

1 City Hall Plaza, Ellsworth, ME 04605

ARBOR COMMISSION

Regular Meeting

Monday, May 6, 2024, 8:15-10:15 AM

MINUTES

Present: Jay Barnes, Mary Blackstone, Teresa Davis, Iain Drummond, Jamie Lambert, Sandy Walczyk, Tabatha White

Staff: M. Williams

1. **Call to Order**--T. White called the meeting to order.
2. **Adoption of Minutes of April 1, 2024**--approved unanimously.
3. **Staff Comments or Clarifications**--none.
4. **Citizen Comments**--none.
5. **Report from City Council**
 - C. Hanson reported that she thought the Arbor Commission's presentations for the budget workshops went very well.
 - Council and the City Manager seemed to respond well to the request for a Parks and Recreation Department and recognized the need for such a department. It may be that such a department will be contemplated for starting at the half way point of the budget year.
 - Hanson will see that the Tree Warden position is discussed in the budget workshops as part of the Parks & Rec budget or at least in the budget.
 - The budget will be approved at the June City Council meeting.
6. **Committee Reports**
 - **Tree Ordinance/Tree Warden Job Description** (I. Drummond, J. Lambert, T. White)
 - The Planning Department has not been able to respond to the Tree Ordinance but the Committee has continued to work on updating the format relative to that used more recently by the City.
 - The issue of levels of authority was raised. The ordinance grants the Tree Warden the authority to make day-to-day decisions relating to trees on the basis of the advisory policies and procedures set out by the Arbor Commission. If there is a dispute

relating to the Tree Warden's decision, the first recourse would be the person who is supervising the Tree Warden's contract/or the person who supervises the salaried employee (Parks & Recreation Director, City Manager??), but ultimately the issue could be determined by the Board of Appeals. M. Williams will review this issue and advise further.

- Perhaps a review of the core sections which need to be included in the ordinance would be useful. Other suggested issues for the ordinance to address are: Heritage Trees, administration of the Tree Trust, particulars of tree protection with associated penalties for damage of trees or unapproved removal.
- T. Davis noted that it will be important to have someone from the arbor Commission on the technical review team which advises the Planning Board on specific applications. It was agreed that this issue should be raised with the Comprehensive Plan Steering Committee, and T. Davis offered to attend the May 28 meeting of the Steering Committee to provide a written submission on this matter. She has written something up and requests input from the Commission to make sure it is in line with what the Commission wants.
- Given the questions around the funding of a Parks & Recreation department and tree warden, it will probably not be possible to finalize the ordinance until after the budget is approved.
- **Arbor Commission 2024-2025 Budget Request to City Council** (M. Blackstone, C. Hanson, T. White). Relevant documents were attached to the agenda.
- T. White provided an update on Arbor Commission budget workshop presentations on April 1 (Public Works) and April 29 (Commission budget request). Especially in light of C. Hanson's earlier report she felt that Council was receptive and willing to talk about our requests.
- She noted that M. Beal had requested further justification for the requested \$40000 tree-related budget. T. White would like input from the Commission on specific activities to include but it was noted that part of the budget needs to be for addressing emergency

work which is likely to become more of a factor in the context of more extreme weather events.

- C. Hanson urged T. White not to spend too much time on this justification as Council recognizes the difficulty of creating an overly specific budget, especially when there has never been a clear line item for such expenses.
- T. White reported that in the context of the Parks and Recreation Department proposal and the budget workshops, she has had meetings with the Maine Recreation Association partly together with the Recreation Commission. Most recently she was able to meet with representatives from Bangor and Portland both of which have dedicated tree and parks employees. The general advice that she has received is that in Ellsworth the history of a partnership with YMCA, which has addressed many of the recreational needs for the City, makes it smarter for the Parks & Recreation Department to be primarily focused on parks and tree maintenance.
- **Project Canopy Applications** (Blackstone, C. Hanson, T. White, M. Williams)
- M. Blackstone reported that work has been progressing towards the Inflation Reduction Act Urban & Community Forestry Grant application for up to \$200,000 (no match). The proposed project will focus on an area between Short Street and Washington Street and from High Street to the River. This area is in the HUD Opportunity zone and encompasses low-income/workforce housing which is a priority for this grant. It also includes Card Brook which is an urban impaired stream. The focus for planting will be along Foster and Washington Streets, within low-income housing and other areas owned by the City or the State and as much as possible in areas that could protect Card Brook from direct run-off. J. Lambert noted that the buffer strip between Hanafords and the Wyndham workforce housing may be the best opportunity on that side of the Brook. S. Walczyk has created a map to show potential planting sites and the scope of the area to be addressed. This grant program is likely to very competitive with

many larger communities with full-time employees and long-established programs in the mix.

- In order to make sure we have a chance for some grant funding we are also preparing a Project Canopy Planning & Education Grant application for \$20,000 (matching cash or in-kind required). This will focus on funding for a new Forest Management Plan for the Branch Lake Community Forest, possibly an Invasive Pest Management Plan, some educational programming and a small demo tree planting project.
- **Forest Management Plan** (Blackstone, T. Davis, S. Walczyk, J. Barnes, T. White)
- With the pressure to complete other projects, especially the grant applications, the work on this plan has had to take second priority, but in June we will resume a focus on it. M. Blackstone continues to have discussions with our first memorial tree planting donor. We need to make a decision soon as to where, what and when this planting will take place. This committee will also lay out the procedures and options for such plantings in the Plan.

7. Arbor Day and Maine Arbor Week 2024 Public Activities/Observances

- The April 26 Arbor Day event with the American Chestnut Foundation appeared to be successful, especially for the Commission's first public educational event. M. Blackstone and T. Davis contributed to the Arbor Commission display and free mini White Pine trees were given out. We should be thinking about ideas of our second Arbor Day observance.
- Maine Arbor Week will be May 19-25, 2024. On May 16 Green Ellsworth, the Ellsworth Garden Club and Frenchman Bay Conservancy will again be hosting the planting of 80 trees at the Community Tree Nursery by all second graders at the Elementary Middle School.
- Also on May 19 & 25 there will be tree steward workshops at the Community Tree Nursery at the Jordan Homestead Preserve on the Bayside Road. Arbor Commission members are encouraged to participate in both the tree planting and the workshops.

8. Work Schedule for Information (Timelines, Deadlines)

- Budget Proposals for 2024-2025 (submitted and presented to Council April 2024)
- Finalize Project Canopy Grant Applications (May 15, 2024)
- Revised Tree Ordinance (? August 2024)
- Tree Warden Job Description (March 6, 2024 to City Manager/Council; resent after arrival of new city manager)
- Submission of Arbor Day Proclamation to Mayor (proclaimed February 12, 2024)
- Submission of Tree City USA 2024 application (submitted December 2024)
- Community Tree Nursery Input on Ordering & Planting for 2025 (?)
- Finalize City of Ellsworth Forestry Management Plan (October 2024)
- Plan Public Education Programming for 2024-2025 (?July 2024)
- Arbor Day/Maine Arbor Week 2025 Activities (?)
- Other

9. Member Comments/Other Business

T. Davis urged members to provide her with input on her Chapter 56 work--especially her proposal that the technical review team for the Planning Board include a member of the Arbor Commission. Her conclusion is that we need to do a better job of preserving the trees that we have including key trees and existing wooded components of properties. We need to go beyond minimum requirements set by the state, for instance in extending the shoreland zone to 100 feet, requiring the retention of at least 25% of forested land/trees. We should get this into the Comprehensive Plan which has a huge impact on future land use and zoning, and then do a workshop with the Planning Board itself. I. Drummond noted that the lack of any landscaping around recent major developments creates a wasteland. A photo presentation including some of these developments should be sufficient to make the point. T. Davis asked people to provide input on her response to Chapter

56 before the May 28 meeting of the Comprehensive Plan Steering Committee.

M. Blackstone reported that for the third year, Ellsworth has been designated a Tree City USA (for 2023). T. White will ask the new City Manager if he would like to attend the awards ceremony in Augusta on May 23 to receive the award.

10. Next Meeting: June 3, 2024 8:15-10:15AM.

S. Walczyk noted that in her new job meetings on the first Monday at 8:15AM may be a problem.

11. Adjournment--Moved Blackstone, seconded Barnes; approved unanimously.