

Ferguson Township Tree Commission (FTTC)

Date June 18, 2018

Meeting Agenda

Time 5:30pm

Call to Order

April 16 and May 21 Meeting Minutes

The FTTC shall review and approve the minutes from the last two meetings.

SALDO and Zoning Ordinance Update

The Arborist will provide an update including a meeting with Bill Elmendorf of PSU. FTTC shall discuss further recommendations for the ordinance update.

Root/Sidewalk/Driveway Conflicts

The FTTC shall discuss the future handling of conflicts between street tree roots, sidewalks, and driveways. FTTC shall give recommendations on when and which actions should be taken.

Pine Hall Masterplan Discussion

David Modricker, Public Works Director will provide an update on the Pine Hall Masterplan after a joint meeting of the Board of Supervisors and the Planning Committee June 5th.

2018 Street Tree Pruning

The Arborist shall update the FTTC on which neighborhoods will be pruned in 2018. The FTTC should recommend changes as needed.

Arborist report:

The Arborist will review work activities and plan reviews since the last meeting.

Communications to Commission Members

This is an opportunity for FTTC members to report on any contact by residents regarding FTTC matters.

Future agenda items

2018 Pruning Contract, Stonebridge Future Plantings, 2018 Tree Removals and replacements

Other

Next meeting date and time is July 23rd at 5:00pm for the Township tree tour

**FERGUSON TOWNSHIP TREE COMMISSION
MEETING MINUTES
MONDAY, APRIL 16, 2018
5:30 PM**

I. ATTENDANCE

The Tree Commission held its public meeting on Monday, April 16, 2018 at the Ferguson Township Municipal Building. In attendance were:

COMMISSION:

Howard Fescemyer, Chairperson
Darlene Chivers, Vice-Chairperson
Jerry Learn
Marc McDill
Mike Jacobson, absent

STAFF:

Lance King, Arborist
David Modricker, Public Works Director

Others in attendance were: Marcella Bell, Recording Secretary; Ray Stolinas, Planning & Zoning Director

II. CALL TO ORDER

Mr. Fescemyer called the Monday, April 16, 2018 Ferguson Township Tree Commission meeting to order at 5:33 PM.

III. APPROVAL OF THE MARCH 19 MEETING MINUTES

Ms. Chivers stated that under item number five, "A member of the FTTC" should be changed to "Ms. Chivers". Also under number five, fourth line down, change "She would like to see more trees planted in stormwater basins" to "She would like more trees to be used for stormwater management."

A motion was made by Mr. Learn and seconded by Ms. Chivers to approve the corrected March 19, 2018 meeting minutes. The motion carried 3-0. Mr. McDill abstained as he was not present at the March 19, 2018 meeting.

IV. SUBDIVISION AND LAND DEVELOPMENT (SALDO) AND ZONING ORDINANCE UPDATE—MR. RAY STOLINAS

Mr. Fescemyer introduced Mr. Stolinas and explained that Mr. Stolinas is present at the meeting to talk to the Commission and get its input regarding the Subdivision and Land Development (SALDO) and Zoning Ordinance update.

Mr. Stolinas gave a brief overview of the SALDO and Zoning Ordinance update. Township staff has been working with Environmental Planning & Design (EPD) for the past two years. The update was a directive from the previous Township Manager and was in the Capital Improvement Plan (CIP) and a work task for the Planning & Zoning staff. Staff put out a Request for Proposals (RFP) for the update, and a steering committee was created with stakeholders from across the Township, including Mr. King. Staff is currently working with the second draft of the SALDO and Zoning

Ordinance. Ms. Carolyn Yagle, the consultant from EPD, has charged staff with collecting comments from various entities for both the SALDO and Zoning Ordinance by April 27, 2018 to consider for the next draft of ordinances. Mr. Stolinas stated that there will be a Joint Board of Supervisors and Planning Commission worksession On May 8, 2018, to discuss the SALDO and Zoning Ordinance updates thus far.

Mr. Stolinas added that the Pennsylvania Municipalities Planning Code (PA MPC) is the document that staff uses for subdivision, land development, zoning, the official map, and any other planning tools utilized by Township staff. Mr. Stolinas explained that within the zoning section of the MPC back in the early 2000s, the PA state law was amended to allow for certain uses in every zoning district—one of those uses was forestry. Forestry is defined by the PA MPC as “the management of forest and timberlands which when practiced in accordance with accepted silva cultural principles through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes which does not involve any land development.”

In response to a question from Ms. Chivers, Mr. Stolinas stated that he does not believe there are any regulations regarding the preservation of mature trees within the PA MPC. Mr. Stolinas went on to state that there is a section in the current ordinance (that is proposed to be carried over to the updated ordinance) under the Traditional Town Development (TTD) section that requires developers to retain 40% of the trees with a 6-inch caliper or more on the lot.

There was a lengthy discussion regarding the requirement of planting trees in parking lots. Mr. McDill stated that he would like to see language that requires more trees to be planted in parking lots, however, there should also be language that requires the infrastructure of the parking lot to allow the tree to survive. He also stated that the trees in parking lots should cast shade instead of being columnar-shaped trees, which do not cast much shade. The Commission had a lengthy discussion regarding stormwater management and how trees can help mitigate runoff to reduce the amount of stormwater management systems that have to be installed within developments. Ms. Chivers stated that if the parking lot islands were designed so that water could flow into them instead of being curbed, it would help with stormwater management, there would be less runoff, and it would be good for the tree life. There was a brief discussion regarding the need for hearty vegetation in the parking islands to be able to tolerate the water runoff from the parking lot. Mr. Fescemyer stated that including green stormwater infrastructure language would be valuable to add to the SALDO and Zoning Ordinance. He provided staff with a few resources to research and consider.

Mr. Modricker spoke about the Stormwater Management Ordinance that was recently updated. The ordinance does not necessarily address how trees can mitigate stormwater issues, however, staff feels that the ordinance could eventually incorporate that kind of language.

Mr. King spoke to the parking lot requirements and landscaping requirements in

the Zoning Ordinance. It currently states that there has to be a parking island for every 10 spaces. It also requires that the developer plant trees that will reach a height of 20 feet at maturity. Mr. King suggested that the Tree Commission focus on definitions, the kinds of trees they would like to see in parking lots, and possibly recommend requirements for tree plantings in parking lots. Mr. King added that the Tree Commission could also look at revising the Township's Official Plant list. Mr. King stated that the Zoning Ordinance also has its own list of trees and plants.

The Tree Commission came to a consensus to provide comments and recommendations to Mr. Stolinas regarding section 27-807 of the Zoning Ordinance before the end of the month.

V. 2018-C13 STREET TREE PLANTING

Mr. Modricker spoke to the process and requirements of the Township's Street Tree Planting project. He explained that last year, the Board of Supervisors awarded the Street Tree Planting contract to a contractor that used exceptions on the species and size of trees on their bid. This year, the contractor that would have won the contract because they were the lowest bidder did not win the contract because they used exceptions on their bid.

Mr. Modricker suggested that instead of having 35 different tree species in the contract, the Tree Commission could pick 10 different species for one year and then pick 10 different species for the next year's contract and so on and so forth. He explained that the Township could still have species diversity this way but also make it a little easier on the contractors to find the different species of trees. Mr. Modricker would like to continue this discussion with the Tree Commission at a future meeting.

Mr. King stated that he spent a day last week with the contractor staking out all the planting locations for the trees so the contractor can put in PA One-calls. The contractor will start planting the trees next week. Mr. King explained that he had a conversation with the contractor about the tree species and the contractor expressed that some of the trees on the list are hard to find because nurseries in this area won't grow them due to the hardiness for this region. The contractor had to travel to Virginia and Missouri to find specific species of trees in the tree planting contract. The contractor recommended that the Tree Commission consider sending the tree planting list to the regular tree planting contract bidders and ask them to each pick four or five tree species that they do not recommend. The Tree Commission will continue this discussion at a future meeting.

VI. ARBOR DAY 2018

Mr. King stated that the area for the tree planting has been cleared out and the tree planting will move forward for Arbor Day on April 28, 2018 from 9:00 a.m. to 1:00 p.m. In response to a question from Mr. Fascemeyer, Mr. King stated that people can park at the Young Scholars School as well as the Goddard School. Mr. King stated that he does not have a portable toilet lined up, but it may be something to think about since young kids will be attending the event.

Mr. King stated that he will be going to Ferguson Elementary School to give a presentation to all of the kids who will be attending the event. He went on to say that two weeks ago, he and a representative from US Fish & Wildlife staked out the locations where the trees will be planted. Mr. King is working with Webbs of Mill Hall to get fertilizer for the trees on Arbor Day.

Mr. King stated that he doesn't plan on doing a presentation, however, Peter Buckland, Chairman of the Board of Supervisors, will be reading the Arbor Day Proclamation. The PA Department of Conservation and Natural Resources (DCNR) will also be present to give the Township its Tree City USA designation.

VII. STONEBRIDGE PLANTING CONTRACT

Mr. King stated that letters went out to the Stonebridge residents two weeks ago about the possibility of the Township planting trees in the Stonebridge neighborhood. The letter also informed residents that Mr. King would be at their next HOA meeting on May 9 to discuss this matter. As of today's date, Mr. King has received 12 responses from about 200 letters from residents indicating that they would like trees to be planted in their neighborhood. The deadline for residents to respond to this letter is sometime in July.

VIII. ARBORIST REPORT

Mr. King stated that the Tree Commission has heard most of his report in other items of the meeting. Mr. King stated that he was in Phillipsburg Borough last week to meet with the Phillipsburg Borough Tree Commission, Borough Manager, and Zoning Officer to talk more about the Ferguson Township tree program.

IX. COMMUNICATIONS TO COMMISSION MEMBERS

Mr. McDill stated that he read through the previous month's meeting minutes regarding the resident who cut down a Township tree. He stated that the Tree Commission should not let people off the hook too easy when this issue arises. Ms. Chivers stated that when the Tree Commission discussed this issue, Mr. King explained that he's not sure he could have identified that the tree in question was actually a Township Street Tree. Mr. Learn added that he felt the resident was truly remorseful for cutting the tree down. The resident paid for the cost of a new tree (\$308.10) to be planted elsewhere, and he also offered to come to Arbor Day to help out with the plantings.

With no further business, the April 16, 2018 Tree Commission meeting was adjourned at 7:43 PM.

RESPECTFULLY SUBMITTED,

David Modricker, Director of Public Works
For the Tree Commission

**FERGUSON TOWNSHIP TREE COMMISSION
MEETING MINUTES
MONDAY, MAY 21, 2018
5:30 PM**

I. ATTENDANCE

The Tree Commission held its public meeting on Monday, May 21, 2018 at the Ferguson Township Municipal Building. In attendance were:

COMMISSION:

Howard Fescemyer, Chairperson
Darlene Chivers, Vice-Chairperson, absent
Jerry Learn
Marc McDill, absent
Mike Jacobson

STAFF:

Lance King, Arborist
David Modricker, Public Works Director

Others in attendance were: Marcella Bell, Recording Secretary; and Barbara Maddox, Ferguson Township resident

II. CALL TO ORDER

Mr. Fescemyer called the Monday, May 21, 2018 Ferguson Township Tree Commission meeting to order at 5:36 PM.

III. RESIDENT COMPLAINT

Ms. Barbara Maddox attended the Ferguson Township Tree Commission (FTTC) meeting to discuss the destruction of her driveway due to a Township Street Tree located at 2440 Park Center Boulevard. Ms. Maddox explained that her driveway is cracked like puzzle pieces due to a Township tree being planted too close to her driveway. She went on to say that she has had two sprouts from the roots of the aforementioned tree come up through her driveway. At one point, she had a contractor come in and install a barrier near the tree to keep its roots from growing under her driveway. She explained that unfortunately it did not work and at this point, she sprays herbicide to keep the tree roots from protruding through her driveway. She stated that the cracks in the bottom portion of her driveway have started to extend towards her garage. Ms. Maddox stated that she has plans to replace her driveway this year, however, it won't solve the problem of the tree roots growing underneath her driveway. She went on to say that it will only be a matter of time before her new driveway is cracked from the tree roots. She would like the Tree Commission to consider removing the tree from the right-of-way, and she offered to pay the cost of a new tree, depending on the cost. Ms. Maddox expressed that she should not have to bear the burden of the cost every few years to replace her driveway due to a Township Street Tree.

There was a lengthy discussion regarding the aforementioned tree. Mr. King stated that this is not the only property in this particular neighborhood that has this problem—this is, however, the worst of them. In response to a question from

Mr. Jacobson, Mr. King stated that the sidewalk between Ms. Maddox's driveway has not cracked or buckled, but it most likely will in the future. Mr. King went on to explain that once the old driveway is removed and before the new driveway is installed, barriers can be installed deeper next to the driveway, however, he can't guarantee that the tree roots won't grow under them. The members of the Tree Commission were concerned with setting a precedence for this kind of situation. If the Township removes the tree in this case, it might be setting a precedence to remove other Street Trees that are affecting residential driveways. The Tree Commission members would like a chance to look at the driveway during its tree tour in July and will make a decision in August. Mr. King will put this item on the June agenda for a reminder.

IV. SUBDIVISION AND LAND DEVELOPMENT (SALDO) AND ZONING ORDINANCE UPDATE

Mr. King stated that all of the Tree Commission's comments were passed onto Planning & Zoning Director, Ray Stolinis to be passed onto the Township's consultant, Environmental Planning and Design (EPD) for the SALDO and Zoning Ordinance update. Mr. King will keep this item on future agendas to keep the Tree Commission updated.

V. 2018-C13 STREET TREE PLANTING

Mr. King updated the FTTC on the 2018-C13 Street Tree Planting contract. He explained that most of the plantings were done about a week ago. He still needs to inspect some of the trees. He stated that everything he has seen so far looks very good. He reported that one of the newly planted trees on Blue Course Drive blew over in the wind storm last week, however, the contractor came back to fix the tree and staked it as well. Mr. King stated that there are about two or three other trees that are staked. The contractor is responsible to ensure that the trees are growing straight in a year. Mr. King will wrap up his inspections this week.

VI. ARBOR DAY 2018

Mr. Fescemyer thanked Mr. King for all of his hard work to put the 2018 Arbor Day together and stated that it was a great event and went very well.

Mr. King stated that most of the trees that were planted are in cribs (fences) but other plant materials that were donated were placed elsewhere. The trees were tubed as well. He reported that there were about 60 people in attendance and the weather held off until after the event.

VII. STONEBRIDGE PLANTING CONTRACT

Mr. King reported that he attended another Stonebridge HOA meeting about two weeks ago. He stated that there are about 20 properties that have requested the planting of trees. He has given the HOA until July 1, 2018 to respond back to him regarding whether or not they would like the Township to plant trees on their property. He explained that if the Township plants 2 trees per property, there will be between 40-50 trees for the Stonebridge neighborhood in next year's tree

planting contract. After July 1, 2018, Mr. King will meet with each property owner that would like a tree to discuss what kind of trees the property owner might want and where they would like them to be located. Mr. King explained that in the past three years, the Township has planted around 150 trees in the street tree planting contract each year. The first two years the trees that were planted were mostly replacement trees, however, this year's contract was 50/50 replacement trees and new trees. Mr. King won't know the amount of trees that need to be replaced until July, and sometimes a few other replacement trees pop up afterwards.

VIII. ARBORIST REPORT

Mr. King stated that the Tree Commission has heard most of his report in other items of the meeting. He stated that the Township Public Works crew planted four trees at the Tudek Dog Park and eight trees in the Fairbrook Park Parking Lot. These trees were planted due to the upgrades to the parks last year. The Township had to remove the dead Ash Trees from Fairbrook Park last year, however, the trees were not planted until this year because the Fairbrook Park parking lot was paved recently. Mr. King reported that the Township lost a Crabapple Tree on Martin Street last week, and he is not sure how it happened. Mr. King stated that there are two phases of the Landings development that the developer has requested a surety release from, so he will need to inspect the trees in order to release the surety. After the trees are inspected, the developer will submit a maintenance bond for the trees.

With no further business, the May 21, 2018 Tree Commission regular meeting was adjourned at 6:58 PM.

RESPECTFULLY SUBMITTED,

David Modricker, Director of Public Works
For the Tree Commission

From: Pribulka,David
Sent: Monday, May 14, 2018 11:09 AM
To: King,Lance; Fescemyer,Howard; Modricker,David
Subject: RE: FTTC Agenda Draft

Thanks Lance. Specifically concerning the zoning/SALDO comments, I would be interested in the Tree Commission's input on the use of development incentives in exchange for preserving tree masses on properties.

It is my understanding that it is unlawful in Pennsylvania for a municipality to restrict timbering on private property. Therefore, it seems unlikely that the Township can require, for example, preservation of a certain percentage of existing tree mass on a lot. There remains, however, obvious environmental benefits to do so. Another approach that would be permissible would be for the Township to encourage via incentives preservation of a percentage of existing tree mass.

My questions for the Tree Commission would be as follows:

- *Are all tree masses created equal?* In other words, is it good policy to encourage preservation of existing tree masses regardless of the species of trees present? Since we are talking about incentives, they need not necessarily be automatically granted. It may be the case where tree masses are reviewed individually by the Arborist and determined to be desirable or undesirable to be preserved.
- Is there a target size for a tree mass that becomes environmentally beneficial, or is it the case that any trees that are clumped together are more beneficial than spaced-out individual street trees?
- What are appropriate incentives in exchange for preserving tree mass? Land use incentives ought to, if possible, relate to the concession being made by the development. For example, you might say that in exchange for including rain gardens and bioswales, you are entitled to a 10% increase in your allowable impervious surface – given that these on-site BMPs reduce the Township's ability to absorb the runoff into our storm sewer system. Conversely, you might not give additional consideration for building height, as the two are not necessarily related to each other.

Let me know what your thoughts are.

Thanks,

David G. Pribulka
Township Manager
Ferguson Township
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fax: (814) 238-3454



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From: King,Lance

Sent: Monday, May 14, 2018 10:40 AM

To: Fescemyer,Howard <hfescemyer@twp.ferguson.pa.us>; Modricker,David <dmodricker@twp.ferguson.pa.us>; Pribulka,David <dpribulka@twp.ferguson.pa.us>

Subject: FTTC Agenda Draft

Gentlemen,

See attached draft agenda for next week's meeting. Please suggest edits as needed. Agenda packet will be sent out Wednesday.

Lance

Lance A. King
Township Arborist
Ferguson Township
Phone 814-238-4651
ISA Certified Arborist Municipal Specialist PD-2097AM
TRAQ Qualified

"The creation of a thousand forests is in one acorn"
— Ralph Waldo Emerson