



**WHITEMARSH TOWNSHIP SHADE TREE COMMISSION
MEETING MINUTES, JULY 18, 2023 AT 7:00 PM (In-Person)**

Members Present: Chair Christian Fassbender, David D'Amore, Fran Kelly, Vera Kosabutski

Liaisons In-Attendance: BOS Liaison, Jacy Toll; Arborist, John Hosbach, Staff Liaison, Craig McNally, Assistant Manager; Staff Liaison, Samantha Zrillo

Unable to Attend: Vice-Chair Natalie Borkowski

CALL TO ORDER:

The meeting was called to order at 7:01 PM.

Mr. McNally introduced Ms. Samantha Zrillo, the new Township Planner and liaison for the Shade Tree Commission.

PLAN REVIEWS:

- Miquon School, 2025 Harts Lane - SLD #04-23 construction of new 4,032 sf campus building

Applicant's Representatives: Alyssa Bodley, (Ground Reconsidered) Landscape Architect; Tom Halliwell, (Grist) Engineer

The applicant provided a background of the project that included the existing conditions and enhancements. The applicant went over the tree removal plan, stating that there will be five trees removed—four healthy and one hazardous. The healthy trees are being removed for construction of the new building. Total DBH to be replaced is 26 inches. The applicants are planting nine canopy trees equating to 27 inches. The twelve remaining trees are being preserved. In addition, nine understory trees and two crab apple trees are being planted, although this is not required. All trees are native.

Applicant is requesting a waiver for tree protection. The project will not be able to accommodate the required tree protection fence due to the proximity of new construction, but they are going to provide as much protection as possible.

Mr. Hosbach stated that the applicant has addressed all the comments made on the initial review letter. This included substituting sugar maple trees with black gum trees, having tree protection detail and planning detail on plans, and tree protection fencing for trees 15 and 16 located in the Northwest of the site.



Mr. Fassbender asked how the ash trees are doing. The applicant replied that one was removed due to limbs falling and damaging a building and there will be a white oak replacing it in the near vicinity.

Ms. Kelly asked Mr. Hosbach if they are in compliance. Mr. Hosbach stated that they are.

Mr. D'Amore motioned to approve, seconded by Ms. Kelly. Passed unanimously.

○ BMW Dealership- SLD #03-23, 4 Lot Consolidation Plan for 500-512 Pennsylvania Ave, removal of two existing buildings and modification of third building.

Attendees: Jeff Bevan, (Bohler) Engineer; Travis North, (Bohler) Engineer; Bernadette Kearney, (Hamburg Rubin) Attorney; Dennis Turnbaugh, (Mile One Fort Washington, LLC) Division President.

The applicant gave an overview of the project. There are five parcels being consolidated. The existing dealership building is being expanded whereas two adjacent buildings are being demolished. Additionally, five driveways are being consolidated to become two. The building height and size are permitted by right. The project received zoning relief during the June 2023 Zoning Hearing Board meeting. The project went to the Planning Commission, but the minutes have not been approved yet. The project is currently going through the land development process.

Mr. North gave a detailed overview of the site plans, showing where the proposed building will be located as well as the trees to be removed, preserved, and planted. Additional shrubs and ornamental grasses are also included on the plans. The proposed project is compliant with all landscaping requirements regarding buffering and street trees; however, it is not compliant with tree replacement. The plan is deficient by 27 trees. It was noted that there are overhead wires, easements, and wetlands that limit the ability of tree planting. The proposed project will remove six healthy canopy trees equating to 104.4 inches DBH. The largest trees are along the right-of-way. Invasive callery pears and hazardous ash trees are being removed and new, healthy trees will be planted in their location. The applicant spoke with Re-scape on July 17, 2023 and updated their species according to their recommendations.

The Board inquired about a healthy tree, marked as being removed, located in the stream adjacent to the back of the proposed building. Mr. North replied that the tree will be too close to the building and the tree would likely either get damaged during construction or cause damage to the new building.

Ms. Kosabutski asked how many shade trees are being planted. Mr. North replied that seven shade trees will be planted, plus an additional 2 ornamental trees that equate to one shade tree. Mr. Hosbach questioned if any trees could be planted along the creek. Mr. Bevin responded that there will be regrading in the area to properly drain stormwater into the stream. Additionally, they are in coordination with Montgomery County, who is proposing a trail, leaving an unknown amount of space for new trees.



Mr. Fassbender asked if there was maximization of layering with small trees. Mr. Bevin said that is something that can be explored further, and the applicant is willing to work with Mr. Hosbach to come up with an appropriate plan. Mr. Fassbender noted that this likely will not make up for the deficiency. Mr. Hosbach mentioned it will lessen the burden.

Ms. Kosabutski inquired if there was any additional planting that could happen in the wetlands. Mr. North responded that it is risky to the health of the wetlands.

Mr. Fassbender questioned additional tree planting in the islands. Mr. North explained the utility placement restricts where they can plant.

Mr. Fassbender inquired about the presence and maintenance of invasive vines. Mr. Bevin said the applicant would cut them as a part of general landscape activities.

Mr. Hosbach questioned if the applicant would be willing to plant understory trees, at a 2:1 ratio per the ordinance, equating to half of the outstanding tree deficiency and pay the remainder fee-in-lieu. Twenty understory trees with a one-inch stalk should be planted anywhere on the property. Species include five sweet bay magnolia, five serviceberry, five yellowwood, and five redbud forest pansy.

Mr. Fassbender asked if there is a way to plant switch grass even lower. Mr. Hosbach said floodplain mix or shade conservation mix can be used.

Mr. North clarified that the remaining fee-in-lieu would equate to seventeen trees. Mr. Hosbach confirmed.

Mr. Hosbach summarized conditions to be twenty understory trees of one inch caliper, regularly scheduled vine maintenance, floodplain mix or shade conservation seed mix to be planted, and fee-in-lieu of seventeen trees. The maintenance, seed mix, and trees should all be noted on the plan.

Mr. D'Amore made a motion to approve the conditions, Ms. Kosabutski seconded. Motion carried 4-0.

Mr. Hosbach asked when the revised plans will be ready for review. Mr. North said two weeks.

OLD BUSINESS:

- Tree Giveaway scheduled for September 30, 2023

Mr. Fassbender thanked Ms. Kosabutski for her participation in the 4th of July parade.

Mr. McAnally said since the 4th of July, there have been fifty-six additional sign-ups, totaling one hundred and thirty-two. Mr. Fassbender asked if there is a deadline for registration. Mr. McAnally said registration will stop once the maximum of two hundred and fifty is reached. Mr. Fassbender asked if the tree giveaway can be publicized once a species is confirmed. Mr. McAnally confirmed.



NEW BUSINESS:

ANNOUNCEMENTS:

- Community Forestry Workshop event flyer for Friday, November 3, 2023 in Montgomery Township.

Mr. McAnally said the flyer from last month is a rough draft but wanted to bring awareness to the event for Friday November 3, 2023, and will distribute it once it is finalized.

APPROVAL OF MINUTES:

June 6, 2023 Meeting

A motion was made by Ms. Kelly, seconded by Mr. D'Amore to approve the minutes of the June 6, 2023, meeting. The motion carried unanimously.

PUBLIC COMMENT PERIOD:

In attendance: Eli Glick

Mr. Glick attended to bring awareness to a personal matter regarding trees on his property located on Whitefield Drive. Mr. Glick stated that during July 2022, his neighbor constructed a detention basin/ pond on their property without permits resulting in potential damage to trees on his property. The neighbors refer to the detention basin as an ornamental pond. Mr. Glick believes the project to have been over 5,000 square feet, triggering an earth disturbance permit which would have required the neighbor to protect boundary trees—Mr. Glick believes his trees would fall under this requirement. Mr. Glick also mentioned that the natural flow of water to his property has been altered.

Mr. Glick added that an official notice of violation was not delivered until January 2023 and a three-to-four-foot berm of soil is built up on his tree roots. Mr. Glick stated that the Township Engineer reported that the project had to comply with the Shade Tree Ordinance, but omitted from the report that boundary trees were also to be protected. Mr. Glick questioned the Township Engineer on May 19th without a response. Mr. Glick then approached the Township Manager. Mr. Glick stated that the Township Manager informed him verbally that the project was rescoped to be under the 5,000 square foot threshold. Mr. Glick informed the Board that the project was already completed by this time and questioned how it could be in compliance now when it was not originally in compliance.

Mr. McAnally stated that he is working on Mr. Glick's right-to-know request.



Mr. Hosbach mentioned that this is currently a civil matter and plans have never been presented to the Shade Tree Commission. Mr. Hosbach advised Mr. Glick to get an appraisal for his tree if he wished to file suit.

Mr. Glick said he went to the Planning Commission, and he will be in attendance at the next Board of Supervisors meeting. Mr. Glick questioned what the Township was going to do to protect his rights. Mr. Glick concluded that when there is an alteration to how a shade tree gets its' water, it is an issue.

Mr. Fassbender and Mr. Hosbach stated that this matter is now on record and will be investigated.

BOARD MEMBER COMMENTS:

Ms. Toll requested to be informed once a species has been chosen for the tree giveaway so it can be published in *Whitemarsh Weekly*. Ms. Toll also noted that it should be publicized on social media and the Boy scouts should volunteer to assist loading the trees for residents. Ms. Kelly suggested going to the middle and high schools inquiring about who needs service hours. Ms. Toll said it would be appreciated if the residents shared tree planting photos with the Township.

Ms. Kelly asked if the scheduled August meeting will be held. It was agreed that the Township would reach out in a week to discuss.

NEXT MEETING DATE:

August 1, 2023 (tentative) in Person at 7:00 PM

ADJOURNMENT:

A motion was made by Ms. Kelly, seconded by Ms. Kosabutski, to adjourn the meeting at 8:16 PM. The motion was carried unanimously.