

**Minutes of the
City of Portsmouth's
Trees and Public Greenery Committee Meeting
April 9, 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 Dennis Souto, Michael Griffin, A. J. Dupere, Deborah Chag, and Scott McDermott

Members Excused: None.

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

1. Acceptance of the March 12 Meeting Minutes

*Ms. Chag moved to **approve** the March 12 minutes as presented, seconded by Mr. Rice. The motion **passed** unanimously.*

Note: The tree removal requests were not reviewed in order.

2. Tree Removal Requests

- **276 Melbourne St:** 1 red maple, poor condition, removal requested by resident, removal recommended by the City. A storm in March resulted in the failure and removal of one of the leaders of this multi-stem tree. The remaining stems are now more exposed to external forces which could lead to a similar failure. The leader nearest the house has a lot of end weight with no reduction pruning available.

Mr. Wiater said one of the multi-stemmed leaders broke in a storm and it failed where the cabling was installed. He said the leader was tied into other parts of the tree by the cable. He said pruning was done on the tree last year but there was excess foliage at the top of the tree and there were cavities from previous prunes in the two remaining stems. He said the tree was growing closer to the power line and that he felt it was appropriate to remove the tree.

Chair Bagley asked for a motion. *Mr. Griffin moved to recommend removal of the remaining leaders, seconded by Mr. Souto. The motion **passed** unanimously.*

- **361 Hanover St:** 2 green ash, poor condition, removal requested by landscape architect, removals recommended by the City. The removal of these ash trees will facilitate the renovation of this right-of-way area which will include tree planting. These ash trees have been poorly pruned for utility clearance and are susceptible to emerald ash borer. (See attached landscaping plan for 361 Hanover St.)

[Video timestamp 37:34] The project landscape architect Terrence Parker was present, along with project engineer John Chagnon and Shayne Forsley of Hampshire Development Corporation. Mr. Parker said it was only a matter of a year or two before the two ash trees would become infected by the emerald ash borer. He said they proposed to replace them with three columnar red maples. He said the canopies would grow to be 8-10 feet wide and would be out of the utility wires. The location of the proposed trees was discussed and it was stated that they would be planted four feet off the edge of the new sidewalk. Mr. Chagnon said the site plan approvals were being worked on and there would be changes to the sidewalk location. He said Eversource was doing some of the utility runs and infrastructure. An Adopt-A-Spot application was discussed. Mr. Chagnon noted that the Department of Public Works asked that it be in a small area between Rock Street and the development.

Chair Bagley asked for two separate motions.

*Assistant Mayor Kelley-Adams recommended removal of the trees, seconded by Mr. Griffin. The motion **passed** unanimously.*

*Mr. Rice moved to approve the landscape design as presented, seconded by A.J. Dupere. The motion **passed** unanimously.*

- **205 Broad St:** 1 northern catalpa, fair condition, removal requested by resident. The removal of this tree will facilitate the renovation of this property which will create off-street parking for the residents. (See attached tree risk assessment performed by Seacoast Tree Care, and site plan for 205 Broad Street)

[Timestamp 5:36] Jay Lajeunesse of River Birch Builders was present on behalf of the resident and said he was working with the owner on the home's new addition. He said the tree requested to be removed was within the City's right-of-way and about eight feet from the existing home. He said the proposed renovation was about 15 feet away from the tree. He said there were prior concerns about the tree's health due to its distance from the home and street construction. He said a granite curbing was installed and was up against the tree's trunk and that the required excavation for the renovation presented more concerns about the tree's health. He said a tree assessment report was submitted and indicated that the tree would present a hazard to the utilities, to the people walking on the street, and to the structures.

Peter Lyon, Seacoast Tree Care Customer Service Manager, spoke and said the tree was decayed and had dead branches and was missing roots. He explained that, due to the tree's hollow, root loss, and location, he did not think it was a good tree to retain, especially with more upcoming construction. The length of the assessment study was discussed. Mr. Wiater said Seacoast Tree Care had a reinspection time of three years. Mr. Lyon said the assessment study only lasted three years. The timeframe and the tree risk assessment was further discussed. Mr. Lyon said the problem was the root structure and the hollow. Mr. Wiater said those parts were not indicated as leading to the failure. He asked if the tree was proposed to be removed as part of the project or because it was hazardous, and it was further discussed. Mr. Rice asked how critical the retaining wall was to the project. Mr. Chagnon said the owner wanted to place a garage somewhere on the property and that the tree would be impacted by building the addition. Chair Bagley asked if the addition would still be built if the tree remained. Mr. Lajeunesse said the intent was to replace the porch with the addition,

so the tree was a concern. The building permit was discussed. Mr. Chagnon said he helped in getting a permit for the Board of Adjustment (BOA) and that he flagged the issue and said the owner should come before the Committee first. Mr. Rice asked if all the setback requirements were met. Mr. Chagnon said there were some existing nonconformances, so the project did not receive all the approvals. He said the existing building already violated the building setbacks and would require relief. Mr. Rice said if the Committee granted the tree removal request and the BOA did not grant the waiver, then the tree would be condemned without cause. Mr. Chagnon suggested that it be a conditional tree removal. Mr. Rice said the Committee received a letter dated April 8 from an abutter who opposed the catalpa's removal, as noted below:

To: City of Portsmouth/Tree Committee Hearing 4/9/25
Re: Catalpa Street at 1 Spring Street

We are unable to make the meeting of the tree committee on 4/9, but we wanted to make our preference known on the subject of removal of an old and unique catalpa tree. We have lived at 39 Spring Street since 1981 and have resided at this location longer than any other residents on the street. We appreciate living in this wonderful neighborhood and our neighbors. It is with this in mind that we would like to voice our concerns about removing this beautiful old tree that appears to be healthy and vibrant. It has always been a part of this neighborhood, and we are sure it was growing here for decades before we moved here. We understand the proximity to the house may be inconvenient, but we would hate to look out and not see that majestic tree with its huge leaves, which must be one of very few in the city of Portsmouth. We would hope that a major trimming back of the branches overhanging the house and any wires would be a consideration. In conclusion, we would be in favor of letting this catalpa tree continue to live and be a part of our neighborhood. Thank you for your consideration.

Stephen & Sheila Philp
39 Spring St.

The Committee discussed the fact that there were only a few northern catalpas left in Portsmouth. Mr. Chagnon suggested that another tree be planted in the catalpa's place.

Chair Bagley asked for a motion. *Mr. Rice moved, for purposes of discussion, to recommend removal of the tree, based on the BOA's future conditional approval. Assistant Mayor Kelley-Adams seconded.*

Assistant Mayor Kelley-Adams said parking was a big issue in the City and that the City would be seeing similar requests for garages and additions and that it was looking into what could be done for Portsmouth's parking situation. She thought it would pull a little weight if the owner could find ways to alleviate the stress on parking. Mr. Rice said he wanted to separate the parking discussion from the removal of the tree, noting that the Committee's charge was the trees. He said a risk assessment was done and indicated that the tree was in decline. He said if the tree was likely to be taken down while the resident owned and utilized the property, he thought the tree should be removed now and that a new tree could be planted. He said if the BOA did not approve the variance, he would be happy to monitor the tree over time. Mr. Wiater asked if the City would pay for the removal of the tree if it was

associated with a specific project. Mr. Rice said the City did not budget for convenience removals. Chair Bagley suggested a second assessment. Mr. Wiater said a fair third party that was removed from the project and the City could do an assessment. It was agreed that a second assessment would be done only if the project did not move forward. Assistant Mayor Kelley-Adams said the applicant would be at the BOA's May meeting, so the tree would come up again at the Tree Committee's June meeting. The Committee discussed whether the owner would incur the cost for the tree's removal. Mr. Rice said if the Committee approved the tree's removal, then the City would be responsible for the tree's cost. He said he could amend his motion to say that if the tree's removal was approved by the BOA, the property owner would be responsible for the cost, and if the BOA did not approve it, the Tree Committee would re-evaluate the tree as a new request.

The motion was **amended** as follows:

*Mr. Rice moved that the tree's removal is contingent upon the BOA approving the addition and that the property owner would pay for the tree's removal. Assistant Mayor Kelley-Adams seconded. The motion **passed** by a vote of 7-2, with Chair Bagley and Ms. Chag voting in opposition.*

- **328 Colonial Dr:** 2 little-leaf linden, poor-to-fair condition, removal requested by resident, 1 removal recommended by the City. These two trees have been poorly pruned for utility clearance. Each tree has a cavity on the house-facing side of the trunk, with one tree exhibiting a hollow main stem.

[Timestamp 47:18] Mr. Wiater said the linden nearest to the driveway should be removed because it was rotted through the center, but the linden near the corner was healthier. He said the main concern of the residents was that falling branches would hit their home. He said the weight of the healthy linden went toward the road and that the tree could be pruned to remove more weight, so he didn't see much risk in keeping the tree.

Chair Bagley asked for a motion. *Mr. Griffin moved to recommend removal of the linden tree near the driveway, seconded by Assistant Mayor Kelley-Adams. The motion **passed** unanimously.*

3. Landscape Requests

- **361 Hanover St:** replacing the two ash with 3 *Acer rubrum* 'Blowhall,' 4 *Juniperus virginiana* 'Emerald Sentinel', and *Rhus aromatica* 'Gro Low.'

Note: this was discussed during the Tree Removal Request for 361 Hanover Street on page 2.

4. Arbor Day 2025

Mr. Wiater said a black gum would be planted on Arbor Day, April 25th, and the large piece of granite that the City Council donated for former Chair Peter Loughlin would be moved before then. Assistant Mayor Kelley-Adams said she would add a line item to the agenda for the next City Council meeting, and Chair Bagley suggested that mention be

made in the City's newsletter. It was decided that Mr. Wiater would follow up with Public Information Officer Stephanie Seacord.

Chair Bagley asked for a motion. *Mr. Rice moved to have Assistant Mayor Kelley-Adams add a line item to the agenda for the next City Council meeting. Mr. Dupere seconded. The motion **passed** unanimously.*

5. Tree Planting 2025

Mr. Wiater said the tree planting was well underway, with 60-70 trees planted. He noted that the skate park was also finishing up that day. Mr. Rice said the abutting property owners asked that the skate park be fenced in to reduce the migration of children.

Mr. Wiater said only two trees were lost on 328 Colonial Drive - one was hit by a plow and the other tree died, and those were the only two trees that needed new plantings.

6. New Business

There was no new business discussed.

7. Old Business

Mr. Dupere said the saplings would be available for the Sustainability Fair on Friday by 4:30 p.m. Mr. Wiater said the signage would state that the saplings were State Forest Nursery saplings.

Next meeting: Wednesday, May 14, 2025

The meeting **adjourned** at 8:58 a.m.

Respectfully submitted,

Joann Breault
Trees and Greenery Committee Meeting Minutes Taker