

Town of Berryville
Berryville-Clarke County
Government Center
101 Chalmers Court Suite A
Berryville, VA 22611



[T] 540/955-1099
[F] 540/955-4524
[E] info@berryvilleva.gov

www.berryvilleva.gov

**BERRYVILLE TREE BOARD
REGULAR MEETING**

Wednesday, November 7, 2018 - 7:30 p.m.
Berryville-Clarke County Government Center
101 Chalmers Court – **AB Meeting Room** – Second Floor
Berryville, Virginia

AGENDA

1. **Call to Order** – Sharon Strickland, Chair
2. **Approval of Minutes** – August 1, 2018
3. **Discussion – Project Consideration**
4. **Other**
5. **Adjourn**

Patricia Dickinson
Mayor

Harry Lee Arnold, Jr.
Recorder

Council Members

Donna Marie McDonald
Ward 1

Diane Harrison
Ward 2

Erecka L. Gibson
Ward 3

Kara C. Rodriguez
Ward 4

Keith R. Dalton
Town Manager

BERRYVILLE TREE BOARD
Berryville-Clarke County Government Center
MEETING MINUTES
August 1, 2018

A meeting of the Berryville Tree Board was held on Wednesday, August 1, 2018 at 7:30 p.m. in the Berryville – Clarke County Government Center located at 101 Chalmers Court in Berryville, Virginia.

Attendance: Members present: Bryant Condrey, Howard Morrison, Sharon Strickland

Member absent: Kathy Birch

Staff present: Christy Dunkle, Assistant Town Manager/Planner

Press present: Mickey Powell

Chair Condrey called the meeting to order at 7:34pm.

Approval of Minutes

Ms. Strickland made the motion, seconded by Mr. Morrison, to approve the minutes of the June 6, 2018 meeting. The motion passed by voice vote.

Discussion – Project Consideration

Chair Condrey said that additional information has been requested from Berryville Main Street concerning the Hogan’s Alley project and that it appears they are making progress. Chair Condrey asked staff to keep in touch with Berryville Main Street.

Chair Condrey asked for any ideas about establishing a Big Tree Program in Berryville.

Ms. Strickland asked whether the Tree Board should have representation at the Farmers’ Market once a month or so. There was a discussion about future participation when there are activities to promote.

There was a discussion about adding tree related information to the water bill specific to water conservation efforts. Ms. Dunkle said she would ask whether this would be a possibility.

Ms. Strickland said she would like to work on entrance beautification and said she would put together ideas for this effort. There was a discussion about the canopy survey. Mr. Morrison said he would begin researching the Tree City USA designation effort and report back to the Board. He asked staff to email the ordinance section to Board members.

Other

Ms. Dunkle said she has been appointed to the board of directors for Casey Trees and that she would like to offer a tour of the farm to the Tree Board in the fall. She indicated that she would be on vacation on the date of the next scheduled meeting and requested that the next meeting be set for October 3. Chair Condrey and Board members agreed to the October date.

Adjourn

There being no further business, Ms. Strickland made a motion to adjourn the meeting, seconded by Mr. Morrison, the motion passed by voice vote at 7:57pm.

Bryant Condrey, Chair

Christy Dunkle, Recording Secretary

Previous efforts discussed by the Tree Board include the following:

- Hogan's Alley with Berryville Main Street;
- Median on Page Street;
- Canopy survey;
- Create a resource list for the Town's website;
- Apply for Tree City USA designation;
- Tree variety survey; and
- Create a resource list of local volunteer organizations (Habitat for Humanity, Master Gardeners, churches, scouts) and projects that would be appropriate for the respective group.

As there are changes in staffing at Berryville Main Street, it is anticipated that any activity for the Hogan's Alley project would occur in the spring. Trees will not be able to be planted on the median on Page Street due to the shallow soil depth. Staff will work with the Battletown Homeowners Association on this matter to determine appropriate plantings.

Staff recommends a discussion about applying Tree City USA status. The original intent when the Tree Board was established in 2007, this national designation acknowledges sound urban forestry management. The web site is at this link:

<https://www.arboday.org/programs/treecityusa/>

Included in this packet are the application for Tree City USA status and the Public Tree Ordinance for review and discussion.

TREE CITY USA® APPLICATION

Select one: First Time Applicant OR Recertification



TREE CITY USA

TREE CITY USA status is awarded for work completed by the community during the calendar year. Please contact your State Urban Forestry Coordinator for your state's deadline, mailing address and any additional information required by your state. The common deadline is December 31 but can vary by state. Completed applications with attachments can be mailed to your State Urban Forestry Coordinator. To apply online and for additional information, please visit portal.arboday.org.

Community Information

Community Name (as it should appear on recognition materials) _____

Community Website _____

Mayor or Equivalent

First Name _____ Last Name _____

Professional Title _____

Address _____

City _____ State _____ Zip Code _____

Email Address _____

Phone Number (ex. 402-473-9553) _____ Fax Number _____

City Forestry Contact: Person who is responsible for completing and answering questions about this application.

First Name _____ Last Name _____

Professional Title _____

Address _____

City _____ State _____ Zip Code _____

Email Address _____

Phone Number (ex. 402-473-9553) _____ Fax Number _____

Standard 1: Tree Board or Department

Frequency of Tree Board Meetings: Weekly Bi weekly Monthly Quarterly Semiannually Annually

Chairperson: If your city or town has a Tree Board, list your chairperson or head board member. If your city or town doesn't have a Tree Board, list your city department or manager.

First Name _____ Last Name _____

Professional Title _____

Address _____

City _____ State _____ Zip Code _____

Email Address _____

Phone Number (ex. 402-473-9553) _____ Fax Number _____

Other Tree Board Members or Staff

First Name _____ Last Name _____

If additional Tree Board members are needed, please attach.

OVER

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SECTION 320 – CURB AND GUTTER (09/05)

320.1 RESIDENTIAL SUBDIVISIONS

In residential subdivisions, curb and gutter shall be required on both sides of all public streets within the subdivision and along the side of each public street, except Virginia Route 7 Bypass, which borders the subdivision. (1/06)

320.2 OTHER

In other than residential subdivisions, curb and gutter shall be required as provided in Section 314.7(e) of this Ordinance.

SECTION 321 – PUBLIC TREE ORDINANCE (6/07)

321 Statement of Intent

It is recognized that trees add a great deal to property values by providing shade, erosion control, and general beauty to the Town, making the latter more appealing to visitors and pleasant for the citizenry.

It is further recognized that landscaping on public property also adds to the general beauty and appeal of the Town, thereby enhancing both tourism and the quality of life for the citizenry.

It is, therefore, the purpose of this chapter to set forth a policy which encourages the planting, nurturing, and proper maintenance of all trees on public property. Experience has shown that trees, under some circumstances, can be hazardous to public safety; hence, this chapter also provides for tree pruning or removal when conditions warrant.

321.1 Definitions

Street trees – “Street trees” are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the Town.

Park trees – “Park trees” are herein defined as trees, shrubs and all other woody vegetation in public parks having individual names, and all areas owned by the Town, on to which the public has free access as a park.

Native – A plant that lives or grows naturally in a particular region without direct or indirect human intervention.

Small tree – Small trees shall have a mature height of up to thirty (30) feet and have an equal spread as described in the Manual of Woody Landscape plants.

Medium tree – Medium trees shall have a mature height between thirty (30) and forty-five (45) feet with a spread of at least thirty feet as described in the Manual of Woody Landscape Plants.

Large tree – Large trees shall have a mature height of over forty-five (45) feet and have an equal spread as described in the Manual of Woody Landscape Plants.

321.2 Creation and Establishment of a Town Tree Board

There is hereby created and established a Town Tree Board for the Town of Berryville which shall consist of five members, citizens and residents of the Town of Berryville, who shall be appointed by the Town Council. (09/18)

321.3 Term of Office

The term of the five persons to be appointed by the mayor shall be four years except that the term of two of the members appointed to the first board shall be for only two years. In the event that a vacancy shall occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

321.4 Compensation

Members of the Board shall serve without compensation.

321.5 Duties and Responsibilities

- (a) Serve to enhance the public participation in the beautification of the Town through landscaped improvements by using, whenever possible, native plant species;
- (b) Act as an advocate for both public and private landscaping, assisting in the coordination of both;
- (c) Provide advisory oversight to the amendment and implementation of the comprehensive landscape master plan;
- (d) Assist with the education of the public on matters of public landscaping through materials, public appearances and media exposure as appropriate; and
- (e) Act in an advisory and advocacy role to the Town Council and Town Manager.

321.6 Operation

The Board shall choose its own officers, make its own rules and regulations and keep a journal of its proceedings. A majority of the members shall constitute a quorum to the transaction of business.

321.7 Street Tree Planting

- (a) Every effort should be made to plant native tree species.
- (b) The spacing of street trees will be in accordance with the three species size classes listed under Section 321.1. Spacing shall be 30 feet for small trees; 40 feet for medium trees and 50 feet for large trees, except in special plantings designed or approved by a landscape architect.
- (c) No trees shall be planted closer to any curb or sidewalk than the following: small trees – 2 feet; medium trees – 3 feet; and large trees – 4 feet.
- (d) No street tree shall be planted closer than 35 feet from any street corner, measured from the point of nearest intersecting curbs or curb lines.
- (e) No street tree shall be closer than 10 feet from a fire hydrant.
- (f) No street trees shall be planted under or within 15 feet of any overhead wire or over or within ten (10) lateral feet of any underground water line, sewer line, transmission line, or any other utility.

321.8 Public Tree Care

- (a) The Town shall have the right to plant, prune, maintain and remove trees, plants and shrubs within the lines of all streets, alleys, avenues, lanes, squares and public grounds, as may be necessary to insure public safety or to preserve or enhance the symmetry and beauty of such public grounds.
- (b) Before the removal of any street tree or park tree, or any part thereof, by the Town, or before the Town issues an order directing said removal, the Town shall advise the Tree Advisory Board in writing of its intention and the reasons thereof. The Tree Advisory Board shall have 30 days after receipt of such notice to make its recommendation to the Town with respect thereto, suggesting, if possible, any alternative to the proposed removal. Such alternatives are advisory only, the decision to remove hereunder being at the discretion of the Town Manager.
- (c) The Town shall not remove a street tree of significant size, or permit removal by others, unless notice of the intended removal or destruction is given. The notice shall consist of a durable and legible statement of the Town's intent, affixed to and easily visible on the tree for not less than five days immediately preceding the contemplated removal or destruction; and the notice shall state the reason for the intended removal or destruction of the tree and the person or persons to whom inquiries or protests thereon may be directed.
- (d) In the event of an emergency situation, such as a fallen tree or some other condition or occurrence requiring an immediate removal or destruction of a tree along one of these public ways, the Town may remove or destroy the tree without complying with the foregoing provisions of this section. "Emergency situation" shall include, but is not limited to, trees posing an immediate danger to public safety and trees causing stoppage of utility services such as water lines, sewer lines, electric or power lines or other public or private improvements; all as determined by the Director of Public Works for the Town.
- (e) When a tree is removed it shall be Town policy to plant a replacement in the general area to include planting on private property, with the consent of the owner.

321.9 Review by Town Council

The Town Council shall have the right to review the conduct, acts, and decisions of the Town Tree Board. Any person may appeal from any ruling or order of the Town Tree Board to the Town Council who may hear the matter and make final decision.

321.10 Penalty

Any person violating any provision of this ordinance shall be, upon conviction or a plea of guilty, subject to a fine not to exceed \$500.