

**City of Lambertville**  
**SHADE TREE COMMISSION**

**Minutes of September 28, 2020 Meeting**

Attending the meeting via Zoom were members Brian Herzhauser, Helen Pettit, Jessica Palilonis, Susan Wydick, Rich Mowry, and Tom Ogren. Art Legere was absent. Chair Brian Herzhauser convened the meeting at 7:33 pm. The meeting was held in compliance with the Open Public Meetings Act.

**Approval of Minutes:**

*Brian made a motion, seconded by Jessica, to approve the minutes of the August 24th meeting. All voted in favor.*

**New Business:**

1. Woodcrest at Lambertville - Tree Action Request. Derrick Kappler, representing the Woodcrest homeowners association, attended the meeting via Zoom. He explained that six dying ash trees would be removed along Highland Avenue, leaving stumps in place. In addition, White pines along Studdiford Avenue from Highland Avenue to the Woodcrest entrance drive would have limbs pruned up to 8 feet to provide more clearance above the sidewalk. When asked about new tree planting, Derrick indicated that the association planned to plant several new trees although that is not required by the City's ordinance. *Brian made a motion, seconded by Helen, that the request for tree removal and trimming be approved. All voted in favor with Rich abstaining.*

2. 46-48 Delaware Avenue - Tree Action Request. Albert Bauer, owner of both properties, requested approval to trim the Kwanzan cherry tree at 48 Delaware Ave. up to 8 feet to provide greater clearance over the sidewalk and the street. In response to a concern about removing too many branches, Rich indicated that only one major branch would be removed. The property owner also requested approval to prune and trim the Red maple at 46 Delaware Ave. to remove lower branches and shorten branches for better shaping. *Brian made a motion, seconded by Helen, that the request be approved. All voted in favor with Rich abstaining.*

3. 215 N. Main Street - Tree Action Request. Leyla Spencer requested approval to trim the Zelkova tree in front of her house to removal branches overhanging the house and a dangerous branch. *Helen made a motion, seconded by Tom, that the request be approved. All voted in favor.*

4. 407 Sergeant Drive - Tree Action Request. Suzanne Bell requested approval to remove a Sycamore tree in her front yard with braches extending over the sidewalk. The homeowner felt that this specie of tree was too large for her relatively small front yard. It was pointed out

that there are several Sycamore trees in the same area and that any approval to remove one such tree could set a precedent to approve the removal of other Sycamores. It was also pointed out that the Lambert's Hill homeowners' association may have to approve the removal of front yard trees planted by the developer and that the tree was included on the landscaping plan approved by the Planning Board as part of the development's site plan approval. Brian agreed to contact the homeowner to ask about any contact with the homeowner's association.

There was discussion about the STC's jurisdiction of trees in the Lambert's Hill development since the streets are not City streets. Since the streets function as City streets and the area is part of the City's tree canopy enjoyed by all, it was agreed that the STC had jurisdiction.

*Tom made a motion to table, seconded by Helen, given the need to find out if homeowner association approval for tree removal was required and whether the homeowner intended to replace the tree. All voted in favor.*

5. Tree Removal Along D&R Canal Towpath. Brian reported on a meeting of the City Parks and Recreation Committee attended by Patricia Kalleser, Superintendent 4 the New Jersey State Park Service, to discuss removal of Trees of heaven (Ailanthus) and ash trees. According to Brian, the Park Service will be removing about 100 trees along the towpath from the Holcombe-Jimison Farmstead to the wing dam on the Delaware. Brian said that the tree removal will be done in November that the large ash trees at the end of Delaware and Delevan Streets may be included in the removal. He indicated that trees to be removed will be marked and that information about the removal will be included on the City website.

6. 105 Clinton Street - Notice of Violation. Helen reported that a letter was sent to the homeowner as a follow up to a discussion at the August 24th meeting of the STC. There was a brief discussion about a next step assuming the homeowner did not respond to the letter. It was agreed that Brian should report the violation to the City prosecutor.

7. 126 N. Union Street - Notice of Hazardous Tree. Brian reported that in response to a citizen complaint about the dead street tree at this location, a letter was sent to the homeowner requesting that the homeowner remove the tree upon approval of the STC. Assuming there was no response to the letter, it was agreed that Brian should refer the matter to the City prosecutor.

It was requested that Brian send a copy of the letter to the STC. After reviewing the letter, it was agreed that the STC would discuss what to do about other dead street trees in the City which may require similar action.

### **Old Business:**

1. Tree Action Request Revision. The new request form was sent to STC members but there was no further discussion.

2. Tree Inventory Software. Brian reported that he had a virtual meeting with a representative of the SDL company. He said that the company could provide at no cost software designed for tree inventories since the City already uses this company's software. He was going to discuss this further with Art.

**Commission Member Comments:**

Rich mentioned that the STC should consider taking action against the homeowners at 161 N. Main Street for having the Zelkova tree killed in front of their house. It was pointed out that shortly after the STC denied the homeowner's request for tree removal for a second time, the tree suddenly died. Rich indicated that there were injection marks on the tree indicating possible poisoning and Brian indicated that the homeowner had sent me angry emails after the request for removal was denied. It was agreed that Brian should meet with the City prosecutor to discuss possible further action by the City.

Tom mentioned that the NJ Shade Tree Federation's annual conference was coming up soon. Brian indicated that he would look at the information sent to him and see if more than one person could participate via Zoom.

There being no further business the meeting was adjourned at 8:58 pm.

Tom Ogren  
Secretary