

**TREES AND PUBLIC GREENERY COMMITTEE  
City of Portsmouth**

**MINUTES**

**7:30 AM – Wednesday, July 12, 2017  
Portsmouth City Hall**

**Members Present:** Peter J. Loughlin, Chairman; Richard Adams, Vice-Chairman; A.J. Dupere, Peter Rice, Director of Public Works; Todd Croteau, Public Works General Foreman; Corin Hallowell, City Arborist; Dennis Souto, Joan Walker, and Dan Umbro

**Members Excused:** Leslie Stevens

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*Chairman Loughlin called the meeting to order at 7:30 a.m.*

**1. Acceptance of Minutes of the June 14, 2017 Meeting.**

*It was moved, seconded, and approved by unanimous vote to approve the June 14, 2017 minutes.*

**2. Tree Removal Requests:**

**1. 206 Elwyn Avenue – Norway maple – Resident Request:**

The resident Kathy Calkins was present to speak to the request and said the tree was rotting. Mr. Hallowell agreed that the tree had a large amount of decay and recommended removing it.

Chairman Loughlin asked for a motion. *Mr. Souto moved that the tree be removed, and Vice-Chair Adams seconded. The motion was approved by unanimous vote.*

**2. 46 Coakley Road – White pine – Resident Request:**

The resident Damian Callahan said he lived across the street. He said the tree was one of five or six planted in a row many years before and that most of them were gone except for two trees, one of which was split and could be dangerous if it came down in a storm. He said the tree in question was up against the road and technically on City property, and he felt that it would hit a house if it fell. He also said that power lines ran through the center of it.

Mr. Hallowell said the tree was healthy but would have more potential of falling as it got larger. Mr. Souto noted that all the weight was on one side of the tree and that it was leaning toward a house.

City resident Marian Howard of 23 Coakley Road said there were lots of debris and that children rode their bikes under the tree. She was concerned that it would hurt someone if it fell down.

Chairman Loughlin asked for a motion. *Mr. Souto moved that the tree be removed, and Ms. Walker seconded. The motion was approved by unanimous vote.*

**3. 170 Melbourne Street – Red maple – Resident Request:**

Mr. Hallowell said the resident wanted the tree removed because it was in the middle of his driveway and practically growing into his garage. He said the tree was healthy but there was no way for it to get water or nutrients and was probably thriving due to the side yard.

Chairman Loughlin asked for a motion. *Mr. Hallowell moved that the tree be kept and monitored. Ms. Walker seconded. The motion was approved by unanimous vote.*

4. 337–357 Richards Avenue – Norway maple – Resident Request:

Mr. Hallowell said the tree was over 50% dead. Ms. Walker said it was an eyesore.

Chairman Loughlin asked for a motion. *Mr. Dupere moved that the tree be removed, and Mr. Souto seconded. The motion was approved by unanimous vote.*

5. 168 Wibird Street – 2 Plum trees – Resident Request:

The resident Janet Groat was present to speak to the request and stated that the plum trees were planted around 2007 but were damaged by heavy equipment from the sewer project. She requested that they be removed and eventually replaced.

Chairman Loughlin asked for a motion. *Mr. Rice moved that the tree be removed, and Mr. Umbro seconded the motion.*

Mr. Souto said the tree on the right looked fine but agreed that the one on the left wouldn't make it.

City resident Lisa Zwallei-Miller asked whether City trucks would continue to be parked in the area. Mr. Rice said there were no hazardous materials in the trucks and that the roots were damaged by the construction. Chairman Loughlin noted that the sewer separation project was the caused a loss of trees in that neighborhood several years after the fact.

Mr. Rice stated that, when the project was in design, the City requested the removal of about 100 trees, including the two plum trees, due to sidewalk work concerns. He said he was comfortable removing the second tree and believed that there was money set aside in the sewer budget to replace both trees. Chairman Loughlin said he was forced to cut back on the number of trees that were suggested for removal because he knew that several trees would be lost due to reconstruction projects.

Mr. Hallowell confirmed that one tree was in serious decline and that the other tree had severely-impacted soil around it. He said the tree on the right might continue to show signs of construction damage, which could take up to seven years. He said the Committee could either remove both trees or just one. Vice-Chair Adams said that if the trees had severe construction damage, it was a losing game. He gave an example of three trees on Lincoln Avenue.

Mr. Rice said the first phase of the project began 15 years ago and that it had been three years since the last project was completed. He said they had a number of trees removed as a result of the damage and that they were monitoring the other trees, but he recommended removing the two plum trees because they were relatively small and preferred to start fresh rather than wait five more years.

Vice-Chair Adams noted that there were two trees on Lincoln Avenue that would be gone within a year due to construction damage, and another Red oak that was healthy but starting to show dieback. He said it appeared that once the tree started the exit process, it did not come back, and he supported dealing with the issue now rather than later.

*The motion was approved by unanimous vote.*

6. Across from 448 Lincoln Avenue – Norway maple – DPW Request:

Mr. Hallowell said the tree was 90% dead. Chairman Loughlin said the tree was affected by construction.

Chairman Loughlin asked for a motion. *Mr. Souto moved that the tree be removed, and Ms. Walker seconded. The motion was approved by unanimous vote.*

7. Corner of Miller Avenue and Rockland Street – Crab apple – DPW Request:

Mr. Hallowell said the tree was 85-90% dead and recommended that it be removed and replaced.

Chairman Loughlin asked for a motion. *Mr. Souto moved that the tree be removed, and Vice-Chair Adams seconded. The motion was approved by unanimous vote.*

8. Marcy Street and Bow Street in Planter – DPW Request:

Mr. Hallowell said the tree was a dead crab apple in a planter. Mr. Croteau pointed out that the tree was actually on the corner of Ceres and Bow Streets. It was discovered that no one on the Committee had seen the tree because the wrong location was given.

Chairman Loughlin recommended that the request be tabled to the August meeting and that the address be changed.

Action Item: The address of the tree location should be changed to Ceres and Bow Street.

9. Goodwin Park; 1 Pear, 2 Norway Maples, 2 Magnolia Trees:

Landscape architect Robbi Woodburn stated that she was asked by the City to make recommendations. She said the trees were robust but blocked various sightlines throughout the park, especially from the State Street side, where they blocked the memorial. She noted that there were two different sets of trees, a ring of magnolias surrounding the monument and two on State Street that blocked the whole view. She recommended that the two trees on State Street be removed. She also noted that there were some large Norway maples on the Islington Street side of the park, including one on the center line that blocked the view of the memorial. She recommended removing that tree. She concluded that tree canopies should be raised and that select trees should be removed.

Mr. Hallowell said that there were a few public meetings with positive support.

City resident Anne Deminoff of 202 Cabot Street said she wanted to make sure that just those four trees were slated for removal. Mr. Souto said there was a Norway maple by the electrical box that needed to be removed, making a total of five trees.

Mr. Rice stated that it was part of the park's rehabilitation project and would be done in phases. He said they first wanted to clear the palette before starting the work. He thought Ms. Woodburn's plan was a good one, keeping the best of the trees and the shade but allowing for better visibility in the park and viewing the memorial.

City resident Roy Planalp of 202 Cabot Street asked whether residents could get the whole scope of the project instead of just the top-down diagram on the City's website. He asked whether it was just cutting down five trees. Mr. Hallowell said some shrubs around the monument would be removed and that the area would be redone and simplified because it was difficult to maintain. Ms. Woodburn noted that all the improvements were simple and involved clean-up, pruning, removing the 'hiding places', and planting around the monument. She said they would reduce the size of the planted area around the monument and re-use some of the existing perennials.

Mr. Planalp said he was concerned about the ring of magnolias outside the walkway. Ms. Woodburn said they would only be pruned and that no removals would take place in that area except for the two trees they discussed. She said the shrubs underneath would be removed and replaced by ground cover.

City resident Lisa Zwallei-Miller said she had worked in government and a planning commission and had quite a few articles published, so she had experience and was extremely concerned about the cost of the project, which she thought was \$250K. Mr. Rice said the City had spent a few thousand dollars at that point and hadn't created any funds beyond their normal operating budget. Ms. Zwallei-Miller said she took an informal public opinion and only one individual wanted the trees removed. She said the rest of the people weren't aware of what was happening and didn't approve of the blueberry bushes being removed. She felt that the magnolias didn't need to be removed and thought the park would look worse than it already did. She noted that the lower canopy had been cut. Mr. Hallowell said it was difficult to mow under the trees.

Ms. Woodburn stated that there were two public meetings, one to gather input and one to present the plan, and that everyone at the second meeting was pleased about the project. Ms. Zwallei-Miller insisted that many people from her poll were against the trees being removed.

Mr. Planalp said he liked the landscaping around the park and wasn't in favor of removing the set of trees and greenery. He suggested that more adequate lighting be used to offset the safety issue.

Chairman Loughlin asked for a motion. *Mr. Souto moved that the set of trees be removed, and Mr. Rice seconded.*

Mr. Rice requested that the motion be modified to state that the City would proceed with Ms. Woodburn's design, part of which was removing the trees in question. He noted that any park required maintenance and that the trees would grow back in over time but required removal and pruning to re-establish an enjoyable area. He said they were not proposing any major changes to the park and would improve sightlines. He said he was fully in support of moving forward with the plan.

*Mr. Souto moved that the Committee move forward with the plan, and Mr. Rice seconded.*

Chairman Loughlin said he was reluctant at first, but after Mr. Hollowell explained it in more detail, he was convinced that the project made sense and was in support.

*The motion was approved by unanimous vote.*

Mr. Planalp asked that it be put into the record that no one on the Committee came up with an alternative figure for the \$250K, and there was not a cost comparison of lighting vs. tree work.

10. Prescott Park (Near Concession) – 2 Norway maples – DPW Request:

Chairman Loughlin asked for a motion. *Ms. Walker moved that the trees be removed, and Mr. Souto seconded. The motion was approved by unanimous vote.*

11. North Church in Market Square – Linden tree – Resident Request:

Chairman Loughlin said he was inclined to recommend removal because the tree was causing sidewalk issues. Mr. Souto noted that it was difficult for trees to thrive downtown and didn't want the healthy tree removed. Mr. Hollowell said the church claimed that the tree was heaving the brick and getting into the foundation. Mr. Rice asked whether the brick surrounding the tree could be reworked. Mr. Croteau said the surface could be reworked and suggested a tree bench. Vice-Chair Adams said he didn't think that the church could demonstrate structural damage to the building. Chairman Loughlin noted that the tree was very healthy.

Chairman Loughlin asked for a motion. *Mr. Rice moved to postpone the decision until the Committee could look at options, including reworking the brick around the tree and doing non-invasive surface work. Ms. Walker seconded the motion. The motion was approved by unanimous vote.*

**3. Discussion of Tree Care Trust Fund**

City Attorney Robert Sullivan briefly explained that the fund was an ongoing source of funding for the Committee that would hold money from year to year so that it was available when the Committee needed it. He suggested that the Committee and the City Manager review his draft document and let him know whether they wanted to edit it. He said it would then be submitted to the City Council, who would adopt it and make it an agreement between themselves and the trustees.

Mr. Dupere asked whether the Committee could have some flexibility for other items such as shrubs, benches, or memorial plaques. Attorney Sullivan said the only purpose at present was funding the planting and maintenance of trees and greenery in the City but thought it could be changed. Mr. Rice agreed that it would be a good thing to include hardscape related to trees and greenery.

Attorney Sullivan said he would note it as 'the planting and maintenance of trees and greenery and related greenspace improvements in the City.'

Chairman Loughlin asked whether the Tree Grant Program would be on the list. Attorney Sullivan said he thought it could be if the trees had a public purpose. Mr. Rice said the trees would still provide a public benefit even though they were on private property.

Action Item: Attorney Sullivan said he would make changes to the document and send the Committee a second draft so they could review it and then forward it to the City Manager and then the City Council.

#### **4. Discussion RE: Tree Grant Program**

This was combined with the Tree Care Trust fund discussion.

#### **5. Discussion of Landscape Plan by Robbi Woodburn, Landscape Architect, for property located at 46-64 Maplewood Avenue**

Ms. Woodburn presented a diagram to the Committee and pointed out that some mature trees around the planned building couldn't be kept due to their location and recommended that they be replaced with Aristocrat pear trees, which were hardy, disease-resistant, and had a nice leader. She said they would use silva cells underneath them. Ms. Woodburn showed the proposed locations of other trees that would be planted, which were multi-stem trees in planters, Honey locusts, two Red maples, and two American elms.

Mr. Rice asked what stage the project was in. Ms. Woodburn said she would resubmit drawings to the Planning Board and that the Historic District Commission had approved. She said she didn't know about the Technical Advisory Committee (TAC). Mr. Rice said there were a number of concerns from TAC and the adjacent properties because Deer Street could be potentially reconfigured and cause a loss of street parking. He said his concerns included the sidewalk widths, the short distance between a tree and the curb, underground utilities, and the fact that the trees were being placed right on the edge of the street and would impact the City's ability to maintain the sidewalks. Ms. Woodburn said the trees would have grates and guards, and Mr. Rice said that would be helpful.

Ms. Woodburn said that putting the trees close to the curb would allow more usable space between the trees and the building. She also noted that Aristocrats went up high and wouldn't affect vehicles.

Mr. Hallowell said that Bradford pear trees were close to being on the Invasive Species List, and he passed around an article to the Committee members about it, noting that they should think carefully about continuing those trees in the City. Ms. Woodburn said they weren't seen anywhere in New England. Mr. Hallowell said they weren't common but were on the increase. Ms. Woodburn said that urban trees that were ideal for street conditions were becoming fewer. She agreed that Bradford pear trees were overused but disagreed about the structural problems caused by Aristocrats.

Vice-Chair Adams asked Mr. Hallowell if he had an alternative, and Mr. Hallowell said he did not. Mr. Hallowell said he would research another tree type suggestion.

Mr. Rice said he wanted input from TAC because they might have ideas in terms of the layouts. He said he liked as much greenery as possible but had concerns about large trees at the corner. He said the existing trees were 10 feet off the corner. Ms. Woodburn said she chose the Aristocrats because they were 20-25 feet wide at most. Mr. Rice noted that Deer Street jogged and needed work, so placing trees that could impact vehicle and pedestrian visuals was a concern. Ms. Woodburn noted that the trees would be an obstruction if they straddled the property line. Mr. Rice said he wanted to get input from TAC before the Committee made a decision so that it wasn't counter purpose.

Chairman Loughlin asked for a motion. *Mr. Rice moved to continue the discussion until the August meeting after TAC made their decision. Mr. Souto seconded the motion. The motion was approved by unanimous vote.*

#### **6. Update on Notice Re: Street Tree Care for Building Permit Recipients**

Mr. Hollowell said he was told that the Committee had no official language regarding tree protection for streets and no zoning ordinance for it.

Chairman Loughlin recalled that Ms. Walker had suggested having some language about it on building permits. Mr. Rice said they could work with the building inspectors on educating the builders about protecting trees. Mr. Hollowell asked whether industry standards should be included. Mr. Rice recommended starting with a more prescriptive approach of educating the builders with suggestions for tree protection. Mr. Hollowell felt that the City should have an ordinance stating that if construction impacted a City street tree, there were protection zone requirements. Mr. Rice said they could develop a set of requirements for trees that were on City property that would also be applicable to City staff.

Action Item: Chairman Loughlin asked Mr. Hollowell to come up with the necessary language.

#### **7. Old Business**

Mr. Croteau said that the plan regarding the Rock Street construction at Foundry Place was to remove the arborvitae and create a parking lot to offset the parking for the Heineman group, whose parking lot would be taken away during construction. He said when the project was complete, the landscape would be restored in that area. He said work would begin in August.

#### **8. New Business**

There was no new business.

#### **9. Next Meeting: Wednesday, August 9, 2017**

The meeting was adjourned at 8:55 a.m.

Respectfully submitted,

Joann Breault  
Recording Secretary