

**CORNISH PLANNING BOARD
MINUTES
SEPTEMBER 3, 2020**

The Cornish Planning Board met on Thursday, September 3, 2020, at 7:00 PM. Attendance was by roll call. Members present in the Town Offices were Bill Lipfert, Chair; Everett Cass, and Kellie Patterson Parry; Linda Leone, Alternate; Heidi Jaarsma, Secretary; and Scott Baker, Selectman. In accordance with Governor Sununu's Executive Order 2020-04, the Chair waived the requirement that Board members be physically present at the meeting in light of the current Covid-19 situation. Attending via Zoom was Jonathan Glass.

Also present in-person were Randy Marcotte of Eversource, Bill Gallagher; Gwyn Gallagher, arborist, attending on behalf of Eduardo Araújo, Max Blumberg, Randy Bodner, Peter Burling, and Jean Burling; Sylvia Platt, Caroline Storrs, and Peter Storrs

Attending via Zoom was Colleen Salinger.

Bill Lipfert called the meeting to order at 7:05 pm. Mr. Lipfert authorized the meeting to be held electronically. Social distancing and mask requirements were discussed.

Approval of Minutes.

Everett Cass made a motion to approve the 8/20/2020 minutes. Kellie Patterson Parry seconded the motion, and Bill Lipfert called for a roll call vote. Voting in the affirmative were Everett Cass, Jonathan Glass, Heidi Jaarsma, Linda Leone, Kellie Patterson Parry. With none voting in the negative, the motion carried.

Eversource – Public Hearing re: Proposed Tree Removals on Scenic Roads.

voting: Bill Lipfert, Chair, Scott Baker, Everett Cass, Jonathan Glass, Heidi Jaarsma, Linda Leone for Gail McKenzie, and Kellie Patterson Parry.

Randy Marcotte, for Eversource Arborist Dane D'Arcangelo, began with an overview of maintenance trimming and hazard tree removal on scenic roads, which is carried out on a four to five-year cycle. After town approval, each landowner will be contacted for permission to remove subject trees. Mr. Marcotte had personally identified all trees and associated defects and had re-marked and numbered the trees described in the 6/5/20 tree list submitted by Eversource. He added that several trees on the list submitted in June were outside of the town right-of-way. Those trees were kept on the revised 8/26/20 tree list submitted by Eversource in order to keep the numbering sequential; however, he stated that trees outside of the right-of-way are not subject to the scenic road provisions. Mr. Marcotte explained that the trees had merely been identified as potential hazards to the utility line.

Heidi Jaarsma asked Mr. Marcotte about the standards for identifying hazard trees. She referred to the 2012 PSNH and 2016 Eversource (fka PSNH) scenic road hearings. In 2012, ten trees had been identified as hazard trees by PSNH. In 2016, twenty trees had been identified as hazard

trees by Eversource. In 2020, one hundred and one trees had been identified as hazard trees on Lang, Platt, and Saint Gaudens Roads. Ms. Jaarsma added that she had left Gap Road out of the analysis since it had been designated scenic after 2016. She asked Mr. Marcotte if the significant increase in identified hazard trees was due to a change in standards. Mr. Marcotte responded that there were only seventy-seven trees identified as hazards in the right-of-way. He stated that standards identifying hazard trees have changed. In prior years, only trees in imminent danger of failure and which would without a doubt cause an outage were identified as hazard trees. Current standards include disease and proximal trees in hazard tree identification. Mr. Marcotte added that the weather has become more severe.

Kellie Patterson Parry asked if the trees that were not in the scenic road right-of-way were applicable to the hearing process. Bill Lipfert asked Mr. Marcotte if he was stating that the starred (*) trees needed only landowner approval. Mr. Marcotte indicated that was the case.

Gwyn Gallagher asked Mr. Marcotte how the bounds of the town right-of-way were determined. Mr. Marcotte stated that the stone walls are generally used. Additionally, Eversource uses an app that calculates the right-of-way, which is generally determined to be 8-10 feet from either side of the roadbed. Gwyn Gallagher asked if Eversource had determined whether the road was a two or three rod road and suggested that sometimes the roadbed comes up against one side of the road right-of-way.

Mr. Gallagher shared a letter from Max Blumberg and Eduardo Araújo of Platt Road: *We share with the point of view that our road is designated scenic because of the venerable tall trees with great columnar trunks close to the road, defining it vertically and horizontally as a narrow, enchanting, winding woodland corridor with a small stone bridge and a few discreet entrances marked by modest stone piers. We want to preserve this as long as nature allows, protecting living trees, and not condemning them while they while the still have the will to live. We have seen trees in decline for decades, continuing to play a role in the scenic composition. It was enlightening to hear Gwyn define the issue of the power lines as finding a comfort zone between aesthetics and frequency of power outages. The power outages have not been onerous and are resolved within hours due to the efficient service of the power company. Subject to your guidance we are willing to remove, not declining, but dead trees near the power lines, taking them down in such a way as to minimize collateral damage to the understory, especially the very trees that have the potential to fill the void created. The take downs should not be laid down on our land damaging small trees but in the swale from which we can get them picked up with little delay if arranged in advance.*

Caroline Storrs appreciated the re-marking of the trees. She stated that her comments from the August 6, 2020, meeting applied. The pines along Platt Road are a real part of the beauty of that road, and losing them would be difficult. She asked why some trees were targeted and others were not. Ms. Storrs continued that taking the pines down prematurely would be too bad. She understood the removal of the ash, the smaller trees, and the dead pines.

Gwyn Gallagher informed the Board that he knew Mr. Marcotte professionally as an arborist. He acknowledged that Mr. Marcotte was tasked to identify trees which pose a threat to the wires and was carrying out the task at hand.

Sylvia Platt concurred with the letter submitted by Messrs. Blumberg and Araújo. She stated that Platt Road seems to have gotten wider and noted an increase in traffic and speed. Ms. Platt stated that her only difference with the letter was that she would like to see the trees remain in the forest to decompose. She wondered whether the root systems of some trees were holding the bank back along the road.

Heidi Jaarsma asked if, under the current hazard tree identification standards, the town should expect the same number of proposed removals every four years. Mr. Marcotte stated that he was trying to find a happy medium between the utility and the forest, but that the town should expect to see fewer trees identified as hazard at each subsequent cycle.

Mr. Lipfert turned to the revised list of proposed tree removals dated 8/26/2020. Linda Leone asked what 'failed' meant. Mr. Marcotte answered that a failed tree had fallen by natural causes.

Caroline Storrs made reference to tree #27, a 12" white pine on Lang Road, and asked the meaning of 'low prob' in the description. Mr. Marcotte stated that that not signified a low probability of the tree hitting the line if it were to fall. Low probability did not refer to the likelihood of the tree falling.

Ms. Storrs asked Mr. Marcotte about tree #30, an 18.75" sugar maple on Lang Road. Mr. Marcotte said that the tree looked worse than it was and that just the deadwood could be removed.

Linda Leone reported that an unmarked birch on Lang Road was a good candidate for removal. Mr. Marcotte referenced #110, an 8" elm on Lang Road, which was a good example of tree that really needed to go.

Caroline Storrs spoke against the removal of the #33, a 36" white pine on Lang Road. Mr. Marcotte stated that white pines live in a symbiotic relationship with the pines around them. The proximal trees are all about the same size and have grown in a symbiotic relationship. He suggested that pine stands either be touched or left alone; or, the least healthy can be surgically removed without hindering the progress of the rest of the stand. Removal of #33 could improve the health of the remaining trees.

Gwyn Gallagher spoke in favor of seeing tree #33 be addressed in the next cycle. Mr. Marcotte stated that he would not push to remove a tree. Ms. Platt advocated letting the tree remain to make its own decision.

Caroline Storrs questioned proposed removal #35, a 41” pine on Platt Road. Mr. Lipfert noted that the tree was not in the town right-of-way and therefore not subject to the provisions of the scenic road statute.

Gwyn Gallagher advocated for the removal of #36 and #37, 31” and 14” white pines on Platt Road, since both trees were dead. He continued that although #105, a 32” oak on Platt Road, will fail at some point, the landowner had asked him to advocate for keeping that tree. Mr. Marcotte countered that the large tree had the potential to block the road and could hinder the road crew.

Everett Cass pointed out that the dead and diseased trees were a danger to the public. He stated that there should be no question that dead, diseased and dying trees should be removed. He added that every person in the room had cut possibly thousands of trees to get a view of Mt. Ascutney, and these same people no longer wanted any more trees removed. He added that many persons in town, who do not own generators, require life support through electricity. Taking down a dead tree, Mr. Cass added, is dangerous for the workers.

Kellie Patterson Parry asked about the cavity in proposed removal #105 and noted the dirt coming out of the cavity. Mr. Marcotte indicated that the dirt Ms. Patterson Parry had observed was frass, a by-product of boring insects. Ms. Patterson Parry asked if the condition of the cavity would worsen in the next four years. Mr. Marcotte stated that a smaller tree would not survive, but he also doubted that this tree would survive to the next cycle. Gwyn Gallagher added that there although decay was evident in tree #105, he had observed up to 18” of sound wood. He described how compressed fibers in leaning trees can create strength. Mr. Gallagher added that the failing point of that tree would be at ground level. Scott Baker asked where the tree would go if it failed. Mr. Marcotte stated that it would go across the road. Mr. Baker pointed out that the town would pay to remove the tree from the road should it fail.

Everett Cass suggested that the town would be liable if the tree were to cause damage or injury. Gwyn Gallagher stated Mr. Cass was correct, but that there are many large dead trees leaning over roads throughout town and posited that it was a budget issue. He said that the tree was not in nearly as bad shape as many other trees in town.

Mr. Marcotte described ash yellows, a vascular disease similar to the disease that killed the elm trees. Trees #106-108, ash trees on Platt Road, are in stages of ash yellows. Jon Glass asked if Mr. Marcotte felt that those trees would die within the next trimming cycle. Mr. Marcotte stated that he did not believe they would survive the next four years.

Mr. Gallagher raised a concern about tree #39, a 35” white pine on Platt Road. He stated that the co-dominant stem over the road has failed and requested that the just the dead wood be removed.

Caroline Storrs asked about tree #43, a 19” sugar maple on Platt Road. Mr. Gallagher stated that he would like to request that the tree not be removed.

Caroline Storrs asked about the possibility of an equipment change in lieu of removal for tree #44, a 24-30" white pine on Platt Road. Heidi Jaarsma asked if a stand-off could be added.

Ms. Storrs asked why tree #45, a 30.5" white pine on Platt Road, had been identified as a hazard. Mr. Marcotte stated that there was trunk rot. Gwyn Gallagher stated that he agreed that tree #45 should be removed due to significant rot.

Sylvia Platt asked how long white pines live and how large they get and asked how close to the end of their lives the large pines along Platt Road were. Mr. Marcotte said that those trees are not technically at the end of their life cycle, but due to the proximity to other trees he predicted that they would fail. He added that white pine can get very large and seem healthy, but that the inside of the tree can rot. Mr. Marcotte also stated that size of the tree does not necessarily correlate with age.

Gwyn Gallagher asked that #46, a 36" white pine on Platt Road, be saved. He acknowledged an existing canker, but he felt that there was enough good wood on the back of the tree and that the loss of both #45 and #46 would create a large gap.

In reference to tree #47, a 36" white pine on Platt Road, Gwyn Gallagher asked that only the two leaders over the road and wires be removed, and that the trunk which leans over the road be saved. Mr. Marcotte had no issues with the request so long as the landowner understood that the power company would not remove the remaining trunk should it decline. Mr. Marcotte added that 'statues,' or tall stumps, are often left for wildlife purposes.

Gwyn Gallagher requested that 'statue' stumps be left on trees #48 and 49.5, 31" and 29" white pines on Platt Road, respectively.

Gwyn Gallagher stated that there is no die back in the crown on tree #50, a 15.5" sugar maple on Platt Road, and that there has been healing around the bumper. Mr. Marcotte stated that he would research an equipment change. He cautioned that an equipment change could precipitate further trimming or removals. Kellie Patterson Parry asked about the installation of the bumper on the tree.

Gwyn Gallagher stated that the landowner would like to keep tree #51, a 27" sugar maple on Platt Road. The landowner plans to install a cable in the tree.

Mr. Marcotte described the chaga fungus he had identified on tree #53, a 25" black birch on Platt Road. Sylvia Platt spoke of the medicinal uses of chaga fungus. Several residents could not find the tree. Heidi Jaarsma stated that she had found the tree before the August 6, 2020, hearing, but that there was currently no flagging on the tree.

Several members noted that tree #54, identified as a 16.3” sugar maple on Platt Road, was a hickory. Gwyn Gallagher stated that the tree displayed some good wound wood growth and requested that the tree not be removed.

Gwyn Gallagher advocated for a hardware change to distance tree #56, a 24-20” maple on Platt Road, from the phase line in lieu of removal.

Mr. Gallagher requested removal of dead wood and the hanger only for tree #52, a 30-36” maple on Platt Road.

Heidi Jaarsma stated that she had questioned tree #60, a 28” locust on Saint Gaudens Road, but that closer inspection showed that the backside was rotten. Moreover, there were quite a few large locusts in the immediate area.

Mr. Marcotte stated that it was his intention to remove just the leader for tree #77, a sugar maple on Saint Gaudens Road.

Caroline Storrs asked why trees #83 and #84, 21” and 18.4” white pines, respectively, were identified as hazards trees. Mr. Marcotte said the #83 was split and that its removal would expose #84 to the elements. He noted that the co dominant bad junction had a definite space in it. Peter and Caroline Storrs both requested that the trees be left until the next cycle.

Heidi Jaarsma stated that the tree #88, a 32” sugar maple, seemed to be holding up. Mr. Marcotte suggested that it would not last to the next cycle. Ms. Jaarsma observed that most large sugar maples have some rot. A closer inspection of tree #88 showed that the space where the crown had been was more solid than expected. Caroline Storrs also advocated leaving the tree.

Several attendees questioned the removal of #53, a 25” black birch on Platt Road, since it was no longer flagged. Heidi Jaarsma stated that she had seen the birch when flagged, and the structural integrity of the tree at that time seemed to be intact. The Board suggested leaving the tree to the next cycle.

Heidi Jaarsma asked about procedure for communicating to Eversource’s trimming contractor which, if any, trees were excluded from the list. Mr. Marcotte stated that he would be removing the markers from any excluded trees. Ms. Jaarsma asked how Mr. Marcotte would indicate trees marked for deadwood removal only. Mr. Marcotte stated that he uses a system of streamers for marking trees where deadwood only is to be removed.

Heidi Jaarsma made a motion to approve the *Eversource Tree Removal List Scenic Roads Cornish NH updated 8/26/20* with the following exceptions:

- #30 – 18.75” sugar maple. Remove deadwood only.
- #33 – 36”+ white pine. Do not remove.

- #105 – 32” oak. Do not remove.
- #39 – 35” white pine. Remove deadwood only.
- #43 – 19” sugar maple. Do not remove.
- #44 – 24-20” white pine. Do not remove. Explore possibility of equipment change.
- #46 – 36”+ white pine. Do not remove.
- #47 – 36”+ white pine. Remove only two leads over the road and wires.
- #48 – 31” white pine. Leave ‘statue’ stump.
- #49.5 – 29” white pine. Leave ‘statue’ stump.
- #50 – 15.5” sugar maple. Do not remove. Explore possibility of equipment change.
- #51 – 27” sugar maple. Do not remove.
- #53 – 25” black birch. Do not remove.
- #54 – 16.3” sugar maple hickory. Do not remove
- #56 – 24-30” sugar maple. Do not remove. Explore possibility of equipment change.
- #52 – 30-36” maple Remove deadwood and hanger only.
- #77 – 16” leader on sugar maple. Remove indicated leader only.
- #83 – 21” white pine. Do not remove.
- #84 – 18.4” white pine. Do not remove.
- #88 – 32” sugar maple. Do not remove.

Flagging on the trees not included the approval shall be removed prior to the commencement of work. Trees approved for deadwood removal only shall be marked differently from the approved removals.

Jon Glass seconded the motion. Everett Cass stated that he would vote against acceptance because he feels that too many trees are being saved. Bill Lipfert asked for a roll call vote. Voting in favor were Jonathan Glass, Heidi Jaarsma, Linda Leone, and Kellie Patterson Parry. Voting against were Scott Baker and Everett Cass. The motion carried 4-2.

Mr. Marcotte asked the Board to approve tree trimming. He reviewed Eversource trimming standards, which call for the removal of brush and limbs less than four inches in diameter located within eight feet to the side of, ten feet below, or fifteen feet above conductors. Mr. Marcotte stated that each customer will be contacted prior to any cutting. Heidi Jaarsma made a motion to approve the request to trim trees on scenic roads. Scott Baker seconded the motion, and Bill Lipfert asked for a roll call vote. Voting in the affirmative were Scott Baker, Everett Cass, Jonathan Glass, Heidi Jaarsma, Linda Leone, Kellie Patterson Parry. With none voting in the negative, the motion carried 6-0.

Adjournment

Kellie Patterson Parry made a motion to adjourn. Scott Baker seconded the motion, and Bill Lipfert asked for a roll call vote. Voting in the affirmative were Scott Baker, Everett Cass, Jonathan Glass, Heidi Jaarsma, Linda Leone, Kellie Patterson Parry. With none voting in the negative, the motion carried 6-0. The meeting was adjourned at 8.44 PM.

Respectfully submitted,
Heidi M. Jaarsma