

Minutes of Shade Tree Commission Meeting Wednesday, August 4, 2004

The meeting was called to order at 7:00 p.m. by Chairman Richard Prentice.

Present were Bruce Graver, Phil Cashman, Richard Prentice, Mark Alpert, John Winiarski and John Lepper, Tree Warden.

ITEM 1 - Public Comments - None

ITEM 2 - Public Hearing: Testimony and relevant exhibits to hearing appear as attachments to these minutes and are a part thereof.

ITEM 3 - Removals

- A. 219 Main Street - Maple - 5/0 to remove
- B. 431 Main Street - Mountain Ash - 5/0 to remove
- C. Little Red School House - Ash - 5/0 to remove
- D. 149 Broad Street - Mountain Ash - 5/0 to remove
- E. 121 Beverly Rd. - Maple - 5/0 to remove
- F. 135 Stillwold Dr. - Elm - 5/0 to remove
- G. Corner of Broad and Robbinswood - Maple - 5/0 to remove
- H. Griswold and Fairlane - dead tree next to bridge - 5/0 to remove
- I. Highcrest School - 4 trees removed from playscape area. Two had fallen on playscape.

ITEM 4 - [Minutes of July, 2004 meeting](#) were approved as presented. Commissioners have not received June, 2004 minutes.

ITEM 5 - Communications

- A. Chairman Prentice reported that Home Garden Club has donated \$25 to the Tree Fund.
- B. Tree Warden read a note from Louise Lostocco, 19 Meggat Park thanking the Commission for planting trees on the street this spring. Nancy Knapp, another resident of the street, had contacted Tree Warden personally expressing appreciation for the trees.
- C. Tree Warden also reported receiving calls relative to trees tagged for removal at the Webb Building and Moeller Home building.
- D. Tree Warden contacted by Adam Boone, ConnDot, District #1 to verify ownership of tree he has requested to remove on Silas Deane Highway.

ITEM 6 - Tree Warden's Report

- A. Investigated fallen trees at Highcrest playscape. Trees were removed and several standing trees that presented potential hazards were also removed. Recommendation made to Director of Public Works that brush and vines entangling trees along woodland border should be removed.
- B. Continued working with Project Manager, Architect and Building Committee members for Webb Building and Silas Deane Middle School. Following site inspection of plant material at Silas Deane Middle School, recommendation made to have a number of trees replaced.
- C. Coordinated with Sidewalk Inspector Lonnie Davies, in getting overhanging branches and shrubs removed from sidewalk at 155 Coleman and Silas Deane.
- D. Assisted CIRMA investigator with claim stemming from tree limb falling on two vehicles in Keeney Center parking lot in September, 2003.
- E. Requested Park Department to wrap fence material around a tree at Mill Woods to discourage beaver activity.
- F. Investigate complaint from anonymous caller relative to tree cutting at 34 Brookside Circle. Found no concern to

the Town.

ITEM 7 - Old Business

- A. Commissioner Alpert reported that he talked with a contractor relative to moving a Fir tree at Charles Wright School. Cost for digging and moving tree mechanically would cost between \$650 - \$850. However, location of the tree prevents using machinery, therefore, it would have to be hand dug.
- B. Consultant's report for damage at corner of Westlook and Nott has not been received.

ITEM 8 - New Business

- A. Commissioner Cashman received a request on Main Street to have trees pruned at corner of Main and River Road.
- B. Commissioner Cashman requested to have trees in the rear of Carnival Ice Cream Store, corner of Silas Deane and Church, looked at. Tree Warden responded he will attempt to establish ownership of trees and determine appropriate action.

Having no further business to conduct, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

John C. Lepper, CTW
Tree Warden/Secretary Pro-Tem

In accordance with Section 153-1 (I) of the Municipal Code, Town of Wethersfield, Mr. Glen Decker, 64 Coppermill Road, Wethersfield, Ct. requested a hearing before the Wethersfield Shade Tree Commission for the purpose of appealing a decision by the Town Tree Warden on property he owns at 745 Nott Street, Wethersfield, Ct.

Chairman Prentice asked the appellant, Glen Decker, to state his reason for the hearing.

Mr. Decker stated the reason he was here was because recent construction on Nott Street. He talked with contractor (General Paving Company) about a year ago and told them (contractor) he could store sewer pipes on his property in exchange for removing stumps. Job was to be done the following summer. He also talked with Paul Diorio, Inspector, ConnDot about the sewer pipes. Decker stated the Town is asking contractor not to do anything with the stumps. He then contacted John Lepper, Town Tree Warden, concerning the stumps.

Tree Warden responded he had no conversation with the contractor about sewer pipes or stumps. He had informed Mr. Decker that the stumps could not be removed while the tree cutting matter was being investigated.

Chairman Prentice asked how did the trees become stumps?

Decker responded that he took down 15-20 trees. At that time he saw Asplundh Tree Service doing tree work on Westlook Rd. and asked what they were doing. Asplundh crew asked if he was the homeowner and what he was doing. Decker informed Asplundh crew he was taking down trees. Also told them his neighbors complained about the trees and he also would like the trees down because they were a hazard. Asplundh crew called CL&P supervisor. CL&P supervisor arrived and told him (Decker) they would take the trees down. Asplundh then removed the trees on Westlook and Nott Street.

Prentice stated the procedure is to get Town permission. He talked with Al Vancour a supervisor with Asplundh. Vancour said he told Decker they only take trees down with homeowners' permission. Vancour remembered Decker indicating they were his trees.

Commissioner Graver tried to get clarification on Asplundh cutting the trees.

Prentice reiterated his conversation with Al Vancour of Asplundh.

Graver asked Decker "Do you expect someone to cut trees without payment?"

Decker responded "no".

Decker - "Before I went over to work on my house I met with Fred Valente, Brian O'Connor and Michael Turner to find out if I could put up a garage. I asked Turner to walk around my property to determine boundary and check a tree next to driveway. Turner responded the tree was out of his purview. Decker said he contacted Joe Hart (Tree Warden at the time) relative to tree removal. Hart said he would refer it to the Tree Commission which approved removal of the tree next to driveway." Decker feels this proves he has established contact with the Commission.

Graver asked the Tree Warden to identify the Town owned trees on a map. He also asked if trees would have been removed for Nott Street construction project.

Tree Warden identified the trees on the map and responded they would not have been removed for the road reconstruction.

Decker reviewed the map to verify his boundary.

Graver stated trees were cut on Town property. "We cannot set a precedent."

Decker denied cutting the trees and said Asplundh cut them down. He said he did not even know whose trees they were.

Prentice said a survey was done to determine whose trees they were.

Graver asked "where do we go from here?"

"Does General Paving remove the stumps?"

Prentice told Decker he needed to get evidence from Asplundh and CL&P to back up his contentions. Prentice again reiterated his conversation with the supervisor of Asplundh.

Decker argued the trees were a sight-line problem and causing power outages. CL&P agreed to take the trees down, it is their problem.

Tree Warden asked Decker if he caused the trees to be removed?

Decker responded he did not take the trees down and it is not his problem. He said he respects and understands what the Commission is doing.

Robert Hart, 26 Westlook Road, Wethersfield testified he saw two (2) Asplundh crews taking trees down.

Graver reiterated that Decker should be charged with tree removal if he cannot prove otherwise.

Commissioner Cashman shared the same view as Commissioner Graver.

Graver to Decker - "On your vote they took the trees down with no money?"

Decker - "Yes they (Asplundh) did."

Prentice - "We have to go further into CL&P and Asplundh archives."

Cashman said Decker should do the legwork.

Prentice said he (Decker) does not want to, so we have to do it.

Decker asked the Chairman to tell him again what the Asplundh supervisor said.

Prentice stated that Asplundh and CL&P would probably not authorize removal of trees because they were not a problem. He also stated the supervisor said Decker wanted a view of the park.

Decker stated he has no idea who planted the trees. They were over 100' tall.

Cashman stated CL&P and Asplundh were given the impression the trees were Decker's. Who gave the authorization and not who took them down is the question.

Decker again restated his position relative to the stumps and added that General Paving is going to grade 20 feet back on his front yard.

Chairman Prentice asked if the Commissioners had any further comments or questions. Hearing none the hearing was closed.

Two letters marked Exhibit "A" and "B" are attached to these proceedings.