

Minutes of the City of Takoma Park Tree Commission

October 9, 2018

By Carol Hotton

Location: Hydrangea Room, Takoma Park Community Center

Present: Tina Murray, Chair; Carol Hotton, Secretary; Bruce Levine, Commissioner; Jan van Zutphen, Urban Forest Manager (UFM); Sharon Cohen, Committee on the Environment liaison with Tree Commission; Jeff Brokaw, resident and member of (COE)

Absent: John Barnwell, Commissioner

Meeting convened at 6:50 pm.

1. **Minutes** for Sept 11 meeting were approved with slight modification.
2. **Dorothy's Woods update.** 6-1 City Council vote approved settlement of lien with Fairview Investment Fund for \$250,000, of which \$100,000 was donated by private citizens. Unclear what source within the City budget will provide the remaining \$150,000. It was suggested that the City should maintain a contingency fund for such expenditures.
3. **UFM update.**
 - A. Jan contacted both the Montgomery Planning Department (Chris McGovern in charge of imaging) and the University of Vermont about tree canopy data but so far no response. He will try again tomorrow.
 - B. PEPCO to start distribution line pruning in November, in the eastern part of the City. Map of proposed pruning supposed to be on City website, but it doesn't seem to be.
 - C. New building projects. New Montgomery College building at Fenton & Takoma and Takoma Park Middle School bridge-building project will impact substantial number of large trees.
 - D. Expanded discussion of tree protection plan approval process. In 'Cambistat' case, Jan discussed modifications to tree protection plan with contractor, who was carrying out changes, and who was expected to communicate changes to homeowner. Homeowner received written copy of modified tree protection plan. UFM outlined his general practice for tree protection plans: simple cases can be prepared by homeowner (fencing around trees, etc.). More complex cases should involve consultant/specialist in tree protection—can be problem because relatively few arborists have that experience. Tree Commission viewpoint: UFM, contractor and homeowner should be on same page on any changes to avoid miscommunication. Jan will provide information on Cambistat at next meeting.
 - E. Tree Commissioners agree that we should not be involved in minutiae of tree protection plans in legal appeals, as we don't have the professional expertise to evaluate them.
 - F. UFM suggestion: Present workshops to local tree companies that do work in the City on topics such as level 3 assessments and tree protection plans, similar to the program

offered by Keith Pitchford. Those companies that participate can then be presented to homeowners as qualified, without recommending specific companies.

4. Sharon Cohen – COE report

- A. COE submitted letter of support for acquisition of Dorothy's Woods by City.
- B. City plan to replace streetlights by more energy efficient LED lights running into opposition from residents because of excessive brightness and heavy skew toward blue spectrum in the currently proposed replacement lights. This is a shared project with PEPCO, any changes by City, e.g. reduce brightness of bulbs, might jeopardize contract with PEPCO as it would require rebidding the project for new materials.
- C. Plastic straw ban. Under discussion by City Council, but no decision made on final format of ban.
- D. Discussion of project to reduce food waste by teaming with Community Food Rescue, involving donations from businesses and farms, volunteers to transport food to assistance organizations. City to set target metrics.

5. **Tree Ordinance (Chap. 12) review.**

- A. Council member Cindy Dyballa (Ward 2) considers receipt of tree canopy assessment and decision on canopy goal essential before discussion of revision of Tree Ordinance. Since City wants a report from the Commission by April next year for budget purposes, we may have to go ahead with suggested revisions without tree canopy analysis.
- B. Too much granularity in current City Ordinance – too proscriptive?
- C. Council is creating wish list of changes—will share them with TC when complete.
- D. Bruce suggested that TC look at big picture of Ordinance, and do a cost/benefit analysis. What are the intended benefits of the Ordinance, is it achieving them, what are the costs, and are they too onerous?
- E. UFM – include explanations for numbers in Ordinance. For example, basis for replanting requirement is to replace lost canopy within 25 years. Replacement costs ideally should include cost of maintaining trees through their lifespan. \$175/tree is very low and does not cover lifetime maintenance. For comparison, the city of Annapolis charges replacement fees of \$300/tree for residents and \$1,300/tree for commercial properties as more realistic estimate of lifespan maintenance. How should we incentivize tree maintenance in Tree Ordinance?
- F. One commissioner suggested that residents could agree to allow certain portion of their property to reforest. Problem – how to enforce? What if land sold to someone else? How to inspect and evaluate?
- G. UFM – Ordinance must be manageable and enforceable, which are problems with current Ordinance.
- H. Homeowners object to 15-day comment period. In light of numerous delays in construction projects, including obtaining permits from County and City bodies, TC doesn't consider comment period excessive hardship. Managing neighbor's comments during comment period can be problematic for UFM.

- I. TC requests of UFM data on number of permit requests, tree removals, tree impact and tree protection plans, and tree plantings over last 3 years from UFM to evaluate effectiveness of Ordinance.
- J. Suggestion: Increase number of Tree Commissioners, perhaps to 7, in light of increased outreach expected from City Council of TC, and difficulty of achieving quorum for increased number of hearings. This would also help increase ward representation, a professed City Council goal. Need a 5th Commissioner ASAP!

Action Items: Commissioners will circulate suggestions for discussion at November meeting. Jan will provide statistics as described above to Commissioners.