



Town of Concord, Massachusetts
22 Monument Square, Concord, MA 01742

Tree Preservation Subcommittee Minutes 05-16-16

Minutes of the Tree Preservation Subcommittee of May 16, 2016

Pursuant to a notice filed with the Town Clerk, the Tree Preservation Subcommittee met at 7:00 a.m. on May 16, 2016 in the First Floor Meeting Room, 141 Keyes Road, Concord, MA. ~

Members attending:

Tanya Gailus
 Gail Magenau Hire
 Rob Meltzer
 Pete Funkhauser
 Elissa Brown, Chair
 Christa Collins, Vice-Chair
 Lydia Lodynsky, non-voting

Others Present:

Elizabeth Hughes, Town Planner

Mr. Funkhauser moved to accept April 25 minutes, Ms. Gailus seconded the vote, all voted in favor.

Additional time was requested to review them minutes of May 2, 2016

Ms. Magenau Hire suggested possible additional links on Town website, including a link to GIS data showing public tree locations, among other features. Ms. Gailus asked how often the data was updated, but neither Ms. Magenau Hire nor Ms. Hughes knew who was responsible for creating or updating it. Another link on the list was to *Guidelines for Developing and Evaluating Tree Ordinances*, by the International Society for Arboriculture. The subcommittee agreed that it was something that the members might want to read but shouldn't necessarily be posted as a link on the website.

Ms. Magenau Hire's third suggestion was to link to other somewhat related issues in town, such as the Bruce Freeman Rail Trail [where clearing may need to be done along the corridor]. The group agreed that this would probably fall under the NRC's jurisdiction. Town-supported tree programs were suggested as another good link, as were the Policies and Procedures for public shade trees there. Including links to relevant Massachusetts laws was also suggested, though it was suggested that the public shade tree law may be the only relevant one. Mr. Meltzer said he had been looking for historic tree bylaws in other towns but hadn't found anything. Ms. Lodynsky found several state programs for trees. Ms. Collins suggested there needed to be a distinction made between tree plantings and tree protection programs – many of the state programs fall under the latter. Ms. Magenau Hire suggested the top items on the page might be relevant laws. Ms. Lodynsky thought the subcommittee should agree on certain categories of information – maybe three – to include. She presented to the subcommittee an expanded list of links to information on the benefits of trees, and the prevailing sentiment was that it was too long for the website, but could be used as a handout if the subcommittee hosts an event at a later date. Ms. Lodynsky didn't think her document had too many links, but she was willing to let the subcommittee decide.

Ms. Collins suggested taking a step back to look at the purpose of having information on the website and what the subcommittee felt the public might need to know. She noted that many town subcommittees have very little by way of links. Mr. Meltzer asked how many visits there typically are to town websites, and Ms. Hughes said that the Board of Appeals and the NRC sites get the most traffic. Ms. Collins felt there was a need for data that would inform the subcommittee's decision as to whether a bylaw is necessary, such as data on tree removal, though only anecdotal evidence might exist. Ms. Gailus added that the subcommittee might not only be advising on a bylaw but perhaps guidelines, as well. In summary, the group agreed to include on the website the subcommittee's charge, links to bylaws (Mass and other towns), link to Town's GIS page, and results of the survey.

Ms. Gailus asked what the Planning Board had in mind in suggesting a task group to study tree benefits, since Ms. Whiting Cash and Ms. Hughes had offered the idea in guidance during the Subcommittee's first meeting. Others thought that the idea had been suggested by Ms. Whiting Cash but that the subcommittee members had decided on the working group tasks. Ms. Hughes noted that the subcommittee will be going back to the Planning Board in June (not the 9th but the 21st) and at that time will get feedback from

the PB on work that has been done, but it can't just be the survey. They will be looking for a recommendation on whether there needs to be a bylaw?" The subcommittee can expect direction on how to move forward from the Planning board.

With a June 21st Planning Board meeting, there is more time to do additional public outreach, which Ms. Hughes thought would be important. Some suggested inviting various stakeholders to meetings or holding coffees. Ms. Brown has done some outreach to other town boards and Mr. Funkhauser reached out to some of other stakeholder groups. Mr. Meltzer suggested we might need to look at survey results to know what other stakeholder groups to reach out to.

Ms Gailus asked how #5 on the charge ["identify the most beneficial and effective methods of tree preservation for Concord] fit in to the discussion. Ms. Magenau Hire and Ms. Brown thought that would come down the road, when the subcommittee has a better sense of where it is going to go with a bylaw. The group discussed the next stage of public outreach, and Ms. Gailus suggested inviting stakeholders and experts to share their views with us, during our meetings, in addition to having public forums in the fall. Mr. Meltzer thought the survey results were needed before determining the next step. The survey is to be open until the end of May. Ms. Gailus said that she thought that citizen input was what really mattered, but that the subcommittee can also think about the issues on its own and come up with a recommendation. Ms. Brown asked the group how it felt about tabling discussion until survey comes back. Ms. Collins noted that the survey could come back with inconclusive results, so other outreach efforts may need to be teed up in the meantime.

Ms. Lodynsky asked that if her list of suggested links wasn't included on the website that at least the subcommittee include information on steps to take with wildlife living in a tree that is to be removed. Others felt this wasn't the appropriate place for such information.

Ms. Hughes said there were three or four local (resident) developers she can ask to participate in outreach activities.

Mr. Funkhauser mentioned the local business partnership that meets once a month for breakfast at Colonial Inn and suggested that one or two subcommittee members could go to that. Ms. Gailus suggested someone like [local naturalist] Cherry Corey would be good to get input from. Ms. Collins agreed and said she would ask Ms. Corey to attend a meeting. These groups and individuals will be contacted prior to the subcommittee's next meeting on June 3rd.

Ms. Hughes noted that around 250 surveys have come back, but the rate is dropping off.

Mr. Funkhauser noted that the Planning Board had established this subcommittee in part because they perceived that egregious tree cutting was happening around town. He echoed the request for data on tree removal. Ms. Hughes shared that 125 building permits were issued last year, but that doesn't inform how many trees were cut as a result. Mr. Meltzer mentioned that not all trees that are cut are native. Mr. Funkhauser suggested that one way to get at the data might be for the next 12 months, every time a building permit is issued, the planning board require that a survey include every tree that will be removed. Ms. Collins worried about a chilling effect – would people start removing trees proactively in anticipation of a bylaw? Ms. Gailus suggested a shorter time frame might be better, such as during the summer, to stay within the time frame of the Subcommittee's existence. She also added, in response to Mr. Funkhauser's initial questions, that some Planning Board members were already of the opinion that there was cause for concern, that citizen complaints were not the only reason the Tree PS was established. Ms. Hughes thought there would be significant push-back on such a requirement, because it's an added step and expense for the developer or homeowner. Other suggested we might get some info from historical aerial photos. Ms. Hughes noted that the Town just did a flyover, so we could compare to the 2010 or 2013 flyover. Ms. Lodynsky asked if Lexington is collecting such data, but Mr. Meltzer didn't know. He noted that the top reasons for tree removal in the recent past in his neighborhood have been for the Bruce Freeman rail trail, septic systems, and utility lines. Ms. Gailus noted that in her neighborhood, clear cutting for new properties had been rampant in recent years. Ms. Hughes offered to print out E-size sheets for subcommittee members to review, and Ms. Collins offered to ask her husband [who does some GIS work] whether he knew of an easier way to compare GIS land cover data. Ms. Hughes will ask the building department for anecdotal information on tree removal.

Ms. Magenau Hire mentioned that some of environmental laws are disclosure based (such as companies that must report chemical use), which has driven some companies to better practices. Perhaps developers would voluntarily report tree removal in a similar vein.

The meeting was adjourned at 8:00 am.

Respectfully submitted, Christa Collins