

Minutes of the Meeting
Tree Hearing
June 29, 2022



CITY OF MALDEN

Department of Public Works
356 Commercial Street Malden, MA 02148
Telephone: 781-397-7142 ; Fax: 781-397-7372

Christopher Rosa DPW Operations Manager/Tree Warden

**LEGAL NOTICE
CITY OF MALDEN
PUBLIC TREE HEARING**

In accordance with the provisions of Massachusetts General Law, Chapter 87, Section 3, notice is hereby given that a public hearing will be held at 6:00 P.M. on the 29th day of June 2022 at Malden City Hall Conference Room 105, 215 Pleasant Street, Malden, Massachusetts for the purpose of determining whether or not the thirteen (13) public shade trees each located in and around the address identified below:

Address	Street	DBH (IN)	Common Name
1	FAIRVIEW	41	SILVER MAPLE
17	BAKER	18	NORWAY MAPLE
20	BAKER	15	NORWAY MAPLE
22	BAKER	13	NORWAY MAPLE
25	BAKER	22	RED MAPLE
25	BAKER	4.5	NORWAY MAPLE
74	HADLEY	16	GREEN ASH
80	HADLEY	21	GREEN ASH
41	CLIFF	21	NORWAY MAPLE
60	CLIFF	21	NORWAY MAPLE
66	CLIFF	13	CRIMSON KING MAPLE
12	DAVIS	23	RED MAPLE
150	CENTRE	13	RED MAPLE

shall be cut down, or removed per the Tree Warden of the City of Malden.

Christopher Rosa
Tree Warden

6PM Introduction by Chris Rosa, Tree Warden

Chris lists three primary objectives including replenish the canopy, planting the right tree in the right place and increasing tree diversity

Meeting begins promptly at 6:01PM Chris reads Massachusetts General Law Chapter 87 Section 3 and the meeting agenda.

150 Centre Street:

Karen Staffier of VHG group has requested the tree to be cut on behalf of Boston Gas Company for purpose of relocated curb cut

Karen & the VHG group would like to relocate the curb cut further from the intersection; the plan involves adding 64 new trees to the site and other foliage.

Karen is open to Chris reviewing plan for tree replacements, agreeable to allowing Chris/ the DPW to place trees where they see fit within new landscaping process

All those in favor of removal:

None

All those opposed to removal:

Ward 4 Councilor Ryan O'Malley

Sheila Rachels, Ward 2, 20 Pleasant Street argues the tree provides shade and asks why would the City cut down a healthy tree that provides shade

Correspondence

Ward 4 Councilor Ryan O'Malley is worried about curb cut relocation and asks if it has been approved by the DPW. Similarly he finds the relocation unnecessary and believes the Public Involvement Plan (PIP) should be involved and that it is not National Grid's jurisdiction

Chris Rosa, Ryan O' Malley and Mara Luise explain the process for removing trees.

Karen explains the goals of the renovation project, which involves removing the tree for safety and work effectiveness reasons as well as for aesthetic reasons. Ultimate goal is to create an urban edge landscape treatment screen barrier to backdrop, comes hand in hand with adding trees, plants, etc

Karen argues that if they move the curb cut from involved intersection at centre street, there will be a longer stretch of landscaping and trees and less curb cuts overall

Anthony Palmieri, Ward 3 says removing a mature tree and replacing it with younger trees will make the area look manufactured

Kari Percival reiterates above point about tree size and health, landscape plans should involve healthy trees

Prisco, 56 Pine street says area is an eye sore, planting 64 trees is a nice concept, however the area is too late for beautification

Karen says they are attempting to find balance between allowing DPW to invest/ enhance area and removing tree, providing 64 new trees in addition to all other current shade trees, however need this one removed as it is in the way and causes safety concerns

Maria Luise explains her role as Mayor's Chief of Staff and ADA Compliance Officer

Question: if this is a healthy tree why is the curb cut in this area?

Karen says for safety and operation reasons, reiterates goal of creating a nice looking “edge” area where landscape stops and driveway starts

Ryan O’malley questions why they don’t shutdown the area where the driveway and landscape meet, as it not used until recently

Karen’s assistant explains they cannot close it as it is an imperative part of new plan and necessary for leaving jobsite

Constituents question if it is too close to Malden River

Kari Percival believes that if the aforementioned goal is to create a landscape/ environment that is aesthetically pleasing and attractive keeping a full grown aesthetic tree would be a good idea

Chris briefly reads plan submitted by Karen which involves 64 trees, 200 shrubs, 500 perennials, 1500 ornamental grasses

Chris explains difference between public shade trees and private trees

Ryan o’malley questions whether or not if we plant a shade tree on/near their property it becomes our property

Chris explains the City would only own it for a certain amount of years or that if the root base touches public easement they can claim it as a public shade tree

1 Fairview

Chris states the tree is “In good health” however there is a question of ADA compliance

Chris introduces city engineer Yem Lip

Baker street (corner) sidewalk is reportedly 90% complete, aside from 5 trees

Chris Rosa objects to the tree being cut down

City engineer Yem Lip explains that the tree is not ADA compliant as it takes up most of sidewalk, however there is potential 2 foot of easement, which involves borrowing 2 feet of homeowners land, extends onto homeowner property

Homeowners/ the Pearlsteins do not want it removed and worried about appearance

Chris Rosa promises homeowners good use of homeowners property

Homeowners believe the necessity of having ADA compliant sidewalks leads to the removal trees and the city does not create ADA compliant sidewalks with trees

Chris rosa agrees not enough trees are being put back in after removal

Chris and Yem intend to include tree pits to allow for more\ future trees to be planted up to chris rosa

Homeowners allow for use of property

War 6 city councilor Stephen winslow explains possible “recreational use statute” that allows homeowners not to be liable for issues with the tree

Verdict- tree will stay up with homeowners allowance of land

Cohort of trees on Baker Street

Kari Percival/ Prisco ask if the street slope is above that of ADA compliance, is it necessary to have trees that are ADA compliant?

Kari Percival questions/proposes the use of a bump out -\which allows the tree to protrudes beyond sidewalk and disallows people from parking there

Yem, Chris and Anthony explain why a bump out wouldn't work

Yem explains issue is depth of roots and depth of sidewalk as well as rainwater runoff

Chris explains prior ramping of trees on Baker Street involved laying asphalt without destroying roots

17 Baker, 20 Baker, 22, 2 trees at 25 Baker

Maria Desilva detail roots cracking asphalt/ wall

Chris explains that if many of the trees roots are damaged best to remove tree

Ryan o'malley suggests flexible grounding

25 Baker Tree #1 4.5 inch Norway Maple

Chris intends to visit Baker street

Chris points out die back, tree is pruned and damaged and the top is dead and not going to comeback

Maria Desilva/ other constituents agree tree is dying

Chris states the tree would be replaced with 3-3.5 inch caliper and he intends to move tree slightly for curb cut reasons and to accommodate the lack of trees toward Fairview

4.5 inch maple at 25 Baker recommendation: Chris intends to remove and replace with a 3-3.5 inch caliper, assuming it is dead , intends to make site visit to check root system of tree

No opposition

25 Baker 22 inch Maple

Chris describes tree as relatively healthy, despite slight die back, however the sidewalk looks terrible and there has been an apparent root cut

Councilman Ryan O'malley questions when work started, accuses contractors of "killing trees"
Constituents from baker street are disappointed by the length of the construction project and lack of trees on the street

Constituents from Baker Street report additional issues with cement on water main

Kari Percival is not sure if this is a red maple, suggests looks like a silver maple
Chris retorts it is not a silver maple due to bark and that it is a variety of red maple

Chris' recommendation: remain until Chris can check out root system

Maria Desilva Questions how long Chris "checking it out" will last as she would like to pave her driveway and, has been trying to do such for 10 years

All those in favor of removal:

Maria desilva 29-31 Baker, cannot pave driveway

All those opposed to removal:

Ward 4 Councilor Ryan O'Malley

Margarie Pearlstein - 1 Fairview

Prisco Tamarre - 56 Pine street

Correspondence

Ryan Suggests instead of attempting to cut down so many trees and/or use the temporary easement method the CIty should reach out to resident's prior, meaning there would be no need for tree cutting down or hearing if residents allow for use of space

Kari Percival agrees

Councilor O'malley again suggests flexible paving

Chris acknowledges, however says flexible pavement still provides tripping hazards

17 Baker

Tree Warden Chris Rosa reports the tree as healthy and having no die back

Tammie John, 17 Baker Street - Struggling with a squirrel issue, not necessarily wanting it removed but trimmed to reduced squirrel presence

Chris offers a soft trim, however does not believe any amount of cutting would fix squirrel problem

City Engineer Yem Lip brings up slope issue, reports the root system is high up and not ADA compliant

Sheila Rachels argues that the tree provides shade and questions why the City would cut down a healthy tree that provides shade

Constituents Prisco and Kari Percival do not understand/ accept lack of ADA compliance as the reason for cutting the tree down

Kari Percival believes the city should prioritize trees

Anthony Palmieri (Malden forestry committee) says tree is planted in bad spot

Kari Percival reads statistics related to tree lined streets and the corresponding decrease in property value and tree removal

Consensus amongst constituents that trees should be a priority

Tree Warden Chris Rosa states heating, cooling and water absorption are more important issues than property value

Chris reports the trees at 20 & 22 Baker have a similar issue with high roots

Prisco asks "what's wrong with the slope elevation/ sidewalk of the tree?"

Chris' recommendation

Trees at 20, 22 & 25 will remain until Chris can scout it out and see if there is any ability to save roots/ trees

Margarie Pearlstein asks why not use "Paper properties" (area that the city owns that they would sell to individuals) to use for tree parks/ conservation efforts

Ward 6 City Councilor Stephen Winslow speaks on Ward 6 efforts to use paper properties for conservation efforts

17 Baker

All those in favor of removal:

All those opposed to removal:

Prisco Tamarre - 56 Pine street

Kari Percival

Margarie Pearlstein - 1 Fairview

Sheila Rachels- 20 Pleasant Street

20 Baker

All those in favor of removal:

None

All those opposed to removal:

Prisco - 56 Pine street

Kari Percival

Margarie Pearlstein -1 Fairview

22 Baker

All those in favor of removal:

None

All those opposed to removal:

Prisco - 56 Pine street

Kari Percival

Margarie Pearlstein - 1 Fairview

Hadley Street

Formerly tree lined street

Chris Rosa defers problem of green ash trees to Anthony palmieri who explains green ash trees rot/ die quickly

Chris Rosa explains a recent phenomenon called emerald ash borer (a beetle that lays eggs under bark which take the water from the tree causing dieback)

Constituents acknowledge it is a mature/ dying tree that has been creating sinkholes due to high roots coming through pavement

Chris Rosa explains how trees are leaning into/ over street

Chris' recommendation for both trees on Hadley street: Cut down replace with something more suitable

Prisco questions whether emerald ash borer is contagious

Chris says trees have to be quarantined, cut and chipped

Maria Luise questions if we will be planting any more ash?

Chris says he is "never planting another ash tree again?"

For removal of both trees @ Hadley

All those in favor of removal:

Pearlstein et al

All those opposed to removal:

None

41 Cliff Street

Chris says it's a very nice tree, however it is very large and takes up far too much space, 6 inches of accessibility

Norway trees invasive, however this one grew well
There is close to no sidewalk present
Suggestions involve making street a one way - with one sided parking
Bump out not the best option

Stephen Winslow measured the area around the tree on day of the meeting and found the sidewalk was not ADA compliant
Prisco questions what are next steps considering even a small tree wouldn't be ADA compliant
Mr. Allen Cliff street resident acknowledges suggestions are limited to reducing sidewalks
Chris Rosa guarantees 10-12 trees once sidewalks are done with intentions to put diverse short trees

Chris' recommendation: cut tree and replace due to lack of ADA compliance

41 Cliff Street

All those in favor of removal:

All those opposed to removal:

Kari Percival

Magarie Pearlstein questions where do you get the budget to replace these trees?
Chris explains that each year the DPW gets a certain amount for trees, councilors will contribute ward funds, and can claim money from motor vehicle accidents that damage trees.

Constituents question whether trees are ever planned with ADA compliant sidewalks

Mr. Pearlstein questions what Kari believes we should do with this street as it pertains to the parapalegic individual since she opposed removal

Maria and Chris explain Environmental Justice Zoning and new efforts in partnership with the DCR

60 Cliff street

Chris reports tree is fairly healthy but partly hollow
Chris' recommendation: Remains, ability to use city easement

Opposed to removal

All those in favor of removal:

All those opposed to removal:

Prisco - 56 Pine street

Anthony palmieri

Kari Percival

Etc

66 Cliff

Chris has correspondence from Homeowner

Chris reads correspondence from Homeowner

Homeowner (Kim Goodman)/ many residents against tree being removed

Hope is that tree is not removed

Potentially open to easement

Chris promises her he would fix damage if she was accepting of easement

Chris' recommendation: easement w/ help of Kim Goodman

12 Davis

Yem introduces tree as a beautiful red maple, however the roots are far too high and the sidewalk is destroyed

Chris would like to see what he can do to salvage it

Yem suggests ripping it up and doing it over

Anthony plamieri suggests checking under asphalt

Chris agrees to checking under asphalt

Chris explains ability to create a ramp for accessibility reasons however it may not be possible in this area

Chris states there is a 50/50 chance to salvage at this time

Constituents of 18 Davis street report roots being extremely long and roots cracking the foundation near house

Constituent at 12 Davis street reports there is no place to walk, place/ roll trash

Chris and Constituents acknowledge many prior trees have been removed from Davis

Chris' recommendation: remove and replace with 5-7 trees

All those in favor of removal:

Doris Rivera, 18 Davis Street

Constituent at 12 Davis Street

All those opposed to removal:

Nobody opposed to removal

Meeting Adjourned 8:24 PM

Maria Luise

From: Ryan O'Malley
Sent: Wednesday, June 29, 2022 6:26 PM
To: Christopher Rosa
Cc: Gary J. Christenson; Maria Luise; Yem Lip; Karen M. Bourque
Subject: Objection to Tree Removals

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Tree Warden Rosa,

I am writing to formally object to all tree removals proposed by the City of Malden at the hearing held on June 29, 2022:

Address	Street	DBH (IN
1	FAIRVIEW	41
17	BAKER	18
20	BAKER	15
22	BAKER	13
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80	HADLEY	21
41	CLIFF	21
60	CLIFF	21
66	CLIFF	13
12	DAVIS	23
150	CENTRE	14

I will also be petitioning the DPW commission to rescind its approval of the curb cut relocation at the National Grid site (100 Commercial Street).

Kind regards,
Ryan

Ryan O'Malley
Councillor Ward 4
City of Malden

Wednesday June 29, 2022

Christopher Rosa
DPW Operations Manager/Tree Warden
356 Commercial Street
Malden, Ma 02148

RE: 66 Cliff Street/Crimson King Maple Tree

Dear Mr. Rosa,

My name is Kimberly Goodman and I live at 66 Cliff Street in Malden. My letter is written to you with the concern of the Crimson King Maple Tree that is in front of my house. I was made aware that there may be a possibility of the tree having to be removed. I am against the tree being removed, and so aren't the many residents that I have spoken to in my neighborhood.

I am aware that the city has to be compliant with rules in regards to the sidewalk, where maybe this tree is interfering with. It was explained to my husband Gerald Goodman and I that there may be some options before any decisions are made, and that we would be made aware.

1. My first hope is that this beautiful, healthy tree will not be removed.
2. If the city has to accommodate the size of work around the tree, and they need to take some inches off of my property, I would need to be made fully aware so that I can make an informed decision on whether I feel comfortable with that. If the decision is made that some land be taken from my property, then I would potentially consider that, if the city replaces landscaping that will be disrupted, and my property put back in the condition in which it was in prior, and as long as any work done in front of my house does not disrupt anything within my house causing me any financial cost.

I have lived in this house for 10 years. Many neighbors living here longer than I. This tree brings beauty to our neighborhood. I was told by Mr. Rosa that the tree is healthy. It pains me to think of a tree that has grown here for many years, and to be healthy and bring beauty to our area, be taken down for potentially three feet of land. My hope is that the engineers and Tree Warden can come up with a plan so that both sides are happy, and that it becomes compliant with city regulations, and the tree remains in all its beauty and grandeur.

Sincerely and Respectfully,
Kimberly Goodman
66 Cliff Street, Malden, 617 835 9932