

Trees and Public Greenery Committee
City of Portsmouth
MINUTES

8:00 a.m. – Wednesday, April 14, 2021
Remote Meeting via Zoom Conference Call

Members Present: Richard Adams, Vice-Chairman; Peter Rice, Director of Public Works; A. J. Dupere, Patricia Bagley, Michael Griffin, Dan Umbro

Members Excused: Chairman Peter J. Loughlin, Dennis Souto, Arborist Foreman Chuck Baxter

Also Present: Patricia Donahue, Portsmouth Garden Club Member

Chairman Loughlin was absent. Vice-Chair Adams was Acting Chair and called the meeting to order at 8:00 a.m.

1. Acceptance of Minutes of the March 10, 2021 Meeting

*The March 10 minutes were **accepted** as presented.*

The Committee went to Section 3, Old Business, to hear the presentation of Patricia Donahue for a Portsmouth community garden. (See Section 3).

2. Tree Removal Requests

a) Rockland Street between Elwyn Avenue and Sherburne Avenue – Norway maple

Mr. Griffin said he would vote to remove the tree, and Mr. Rice asked for more discussion. Acting-Chair Adams said the tree was full of rot and in terrible shape. Mr. Rice said Mr. Baxter had looked at the tree and recommended its removal, so he was comfortable with its removal. He suggested planting another tree in its place.

Acting-Chair Adams asked for a motion. *Mr. Griffin recommended removing the tree and planting another one in its place, and Mr. Rice seconded. The motion **passed** by unanimous roll call vote, 6-0.*

b) 49 Fells Road: Norway maple in front, red maple near driveway to be widened

The owners Mr. and Mrs. Joseph Freda of 49 Fells Road were present and said the reasons they wanted the trees removed were due to water issues. They said the front of the lot sloped toward the house and the Norway maple pushed the water toward the house and into the basement, and that they wanted the red maple removed so that the driveway could be widened. They also noted that the red maple was heaving the road and prevented

proper drainage of the water. They said the roots of both trees were aboveground and extending into the foundation.

Ms. Bagley said she drove by the property and thought the Norway maple could be removed but that it would be a shame to lose the beautiful red maple. Mr. Umbro asked how close the nearest catch basin was, and Mr. Rice said there was one across the street and one behind the tree. The Fredas further discussed the water issues and said they were open to suggestions on how to mitigate the water damage to the house from the trees. Mr. Rice asked if the water on the property came off the street. Mrs. Freda said the rain water didn't have a path to get to the catch basins due to the trees, so it ran toward the house. She said it was the City's trees that caused runoff onto the property. Mr. Rice said there was past precedent of denying that type of request and that he hesitated to move forward without thoroughly reviewing the water damage claims and seeing if there were alternative mitigation approaches that could be used instead of removing a tree. He also said the heaving of a walk or driveway was not a justification for removing a tree.

Mr. Dupere suggested that someone from the Department of Public Works assess the situation. Mr. Rice agreed and said he would have them look at the area and determine the concerns and possible solutions relative to the grading issue.

Nancy Mulqueen of 38 Fells Rd asked if the owners used a tree service to evaluate what could be done to the tree's roots that would help rectify the problems with water in the basement. The owners said they had not because the trees were owned by the City.

Mr. Rice said he would ask Mr. Baxter to see what types of activities could be done around the roots and how far away the tree's drip line was. Acting-Chair Adams asked if an internal trench with a sump pump was considered. Mr. Freda said he submitted a bid for basement work but that it wouldn't alleviate the water moving toward the foundation.

Mary (no last name given) said there were several huge trees removed further down the street, so the neighbors were very concerned about having a few more trees removed.

Linda Johnson of 18 Fells Road said moisture got into her basement after a heavy rain. She said the whole road sat very low, so she didn't see how removing the two trees would alleviate keeping basements dry. She said she would be heartbroken to see the trees go.

Mr. Rice said the area had a history of being very wet because the stormwater drainage system used to be connected to the sewer system. He said that particular problem had been eliminated, but there was still a significant area of wetness during heavy rains.

Action Item: Mr. Rice will have Department of Public Works personnel look at the area and determine whether there are solutions for the grading issue. He will also ask Mr. Baxter to see what types of activities could be done around the roots and how far away the tree's drip line is from the house.

3. Old Business

Community Garden Presentation by Patricia Donahue

Ms. Donahue presented her proposal for a community garden in Portsmouth. She said it would provide Portsmouth residents the benefits of having a community garden as an outdoor space to share and would also bring the community together. She said she and Mr. Baxter found a perfect site at the Route 33 Park-and-Ride but that it would need water. Mr. Rice said the Water Division could run a line seasonally that would cost around \$1,000. Ms. Donahue said the garden would also require raised beds, an 8-ft fence, and ideally a shed. She said the site would consist of 10,000 square feet of good soil. She said there were organizations like New England Grass Roots that had grants for that type of project, and that the local Lowe's or Home Depot might donate funds. She said a steering committee would be needed to establish the garden, and then a board to run it. She said members would pay a fee of around \$50 a year for woodchips and so on and that the biggest problem would be dealing with members who didn't take care of their beds, which would affect all the other beds.

Acting-Chair Adams said he didn't think the issue was in the Committee's purview and was more of a City Council issue. Mr. Rice said he also wasn't sure if it was in his department's purview to allow people to work on City property that way. He said there would have to be an agreement to define liability and insurance issues. He said that Adopt-a-Spot and other smaller community gardens in the City involved only a few people and didn't create a structure that was so public and open to all folks. He said the biggest challenge was that a member wouldn't follow through and the organization would fall apart, in which case the City might have to bulldoze the garden. He said he had to do some research regarding the structure and the required approvals and see whether or not it had to go before the City Council or if the Trees and Greenery Committee had the administrative authority to start something like that.

Ms. Donahue said the City of Dover had a successful community garden. Mr. Rice asked her to provide him with more information and that he and Ms. Donahue could then meet with the City Attorney to discuss contractual steps. He said if it was decided that the City should be responsible for the garden, then it would be a City Council issue. He noted that there were plans to have other activities for the area, including a skateboard park, a rail trail, and a dog park, so it made sense to have additional people in the area who could participate in a community garden and also keep an eye on the surroundings.

Mr. Dupere said he was in the process of helping out with community gardens around the State and that they had milled all the lumber for several large gardens in Manchester. He said he would give Ms. Donahue the names of some contacts.

Action Items:

- Ms. Donahue will provide information to Mr. Rice about Dover's community garden.

- Ms. Donahue and Mr. Rice will meet with the City Attorney to discuss contractual issues.
- Mr. Dupere will give Ms. Donahue names of some contacts from other State community gardens.
- Mr. Rice will report back to the Committee at the May 12 meeting.

4. New Business

Mr. Griffin said Mr. Baxter recommended planting a tulip tree in the Cotton Cemetery for Arbor Day. Mr. Rice said he had concerns about digging in any historic cemetery other than interring the deceased due to past issues with the Department of Historic Resources. Acting-Chair Adams noted that the Cotton Cemetery was a paupers' burial ground for many years and that there could be things dug up that people wouldn't want to see.

Mr. Dupere said the Seacoast Collaborative Arborists asked him about planting something in the Masonic Temple parking lot where the beech tree was removed. Mr. Rice said the Masonic Temple property was private and that he had no issue with it as long as the Temple approved.

Mr. Griffin asked if there was a means of measurement when situations arose from replacing trees and how the process was tracked, like the silver maples on Lincoln Avenue that had root damage and the tree on Elwyn Avenue to allow access to a new house. Mr. Rice said money was contributed to the Tree Fund for the Elwyn Avenue tree but that he didn't think there was a clear process related to the damage done to the silver maples. He said the City consistently monitored all the trees along the City's streetscapes.

Next Meeting: Wednesday, May 12, 2021

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

Respectfully submitted,

Joann Breault
Committee Recording Secretary