



**Minutes**  
**The Milton Tree Preservation Committee**  
**Wednesday, August 27, 2008 at 3:30 p.m.**

**MEETING LOCATION**

Milton City Hall  
Executive Conference Room  
Suite 107-G

**COMMITTEE MEMBERS IN ATTENDANCE**

Roger Festa  
Diane Palmer  
Zack Middlebrooks  
Adam Orkin

**COMMITTEE MEMBERS NOT IN ATTENDANCE**

Cherilyn Allen  
David Holcomb  
Scott Gronholm

**MILTON STAFF IN ATTENDANCE**

Mark Law, City Arborist  
Matt Zyjewski, Community Development Intern  
Alice Wakefield, Director of Community Development

**AGENDA**

- 1) Call to order
- 2) Approval of the minutes for July 23 and August 13 meetings
- 3) Brief discussion on meeting procedures
- 4) Tree removals
- 5) Tree removal permits
- 6) Additional items
- 7) Public comment
- 8) Adjournment

## **CALL TO ORDER**

- Meeting called to order by City Arborist, Mark Law

## **INTRODUCTION**

### **APPROVAL OF MEETING MINUTES:**

- The Committee approved the July 23<sup>rd</sup> and August 13<sup>th</sup> 2008 meeting minutes

### **GENERAL COMMENTS:**

#### **Discussion of Removals and Permits and how they will be handled**

**Mark Law**—Gave overview of number of trees for density units, 1 acre site would require 20 units for *residential*=16 trees 5-7" in diameter; for 1/2 acres 8 trees etc.

**Roger Festa**—Stated it was important to push the use of 2" caliper trees due to drought conditions.

**Mark Law**—Proposed an idea for classification of significant trees being trees 6" in diameter and larger. Removal of up to 6 significant trees per year per acre may be allowed. Significant trees removed from within building setbacks will require a replanting so as to maintain a canopy. Removal of specimen trees will require recompense at all times.

**Adam Orkin**—Asked if setback be a non disturbance buffer, and if it is, would homeowners be able to remove trees on residential lots.

**Alice Wakefield**—Stated that it would be an enforcement nightmare, swimming pool can be 10' from property line, need to do something reasonable for property owners

**Roger Festa**—Said he understands Mr. Orkin's point, there is no way without having an undisturbed buffer in addition to regulated buffers, and does not want to have to see builders to have to get variances to do work within buffers. He does not think that people in subdivisions should be trying to use a county regulation to supersede a protective covenant, unless it was expired or renewed and just does not think that we should say that we are superseding restrictive covenants in a subdivision.

**Mark Law**—Stated there is the argument of personal property rights, which is continuously thrown his way.

**Roger Festa**—Said we are saying there is a price for that, replanting or check.

**Mark Law**—Stated that at many times, the existing conditions of a lot will not accommodate what the owner may desire and this does not automatically allow the desired changes in the site.

**Alice Wakefield**—Stated there would be push-backs for doing this, as now you are impacting individual homeowners and you would need to be prepared.

**Diane Palmer**—Questioned that she did not understand how that gets there in the first place.

**Mark Law and Alice Wakefield**--Advised that it gets done by developers.

**Mark Law**—Stated private homeowners are allowed to remove up to 6 trees per year in buildable areas without replanting. Need to protect existing trees on sites and allow potential buyers to be the ones to decide which trees are to be removed. Stop allowing developer/builders from clearing excessive amount of trees and leaving buyer with none.

**Roger Festa**—Said the group should vote on this issue and makes motion that we approve motion, need to approve permits, then modify later.

**Mark Law**— Advised a permit be required for tree removal.

**4-0 Group agrees to vote—(need for tree removal permit) all 4 committee members agree (4:08pm).**

**Diane Palmer**—Questioned that she did not see anything dealing with agricultural land, and said this ordinance is a minimum requirement and could be more restrictive, under applicability so might want to add for purpose of promoting the protection of specimen trees by requiring a permit before any specimen tree being removed or something very similar. In general comments section D—might want to clarify what a protected tree is, suggest better wording on number 4a says removal or destruction of specimen trees...is subject to approval of city arborist, question of 5 density requirements—that number seems like a major issue, question about class II—need wording to tie E.1 to D.2, question 1C about unless removal could cause damage to adjacent properties, as reasonably determined by the CDD-thought sounded strange.

**Adam Orkin**—Said need for less interpretation “whenever possible” when sections are re-worded.

**Mark Law**—Said he wants to add chart to section 5.

**Alice Wakefield**—Stated need to balance owner’s property rights as long as city’s policies for tree protection etc.

**Mark Law**—Said there needs to be an appeals process for tree removal.

**Alice Wakefield**—Stated could possibly recommend look at parking provisions of zoning ordinance to give flexibility.

**Roger Festa**—Said after D needs to be applicability on 5 for whatever that density requirement is and it shall remain in perpetuity from current owner to future owners, establish tree bank should be 6.

**Zack Middlebrooks**—Asked if they will decide where tree fund money is going.

**Mark Law**—Stated it would be up to Director of Community Development, and said he likes where he does not have the sole decision. Will maybe have to go to council for their approval.

**Roger Festa**—Said they need to list priorities.

**Adam Orkin**—Did not feel that City Council should t intervene with planting of the city.

**Roger Festa**—Stated that the Tree Committee should be part of decision-making process

**Mark Law**—Stated he has put together priority list that includes: schools, parks, and does not want to plant everything for schools.

**Adam Orkin**—Said that plantings from tree fund should go toward streetscape improvements.

**Alice Wakefield**—Advised that the LCI may be way to implement streetscape improvements.

**Roger Festa**—Stated that there needs to be concern that smaller caliper trees planted have a higher chance of survival and would like to see them planted because more are going to then live.

**Mark Law**—Said they will get push-backs from that.

**Roger Festa**—Stated he would rather see use put in 12 3's or 18 2's, because they have a better survival rate and would like a mix of different sized trees.

**Zack Middlebrooks**—Said that a point system may work.

**Mark Law**—Said that there needs to be something to cite homeowner or tree service companies.

**Roger Festa**—Stated that ultimately it would be the homeowner's responsibility.

**Law**—recommended an approved list of companies that are familiar with tree policies for the City of Milton

**Alice Wakefield**—Said they would need to include more diagrams.

**Mark Law**—Passed out sample tree removal permits for committee review.

#### **NEXT MEETING DATE**

- Wednesday, September 10, 2008 @ 3:30 p.m.
- Location: City Hall Executive Conference Room, Suite 107-G

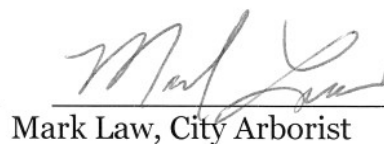
#### **ADJOURNMENT**

- There was no further business.
- The Milton Tree Preservation Committee meeting adjourned at 5:30 p.m.

Date Approved: 10-22-08

APPROVED BY:

  
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Francesca Ivie  
City Clerk's Office

  
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Mark Law, City Arborist