

**WHITEMARSH TOWNSHIP
SHADE TREE COMMISSION
Thursday, July 18th, 2019 at 7:00PM
AT THE WHITEMARSH TOWNSHIP ADMINISTRATION BUILDING**

AGENDA

1. CALL TO ORDER:

___ ASHBROOK ___ BORKOWSKI ___ D'AMORE ___ FASSBENDER ___ ZEIGLER
___ BOS LIAISON: BOYLE-NESTER ___ TOWNSHIP STAFF: HALBOM
___ TOWNSHIP ARBORIST: HOSBACH

Chair Zeigler announced that the Villages at Whitemarsh project had called out last minute and that they would not be presenting tonight. Chair Zeigler then read an excerpt from a scientific study, "The earth has room for one trillion more trees. Researchers who provide that estimate believe this is the best and cheapest way to combat global warming. A 2018 report by the Intergovernmental Panel on Climate Change that combating global warming would require planting 1 Billion Hectares of additional forest. That is roughly the size of the continental United States. It may sound daunting, but according to the study, published today, the planet has room for all of those extra trees. Not counting agricultural areas, cities and existing forests, the globe can accommodate an additional 9 Billion hectares of forest. If allowed to mature, that could result in the shortage of an estimated 205 Gigatons of carbon, or roughly 2/3 of the carbon that mankind has added to the atmosphere since the 1800's. The author, Thomas Crowder, tells the associated press that this is the most effective and cost-effective solution available."

Chair Zeigler believes this speaks to the necessity of the Shade Tree Commission's purpose.

2. 2019 SHADE TREE COMMISSION MEETING SCHEDULE (AT WHITEMARSH ADMINISTRATION UNLESS OTHERWISE NOTED)

- August 6th
- September 3rd
- October 1st
- November 5th
- December 3rd

3. Announcements: Press Release information re: Spotted Lantern Fly.

Chair Zeigler mentioned that the USDA had found some on his property. He encouraged people to go online and familiarize themselves with the spotted lanternfly.

4. PLAN REVIEWS –

505A Germantown Pike aka "Nolen Property" – SLD #03-14

The Knolls at Whitemarsh is now on plan 27-A. At the last Shade Tree meeting, the commission expressed concern about storm water studies and when those were conducted. Those studies were conducted in the past year. The developer stated that they have adjusted their plans based on the requirements made by several township boards over the past many years. They were told to add plants, and they now believe they should not have added so many. The contractor agrees that the volume of plants is overcrowded.

The developer expressed concern about the amount of space taken by the basin, and the fact that the developer cannot plant trees in the basin, only plugs. The project provides 63% impervious coverage (under the 75% required by the VC-1). The developer pointed out a large amount of space occupied by utilities that cannot be planted on. The developer would also like for the 93 trees required by SALDO ordinance to be counted toward their replacement requirements detailed in the Chapter 55 Ordinance. The developer believes not counting the 93 trees is unfair.

The developer referenced a letter provided by Brightview as evidence that the existing tree replacement plan would lead to overgrowth, molding, and other issues caused by overcrowding that would eventually lead to the decline of those trees. Next, the developer mentioned issues with planting trees in smaller spaces between homes. Finally, the developer mentioned issues with regard to planting in the yards of the single-family homes, which they are told is an undesirable feature by prospective homebuyers. They concluded by requesting that they be authorized to sit down with the Township Arborist and develop a new replacement plan.

Mr. D'Amore asked if the developer would consider building fewer homes to allow for more trees to be planted. Mr. Nolan of the development company offered that he is a long term member of this community and that they have been caught up in anti-development sentiments caused by other projects. Ms. Ashbrook asked again if the developer would consider building fewer homes to accommodate more trees and whether or not the basin was in fact larger than it needed to be. The developer responded that the basin will assist with the water runoff from these homes as well as nearby properties.

Mr. Zeigler asked the Township Arborist if he agreed with the opinion stated in the Brightview letter. The Arborist responded in the affirmative. Mr. Zeigler stated that he believes that letter begins with the assumption that the number of trees must come second to the number of homes and asked if they had considered planting larger trees. The developer stated that they have included some large trees in their plan, but that their Arborist advised them not to plant too many large trees because they would need to be planted further apart. He added that losing a house or two from the plans would not increase the number of trees needed to comply.

Mr. Zeigler invited the public to offer comment. Steve Kaughman stated that he felt the developers were taking an all or nothing attitude toward this issue. Mr. Kaughman stated he felt that the developer should consider a modest reduction in the number of units being constructed. Linda Doll expressed concern about the president being set. Ms. Doll believes that the land development process should be used to stop these projects if they do not fully-comply with the ordinance.

Mr. Nolan expressed frustration toward the residents who do not want new development. Mr. Zeigler expressed empathy for the developer's situation, but reminded them that it is the duty of the STC to review projects that fall under the purview of the Chapter 55 Ordinance. Mr. D'Amore offered that the developer was correct that if the land had no trees we would not be addressing this issue, but that is not the case. Mr. Nolan stated that if he had cut those trees down years ago, he would also be free to develop now and that was not fair and that he recommends other land owners cut down their trees.

Eli Glick felt it was ironic that Mr. Zeigler began the meeting with his statement about global warming and that everybody knows the air quality rating in Whitemarsh Township is an F. He feels this is an opportunity to protect the environment and asked the developer if he would be interested in making that property a park or open space of some kind. Mr. Perry Swartz expressed agreement with Mr. Glick's and Mr. Kaughman's statements. Mr. Swartz expressed concerns about flooding in that area. Mr. Zeigler responded that the water runoff issue is not an issue that the STC oversees.

Mr. Aman Middle also expressed concerns about flooding. He recounted a time when he built a patio and had to do a water study. He is curious what his property is going to look like after this tree canopy is removed. Sadel Zove said the Township should consider acquiring this land with open space funds and turning it into a detention basin. She also feels that the developer is not giving us an offer to compromise, but rather an ultimatum.

Sara Benton expressed disappointment that this project has moved ahead to this point. She feels that the project should have been better advertised to the public for an opportunity to comment. She agreed with the previous statements about water runoff in the nearby neighborhood. She also would like to know if the developer would reduce the number of houses being built to allow for more trees. Mr. Zeigler took an opportunity to recap the project to date.

Ms. Ashbrook offered her opinion that the commission needs to keep the developer in compliance with the original agreement. She also feels it is up to developers to think carefully about the environment and the tree canopy's role in environmental sustainability. Mr. Nolan responded that this property can accommodate 34 townhomes and they are only asking for nine. Mr. Nolan believes the plan as proposed is impractical. Mr. Zeigler felt that the existing approved plan should be held to. Mr. D'Amore made a motion to continue with the existing plan, Ms. Ashbrook seconded, the motion passed unanimously.

Whitemarsh Shopping Center aka "Brixmore" –SLD #04-16

Mr. Kaplan began by introducing himself as a member of the community and acknowledging that the parking lot at Brixmore is disorganized. Mr. Kaplan went on to explain that this is a non-conforming commercial center built in the 1950's. It was later expanded in the 1970's. At that time, there were variances issued. Around 1995 a series of variances were granted for additional work. They are requesting to build a new plaza taking up 8,900 Sq./Ft. of space.

Mr. Kaplan stated that Improvements are being made to allow better traffic flow into the shopping center from the roads, and within the parking lot. He added that they will add plantings and electric vehicle stations nearby a neighboring property to accommodate a resident's health needs. Mr. Zeigler asked what Mr. Kaplan is request of the STC. Mr. Kaplan explained that he did not know because this is a non-conforming center. Mr. Kaplan believes that they are not required to add any plants, but that they have added as much landscaping as they can. Mr. Kaplan referenced an opinion by the Township's Arborist that additional trees cannot be planted beyond what is proposed, and that Brixmore hopes the STC will recommend the plan for approval.

Ms. Borkowski asked how many stores would be added and what the green space that appears between the new and old building is. Mr. Kaplan answered that three stores would be added. Mr. Zeigler asked Sean Halbom where this project stands in the land development process. Mr. Halbom replied that he was not able to speak to areas outside of the Shade Tree Commission's limited role in this project. Supervisor Nester added that this is an opportunity for the STC to weigh in with their expertise regarding the trees and green spaces.

Mr. Zeigler and Mr. Kaplan briefly discussed the existing storm water basin behind the building. Tim Garrett, the landscape architect for Brixmore, discussed the landscaping plan which does not remove any trees onsite, and adds 23 native trees to the property. Tim mentioned several trees were being planted in accordance with SALDO requirements and to help mitigate glare from vehicles. He also called the STCs attention to utility locations where trees cannot be planted.

Chair Zeigler invited the public to offer comment. Eli Glick stated that he is not a fan of this project. He believes it will pass and it will go through, but he would like to see the turf grass along Butler Pike be removed and shrubs or a pollinator garden be added. Sydell Zove disagreed with previous statements that his project was decided, and that there are undecided issues between the County and the Developers. She took issue with the proposed landscaping plan and believes the new trees are unlikely to survive. She asked for additional details about the root space of the new trees. She also supported the removal of turf grass from the project.

Chair Zeigler asked the Township Arborist about the parking lot island plantings. Sara Benton asked if there has ever been any consideration of rooftop greenery being added. Chair Zeigler offered that the structure is highly unlikely to support the added weight of a rooftop garden. Chair Zeigler asked the Township Arborist if he had additional opinions of the proposal. The Arborist had made suggestions about plant species that were agreed to, but felt the plan was otherwise acceptable. Chair Zeigler added that adding additional trees to the plan certainly

seemed to be an improvement. Ms. Borkowski asked how many new parking spaces would be added as a result of the new building. Mr. Kaplan did not respond into the microphone, and his response was inaudible. It was reported there would be a net loss of 21 spaces. Chair Zeigler added that parking spaces were beyond STCs purview, but added that he like the suggestions for turf grass.

Linda Doll offered a comment about the parking spaces. She added that the Township has these rules in place for a reason. Chair Zeigler asked Sean Halbom to remind everyone the reason this project is before STC today. Mr. Halbom replied that two specific waiver requests were to be addressed; the number of trees per parking lot islands, and the number of trees required for parking spaces and make a recommendation. Chair Zeigler responded that it looks pretty sparse with regard to trees and that he would like to see more trees planted.

Supervisor Nester added that she had asked during the BOS meeting about a green roof and that Chair Zeigler's opinion today answers that question, but was curious if other uses for the roof such as solar panels had been discussed. Mr. Kaplan replied that the project must be profitable and it would be hard to justify the added expenses for 8,900 sq/ft. He also added that the turf grass was located on County property, not Brixmore's, and that intersection is due to be widened.

Mr. D'Amore stated that there is not much the STC has to say over this. Chair Zeigler recommended that the area around the new building be held to the current requirement; one tree per two parking spaces. Mr. D'Amore made a motion that the spaces made for the new portion being built be subject to the one tree per two space requirement. Ms. Borkowski asked how many of those spots are "new" and how new spots and old spots would be determined. Ms. Ashbrook seconded the motion. Ms. Borkowski stated this is a difficult decision because she is familiar with that parking lots issues; however, she would like to see more trees.

Mr. D'Amore asked if the space between the new and old building could fit more trees. The Township Arborist asked the Landscape Architect if 8 ornamental trees could fit in that space. The Landscape Architect responded that it would be tight. Chair Zeigler stated that there is a ratio of new square footage being built to parking spaces required to support the new development. Brian Conlan, Brixmore's Engineer, pointed out that the new square footage would require about 45 new spaces, which would require 23 new trees, the same number they are proposing to plant.

Chair Zeigler re-opened public comment period. Eli Glick stated that Mr. Kaplin was disingenuous because he was profiting off of the development. Mr. Kaplin challenged Eli's statement. Eli Glick explained to the Shade Tree Commission his understanding of their options were and recommended that the STC vote no to this waiver. Sadel Zove offered that the new parking was in the rear and she had doubts that it would be used. She suggests that some of the rear spaces be used for planting trees. Ms. Borkowski made a motion to accept the plan, Mr. D'Amore seconded the motion. The motion passed unanimously.

4006 Butler Pike aka "Villages at Whitemarsh" – SLD #11-15) – CANCELLED.

5200 Butler Pike aka ECRI Property – SLD #05-12

Jim Favor introduced himself to the Commission. Jim explained that the ECRI office staff use the neighboring parking lot at LuLu Shrine, and walk to their building via a path. The improvements being discussed tonight are for that walking path. Jim and his team inventoried the trees on site before developing this plan. In total 21 trees were being removed, six were dead, and six were beyond recover. The remaining nine required 70 caliper inches of replacement trees. They provide 9 shade tree, 13 evergreens, 28 shrubs, 84 ground cover plants, and 250 plugs. This complies with the percentage requirement in Chapter 55.

Chair Zeigler asked what percentage of the plants are native. The Township Arborist responded that it was upwards of 70%. Chair Zeigler asked the Township Arborist if he had reviewed the plan and if he had any thoughts. The Arborist responded that the deceased trees were mainly White Pine and that he was pleased with the plan.

Mr. D'Amore confirmed that the Chapter 55 requirements were met and that no waivers were requested. Chair Zeigler opened the floor for public comment.

Steve Kaughman offered comment regarding the replacement criteria. Mr. Kaughman asked that the STC max-out the amount of trees to be replaced. Mr. Favor demonstrated that this project is exceeding the minimum requirements. Steve clarified that he would prefer more canopy trees, and fewer shrubs and plugs. Mr. Favor explained the purpose for this project is improving the vehicular access and improve a walking path for employees. Eli Glick expressed a desire for additional canopy trees.

Chair Zeigler offered that he had been a part of the past revision of the Chapter 55 Ordinance, and the purpose of adding the use of plugs and shrubs was to allow them to be used in areas where the tree canopy was already acceptable. Pete from ECRI offered that they are a non-profit organization and they are working hard to comply with the requirements and exceed them, but that money is certainly an issue. Pete added that the existing 13-foot elevation change between the parking lot and the building is a safety issue in the winter time for their employees. Those issues are also being resolved by this project.

Chair Zeigler made a motion to accept the plan as presented, Natalie seconded, the motion passed unanimously.

TOWNSHIP ARBORIST UPDATES

5. SUGGESTIONS FOR THE SELECTIVE COMPREHENSIVE PLAN UPDATE (FOLLOW UP)

David made a motion to table this issue until the following meeting. Chair Zeigler seconded. The motion passed unanimously.

6. CHAPTER 55 ORDINANCE UPDATE

Chair Zeigler asked for public comment regarding the ordinance. Eli Glick stated that he has a problem with the process regarding the changes to the ordinance. Mr. Glick would like copies of the draft ordinance made available. Chair Zeigler asked if the document could be made available. Mr. Halbom replied that, generally speaking, draft ordinances are not made available and that all proposed ordinances go through a 30-day public review period.

Steve Kaughman stated that he agreed with Mr. Glick that it should be made available to the public before being recommended to the Board of Supervisors. He offered comment about specific language in the existing ordinance about the phrase, "whenever possible" mentioned in 55-1. He also believes the term "clear cutting" should be redefined. Ms. Koski offered comment and thanked the STC for their volunteerism. She requested that we consider the impact on people who bought their homes 25-30 years ago.

David asked if we could roll this back and offer public comment after the public. Sean replied that it could if that was the STC's desire. Sean reiterated the process was not designed to conceal this process but rather to expedite and that public review of the document was legally mandatory. Sean stated that he would discuss the release of the draft with the solicitor and Right to Know Officer. David made a motion to table the item until the August 6th meeting. Natalie seconded the motion and it passed unanimously.

7. APPROVAL OF THE JUNE 2019 MEETING MINUTES

Ms. Ashbrook made a motion to accept the June minutes. David seconded and the motion passed unanimously.

8. PUBLIC COMMENT PERIOD

Sadel Zove offered public comment. She stated the past meeting minutes are not on the website. Mr. Halbom responded that he would look into the matter the following day. With regard to the Ch. 55 Ordinance revisions, Mr. Zove stated that she didn't understand why that document hadn't been made available. Ms. Zove had expected to attend tonight and offer comment about the Corson project. Ms. Zove offered her opinion of the tree survey plan and asked that the STC not support the project. Ms. Zove expressed a desire to see advisory boards work in better collaboration with one another.

Steve Kaughman commented that the Corson Developers have used an over-inclusive standard to exclude certain trees from this ordinance. David Miller, a non-resident, offered public comment about the historical value of the Corson property and the negative impact this project would have on the property. Eli Glick recommended that when the Abolition Hall project comes before the STC that it be the only project schedule for that meeting due to the large amount of attendees who will attend. He again encouraged the STC to review other municipality's shade tree ordinances. Perry Swartz offered public comment and agreed with Ms. Zove's agreement. He feels that the STC should be included earlier in the Land Development Process. Mr. Swartz asked why the Brixmore project would not have to comply with parking line requirements, it was pointed out that is a subject being addressed by other advisory boards.

9. BOARD MEMBER COMMENTS

Mr. D'Amore thanked the audience for their attendance and expressed gratitude for their participating. Mr. Borkowski asked if a Corson-only meeting could be added to the agenda. Mr. Halbom replied that he would look into it but that summer schedules may prevent that.

10. ADJOURNMENT

Mr. D'Amore made a motion to adjourn. The motion was seconded by Steve and passed unanimously.

NEXT MEETING DATE:

- a. Tuesday, August 6th 2019 at 7pm at the Whitemarsh Township Administration Building