

1 City Hall Plaza, Ellsworth, ME 04605
ARBOR COMMISSION
Regular Meeting
Monday, February 5, 2024, 8:15-10:15 AM

MINUTES

Present: J. Barnes, T. Davis, M. Blackstone, I. Drummond, C. Hanson, J. Lambert, T. Walczyk, T. White

Regrets: A. Reisman

Staff Present: M. Condon, T. Dyer, M. Williams

1. **Call to Order by Chair, Tabatha White.**

2. **Adoption of Minutes of January 22, 2024**

Moved: M. Blackstone/I. Drummond Unanimously approved.

3. **Staff Comments or Clarifications.** (M. Condon, T. Dyer, M. Williams)

- a. **Comparable starting salary range (plus benefits) for a department head with professional credentials and experience (as would apply to a new Parks and Recreation Director)—**

\$60,000-\$75,000 salary with up to @ 30% in benefits

T. Dyer noted that by proposing that the department head begin in January the amount could be reduced to \$30,000 in the first year.

4. **Citizen Comments.** None

5. **Report from City Council** (C. Hanson)

C. Hanson noted that the Commission's presentation at the Comprehensive Planning Steering Committee had been well received and useful.

She had nothing further to report from Council, but welcomed any information that she should bring forward from the Commission at the next meeting.

M. Blackstone asked if there was a schedule set yet for budget workshops. She noted that they usually start in mid to end of March but there is no schedule yet.

C. Hanson noted that given the difficulty the Commission has been having in determining that portion of the budget allocated to trees and related matters, as Council works through the budget this year she can try to flag areas where it appears there are relevant expenditures.

T. Dyer noted that the most relevant section would be under Public works—the parks, trees and cemeteries line which amounts to \$40,000, \$30,000 of which is already committed to lawn care. Recreation related expenditures are included in another area of the budget identified as “outside agency”

6. Report re presentation/written submission to Comprehensive Plan Steering Committee—January 22, 2024 (see attached final submission).

M. Williams noted that this was a helpful presentation. T. White noted that T. Davis’ participation was much appreciated.

7. Committee Reports (and identification of further participants/convenor)

a. Project Canopy Application (J. Barnes, M. Blackstone, C. Hanson, T. White)

Initial discussion focused on a planting grant request along the Rail Trail.

J. Barnes has done a careful review of the rail trail to follow up on M. Williams and J.

Richards suggestions for plantings that would be the focus of the Project Canopy application. He also suggests the purchase of a power spade for digging the nursery trees. M. Blackstone note that it could be useful to include a watering tank as well if the City does not have one. T. White noted that there is a good variety of trees at the nursery to draw from and that maples and amelanchier could be a good choice for wet areas.

The ground along the trail is rocky and generally the project will require the engagement of the City crew and their equipment for planting and then follow up watering for three years.

M. Williams and T. Dyer noted that if Frenchman Bay Conservancy is willing for the City and its equipment to come onto the community tree nursery property, the City crew would be able to help with digging nursery trees. Liability is not an issue. The City and crew would be covered for the work.

As discussion progressed to include consideration of the Commission’s budget request to the City, the focus of the Project Canopy application shifted to a focus on the need data collection and research related to determining the right of way along major streets and thereby identifying street trees for which the City was responsible. Without this information it will be hard for the Commission to do its work going forward. It was determined that the City should instead apply for a planning grant to address at least some of the data needs. M. Williams observed that he has set aside funds in his budget for Card Brook related work that could be used as a near match for a planning grant with this focus.

b. Arbor Commission 2024-2025 Budget Request to City Council (M. Blackstone and T. White)

The Commission's submission is due on February 9. Discomfort was initially expressed at the short turnaround for this and the lack of time for deliberation. It was suggested that it might be wise to request a delay in submission until the 12th and possibly schedule a workshop mid week to review the budget submission.

T. White reviewed Tree City USA minimum expectations which would be for the City to spend at least \$2/citizen on trees or @ \$17,000. This figure has not been adjusted for a very long time so taking into account inflation this figure really should be on the order of \$45,000 or more. This money should not include salaries.

It was noted that things like crew or contracted work such as regular pruning and maintenance should be a regular component of the city budget and not fall under a Commission budget—although we can recommend appropriate allocations in those areas.

Allocations requested specifically for the Commission should relate to particular projects or challenges being faced by the Commission in doing its work. M. Blackstone suggested that it will be hard to finalize a Forest Management Plan if we have no idea what trees the City is responsible for. It's hard to contract a Tree Warden and do up a job description for the same reason. Agreed that data needs to be a priority.

It was agreed to change the focus of the Project Canopy application from planting to planning—specifically the acquisition of data.

It was suggested that we propose a simple Commission budget focused on a modest \$5000 for new plantings that will signal to the citizens that the Commission is not wasting time in getting trees into the ground plus an additional \$1000 to help match the Project Canopy application.

T. White will consult with M. Blackstone and put together the budget related submission. Agreed that there was now no need for delay of submission or an additional workshop on budget.

c. Tree Ordinance/Tree Warden Job Description (I. Drummond, J. Lambert, T. White) (see attached draft)

I. Drummond shared the new draft of the Tree Warden job description which shifted the job's focus more to advisory, consulting, planning roles and away from hands-on labor. Safety inspections will remain part of the job as part of overall responsibility for maintaining the current canopy. Drummond requested that everyone read the description carefully with consideration as to how it aligns with the realities of needing a highly qualified person in the position who will not get paid very much.

The description needs to provide for different ways of handling this position. A new Parks and Recreation Department head (with appropriate qualifications) could also be designated the Tree Warden with additional work contracted out. Or if the Parks and Recreation Department is not set up in this fiscal year, then the Tree Warden position would need to be independently hired. The emphasis needs to be on

securing someone with qualifications to address the designated responsibilities regardless of how this is sorted out with particular positions and budget lines.

T. White noted that a definition section needs to be added.

After the next meeting the description should be ready to send to the City Manager (who supervises the position) and to C. Hanson and the Council (which will need to approve the ordinance and the forestry management plan where the description will need to be referenced).

b. Forest Management Plan (M. Blackstone, T. Davis, S. Walczyk, J. Barnes, T. White)

This committee has been focused on writing sections of the plan for discussion at an upcoming meeting on Wednesday.

8. Work Schedule, Timelines, Deadlines

A. Budget Proposal for 2024-2025 (deadline February 9)

B. Finalize Project Canopy Grant Application (deadline Feb 15; due for City Planner review February 8)

C. Revised Tree Ordinance ?

Tree Warden Job Description (March 6 circulated for feedback; April 1 finalize)

D. Submission of Arbor Day Proclamation to Mayor (submitted to Mayor for February Council Meeting proclamation)

E. Submission of Tree City USA 2024 application (done)

F. Community Tree Nursery Input on Ordering & Planting for 2024 (?)

G. Finalize City of Ellsworth Forestry Management Plan (October 2024)

H. Plan Public Education Programming for 2024-2025
(July 2024)

I. Other

9. Member Comments/Other Business —none

10. Next Meeting: March 4, 2024 8:15-10:15AM

11. Adjournment. 10:20AM.

Moved: M. Blackstone/S. Walczyk Unanimous

City of Ellsworth Arbor Commission

Submission to the Comprehensive Plan Steering Committee

January 22, 2024

Who are we?

The Arbor Commission was set up by the City's Tree Ordinance (Chapter 43) when it was approved in 1991. In response to a Green Plan recommendation the Commission was finally constituted, apparently for the first time, in August of 2023. The Commission consists of 9 members including professional and accredited arborists and foresters, a land trust representative, Green Ellsworth and Ellsworth Garden Club members and Master Gardener Volunteers with experience in public landscaping (including development of the Community Tree Nursery) and individuals involved in local businesses. We have come together as volunteers with a strong commitment to improve Ellsworth's green canopy.

What do we do?

Currently, the City's Tree Ordinance assigns the Arbor Commission with responsibility for undertaking "projects supporting the planting, maintenance, removal and pruning of trees on the streets and or other public sites in the city." Upon appointing the Commission, City Council also asked us to revise the current ordinance, something that is now underway.

We are also involved in several other initiatives which should both inform the Comprehensive Planning process and benefit from the data and recommendations included in the new Comprehensive Plan. Some of our current initiatives include:

- in conjunction with the revision of Chapter 43, development of a new job description for the City's tree warden (a position which will be separated from the City Manager position in 2024)
- development of a Forestry Management Plan for Ellsworth as mandated in the 2004 Comprehensive Plan and Chapter 43
- ongoing applications for the City's continued designation as a Tree City USA
- 2024 application to the Project Canopy program for grant funds to support an Arbor Commission initiative to plant trees along the Rail Trail to provide more shade and better retention of water from the upland side of the trail
- proposal of the City's annual Arbor Day Proclamation
- proposal for Arbor Commission and City tree-related budget for 2024-2025

Where do we stand as a Tree City USA now?

Ellsworth exists because of the trees that grew here and recent efforts to re-tree the City and secure Tree City USA status reflect public interest in honoring that point of origin and cultural heritage.

Although Ellsworth is home to comparatively large tracts of land in tree growth and other forested areas, Ellsworth's extended period of substantial development appears to have taken and continues to take a serious toll on its canopy. High Street with 96% impervious surface flanking Card Brook, an urban impaired stream, is an extreme example of the loss of canopy coverage and the impact it is having on the community, but the loss of canopy is also evident as urban sprawl extends along all major arteries leading into the city and clear cutting for development extends further and further into previously forested area. As is apparent from the City's increasingly compromised storm water system, trees are not just a contributor to the City's air quality and heat island impact— or even its aesthetics and quality of life—but also a major green infrastructure mechanism for addressing drainage issues arising from increasingly extreme weather events and compromised man-made infrastructure.

In this context the Commission's top priority has been acquiring data that can provide a comparative context for understanding the current state of the City's canopy in comparison with its previous state (10-30 years ago) and projecting forward to plan for canopy recovery and the value of that recovery to the community. Much of the data we need is currently unavailable, and so—

1. Our first recommendation for the Comprehensive Plan is to provide for the systematic acquisition and regular updating of data that can answer the following questions.

- What street trees currently exist in Ellsworth (what species and age, to what extent are they threatened by disease or pests, etc) ?
- What trees and how many trees is the City of Ellsworth responsible for managing (determined in part by the right of way on specific City streets which is not consistent or even existent in some cases)?
- What forested or open space properties does the City of Ellsworth own and/or maintain (how many acres in what parts of the city)?
- What forested area in the City is in tree growth, open space, formally protected conservation easements?
- What is the City's budget for tree-related maintenance and planting (a figure that is needed annually to apply for Tree City USA status)?
- What is the current state of the tree canopy in Ellsworth relative to its canopy 10, 20 or 30 years ago, etc.?
- How can the City regularly maintain and manage data critical to improving its canopy. (Eg. acquiring software beyond GIS or contracting a company to maintain data relating to

canopy coverage, street trees, street right of ways, inventories of heirloom trees, data re trees in public green space etc)

Where we want to be in 10 years

Our vision of Ellsworth in 10 years time is of a community with more vigorous and healthy tree canopy in both its urban and more rural neighborhoods as well as improved care and preservation practices stemming from greater awareness of the value and importance of trees to our City.

Comprehensive Plan recommendations in support of maintaining and strengthening Ellsworth's tree canopy can be informed by those included in the Ellsworth Green Plan (see the "tree sections" in the Green Plan Land Chapter at <https://docs.google.com/document/d/1WIl14CTbg84hpHpG4FDwQaKYEzR3NjysQhknYpgFBJE/edit> —also appended here) as many of those recommendations have not been fully addressed. With the formation of the Commission and initial work towards a Forestry Management Plan for the City, however, we are now in a better position to understand more clearly what specific actions and strategies will be most important for realizing our vision over the next ten years.

2. In particular, it will be important for the Comprehensive Plan to underscore the importance of the Commission developing and the City approving a Forestry Management Plan.

This will also require communications between the Commission and the Comprehensive Plan Steering Committee as the two plans will be evolving simultaneously. At this point we envision both plans needing to address the following issues:

3. The creation of a Parks and Recreation Department headed by a staff person with expertise in tree and landscape management and a contracted, fully qualified arborist as tree warden;

4. A clearly designated and appropriate budget for tree-related maintenance, planting, planning and programming (something that is needed in order to annually qualify as a Tree City USA—a designation we need to maintain);

5. A professional assessment of City-owned forested and open space properties for management needs and potential (from which specific management plans and schedules can flow);

6. Introduction of ordinances governing the public use of City-owned conserved and other less formally designated green spaces (hours, allowable activities, drugs, overnight camping, fires, etc);
7. Budgeting for and creating signage relating to the above for all City owned properties;
8. Review and revision of Chapter 56 (the UDO) with an eye to protecting existing trees and forested areas and increasing expected standards for the planting of green infrastructure and approved trees (adopting approved tree and plant lists provided by the Commission) as well as setting aside forested and other green spaces for public use;
9. Updating of Planning Department, Planning Board and Code Enforcement process and procedures to engage the expertise of the Arbor Commission and/or Tree Warden in the review of development proposals or plans, site assessments and/or the inspection of work in progress;
10. Creation of an ordinance to require organic approaches to tree and green space care by the City except in extreme cases or emergency circumstances where it is demonstrated that other measures are required;
11. Development of plans, initiatives, programming, regulations, enforcement, etc to protect and facilitate the role of urban forests and larger forested areas (both publicly and privately owned) in managing water quality/storm water runoff;
12. Engagement of the expertise of the Arbor Commission and Tree Warden across City departments on tree-related matters which include contracting of landscaping work, tree removal or major pruning, major road reconstruction, snow removal practices, etc;
13. Development of programming to promote and support the planting and care of trees among private property owners;
14. Development of a program for educating and/or engaging volunteers in the planting and maintenance of the City's street trees, urban canopy and tree nursery; and
15. Develop a plan to reduce the threat of forest fires and mitigate the impact of any forest fires that might occur.

As suggested by the range of topics addressed above, the discussion of trees and their importance should not be relegated to one or two sections of the Comprehensive Plan. Trees are more than a natural resource. They provide essential environmental services as green

infrastructure that needs to be understood and integrated across multiple sections of the Comprehensive Plan and areas of concern that are addressed by a range of City departments.

Appendix: Ellsworth Green Plan Tree-Related Recommendations

[Land Chapter, pp. 101-103

<https://docs.google.com/document/d/1WIl14CTbg84hpHpG4FDwQaKYEzR3NjysQhknYpgFBJE/edit>]

D. Trees

The City of Ellsworth owes its location to the forested land on either side of the Union River—the remaining tracts of which are vital resources for our community. In recognition of that importance, the 2004 Comprehensive Plan recommended a rural forestry plan (p. II.35). Although that plan remains to be created, in 2010 the city partnered with Frenchman Bay Conservancy to establish Branch Lake Public Forest. That property currently makes important contributions to water-quality protection and recreational access. It could also provide a site for modeling low-impact forestry management in the context of a rural forestry plan.

Recommendation L-21: Develop a rural forestry plan that includes the promotion of low-impact forestry, the introduction of model low-impact forestry management at Branch Lake Public Forest, annual monitoring of timber harvests, and a review of current zoning and ordinances to ensure adequate protection of working woodlands as well as unmanaged forested natural areas and the habitats associated with them.

Our urban canopy has also had an important role in Ellsworth's past. From the early nineteenth century into the 1960s, the towering elms that lined our streets marked the character and public face of the community along access routes such as Bridge Hill, Upper Main Street, and High Street. In 1991 the city's Tree Ordinance was established in the wake of the prolonged decimation of these trees by Dutch elm disease. The ordinance called for the appointment of a nine-person Arbor Commission to support planting, maintaining, removing, and pruning city owned trees. The commission developed a planting plan, sought grant funding, and recruited citizen contributions toward the installation of 76 new trees.[1] However, there was no apparent plan for the trees' long-term care, and many did not survive. Furthermore, it appears that among the plantings were several Norway maples.

People did not understand then that this species is extremely invasive, and the trees have now fostered a destructive infestation on Bridge Hill and elsewhere in the downtown core, as well as in natural areas farther away from the city streets.

It is unclear when the Arbor Commission ceased to be appointed, but the 2004 Comprehensive Plan called for “tree planting measures on High Street and urban forestry programs in other parts of the growth area” (p. II.35). Shortly after the plan was completed, a major upgrade of High Street—including the planting of street trees and landscaping—was undertaken. While on paper the intentions of this project were excellent—and something that today’s citizens would strongly favor—the execution of the project and the lack of a strong maintenance plan resulted in failure. The choice of tree species, the poor quality of stock that was planted, the lack of adequate growing and maintenance space, and the absence of long-term tree care contributed to disappointing results and poor return on the investment of time and money. This and, more recently, a narrowly averted disaster with trees at Knowlton Park are good examples of why one of our earlier overarching recommendations (Recommendation L-4) addresses the need for the city to employ at least one staff member who has professional credentials and experience with respect to trees and landscaping.

Green planning participants expressed a strong desire for Ellsworth to have a serious urban forestry program that would provide for qualified care and attention for the existing canopy along streets and in public parks, as well as a program for further tree plantings along our streets and in public green spaces. They also noted that the loss of older, mature trees—whose impact on both water and air quality is exponentially greater than that of young, newly planted trees—seemed to count for nothing in the context of Planning Board review and contractor approaches to development. As noted in Section IV.D, we were fortunate to have university students, professional arborists, forestry experts, and tree enthusiasts come forward to contribute to this plan and to offer their volunteer services to help Ellsworth retrieve something of its treed past. Their support in creating surveys, recommended species lists, GIS-based plans, and lists of promising funding sources means that there is real potential to seriously address community concerns about the lack of street trees and the need for better care of the ones we do have.[2] Becoming a Tree City—as are several other towns and cities in our area—should be an objective for our community.[3]

Recommendation L-22: Revive the city’s nine-person Arbor Commission under the terms of the current Tree Ordinance (Chapter 43), and include certified arborists and licensed foresters qualified to develop and oversee substantial urban and rural forestry programs across the city.

Recommendation L-23: In order to inform an urban forestry program with canopy coverage goals and areas of focus, undertake a canopy coverage assessment and expand the street tree inventory to include all side streets and areas outside the downtown core.

Recommendation L-24: Develop and implement an urban forestry program that includes a regular schedule for improved maintenance of trees in all of Ellsworth's existing green spaces; a street tree planting program, beginning with the failed plantings along High and Myrick Streets; and a plan to protect mature trees, regularly introduce new tree plantings in Ellsworth's growth areas, and remove invasive species.

Recommendation L-25: In order to strengthen the urban tree planting program and reduce its cost, initiate a city tree farm on the Jordan Homestead property owned by Frenchman Bay Conservancy.

[1]Our thanks to the family of Helen Dudman, who chaired the commission, and to Ruth Foster for searching out relevant documents and details.

[2]For the survey data, mapping, and projected visuals prepared as part of the College of the Atlantic study, see <https://drive.google.com/file/d/18-k2Sxyypa31AfWYAyARmSUA9We5HpeXe/view>, pp. 130–153.

[3]The purpose of the Tree City USA program is “to celebrate the importance of an urban tree canopy and improve care of these vital city trees”; www.arborday.org/programs/treecityusa/. Examples of Tree Cities recognized by this program in our area include Bangor, Camden, Castine, and Orono, as well as 16 other Maine cities. There is a similar Tree Cities of the World program: <https://tree>

Tree Warden Job Description (as discussed February 5, 2024)

The Tree Warden shall be responsible for overseeing the planting, pruning, removal, care, and maintenance of all Ellsworth public trees as defined in the Ellsworth tree ordinance and in accordance with the Ellsworth Forestry Management Plan set forth by the Ellsworth Arbor Commission.

No person shall prune, plant, cut down, remove, or alter any public tree without the consent of the Tree Warden. The Tree Warden will educate and advise Ellsworth residents, business and property owners, city staff and elected officials, developers, and hired contractors about tree ownership, sound arboriculture, and city tree policy. The position of tree warden requires qualified training in arboriculture, the science of tree care.

The ideal candidate should be a certified arborist with supervisory experience in commercial or municipal tree care. The tree warden will contribute to the formulation of a long-term Forestry Management plan for the City of Ellsworth.

Under the supervision of the Ellsworth City Manager, Tree Warden duties may include but are not limited to:

City Planning

- Working with the City Manager, Department of public works, Code Enforcement office, and the Arbor Commission to advise town officials on tree related matters.
- Providing expertise to town officials as related to requests for tree inspection, evaluation, and management.
- Assisting the City Council, the City Manager, and the Arbor Commission in planning, implementing and, updating the Ellsworth Forestry Management Plan including a community shade tree preservation program for the purpose of shading and beautifying Ellsworth public ways and places.
- Identifying and approving appropriate tree planting sites.
- Creating, updating, and utilizing a tree inventory.
- Reviewing construction and building site plans for tree protection and tree planting opportunities when requested and inform contractors on standard best practices for arboriculture (ANSI Z133).

Tree planting and maintenance

- Visual inspection of public trees for obvious risks to the public.
- Recommending public tree maintenance and pruning following best practices for arboriculture (ANSI Z133) including tree pruning approval, and post-pruning inspections.
- Inspecting contracted tree work.

Coordination with the Ellsworth Arbor Commission and Representation at Ellsworth City Council

- Work with the City Manager and the Arbor Commission to prepare budget presentations for City Council meetings.
- Work with the City Manager and Arbor Commission to create bid proposals for contract tree work.
- Assisting the Arbor Commission in maintaining Ellsworth's Tree City designation with the Arbor Day Foundation and submitting any necessary paperwork and information.
- Assisting the Arbor Commission in preparing and submitting grant applications for horticulture, landscape preservation / enhancement, or other forestry-related initiatives and implementing and overseeing compliance with any awarded grants.

The Tree Warden position will be supported by a Part-time Stipend from the City of Ellsworth. The term of the position is for one year with possibility of reappointment contingent upon performance review by the City Manager.