



# Town of Berwyn Heights

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## Minutes Worksession August 1, 2016

The meeting was called to order at 7:04 pm. Present were Mayor Cheryl Jewitt, Mayor Pro Tem (MPT) Jodie Kulpa-Eddy and Councilmembers (CMs) Patricia Dennison, Christopher Rasmussen and Maria Robles. CM Rasmussen arrived 10 minutes late due to delays on the Metro. Also present were Town Administrator (TA) Jessica Cowles, Clerk Kerstin Harper, urban forest consultant Mike Galvin and residents Amanda Dewey, Mark Emmell, Therese Forbes, and Gerald Shields.

### 1. Announcements

Members of the Council attended the Four Cities Coalition meeting hosted by Berwyn Heights. College Park gave an update on its recently implemented mBike bike share system, which is seeking to expand to other cities in the area. Mayor Jewitt will meet with Maryland State Delegate Alonzo Washington to discuss issues affecting his district. National Night Out will take place tomorrow, August 2, 6:00 to 9:00 p.m.

***University Park bikeways grant (discussed out of order):*** MPT Kulpa-Eddy explained that the Town of University Park has applied for a grant to implement bikeway routes and a bike share system in its community to connect to the larger Anacostia Trails system. University Park has requested other municipalities to support its grant application. The grant application deadline is today. MPT Kulpa-Eddy recommended supporting the grant and signing and sending a letter, of which a draft was included in the agenda packet, by email tonight. The Council had no objections. MPT Kulpa-Eddy moved and CM Dennison seconded to send the letter. The motion passed 4 to 0.

***Minutes (discussed out of order):*** On a motion by CM Dennison and second by CM Robles the July 18 worksession minutes were adopted 4 to 0. The July 13 Town meeting minutes were distributed.

### 2. Presentation

***Urban Forest consultants:*** Mayor Jewitt welcomed Mike Galvin, Urban Forest Consultant at SavATree. TA Cowles explained that the Town hired SavATree to perform a tree canopy assessment, public tree inventory and urban forest management plan. The consultants began to survey Town trees in April and are now ready to report the findings to the Council.

Mike Galvin said, in addition to the items mentioned by TA Cowles, SavATree also provided a tree inventory by parcel, a heat island assessment and an ecosystems services assessment. His colleague Matt Weibel, a tree risk assessment qualified arborist, conducted the inventory field work. The main

finding of the canopy assessment is that Berwyn Heights' street trees are in good condition despite the absence of an active tree care program. Overall, the Town's urban forest is very resilient because it is 1) highly diverse, comprising about 86 tree species, and 2) relatively young, with younger trees making up a larger share and older trees a smaller share of the total population. Eighty-five percent of Town trees are in fair or better condition and only 5% are dead or in critical condition. Further, only three trees, or 0 %, are at high risk of failure; 6% at moderate risk, and 92% at low risk. Twenty-four percent need crown cleaning and fourteen percent are recommended for removal. There is very little damage, or 1%, caused by trees to roads, curbs and sidewalks. However, 35% of Town trees do grow too close to overhead utilities. Most trees in the Town right-of-way grow in lawns and natural areas as opposed to planting strips between curb and sidewalk (Ballew Avenue).

Mr. Galvin continued with an explanation of the tree cover and heat islands in the Town, as measured by LiDAR (laser beams) and satellite imagery. The existing tree canopy covers 58% of the land surface, which is comparatively high. Another 15% of unpaved land surface is available for planting more trees. Heat islands are found mostly along Greenbelt Road and the Metro tracks and around Berwyn Heights Elementary School (BHES). Areas with a high tree cover are also the coolest.

Mr. Galvin said the consultants also looked at the Town's Urban Forest Ordinance, which establishes a Shade Tree Board, with members appointed by the Town Council and charged with managing the urban forest. Currently, there is no Shade Tree Board, but there is a Green Team. SavATree advises the Council should consider whether to re-establish a Shade Tree Board or whether the Green Team, or a Green Team sub-committee, should act as an urban forest advisory board, keeping in mind that there may not be a large enough volunteer base to support both committees.

In response to questions, Mr. Galvin said the criteria used by SavATree for recommending removal of a tree are risk of failure and low value. Indicators of risk of failure are heaving of the ground around a tree, holes or hollowness affecting more than 1/3 of the trunk, two stems of equal size separating, and growth of fungus. American ash trees are recommended for removal because they are likely to fall victim to the emerald ash borer, a devastating insect infestation. CM Rasmussen noted that the number of trees recommended for removal, 14%, is disproportional to the number of trees found to be dead or at high risk of failure, 5%. Further, he disagrees with the removal of trees based on species. One should wait to remove ash trees until the disease is here. It is possible that foresters and plant biologist will develop a treatment for the disease.

Continuing to respond to questions, Mr. Galvin said that SavATree does not provide a list of recommended trees to plant, because new varieties are always being developed. The object of Pepco's vegetation management program, and that of other utilities, is not a healthy tree canopy but the proper functioning of their infrastructure. Pepco has become better at working with communities on tree management and shares its plans for tree pruning and removal but industry still has work to do.

Permit requirements for the removal of mature or specimen trees are effective in preventing tree loss on private property but depend on a vigorous enforcement program. Small towns can defray the cost of an active tree care program by sharing the cost of an arborist with another community or by contracting with an arborist on a limited basis.

TA Cowles said that the next steps would probably include creation of a map of Town trees recommended for removal, and soliciting proposals. Mr. Galvin added that interns might be used to help map Town trees and grants are available to help fund this type of activity. A tree management plan

should include a replanting plan, showing which trees to plant where, and a public education program, which might utilize the Town website, direct mail, workshops and events.

Mayor Jewitt raised the issue of the Town Administrator's authority under *Ordinance 118 – Roads and Public Right-of-Ways* to approve or deny permits for any work done in the Town right-of-way. TA Cowles said that she spoke with the Town Attorney about criteria for denying a permit. While giving the Town Administrator the authority to issue permits, the Ordinance lacks a set of criteria or standards on which approval or denial would be based, possibly inviting a legal challenge to permit denial.

MPT Kulpa-Eddy thought it was the intent of the Council, when it rewrote Ordinance 118, to authorize the Town Administrator to make a permit decision when the Town Council is not around during the work day. However, the Council was to retain ultimate permit approval authority. CM Rasmussen said, generally, permit issuance is a management decision, in which the Council should refrain from interfering. However, the Council could add a condition to issuing Pepco's permit that all Town property owners be educated about their right to disapprove Pepco's removal of trees on their property. The Council will take up Pepco's vegetation management permit at another worksession and review Ordinance 118 for clarification on permit issuing authority.

### **3. Department Reports/ Citizen comments**

Mayor Jewitt invited all residents to come out for National Night Out on August 2. CM Rasmussen said he had his rental homes inspected and was accompanied by CM Robles. He received several citizen comments about a fuel oil spill, a swimming pool with standing water that has become a mosquito breeding ground, and about a neighborly dispute about property maintenance standards. The new part-time Code officer, Adrian Forbes, is doing well and is assisting Supervisor Glass with inspections.

CM Robles reported that the Education Advisory Committee (EAC) had a productive meeting and established a theme for this year, "Building the Future" using Lego building blocks. They also plan to re-start a list-serve to keep the community informed about education issues, and to look into revising the boundaries for BHES. Students from the new Greenbelt Station development are being sent to BHES and are contributing to overcrowding, which led to the placement of 3 temporary classrooms in the school's parking lot. The Committee also discussed possible fundraising activities and how to engage the wider community. CM Rasmussen and MPT Kulpa-Eddy suggested that the Council review how Town Committees are established, staffed and funded to make sure they are treated in an equitable manner.

CM Dennison reported that a new Public Works director, Stevie Cox, has been hired and will report for work on August 8.

### **4. Action Items**

***University Park bikeways grant (moved up on agenda).***

### **5. Town Council Schedule**

The Council reviewed the calendar for the upcoming months. No changes were made.

The meeting was adjourned at 9:02 p.m.

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Kerstin Harper, Town Clerk