



PRINCETON SHADE TREE COMMISSION

MINUTES Tuesday, March 24, 2015

The Regular Monthly Meeting of the Princeton Shade Tree Commission (PSTC) was convened at 5:30 p.m. on Tuesday, March 24, 2015 in Monument Hall. S. Hiltner opened the meeting in accordance with the New Jersey Open Public Meetings Act, Section 5, Chapter 231, P.L. 275. In conformance with the requirements of the Law, Notice was provided of the date, time and location of this regular meeting by posting a copy of the adopted Schedule of Regular Meetings in the Monument Hall and Witherspoon Buildings, by mailing copies to the Trenton Times, Princeton Packet, and Town Topics and by filing a copy in the Office of the Clerk of Princeton.

PRESENT: Sharon Ainsworth, Victoria Airgood, Joanne Diez, Pat Frawley, Steve Hiltner, Lily Krauss, Bernie Miller, Janet Stern

ABSENT: Pam Machold, Alexandra Radbil

ALSO PRESENT: Robert Hough, Director of Infrastructure and Operations, Lorraine Konopka, Arborist (left at 6:45 p.m.), Janice Most, Secretary

MINUTES

P. Frawley moved to approve the Draft Minutes of February 24, 2015 as presented.
J. Stern seconded. The Motion passed unanimously.

BUDGET

R. Hough distributed a summary chart of the 2015 Shade Tree Operating Budget. Discussion ensued concerning the Shade Tree Trust Fund, Open Space Trust Fund, other sources of funds, and the development of a list of projects and priorities in relation to the funds. R. Hough stated that there will not be a Spring Planting Project this year.

BUSINESS

256 and 266 Shady Brook Lane

Jack West, Land Use Engineer for Zoning and Planning and Don Mayer-Brown, Project Engineer were present to provide an update of the neighbor dispute at 256 and 266 Shady Brook Lane where tree cutting was performed by the property owner of 266 Shady Brook Lane on the neighboring property at 256 Shady Brook Lane.

D. Mayer-Brown stated that on:

- October 23, 2014 - an “Application for Permit to Excavate” from 266 was received to relocate the driveway opening and apron and close the existing driveway opening.
- October 27, 2014 - a phone call was received from the owner of 256 saying that the owner of 266 had cut down two of their trees the previous weekend along with a hedge of Forsythia and that the owner of 266 told her he intended to install a new driveway to within an inch of the property line.
- October 30, 2014 - D. Mayer-Brown and G. O’Neil conducted a site inspection to view the location and size of trees and shrubs removed and saw that a 12 inch and eight inch stump were remaining in the rear yard of 256.
- November 6, 2014 - a meeting was held with the owner of 266 outlining the requirements for the driveway relocation and limits of work.
- November 18, 2014 - an inspection took place for the formwork for the new depressed curb and driveway apron prior to placement of concrete; the locations were done according to approved plan and agreed upon requirements.
- December 10, 2014 - a phone call was received from the owner of 256 with concerns that the construction at 266 was putting the condition of their property, including the trees along the property line at risk.
- December 15, 2014 - an inspection was held of the new driveway installation at 266 noting that the limits of the paving exceeded the approved plans.
- December 16, 2014 - a meeting was held with the owners of 256 to inform them that the exceeded limits of the approved plan would be cut back and removed; at this meeting the residents were concerned that the construction had damaged the roots of the White Pines.
- December 23, 2014 - an e-mail notice was sent to the owner of 266 stating that the limits of the new driveway exceeded those of the approved plan and areas that exceeded the limits would have to be removed.
- January 21, 2015 - J. West, D. Mayer-Brown and R. Kiser, Engineer met with the owner of 266 pertaining to the new driveway and to review the work that had been done on the property at 256 pertaining to the trees and shrubs removed. It was again stated that the areas of the driveway that exceeded the limits of the approved plan would need to be removed. It was understood that the owners of both properties had talked about the White Pines along the shared property line and it was recommended that an attempt be made on the part of 266 to reach out to 256 to reach an agreement for establishing plantings that would serve as a screen between the properties.

J. West showed a diagram of where the trees were cut down without a permit on 256 Shady Brook.

Present were Caroline and Jean Lareuse, 256 Shady Brook Lane. C. Lareuse spoke to the February 19, 2015 and March 23, 2015 correspondence forwarded to the Engineering Department and the Shade Tree Commission. She stated that they would like privacy plantings on their property as the owner of 266 has no room and his driveway is right up to their property line; the trees removed were evaluated by SavaTree and deemed healthy one year ago; they never

saw construction plans nor consulted on what would be happening on the neighboring property; they would like compensation for the trees and shrubs removed; and, in case the trees where the roots have been cut die, they do not want to be liable for damages or someone getting hurt. At this time they have not sought legal action.

Discussion ensued concerning: the validity of the remaining tree roots not being a Shade Tree Commission responsibility; that the revised Ordinance does take into account root protection; if the remaining pines decline and become unstable they will fall towards 256 Shady Brook.

Present was Stefanos Damianakis, 266 Shady Brook Lane who gave the background of the relationship with Caroline and Jean Lareuse. He stated that they have had a positive relationship for many years and this issue has taken a toll. He returned the spare house key he had for 256 back to Caroline and Jean Lareuse. He also stated that he thought the trees in the rear were his and when he found out they were not offered replanting; he was unaware of the property lines until the Engineering Department informed him; that he had a discussion with Jean Lareuse about removing the shrubs to make a cleaner line and J. Lareuse agreed; that the removal of the trees was his mistake but the Lareuse's agreed to the removal of the forsythia; that the staff drawing presented by Engineering was not the same as his approval; that both trees were cut because they were very tall and there was no growth on the bottom; he has been telling the "Town" that the trees posed a danger for years, evidenced by photos of the crushing of a port-a-potty in 2010; pieces snapping off and causing damage to 256 Shady Brook; branches falling on cars. He also stated that no trees were removed during the construction of his home.

C. Lareuse stated these were untruths and there was discussion between S. Damianakis and C. Lareuse about the purchase of a portion of the property at 256 Shady Brook and the 2012 report from SavaTree that the trees were healthy.

Discussion ensued concerning: excessive amount of pavement removed that the remaining tree roots can be seen; the Engineering Department request to move the driveway eight feet from the property line; condition of previous driveway; what driveway plan was submitted to Engineering where D. Mayer-Brown showed the driveway further over; communications with G. O'Neil being verbal prior to November 2014 thereafter in writing.

After the residents departed there was discussion concerning the legalities of the tree removals. R. Hough and L. Konopka will seek legal interpretation and report back at the next regularly scheduled meeting.

301 North Harrison Street/Princeton (Edens), LLC
Preliminary/Final Major Site Plan with Variances

Present for the owners of the Princeton Shopping Center was Tom Letizia of Pepper Hamilton. T. Letizia and J. West summarized the project which consists of two parts:

1. Converting the existing gas station and parking lot into a pizza restaurant.
2. Reconfiguration of the main parking lot to improve circulation, add additional parking and the addition of landscape islands at the end of the parking rows. A landscape hedge will be installed between the new head on parking and the sidewalk facing North Harrison Street. There will be an additional ten parking spaces in front of the shopping center and a total of 19 additional parking spaces throughout the parking lot.

J. West continued that 33 trees will be removed ranging in size from 3” to 26” in diameter along with a hedgerow of arborvitae trees in the south parking lot. There will be 161 new trees planted. Landscape islands will be added to define the loop drive where shade trees will be planted. There will be additional shade trees planted in new and existing strips along the building and walkways; the strips are labeled on the plans as “rain gardens.” The “rain gardens” do not meet the true definition of such, but will provide some benefit in the overall reduction of runoff from the site as there will be a reduction in impervious surface by approximately 16,000 sf. J. West stated that this application will be heard by the Landscape Subcommittee, will be heard by SPRAB on April 8, and then scheduled for a Planning Board meeting.

Discussion ensued concerning: the buffer between Harrison Street and the parking lot getting smaller; on a site visit by a member the trees to be removed were not marked; sidewalks on Harrison street will remain; water runoff to Harry’s Brook; the islands being connected with a grassy swale to collect water; trees in the islands should be planted in structural soil; more variety of shrubs.

Tree City USA
2015 NJ Tree Recovery Program
Emerald Ash Borer Traps
Arbor Day

In L. Konopka’s absence, J. Most gave a brief update (written by L. Konopka) on Tree City USA, 2015 NJ Tree Recovery Program, Emerald Ash Borer Traps, Arbor Day.

Communiversality

J. Stern gave an update on Communiversality. Members will email J. Stern on their participation times.

Working Groups

Deferred to the next regularly scheduled meeting.

Task List

Deferred to the next regularly scheduled meeting. S. Hiltner will re-send the draft list via email.

Open Space Advisory Committee

S. Hiltner gave a brief overview of the newly formed Open Space Advisory Committee and stated that this Committee is seeking representation from the Shade Tree Commission. He nominated Pam Machold.

L. Krauss moved to appoint P. Machold as representation to the Open Space Advisory Committee. P. Frawley seconded. The Motion passed unanimously.

Website

J. Stern gave an update on the Website. Further discussion will be at the next regularly scheduled meeting.

ADJOURNMENT

At 8:00 p.m. P. Frawley moved to adjourn the meeting. L. Krauss seconded. The Motion passed unanimously.

Submitted April 20, 2015
Janice S. Most

Adopted: April 28, 2015