

Town of North Beach
Environmental Committee Meeting Minutes
Tuesday, March 2nd, 2021
7 PM via Zoom

Attendees: Jane Hagen, Stacy Milor, Guy Stone, Allan Creamer, Lisa Garrett, Jeff Noyes. Guests: Tree Committee Members Charlie Poole, Joan Krell, Vince Antonioli. Visitors included Councilmember Elizabeth Lawton, homeowners Debbie and Kirk Betts.

Agenda and discussion: This meeting included discussions of plastic straws usage in NB businesses, the Keep Maryland Beautiful grant usage, and the tree ordinance as well as other Tree Committee related topics.

Plastic Straw/Coffee Stir Stick Flyer Review

- Jane would like an EC member to take a flyer (discussed in previous meetings) to each of the businesses that use these products in NB and ask them to use any other straws but plastic, anything that is biodegradable. Hook & Vine is already doing this. Neptunes is hit or miss. The ice cream shop, Sweet Sue's, Fast Stop, and the Dairy Freeze remain. Jane will send it out again. There was discussion about how the businesses would identify alternative products. Lisa agreed to provide at least one supplier's info and Jane will add that to the flyer. Guy recommended posting the flyers around town to gain citizen support for the initiative to help inspire businesses to switch to the greener products.

Memorial Trees

- Jane talked about the concept of memorial trees, similar to the memorial benches along the boardwalk. She asked members of the Tree Committee to think about properties/areas around town that might be a good place to plant and make recommendations.

Keep MD Beautiful Grant

- Lisa explained that last year she applied for the Keep Maryland Beautiful grant through the Department of Natural Resources, which would provide college interns to NB and funding to do green project outreach. Impacts of Covid 19 resulted in only a \$1900 grant for that year. She reviewed how that money was spent to support the Green Wave in NB (through the Department of Community Conservation):
 - Rain barrel workshop
 - Native plant workshop
 - 200 Wildflower seed packets for handouts at the farmer's market
 - Ordered trees and shrubs from American Natives. Education and assistance on planting and care will be provide by volunteers, with followup support to residents to ensure success of the plantings. There is a document residents will fill out pledging to care for the tree in return for getting the tree for free.

- Yard signs and tools purchased
- Bluebird houses and bat shelters for future workshop(s)

Tree Felling at Atlantic and 7th/Tree Ordinance Discussion

- Jane explained that a tree had been cut down at Atlantic and 7th so that a damaged water pipe could be accessed. Jane explained that now that there is a Tree Committee, investigation of tree issues, and approval of tree removals must now go through the Tree Committee (TC).
- Jeff mentioned that the homeowners most affected by the loss of this tree, Kirk and Debbie Betts, who were on the zoom call. Kirk explained that they had been given several different stories about the nature of the water system damage, one being that workers had been in the vault and damaged the valve which was what needed to be replaced, not the waterline. He relayed that the tree was cut down before public works even broke up the sidewalk to determine if the tree had invaded the line or the vault. Another story being that the town likes to take down trees that are lifting the sidewalk, which was not the case here. His main concern was that this was the last shade tree on Atlantic Ave, and it was taken down unconsciously, that it was cut down before any inspection was done to determine the tree was involved in the problem. Kirk asked if there was a way for the Tree Committee to weigh on these issues; to develop policies to support the appropriate replacement of trees in these circumstances. Jane agreed that the tree being cut down was a shame. Lisa said she had 2 weeks ago been interviewed under that very tree by a Chesapeake Bay program about bird watching in NB because she knew a yellow-bellied sapsucker (woodpecker) could reliably be found there. She said the photographer took pictures of the woodpecker in the tree which will be published both online and in the print magazine. They will be the last pics of the tree while it was still standing.
- Lisa said that she had read the tree ordinance, and she recommended that a public notice sign be posted nearby any tree that was scheduled to be cut down some time before the cutting, as some other cities do (such as Annapolis). She also thought the ordinance should include a requirement for replacement (mitigation) when trees are cut down. She offered that the Bettses could be one of the first to get a tree under the new grant she discussed earlier.
- Jeff said that now that NB has both a tree ordinance and a Tree Committee, where this had not been the case in the past, that no tree should be cut down in North Beach from this point forward without written permission from the appropriate authority, at a minimum this would include the Tree Committee, but based on the ordinance, depending on tree location and condition, other written approvals are also required. He continued that at a minimum, public works should be aware that they cannot cut any more trees down without written permission, that essentially they need to follow the tree ordinance. He continued that there were at least three different approvals necessary for any tree to be cut down, with the exception of those trees impacting utilities, for which the Tree Committee gives permission.
- Councilmember Lawton explained that because the committees aren't integrated crossways (such as the planning commission working with other committees),

there are systemic problems regarding how decisions are made. She continued that as long as there are competing interests between environmental, economic development, the Tree Committee, and the desires of the mayor, or anything else of that nature, there will always be obstacles being run into. Jeff countered that it sounded like Elizabeth was giving a reason that the Tree Ordinance wasn't going to be followed, and that that was a problem.

- Debbie Betts explained that there was another beautiful, historic-type tree taken down a few houses down from them a couple of years ago because its roots were lifting the sidewalk. Their neighbor fought to save the tree, but it was cut down anyway. She said a couple of neighbors celebrated that the tree was gone as their view was obstructed by it to illustrate that not everyone shares the same view, underscoring the importance of the tree ordinance and other environmental initiatives in town.
- Lisa discussed a very large new grant she has to work on green infrastructure and stormwater management in the town. If a component can be put in to support tree boxes (which will involve the stormwater management committee), this would be a way to properly get new trees planted properly into the sidewalks. Jane said that it was great to have Charlie Poole on the team, a registered municipal arborist, to help with issues like this. Jeff concurred with Jane's comment, stating that now the Tree Committee is capable of issuing qualified recommendations when requests come to it for permission before trees are cut down, as they must.
- Charlie said that he did go over to the site to see where the tree had been cut. He said there are species of tree (Zelcova) that have roots that grow straight down that would be suitable for that location. He said Sneades has them planted on the island in their parking lot. He recommended them for locations like the Betts'. He said that it is possible to buy large (20 ft) trees for planting, that they are expensive but it is possible. Debbie said they have offered to do that. He recommended Rupert Landscaping for quality trees like this. Kirk said that they offered to pay for the tree, also that they offered to pay for the sidewalk repair on the side of their house where another tree is lifting it, even encroaching on their property if necessary. Debbie said that they talked to Mike Benton 2 years ago at length about the tree that was cut down, so they were shocked when it was cut despite that discussion. They added that they had cared for that tree, pruning it and maintaining its health as necessary. And now it was gone.
- Jeff stated that we don't seem to have a problem with public trees being cut down by the general public. Rather, they are all cut down by public works. He asked that Jane relay a message to public works that they not cut even one more tree down in NB without getting approval from at least the Tree Committee, but in general to follow the ordinance and get permission as appropriate before taking any action in cutting down another tree.
- There was a discussion of mitigation efforts, and whether the 2 for 1, or 3 for 1 county requirement applied in NB. Charlie said that for new construction the rule did apply. Lisa said that Calvert County has its own critical area law that requires a 3 for 1 requirement. Calvert County gets thousands of dollars in

funding from development taxes for tree replacement. She said that Rick Crump told her the town gets only \$4-500 per year for this purpose.

- There was a discussion of public works cutting down the five Bradford pear trees along the “Hatch House” along the boardwalk. Lisa said that the owners of the house have asked her repeatedly if new trees were going to be planted. From the discussion, it wasn’t clear if the land was private or public, but it was clear that the trees were remembered as being healthy.
- Vince asked who in public works was responsible for deciding which trees were cut down so that they should be addressed directly. It was clear that Donnie was responsible for public works, but as Elizabeth stated, Donnie is doing what the mayor is telling him to do. Jeff reiterated that the tree ordinance just needs to be followed, that there are many approvals that need to be obtained before any action is taken. He provided a quick summary of the approvals necessary, in writing to remove a tree based on location and condition of the tree in question:
 - A Sick Tree requires
 - Recommendation of the Tree Committee
 - Recommendation of the state forester
 - Approval of the mayor and town council
 - If deemed be a hazard by Code Enforcement, Code enforcement can approve removal
 - A Tree on a State Road Right of Way (not an immediate danger)
 - Mayor and Town Council
 - Permit obtained from DNR
 - A Healthy Tree Not on a State Road
 - Recommendation from Tree Committee
 - Concurrence of Mayor with TC recommendations
 - Permission from Code Enforcement
 - Storm Damaged or Utility Obstruction
 - Tree Committee approval to exempt tree from ordinance
 - Exception for professionally accepted tree maintenance (for example, Garner Landscape trimming trees in Sunrise Garden, or pruning the Crepe Myrtles along the boardwalk)
 - Code Enforcement approves
- Jane relayed that in all the time she has been on the town council, the removal of a tree has never been brought before the council for review.
- Joan told a story of how the house across the street from her had a gorgeous tree that an arborist trimmed annually. When the owner died, the builder who bought the property wanted to put the driveway where the tree was. Town Hall at the time told her that the environmental committee approved removal of the tree as long as the builder replanted a tree somewhere on the property, which

never happened. Jane said that in all the time she has been on the environmental committee, no tree removal was brought to the committee for review.

- Jeff offered that the good news is the the town now has both a tree ordinance and a Tree Committee with smart, qualified people on it, so from this point forward it should be possible to move forward with a consistent approach.
- Lisa said that the Comprehensive Tree Plan required by the ordinance is important to her as a tool to move forward as a Sustainable city.
- Kirk, a member of the Planning Commission, mentioned that the town has to update its comprehensive plan in 2022. He said that the plan was limited in terms of its environmental concern, rather it was more about commercial development and protecting residential areas. He added that the plan could easily have a significant component that deals with the critical area, flood control. He added that by integrating the roles of the environmental, tree, flood and other town committees and the business development group, who should meet together, there could be a truly comprehensive approach to the plan. He asked that Jane relay that idea to the town council. He continued that if we are claiming to be a tree friendly town, a sustainable community, there needs to be a bigger look at an ethos about what this town has to do or has to be, but the ethos is missing at this point.
- Vince said that he believes that this a structural problem, an organizational problem, that people are acting unilaterally in violation of written codes and procedures. That is the primary area that needs to be addressed. Kirk said that sometimes that can be the nature of the law – that we don't dig into the details of it until something goes wrong. He added that living near the bay requires that we take this seriously; we can't just enjoy the views and hope they stay that way. Allan added that he too thought there is a longstanding problem of people acting on their own, and some codes not being enforced. The only way to change the culture is to enforce the code (referring to the tree ordinance.)
- Elizabeth encouraged the Tree Committee to meet with Lauren and Donnie, as they are thinking about these issues and need the guidance/discussion in order to incorporate the Tree Committee's ideas into the stormwater management plan. Lisa seconded her idea.
- Lisa added that the stormwater management plan is a joint project between Chesapeake Beach and North Beach, with a county component as well. Allan expressed a concern that not a lot of information was available online about the effort. Lisa said she would provide him with links.
- Jane emphasized the importance of following up on trees planted after approval by the planning commission, providing an example of one approved project where all the trees died after a year, but nothing more was done. Kirk provided a similar story about rain barrels, where eventually they stop being used and the larger goal of controlling runoff is not achieved.
- Another resident on the zoom call said that a tree near him at 3rd and Greenwood was cut down by the town in 2020 and there is still a 2 ft stump there. He was asking if that could be a location that a tree be planted. He was excited and encouraged by the discussion heard in this meeting.

- Kirk encouraged Jane and Elizabeth to share these discussions with the rest of the town council and talk about these issues within the bigger picture, that it is necessary to know the laws so that citizens aren't saying that there is something wrong here, that no one is paying attention to the law. The town employees need to set an example for the rest of us, that they know the rules and follow them.

Earth Day

- Lisa said Earth Day will be celebrated Saturday the 24th.

Meeting adjourned

The next Environmental Committee will be Tuesday, April 6th, 2021.