



To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at : norwalkct.org/meetings



Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.



Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will be called on by the host of the meeting during the public comment section. Please find the information using the link above.



Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.



Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Dilene Byrd at dbyrd@norwalkct.org to provide written public comment prior to the meeting.

TREE ADVISORY COMMITTEE MEETING March 23, 2021

Attendance: Erica Kipp, Vice Chair
Richard Whitehead, Vice Chair
Peter Viteretto
Cindy Cossuto

Absent: Andrew Strauss

Staff: Paul Sotnik, Deputy Tree Warden
Chris Torre, Tree Warden

Dilene Byrd, Secretary

Others: Allan Broadbent, Norwalk Tree Alliance
Diane Pearson
Laurie Mirra

1. CALL TO ORDER

Ms. Kipp called the meeting to order at 6:02 P.M.

2. PUBLIC INPUT - GUESTS AT COMMITTEE MEETINGS MAY SPEAK TO ANY ITEM ON THE AGENDA. (COMMENTS SHALL BE LIMITED TO NO MORE THAN THREE (3) MINUTES PER SPEAKER.)

Ms. Pearson stated that Ms. Mirra had asked her to be a Co-Tree Liaison for Village Creek. Ms. Kipp said that Ms. Pearson is welcome to come to any Tree Advisory Committee meetings which are held on the fourth Tuesday of each month and that it is wonderful that she is interested in being a tree liaison. She said the Committee is currently in the process of creating an application and will be placing the Liaisons in the area of need and not necessarily the area where they live and she is more than welcome to apply.

Ms. Mirra stated that they had a small grant for Woodward Park and have five trees and shrubs to be planted this Spring however, there does not appear to be any interest and asked if they can be planted in front of 151 Woodward Avenue rather than in the park. Ms. Kipp asked what the outline of the grant was and where the trees were slated to be planted because when writing a grant the details are specific on what the outcomes are going to be. Ms. Mirra said it was through One Tree Planted for the planting this Spring and is part of a larger group of grants. Ms. Kipp said the trees will need to be planted as stated in the grant and it would be unethical to plant the trees in a different location and will need to be worked out with the granting agency. Mr. Viteretto asked if the trees that she had requested him to look at near the pump station is part of this grant. Ms. Mirra said "No". Ms. Mirra clarified and said it was not a grant that was received, but it was a donation. Ms. Kipp said even a donation will have stipulations so the Committee would like to see the wording on what the agreement was and asked where the funds are currently sitting. Ms. Mirra said the Norwalk River Watershed Association is heading it and they will be receiving the funds from the donor. Ms. Kipp suggested that Ms. Mirra submit the request for consideration and that we are an Advisory Committee and work together and in concert with the Departments of Public Works and Recreation and Parks and don't override them in any way. Ms. Mirra said that there has been no decision made and suggested that the trees are donated to D.P.W. rather than to Recreation and Parks to be planted on the street in front of 151 Woodward Avenue. Mr. Sotnik added that anything that is planted around the pump station in the park will need

to be approved by the WPCA and also stated that this is the first that he has heard of any donation.

3. APPROVE THE MINUTES OF TREE ADVISORY COMMITTEE MEETING OF FEBRUARY 23, 2021

**** MR. WHITEHEAD MOVED TO APPROVE THE MEETING MINUTES AS SUBMITTED.**

**** MS. KIPP SECONDED THE MOTION.**

**** THE MOTION PASSED UNANIMOUSLY.**

4. REPORT - SUPERIOR COURT COMPLAINT FOR ILLEGAL TREE REMOVALS - 9 BELAIR ROAD

Mr. Sotnik reported and said that Mr. Torre has been working with the Law Department related to the illegal cuttings that occurred on 9 Belair Road, and that he will share the motion with the Committee that was filed with the State Superior Court. Mr. Torre said he had given the homeowner the opportunity to work with the City, but the property owners had not responded, so now the City is asking for up to five times of the full value of the trees in addition to replanting all of the trees that were removed. He said he is estimating the total cost to the homeowner of almost \$60,000 at a minimum, when he could have worked with the City and against Michael Lato who was the Contractor that performed the work and has a history of illegally removing trees around the City. He said there will be press release done to let all residents know what the consequences are when removing trees illegally.

Mr. Sotnik said the fines are \$250 per tree and a replacement cost of \$750 so the cost will be \$1,000 per tree for the fines alone and that Mr. Lato is a notorious permit violator.

Ms. Kipp thanked Mr. Torre and his staff for going forward with this because sometimes the Committee's "hands are tied" regarding the illegal cuttings and she agrees with putting out a press release because people need to know what the potential ramifications are for illegal cuttings.

5. 2021 EVERSOURCE TREE TRIMMING PERMIT

Mr. Sotnik reported and presented the areas and said that Eversource has said that they will be doing 2.86 miles of backbone trimming, and 6.65 miles of lateral trimming which is a total 9.51 miles and is all scheduled maintenance tree trimming. He said they will also be doing an area of 19.47 miles of surveying to determine if any of the trees have died in the locations where they did the back bone trimming a few years ago. He said they will be working in the area of Belden Hill and Grist Mill area, the West Norwalk

area around Bonny Brook Road and Fallow Street and will be surveying the areas in multiple locations around the City.

Mr. Whitehead asked if they will be going onto private property when they are surveying the areas. Mr. Sotnik said "Yes." Ms. Kipp asked what they will do if they find a tree that is not doing well or is dead. Mr. Sotnik said they will post the trees and contact either Mr. Torre or Mr. Ortiz and the tree will be removed through the normal posting process. Ms. Kipp asked if the tree will be replaced. He said "No," they will not replace trees under the wire.

Mr. Torre said the trees at Oak Hills Park that were under the power wires have been removed. He said one of the things that came out of that request that he completely agrees with is that it is not fair to take down an 80 year old tree and replace it with a sapling, and that we need to do a better job in telling Eversource that a one for one tree replacement is not a fair trade for the trees that need to be removed and he is currently researching what other municipalities do. Mr. Viteretto asked if there is a caliper replacement list. Mr. Torre said "No," but that he thinks as a collective group we should work to create a more comprehensive tree replacement program and suggested that it be added as a discussion item on the agenda going forward. He said that he has been tasked by Mr. Carr to come up with concept and in one year create an Urban Forestry program and that would be part of it.

Mr. Viteretto suggested that the Committee members ride by Comstock Hill Road, Buttery Road and Carter Street in New Canaan to see what Eversource is doing with the resiliency line, and the next time Eversource comes in for the permit they will talk about back bone pruning on lines that they just elevated by five and seven feet, so here there is a canopy that has already been trimmed for over 30 years to meet a criteria and have now changed the criteria and this will not be visible in two more years when they return to do the backbone pruning, so in his mind there is two years to get a replacement program in place so when they come back to this area and other areas in the City there is a replacement value. Mr. Viteretto said his primary concern is when they remove the trees it changes property values as well as the desire to live in Norwalk. Mr. Torre said from when we get the permit from Eversource it is typically signed the day we meet and suggested going to the locations and look at the trees that they are requesting to be removed and get a value on them prior to signing off on the permit.

Mr. Sotnik said that they met with Eversource on February 25, 2021, and Eversource has just submitted the revised maps requested and that Mr. Torre will be signing off on the permit.

6. CAPITAL TREE PLANTING PROGRAM - SPRING 2021 PLANTING LOCATION LIST

- a. 21 First Street.

Mr. Sotnik said we have an obligation to replace 10 trees on First Street as part of the sidewalk replacement project and would like to have them planted in the spring if possible.

Mr. Whitehead said there is a big void of canopy trees on Aiken Street at West Rocks School and he had reached out to Mr. Hughes and they are currently doing some soccer field construction so the trees will be beneficial and would also function as street trees. He said the power lines are on the other side of the road so they will not interfere with Eversource. He said he will be meeting with Mr. Hughes later this week, but the soccer field construction is not slated to be completed until June so we should defer the planting to the Fall. Ms. Kipp asked how many trees will be planted. Mr. Whitehead said approximately twenty (20), so it may be done as a two (2) phased planting. Mr. Torre asked if the twenty (20) trees include the ten (10) trees that are scheduled to be planted as part of the project. Mr. Whitehead said "No," but he will need to verify the locations so that the ten (10) that will be planted and the twenty (20) supplemental trees are properly spaced. Mr. Sotnik said that the Engineering division is doing the administration of the project for the Recreation and Parks division so he has the drawings that he can share. Mr. Torre said the drawings will show the replacement trees along the parking lot that will buffer the Condo's. because we did receive protests on the trees that were posted and as part of the settlement to have them withdraw their protest, we agreed to replant the trees that will be a buffer between the school and the Condo's. He said the same issue is occurring on the corner of Prospect Avenue and Grandview Avenue for the Jefferson School project and trees were removed that he was unaware of and he did receive a protest today, but the protest was received after the trees were removed. Ms. Kipp requested to either replace the trees out of the tree planting budget or to work with Recreation and Parks to replace them. Mr. Viteretto said the school is a highly visible area and there are also trees that have been dead for years in the front of the school and would need a whole scale replacement. Ms. Kipp asked who would provide the maintenance of the trees if they are planted. Mr. Sotnik said the school grounds are maintained by Recreation and Parks so they would be responsible for the maintenance. Mr. Viteretto said they will be responsible for watering the trees post contract.

7. TREE SUMMIT - DATE, TIME AND AGENDA

Ms. Kipp asked if a date has been scheduled for the tree summit. Mr. Sotnik said this item was to schedule a planning meeting for the Tree Summit, but a date still needs to be determined and the agenda is still being worked on by Mr. Carr and Ms. Shannahan. Mr. Torre said the tentative dates are April 16th and April 23rd. Ms. Kipp asked if there

are any alternative dates. Mr. Torre said he will contact Mr. Carr to request some alternative dates.

Mr. Viteretto asked what the goal of the summit is. Mr. Sotnik said to make the stakeholders aware of what the City is doing in terms of tree programs and plantings. Mr. Torre said the Common Council has also seen a need to be more transparent with the Eversource permit, tree removals throughout the City in the Right-of-Ways and projects. He went on to say it is very difficult to get the departments to collaborate in regards to trees and said as part of our master plan we should change the ordinance to require a bond when work is being done around City trees so if a tree gets damaged there are funds available through the bond for replanting. Mr. Viteretto also suggested requiring a tree protection plan for every permit that gets pulled.

8. UPDATE - PLANNING FOR 2021 ARBOR DAY CELEBRATION

Mr. Sotnik said that Eversource would like to get involved in the Arbor Day celebration and is interested in doing a planting, as well as things related to that celebration, and are also interested in doing a replanting plan at Oak Hills. Staff will work on getting a plan together and potentially video tape the planting and present it through a Zoom platform and work with the schools to have it brought into the classroom and have some speakers, which the Mayor has already agreed to be one of them. He also said he is working with the Board of Education and he has a planning meeting scheduled with them on March 26th to determine their role. Ms. Kipp agreed that it was a great idea and suggested when working with the Board of Education to ask how much time they will allot the classroom so we can maximize the impact and so the video can be edited to fit in that time line. Mr. Viteretto said he has requested from CT D.O.T. that each time Eversource removes a tree on the Merritt Parkway or I-95 there are replacements involved and this is a good first step towards that. Mr. Torre said he has had this argument with CT D.O.T. regarding posting trees because it is a State law and they are not exempt from that, but they refuse to post trees. He did get a concession to let city staff take the lead on all trees within the City of Norwalk that are not on I-95 or the Merritt Parkway.

9. UPDATE - TREE CITY USA

Mr. Sotnik said that Norwalk was recertified as a Tree City USA for the 17th year in a row.

10. UPDATE - TREE CITY USA GROWTH AWARD

Mr. Sotnik said that he has confirmed that the Norwalk also received the Growth Award for the 15th consecutive year.

11. REPORT - TAC NEWSLETTER

Ms. Kipp said the TAC newsletter will be in concert with getting our mission out and can be done digitally. She said she has a mailing list of "Environmental people" and can start by getting the newsletter out to them that will include items highlighted from the meetings so that people are updated and informed. She asked that the Committee all work together on the newsletter and suggested that Ms. Cossuto act as the editor and have the articles and news clips sent to her to format the newsletter and she can send it out to the group for final approval and once approved she will email it out to her list. Mr. Whitehead suggested a link on the website for those who would like to subscribe to the newsletter.

12. REPORT - NTA ACTIVITIES

a. Program Updates

Mr. Broadbent reported and said the Tree Summit was an idea that Mr. Frazier had come up with and it immediately got support from Mr. Torre, Mr. Carr and Mr. Sotnik and will be a better alignment and better connection between the non-profit groups who support environmental causes and the City staff that lead tree initiatives.

Mr. Broadbent said the Tree Alliance is working hard on different agenda items and had scheduled a public tree planting activity for April 24, 2021, where people would volunteer to come and plant trees, but there were a lot of complications with the sites that were selected so we are looking at choosing alternate locations. He said they have selected three sites which is the Elderhouse, Nathan Hale Middle School and the Norwalk Hospital, which they will be meeting with the head Chaplin and have a site walkthrough on Friday and are hoping to coincide the planting with National Nurses Day.

Mr. Broadbent said they are looking into the expansion to the Sixth Taxing District planting program as well as the Third Taxing District and for the first time ever, the Tree Alliance Board had voted to match the grant that the Third Taxing District gives.

Mr. Broadbent asked if there is a way to create a running list or centralized document that tracks the places that are in need of trees. Mr. Viteretto said that a Strategic Plan was created a few years ago, but has not been updated in some time. Ms. Kipp said that the landscape is ever changing so the planting of trees will need to be done on a case by case basis, and the Tree Advisory Committee chooses the locations by driving around and targeting areas which is why we enlist liaisons. She also said that the WestCOG study also targeted areas that in

general where in need of trees so that could be a starting point. Mr. Viteretto said this would be a good topic for discussion at the tree summit. Mr. Torre said that there are also plenty of City properties, especially school properties that are in need of trees, and since he has been involved in the tree program more trees have been removed on Highland Avenue from Wilson Avenue to Roton Middle School than anywhere else in the City, so while we are trying to get private people to grant us the opportunity to plant in front of their property, there are plenty of City properties that are in need of trees. Mr. Torre said he will connect Mr. Broadbent and Ms. Kipp with Mr. Ortiz, who is the D.P.W. Supervisor that is in charge of our tree removal and pruning program and he could send a list on a monthly basis of trees that were removed. Ms. Kipp said that would be great and also suggested sending a list of construction sites where trees were removed.

13. OTHER BUSINESS

Mr. Viteretto said that he had sent the Committee photos of the planters on Main Street. Ms. Kipp agreed that the trees do not look good and suggested having a discussion on some options. Mr. Viteretto said the key issue is that no one is caring for the trees where they are and he has spoken with Mr. Sotnik about have them relocated to the Riverview Plaza and is requesting that the Wall Street Association manage the trees into the future by watering them. Ms. Kipp asked who put the planters in their current location. Mr. Sotnik said the Committee did as part of Eversource's underground utility project and they had donated funds for restoration planting because they would not allow trees to be replanted over the area where the duct banks were installed so the planters and trees were installed to try and get some form of trees in that area. Ms. Kipp asked how long ago that was and if there is an agreement with Eversource that the planters need to be in that location. Mr. Sotnik said about eight years ago and there is not an agreement, but they gave the funds for that specific area due to that specific project. Mr. Viteretto said that two of the planters have already been moved from the area and asked that if the Wall Street Association agrees to take care of them, could they can be relocated. Ms. Kipp said that the paperwork will need to be reviewed before a decision is made, but she thinks it is reasonable to say after eight years that our needs have changed and the pictures show that the trees do not look good. Mr. Torre agreed and said there should be no issue with moving the planters to another area of the City. Mr. Sotnik suggested developing an in ground planting plan for that area rather than using the planters. Ms. Kipp said that current situation is that the planters are not working out in the current location, so the choice is to either get rid of them or move them and if Mr. Viteretto has come up with a way that they can still be used and move them it should be looked at as a viable plan. Mr. Sotnik said that the business owners and the Wall Street Association would both have to agree in writing.

Ms. Kipp said that we got the NEEF Grant that the Committee applied for the grant to install trees and a bench at Ludlow Park and Mr. Sotnik is in the process of working with City staff to establish an account for grant funds to be deposited into.

14. ADJOURNMENT

**** MR. WHITEHEAD MOVED TO ADJOURN
** MR. VITERETTO SECONDED THE MOTION
** THE MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:32 P.M.

Respectfully submitted,

Dilene Byrd