

Town of East Haddam – Department of Public Works



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Tree Warden Public Hearing
July 31, 2024; 2pm – 3pm
Corner of Bone Mill and Shelter Rock

This public hearing was held pursuant to CT General Statute Sec. 23-59 and was called in response to an objection raised regarding the removal of trees posted by the Town of East Haddam Tree Warden. Such trees are scheduled for removal due to health and public safety concerns. The meeting was video recorded.

Minutes:

(A video recording of these minutes is also attached, the minutes below are general comments, view video detailed minutes)

Officials Present: Michele M. Velez, Tree Warden/Director of Public Works; Erik Dill, Selectman; Tanya Bourgoïn, Selectman; Gary Metz, Public Works Road Foreman

- i. Call To Order: The public hearing was called to order at 2:03pm by the Tree Warden, Michele Velez.
- ii. Tree Warden Comments:
 - a. The Tree Warden, Michele Velez, gave an overview of the project including the scope of work, Tree Warden authority, Criteria used when deciding to remove a tree as well as the Tree Removal Standards. The Tree Warden then completed comments with Facts regarding trees in town including work orders submitted regarding down trees, call outs and Eversource Reliability Scorecard.
 - i. The Town has been removing trees showing decline and dead trees throughout the town well before I took the position with the town. I was appointed by the Board of Selectman as Tree Warden for the Town. I am responsible for the trees alongside public roads and in public spaces. My responsibilities include approving the planting, pruning or removal of trees under my authority.
 - ii. The Town used a tree service prior to my appointment which was found to be very costly to remove trees. Over the past year I have taken the opportunity to network with other surrounding towns similar to our landscape in regard to tree removal and how they were managing the decline and death of Ash Trees and Beech Trees in town. After speaking to several Tree wardens, it was clear that our current solution was not the most fiscally responsible way to remove trees. After a conversation and meeting

with Distinctive Tree service it was clear that we could remove a large majority of trees which are in decline or dying quickly and for far less than what our previous company was doing. Using the Sandboxes on roads which have an abundance of trees that are in need of removal due to liability to public safety or pruning this method is the best way to remove the trees safely, efficiently and at the best price. We will continue to use the Bucket Truck and Crane method throughout town when applicable.

- iii. The Criteria used when making a decision to remove a tree are as follows:
 - i. Vertical cracking
 - ii. Seams
 - iii. Dead Branch Stubs
 - iv. Large Branch stubs which will fall from weight
 - v. Damage to main trunk
 - vi. Fungal Disease
 - a. Wilting, falling or discoloration of leaves or needles
 - b. Depressions in wood
 - c. Scabs in the fruit
 - d. Bleeding cankers
 - e. Stunted growth
 - vii. Dying or Dead
 - a. No leaves or buds during grow season
 - b. Significant lean
 - c. Dead branches
 - d. Evergreens will have thinning canopy, needle drop and browning at needle tip.
 - e. Tree exhibits disease or insect symptoms
 - viii. Significant lean or new lean
 - ix. Hazardous location
 - a. Power lines
 - b. Close to structure
 - c. Blocking view of road or oncoming traffic
 - x. In way of sight lines
 - xi. Invasive species
 - xii. Insect damage
 - xiii. Root rot
 - xiv. Girdling roots
 - xv. Y or V crotch
 - xvi. Abnormal Bark Peeling
 - xvii. Visible Wounds or open cavities
 - xviii. Broken from lightning strike.
 - xix. The root system has been compromised.
- iv. The Town of East Haddam Tree Removal and Pruning Standards which can be found on our website are as follows:
 - i. There are several signs that a tree is getting weak and may fall including but not limited to dead wood, cracks, decay, cankers, root problems, poor form, and weak branch unions with the trunk. Identifying trees early to correct the problems with Pruning would be the priority however some trees are not able to be saved by pruning and need to be taken down to reduce liability. The town will make every effort to preserve the natural beauty of its tree-lined roadsides

and recreation areas by detecting and correcting situations involving hazardous trees when applicable within the constraints of the department's resources.

v. Some Facts about East Haddam and Trees

- i. Work Order Data – related to Trees Only (Copy attached)
- ii. Eversource Reliability Scorecard (Copy attached)
- iii. Call outs for trees –
 - a. Over the last 5 days we have had several trees come down and block roads in town
 - i. These trees have fallen on nights and weekends requiring call outs for the Public Works Staff. Each time a limb or tree comes down I am required to call in two staff for removal and cleanup of the road, this pulls these hard-working staff out of bed at night, away from family functions and costing the town money to clean up.
 - ii. I want to reiterate the “Goal is to ensure public Safety and reduce overall cost of tree removal in town so we can focus on planting and beautification of our roadsides.

iii. The tree warden then opened the floor for public comment reminding everyone to be considerate while others are speaking and refrain from side conversations which will interfere with recording. Tree warden reiterated to be respectful of time and speakers while they are speaking.

iv. Public Comment (General comments – See Video for detailed comments)

- a. Sarah Gworek, 138 Ballahack – Not concerned about dead or dying trees, more concerned with the number of trees that are tagged and trees that are being taken down that are not in decline. Question if the trees really need to be taken down.
 - i. In answer to her question regarding Schulman Veselak, I inspected every tree, I pulled tags where appropriate, I do go out and ensure every tree is inspected. I have pictures and videos that show the trees are in substantial decline or a public safety issue on the road.
- b. Robert Hart, 64 Hemlock Valley Road – Spoke that he is for cutting down the trees and explained how many times he has had to pick up dead fall from road that could kill somebody. And a lot of these faced I don't know and if you're here to make an issue of this they need to go they are dying they are old. If everyone would close their eyes and look there are 1000's of trees and the ones on the roads really need to go it's a safety issue.
- c. Isabel Butt, 8 Shelter Rock Road – Question about colored ribbons, alarmed about the number of trees if we take them all down the character would change drastically. I appreciate the safety issue, that maybe not every tree be taken down.
 - i. Tree Warden Explained tags regarding tags or pruning and how they are sprayed before tree service. Explained why this road was chosen, and how many calls came in regarding safety on Bone Mill and a branch also fell just as we pulled up to the hearing. Again, will explain the colors are what are

on hand at the time. I will inspect every tree prior, and they will be painted. I have looked at this road several times. When we pulled up a limb fell on the road.

- d. Jim Leatherbee, 40 Bonemill Road – Not sure if the tree is tagged or not but right at 39 Bone Mill, that tree has been falling limbs onto driveway, mailbox and road for 3-4 years, bark is peeling, and it needs to go. Someone is going to get hit and it took wires down a few times.
- e. Matt Elgart, Day Hill Road, I go along with everything, initially an independent contractors did a horrible job, on Phelps, and the stumps are unsightly, everyone is invested in their homes, and it will be a deterrent to purchase a home. Like to see something get done. I am here on their behalf. Wickham Road was done nicely. Right now, a branch fell down today by the church.
 - i. Tree warden addressed, the contractor was here prior and that was brought in by a previous selectman. One of the issues the tree warden was concerned with regarding the previous company was the height of the stumps and we have addressed this with the new company. We will address the stumps around town, but we have to get the safety concerns down first.
- f. Eugene Borysewicz – 33 bone mill road – Concerned with the number of the tags and we moved here for the aesthetic. I assume all that are tagged will be removed.
 - i. The Tree Warden explained again tags and how they were pulled off and that the staples were left in and if they are not tagged, they will be prior. The tree warden explained the road will be inspected and sprayed if any tags are removed, the paint will be put on tree for removal or pruning. There is an inventory including video footage of every tree tagged.
- g. Valerie Clark – 33 Bone mill – I agree
- h. Robert Melonsky – 33 Bone Mill – I am for both items here, taking down trees, I have taken down numerous trees on my property because of the fear of being killed by these branches which you know doesn't take much. I have a close friend whose father died hiking by a dying branch, so I am very sensitive to that. I understand that we want to keep the character, I am entrusting in the town people as much as possible as being selective and, but I am hopeful that when the tree work is done it will help to maintain the road. Some are very close to the road edge, and it undermines the road and the tree.
- i. Andrew Compagno – 36 River Road, I live on River Road, my property sits on Bone Mill Road, my initial concern is the number of tags and my other concern I just want to bring up at this public meeting is that the way is the way that my property is set up is sloped rocky land and it will add to erosion if is taken it down, and I asked about Oaks and Maples as they provide foliage and worried about erosion. Valley brook is adjacent to property the amount of trees we cut down the foliage it will affect the water stream. Otherwise, I do think it is good to be proactive and take down trees as long as it's in a responsible way.
- j. Lisa Costello – 78 Bone Mill, lived here 17 years, walking, driving, bicycling. I won't walk anymore on the road, its so dangerous. Safety, Safety and Safety is my major concern, walking up here today a huge limb was on the road. That happens constantly and it is only a matter of time before a limb could hit someone or a car. And living in the country the power is out frequently, but we do lose power, and we heard those stats, we are out of power for days. My major concern is safety.

- k. Chris Donnelly – 67 Old Farms Road Durham – Let me introduce myself, I am here at the request of Rob Smith, I am not from here, but I am here at the request of Rob Smith. I Won't say too much as Rob will have a few comments to make. I was here on Monday and looked at several trees and we both agreed that most of the trees are structurally sound in my view as a licensed. To add to the confusion the other comment I will make is although I agree that this is primarily a local issue, but is state and collection of all the and some haven't worked in state government and so it is important. I know this is primarily a local issue, but it is an I don't agree, state policy and activities to it is import the decision you make here policies are considered.
- l. Sydney and Peter Rowland 25 Hemlock Valley Road, Worried about the amount marked for removal and asked for a count between pruning or removal. How the road may look after the cutting. If you can, tell me about the height of the stump. Also what will be the timeline to have these removed, will it be the fall?
- i. The tree warden mentioned to look where other work was done and you can see the work completed and those roads like cherry swamp lose power. The tree warden will post numbers of down to pruning on website. In reference to excessiveness and it seems overwhelming, and understand it's a lot, but she stated she looks at every tree, she must think of public safety first. The Tree warden responded to the question regarding timeline that it will be soon within a few weeks. In reference to the birds earlier and was brought up at previous hearing the current tree company will do everything to ensure they are inspected prior to removal.
 - ii. Tanya – Sorry for interrupting, how will they see the birds?
 - iii. Tree Warden – Explained the tree company has been spoken to and they will do their best to ensure the safety of birds and wildlife while pruning and removing trees. The tree warden explained seeing them stop cutting for raccoons in a hollow tree and they are very aware and will do their best. They can't be 100% but they will do their absolute best to ensure the safety to the birds and wildlife.
- m. Joe and Lore Ianelli – 70 Hemlock valley, I want to mirror my neighbor Robs comments, about cutting down the trees, If you have a hard time looking at the tagged trees because of rural character look at the home here, Robs home, which trees were removed and its still rural character. Just a few weeks ago a healthy-looking oak snapped about 20 ft up from the base of the stump. If someone was walking by this tree or driving. I believe that we have a license person able to look at trees and determine whether they should come down and its simple.
- n. Rob Smith – 119 Boardman Road – First I saw 50-60% of the trees are healthy and should be taken down. Probably pruning and maybe that will be addressed. How much does it cost per day for them to come in and clean up and move the chips and to clean up trees.
- i. The tree warden said she doesn't have the number today.
 - a) Rob Smith Cont.: He then commented that the warden knew the number previously on Witkowsky and the amount.
 - i. CONT: Tree warden then asked to clarify question and that she was stating the amount of each tree cost per tree not the total per day.
 - b) Rob Smith Cont: How do deal with town boundaries, how do you determine they are on town boundaries.

- ii. The tree warden said if she doesn't know she will look for a survey, then if one is not available then the homeowner would be asked to provide one. Or ask permission of the homeowner, which is typically not an issue as the homeowner is typically the one asking for removal.
- c) Rob Smith Cont: Did the arborists from distinctive marked, why were they were not marked individually as tree warden statute which was changed in 2016.
 - iii. Tree warden, explained they reached out to a mentor who thought it would be best if they tagged and placed notices roadside should be sufficient for the number of trees being tagged.
- d) Rob Smith Cont: He commented on why that was done, and it was marked in violation of the statute.
 - iv. The Tree Warden replied, "That is your opinion".

O. Amalya – It would be helpful if there was a timeline, when you are going to cut trees. Helpful to have more time to see if the trees can be done between marking and cutting. Helpful to understand ancient trees, whether they are hollow or not or stable, the problem is not an idea of the tree being alive or well in their environment. Suggest that you should at least two weeks for people to notify their concerns. In regard to cherry swamp, I felt there were very large trees and hollow inside, that hollow trees are mostly hollow inside we don't need to cut the trees. They are old landmarks and should be saved.

- i. Tree Warden – All of your suggestions have been heard, the statute states 10 days, and that has been followed, there was a timeline on website and stalled because of the public hearing. Door tags are also put on doors. If you see the tags, it's your responsibility to call. Most people did just that. Listening to all suggestions. And taking all comments very seriously, and I believe communication will come to agree to disagree to remove trees for safety. Tree warden has a big liability and burden that is put on self as the tree warden. The tree warden couldn't see hollow trees without looking in and explained water comes from the bottom. The decisions are made to protect public safety. No one wants to take down trees unless we absolutely have to. The tree warden went onto say she will ensure the safety of the public and that will be her departments primary concern.

P. Lisa Costello – I also wanted to bring up if a tree falls on the road or my wall, I have to clean up at the homeowner's expense.

Q. Bernard Stangione – 112 Schulman Vesalak – It's not my road I believe what you say, I just wanted to say I see you tagging the trees, and you are doing a great job and I agree with your work. Let the tree warden do the job, stop trying to sue the town and you know who you are and not waste the town's money. All I have to say is let her do her job. I hope everyone agrees with that.

R. Robert Hart – 64 Hemlock, what can I do as a taxpayer with this town to move this along and get these trees down?

- i. Tree Warden – Responded, you are doing it.

S. Robert Molinsky- 51 Bone Mill – Just general note you cut trees down on my own property you cut down the trees you allow other trees that are younger to grow up and it

the canopy will help the younger trees grow. Maybe it looks different for a little bit of time but give it time you will be amazed.

T. Unannounced speaker commented that the trees are 100 years old and we can't grow those back in our time.

U. Robert Molinsky – 51 Bone Mill - We are not 100 years ago we are today and I am concerned about taxes and what things cost and I would like to see things move ahead let's get this road safe.

V. Unannounced speaker asked about timeline.

- ii. Tree Warden – It will be within the next few weeks depending on weather and pending no emergency as this is not the only area of the town we are responsible for.

W. Carolyn Hart – 64 Hemlock Valley – Is there a lawsuit pending against the town?

- iii. Tree Warden – Yes, there is a lawsuit pending.

Carolyn Hart – Cont. – Are you having to defend?

- iv. Tree Warden – Yes, we had to hire lawyers to defend the suit.

Robert Hart – 64 Hemlock – If they win/or the town wins will they have to pay the town back for the cost incurred by the lawsuit?

- v. Tree Warden – Responded – I can't answer that question, but I don't believe they will be paying, the town will be paying for the lawsuit.

Robert Hart – It's just a shame.

Carolyn Hart – I work in commercial insurance, so I see what municipalities pay for insurance and that is you know that has to be contemplated when we're looking at our fiscal budget is and this is a waste of money and pointless and could have been done in a reasonable manner which is exactly what we are all participating in right now, to have people that don't have a stake in the game sitting here and you know commenting and it's definitely it's a waste of everybody's time and a frivolous lawsuit the only people that make money on that is an attorney and that's it.

X. Sara Gworek – I don't think it's a frivolous lawsuit, I wish it didn't have to come to this but the problem was that all this was done and we didn't realize what was going on over on Schulman Veselak which is what is through exactly the same as you folks, I have lived on that road for over 60 years so I am looking at big changes, I manage forest and I have taken down thousands of trees, I have no problem with tree removal, if it's necessary. But this isn't what this is about, we wanted to force the issue to make sure that these were appropriate trees to come down and that's the only issue.

Y. Carolyn Hart – Isn't that a matter of trust we should put on the town?

Z. Bernard Stangone – I have something to say about this, I live across the street from their property, and there is a dead tree on the other side of the fence and it is your tree and that is going to fall on the power line and the town can't take it down, your branches fall all over the road all the time you are familiar with that tree by the gate and that tree should come down? If it were on my property I would have taken it down,

AA. Sara Gworek - It is no longer our property

BB. Bernard Stangone – Okay well that tree will now fall in the road whoever owns it?

CC. Unannounced Citizen – will there be 60 ps or 60 tees coming down. (Regarding pruning or cutting)?

DD. Tanya Bourgoin – Is there a reason its on the street and not the tree?

Tree Warden – Yes, it signifies pruning to the operator when the p is on the street. This is the system we are using, and it works for us and the operator. Operator can look straight down to see and doesn't even have to get out of the equipment.

EE. Amalya – Can we update the website to put the tree information on main page – and I don't know to go to Tree warden. It is not a very resident friendly situation it would be helpful if there were placed you could go there.

Tree Warden – There is one tab, Department then press tree warden.

Amayla – Why couldn't it go on the Current events or a Calendar on main page?

Tree Warden – I can't answer that today. I don't have jurisdiction of that page, I only have access to the Tree Warden, Public works and Transfer Station page. I will ask Linda and See if there is something we can do on the main page. It is 2:52pm and the hearing is one hour. I would like to say I hear all of your suggestions and have been writing comments about procedures and will continue to communicate just like we added the P's on the road to signify type of work on the tree so that residents are aware. I will make a decision about today within three days. I see one hand raised. Tanya.

FF. Tanay Burgoin – I just wanted to ask two questions – Is there work going on in town now. All work is on halt?

Tree Warden – That is correct Currently Bone Mill, Hemlock Valley and Old Town Road. There is work going on in other places, there is immediate tree work going on in town with a bucket truck right now and we will be moving forward on Schulman Veselak and Newberry Next week and it will be posted on the website.

Tanya - The other question – if someone had a question about a specific tree or group of trees what would be the best way to discuss that.

Tree Warden – Call me directly and we will meet on the property, and we will talk about those specific trees or concerns.

Tanya – TO clarify that should be done in 10 days, right when they see the posting.

Tree Warden – Correct, typically a tree is coming down because someone called and begged me to take it down. This system we are doing currently we have identified a number of trees in one place that are a public hazard. And that is wh we are moving forward in this forum.

Tanya – When you say we?

Tree Warden – ME and the Public Works Department, we receive calls or get stopped on the road.

Closing: I would like to call the public hearing to closing, the time is now 2:55pm. A decision will be made within three days per the statute regarding the removal or pruning of the trees marked on Bone Mill Road, Old Town Street and Hemlock Valley Road. I will post my decisions on the Tree Warden Website through the town's website under the department tree warden under the Town's website. Under Hearing and the minutes will be there as well. Those who filed an appeal will receive a letter from me directly to the address that's on record. Andrew your mail was returned. I will email you directly. **Any party aggrieved by such a decision may, within ten days, appeal therefrom to the superior court for the judicial district".**

The hearing was closed and adjourned at: TIME 2:58pm