

1 **PUBLIC HEARING**
2 **TO CONSIDER THE REMOVAL OF ASH TREES ON LAKE ROAD BETWEEN**
3 **THOMPSON'S POINT ROAD & FERRY ROAD**
4 **MARCH 18, 2019 @ 7:00 P.M.**
5 **AT CHARLOTTE TOWN HALL**

6
7 **APPROVED**

8
9 **MEMBERS PRESENT:** Mark Dillenbeck, Tree Warden

10 **OTHERS:** Frank Tenney, Kate and Bob Mesaros, Gerald Bouchard, Susan Smith, Hugh
11 Lewis, Jr., Andy and Birgit Deeds, William DeVos, VJ Comai, Dean Leary, Dale and
12 Vanessa Knowles, Bethany Myer, Vince Crockenberg, Matt Krasnow, Robert Mack,
13 Chris Fortin

14
15 | *Minutes subject to correction by the Tree Warden.*

16
17 **CALL TO ORDER**

18 Mark Dillenbeck, Tree Warden, called the meeting to order at 7:04 p.m.

19
20 **Pursuant to Title 24 §2509 V.S.A., the Charlotte Tree Warden will hold a public**
21 **hearing on March 18, 2019 at 7:00 p.m. at the Charlotte Town Hall to consider the**
22 **proposed removal of Ash trees on Lake Road between Thompson's Point Road and**
23 **Ferry Road.**

24
25 Mark introduced himself and explained the ground rules of the hearing and the process of
26 the project and offered an overview of the emerald ash borer (EAB) issue and the Lake
27 Road Project.

28
29 The ground rules were that the sign up sheet needed to be signed. Affected parties were
30 to be identified and Frank said everyone present was since they were all tax payers. Mark
31 said he was interested to know who the landowners were, who were present.

32
33 Mark said he would speak first and then invite additional information from other
34 members of the Emerald Ash Borer Planning Group. Then Lake Road property owners
35 and other interested parties would be invited to speak. He asked that comments please be
36 kept to three minutes, and please do not interrupt others who are speaking.

37
38 Mark said he would consider the input and submit a written decision after the hearing. At
39 that point the decision can be challenged in writing to the Selectboard and they can
40 reverse or sustain Mark's decision, he said. He then asked if there were any questions.

41
42 How many trees are we talking about, Andy Deeds asked.

43
44 Frank confirmed there were 261 trees.

45
46 Robert Mack wanted to know how many years this would take. Mark said he was not
47 sure how long the Lake Road project would take. The town does not have money in the

48 budget at the moment for the entire stretch of roadway but he thought it might be done by
49 the next cutting season which runs from late fall through winter. The entire project of
50 removing potential hazard ash trees throughout Charlotte is expected to take five or six
51 years. Mark began to present some information for clarity on the issue.

52

53 Mark provided a basic overview of the EAB problem. The EAB is an exotic pest that
54 came from China and Siberia, Mark said. Once ash trees are infested with EAB they die
55 and fall apart very quickly. They are different than elm trees that persist for a long time
56 and drop limbs slowly. Ash trees will be extinct in the wild in a short amount of time.
57 The only way to save is to chemically treat them which is costly and has to be repeated
58 every two years.

59

60 One of the points Mark wanted to make is that there is no “do nothing” option. We are
61 going to have to deal with a lot of dead trees in a short span of time. The reactive
62 approach has some advantage. This would enable the town to postpone the cost, but there
63 is no way to know when the EAB will hit. It could already be in Charlotte, or it could be
64 in eight years. If the town chooses a reactive mode they will have to deal with a lot of ash
65 trees falling at different times in road-ways and causing a hazard. That will be expensive.

66

67 Removing dead ash trees can be dangerous and more so than other trees, Mark said. They
68 are a hazard to chainsaw operators. They can be expensive to remove. When EAB hits
69 the town will have a lot of mortality all at once. Having to deal with a lot of dead trees all
70 at once as opposed to dealing with these on a proposed timeline over a longer period of
71 time is less expensive and less of a hazard. When it does hit, it is also a devastating thing
72 to see, so another reason to remove them is for aesthetic reasons so that our roads be
73 attractive.

74

75 Mark said the proactive approach involves treating some trees. In town the EAB
76 Preparedness Planning Group has identified seven trees he would like to treat. The other
77 dimension of the proactive approach will involve cutting currently live trees to minimize
78 costs to tax payers over time. It is more efficient to go through one stretch of road at one
79 time and it is less expensive to remove live trees, Mark said. The impact to the town
80 budget will be less, he said.

81

82 Mark encouraged people to consider preserving trees on their properties or elsewhere in
83 town by treating them. He said if there were any people who would like to make a
84 commitment to chemically treat particular ash trees, these trees would be excluded from
85 the tree removal project. The trees have been mapped and put into categories of fair, poor
86 and good. All but a few were in the fair or poor categories likely because of the ash
87 yellows.

88

89 For this project Lake Road was chosen for its high concentration of ash trees. This area
90 will pose a particular problem if the town were to do nothing. The process will involve
91 the removal of 261 ash trees greater than six inches from Thompson’s Point Road to
92 Ferry Road. The entire length will not be covered but there might be enough money late
93 fall and winter of next year to complete the project, Mark said. Tree removal will start at

94 the southern end of the road. The trees to be treated will be marked. Once the trees are cut
95 down, the logs will be available to landowners to use for firewood or other purposes.

96
97 If the wood is not removed by the landowner after a time the Road Commissioner's
98 crews will move it to the old flea market area, Mark said. The tops of the trees will be
99 chipped. People can register their interest with the Town Administrator or himself if they
100 want chips. This process is slated to begin as soon as mid-April and is to be completed by
101 the end of May.

102
103 Robert Mack asked about the budget starting in April. Mark said he has \$10,000 from
104 this fiscal year and \$20,000 for next.

105
106 Robert asked if the town will be accepting proposals because he disagreed with what was
107 going on so far. He explained the process of tree removal during the ice storm a few years
108 ago. He said townspeople loaded up the trees and it was all gone in one day—hundreds of
109 truckloads of wood.

110
111 Somebody (VJ Comai?) pointed out that the ice storm was a different from this situation
112 because the trees were already down in the roads.

113
114 Jane Kirby asked about the chemicals used for EAB treatments. Mark said the town is
115 advocating injection of trees at the base by an arborist. Bill said it is injected under air
116 pressure in the trees and it is good for two years by label but some say it is good for four
117 years, he said. There are four or five chemicals in the injection. Jane said much of her
118 land is organic and asked who had been in touch with NOFA about this. No contact with
119 NOFA has been made, Mark said. Bill said when you inject a tree it is contained within a
120 tree. VJ said that according to research on the subject there are negligible traces of the
121 chemicals in leaf litter -as it breaks down.

122
123 It will be a question for NOFA to treat trees on Jane's property, Mark said. It may be the
124 case that chemically treating ash trees would not be allowed under organic certification
125 rules.

126
127 Bethany Myer wondered if there are resources available as a private landowner to help
128 her identify trees and save them. Mark said to contact a certified arborist to come in and
129 identify the trees and assess them and to assess the overall health of the tree.

130
131 The Deeds said they have 30 ash trees that are all worth hanging onto and they are
132 thinking of doing the treatments. It was suggested to set early detection traps out because
133 it might be a few years until property owners need to worry, Bill said. The state said to
134 hold off on the chemical treatment until the EAB is within 15 miles, he said. If property
135 owners have really prize trees and are risk adverse they may opt for earlier treatment.

136
137 Birgit Deeds said she worried this was all premature for trees that may die in the future.
138 Mark said it is not a question of "if" they will all be infected, it's when. Eventually all of
139 Charlotte's ash trees will be infested by EAB and they are all going to die, Mark said.

140 The question is if the town should wait until they are dead or starting to die to remove
141 them. Mark said the time frame for the town is different than for a landowner. Land
142 owners can wait. For the town it could develop into an emergency situation and all of the
143 dead or dying trees would need to be removed quickly. With a proactive approach, the
144 town can space out tree removal over a longer period of time in a less hazardous and less
145 expensive way.

146

147 Deeds asked about the rest of the roadways in town above and beyond this project. Mark
148 said they will eventually get to all of Charlotte. This Lake Road stretch was chosen
149 because of the high concentration of ash trees. There are a total of about 800 potential
150 trees on the roadways in town.

151

152 Mack asked how wide the right-of-way was and the answer was 25 feet from the center
153 of the road.

154

155 Kate and Bob Mesaros live on Converse Road near the Deeds. They have several ash
156 trees on their 13-acre property and plan on trying to save two of them themselves. They
157 are not directly affected by this town removal since their property is not in the removal
158 zone.

159

160 VJ Comai, the city arborist from Burlington said they have 1,200 ash in their inventory
161 and they are proactively removing ash now. Given their budget, they need to be on top of
162 this and spread the cost over several years, VJ said. It is also happening in other towns
163 like Williston where they are replanting with a diversified canopy of younger trees.

164

165 Bill Devos said the ash tree mortality rate is 99.6 percent. If Charlotte waits it will be a
166 huge expense, and a big demand for Bill's team and similar companies, and the price of
167 tree services might increase as they demand more people for the cleanup.

168

169 Bob said the legal ramifications of doing nothing would put the town at risk. The town
170 might get sued if a tree fell on a car or property and someone was injured. As long as the
171 town demonstrates due diligence in addressing the hazard and is not negligent we are
172 safe, Mark said.

173

174 One or two out of 300 ash trees will be resistant, Dean Leary said. What a disaster it
175 would be if they took out resistant stock, he said. Mark said he had thought of that but that
176 the roadway project was a very small amount of trees overall and the benefit of keeping
177 them do not outweigh the hazards. Also, these "lingering ash" would more likely be
178 deeper in the woods, Mark said.

179

180 Dean asked if the wood would be for sale and if that could help with the cost. Mark
181 said, no because the wood belongs to the landowners. The town may be able to devise a
182 system where if the landowner didn't want the wood, the town could make it available to
183 tree removal contractors who could factor the value of the firewood into their proposals
184 and therefore make tree removal less costly to the town. Wood not claimed by
185 landowners would be removed by the Road Commissioner and deposited at the site of the

186 old flea market off Route 7. The wood would then be available to people in Charlotte or
187 their own use but not for commercial use and resale. Dean said once the wood is
188 abandoned a permit with the fee should be issued and the same for the chips. We could
189 do that Mark said but it all hinges on the landowners and it is an administrative burden.
190 There are 50 landowners named in this project, he said.

191

192 | Mark said this is a trial project and the process can be refined in the future.

193

194 Mack said when the chainsaws start the landowners come see you so ask them then. He
195 said the town should ask for a request for proposals and see what comes in. No section of
196 | road in Charlotte is the same, he said. He asked, who is going to mark every tree that gets
197 cut. There is a lot of area there where it is hard to understand.

198

199 It was noted that VJ and Mark will go out and measure and mark every tree.

200

201 Bill said to cut costs the town might consider first removing the tree tops leaving standing
202 trunks 25' in height. Once the tops are removed, then the trees are less hazardous to fell.
203 He said he could chip up to 20 inches or chip on site and leave the chips there so as to not
204 pay the tree service to move that material. He also said that stacking the cut wood is an
205 additional expense and may not be necessary. There are ways to save money here, Bill
206 said. VJ said if the logs were not stacked Junior would have to go with his crew and deal
207 with it and this is not part of his regular budget.

208

209 Junior said blowing the chips on site is not a good option as they block ditches. He also
210 mentioned that brush is harder to truckload than chips.

211

212 Gerald said he lives on Route 7 and a lot of trees were removed for the power line. The
213 minute the trees hit the ground, every Tom, Dick and Harry comes to steal the wood. He
214 had an agreement with the state to have the wood but it was taken illegally. The trees you
215 set out for the landowner may not stay there long. He suggested taking them out in logs.

216

217 Carrie Spear, asked about chipping. Bill said they can streamline the process to drop and
218 load stalks all day after all of the tops are chipped as to not break momentum. Carrie said
219 she knows a lot of people who like to run chainsaws.

220

221 Whether EAB larva could survive in the chips was discussed. Mark said the larva can not
222 survive if the chips are small – 1" or less. Chipping will be a good preventative measure
223 to inhibit spread after an initial infestation is first detected. Once the insect is here,
224 however, this precaution will not be necessary. It has been in the Champlain Islands and
225 in Bennington and in the central part of the state. There is no state quarantine although
226 the federal quarantine is still in effect. The state does, however, have Slow the Spread
227 | guidelines, which call for wood not to be taken away from infected areas.

228

229 Dean asked if there were any results of the traps in town. No detections, Mark said. There
230 is nothing close by or within 15 miles.

231

232 Are there any thoughts to replanting, Dean asked. Mark said, yes, but the town has no
233 money for replanting. We have a little money in the Rudder Fund but that money is
234 mostly exhausted. He would rather be planting as tree warden rather than cutting, he said.
235 We are asking people to be careful about natural regeneration. Matt Krasnow said it's
236 | important the saplings have an opportunity to grow. Dean asked if these saplings could be
237 ash and the answer was they could be.

238

239 VJ said the most bang for the buck is to put it out to bid to get the best price. Mark said
240 he is asking two things of the interested contractors: the price to remove wood from the
241 entire length of the project area, and how far the town can get with tree removals for
242 \$10,000 starting from Thompson's Point Road. Contractors submitting proposals can
243 present alternatives to what is required in the RFP and these ideas would be considered
244 by the Selectboard.

245 |

246 It was asked how much it costs to replant a tree. VJ said it varies, \$30 to \$60 for small
247 saplings that are lightly branched trees. Little tiny seedlings can be purchased for less
248 than \$10 apiece.

249

250 The issue of generating funds from the wood sales to plant new trees came up and VJ
251 said there is no administration to handle this. We have no public works department, Mark
252 said, Junior is all we have.

253

254 Carrie said she would donate saplings growing on her property. There are enough trees in
255 Charlotte to spread around, she said.

256

257 We appreciate the input and welcome the constructive criticism, Mark said.

258 |

259 **ADJOURNMENT**

260 The Planning Commission meeting was adjourned and entered into deliberative session at
261 8:06 p.m.

262

263 Minutes respectfully submitted, Lynn Monty, Recording Secretary.

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