

Lewiston Auburn Community Forest Board
Minutes
September 19, 2013
Lewiston City Hall Conference Room



Members present: Richard Shea, Dave Griswold, Dan Bilodeau, Jim Sorcek, Bruce Damon, Steve Murch, Jay Braunscheidel

Absent: Larry Poulin

Guest present: Mrs. Joline Roy

Meeting called to order at 7:00 p.m.

Board members and visitors introduced themselves.

Minutes of August had not been forwarded to every member so it was decided to review them at the next meeting

380 Webber Ave. Ordinance Appeal

Jay invited Steve to explain what had gone on at the residence of Joline Roy at 380 Webber Ave. Steve went over the following:

July 30, 2012, Mrs. Roy filed a complaint (EGOV tracking #5223001119) which stated: "She is tired of dealing with this tree. Says it is a city owned tree and would like it removed. Its roots are breaking her sewer line and has had to call Able Power Rooter out several times to chop up the roots. Its limbs are also covering her roof and clog her gutters as well."

I met with her shortly after and noticed that it was a healthy Norway Maple and advised her of our policy on removing healthy city trees. I explained I could prune any low branches, remove branches near her service wire, and lift low branches over the roof. I made a note and scheduled the work. Over the next two months she contacted me several times, and renewed her request to have the tree removed. I revisited it again. Eventually, I'm not sure if it was at this visit or during one of her phone calls, but her persistence wore me out and out of frustration, I agreed to remove the tree. I called a contractor and he scheduled the work. Within a few days, I received another call from Mrs. Roy. This time she told me she had changed her mind and did not want the tree cut. I was very relieved to hear this so I notified the contractor not to cut the tree. At this time, the Tree Ordinance had just been passed and I forgot about the appeal process and never discussed that with her.

8/16/13, a new EGOV was created for Mrs. Roy, (tracking #6555121331). She had called me 2 weeks earlier and requested that we remove the tree again. I told her I would stop by and take another look. I did and noted the condition of the tree was still good. In the meantime, with the upcoming hearing for #13 Brown St scheduled for 8/15/13, I asked her if I could wait on meeting with her until after that case because of the similarities. I felt that if the Board sided with the

homeowner in that case, I may want to reconsider how I handled this case. I met with her on 8/16/13, and explained that I could not remove the tree. I explained again our policy, and told her jokingly that the reason I had given in last fall was that her persistence “wore me out”. I also advised her of our Tree Ordinance and the appeal process. She told me she would think about it and get back to me which she did via phone message later that day.

My notes from this EGOV follow (sorry for the typos); “Healthy 24” NM. She would like the tree removed. She does not like low light, messy seeds, tires of raking the leaves, roots in the sewer, and worried about losing power. Steve told her it is against our policy to remove a healthy tree. I told her I could prune the tree away from the house and wires and raise low branches. I also informed her of the tree ordinance and the appeal process. She will contact me for more info if she decides to an appeal.

Mrs Roy then said that now that her husband has passed the issues the tree presents are overwhelming her and she would like it cut down. She mentioned that they include problems with the gutters, no sunlight, messes with twigs and leaves on lawn, walkway and driveway, water backup with sewer, slipping on the stuff falling from the tree and branches falling on power lines and her roof. Her brother comes from out of town to help with the leaves and twigs, but it is a non-ending process and is more than she can handle.

Members then asked questions and made comments about the situation. They included: what the rest of the street looks like, how much pruning would the city be willing to do, size and type of tree, proximity to house and other structures, health of tree, and how would it be taken down if that was the decision. Members also gave their interpretations of how the ordinance should be applied.

Mrs. Roy restated that pruning would not meet her requirements and wanted the entire tree removed.

Bruce made the following motion: **“To support the decision of the arborist not to remove the tree.”** It was seconded by Dan.

The vote was three in favor (Jay, Dan, and Bruce) three opposed (Rick, Dave, and Jim) Steve recused himself.

The motion failed because it did not receive a majority of the vote.

Dave made a motion to override the arborist’s decision and after discussion decided to remove the motion. There was a question about rather three votes for a motion and two votes against a motion and one abstaining member would count as a majority.

Dan made a motion to table the appeal until we are able to clarify the voting process under our rules. Jay informed Mrs. Roy we would take up the appeal again at our next regular meeting on October 13th at 7:00 pm.

McMahon School Nature Trail

Steve and Rick have started the initial planning for the \$10,000 Project Canopy grant that was awarded to Lewiston. There are several groups that are lined up to do many of the projects. Steve would like the board to come up with a paper to be put on the nature trail kiosk explaining the tree harvest that took place and how it fits into a proper forest management plan. The group plans to get together on Saturday October 5th from 9-11 am. Families are invited. We will clean up a section of the trail and then take a tour of the area.

Auburn Consolidation of City Boards

The Auburn board members were invited to meet with Major LaBonte to hear about the plans of the city council to reorganize the boards in Auburn. Dan said he had several of the papers the city council has produced that show how it might be organized. He will forward them to the board. Members expressed concern that without appointments from Auburn the board is not able to realize its' goals.

Officer Election

With his new job, Jay expressed disappointment in his inability to carry out his role as chairman as well as he would like. He also believes that it is time for a chairman from the Lewiston side. Next month we will have a full discussion.

Next meeting will be Thursday Oct. 17th at 7:00 pm at Lewiston City Hall Conference Room

Meeting adjourned 9:20 PM by unanimous vote