

DRAFT MINUTES

Town of Exeter
EXETER TREE COMMITTEE
May 5, 2021

I. PRELIMINARIES

BOARD MEMBERS PRESENT BY ROLL CALL: Eileen Flockhart (Chair), Kevin Breen, Gwen English, Greg Jordan, Deb Twombly, Sally Ward

STAFF PRESENT: Greg Bisson, Exeter TV, Kristen Murphy, Jay Perkins

- II. **CALL TO ORDER:** Chair Flockhart called the meeting to order at 8:30AM and read out loud the meeting preamble which indicated that an emergency exists and the provisions of RSA 91-A:2 III(b) are being invoked. As federal, state and local officials have determined that gatherings of ten or more people pose a substantial risk to the community and the meeting imperative to the continued operation of Town and government and services which are vital to public, health, safety and confidence. This meeting will be conducted without a quorum physically present in the same location and welcome members of the public accessing the meeting remotely.

III. OLD BUSINESS:

Sally Ward motioned to approve the minutes of April 7, 2021 and Deb Twombly seconded the motion. Minutes were approved.

Eileen Flockhart gave a summary of the April 30 celebration on Park Street Common. Event was very well attended, and a Sugar Maple, Pin Oak, and Kwanzan Cherry were planted in honor of three local residents. The proclamation was not read, but this can be done another time and we can make a record of it. Probably Russ Dean or a Selectboard member needs to sign off on it. We are approved as a Tree City for 2020. Eileen has another Tree City flag. Exeter TV videotaped when the trees were being planted. It'll go on the website. Eileen also sent pictures and a story to the newspaper.

Kristen Murphy thanks Greg and Jay for planting native trees. It would be good to create a video 'collage' of the trees that have been planted in Park Street Common, Gilman Park and the Summer Street island, as these are great things to show the public. Eileen will talk with Exeter TV, and Bob Glowacky indicated that he is happy to help.

IV. NEW BUSINESS:

Eileen would like to review the draft of the Tree Ordinance and present something to the Conservation Commission on May 11. Sally proceeded to review Jay's comments for changes that would be made in the Tree Warden section of the document.

Jay's changes include the following:

- a. *Need to inform landscape companies, tree services and residents of ordinance adoption when complete.* (Sally notes that this is a reminder, not part of the ordinance.)
- b. *Add to second bullet point – from storms, insects, disease or old age.*
- c. *Add – Oversight of utility arboricultural operations and,*
- d. *Assessment of trees for potential hazards to public safety.*
- e. Under Regulations and Requirements add:
 1. *Unless they are deemed a hazard by the Tree Warden or another certified arborist.* (in the first bullet point)
 2. *He would like to change 'consultant' to a full time arborist/equipment operator position in the highway department.*
 3. *Add- Funds to purchase bucket truck for the highway department for Emergency and tree maintenance work to do in house. Increase annual tree maintenance budget to include planting, training, safety equipment and insect identification and control.*

Kristen asks Jay if he has a role in oversight of development outside of the Town's ROW, and Jay responds that at times, yes...but only when asked. Is it helpful for Exeter Tree community to have him in that role? The answer seems to be yes. So the addition of arboricultural activities covers that.

Sally questions whether this ordinance is intended to supplement specifications that already exist in Town documents. Maybe under Resources we refer to those parts of the Planning Board regs that refer to development. Kristen has sent us five different specifications from the Site and Subdivision regs. It's good to highlight those. Kristen responds that some regs have changed.

At 8:54 Andrew Elliott from 42 Washington Street calls in to ask about any plans that might exist for trees on Washington Street. Wonders who has taken some of the trees down. Jay responds that some were storm damaged, some were old, and some came down for utility work. Jay wonders if Andrew would be interested in adopting a tree, which would mean that Jay would plant it and Andrew would water the tree and keep an eye on it.

Kristen clarifies that Jay is our Tree Warden and has no staff dedicated to tree care. The goal of our committee is to support Jay and his efforts. We'd welcome public help during budget season!

9:00 Greg Jordan Departs.

Sally returns to Tree Warden edits and the review of Jay's thoughts. She also indicated that Julie Gilman says we should not seek a line item in the budget but rather build into the budgets that already exist.

Jay would like to fill a position that they have open with an arborist and a day to-day operations person. One person, one position with split responsibilities. He also says that he needs a bucket truck, as it is crazy to always have to borrow or rent one.

Sally asks the committee about the definitions, and what should be included or eliminated from the list.

Eileen questions who will use the ordinance, and also notes that in definitions we have Tree Maintenance and Maintenance of Trees. We need to eliminate one of those!

Deb feels that the definitions add substance. Some people don't realize what goes into the care of trees. The definitions broaden the whole view of trees and tree care.

Kristen comments that when she is looking at an ordinance, she's looking for instructions for someone to respond to, an action. e.g. What are the restrictions or allowable actions or processes for permission? The resources in the back reference a document that addresses the words, but as a homeowner, where would they look for guidance? We should format this to be more instructional to the Selectboard, and Police Department who is the enforcing agent of the Town's ordinances, and the homeowner. This currently does an excellent job establishing roles and priorities and right now we know the budget is a huge part of that. She says that as a homeowner, she wouldn't quite know what she can and can't do. It would be good to connect definitions with 'process', and format this to be more instructional.

Deb asks if we need a section like Policies and Procedures.

Eileen questions whether it could be like a FAQ's for users. It needs to be an educational tool.

Kristen feels like there is so much substance here that we need a Tree Management plan, and then we need to parse out those regulatory parts from this and make that the ordinance. Not sure how to marry our Town Ordinance process and procedures to something as substantive as we want for a Tree

Management plan. Including them all together in one as a Town Ordinance would be a challenging task. The Tree Ordinance should talk to the roles of this committee, the roles of the Tree Warden, the budget, how the budget process works, and the regulations that govern how trees are managed.

Kristen wonders about easements and public land, and how this applies to conservation lands. She and Jay are often challenged with abutters to conservation lands as people want to cut trees on conservation property because they pose a risk. She's been trying to encourage a buffer between private land and conservation land so the Town isn't involved in that. With thousands of miles of that, it would be an incredible expense for the Town to be tasked with inspecting and removing those trees.

Eileen feels it would be good to get Conservation Commission input on this. Kristen suggests it would be good to parse out conservation land. It should not be a part of this, though sometimes we can ask for Jay's expertise to make some decisions.

Jay is looking at the Town Ordinances and feels that this has to be regulatory. We need to get information out there. The current ordinance is outdated.

Kristen questions the resources that are linked to our current draft. Do they provide answers to our questions, and do they provide proper guidelines for everyone to follow?

Sally responds that we need to review guidelines in the links (and some links still need to be added) and decide whether these are guidelines we want to use for the contractors and the public. e.g. The Arbor Day Foundation. Sally is still puzzling over the structure of the document. Wonders if we should call it the Management Plan, and then have a separate ordinance which should be regulatory following the language and the intent of other Town Ordinances in that it's much more specific to regulations.

Jay tells the committee that the Town's ordinance book is available on line. It doesn't include trees though there is a forestry section, and that there isn't any overarching ordinance that discusses trees. The only thing in the Town's Legal ordinance is the Timber Cutting Ordinance which is Purpose and Jurisdiction, general regulatory, enforcement and penalties.

Kristen feels that taking extra steps on the regulations would be an important next step. This would be a great document to go forward with the to the Conservation Commission. Changes would be to have it focus on Town Right of Ways and Town Parks, **not** Town owned properties (such as conservation

land). Have this as a management plan with the goal of the regulations be referred to here, but a separate document.
Does Town ROW and land controlled by Exeter Parks and Recreation not cover all the properties we envision? We need to include all areas we want this to address. Tweak definitions to exclude easements, and then be specific about what areas we're talking about.

Sally indicates that we're really talking about two documents. The Management Plan and the Ordinance. Do we want to re-title this and have Con Com vet it, or do we want to wait until we have an ordinance and a management plan.

Kristen feels that we can tell the Conservation Commission that this is the general plan. This is what we're working on.
Eileen follows that by saying that we can tell them this is now going to come in two parts, the Ordinance and Management Plan, and we'd like to hear their thoughts.
Kristen feels it would be helpful to provide them with the document, and Sally wonders if it may be best to provide them with a description rather than a document if it is going to change substantially. Also, there is no need to get it to the Selectboard in June. Kristen agrees and indicates that if it is provided to them in late June or early July it would still be in time for the budget process.

Eileen adds that it is good to build a supportive public team as people see what is going on in Town regarding trees! This will be helpful during the budget process!

Sally asks if the 'collage' will go on the website.
Eileen poses a PR question. Does Kristen want the Park Street Common event to go on the Town's facebook page and Exeter's ConCom page?
Kristen feels that would be great. The more publicity the better.

Kristen tells the committee that there is a lot on the May 11th Conservation Commission agenda, but she will bring up our Ordinance project under Committee Reports at the end of the Con Com meeting. She also tells the board that with Sally no longer on the Conservation Commission, ConCom will need a new rep for the Tree Committee.

Sally, Kristen and Gwen will work on the Ordinance.

Eileen thinks that the 'Tree Walk and Talk' at Gilman Park can be combined with the planting of seven trees there, and possibly the proclamation can be read at that time. Kevin will coordinate plans with Greg Bisson.

Next meeting: May 19th at 8:30AM

Meeting adjourned at approximately 9:52AM

Minutes respectfully submitted by Gwen English on 5/8/2021