

Arden Forest Committee Tree Risk Assessment and Removal Discussion Notes
Meeting Date: Monday, July 18, 2011

Attending:

Ed Rohrbach, Peter Press, William C. Press, Jr., Mike Curtis, Nanette Robinson, Charles Robinson, Lizzie Broadbent, Tina Broadbent, Ruth Panella, Heidi Hoegger, Mary D. Stevenson, Arthur E. Stevenson, Katrina Streiff, David D. Claney, Jane Claney
Committee Members attending: Carol Larson, Chair, Jennifer Borders, Secretary, Joad Kazan, Elizabeth Varley

This was the first of three public meetings called by the Forest Committee to gather opinions and ideas on how the town of Arden should assess the risk of trees bordering leaseholds in the Arden woods, and how to pay for tree removal, when indicated. It is hoped that from this series of discussions appropriate policy changes, if needed, will be brought to a future Town meeting.

Discussion:

Ed Rohrbach—Whatever we develop for the forests should also be done for the whole Town.

Peter Press—Can we get all of the Ardens together to get a group rate on tree services?

David Claney—What would the policies for the management of the National Parks and Forests? Could we model our policies on theirs?

Ruth Panella—What does New Castle County do?

Ed Rohrbach—There is a liability problem if someone says that a tree is dangerous.

Nanette Robinson—We opted out of the large tree testing done a few years ago for insurance reasons. If you have been told that a tree is risky and you don't have it taken down, insurance will not pay for damage caused by it falling.

Mike Curtis—If there is a potentially risky tree then get an expert to verify if whether there is a problem or not. If the expert says there is not a problem and the leaseholder still wants it taken down they can negotiate with the Forest Committee whether to take it down and split the cost or pay for it themselves.

Charles Robinson—Who legally is responsible for the forests? Are the forests considered a public park?

Ed Rohrbach—They are designated County parkland.

A question arose as to what the legal responsibilities are from the County or State. Charles Robinson agreed to look into this question.

Charles Robinson—Is the Forest Committee budget sufficient?

Elizabeth Varley—If we need to go over budget we can ask other committees if they have any extra or use the contingency fund.

Jennifer Borders—When we have to use the entire Forest Committee budget on tree removal we may not have enough for other needs like trail clearing, invasive plant removal, etc.

There was a discussion as to the cause of the large number of trees that seem to be stressed, dying or falling. Some reasons mentioned were the age of forest trees. Due to the end of logging in the 19th century, many species, such as beech and tulip poplar, are reaching the end of their life spans. There have also been diseases that have attacked some species. In addition, trees in the flood plain are under stress and vulnerable to root rot and erosion.

Carol Larson—FEMA tracks where the flood plains are along Naamans Creek and Perkins Run. (She passed around printouts of this information.)

Mike Curtis—What if we could ask leaseholders with two or more sides bordering the forest to agree to increase the side setback for all new construction to 30 feet? The setback for the back property line is already 30 feet. But the side setback is only 8 feet. Three leaseholds appear to have two or more sides bordering the forest.

Carol Larson—Part of the problem is locating the actual boundaries of some of the leaseholds that have not changed hands for a long time.

Charles Robinson—It seems like there are still two issues: liability and how to pay for tree removal.

Carol Larson—The Arden Forest Stewardship Policy states that, “Trees that pose a danger to people or leasehold property may be removed at the discretion of the Forest Committee. A tree that is a clear and present danger may be removed by the town; in other cases when a leaseholder demonstrates a reasonable expectation of future danger the Committee may give a leaseholder permission to remove a tree adjacent to his or her leasehold.” Is this sufficiently specific or do we need to add more guidance? One negotiating point with leaseholders is to have the Town pay for a percentage of the cost of taking down a tree that the leaseholder is concerned about after the Forest Committee has approved its removal.

Jennifer Borders— The current Forest Committee policy is to top a risky forest tree at a height that mitigates the danger of falling onto a structure. The remaining trunk then helps anchor the root systems of surrounding trees. The leaseholder, if desired, can pay to have it taken down to the ground for aesthetic reasons.

Charles Robinson—Would it be helpful if we start a database for problem trees?

Carol Larson—We have started that. It lists species, locations, problems, dates, etc. We have a few on the list already.

Katrina Streiff—Would it be possible to have the State forester attend one of our meetings? The last meeting would be the best.

Next meetings:

Monday, August 29, 5:00 PM

Monday, September 19, 5:00 PM

---Jennifer Borders, Arden Forest Committee Secretary

Arden Forest Committee Tree Risk Assessment and Removal Discussion Notes
Meeting Date: Monday, August 29, 2011

Attending:

Frank Jost, Charles Robinson, Jane Claney, Mike Curtis, Katrina Streiff, Dave Claney, Ed Rohrbach, Jon Claney, Heidi Hoegger, Jim Laurino

Committee Members attending: Carol Larson, Chair, Jennifer Borders, Secretary, Debbie Ricard

This was the second of three public meetings called by the Forest Committee to gather opinions and ideas on how the town of Arden should assess the risk of trees bordering leaseholds in the Arden woods, and how to pay for tree removal, when indicated. It is hoped that from this series of discussions appropriate policy changes, if needed, will be brought to a future Town meeting.

Discussion:

Charles Robinson – Spoke to Tamy Piztrazwick from the County zoning department. They are clear that the Arden woods are not county parkland and that the County has no liability when it comes to the woods.

Carol – The State Forrester has come out and looked at trees of concern, but does not give a written opinion. There is a tree hazard workshop provided by the State.

Carol – So a concern for this meeting is how to pay for the removal of hazardous trees near leaseholds. Last year we got \$1800 for this through a State grant. This year we could reapply, but Civic Committee may also have need of the same grant money.

We really need to get an overall plan for forest management that includes the forests, the Town greens, as well as the locations and types of invasives.

A discussion of run-off and water management issues ensued.

Dave Claney – Perhaps we could get DEMA to be involved in the Buckingham Green water management issues.

Jennifer Borders – There are many areas in Town where run-off from leaseholds is damaging the woods. A prime example is at the intersection of Millers Road and Mill Lane. The water rushes down Mill into the woods and has caused trees to fall, specifically the one that damaged the Mullinax house.

Katrina Streiff – Community education is important. We didn't know that we have to keep our leasehold's run-off on the leasehold. Many others won't know this either. This information should be put in the Page.

Ed Rohrbach – The area along the path where trees have been taken down around the Broadbent leasehold looks terrible. There should be some way to remove the brush and logs to make it look better.

Next meeting:

Monday, September 19, 5:00 PM

---Jennifer Borders, Arden Forest Committee Secretary

Arden Forest Committee Tree Risk Assessment and Removal Discussion Notes
Meeting Date: Monday, September 19, 2011

Attending:

Ed Rohrbach, Hetty Francke, Lynda Kolski, Warren Rosenkranz, Jonathan Claney, Jane Claney, Mary Marconi, Katrina Streiff, Ruth Panella, Jim Laurino
Committee Members attending: Carol Larson, Chair, Jennifer Borders, Secretary, Debbie Ricard, Joad Kazan, Elizabeth Varley

This was the third of three public meetings called by the Forest Committee to gather opinions and ideas on how the town of Arden should assess the risk of trees bordering leaseholds in the Arden woods, and how to pay for tree removal, when indicated. It is hoped that from this series of discussions appropriate policy changes, if needed, will be brought to a future Town meeting.

Discussion:

Ruth—When you cut down a large tree don't other trees just fill in and create a similar problem?

Carol—It depends upon the conditions and species of trees.

Mary—People have been covering the trunks of trees in paint down by the old swimming hole. Does that damage the trees?

Elizabeth—It might depending on the type of paint and species of trees.

Jennifer Borders—Please contact Forest Committee members right away if you see any problems like this in the forests. You are the eyes and ears of the community and we need you to help monitor the forests.

Ed—The best criterion to tell if a tree needs to be taken down is if it is close enough to a house to hit it. That is measureable. The other ways to evaluate the trees are based on opinion and are therefore flawed.

Katrina—But that is only one of three important criteria.

Mary—Was the Mullinax's house reconstruction paid by the Town after the tree damaged the house?

Elizabeth—I think there was some financial agreement between them and the Trustees.

Ruth—I am concerned that bringing this up to all of the leaseholders is a can of worms. Lots of people might come forward with requests to have trees taken down and we might not be able to meet all of those requests.

Carol—These four criteria are ones we consider when evaluating trees:

1. Water/drainage issues; location within the flood plain
2. Species; some trees are more prone to topple. Recently we have seen Beech trees fall due to shallow roots, and some oaks due to disease.
3. Damage such as rot or lightning strikes; if it is leaning.
4. Height of the tree: can it reach the house.

Ruth—The people that live along the edge of the woods pay an additional assessment factor for that privilege. Can we use that money to help pay for the additional costs of tree removal?

Elizabeth—It is not clear that we can do that since it is up to the assessors to determine that factor; and targeting the money is not a very Georgist concept.

Debbie—I don't think that the people that live along the woods should pay even more especially since the woods are there for all to enjoy.

Jennifer—We really can't dictate how the assessment should be done anyway. That is not within the scope of this Committee.

Ed—Whatever the policy is for the trees of the forests has to be consistent for the entire Village.

Elizabeth—That is for the Town and the Civic Committee to determine, not for the Forest Committee to decide.

Jennifer—Beyond the policy, we still have to come up with a way to pay for the work that needs to be done. The Forest Committee budget will be going from \$5000 to a requested \$8000 this year. It had been \$8000, went down to \$5000, and this year it is projected to go back up. Hopefully that amount is sufficient to take care of all of our needs this year.

Carol—We have applied and received State Forestry grant money last year, and have submitted a grant request this year for \$1600.

Mary—What about the Schroeder fund? Could we use that?

Elizabeth—The wording of the bequest is not that clear, but it seems that the funds are to be used for improvements not just on-going maintenance.

Ruth—Perhaps we could have someone on a retainer or a contract with the Town that does tree work for us, something like we do with a lawyer or other contractors. Also you should keep track of your hours spent on Forest Committee business.

Jennifer—That might be helpful when applying for grants to create a monetary match or show community support.

Hetty—I am from Ardentown and wanted to see what you are working on. I am very impressed with the work going on here. I would like to have your goals and notes so that we can consider this for Ardentown.

Jennifer—I can send you the notes from the last three meetings on email.

Carol—We could have the State Forester come to Arden and do a hazardous tree workshop for the community. (This idea was well received.)

Carol—The Forest Committee has been asked to consider a proposal by the Renzettis to build a new house at the edge of their leasehold and reduce the usual setbacks to five feet. In exchange for this they would allow the woods path to cross their leasehold along the creekside.

A discussion about this proposal ensued with many questions. Concerns were raised about the need for heavy equipment using forest land during construction and the longer-term damage to the forest from construction and runoff from the new building and yard. It was also a concern that a pre-fab house would not be able to be brought in without taking down trees and/or damaging the forest severely in the area. It is clear that the Renzettis need to answer these concerns before the Forest Committee can approve the plans.

Ruth—Thank you to the Forest Committee for all of your work.

---Jennifer Borders, Arden Forest Committee Secretary

