



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

November 14, 2018

REPORT OF THE OPEN SPACE, ENVIRONMENT AND ENERGY COMMITTEE

Attendee Name	Title	Status	Arrived
Wilfred N. Mbah	Chair	Present	
Jefferson Thomas ("J.T.") Scott	Vice Chair	Present	
Jesse Clingan	Ward Four Alderman	Absent	
Mark Niedergang	Ward Five Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	

Others present: Jason Grossfield - Law, Dr. Vanessa Boukili - OSPCD, Cortney Kirk - OSPCD, Luisa Oliveira - OSPCD, Annie Connor - Legislative Liaison, Peter Forcellese - Legislative Clerk.

The meeting took place in the Committee Room and was called to order at 5:35 PM by Chairman Mbah and adjourned at 7:15 PM.

Approval of the October 3, 2018 Minutes

RESULT:	ACCEPTED
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206055: That the City Solicitor draft an ordinance banning plastic straws.

Chairman Mbah gave some background information relative to why this ordinance is being put forth. Alderman Ballantyne stated that she is in favor of a total plastic straw ban and wants all language referring to alternatives removed.

The committee reviewed the draft and made changes, as follows:

Sec. 3 (c) Chairman Mbah proposed exempting medical facilities from the ordinance. Alderman Scott commented about exemptions permitted under the state sanitary code, 105 CMR 590 and said that the law was broad and that it would include such facilities as nursing homes. Mr. Grossfield noted that the prohibition is stated in Sec. 3 (a) (1), and, as written, might apply to medical facilities, e.g., kitchens, cafeterias. Alderman Scott asked Mr. Grossfield to provide a list of specific exemptions. Alderman Scott supports a total ban with a medical exemption. Alderman Ballantyne commented that schools need to be thoughtfully addressed and told the committee that she will discuss the matter with the School Department to determine the best option for them.

Chairman Mbah's recommendation to exempt medical facilities was approved.

Chairman Mbah proposed a 1-year transition period prior to enforcing the ordinance and Alderman Niedergang said that he prefers a 6-month period. Alderman Ballantyne suggested that the business community be contacted to determine how long it might take them to exhaust their supply of plastic straws, noting that the plastic bag ordinance had a 9-month transition period. She also suggested checking with the Chamber of Commerce and including the Inspection Services Department (ISD) in the discussion, since ISD will be the enforcement authority. Ms. Connor was asked to direct both ISD and the Office of Sustainability and Environment (OSE) to contact the business community to get their input. Alderman Niedergang is willing to add this matter to the Legislative Matters agenda for December 6, 2018, if it's ready to move forward. Ms. Connor remarked that ISD and OSE might want to meet with the committee to get more information before proceeding. Alderman Ballantyne commented that she is not optimistic that this matter will be completed by the end of this year and feels that it's better to be thorough and get all the parties together before moving the item forward. Chairman Mbah would like to have a timeline for completing this ordinance.

The following fine structure was approved:

1st offense - warning

2nd offense \$100

3rd and subsequent offenses \$300

Aldermen Ballantyne and Scott requested that language referencing alternates be deleted from Sec. 3 (a) (1); Sec.3 (3) (b) (1) and anywhere else in the ordinance.

Alderman Scott noted that the language in the last sentence in Sec. 5 (a) is very stringent and Mr. Grossfield replied that the language is in the polystyrene ordinance, but doesn't know if it's ever been enforced.

RESULT:	KEPT IN COMMITTEE
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204887: That the Director of SPCD provide this Board by end of February with the tree planting schedule, by Ward, for Spring 2018.

RESULT:	WORK COMPLETED
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206982: Urban Forestry and Landscape Planner responding to #204887 re: the tree planting schedule for Spring, 2018.

RESULT:	WORK COMPLETED
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205704: That the Administration report in writing on the net change in total trees and tree inches from all projects in 2017.

Items 205704, 206983, 205705 and 206435 were discussed together.

RESULT:	WORK COMPLETED
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206983: Urban Forestry and Landscape Planner responding to #205704 re: net changes in trees and tree inches in 2017.

Alderman Scott reported that the city lost 21 trees today and asked why this was not reflected in the data presented. He asked Dr. Boukili how many dead trees have been removed under her supervision or by the DPW. Dr. Boukili said that tree information has been posted on the city's Urban Forestry website, noting that data prior to her employment by the city (in October of 2016) is incomplete. Alderman Scott said that he wants to get a sense of the overall picture and would like the 2018 data on a continuing basis.

Dr. Boukili said that she is consulted on city-wide projects and streetscapes and that tree/landscape work at Lincoln Park, the West Branch Library renovation and the community path fall under her jurisdiction. She will prepare a complete list of the projects she is involved with.

Alderman Scott commented that it seems like this is too big a question to answer with the current staff. Ms. Connor asked Alderman Scott to be more specific with his request, i.e., does he want data for all projects that began in 2017, for projects that ended in 2017, or maybe for projects that span multiple years.

Chairman Mbah stated that his intention is to define the future and Alderman Scott said that it's important that the tree replacement numbers are adequate.

Dr. Boukili presented 2 documents regarding 2017 tree plantings and removals.

RESULT:	WORK COMPLETED
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205705: That the Administration report in writing on the net change in tree inches based on all projects planned for 2018.

Items 205704, 206983, 205705 and 206435 were discussed together.

RESULT:	WORK COMPLETED
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206984: Urban Forestry and Landscape Planner responding to #205705 re: net changes in trees and tree inches in 2018.

RESULT:	WORK COMPLETED
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206237: That the Director of SPCD finalize the long-awaited formation of the Urban Forestry Committee.

Items 206237 and 206986 were discussed together.

Dr. Boukili reported that 30 applications were received for the Urban Forestry Committee and that there are some yet to be reviewed. This is an open commission and she would like to have as many voices as possible involved and she hopes to have it staffed by the end of 2018. Dr. Boukili noted that she also serves as the city's conservation agent. She plans on holding open office hours for the public next week.

Alderman Mbah made a motion to have members of other organizations, independent of the city, review the applications. Alderman Ballantyne stated that she would not support that motion since the review falls under the mayor's purview.

RESULT:	WORK COMPLETED
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206986: Urban Forestry and Landscape Planner responding to #206237 re: the Urban Forestry Committee.

Items 206237 and 206986 were discussed together.

RESULT:	WORK COMPLETED
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206435: That the Administration report in writing on the net change in total trees and tree inches (plantings-removals) from all city projects in 2017. (2nd request-see #205704)

Items 205704, 206983, 205705 and 206435 were discussed together.

RESULT:	WORK COMPLETED
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206577: That the Director of SPCD explain to this Board why not a single tree was spared when they were cut along the commuter rail line, including trees far from the tracks, and what the GLX Team's plans are to replant trees to prevent erosion on the hills.

Alderman Niedergang inquired if the Administration had reached out to the GLX team to ask their plans for cutting trees, adding that he did receive a response from the Administration saying that it wasn't under their jurisdiction. He said that he doesn't blame the city's staff and thinks that more staff should be added to handle these types of issues. Mr. Zamore commented that even if it was outside the city's jurisdiction, the city should have a strong enough relationship with the MBTA so that information can be shared. Ms. Oliveira said that it was her understanding that the GLX needs the horizontal space for their project and for the community path. The city has not been given information about how the finished product will look. She noted that erosion protection measures are being, or have been, installed.

RESULT:	WORK COMPLETED
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206578: That the Director of SPCD report to this Board on whether the City plans to plant trees by the fence at the north edge of Junction Park to replace the nearby trees lost when they were cut down recently for the GLX project.

Ms. Oliveira said that the long-term vision is that the park will be expanded where the parking lot is and plantings will be done at that time.

RESULT:	WORK COMPLETED
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206070: That the Administration work with interested community groups to implement a pilot program for native street trees.

Items 206070 and 206985 were discussed together.

Dr. Boukili stated that she would be happy to design a pilot program that could be applied vigorously. Chairman Mbah asked about the Mystic River Watershed's role in the city's native tree planting goal and Dr. Boukili responded that there have been discussions with them, but nothing has been decided. Alderman Mbah asked why, since they want to give their time, at no cost, to help the city achieve its goals.

RESULT:	WORK COMPLETED
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206985: Urban Forestry and Landscape Planner responding to #206070 re: a pilot program for native street trees.

Items 206070 and 206985 were discussed together.

RESULT:	WORK COMPLETED
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206393: That, in the interest of tree preservation, the City Solicitor draft a revision of the Tree Ordinance to include restrictions and regulations on cutting trees of at least six inches in diameter on private property, and explain how the proposed revision differs from the ones that Cambridge, Lexington and Newton that have already passed to protect trees on private property.

Alderman Niedergang reported that he had conversations with Dan Bartman in OSPCD and with Mr. Grossfield, who prepared a draft. Alderman Niedergang's major concern is with developers, since most of the tree cutting on private property occurs during development. Rather than starting with a new ordinance, he thinks that it would be better to fold this matter into the proposed new zoning ordinance. He also said that there needs to be a look back period included and that many policy decisions need to be made.

Chairman Mbah commented that the city should find a way to help property owners with trees on their property. Alderman Niedergang noted that this wouldn't necessarily prevent the cutting of trees on private property, since it could still be accomplished via a special permit, with mitigation of replanting a tree with twice the twice girth or paying into a tree fund.

RESULT:	KEPT IN COMMITTEE
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206745: That the Somerville Climate Coalition provide this Board with updates on their attempts to address climate change.

RESULT:	KEPT IN COMMITTEE
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205665: That the Administration collaborate with MIT to build a robust biking infrastructure.

RESULT:	KEPT IN COMMITTEE
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206230: That the Administration create and fund an Open Space Acquisition Fund, separate from the Community Preservation Act, to acquire more open space towards the SomerVision goal of adding 125 acres of open space.

RESULT:	WORK COMPLETED
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206980: Requesting the opportunity to provide this Board with an update on Somerville Climate Forward.

RESULT:	KEPT IN COMMITTEE
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Handouts:

- Draft Ordinance - 11-9-18 (with 206055)
- 2017 City-wide tree data (with 205704, 206983, 205705 and 206435)
- Cambridge Ord (with 206393)
- Lexington Bylaw (with 206393)
- Newton Ord (with 206393)