

City of Hyattsville Tree Board Meeting Minutes

Wednesday 4 March 2020

Mayor's Office 4310 Gallatin Street, Hyattsville, MD 20781

Approved on 7/10/2020

Present: Luebke, Smith, Johnson, Fletcher, Felix-Thompson, Immordino

Absent: none

Staff: Dawn Taft

Visitor: Chris Giunta of Code Enforcement, Stella Lappas (journalism student at UMD), Alex Sarri-Tobar (architecture student at UMD)

The meeting was called to order at 6:30 pm. Agenda order changed to accommodate our guest

Mr. Giunta talked to us about the code enforcement process. If we assess a fine of \$1000 and owner challenges it, it is rare for a judge to assess that fine even if the homeowner knew a permit was needed and did not ask or was denied a permit and cut the tree anyhow. A \$500 fine has much more success of going through without modification. When we can prove malicious intent we have more success with a hefty fine. If it is a large tree cut for no reason – there is generally some success there too.

Our fines are based upon the guidelines in the ordinance which says “the fine shall be \$300 per tree affected, plus \$50 per inch of circumference greater than fifty inches...with a maximum fine of \$1,000 for each repeat of that offense.”

If we feel the wording should be changed to read, “the fine *may* be \$300...” we would need to present that to council.

There is a concern about assessing everyone equally. Collective memory says the rule was created to separate the board from the public and leave a judge to make the reduction.

Mr. Giunta told us the judges seem to like when we try to take into account mitigating circumstances, hardship, etc.

Perhaps we should create guidelines for when we will look at mitigating circumstances, the process for doing so, and then submit them to council for approval.

Mr. Giunta having finished his presentation and answered all our questions left the meeting. We thank him for his valuable input.

The minutes from February meeting were approved

The following outstanding permits were discussed:

TP 20-001 – approved-dead white oak

TP 20-002 – approved – ginko with double leader, weak union is a hazard, prone to split

TP 20-003 – approved – red maple, multi-stemmed, significant decay in trunk

TP 20-004 – approved – red maple leaning to house, smaller than statute stipulates, no permit needed

TP 20-005 – approved – significant rot, right next to house, foundation damage

New Business:

Arbor Day celebration set for April 5 at McClanahan Park. There will be free trees, monarch butterfly plants

City received a grant from Chesapeake Bay Trust of \$60,000+ for tree planting, community education, and mini-grants to plant on private property

Dave Tree is doing a tree study comparing canopy of 2007 to today. Should be completed in 30-60 days

Theresa mentioned Cottage City has trees in the tree lawns the same size as her street. Will follow up off-line with Dawn

Joe suggested we move the meetings to Friday afternoons at 1pm to allow the city staff to go home and not wait around for our meeting. The first Friday of the month at 1pm was unanimously approved

We discussed the fine structure and the idea that not all circumstances are the same so sometimes there is a need for leniency. Currently we make recommendations without hearing from the owner. Our system is set up to insulate us from owners in some way. So, who does hear from the owner? The council? A judge? This is who can recommend a lower fine.

The meeting was adjourned at 7:37 pm