

**LORAX Task Force Meeting**  
**September 7, 2017**

**Attendees:** Chairman David Eppley, Chris Burke, Ric Rennard, Kirt Rieder, Polly Wilbert  
**Observers:** Darleen Melis, Sandi Power, Joyce Kenney (left early), Jeff Cohen (left early)

Invited: Planning Dept: Amanda Chiancola

Discussion re tree ordinance submissions and organization of tree ordinance language.

High level: jurisdictional bodies, tree prescriptions/detailed, talk to Planning Board about amending site plan review, tree prescriptions (city of Lawrence), minimum standards for all projects re site plan review -- no net loss of trees, etc. If existing parking lot is improved or increased, must add trees.

DM: Not repeat what is in current language (NRCC),

AC: Looking at big developments, need to be in site plan review

DE: Planning Board is not exhaustive of tree coverage

AC: Break off into chunks (put into site plan review), also policy re others: conservation commission,

DM: Find the gaps,

AC: Have conversation (no net loss of trees), urban forestry plan, master plan for tree, re guiding principles

DM: Tree manual, tree principles

DE: Recommendations, master tree plan

KR: Guideline, prescriptions

AC: We can add in prescriptions (overall guiding principle)

DE: What tools does the Planning Board need to help enrich to implement goals. No enforcement now. Having tree credit program, helping to have a large development that's downtown without dimensional ability to plant trees, developer put money into fund.

AC: Site plan review prescription, clearly tree preservation, (Lawrence) during design – trees preserved, then mitigation, increase, then pay into tree fund

DE: What about perpetual care? What about trees failing a few years down the line?

KR: Highland Avenue example of failed trees

AC: In perpetuity (teeth behind that is challenging)

DE: Part of that enforcement mechanism is what I'm looking for. Overall ordinance, net zero, maintenance plan in perpetuity

DM: Can we in this ordinance, homeowner adding to property, taking down a tree within the 20-foot setback. Can we talk to that setback on private property?

AC: Not something that familiar with (talk to building inspector)

DE: Legality issue. Up to City Council to add.

DM: Discuss and not kill

AC: Public property and private property divide (easily grab out) in the document.

DE: That process will never happen.... City Council can excise what they object to.

AC: Different procedures. Different entity looking at the tree.

KR: Even if there is redundancy.

DM: Can AC redraft to fit her view of what would work re verbiage?

JC: Arbitration/grievance process

AC: Updating the subdivision ordinance. No issue.

RR: Gave example of Owner signing a release in Witchcraft Heights to give city ability to prune a public tree planted on private land.

SD: 200 trees done with releases in 2000.

RR: Lack of records of tree releases. Original family moved on.

DE: Should a tree release be on on record with Registry of Deeds. License?

RR: City doesn't accept the streets.... Cloverdale not accepted by the city.

AC: Prime opportunity to update the subdivision regulations so it's both site plan review and subdivision

KR: LORAX write the language and then pass along

SD: Language should mirror each other. (LORAX and Planning Board site plan and subdivision language) Subdivision is just Planning Board

DE: Subdivision mandates are in line with X requirements (goals)

RR: Osborne Hills subdivision (input on trees)

DE: Boards can make decisions, needs to be day-to-day decisions and implementation

SD: Would like to see the ordinance cover smaller commercial properties (Valvoline). No shade trees to provide a boulevard

AC: Tie to square footage. If you increase your hardscape, then that triggers trees. Likes Lawrence's because it doesn't allow evergreens to be counted toward trees.

DM: Use Flexi-Pave re ADA to achieve trees in ADA compliant sidewalks

RR: Discussion of why Ric's draft ordinance didn't pass.

SP: Tree City USA: Per capita started out as \$1/per capita then was increased to \$2/per capita 2001/2002.

Pesticide license? Is this needed? Dutch Elm, new diseases, Tree Warden should keep up with whole industry. What are we lacking?

RR: Will have to look at ordinance.

DE: Pesticides that are organic/earth friendly. What is the cost for the license? City pays.

RR: Pesticides are generally contracted out.

SD: Wetlands requirements. .

RR: 219 trees going in in October. Trees being removed are being reported to DPS

SSU: \$17,000 contribution, \$85,000 special, CDBG: \$10,000 Canal St. (spring planting)

Empty tree pits pretty much October planting. Homeowners will be getting a letter (15-20 might reject) Hopes for 200 this fall. Care letter will be done at some point.

DE: Need to let ward councillors know where trees were going. (RR: Dominick will let councillors know. All trees will be contractor planted. 10-12 species of trees being planted. Checked with a couple of nurseries. Hard to get decent trees this time of year. Will be mulched and fertilized. Need a tree release form.

DM: Boosts property values. More generous program. Offer you a tree for your lawn. With information about care.

SP: Setback issue. Neighbor putting trees into setback. Asked city for trees in tree lawn and city declined to put into setback. Haverhill letter asking about trees in setback.

RR: Liability issue going onto private property. Has to have lawn release. Lawsuits. Right of way off Mason St., sewer line (had to go onto property) and excavate, cut lawn for two years because of alleged damage.

DM: Offer tree and plant it, then hands off (give care instructions only, no city care). Plant and then sign off.

SD: Mass Tree Warden handbook. Used by SD release from book.

CB: Whichever gets more trees planted. Whichever more expedient. Would rather have control after planting. More planted with free tree in setback.

DE: We're playing catch up. Policy might be that city could follow. augmented policy

DM: Make up of Tree Commission. Add construction expertise.

CB: Promote trees going forward. Shade trees, trees in the parks, and trees in the cemeteries, represent all three. One donation program. Overall going forward. This isn't enforcement. It's promotion of planting, types of trees, appreciation of trees. Have parks represented. Who wants to do it? Never have trouble.

DM: Monthly meetings.

CB: Parks would benefit, participation with tree warden (not separate committee in parks and rec.) Tree donations needed. Identify locations for trees, give option or here are 10 sites: Would one of these work for the donor?

DE: Volunteers work, other examples.

RR: Thinks construction expertise would be important on the Commission

CB: No tree maintenance and regular tree planting has been taking place in parks. Lots of benches have been contributed.

SD: Park and rec, but not cemetery representation needed.

DE: Master plan tool to get grants (Recommend Tree Commission and Tree Warden create Master Plan)

DM: Reestablish tall stately trees (goal)

DE: City wide plan (utility wires underground). Planting trees in setback rather than tree lawns.

SD: 50 percent of streets have wires down one side. Larger trees prohibitive on tree lawn due to utility cutting.

CB: Corridors, plant on setbacks. Dalton, Hawthorne, opportunities for large trees.

DM: ADA is supreme and trees are second place. Parity needed.