

**MINUTES of the
City of Portsmouth
Trees and Public Greenery Committee Meeting
February 12, 2025**

Members Present: Chair Patricia Bagley; Vice-Chair Michael Griffin; Director of Public Works Peter Rice; City Tree Supervisor/Arborist Maxwell Wiater; Assistant Mayor Joanna Kelley-Adams; Members A. J. Dupere, Dennis Souto, Deborah Chag, and Scott McDermott

Members Excused: None.

Chair Bagley called the meeting to order at 8:00 a.m.

1. Acceptance of the Minutes of the January 8 Meeting

The January 8 meeting minutes were **approved** as submitted.

2. Public Realm Improvement Project: Sidewalk installation from Ledgewood Drive to Portsmouth High School, including tree removal and landscape plan approval.

- About 50 trees, greater than 4" DBH, ranging from poor to good condition.
- Many other trees are less than 4" DBH or are dead
- 27 trees and 45 shrubs are proposed in the landscaping plan.

Project landscape architect Terrence Parker was present. He explained where the cut-thru path went and said it had several 90-degree turns to stay off the current abutter's property and to get on the high school property. He said there were several invasive plants that would be removed as well as the larger trees. He said the trees did not start until the edge of the Greek temple (St. Nicholas church) parking lot and that a row of red maples shielded the view of the high school's athletic fields from the parking lot and were on the public right-of-way. He said he chose replacement plants that were mostly seed or berry-bearing, like red maple, sassafras, gray dogwood, low-growth sumac, and white spruce. He said one pine tree in good health and a cluster of trees to the north would remain. He said there would also be pedestrian street lights along the way.

Ethan Snitker of the engineering firm Haley Ward was present and said the goal was to get the students off the private properties they were crossing. He said they proposed a small retaining wall by the cul-de-sac that would serve as a barrier so that the students would not walk there. He said the existing stone wall would also be restored. Mr. Parker said the 8-ft path would be paved and the basketball court would be restored.

Mr. Griffin asked if the students who cut across used the Margarita's parking lot or if they went further down to cut across. Mr. Snitker didn't know exactly where the students were coming from but thought they filtered in from that whole area. He said they also

parked behind the temple. He said the path was worked out with the high school staff and the developer. Ms. Chag asked what impact the removal of the white pine down by the field would have, noting that it was like a wind buffer. Mr. Parker said the row of red maples would act as a buffer. Mr. Griffin asked if the debris was on private property. Mr. Snitker agreed and said it would not be removed. The ball and burlap plantings were discussed, and Mr. Parker said the City's standards would be followed. Assistant Mayor Kelley-Adams asked what the timeline for that phase of the project was. Mr. Rice said he thought it would be scheduled around the school's schedule. Assistant Mayor Kelley-Adams suggested that it be earmarked for completion for the start of the next school calendar. Mr. Parker said he would contact Mr. Wiater with a final answer.

Chair Bagley asked for a motion. *Mr. Griffin moved to accept the proposal as presented, seconded by Assistant Mayor Kelley-Adams. The motion passed unanimously.*

3. Tree Removal Requests

- **45 Shearwater Dr:** 2 honey locusts, good condition, developer request. These trees will be destroyed in the process of digging the foundation for a new house. There is a gas main on the opposite side of the lot that limits any rearranging of the structure.

Mr. Wiater said the two honey locust trees were slated for removal due to conflicts with the current plan for construction. Sawyer Lord of Chinburg Builders was present and explained that the trees had to be removed because the structure was shifted away from the gas main. He said there were two trees on Chinburg's property and two on City property, and that all four trees would be removed. Caylyn Bowser, Chinburg Builders project manager, said they wanted to replace the trees with mature 12-ft or 15-ft ones and that they could plant honey locust or whatever the committee preferred. Chair Bagley noted that the project went before the committee a year ago and the removal of the trees was approved. She asked if the developer knew at that time that they would construct a building at that location. Ms. Bowser said the gas main changed that. Mr. Rice explained that dig safes were done based on historic records, but when the actual work starts, the true locations are determined or a test pit is done to confirm a location. He said it was not atypical for a project like that to run into something unknown. The honey locust was discussed as a potential species, along with smaller trees to encourage rapid development. Ms. Chag suggested a conifer. Mr. Wiater said if the new trees were planted on City property instead of squeezed in on private property, they would have a better chance of survival in the long term in a more protected site. It was further discussed.

Public Comment

Joel Phelps of 32 Shearwater Drive asked if the berm where the trees are planted is also being removed. Mr. Lord said the berm would stay. Mr. Phelps asked if the berm would be restored, noting that it shielded the neighborhood from the traffic on Portsmouth Boulevard. He said he was surprised that the developer didn't know about the gas pipe before the project. He said a lot of trees had been removed and that the recent landscape changes had not helped. Ms. Bowser said they planned to replace trees that were on

property lines throughout the neighborhood and have more of a screening and sound barrier, and that they were also agreeable to creating a nicer neighborhood entrance. Assistant Mayor Kelley-Adams asked if the path that people walked was something that could be solidified by Chinburg so that residents could use it. Mr. Rice said he wanted a consensus from the neighborhood that they were interested in that before the City took it on as additional maintenance. Mr. Wiater said he would get back to the committee.

Joanne Lindbom of 26 Shearwater Drive said she lived across the street from the development and questioned the health of trees further down on the berm that were already replaced. Mr. Wiater said those trees were on private property. Ms. Lindbom said the lot was considered a problem lot. Mr. Rice said the path ran along an edge, so planting trees would either be where the path was or there would be a path placed along the edge of a person's lot line within 3-4 feet of the building. The question of whether the gas line would feed into the new development or could be diverted was discussed. Ms. Bowser said the gas line fed houses in the neighborhood, so they did not want to disturb it. Chair Bagley asked if the developer spoke to Unutil about options. Mr. Lord said they had not but were trying to avoid disturbing the existing gas line that fed to the residents.

Mr. Phelps said the gas main was replaced less than ten years ago and that it was done without shutting off the neighbor's gas at any time.

Chair Bagley asked for a motion. *Mr. Souto moved to remove the trees, with a continuance of further site plan details and a report back from Mr. Wiater. Assistant Mayor Kelley-Adams seconded.*

The motion was discussed and the committee decided to amend the motion.

The **amended** motion is: *Mr. Souto moved to remove the trees, contingent upon site improvements as approved by the Planning Department and the Department of Public Works Staff. Assistant Mayor Kelley-Adams seconded. The motion **passed** by a vote of 4-3, with Chair Bagley, Ms. Chag, and Mr. McDermott voting in opposition and Mr. Griffin and Mr. Wiater abstaining.*

Note: the next two tree removal requests were considered together.

- **250 Miller Ave:** 1 little-leaf linden, good condition, resident request. The tree is causing a line-of-sight obstruction from the driveway on Miller Ave.
- **274 Miller Ave:** 1 silver maple, good condition, resident request. The tree is causing a line-of-sight obstruction from the driveway of 260 Miller Ave and when entering Miller Ave from Spring St.

David Hudlin of 260 Miller Ave was present and said Miller Ave was a heavily traveled street and that the speed limit was often exceeded. He said the silver maple was situated close to the corner and blocked the view of the traffic. He also noted that he had to back out onto Miller Ave and that the silver maple blocked his view of northbound traffic as

well as southbound traffic. He said many residents thought it was a dangerous situation.

Chair Bagley asked for a motion. *Mr. Rice moved to refer it to the City's traffic engineer Eric Eby to evaluate the sight distances at that spot and then report back to the Committee. Mr. McDermott seconded the motion. The motion passed unanimously.*

- **1 Mariette Dr:** 1 red maple, fair condition, resident request. The tree is in a stressed state. There are many exposed and damaged roots near the driveway, some of which are causing sidewalk and driveway damage. There is a fair amount of 1-2" deadwood throughout the tree's canopy.

Mr. Wiater said the tree was not in the best shape due to a lot of root damage and deadwood throughout the tree's canopy. He said it did not have to be removed but could be pruned for a while, and if it continued to decline it could then be removed.

Chair Bagley asked for a motion. *Ms. Chag moved not to remove the tree and to prune it instead and monitor it. Mr. Souto seconded. The motion passed unanimously.*

Note: the following two tree removal requests were considered together.

- **20 Woodbury Ave:** 1 Norway maple, fair condition, removal recommended by the City. This tree is in constant conflict with Eversource utility lines and requires topping on a regular basis to fit the site.
- **673 Woodbury Ave:** 1 silver maple, fair condition, removal recommended by the City. This tree is in constant conflict with Eversource utility lines and requires topping on a regular basis to fit the site.

Mr. Wiater said the trees were under utility lines and that he received a notice from Eversource that they would top the trees for clearance. He said one of the trees got topped every year and he thought that instead of wasting resources on pruning the trees, the trees could be removed and a more appropriate tree species could be placed under the power lines. He said the homeowner told him that the trees were up for removal previously and was concerned that nothing would be put back. Ms. Chag said a few trees could be placed there because it was a very open area. Mr. Wiater said the removals and stump grinding would be done first and then new trees would be placed in 2026.

Chair Bagley asked for a motion. *Ms. Chag moved to remove both trees, with the expectation that they would be replaced with several trees on each side of Woodbury Ave in a timely fashion. Mr. Souto seconded. The motion passed unanimously.*

- **710 Woodbury Ave:** 1 green ash, poor condition, removal recommended by the City. This tree has been topped and is in poor health.

Mr. Wiater said the tree appeared to be topped for utility line purposes and was in poor shape. He suggested removing it and replacing it with an ornamental tree.

Chair Bagley asked for a motion. *Mr. Souto moved to remove the tree, seconded by Ms. Chag. The motion **passed** unanimously.*

- **Cass St at Middle St:** 1 Norway maple, poor condition, removal recommended by the City. A large dead limb fell into the road, and the canopy overall is in decline with more significant dead remaining in the crown.

Mr. Wiater said a limb failed and there was some deadwood still in the tree. He said the tree's health was low and recommended removing it rather than pruning it.

Chair Bagley asked for a motion. *Mr. Souto moved to remove the tree, seconded by Mr. Griffin. The motion **passed** unanimously.*

- **F. W. Hartford Dr (plant bed in the middle of road) near Taft Rd:** 3 green ash, poor condition, removal recommended by the City. All 3 trees show signs of EAB infestation.

Mr. Wiater said the trees were in a planting bed and were about 15-20 years old. He said the City maintained the trees because they were in the right-of-way space and the neighborhood took care of all the islands. He said he could not guarantee that new trees would be planted. Mr. Rice suggested checking the site development agreement to see if the developer was responsible for the trees at their cost.

Chair Bagley asked for a motion. *Ms. Chag moved to remove the three trees after checking with the developer to see if he was responsible for the trees. Mr. Souto seconded. The motion **passed** by a vote of 8-1, with Mr. Griffin voting in opposition because he wanted to wait until it was determined who was responsible for the trees.*

4. New Business: Elections of Chair and Vice-Chair

*Mr. Rice nominated Ms. Bagley to be permanent Chair and Mr. Griffin to be Vice-Chair. Assistant Mayor Kelley-Adams seconded. The motion **passed** unanimously.*

The committee discussed the open position available. Mr. Rice said the people who were interested would have to go through the usual process.

5. Old Business

Mr. Wiater said there were one or two tree substitutions since the original order was placed in September. He said there had been a caliper change, and another kind of dogwood tree was ordered because the Celestial dogwood order could not be filled.

Next meeting: Wednesday, March 12

The meeting **adjourned** at 9:10 a.m.

Submitted,

Joann Breault

Trees and Greenery Committee Meeting Minutes Taker