

TOWNSHIP OF CHATHAM
TREE PROTECTION COMMITTEE
MINUTES OF FEBRUARY 22, 2005 MEETING

Mr. Godwin called the meeting to order at 9:25 a.m.

The Open Public Meetings Act Statement was read.

Answering present to the Roll Call were:

Mr. Hoag
Ms. Wells
Ms. Fondaco
Mr. Barry
Mr. Godwin
Mr. McCutcheon
Mr. Smith

Mr. Barry moved to approve the Agenda. Mr. McCutcheon seconded, with all in favor.

Mr. Barry moved to approve the minutes of January 18, 2005, meeting of the Tree Protection Committee. Mr. McCutcheon seconded, with all in favor.

Correspondence

Mr. Godwin referred to a letter to the Editor from a resident in Berkeley Heights, regarding the need to protect the trees in our towns and the importance of a Tree Protection Ordinance.

Reports

File Cabinet: The letter to the Editor from a resident in Berkeley Heights will be filed.

Tree Removal Applications: Mr. Smith reported that during the month of January 2005, there were two tree inspections, and two trees were removed, for a total of 11 man-hours.

Mr. Smith brought up the subject of tree removal permits when the Engineer has already approved a lot-grating plan. After detailed discussion, it was agreed that the applicant has to apply for a tree removal permit and that the Tree Protection Committee has to still approve the removal of the trees involved, as per current Tree Protection Ordinance.

Meeting with Environmental Commission: Mr. Godwin reported that he and Mr. Hoag attended the meeting with the Environmental Commission on February 14, 2005. He said they would send a letter to the Township Committee with their comments on the proposed amendments to the Tree Protection Ordinance.

Community Education: Ms. Wells will do research at the Library to see if there are any videos available for school and community education. Mr. McCutcheon recommended a video he watched on Public Television NJN called "The Highlands," and he said he would try to locate it.

Hearing of Citizens/Petitions:

Mrs. Jane Slotkin, 11 Yarmouth Road, was present. She acknowledged the complexity of the issues facing the Committee and commended the members for their hard work. She said that it is critical to educate the public about the importance of maintaining our open space and the character of our town. She suggested that neighbors should mobilize to protect the resources of the town and there should be a moratorium on new building permits. Mr. McCutcheon explained that the town is trying very hard to control the development, but as long as the developers abide by the town ordinances, the rights of the homeowners have to be respected as well.

Discussion:

Arbor Day: It was agreed that the Arbor Day, April 29, 2005 would be honored by planting a tree in a brief ceremony open to the public. The Township Committee will be invited, and the value of the trees to the environment has to be stressed in the Press Release. Mr. Barry suggested that the Tree Committee should invite an arborist to give a presentation focusing on tree planting and that it should be open to the public.

Tree Planting: Mr. Hoag reported that he installed deer guards in four trees adjacent to the Police Station and four in the Country Club Road area. He also said that there are two trees still to be planted, one by the School House and one that will be planted at the site to be decided at the next meeting.

Big Tree Contest: The Big Tree Contest will take part sometime in the fall.

Tree Ordinance: The Tree Ordinance is still pending before the Township Committee.

Mr. Hoag asked the members to clarify whether they would agree to allow homeowners to take down trees when they are afraid that the trees would fall down and cause damage to their houses, provided they would replace the trees. He said that the town could impose something like "No Net Loss." Mr. Godwin said that he would not agree to allow homeowners to take down 100-year old trees, if there is nothing wrong with the trees, and replace them with trees that would take years to grow. The homeowners have to understand that there may be a certain risk factor inherent to large trees, and even healthy trees may fall in a bad storm. Ms. Fondaco said that she is concerned when a homeowner requests a tree removal saying that he/she is afraid of the tree falling onto their house because there is no guarantee that it will not happen. Mr. Hoag agreed with Ms. Fondaco and cited as an example the Calfo residence. The homeowner was

afraid of falling trees and appealed to the Township Committee the decision of the Tree Protection Committee to deny the tree removal they had requested. Mr. Godwin said that there is no guarantee, but if they make decisions on tree removal permits based on the perceived danger of the homeowner, then they will render the Tree Protection Ordinance invalid. He said that they have to decide on a case-by-case basis, to which Mr. MuCutcheon agreed. Ms. Wells also agreed that they should try to save the big trees in town. There was a suggestion that they may need to hire an arborist to determine whether a tree is in danger of falling or not. Even then, there is no guarantee because even healthy trees may fall in a bad storm. There was a vote on the subject of whether the homeowner's perception of danger should be taken into consideration in determining the approval of an application, even if the tree looks healthy. Mr. Hoag and Ms. Fondaco were in favor of taking into account the homeowner's perception of danger. Mr. Godwin, Mr. Barry, Ms. Wells, Mr. McCutcheon were in favor of retaining the right to refuse the homeowner to remove a healthy tree, regardless of the homeowner's perception of danger.

Mr. Hoag moved to adjourn. Mr. Barry seconded with all in favor.

The meeting was adjourned at 10:30 a.m.