Minutes of the City of Takoma Park Tree Commission
June 12, 2018
By Carol Hotton

Location: Hydrangea Room, Takoma Park Community Center
Present: Tina Murray, Chair; Denny May, Vice Chair; Carol Hotton, Secretary; John Barnwell, Bruce Levine, Commissioners; Jan van Zutphen, Urban Forest Manager

Meeting convened at 6:45 pm.

1. Minutes for May 8 meeting approved.


   A. Spring tree planting completed: ~ 45 trees on Willow Ave.; Forest Park, Spring Park – white oaks, etc.

   B. Tree Canopy assessment. Tentative date for public presentation set for Sept 29. Azalea Room reserved. Keith Pitchford will be unavailable on that date.

   C. Jan will be on leave from June 15 through August 15. Keith Pitchford will fill in as acting arborist.

   D. Eastern Ave. sewer alignment project. Jan met with Doug Sievers, WSSC arborist, to discuss tree removal and protection plans. Jan is asking bond for two large trees, including a 42” willow oak, from WSSC. One large tree (what species?), a number of mulberries, among others, will be removed. WSSC won’t be required to request permits but states that they will adhere to Tree Ordinance. Jan will supervise process, including placement of trenches, root pruning, fencing, application of Cambistat, etc. Project scheduled to begin in Spring, 2019.

   E. Discussion of activity at Poplar and New Hampshire – can it be converted to park? Currently badly overgrown with invasives, but removing them problematic and possibly dangerous, as site is old dump filled with debris.

   F. City has decided not to allow removal of trees until a building permit is approved by County. This stems from the case on Geneva Ave., where a tree was removed and a house built on the property.

3. Takoma Junction development update.

   A. Tina talked to Mayor Stewart and Ward 2 Councilmember Cindy Dyballa about TC memo of March 21, 2018, outlining recommendations related to trees to City Council. Redevelopment plan as currently proposed by NDC contain elements such as dimensions of parking garage, storm water management, and environmental clean up of trash, that threaten preservation of existing trees on the slope. The tree protection plan WILL NOT be
included in the building permit application to the County, as the City indicated it will not be
developed until the line of disturbance is set, which would occur after permit is granted
(assuming it is granted). Therefore there is question how the tree ordinance will be
enforceable. Therefore, it is important for the Council to take a position enforcing the Tree
Ordinance thorough the permitting process.

B. Discussion of letter sent to Tina for dissemination to other Commissioners from City
Manager regarding role of the Tree Commission in the TJ development process. Letter
outlined standard process for posting and appeals on private property and then requested
that Commissioners refrain from public expression of opinions on Takoma Junction
development, anticipating that appeal may come before Commission. Problem 1: property
to be developed is City-owned, and there is no process for City to post tree removal or tree
protection plans. Problem 2: It is unclear who would have standing to appeal; NDC has a
99-year lease from the City, and has no standing; the Coop leases its property from the
Turner family, who would probably not be involved in legal action.

C. Several Commissioners expressed confusion over whether adjudicatory and advisory roles
are in conflict. The letter from City Manager implies that Commission has only an
adjudicatory role, whereas the statutory role of the Commission (Chapter 2.16.020) is “to
preserve, protect and promote the urban forest of Takoma Park”. Sending an advisory
memo to the City Council with recommendations on preserving trees in the process of
redevelopment is well within our statutory role, especially as there at the time the memo
was sent, no appeal was expected to be brought before the Commission, and it remains
unclear whether an appeal can be mounted.

**Action Item**: Tina will request that Commission meet with Ken Sigman after hearing on June 14.
Carol will compose questions for Ken: 1. How are advisory and adjudicatory roles of Tree
Commission harmonized? 2. How can the City effectively appeal its own actions with regard to tree
removal or tree protection, and who would have standing to bring appeals before the Tree
Commission?

Meeting adjourned at 8:20 pm.