planted by the middle to end of April. Mr. Parkinson stated that they usually give a hard ending date. Mr. Dupere would like to have them in the ground by May 17th and that would give them some flexibility.

Ms. Stevens noted that they have all of the names and addresses of the locations. She asked about sending a letter to the homeowners to volunteer to help care for the trees. Last time they went to the homeowners and gave them a brochure on how to water the trees. Attorney Loughlin stated he would be happy to send out a letter on behalf of the Committee.

6. **Update on Tree Ordinance** – City Attorney Sullivan has accepted Mr. Adams’ suggestions and it is being worked on.

7. **Information on Tree Pruning (Attachment F)** – informational item.

8. **Request Concerning Landscaping on Ceres Street (Attachment G)**

Attorney Loughlin put this back on the Agenda as he knew some of the Committee members were talking about it. Mr. Adams looked at the site and he couldn’t imagine where anything might go. He felt it would be incumbent upon the people who made the request to offer some ideas.

9. **Letter from New Hampshire Big Tree Program (Attachment H)** – informational item.

Attorney Loughlin indicated that they have a letter from the Children of the American Revolution who would like to donate a 10’ liberty elm tree. He wondered if they could plant it in front of the Rockingham. Mr. Croteau confirmed the tree is being delivered to the Jousse residence and Mrs. Jousse will arrange for planting it. Mr. Dupere stated it was 10’ tall and 1 ½” caliber. Mr. Parkinson did not believe the Rockingham would be appropriate for that size tree. Mr. Dupere felt it should be in a park setting somewhere. Mr. Adams suggested Haven Park because all of the trees there are mature and they should get some young ones planted. Mr. Croteau will be the contact person.

Attorney Loughlin asked about Arbor Day and whether anyone has heard anything. Mr. Dupere thought this could be tied into their spring planting if the contractors are moving that swiftly or they could tie it into the liberty elm. There is also a project going on out to the island where Peter Britz has been working with Timberlane.

10. **Old Business**

Ms. Stevens asked if they could talk about Tricia Edwards’ letter regarding Willard Avenue. She has a list of 7 people who are willing to help take care of trees. Mr. Dupere suggested they should be part of Arbor Day.

11. **New Business** – n/a.

12. **Next Meeting – Wednesday, April 10, 2013**

A motion to adjourn at 9:20 a.m. was made and seconded and passed unanimously.

Respectfully submitted,

Jane M. Shouse
Administrative Assistant
Planning Department