

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

**MINUTES**

**7:30 AM – Wednesday, June 14, 2017**  
**Portsmouth City Hall**

**Members Present:** Peter J. Loughlin, Chairman; Richard Adams, Vice-Chairman; Leslie Stevens, 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:** None

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

**1. Acceptance of Minutes of the May 10, 2017 Meeting.**

*It was moved, seconded, and approved by unanimous vote to approve the May 10, 2017 minutes as amended with a minor tree identification change.*

**2. Follow-Up on Request for Removal at 213 Colonial Drive.**

Note: Chairman Loughlin addressed Section 3, Tree Removal Requests, first to give the homeowner time to appear before the committee. The homeowner did not appear.

Chairman Loughlin stated that he took a few photos of the site the day before and also noted that all the committee members had seen the tree, the driveway, and the sidewalk. Mr. Dupere said his discussion with the homeowner Mr. Fournier revolved around the tree roots lifting up the asphalt driveway. He said Mr. Fournier felt that the tree wasn't healthy. Mr. Dupere said the tree was growing and expanding. Mr. Fournier said that Mrs. Fournier had run into the tree at one point and that a limb came down, but otherwise, there were no issues with the tree. He said there was a sidewalk upheaval all along the Colonial Drive strip. Mr. Hallowell said he denied the same request to the homeowner eight houses over from Mr. Fournier. The Committee discussed what would happen if the sidewalks were redone.

Mr. Hallowell said the issue was whether or not the Committee would grant citizens the right to request that trees be removed due to heaving walks and driveways. He said that if they told one person no and another person yes, it could be complicated. He noted that every house on Colonial Drive had a heaving driveway and sidewalk and that several people could request in the future that large trees be removed. He noted that Mr. Fournier wasn't interested in repairing his driveway.

Vice-Chair Adams suggested that the Committee do nothing at this time.

Chairman Loughlin stated that the motion at the previous meeting was made by Mr. Rice to table the motion so that Mr. Croteau could assess the situation. He said that all the Committee members looked at the tree and that, based on their comments, didn't see any reason to remove the tree. He also noted that Mr. Fournier said he would have the tree removed himself.

Chairman Loughlin recommended that a letter be sent to Mr. Fournier explaining the Committee's reasoning for not removing the tree. Mr. Rice recommended that the motion be tabled again so that the issue be reviewed further, along with the existing policies relative to resident requests for tree removals. It was further discussed. Chairman Loughlin said there were complicating factors that the Committee needed to review prior to making a final decision and that he preferred to table the motion. Vice-Chair Adams said it seemed like there were several variables and asked whether having a global policy would have much meaning. Chairman Loughlin said he didn't believe that the Committee had ever voted to remove a healthy tree unless there was a critical reason for it. He reiterated that all the Committee members looked at the tree and felt that it was healthy and that the Committee had a long-standing policy of not removing healthy trees.

Ms. Stevens suggested that Chairman Loughlin add to his letter that the City would continue to monitor the tree. Mr. Hallowell asked why Mr. Fournier would get a letter and not everyone else. Chairman Loughlin replied that the Committee had sent similar letters out in the past. Vice-Chair Adams asked whether the letter should include cautionary language. Mr. Hallowell suggested that the Committee say nothing and that the homeowner look at the public record.

Mr. Rice said he thought the letter would be appropriate because it could not fault the Committee for not communicating the decision. He said the decision was well thought out and consistent with past practice. He said if Mr. Fournier took action, the Committee could address it then.

Chairman Loughlin asked for a motion. *Vice-Chair Adams moved to **deny** the request to remove the tree. Mr. Souto seconded the motion. There was no further discussion. The motion was approved by unanimous vote.*

Action Item: Chairman Loughlin said he would draft the letter and forward it to Mr. Rice, Mr. Hallowell, and Vice-Chair Adams for review as part of an administrative practice before sending it to Mr. Fournier.

Vice-Chair Adams asked what the consequences would be if the homeowner took the tree down on his own. Mr. Dupere said there had been two issues in the past that involved some legal action. It was further discussed. Chairman Loughlin noted that one of the two issues violated the site plan review, causing the City to officially record site plans from that point on.

Action Item: Mr. Rice said he would discuss the issue with City Attorney Sullivan.

Mr. Souto recommended that the City place monetary value on City trees and that any person who removed a tree would repay the City. Mr. Rice said it would constitute damaging City property and wasn't sure if there was a legal process in place.

Chairman Loughlin stated that he would draft the letter, as noted in the above action item.

### **3. Tree Removal Requests:**

#### On the Point of Peirce Island (Black Cherry)

Mr. Hallowell said the tree had serious decline and lots of dead wood.

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

188/192 Lincoln Street (Red Maple)

Mr. Hallowell said there was a pair of Red maples that were replaced about five years before, and one was in serious decline. He suggested removing it and placing it on the 2018 Tree Replacement List.

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

South Street at the Edge of Lower City Hall Parking Lot (White Ash)

Mr. Hallowell said the tree was almost dead. Mr. Dupere noted that several White ash trees in the City were problematic.

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

10 Pleasant Street in Front of Stonewall Kitchen (Linden)

Mr. Hallowell said the tree was in serious decline, with lots of dead wood. He suggested removing it and placing it on the 2018 Tree Placement List.

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

56 Congress Street (London Plane)

Mr. Hallowell said that he took tissue samples of the tree and sent them to the University of New Hampshire, who did an analysis and discovered that the tree had sycamore anthracnose. He said it was most prevalent in the spring and that there wasn't much that could be done except to keep the tree clean of infected dead leaves. He recommended keeping the tree and experimenting with it. Mr. Croteau recommended removing the tree, and Ms. Stevens agreed, noting that the tree was downtown. Chairman Loughlin suggested saving the tree rather than leaving a stump, and it was further discussed. Mr. Hallowell distributed copies of the university's analysis to the Committee members.

Mr. Rice said the tree should be removed because it was the downtown streetscape and the tree was 40% dead. Mr. Hallowell recommended cutting the tree down, grinding the stump, replacing the soil, letting the stump sit for a while, and then planting a new tree the following year.

Chairman Loughlin asked for a motion. *Mr. Hallowell moved that the tree be cut down, the stump ground, the soil replaced, and the stump replaced by a new tree in 2018. Mr. Souto seconded the motion. The motion was approved by unanimous vote.*

Pier II (North Parking Lot) Next to Prescott Park (Sycamore Maple)

Mr. Hallowell said the tree was 40% dead and suggested removing it.

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

#### Four Tree Island Parking Lot Renovation (Black Cherry)

Mr. Hallowell said that the tree was impacted by the parking lot renovation and that there were concerns about root damage. He said the excavator felt that the City engineers exaggerated the damage. Mr. Hallowell said the tree wasn't a pretty one and suggested either monitoring it or removing it based on aesthetics. Ms. Stevens recommended keeping the tree and pruning it.

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

(Note: the Committee then addressed Item #2, 213 Colonial Drive).

Mr. Croteau said he knew of another tree removal request for two trees on Boss Avenue. Chairman Loughlin said he removed it from the agenda because he didn't want the Committee to vote on removing two healthy trees, even though there was a valid reason for removing them, before discussing 213 Colonial Drive. Mr. Hallowell said the homeowner requested removal because he felt that the trees would do structural damage to his retaining wall. Chairman Loughlin said it was a different situation and suggested that it be on the July meeting's agenda.

#### **4. Update on Spring 2017 Tree Planting**

Mr. Hallowell distributed copies of the Spring 2017 Tree Planting. He said that the City's requirements were having a nice impact on contractor quality and that the contractors had responded well to some minor issues. He said the River Birch on Macy Street was planted dead and would be replaced; the Silver Linden on Ocean Boulevard looked terrible and would be monitored; and the Hawthorne on Broad Street looked horrible. He said those were the only trees out of 34 with signs of extreme stress.

Mr. Hallowell remarked that sending out a letter of prior plantings was a huge help and that no citizens complained about the species being planted. Chairman Loughlin noted that Vice-Chair Adams' lobbying for early planting couldn't have worked better and that the timing was perfect in view of the ample rain that had occurred before and after the plantings.

Chairman Loughlin said there were a few trees at the Memorial Bridge approach that might need looking into. Mr. Rice said they were monitoring them. Mr. Hallowell said he had already removed two of the trees and was preparing a plan for the rest.

#### **5. Update on City Policy on Planting Trees on Private Property**

Chairman Loughlin said he discussed the policy with City Attorney Sullivan. He said Mr. Hallowell devised some wording about a 'tree grant program,' through which there would be a strict set of circumstances regarding the City planting trees on private property.

Action Item: Chairman Loughlin said he would follow up on the issue.

## **6. Follow-Up on Goodwin Park Improvements**

Mr. Rice stated that a public meeting would be scheduled in the park on June 27 so that the public could review the improvements. Chairman Loughlin noted that the Committee did a site walk, where Mr. Hallowell and Mr. Croteau explained what was proposed. He said the plantings around the monument would be mostly removed and replaced to avoid overnight squatter issues, that more grass would be planted, and that the park would be opened up a bit by thinning the trees surrounding it.

## **7. Old Business**

Chairman Loughlin asked whether there were any comments about the notice regarding street trees that he had sent out the previous day.

Mr. Hallowell said he talked to City engineers about how to set up better tree projects. He suggested that there be strong language built into the bidding specifications on how production zones and soil should be set up and how building materials should not be piled on top of each other. He recommended that it be part of a building permit and also suggested that it state that the City Arborist be contacted. He said the trees were valuable City assets and felt that some contractors didn't realize that they were damaging the trees by placing heavy items near them and compacting the roots.

Mr. Rice suggested that they consult the Inspection Department first because they had the appropriate language regarding that type of issue. He also suggested educating the inspectors first so that they knew that to look for.

Action Item: Mr. Hallowell said he would do a list of 'Dos and Don'ts'.

Chairman Loughlin said he was told that the Building Permit process was done on-line and suggested that the list could be part of that section. He said there could be a line on the application where the applicant could check off to indicate that he had looked at the tree protection rule. Mr. Hallowell said he could also visit the applicant to discuss how the tree would be protected and that it could be part of the process.

## **8. New Business**

Vice-Chair Adams brought up the removal of the White Ash behind City Hall. He said it could possibly be worth several hundreds of dollars of firewood, and he asked whether the worth of the firewood could be built into the contractor's fee for removing the tree. Mr. Hallowell said a private arborist would chip everything because chips were easier to get rid of and that trying to monetize firewood for the City would be labor intensive. He said the City donated all its wood to the Forestry Center. He also noted that street trees had knots on their trunks owing to many unpruned limbs, making them undesirable as firewood. It was further discussed. Mr. Dupere said that landowners wanted their trees to be worth a lot, but it was a losing battle because a lot of trees had metal in them, and no commercial sawmill would accept urban wood.

Mr. Hallowell said there was a lot of volcano mulching going on in the City, which consisted of raising mulch high on the tree so that it looked like a volcano. He said it rotted the roots. He requested that

the Committee members talk to their friends and neighbors about it not being a good practice. He said they could also have a public outreach program to discourage it. Mr. Dupere agreed and said that there used to be brochures handed out to homeowners. He suggested that the brochure be linked to the City website or handed out to homeowners who had new plantings.

Mr. Souto reiterated that he would like to see a monetary value placed on Portsmouth's tree resource so that it could justify a budget increase for tree work. He asked what the current tree inventory was worth. Mr. Dupere said it was done by calculating how big the tree was and what it provided. He said the current inventory was 95% complete and included most of the City's street trees but felt that the real cost calculator would take more than what was in inventory.

Chairman Loughlin suggested come up with a figure consisting of the value of public street trees. Mr. Hallowell said he was working on something that would constantly update street inventory.

Ms. Walker said the resident at 200 Thornton Street asked whether there would be interest in creating a fund in which people could donate money toward City trees. Mr. Rice said it would have to go before the City Council and that he would bring it to the City Manager's attention. He suggested that either the homeowner write a letter to the Council saying that he was willing to donate money to the City's tree efforts or that Chairman Loughlin draft a letter to the Council stating that the Committee had received inquiries but didn't have a mechanism to do it.

Action Item: Mr. Rice said he would talk to the City Manager about a fund for donating money toward City trees.

Mr. Rice said that the cherry trees wrapping the South Mill Pond were aging and in varying degrees of decline. He said that the City had added several more trees in the past years, out of which only one remained. He recommended that maintenance be done to the existing trees and that the dead ones be removed and replaced by an appropriate species. He said that the City should think ahead instead of waiting after the fact. The Committee also discussed the formal gardens at Prescott Park that also had several trees in decline.

Chairman Loughlin said he knew someone who wanted to fund the planting of numerous Japanese cherry trees somewhere in the City. Mr. Dupere said that cherry trees were generally planted in protected areas and had to be cared for, owing to their comparatively fragile nature. Ms. Stevens agreed, saying that the trees had to be planted in a specific location and that they should be larger trees. Mr. Hallowell said there had to be a management cycle plan. It was further discussed.

## **9. Next Meeting: Wednesday, July 12, 2017**

The meeting was adjourned at 8:45 a.m.

Respectfully submitted,

Joann Breault  
Recording Secretary