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DEPARTMENT OF PARKS AND RECREATION

April 25, 2011

NOTICE OF FINAL DECISION OF THE TREE WARDEN REGARDING EIGHT TREES POSTED FOR REMOVAL AT THE COMMERCIAL DISTRICT OF SOUND BEACH AVENUE IN OLD GREENWICH

A public hearing was held on Wednesday April 20, 2011 at 12:00 for eight Columnar English Oak trees posted for removal on the east side of Sound Beach Avenue in Old Greenwich. The trees are located between the addresses of 178 and 268 Sound beach Ave. The Columnar English Oak trees range in size from 7 inches in diameter to 19 inches in diameter. The two largest trees are 17 and 19 inches in diameter and approximately 40 feet in height. The other six trees range in diameter from 7 to 13 inches in diameter and are 20 to 25 feet in height. The two largest Columnar English Oaks are especially columnar or fastigate in form with a crown diameter measuring six feet at the widest point. The other six Columnar English Oaks while still upright in form are more broadly columnar.

Earlier this year an 18 page petition with nearly 300 signatures was delivered to the office of the Tree Warden requesting the removal of the eight Columnar English Oak trees. The petition was supported and facilitated by the local merchants of the Sound Beach Avenue commercial district. The petition cited that while there was an appreciation for the beautification of the district with trees, the Columnar English Oak trees specifically were deemed to be inappropriate for the location. The petition called for their removal and replacement with 'appropriate' trees.

The eight Columnar English Oak trees were posted by the Tree Warden on April 7, 2011. My decision to post these trees and have to have these trees as the subject of a public hearing was to recognize the 300 residents who signed the petition. It was also my intent to open the discussion of the tree removals and replacements as the subject of a public hearing and forum so that all facets of the issue could be heard.

As required by Chapter 451, Section 23-59 of the Connecticut General Statutes, an appeal objecting to the removal of these trees was received by me within ten days of the posting. A public hearing was scheduled for April 20, 2011 at 12:00 PM at the Eastern Greenwich Civic Center. Residents and other concerned people were present at the hearing and voiced their concerns regarding the disposition of the subject trees both for and against their removal and replacement.

During my investigation of the issue prior to the hearing and testimony by the residents at the hearing the following reasons were presented for the removal and replacement of the eight Columnar English Oak trees:

1. First and foremost is that these particular species of tree are characteristically low-branched with a dense crown. These trees, especially the 6 smaller Columnar English Oaks obstruct the signage of the district merchants. These trees are 20 – 25 feet in height which places the most dense portion of the tree’s canopy at the sign’s location which is generally 12 – 15 feet above grade. The replacement trees as per the petition states that ‘appropriate’ trees are to be selected. ‘Appropriate’ trees in this instance are to be defined as any hardy tree for this location that can be trained through judicious pruning over the years to have a single stem with the crown above the signage and ultimately the building’s roof.
2. Some of the complaints are opinions that the trees are unattractive and unsightly and that replacement trees would be chosen that would be more attractive.
3. Other complaints are that the trees retain some of their leaves through the winter and that they are attractive nuisances as they shelter song birds.

Based on my investigation and research of the circumstances associated with these eight Columnar English Oak trees and taking into account the concerns of parties present at the Public Hearing, **my decision is not to remove these eight trees.**

It is important to note that this district needs to insure its vitality in a competitive retail environment. The merchants need the help and support of the Town government, the community and its residents to survive. These merchants, many of whom are sole proprietors and small businesses, need a beautified and functional business streetscape to survive and thrive. More attention needs to be paid to the streetscape by the Town, community and the residents to help stimulate the businesses there.

However, the removal and replacement of these eight Columnar English Oak trees I feel is an impulsive and misguided attempt at that stimulus. Subjective opinions on aesthetics aside, these trees are well suited to the harsh conditions of these urban environments. These trees are healthy and they are surviving. In these times, it is difficult to justify the removal and replacement of these vigorous trees that are ameliorating the effects of this harsh environment.

Regarding the complaints about the trees retaining leaves and attracting nuisance birds, I can quote our written ‘Public Tree Policy that states; *Trees are not to be removed ‘for doing what trees do naturally’.* *Trees are not to be removed for shedding fruit, nuts, leaves, twigs and small branches, or for sheltering wildlife.*

I would recommend the following measures for the improvement of this streetscape:

1. The eight Columnar English Oak Trees:
 - a. Aggressive initial pruning of the 6 smaller trees intended to begin the long term task of ‘crown raising’ these trees. This process would be quite similar to what was planned for the ‘appropriate’ replacement trees. This type of pruning on this particular species of tree is difficult but not impossible. Also pruning to thin the crowns of these trees to make the canopies less dense.
This initial pruning may appear drastic to some but it should not affect the overall health of the trees
 - b. Proper care and fertilization of these trees will promote accelerated ‘top growth’ which in turn will allow for more frequent opportunities to ‘crown raise’ these trees by pruning lower branches. Keeping mindful that a healthy ratio of green crown to total tree height must be maintained for the health and aesthetic appeal of the trees.

- c. The two largest Columnar English Oak trees will be lightly pruned to thin, subtly crown raise these trees and to prune them to maintain their unique profile. These trees are much more compact and columnar which allows good sight lines to the store fronts and therefore do not require aggressive crown raising.
 - d. Institute an annual stewardship and maintenance program for trees and landscape in this area. Continue to 'crown raise' these trees on a regular basis.
2. These commercial district merchants require and deserve our support. There is more that can be done to improve the streetscape and desirability of this area. We would be willing to reach out to the merchants, civic organizations, garden clubs and residents to develop a plan for the overall improvement of the streetscape and create a more positive image for the retail and service environment. A private / public partnership could be developed for the improvement of this area.

This is the final decision of the Tree Warden of the Town of Greenwich. Let it be known that Chapter 451, Section 23-59 of the Connecticut General Statutes states “*..the Tree Warden shall render his decision granting or denying the application, and the party aggrieved by such decision may, within ten days, appeal therefrom to the superior court or the judicial district within which such town or borough is located.*”

This decision will be posted in the lobby of the offices of the Parks and Recreation Department located on the 2nd floor of the Town Hall and the sign post in the Town Clerk's office. It will also be sent to persons present at the Public Hearing and to those who appealed the posting of these trees for removal.



Signed; Bruce Spaman, Greenwich Tree Warden
April 25, 2011