

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

MINUTES

**7:30 AM – Wednesday, October 9, 2013
Portsmouth City Hall, 1st Floor, City Manger's Conference Room**

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

Members Excused: n/a

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

1. Acceptance of Minutes of the September 11th Meeting. Ms. Stevens made a motion to accept the minutes. Mr. Souto seconded the motion. The minutes were accepted as presented.

Non Agenda Item:

Memorial Bridge Park – Deputy City Manager Dave Allen and Robbie Woodburn, Landscape Architect, were present. Ms. Woodburn stated that she went to Portland to inspect the trees that they had proposed for this area and found that the four zelkova serrata trees were not acceptable. They called around to all local wholesalers and could not find any. These trees were chosen because they are mid-height growing trees with a wide shady canopy. A nursery in Stratham called her yesterday and said they had four zelkovas and she went to look at them. They were gorgeous but they were very upright trees and they will grow to 45' tall and 15' wide, and definitely not what they were looking for. She then looked around the nursery to find what might be an acceptable substitute and she found 4 matched 3 ½" honey locust without pods. They are nice looking and would fit the bill very well. She would like to make the change to the Honey Locust and looked for their approval.

Mr. Rice asked how tall the honey locust grows. Ms. Woodburn stated about 45' and they are a mid size canopy. They are lacy looking and they require very little maintenance. The leaves fall at the very end of the season in one or two days. Mr. Adams asked if there was adequate space to accommodate the four trees at maturity. Ms. Woodburn confirmed that there would plenty of room.

Mr. Souto made a motion to replace the zelkova trees with gleditsia triacanthos (honey locust). Mr. Adams seconded the motion. The motion passed unanimously.

Taken Out of Order:

8. Follow up discussion on 1374 Islington Street (Red Oak). Concerns regarding it's condition were expressed last month and Mr. Dupere, Corin Hallowell, the new arborist, and Mr. Croteau were going to look at it. Mr. Dupere stated that they went and looked at the tree and Mr. Croteau and Mr. Dupere were both up in the bucket truck and saw things that you can't see from the ground. His best

guess was that it was an old lightning strike and there is rot damage all the way down to the base. He took photos of staff members with his arm all the way up in from the base of the tree up inside of it. The split on either side is problematic. The options are the removal of tree or pruning off major sections to eliminate the limbs pulling down on that side. They would probably end up pruning out about 30 – 50% of the tree but it's hard to tell until you start the work. It is not a candidate to cabling because of the way it grows out. Mr. Dupere was not sure what he recommends. He would like to keep the tree as it is a big old tree but when it comes down it will cause a lot of damage. Having the City prune it continuously would add to the cost and it will have to be removed eventually.

Mr. Croteau felt the pruning would be 50% and once you take that much, it's a death sentence for a tree. Costwise the question is whether you take the tree down now or do you do it slowly over time. Attorney Loughlin added that they are never going to replace that tree in their lifetime. He would rather have 50% of yjr tree rather than 0%. Mr. Dupere felt if this was a different type of tree, they wouldn't be having this discussion.

Mr. Rice asked if the pruning could be done without shutting the road down? Mr. Croteau felt it could but it will take 4-5 days. Mr. Dupere felt they would have to put a crane in the middle of the road as there is no other place for it to go and they will either have to shut down some or all of the road at some point. Mr. Rice had concerns about Islington Street being one of the only routes into the City. Hopefully the Middle Street project is ahead of schedule and they may be taking Islington Street out in the early spring.

Mr. Rice introduced Corin Hallowell, the new DPW arborist.

Mr. Rice understood that there was the potential of any strong wind storm causing the limb to fall on the DiBernatto's house. Mr. Dupere confirmed this. The bare minimum was to thin out a lot of the tree and remove the stems back up the house. Right now, Mr. Rice would like to see the limb trimmed back that is hanging over the house. Mr. Dupere felt they would need permission to access the driveway. Mr. Rice stated that would require a Memorandum of Agreement from the City. Mr. DiBernatto stated that would not be a problem for him and he didn't believe there would be a problem with his neighbor either as his neighbor has complained previously about acorns damaging his car.

Mr. DiBernatto stated that they came to this Committee with every hope that they would not lose this tree. They have been in the house since 1965 and that tree measures 4 ½', which is bigger than anything else in the City but they are scared to death as the limb in question is over their bedroom. The tree and the limbs are tremendous. He feels it could total their house, not just damage it. If the Committee feels that trimming it out would make them safe, then they are fine with that. He has seen the damage and he was really surprised at the significant rot. He would hate to go through a winter without doing something to it. He knew about the Islington Street bridge closing and understands they would have to work around that. Mr. Rice felt they could be taking Islington out as early as December but their schedule is next May for contract. He'll work with the City to accomplish whatever they recommend.

Mr. Adams felt it is a magnificent tree but at the very end of its natural life. He felt pruning would be a waste of money. He gave three examples where they have done this in the past with trees in a parallel condition. They all looked okay but were completely rotted. He knows they can prune it but he felt they would be opening themselves up to liability.

Attorney Loughlin was sensitive to Mr. Adams' comments about things being close to the end of their natural life and they should speed it up. He understands all of the arguments but he would like to see them prune the tree.

Mr. DiBernatto asked if the tree is removed, can they get a replacement? Mr. Stevens asked where they would put it. Mr. Rice felt it would be best to wait and see how the road is reconfigured. The City Council recently passed the Complete Street Ordinance so they will incorporate bicycle/pedestrian features into street.

Mr. Rice didn't think it was so much whether the tree should come down but how they should do it. He is really reticent to shut Islington Street down before they do the bridge. If possible, to protect the house, he would like to see pruning done incrementally so that once the bridge is up they can take the whole tree out. Ms. Stevens asked if they could consider pruning but once they are up in the bucket truck and realize it's not a good idea, they could take the tree down. Mr. Hallowell felt they were just putting off what's inevitable. If they hired Urban they could be done by noontime. Ultimately the tree has to be taken down as it is a huge hazard. Mr. Rice indicated that if they can maintain one lane traffic between 9:00 and 4:00, to minimize the impact to traffic, he would concur with Mr. Adams and just acknowledge that it is time to take the tree down.

Mr. Adams made a motion to take the tree down. Mr. Rice seconded the motion. The motion passed unanimously.

2. Tree Removal Requests:

14 Schurman Avenue; requested by resident: Tom Walker was present. His observation was that every knot hole in the tree is gone and you can reach into them. His biggest concern is the tree that is heading towards his house and the power lines. It's dangerous and a limb may fall on someone in the park. This is a silver maple.

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

395 Leslie Drive, requested by DPW: Kyle Langellier, of 304 Leslie Drive, was present. Mr. Croteau stated they posted several spruce trees. The spruce tree that was taken down last week was infected with needlecast. In the spring it was foliated but dropping leaves and every needle on the tree was gone and the tree next to it was dead. They actually took down a clump of trees in that corner that had problems with needlecast. His thought was to take a look at all of the trees to see if the needlecast is spreading. Mr. Dupere explained that needlecast is either fungus or bacteria, depending on how the tree gets it. Each tree gets other disease problems along with it. You can spray for it but he wasn't aware of how effective that would be. Aggressive pruning can save some trees but this tree has some other problems and other insects eating on it. Mr. Souto did not know how effective the soil injections are on them as he doesn't deal with chemicals but they can find that out. Mr. Dupere stated that what they are doing for the hemlock trees now is soil injections and the tree absorbs it as it absorbs its water so it essentially housed within the tree and when the insect comes and eats, it eats the pesticides inside the tree.

Ms. Langellier stated that in the past 3 years 33 trees have come down. She has frontage on Cutts Cove which is protected by the State. One house took 15 – 20 trees down and the church took 20 trees down along their parking lot. She is concerned about the habitants and the animals.

Attorney Loughlin asked if they should look into the possibility of spray or injections. Mr. Dupere felt they could look at soil injections. They tried it in Haven Park and they had decent results. They did go over and look at the frontage where these trees are. There was something eating on her maple trees in the back. They can go out and see what is happening around the neighborhood.

Attorney Loughlin felt they should add Leslie Drive to their target neighborhoods to look at replanting. Mr. Rice indicated they are looking at drainage and repaving next year so it would go well after they finish that. He asked Mr. Dupere if, once a tree has needlecast, does it grow back next year? Mr. Dupere confirmed that branch would be done and it does not grow back 75% of the time. Mr. Souto asked if it was the needlecast causing that or was it the shade. Mr. Dupere stated it was needlecast, the natural shade and a whole bunch of other things.

Mr. Rice would like to look at this as a pilot effort and see if it works. With the current damage, it's going to look like a lopsided tree and the aesthetics wouldn't be very good, however, he's not against trying something if they gain some knowledge.

Mr. Dupere stated that he would work with Mr. Souto to look some things up and they will report back before the next Committee meeting. If they are going to spray, he would like some Committee support to move forward with that, before fall settles in.

Mr. Dupere made a motion to research some treatments and report back at the next meeting. Mr. Rice seconded the motion. The motion passed unanimously.

692 Broad Street, requested by resident: This is actually 629 Broad Street and the trees are actually on Jones Avenue. Mr. Souto stated this one had the pullout on the street side and they lost half of their multiple stems. Mr. Croteau added that there is concern about the tree on the left but it was not posted.

Mr. Adams made a motion to remove the tree. Ms. Stevens seconded the motion. Mr. Souto asked what their alternative was if they don't want to cut the tree down. Mr. Croteau responded that the central stem is what is broke/out. They would want to pick one to be the new central stem but then they are taking all of the other ones, so this is where they get to the point of whether they want to prune or cut their losses and cut the tree down.

Attorney Loughlin asked if Mr. Souto felt the tree was salvageable in its location. Mr. Croteau added that if it was in the middle of the woods, it might survive. Mr. Dupere noted it would be an ugly lopsided tree. If they get in the habit of aggressive pruning, they are going to have to be more organized and keep it on a watch list for monitoring.

Mr. Rice did not believe that much of the tree would be left. Mr. Croteau didn't see any way of the tree sealing itself back over.

The motion to remove the tree passed unanimously.

Mr. Souto asked about the tree to the left of the tree that was posted. He felt the branches looked pretty good to him.

Woodlawn Circle @ Woodbury Avenue, requested by DPW: Mr. Rice felt the one lower down had a lot of rot and the one higher up looked hollow.

Mr. Stevens made a motion to remove both trees. Mr. Souto seconded. The motion passed unanimously.

Panaway Manor 6 trees on list. Two trees are in the entrance island, one is a linden tree that was struck by lightning or had ice damage and a big section came off that. Mr. Souto noted it had a pretty severe crack.

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

Multi stemmed evergreen near the utility pole. Attorney Loughlin felt that one section did not look very robust. Mr. Rice likes these trees. Mr. Croteau advised the committee that the complaint from the President of the Sherburne Civic Association was that the trees cause visibility issues with vehicles and pedestrians as they leave the neighborhood. If that is the issue, they can raise the canopy. Mr. Rice felt that vehicular traffic can navigate that area without much trouble. Attorney Loughlin added that a neighbor was out there on Sunday and was in favor of keeping it.

Ms. Stevens made a motion to not remove the tree and raise the canopy. Mr. Souto seconded the motion. The motion passed unanimously.

Tree diagonally across from 95 Decatur Road. There are two trees in that spot. Attorney Loughlin stated that one was pretty dead and the other was poorly pruned. The tree also has two significant leaders, each going to two different houses that could cause damage.

Mr. Souto made a motion to remove the tree right at 95 that was pruned (the whole tree is under the power line). Ms. Stevens seconded the motion. The motion passed unanimously.

Mr. Adams made a motion to remove the tree across the street which has rot right down the middle and is right over the driveways and houses. Mr. Souto seconded the motion. The motion passed unanimously.

303 Decatur and the one in front. Mr. Rice thought that one tree could be saved.

Mr. Rice made a motion to remove the tree in front. Mr. Souto seconded the motion. The motion passed unanimously.

Mr. Rice questioned the tree to the left and wondered if some pruning would help. Attorney Loughlin felt they could watch that one.

Mr. Souto made a motion to not remove the tree to the left. Ms. Stevens seconded the motion. The

Panaway summary:

- Linden in entrance island - remove
- Multi stemmed – to be pruned
- 95 Decatur and across from it – both to be removed

- Left of 303 Decatur – prune
- Front of 303 Decatur – remove

3. Update on Replanting of Areas Affected by Sewer Separation Contract 3B – Richards, Miller, Cass and Merrimack.

The Committee walked the site. This is in the project manager, Rick Dolce's, hands at this point. They identified a lot of trees and also identified some sites that were lower on the priority list. The list went to Rick Dolce. Attorney Loughlin will get the list and circulate it.

Mr. Adams asked, with these big projects, whether it was possible to build in contingency funding for trees that are not immediately affected. Sometimes the trees start dying later on. Mr. Rice felt they could put it in their water/sewer capital program (CIP) as it is not project specific once the project is complete. They will add it to the CIP this year.

Attorney Loughlin asked if it would make sense to put funding into the budget, in addition to replanting, to have someone inject the roots of the trees with fertilizer that were affected. Mr. Rice felt that would be pretty easy to do and they could just add a line item to the project. Mr. Corbin felt that some deep root fertilizer would probably be good for them.

4. Update on Willard Avenue Plantings: Mr. Croteau and Ms. Stevens went out and staked locations. Mr. Croteau is waiting on a reply from Stratham Circle on the status of all of the trees they requested. He is hoping to have a planting schedule at the end of the week.

5. Discussion of Middle School Plantings: Ms. Stevens met with the Gilbane representative and somebody from Salman Falls Nursery. They have two issues: several of the trees planted in the parking lot have died. They are not under warranty anymore and they are working with Gilbane to replace them. Also several plantings around the base of the trees have died but she is not sure if the City spraying has killed them. Mr. Rice stated that was not City practice but Ms. Stevens and Mr. Adams both saw a worker with Roundup spraying them. However, based on Gilbane representations, the three trees will be replaced and the spirea that are dead will be replaced. The bigger issue is that three viburnum shrubs planted in the filterra boxes are dead. One person on the walk-through was from DHB, Bryant Anderson, who said what was spec'd out was planted. Filterra doesn't let you plant whatever you want, it has to be one of their trees. She and Mr. Dupere went through the list and came up with some suggestions for what to put in the boxes for replacement. Mr. Dupere added that they can they now plant them with something more appropriate. They would like to put some sort of guard on them, like they have on State Street. Mr. Dupere tried to find the original records for when this matter came before the Committee because he doesn't think they would have approved yews as the berries are toxic.

Mr. Stevens stated they will continue to work with Gilbane and VHB to get the 3 filterra boxes replaced. They want three different species that the Committee would like to see in those boxes. The good news is that there are two other filterra boxes that have not been planted so they can pick something and the Witch Hazel is their 1st choice. There are seven Red Oaks that they have spec'd out along the edge of the parking lot. They are acorn bearing red oaks. Mr. Dupere felt it was a good spot for a big hearty tree but a horrible spot for 7 of any type of tree. He felt they should break up the species. Ms. Stevens has held up the planting of the seven red oaks. They are recommending sycamores alternating with elms. She needs the Committee to pick species for the filterra boxes and to

agree on what they want for trees to replace the seven red oaks. There are also four Kanzan cherries that can be left alone, and pears and birch trees.

Attorney Loughlin asked for a motion to support exchanging the seven red oaks for a mixture of elms and sycamores. Mr. Rice made the motion. Mr. Adams asked about how big the area was and the spacing in between the trees. Ms. Stevens confirmed it was a huge space. Mr. Adams seconded the motion. The motion passed unanimously.

Mr. Stevens then asked for three species for the filterra boxes. State Street used two red maples but were picked out by the designer and are not appropriate. Mr. Dupere asked who will be planting them and who will be selecting the planting materials, because the contractor has no knowledge on this. He felt they should pick some appropriate sized material for the boxes. Their list was the witch hazel, red bud, Japanese lilac, and maybe a hawthorne.

Attorney Loughlin suggested delegating this to Ms. Stevens and Mr. Dupere to pick out trees appropriate for the boxes. Ms. Stevens wanted to be very clear with Gilbane at the JCB meeting tonight that they have changed the trees and they have three choices of what to go into the new filterra boxest and what they would like see replaced in the ones that exist now. Mr. Rice felt she should be specific on not only the type but the configuration so that they have clear space.

6. Discussion of Impact of Street Trees on Downtown Signs and Particular Sign at Agave Restaurant on State Street. Everyone has looked at this site. He measured the tree this morning and from the tree to the center of the Agave sign is 13' from the twin doors and from the tree to the Agave sign is 37', or just shy of 2 parking spaces. Dawn McCandless was at the last meeting expressing concern over the visibility of her sign. The issue is balancing a tree lined street with the visibility of signs.

Mr. Souto stated that was a beautiful tree, possibly the nicest tree in the downtown area. The owner of the chocolate shop said her sign blew down last August and she had not seen any change in business at all. She was very opposed to cutting the tree down. Attorney Loughlin agreed that the tree effects the visibility of their sign but it doesn't block the sign. If you are looking for the restaurant, you will see the sign. He thinks this is a policy decision. Mr. Dupere thought as their success rate increased downtown, they will have this as more of an issue. The Sycamore tree at Alie's Jewelry creates the same problem and they continue to prune that tree. They could prune off a few branches on this tree. The bigger issue is if they are pruning all of the bottom branches off to view the sign, that's a different issue. He doesn't think that sign is very visible even if the tree wasn't there. Mr. Croteau stated that the issue is right now for this tree and sign. In five years there will be no issue as the canopy will grow up. Mr. Dupere felt they could take a few limb around the bottom and not cause a major impact to the tree. Mr. Rice doesn't like playing with the shape of the tree, which is currently nicely shaped. They are a Tree City and they have made a commitment that they believe in the green urban treescape. In this case, there are a number of other tress around the City that block signage and if they accommodate one sign they will have to look at all of the others. He is sympathetic to this issue but also feels there are other ways to attract business. Attorney Loughlin thought, from a public relations view of the City, they might want to try to take some action tipping off the branches to try and make an effort to make the sign more visible. It would be tragic to make signs more important than trees but he felt there might be a balance. Mr. Dupere was concerned that someone is going to go out at midnight and prune that tree themselves, and they will do a bad job.

Mr. Adams agreed with all comments. If he owned the business, he would look at the feasibility of putting in a more visible sign. The owner should be encouraged to do that and maybe have the City do a very small amount of pruning and have the Chairman convey to her that in a few years it should be a non-issue anyways.

Attorney Loughlin asked if the Committee was in agreement that they would do a conservative amount of pruning, but ultimately their policy is that they are a Tree City and that is a benefit to the downtown businesses. Ms. Stevens indicated that the leaves will be gone in a month and they should wait until the Spring and see what it looks like then. Mr. Dupere would recommend doing it right now or late spring to let it leaf out and look at it again. Mr. Rice was sensitive to the public perception and often times they have to make decisions that the public does not agree with. They have a reason why they want to maintain this healthy tree. If there was pruning that could be done that would be helpful, he would be supportive of it. However, he does not believe that any pruning short of clearing out the sidewalk side is really going to improve visibility on that sign because of the way it is set. If there was a way to do it to have some benefit to the property owner, he would be supportive, but he doesn't see even minor pruning being beneficial. Attorney Loughlin felt that the other side was that they don't want to discourage future businesses from not wanting a tree in front of their building which is why he feels there is some value in striking some balance.

Mr. Adams made a motion to do some appropriate pruning. Mr. Dupere seconded the motion. The motion passed with Ms. Stevens and Mr. Souto voting in the negative. Mr. Rice abstained.

Mr. Souto felt this would come up again and again. When trees block road signs or lights they have to deal with it but this is separate issue and deals with private enterprises. Ms. Stevens felt as a policy issue they shouldn't do it for just one business and their policy should be uniform. Mr. Souto added that he is very impressed with everything the City does downtown so the issue of signage becomes very critical.

7. Discussion of Spring 2014 Plantings (list attached of trees removed over the last several years):

Mr. Adams had asked for a list of trees that had been recently removed and the list was provided to the members. Mr. Adams felt now is the time to do it when the leaves are still on the trees. In selecting sites, it is helpful to know where there are openings. He encouraged them to go out and look around and focus on streets that have been hit the hardest.

8. Follow up discussion on 1374 Islington Street. (discussed earlier in the meeting. See Above)

9. Plantings for Route 1 Construction Near Bowl-O-Rams/Cross Roads. Peter Rice provided a plan showing the plantings in the median strip and confirmed that the City will be maintaining this area. Nick Cracknell and Juliet Walker, of the Planning Department, designed this. Mr. Adams thought there was a lot of forsythia, which is hard to manage. Mr. Dupere felt that any of the roses are high maintenance and tend to get a lot of disease. The bayberry would be fine. Daylilies will have litter like crazy as they grow and die and grow and die.

Ms. Stevens agreed that maintenance should be a consideration. Mr. Rice was not crazy about his staff being in the middle of Route One. Mr. Dupere felt that half of the plants are relatively high maintenance. Mr. Rice agreed this will be an incredibly intense environment for plants. Mr. Dupere stated that the forsythia will take anything, the korean lilacs will take better to salt spray than any other

of the lilacs, roses will get covered with sand and will get diseases and wilt, and the hawthorne is not going to take the salt at all. Mr. Rice indicated that the planting will not be done until next spring so they have time to look into this. Mr. Dupere stated that DOT has a division that puts these wildflower plantings in all over the State. You just plant them and mow them. The push back is they put in a lot of plants that are not native, but are hardy and take abuse. If they want low maintenance he would not do a wild flower. They would have to water once a day or every few days. Attorney Loughlin indicated they need a balance of having something attractive or having nothing. It seems they can come up with shade trees that would be on their own after the first year. Mr. Dupere agreed that shrubs and shade trees would be good. They would never have problems with a small spirea.

Mr. Rice made a motion to work with Mr. Dupere to review this as appropriate, and to create a balance between maintenance and functionality. They should have shade trees and low maintenance plantings. Mr. Adams seconded the motion. The motion passed unanimously.

10. **Update on Tree Ordinance.** This was the subject of a public hearing Monday night. It became more complicated than they thought it should have been. Councilor Dwyer made a motion to amend so that this Committee would give input on Site Review if requested to the TAC Committee. Mr. Rice explained that it was felt the weight of the Committee could help with some projects and their green space. This passed second reading subject to the amendment.

11. **New Business.**

Mr. Croteau introduced Corin Hallowell, the new DPW arborist. He started last month.

Mr. Adams made a plea to remove the dead trees at the bottom of the Parrott Avenue parking lot because they are so visible. Mr. Croteau confirmed they are on the list but they are very busy.

At 628 Broad Street there is a red maple that should be posted.

He looked at the dawn redwood they planted last year in Langdon Park and it is doing great.

Mr. Rice mentioned a lilac bush on Hanover Street next to Atrezzi that is a gnarly little shrub and he suggests they take it out. They are doing sidewalk work on either side of the street soon and he asked them to look at it.

There is also a birch at Lincoln/Junkins that is dead and it needs to be pulled out.

Mr. Dupere followed up to Richards Avenue, they worked with Rick Dolce and the contractor to remove some roots at the base of one of the pin oaks. They went back with Mr. Hallowell and took a good section of roots off that tree to make everything work for the sidewalk. He is doing follow up work on the tree and they will have to keep their eye on it. They did the best they could under the circumstances. The contractors were a little rough while doing their work but it's a lot better to cut the roots and work on the tree than have them remove the tree.

He is also doing tree removal work on Elwyn Road extension. They are working with the Legal Department to transfer a small piece of land. People don't have legal access across this land and they have been using it as a driveway and right of way for awhile.

12. Next Meeting – Wednesday, November 13, 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