

**Ad Hoc Tree Committee
Meeting Notes
January 20, 2015**

Committee members in attendance: Roger Townsend, Sarah Blossom, Mack Pearl, Jon Quitslund

COBI Staff: Jennifer Sutton, and Ellen Schroer for part of the meeting

Public: Kathleen Alcala, Tami Meader, Olaf Ribeiro, Robert Dashiell

The meeting began at 9:30 a. m. and ended at 11:45 a. m. We began discussion of Ord. #2014-38 (amending the Land Clearing chapter, BIMC 15.18 becoming 16.18), with Roger noting that we had received a number of proposed additions and deletions from Ron Peltier on behalf of Islanders for Responsible Development. Roger mentioned that Jon, writing as an individual member of the committee, had responded to Ron, explaining that the Ordinance dealt narrowly with problems identified by the Code Enforcement officer, and that the committee would return to make changes in the BIMC chapter when developing policies for properties outside of Winslow.

Notes from the previous meeting, Dec. 9, 2014, were approved as distributed.

Discussion touched on the difficulty of devising policies that would protect or promote the interests of those who install solar panels. The current question is whether or not to address the issue in an amendment to BIMC 18.15.010 (i. e., via Ord. #2014-07). Discussion continued later in the program.

The question of the fee for an after-the-fact clearing permit is on the Council's agenda, and this prompted some discussion. Tami brought up the anticipated removal of trees in Waterfront Park, and Olaf contributed – another item on the Council agenda.

Roger, looking ahead to future meetings, asked what should be “our next focus.” Jennifer observed that the Vegetation Management chapter would be “another deep dive.”

With the arrival of Ellen Schroer from the Finance Department, we took up the matter of a **Tree Fund**. Ellen asked for a definition of **intent**, and examples of **qualifying expenses** and **revenue sources**. Enabling language will include a list of possible projects and sources of funds, perhaps involving the proviso “but not be limited to.” Olaf asked if the development of informative brochures might be funded. Routine maintenance would not be eligible, but responses to disease could be. Seattle provides the starts for street trees to citizens who assume responsibility for planting and maintenance. **Permit-related fees** would not go into the fund; a **fee in lieu** policy might be developed, and penalties for illegal activity and reckless damage could be designated to the fund. Donations from citizens could be accepted, but not to fund specific projects. Even before a tree fund is formally established in the accounting system, sums of money could be tagged as appropriate to it. We discussed what person or persons would decide on disbursement, without reaching a decision.

We returned to discussion of solar access and trees on property lines. Long story short, no modifications of provisions in BIMC 18.15.010 were arrived at. Jennifer observed that the best place to focus attention is on perimeter buffer requirements, and they are more prevalent outside of Winslow. Impacts on a neighboring property need to be considered in planning, and over time as a buffer becomes established. Mack pointed out that the screening purpose is served in the first 20 to 30 feet; also that the public interest in sunlight for gardens as well as solar panels needs to be recognized.

There are neighbor-to-neighbor issues that can only be resolved by the parties concerned. Kathleen asked, Is it the case that whoever was there first has an edge in a dispute over rights? Sarah said that some properties are just not appropriate for solar panels.

Some species used in buffers are inappropriate; some should be prohibited, and others could be listed as preferred or recommended. Laurels (some species, not all) and bamboo were mentioned as problematic – also Western redcedar. Olaf recommended Port Orford cedar, which can be pruned as a hedge, but it should not be neglected.

Discussion toward the end of the meeting touched on several topics. Regarding the agenda for the next meeting, Jennifer proposed dealing with non-residential development in residential zones – a topic that has come up before. Regulation in the Business / Industrial districts was also mentioned.

Robert raised some questions about the process for putting a value on trees when they are taken down illegally, when the valuation is disputed; Olaf and Jennifer responded. Jennifer also mentioned that wetland evaluations are often in dispute, as are opinions on ‘hazard’ trees. Robert spoke to the danger posed by large trees in an urban area, citing the example of a tree that had come down across from City Hall on the west side of Madison; another example of a hazard is a diseased tree at the junction of Miller Rd. and Tolo. Finally, he questioned the adequacy of \$500 as a penalty attached to an after-the-fact permit in some cases.

Mack had a question about our sole-source aquifer designation and opinions voiced by a few citizens about an exception to GMA planning requirements; Robert and Jennifer spoke to that. Jennifer mentioned that in the context of the Comp Plan update we will be updating the Critical Areas ordinance, to make protection of aquifer recharge a priority.

Our next meeting will be on Tuesday, Feb. 3 – precise time and place TBA.

Notes Approved: April 14, 2015