

**MINUTES of the**  
City of Portsmouth  
**Trees and Public Greenery Committee Meeting**  
**July 14, 2021**

**Members Present:** Peter J. Loughlin, Chairman; Richard Adams, Vice-Chairman; Peter Rice, Director of Public Works; A. J. Dupere, Patricia Bagley, Dan Umbro, Michael Griffin, and Dennis Souto; Arborist Foreman Chuck Baxter

**Members Absent:** None.

**Also Present:** Robert Allen

Chairman Loughlin called the meeting to order at 8:00 a.m.

**1. Acceptance of the Minutes of the June 9, 2021 Meeting**

The minutes were approved as presented.

**2. Tree Removal Requests**

Behind City Hall near parking lot on stone wall - 1 Norway maple cluster (Eversource request)

Chairman Loughlin asked for a motion. *Mr. Souto moved to recommend removal of the five pines, and Mr. Griffin seconded. The motion **passed** by unanimous vote, 7-0.*

517 Broad St - 1 Norway maple, resident request

Chairman Loughlin asked for a motion. *Mr. Dupere moved to recommend removal of the two trees, and Vice-Chair Adams seconded. The motion **passed** by unanimous vote, 7-0.*

**3. Eversource Presentation**

Eversource representative Robert Allen was present. He reviewed the Eversource Reliability update, noting that Eversource had 30 planned miles of maintenance trimming within the City and would have specialized work planners assess trees along their facilities that posed a future risk to the system. He said in 2016, there were 21 tree-related outage events, 41 events in 2017, and so on, ending with 21 events in 2021, with 166 customers impacted and 200,961 customer minutes interrupted.

Mr. Souto asked if the event was divided among branch failures vs. the entire tree problem. Mr. Allen agreed and explained the process. He said 80 percent of outages were outside the zone. He said they have a hazard tree program where they talk to customers and try to identify trees that might fail. He said they're usually the ones who perform regular maintenance on trees but also deal with maintenance for wires. Mr. Souto asked how many outages occurred on Little Harbor Road in the past ten years, and Mr. Allen said he didn't have information that went that far back. He said the biggest year of outages during the past five years occurred in 2017, noting that six months into 2021, they were already at 20,000 customer minute interruptions.

He discussed Eversource Circuit 2W5 that had seven tree-related outage events, 343 impacted customers, and 31,441 customer minutes interrupted. He indicated where the outages occurred and said the circuit came out of the corner of Elwyn Road substation and headed over to the Little Harbor area. He said 21 trees were currently proposed to be removed on Little Harbor Road. He noted that in January and February of 2021, downed trees interrupted service to over 80 customers on Little Harbor Road and caused a lot of damage to wires. He said several white pines were affected by different issues and were very difficult to take down. He said it was evident during the site walk that those trees were in tough shape, explaining that their horizontal branches couldn't handle much snow load, broke easily, and were affected by the past drought and also gypsy moths. He emphasized that the white pines on Little Harbor Road posed a risk and should be removed. He further explained that they grew to 100-110 feet tall and affected the wires that were only 40-50 feet tall. He said a lot of the trees also had stem decay.

Some city residents were present. Ted Delucas said Little Harbor Road should have special consideration because people liked to go there for recreation. Mr. Allen said it was an issue when people were walking and trees were falling. He said Eversource did not have jurisdiction to take down the trees but asked the property owners. He said there were 30 sections of wire per mile of line and 40,000 miles per overhead lines across three states, and they trimmed 70 thousand trees per circuit cycle. He said Eversource couldn't and did not clear cut.

Another resident asked if there were other ways that risks could be mitigated other than removing the trees, like having a healthy tree near a wire. Mr. Allen said they could go underground but it was a lot worse for the tree because the roots would be impacted. He said if a healthy tree was near the wires and the tree's owner didn't want the tree removed, then Eversource would not remove it. Someone asked what Eversource's goal was for the Little Harbor Road circuit. Mr. Allen said they already had 200,000 customer minutes, which was higher than the previous six years except for two. He said the circuit was on target to go over the threshold of 2017, which was the worst performing year.

#### **4. Consideration of Eversource Little Harbor Road Requests**

Chairman Loughlin spoke to the city's obligation, noting that the city didn't own any of the trees because they were in the public right-of-way. He said if a tree was unhealthy or dangerous and at risk of failing, the Committee had to act. He said the list of 21 trees tagged for removal were close to the wires and that most of them had basal damage. Mr. Baxter said the city did proactive management by pruning, removal, and planting and couldn't wait until a tree failed. Chairman

Loughlin asked Mr. Dupere if there were any of the 21 trees that didn't have health issues. Mr. Dupere said several of the trees had sawdust on the ground, which meant that the tree was starting to get hollow and would fail in the next few years, especially with all the storms occurring lately. He said other trees were already dead. He said wires were leaning against some trees and other trees were three feet away from the wire. He said the wire could bring electricity down to the ground and there was the possibility that power lines could swing out in a wind event and cause electrocution. Mr. Baxter said many of the trees along Little Harbor Road were very close to the wires but weren't marked because they had no health issues. He said Eversource did a good job of sorting it out and looking at each particular tree that had an issue.

Mr. Rice suggested a motion that the city repost trees that should be taken down for safety reasons, which would help clarify for everyone what trees would be removed, and at the next meeting the Committee could discuss it tree-by-tree to give the public a better feel about what was being proposed. Mr. Baxter said they vetted the list of trees at the site walk and all those trees were being affected one way or another. Mr. Dupere noted that people were removing some of the postings from the trees. He said some of the trees on Little Harbor Road were outside the Committee's jurisdiction because some of them were on State property and others on private property. Chairman Loughlin emphasized that the Committee closely examined each request for tree removal and some residents felt that it would also be an aesthetic loss, and he was pleased that residents were concerned and saying that the trees had value, but in this case, there were issues with the 21 trees and he didn't think there was any other choice but to cut them down. Ms. Bagley remarked that she had a white pine that went down with no warning. Mr. Griffin said those trees were fragile, noting that a tree in front of Little Harbor Chapel fell toward the gate.

Chairman Loughlin asked for a motion. *Mr. Dupere recommended removal of the 21+ trees on the list, and it was seconded. The motion **passed** by unanimous vote.*

Tree replacement species were briefly discussed.

## **5. Old Business**

There was no old business.

## **6. New Business**

Mr. Rice said a tree at 119 Woodbury Avenue was shedding branches onto the resident's driveway.

Mr. Umbro said he was leaving the Committee due to other obligations.

Vice-Chair Adams referred to the email he sent to the Committee members about a Supreme Court decision regarding who would be responsible for an open strip of land between a sidewalk and a street. Mr. Dupere discussed how new roads in the 1950s were laid out and that the city saw that as part of development and assumed ownership of it. He said every town and city had a different interpretation, and if the tree on the strip of land failed, the city was on notice.

Chairman Loughlin said it was complicated, noting that a surprising number of roads were laid out by the board selectmen in various towns decades or even centuries ago but that he had

always assumed that the city owned the roads. He said he discovered, however, that when the city did the road layout, they got an easement for public travel. He said ownership was complicated and therefore complicated the Committee's job. Vice-Chair Adams said the issue was that the primary activity that the Committee has been dealing with has been the trees on that strip of land between the sidewalk and the street, and the question was, who owned those trees? He said a homeowner seemed to think the city owned the tree if the tree was a problem, but that the homeowner owned it if it was a benefit, and he didn't think it was the Committee's purview to determine that. Mr. Rice said citizens were told that anything done in the easement is at risk and it didn't change the operational aspects of what the city did. He said the city had the responsibility to manage the trees in right-of-ways and wanted things to continue the way they always had. Chairman Loughlin agreed. Vice-Chair Adams said if someone was determined to make trouble, they could likely have a case. It was further discussed.

**Next meeting:** Wednesday, August 11, 2021.

The meeting was adjourned at 9:07 a.m.

Respectfully submitted,

Joann Breault

Trees and Public Greenery Committee Recording Secretary