

## Urban Tree Commission 2.16.2024

**Attendance:** Howard Birnbaum, Barbara Darnell, Ruth Goldman, Julia Malakie, Marc Welch, Beth Wilkinson, and Julie Winsett

### Minutes from February 16

#### Update:

Marc doesn't have a big update - it's been a quiet month. Staff have continued to do cleanup on Commonwealth Ave. and around City Hall, which will be finished up on a Saturday when no one is working. Marc is ready for March 1 with updated Tree Permit applications. FAQ will be on City website by March 1. He will update this as common questions begin to emerge. He may do a flow chart from questions.

Julia: It will lead to documentation whether there is construction or not.

Marc: Will try to push out information in different ways so people can absorb at different spots. The new ordinance is now uploaded onto the City's ordinance pages. The old tree inventory system is now defunct and Marc is uploading the new system - Davey Tree Keeper. Marc will demo at the April meeting, and there will be a link on the City's website.

Julia asked about pricing for trees.

Marc said he will update on March 1 with the new pricing from the ordinance.

**Tree Removal Requests:** One "new one" but it's really an old one, it's for 18 Norman Road and Marc posted the wrong tree (he put it to the right of the driveway instead of the left).

MWRA will attempt to work around the tree removal requests on Ward street. The drawings do not look like they go beyond the curb but Marc doesn't see how they dig holes that they need without going beyond the curb.

Julia: Is the new employee on now? Marc said Matt had been in place for several months.

#### **New Business: Follow-up to Letters to City Council and Mayor**

Beth reviewed the letters received from three Councilors: Bill Humphrey, Marc Laredo, and Alan Lobovits. They all said that the Mayor allocated funds, thanked us for the letter and Bill said the Mayor had said they could manage. The Mayor's letter also thanked us, and said they would manage it and was sorry the override had not passed.

Marc: Outlined budget process. Several meetings: first focuses on the current budget and if there were immediate needs, overruns etc. Second meeting - wish list of items that departments want. Third meeting: is where they get into details and substance of the budget. Early in the budget process right now.

Beth asked what the Commission wants to do with respect to the letters. Barbara suggested responding to the Mayor. Beth asked for specifics. Ruth suggested waiting until Marc had some information managing the new ordinance and further in the budget process. Beth asked if Marc would have more information in a month.

Marc said he thought there would be some better sense of things in a month or two. Marc said we'd really know more in a year whether folks were getting the information. He thinks the new part of the ordinance for non-building permits that it there is going to be non-compliance because he can only educate tree removal services to the best of his ability. People just don't know that they need a permit for tree removals above 6" since this is new.

Gloria Gavis mentioned someone taking down 15 trees for a pool. Marc said this would fall under the current ordinance because they need a permit for the pool. Need to investigate this. This may or may not be an independent lot. It's complicated. Discussion ensued on the different hypotheticals of the disposition of the lot. They will need to provide information on the trees removed. Evidence is still there with the stumps. Marc should know today. Barbara & Julia reflected on the **Mauri** case of an unbuildable lot that went all the way to the Supreme Judicial Court. Marc thinks the current situation was an honest mistake. If you didn't look at the assessor's database, it looks like a part of their house lot. Marc gets a vacant lot case every 12 - 18 months. People expand their lot. A lot of times they are building pools or pool house. If it is a lot extension, Marc will be flexible about where they put the trees. **Before the ordinance was amended in 2014, it contained language that made building on the adjoining lot exempt if you were the same owner.**

Barbara: we need to hold the tree companies accountable. Marc: under the current ordinance and in this particular case, it looks like the owners' entire property, fencing and all.

Marc has not notified the tree companies yet about the new ordinance but he will very soon. To the best of his ability. Julia: can you use ISD registered landscaper list to notify? Marc thinks this is a great idea. Many do tree removal. Julia: It should go in the Mayor's newsletter.

Julia: City message boards - these should all be used for the new tree ordinance. Look at all the city listservs and facebook pages. Fig City, The Beacon should educate people.

### **Updates to Tree Ordinance Proposed by Councilors:**

#1 Ability to remove all invasive trees.

Marc: invasive trees do "all the good things that all trees do". To say they have no value is just not true. To remove them without replacement, is not recommended.

Julia: street trees are Norway maples.

Marc: References replacement requirements for street trees in tree preservation ordinance. When someone wants a Norway removed as a street tree, then they would not have to replace it.

#2 To exempt trees in by right buildable lots.

Julia: this would roll back current ordinance.

Beth: Can we get behind a general: let's see how the ordinance works before we start changing it.

Marc: the second is making most of the ordinance moot. It's not what the intent of the ordinance is supposed to do. The invasives had more substantive discussion last time around.

Marc did some research on invasives during the ordinance review to check his own personal beliefs and I did find arguments that aligned with mine. If there is a Norway maple growing on in a highly urban area then it's offering a lot of environmental benefits.

Ruth: should we write something about waiting to amend the ordinance before it goes into effect. Worried

Julia: thinks these amendments are ridiculous and we shouldn't draw attention by even referring to them. Wait until they come to Programs and Services and then respond. Very worried about the flooding and run-off. Impact on individual homeowners. And, we're supposed to minimize phosphorus run-off into the Charles. Norway maples do this as well as any other tree.

Marc: The language about environmental improvement is in the ordinance. Marc thinks we should wait on responding.

Beth: Seems like we agree to wait to respond.

Howard asked about the form and how it could be streamlined. Howard would like to docket an item about how to review the form and make sure it is not administratively burdensome. The form/contents: can it be streamlined or numerically evaluated. Database/Science: If you could gather the data you could associate it with other analysis around flooding, where the trees being taken down. Could the form be made more useful and lead to a good data base that could be useful.

Marc: Docket for the next meeting. Go through application process and show everyone what people have to submit. Tree Risk has no numbers. It used to be a numbers system. Everyone had a different system and no industry system. Marc worked on the number system and he liked. Now there is ANSI - there is one for everything tree wardens do. This is the industry standard for risk in a tree. Has a million data points. Is the trunk leaning, prevailing wind etc. At the very bottom - four: high and extreme, Marc will not require a replacement.

What we will do as far as amassing the data, we could come up with a way to graphically map the trees cut. Going to be the tree remove form - company will itemize trees being cut. Take that information and enter it into something to get info on numbers and parcel data. It is more work.

On March first, there won't be a form, it will point to the City's permit application. The form is gone, but there will be a tree remover form in addition to arborist form. The form is supposed to be filled out by a TRAQ (Tree Risk Assessment Qualified) qualified arborist. Marc will take a TRAQ course soon to be up to date.

Item for Next Meeting: Tree Ordinance Application and Removal Process. Marc will look at the system and see how the public sees the system. He will go over the forms and review before coming to us next month.

Barbara would like to see the forms before March 1.

Julia said that in the Zoning & Planning meeting that was held on Thursday 15 February, stricter rules regarding property grade changes were discussed.

Barbara mentioned that there was a UMass Virtual Community Tree Conference on 27 February, "Managing Tree Systems in a Changing Climate". These meetings have always been very interesting and have speakers from all aspects of the New England Tree Community. <https://aq.umass.edu/landscape/events/umass-community-tree-conference-2024-managing-tree-systems-in-changing-climate>

Adjourn: Next Meeting on March 15, 2024.