

Ferguson Township Tree Commission (FTTC)

Date October 21, 2019

Meeting Agenda

Time 5:30pm

Call to Order

Citizen's Input For Items Not On The Agenda

Any citizens in attendance are welcome to address the FTTC at this time.

September 16th Meeting Minutes

The FTTC shall review and approve the minutes from the September meeting.

Tree Preservation Ordinance

The Chairman shall provide a draft version of the tree preservation ordinance prepared with assistance of Dr. Elmendorf. The FTTC shall review the draft.

Public Hearing for Tree Removals

The FTTC shall hold the annual public hearing on proposed street tree removals. The FTTC should consider any feedback from residents and finalize the street tree removal and replacement list for 2019.

Outreach and Education

The Arborist met with Allyson Muth and Scott Pflumm on October 15th to discuss proposals for future outreach and education on public trees in Ferguson Township. Allyson and Scott will present the first proposal and receive feedback from the FTTC.

Resident Requests for New Street Trees

The Chairman has requested a discussion regarding how to address requests for new street trees that are not currently on the planting opportunities list of the township.

Arborist report:

The Arborist will review work activities and plan reviews since the last meeting.

Communications to Commission Members

This is an opportunity for FTTC members to report on any contact by residents regarding FTTC matters.

Future agenda items

Tree Preservation Ordinance, Outreach and Education, Planting Opportunities

Other

Next meeting date and time is November 18th at 5:30pm

**FERGUSON TOWNSHIP TREE COMMISSION
MEETING MINUTES
MONDAY, September 16, 2019
5:30 PM**

I. ATTENDANCE

The Tree Commission held its public meeting on Monday, September 16, 2019 at the Ferguson Township Municipal Building. In attendance were:

COMMISSION:

Howard Fescemyer, Chairperson
Marc McDill
Mike Jacobson
Scott Pflumm
Allyson Muth

STAFF:

Lance King, Arborist
David Modricker, Public Works Director
David Pribulka, Township Manager

Others in attendance were: Summer Krape, recording secretary; Student (declined to disclose name), here on assignment from Penn State.

II. CALL TO ORDER

Dr. Fescemyer called the Monday, September 16, 2019 Ferguson Township Tree Commission meeting to order at 5:30 pm.

III. CITIZEN'S INPUT FOR ITEMS NOT ON THE AGENDA

A Penn State student was present to learn more about community sustainability and the role of the Tree Commission for a class assignment. Dr. Fescemyer stated that the Tree Commission's role in the Township is to help decide what trees to plant around the Township consider, the health of trees, advise on tree planting in new developments, and tree protection. Mr. Modricker stated that the Township website has a lot of information that she may find helpful as well.

IV. AUGUST 19TH MEETING MINUTES

Dr. Fescemyer asked for a motion to approve the August 19th meeting minutes, per the corrections the Commission discussed. **Dr. McDill made a motion to approve and was seconded by Dr. Muth. The motion passed unanimously.**

V. ELECTION OF VICE CHAIR

Dr. Muth nominated Mr. Pflumm to be the Vice Chair of the Tree Commission and Dr. Fescemyer seconded the motion. The motion passed unanimously.

VI. RIDGE OVERLAY DISTRICT

Dr. Fescemyer asked Mr. King and Mr. Modricker what a Ridge Overlay District is and where it's located in the Township. Mr. King showed the Commission a zoning map and explained where the Ridge Overlay District is located Mr. Pribulka explained that an overlay district is a set of regulations that supersedes

the underlying zoning regulations. The Ridge Overlay District has more specific regulations for that specific area, it is as an overlay on top of the underlying zoning district. Mr. King stated that this district has a lot of preservation components such as tree preservation that maintains or replaces 25% of the trees in that area.

VII. OUTREACH AND EDUCATION

Mr. Pflumm stated to the Commission that he and Dr. Muth were nominated for the outreach and education subcommittee. They decided their first order of business was to make a mission statement. Their plan is to formulate a mission statement, decide on strategy, identify goals, come up with possible programs, and then propose budget requests. Mr. Pflumm and Dr. Muth drafted a mission statement and reviewed it with the Commission. The Commission discussed wording and came to a conclusion to blend the language found in the ordinance with the 991 with the language proposed by Mr. Pflumm and Dr. Muth. Mr. Pflumm stated that he wants to make sure residents are okay with how money is being spent and the Commission is addressing the outreach/education correctly. Dr. Fescemyer stated that an example of possible outreach would be talking to a civic group and providing refreshments.

Mr. Pflumm stated that the next meeting he would like to discuss specific goals the Commission would like to achieve and from there figure out appropriate programs. Dr. Muth stated that there is an event being held in the Township the Musser Gap called "A Walk in Penns Woods." Dr. Muth asked if any Commission members would be interested in attending to greet people and answer questions. The event will be held Sunday, October 4th from 1:00-4:00 PM. Dr. Muth asked if staff could print some publications, and supply tables, chairs, a tent, and possibly some sort of refreshments. Dr. Muth and Mr. Pflumm will be attending. **Dr. Fescemyer made a motion to staff this event, Mr. Pflumm seconded the motion. The motion passed unanimously.**

VIII. TREE PRESERVATION ORDINANCE

Dr. Fescemyer stated that he and Dr. Elmendorf have made great strides with drafting the preservation ordinance. They almost have a full draft ready to share with the Commission. Dr. Fescemyer stated that the ordinance will be a lot like the tree preservation ordinance from White Marsh Township.

IX. OAK DISEASE MITIGATION PROPOSAL

Dr. McDill stated that there are dozens of trees that are dead and dying in Patton Township. Dr. Fescemyer stated that he spoke to Ted Martz from Bartlett Tree Experts and Ted stated that he believes the issue in Patton Township is a combination of oak wilt and chestnut oaks dying a natural death. Mr. King stated that Ian Groy from Bartlett Tree Experts did a presentation for Patton Township and Mr. Groy stated that 90% of the trees he looked at were chestnut oaks and 90% of the trees looked at he couldn't find the root collar and he has no idea where they are. Mr. Groy believes they have been buried for a long time and this could be contributing to the high mortality. Mr. King explained that Bartlett would

like to set up a test plot area in the Park Forest area on chestnut oaks to determine what is going on. Dr. McDill explained that he would like Ferguson to be prepared and approach this better than Patton Township did by offering residents to pay for testing and offer education. Dr. Fescemyer and Mr. King both agreed they don't recommend tax payer money would be appropriate for this. Dr. McDill stated that he believes education is a good start. Dr. Muth suggested having Bartlett come use trees in Ferguson as a test project.

X. 2019 C-15 STREET TREE PRUNING CONTRACT

Mr. King stated that GIS staff is currently working on the street tree pruning maps the Commission will see at the October meeting. The areas in this contract will be Greenleaf manor subdivision, Saybrook, and Pine Grove Mills neighborhoods. Mr. King stated that there will be between 750-800 trees in this contract. The contract will go out to bid on October 7th with a bid opening on Nov 12th, and consideration for award by the Board of Supervisors on November 18th.

XI. ARBORIST REPORT

Mr. King updated the Commission on new planting opportunities. Stonebridge HOA will hold a meeting this week and will decide on the plantings they want for the common areas. He proposed a plan of forty two trees and he is waiting for feedback on species. Mr. King will start the Tree City USA application next month. This will be the fourth year he has applied for Tree City USA designation. Mr. King stated that last week some public works employees attended chainsaw training. The training included safety and tree removal techniques. Mr. King stated that he was notified about another tree in Pine Grove Mills that could possibly have oak wilt. The tree was tested and came back negative. Mr. King asked Bartlett Tree Experts to retest. Mr. King stated that he will be inspecting trees from the fall planting contract. He will be looking to see if these trees have any leaves or buds and will do final inspection in April. Last week he met with staff from COG and Centre Region regarding the Whitehall Road Regional Park. They brought the same plan that was previously submitted. Mr. Pflumm asked about the tree software that was discussed at the last meeting and where that stands. Mr. Kings stated that there is a record of all public trees but not private trees. Pruning contracts can be searched in Township Capital Project folders or by using GIS software.

XII. COMMUNICATION TO COMMISSION MEMBERS

Dr. Fescemyer stated that he was contacted by Dr. Song who is a resident living in Teaberry Ridge. Dr. Song is concerned about a tree that is in front of his property. He stated that tree is dead/dying and wants to know what can be done about it. Mr. King stated that they are purple sand cherries a species that was picked by the development or HOA not the Township. Mr. King explained that there are two trees in that development and they do have black knot. Mr. King stated that if it is a sizable tree he could try and save it. Dr. McDill and Dr. Fescemyer are both in favor of cutting them down and replacing them.

XIII. FUTURE AGENDA ITEMS

XIV. OTHER

XV. ADJOURNMENT

The September 16, 2019 Tree Commission meeting adjourned at 8:15 pm.

RESPECTFULLY SUBMITTED,

David Modricker, Director of Public Works
For the Tree Commission

FERGUSON TOWNSHIP: TREE PRESERVATION AND PROTECTION ORDINANCE (DRAFT- 09/24/2019)

Note: Would this ordinance supersede all other ordinances containing tree protection and/or preservation components? If not, can we add such a statement and where is the best place to put it. I am thinking about the zoning ordinance for traditional town development where the 40% preservation or replacement exists. There are three other places where tree preservation-like code exists.

Purpose

A) Preserving trees and the natural landscapes associated with them addresses all three pillars of sustainability- environment, economics and society. Trees provide numerous ecosystem services to the Township's common good through 1) aesthetic contributions that improve human mental health, 2) recreational opportunities that improve human physical health, 3) control of stormwater, flooding and soil erosion, 4) recharge of groundwater, 5) removal of carbon dioxide through carbon sequestration, 6) augmenting human lung and heart health by filtering human produced air and water pollutants, 7) moderation of extremes in temperature, noise and glare, 8) maintenance of habitat for desirable wildlife, and 9) increased property value and retail sales.

B) Furthermore, preserving trees in the Township beautifies and enhances both improved and undeveloped land, preserves and protects natural and historic resources, ensures that excessive tree removal does not reduce property values, and minimizes the cost of construction and maintenance of stormwater management systems necessitated by the increased flow and diversion of surface waters imposed by present and future land development. Trees and the natural landscapes associated with them are essential to the prosperity, health, safety and welfare of Ferguson Township residents, businesses and visitors. These essential contributions to health and welfare are why the Township will preserve and protect existing trees in land development and provide for the replacement and planting of new trees.

C) The purpose of the Ferguson Township Tree Preservation and Protection Ordinance is to encourage the use of sound land use planning practices on both public and private lands for the following purposes; a) preserve, protect, and maintain existing trees in the Township, b) protect and increase the overall tree canopy and natural understory landscapes, c) preserve individual or groups of historic trees as defined herein, and d) reduce invasive and exotic species.

D) The intent of this Ordinance is to encourage the protection and replacement of trees consistent with the economic and healthful enjoyment of private property. This intent is not punitive, or to cause hardship to any individual, private firm, or public agency that uses every care and diligence to protect trees within the Township.

Definitions

Note: There may be more definitions added.

Applicant

The property owner or their authorized representative; the term includes “developer.”

Arboriculture

The cultivation, management and study of individual trees, shrubs, vines and other perennial woody plants

Arborist

The Arborist for Ferguson Township supervised by the Director of Public Works. The Arborist is a professional in the practice of arboriculture.

Arboricultural Assessment

An assessment of a tree’s condition including health, structure and risk as performed by the Arborist or a qualified arborist as approved by the Arborist.

Protected Tree

Any tree, or group of trees, that is to be properly protected and not destroyed or damaged during construction as required by this chapter and approved by the Ferguson Township Tree Commission with advice from the Arborist.

Boundary Tree

A tree on adjacent property whose tree protection zone intrudes across the property line of the property under consideration.

Canopy Tree

Large trees generally reaching at least 40 feet in height at maturity.

Note: Since canopy refers to the extent of the outer layer of leaves of an individual tree or group of trees, do we want to say something here about branch spread or dripline at maturity? “Canopy tree” is never actually used in the current version, but canopy is used relatively often. Maybe we need to define canopy or replace it with dripline where it is used to refer to branch spread.

DBH

The tree diameter measured at 4.5 feet above the grade.

Director

The Director of Ferguson Township Department of Public Works or his/her designee.

Dripline

A line derived by the horizontal line extending along a radius from the trunk of a tree to the outermost tips of branches.

Commission

The Ferguson Township Tree Commission.

Hazardous Tree

Any tree with uncorrectable structural defects severe enough to pose a present risk to people, structures, or other vegetation, as determined by the Township Arborist.

Note: Should we specify what guideline the Arborist will follow; e.g., ISA Tree Risk Assessment?

Historic Tree

A tree located on public or private property which is specifically identified and considered worthy of protection by the Township Tree Commission because of its species, size, rarity or historical and cultural importance; or a tree having a DBH greater than 24 inches or an age greater than 30 years.

Invasive Species

A tree species not native to a specific landscape or ecosystem, and that can spread to a degree believed to cause damage to the environment, human economy or human health.

Limit of Disturbance

Boundary line to be shown on a plan delineating the area outside of which no unpermitted activity of any sort relating to transplanting, demolition, grading, construction, drainage, storage or any other project activity is permitted.

Lot

A designated parcel, tract or area of land established by a plot or otherwise permitted by law to be used, developed or built upon as a unit and which is described and/or held in single and separate ownership.

Manager

The Manager of Ferguson Township or designee.

Native Tree

A tree species indigenous to the Northeastern United States that occurs naturally in a region, state, ecosystem or landscape without direct or indirect human action.

Property Owner

Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the Commonwealth of Pennsylvania, County of Centre or Ferguson Township as holding title to a property; or otherwise having control of a property, including the guardian of an estate of any such person, and the executor or administrator of an estate of such person if ordered to take possession of real property by a court.

Protective Fencing

Barrier, railing, or other upright structure that protects a tree or trees being preserved against unpermitted construction affects. Fencing will be approved by the Arborist and placed around the perimeter of the protection zone of any tree or trees being preserved.

Qualified Arborist

An International Society of Arboriculture Certified arborist deemed qualified by the Arborist to complete arboricultural assessments, tree pruning or other arboricultural work.

Removed Tree

Any tree that is destroyed, damaged, or otherwise not protected according to the provisions of this chapter and any permit issued for encroachment or limb or root pruning.

Note: Encroachment relative to what portion of the tree (e.g., dripline, root cover area, etc. probably needs to be defined.

Replacement Tree

A tree or trees required to be planted per this ordinance to compensate for the removal or damage of existing trees on a lot.

Supervisors

The Township Supervisors of Ferguson Township.

Township

Ferguson Township Pennsylvania.

Tree

Any perennial plant, whether evergreen or deciduous, or a species which normally reaches a height of eight feet or more at maturity.

Tree Condition

An assessment of tree health and structure by the Arborist or a qualified arborist as approved by the Arborist.

Note: Should we specify what guideline the Arborist will follow; e.g., ISA Tree Risk Assessment?

Tree Protection Plan

Plan for a lot proposed to be developed that identifies the size, species, trunk and canopy location of any historic tree and/or any tree or trees five inches or greater in DBH. This plan must denote each tree, or group of trees, to be saved, removed, pruned or encroached upon on a lot proposed to be developed.

Tree Protection Zone

An area approved by the Arborist that is radial in all directions to the trunk a tree to be protected. The tree protection zone shall be 15 feet from the trunk of the tree to be retained, or the distance from the trunk to the dripline (the line marking the outer edge of the branches of the tree), whichever is greater. Where a group of trees or woodlands is to be protected, the tree protection area shall be the aggregate of the protection areas for the individual trees.

Administration and Applicability

Note: decisions must be made as to what department/person will administer the ordinance and what section of the Township code the ordinance will be placed in.

- A) The [REDACTED] or designee shall be responsible for administration of all provisions of the Township Tree Preservation and Protection Ordinance.
- B) The [REDACTED] shall hear and decide appeals pursuant to the provisions of this ordinance when it is alleged that there is an error in any order, requirement, decision or determination made by the in the administration or enforcement of this ordinance.
- C) No person, firm, organization, society, association, or corporation, or any agent or representative thereof, shall directly or indirectly destroy or remove any protected or historic trees, except as authorized under the provisions of this ordinance.
- D) Unless exempt, any property owner or developer who makes application for an earth disturbance permit, grading permit, demolition permit, building permit, subdivision and land development permit, or zoning permit shall comply with the terms of this ordinance.
- E) Except for historic trees, this chapter is not intended to apply to:
1. The removal of trees from a lot containing an existing single-family residence, unless such removal is a part of grading activities that affect 5,000 square feet or more of area. However, no property owner or occupant shall be permitted to remove trees if such trees have been planted or preserved to meet the requirements of Township ordinances (street trees in the right of way for example) or an application approved by the Township.
 2. The removal of trees identified as dead, diseased, or hazardous by the Arborist or a qualified arborist as approved by the Arborist.
 3. The removal of trees for sale in the ordinary course of business from horticultural properties such as farms, nurseries, or orchards.
 4. Forestry practices and activities as defined in the Pennsylvania Municipalities Planning Code.
- F) Size of protected trees.
- Note: Should invasive species be exempt from being considered in the permit process?***
1. All trees five inches in DBH or over will be considered on a tree preservation plan as outlined in this ordinance. The removal, pruning, or encroachment within the protection zone by development activities of any tree five inches or greater in DBH must be authorized by a permit from the Commission after review by it with advice from the Arborist. No more than 40% of the trees shall be removed on any lot without the approval of the Commission.

2. All historic trees must be considered on a tree preservation plan as outlined in this ordinance. The removal, pruning, or encroachment within the protection zone by development activities of any historic tree shall be authorized by a permit from the Commission after review by it with advice from the Arborist. Any historic tree removed without approval of the Commission shall be replaced with trees of equivalent value as recommended by the Commission with advice from the Arborist **and according to the Tree ordinance or other ordinances.**

Note: The part highlighted in green refers to the question posed at the very beginning of this document.

Tree Preservation Plan and Arboricultural Assessment

A) Tree Preservation Plan

1. Applications for an earth disturbance permit, grading permit, demolition permit, building permit, subdivision and land development permit, or zoning permit shall include a tree preservation plan. **The exception is any development that does not include disturbance of ground coverage.**

Note: The following questions refer to the part highlighted in green. Is there such a thing? Should this be moved to part E on this chapter is not intended to apply to?

2. The tree preservation plan shall denote each tree, or contiguous grove of trees, to be preserved, removed, pruned or have a tree protection zone encroached upon by grading or other development activity.

3. The tree preservation plan must contain the trunk and canopy dripline location of all trees over five inches DBH, existing and proposed topographic information at two-foot contour intervals, and must show all existing and proposed buildings and structures, driveways, and parking areas, drainage structures, stormwater detention/retention areas, utilities, construction staging areas, and all limits of grading. If two or more trees are in a contiguous grove the outer edge or edges of the grove's canopy must be marked on the tree preservation plan.

4. The tree preservation plan shall be reviewed and approved by the Commission with advice from the Arborist in a public hearing.

B) Arboricultural Assessment

1. In addition to a tree preservation plan, when considering historic or other significant trees, the Commission may request an arboricultural assessment of the condition of the tree or trees proposed for removal. This assessment shall be done by the Arborist or a qualified arborist as approved by the Arborist.

Permit Review and Appeal

Note: How the appeal process work needs to be determined or devised.

A) Permit Review

The Commission with advice from the Arborist will review and approved or declined any required site visit, arboricultural assessment of tree or trees, permit application or

applications for tree removal, pruning and encroachment into a tree protection zone by development activities.

Note: Should the permit process include an on-site inspection by the Arborist to make sure that all appropriate trees are being preserved?

B) Permit Appeal

The permit decision of the Commission may be appealed by an applicant to the ??????. Further appeal will be applicable by law.

Tree Protection Standards to Prevent Damage During Construction

A) Protective Fencing

1. Prior to any work on the lot a forty-eight-inch-high snow fence, or other suitable fence approved by the Arborist, mounted on steel posts located five feet on center, shall be placed along the boundary of each tree protection zone or area.

2. When the fencing has been installed, it must be inspected and approved by the Arborist in a preconstruction conference held on the site prior to commencing clearing and further construction. The fencing along any tree protection area must never be moved and must be maintained until all work and construction has been completed. Any damages to the protective fencing must be replaced and repaired before further construction can begin. Any damage to fencing, damage to a tree or unpermitted encroachment into a tree protection area must be reported immediately to the Arborist.

Note: And then what happens must be devised, especially if a tree is damaged?

B. Preconstruction Conference

1. Upon approval for any permit subject to this ordinance, and prior to any construction, demolition or earth disturbance on the site, a preconstruction conference shall be held on the site between the Arborist and the applicant. The Arborist shall inspect and approve the tree protection fencing and other devices that have been installed to protect trees.

2. Upon approval of tree protection measures by the Township arborist, demolition, grading, and construction may proceed, provided all pertinent permits have been secured.

C) Tree Protection Measures

1. All permitted arboricultural work, including canopy and root pruning, must be completed using proper arboricultural standards approved by the Arborist.

2. Trees being removed must not be felled, pushed or pulled into a tree protection zone or into trees that are to be preserved.

3. Grade changes and excavations must not encroach upon a tree protection zone without an approved permit.

4. To facilitate preservation and protection, retaining walls and other engineering devices approved by the Arborist may be permitted to be used within a tree protection zone.

Note: Should a set distance from the base of the trunk be specified as the protection zone?

5. No toxic materials shall be stored within 100 feet of a tree protection area, including herbicides, other pesticides and products based or derived from petroleum (diesel fuel, gasoline, heating oil, propane and natural gas for example)
6. The area within a tree protection zone must not be built upon nor shall any construction equipment, tools, materials or debris (including soil, rocks, vegetation, etc.) be stored there either temporarily or permanently. Vehicles and equipment must not be parked or cleaned within any tree protection zone.
7. When tree stumps are located within 10 feet of the tree protection area, the stumps can only be removed by means of a stump grinder to minimize the effect on root systems of the protected tree or trees.
8. Sediment, mulch, soil and stormwater must not be located within or discharge into a tree protection zone. Retention and detention basins of any kind must not be placed within a tree protection zone.
9. Protected trees must not be used for roping cables, signs or fencing. Nails, screws and spikes (including climbing spikes) shall not be driven into protected trees.
10. Invasive vines that threaten the health of a preserved tree must be removed in a manner approved by the Arborist.

Note: What about trimming weeds in the protection zone?

Credits for Tree Preservation

A) Landscape Buffers

1. Landscape buffers as defined in the Township Zoning Ordinance or other ordinances shall, whenever possible, be met by preserving existing trees. The number of trees required to be planted in a landscape buffer may be reduced by a credit for preserved trees as defined in Table 1.

Table1. Credit for preserved trees.

DBH of Preserved Tree	Number of Trees Credited
30 inches or greater	8
18 to 29 inches	6
12 to 17 inches	4
6 to 11 inches	2

2. Preserved trees around the perimeter of the property may offset landscape buffer requirements for a site. Any tree within 20 feet of any proposed building or within five feet of a proposed road or sidewalk shall not be considered a preserved tree for this calculation.

B) Parking Lot and Other Landscaping

1. Preserved trees along the perimeter of parking lots and buildings may replace or credit landscaping requirements for a development as defined in the Township Zoning Ordinance or other ordinances.

C) Parking Requirements

1. To facilitate the preservation of a historic or other significant tree, the Township may consider reducing the number of parking spaces required for a development as defined by the **Township Subdivision and Land Development** or other ordinances.

Note: Is the part highlighted in green the correct part of the code?

D) Other Required Development Infrastructure

1. To facilitate the preservation of a historic or other significant tree, the Township may consider modifying road, sidewalk, stormwater retention or detention basins or other standards for infrastructure, as defined in the **Township Subdivision and Land Development** or other ordinances.

Note: Is the part highlighted in green the correct part of the code?

E) Renewable Energy

1. To stimulate the use of on-site generation of renewable energy (solar panels for example) equivalent to 50% of the electrical power required by the structures to be built, the Township may consider an exception to the need for tree preservation except in the case of a historic or other significant tree or trees.

Replacement Tree Requirements

A) General Requirements

1. Every tree with a DBH five inches or greater permitted for removal must be replaced with one or more new trees of a type approved by the Township with advice from the Arborist with a trunk diameter of not less than two inches in caliper measured six inches above ground. The total caliper of the replacement trees shall equal or exceed the DBH of the tree removed.

2. Unless approved by the Commission with advice from the Arborist, trees and other vegetation being used to preplace a tree with a DBH five inches or greater permitted for removal must be planted in addition to the trees required by any landscape requirements set forth in the **Township Subdivision and Land Development Ordinance** or other ordinances.

Note: Is the part highlighted in green the correct part of the code?

3. The species of replacement trees shall be subject to the prior approval by the Commission with advice from the Arborist. Each replacement tree shall be hardy to the area, noninvasive and 75% will be native.

Note: Is the proportion of native trees acceptable?

4. Replacement trees will meet or exceed standards found within the American Standard for Nursery Stock (ANSI Z60.1).

B) Not Sufficient Area on Lot for Replacement Trees

1. If the Commission with advice from the Arborist determine that there is not sufficient area on a lot for proper placement and planting of all replacement trees, a percentage of the replacement trees that can be planted on a development site will be increased in caliper size from the two inch minimum in accordance with the schedule as defined in Table 2.

Note: Is replacement with increased caliper size a good idea given that survival decreases with increased size? What other means of compensation could be used here?

Table 2. Schedule tree replacement when insufficient area occurs on a lot.

Number of Trees that Cannot be Planted	Percentage of Replacement Trees of Three-Inch Caliper	Percentage of Replacement Trees of Four-Inch Caliper	Percentage of Replacement Trees of Five-Inch or Greater Caliper
1 to 10	10%	0%	0%
11 to 50	10%	10%	10%
51 to 100	30%	20%	10%
Greater than 100	40%	25%	25%

3. Subject to prior approval by the Commission with advice from the Arborist, a maximum of 20% of the replacement trees may be replaced as shrubs with a minimum size of 24 inches in height at a ratio of six shrubs per required two-inch-caliper replacement tree. This substitution of shrubs only pertains when there is not sufficient area on a lot for replacement trees.

4. Subject to the prior approval of the Commission with advice from the Arborist, a maximum of 10% of the replacement trees may be replaced as groundcover at a ratio of 40 plants to one two-inch-caliper replacement tree. The minimum size of the groundcover is a one-gallon container. This substitution of groundcover only pertains when there is not sufficient area on a lot for replacement trees.

5. If any replacement trees should die within a period of eighteen months after completion of the activities associated with the land development permit, the owner of the property must replace the trees within six months at a ratio of one-to-one with an approved tree having a minimum with a trunk diameter of not less than two inches in caliper measured six inches above ground. Shrubbery or other vegetation used as replacement plantings which die within eighteen months of completion of activities must be replaced in kind within six months.

C) Post Construction Conference

1. Before an occupancy permit is issued, the Arborist will inspect and approve the planting of all replacement trees required by any permit approved by the Commission with advice from the Arborist.

Violation and Penalties

Note: This section depends on the type of ordinance and permits involved (zoning, SALDO, other).

Any tree lost or destroyed within five years prior to the submission of an application shall be listed on the tree preservation plan and shall be replaced in accordance with this chapter.



TOWNSHIP OF FERGUSON

3147 Research Drive • State College, Pennsylvania 16801
Telephone: 814-238-4651 • Fax: 814-238-3454
www.twp.ferguson.pa.us

October 8, 2019

Centre Daily Times
Legal Advertising Department
PO Box 89
State College, PA 16804

Please insert the attached legal notice so that it appears in the Legal Section of the Centre Daily Times on Friday, October 18, 2019.

Legal Notice

The Ferguson Township Tree Commission will hold a public hearing on Monday, October 21, 2019 at 6:30 p.m. in the Meeting Room at the Ferguson Township Municipal Building, located at 3147 Research Drive, to discuss street tree removal and replacement. A copy of the agenda is available for review on the Township's web page www.twp.ferguson.pa.us/tree-commission. The public is invited to attend.

For the Ferguson Township Tree Commission
Lance A King, Township Arborist

The **Proof of Publication Notice** and the invoice related to this advertisement should be sent to the attention of **Ms. Traci Miller, Accountant**. Please confirm that you will be able to process this request.

Sincerely,

TOWNSHIP OF FERGUSON

Lance A King
Township Arborist

Copy: Legal Advertising File

Tree to be Removed	Location	Replacement Tree
Sugar Maple	1105 W BEAVER AVE	shingle oak
Sugar Maple	1105 W BEAVER AVE	shingle oak
?	1241 W PARK HILLS AVE	shingle oak
Kentucky Coffeetree	BLUE COURSE DR & OLD GATES	american basswood
Red Maple	1754 OLD GATESBURG RD	ruby red horsechestnut
Pear	1917 PINE HALL RD	ruby red horsechestnut
Eastern Redbud	1879 PINE HALL RD	ruby red horsechestnut
Cherry Plum	1820 PINE HALL RD	ruby red horsechestnut
Honey Locust	PINE HALL RD	london plane tree
Serviceberry	PINE HALL RD	london plane tree
Serviceberry	PINE HALL RD	ruby red horsechestnut
Serviceberry	PINE HALL RD	ruby red horsechestnut
Kousa Dogwood	PINE HALL RD	dawn redwood
Kouse Dogwood	PINE HALL RD	dawn redwood
Japanese Pagoda Tree	118 NORTHWICK BLVD	american yellow wood
Japanese Pagoda Tree	124 NORTHWICK BLVD	american yellow wood
Linden	135 HAVERSHIRE BLVD	american basswood
Honey Locust	1984 AUTUMNWOOD DR	hardy rubber tree
Cherry Plum	1510 MARTIN ST	american yellow wood
Cherry Plum	206 W NORTH HILLS PL	american yellow wood
Willow Oak	Marjorie Mae St	swamp white oak
Cherry Plum	140 W NORTH HILLS PL	swamp white oak
Crabapple	348 BLUE COURSE DR	american yellow wood
?	125 E BLADE DR	no replacement
Crabapple	647 BERKSHIRE DR	american basswood
Japanese Zelkova	3221 SHELLERS BEND	american basswood
Golden Raintree	C BLUE COURSE & SHELLERS	american basswood
Cherry Plum	1366 RIDGE MASTER DR	hardy rubber tree
Cherry Plum	1416 RIDGE MASTER DR	hardy rubber tree
Crabapple	790 TEABERRY LN	hardy rubber tree
Sugar Maple	716 TANAGER DR	catalpa
Swamp White Oak	723 LINNET LN	catalpa
	163 RUSHCLIFFE ST	american basswood
Hardy Rubbertree	1217 LONGFELLOW LN	shingle oak
Honey Locust	1107 LONGFELLOW LN	american basswood
Sweetgum	184 HARVEST RUN RD N	swamp white oak
Sweetgum	2445 AUTUMNWOOD DR	catalpa
Sweetgum	2422 AUTUMNWOOD DR	catalpa
Sweetgum	117 MEADOWHAWK LN	london plane tree
Sweetgum	2452 AUTUMNWOOD DR	catalpa
Sweetgum	127 HARVEST RUN RD N	swamp white oak
Ash	2495 G SARATOGA DRIVE	swamp white oak
Sugar Maple	300 ROSEMONT DR	shingle oak
Sargent Cherry	STONEBRIDGE DR	japanese tree lilac
Redbud		no replacement

Ferguson Township Tree Commission: Education and Outreach
Proposal recommendation input
POC: Allyson Muth, Scott Pflumm
Date: 21 October 2019

Proposal 1: FTTC Education and outreach podcast series

Topics:

1. Introduction/Why does Ferguson township have a tree commission?
2. How does the township arborist serve the residents?
3. What are the responsibilities of the township's care for public trees?
4. What are the responsibilities of residents' care for public trees?
 - i. What can and can't I do? (this could be a long list of topics)
5. Steps to follow to determine public tree vs private tree
6. When do I need a tree permit and how do I get one?
7. I want a street tree. How do I get one?
8. I think my tree needs to be removed. What do I do?
9. Tree health – what to watch for and when to worry
10. Oak Wilt – disease diagnostics and what does the oak wilt ordinance mean? (perhaps two)
11. Tree ordinances to be aware of
 - i. Pruning when and when not to

Length: Each topic is under 5 min

Time frame: Record podcast over the winter. Post on Township website the first in series by 30 March 2020.

Resource request:

1. Video camera + data storage card
2. Microphone
3. Lance's time: 2 hrs (for initial effort; subsequent podcasts will take up to an hour of his time)
4. Communications director coordination to upload to website (or other sharing platform – Township YouTube channel, CNET, etc.)

Measures of effectiveness (MOE): (Have we selected the right objectives to communicate to residents with respect to FTTC education?)

1. Which podcasts are viewed vs which are not?
2. Do the viewers access the online pdf documentation as recommended in the podcasts?
3. Do viewers send podcast link to peers or share in social media platform?

Indicators:

1. Web click link counting – hits and views
2. On-line survey results

Measures of performance (MOP): (Are the objectives having the intended effect?)

1. Assuming on-line form submissions for tree permits, planting requests and removal requests, disease inspection requests can be co-located on the web page with podcasts then:

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2. Does the number of phone calls for arborist support increase or decrease relative to the number of online submission requests.

Indicators:

1. Correlate the number and topical nature of resident inquiries submitted to arborist from prior years to post podcast time frames
2. Track change in number of tree requests, disease inquiries pre and post podcast

Proposal 2: Seek endorsement of FTTC and Board of Supervisors for FTTC to facilitate convening a working group comprised of municipality, agriculture, business, homeowner, landscape industry, conservation non-profit, university extension representatives. The purpose of the working group is to define objectives and formulate multiple courses of action in order to coordinate near and long term habitat conservation and education goals for the future growth of the greater State College surrounding region.

Topics:

1. Ongoing dialogue among community partners across the Centre region to focus efforts towards natural areas conservation and restoration/maintenance of ecosystem health and functionality
2. Network and share direction among community partners - create opportunities to collaborate on projects and education
3. Become a resource for addressing citizen concerns
4. Recognize that concerns, threats, and opportunities to conserve natural areas cross municipal boundaries
5. Establish short term (low hanging) and long-term goals to conserve natural areas (or for habitat conservation)
6. Create a plan of work (with time line) to accomplish goals.
7. Integrating broader community member input.

Frequency: 1-2 hr quasi monthly working group events

Time frame: By 01 May 2020, prepare and send a letter (and/or) accompanying podcast to invite stakeholder representatives to attend.

Resource request:

1. Township staff assistance for identifying stakeholder representatives.
2. Email distribution support + stationary and postage costs for paper mailings
3. Podcast video to accompany email distribution

Measures of Performance, Effectiveness, Indicators: TBD