

**Meeting Minutes – Tree Hearing  
Trees Along Hoskins Road East of Kilbourn Road**

**March 7, 2017: Tree Hearing was opened at 5:00 pm**

In Attendance:

Thomas J. Roy, Tree Warden

Kevin Clemens, Deputy Tree Warden

Barry Croke, Eversource Arborist

Hearing was opened at 5:00 p.m. in accordance with Chapter 451, Section 23-59 of the Connecticut General Statutes to address objections to the removal and trimming of trees identified along Hoskins Road east of Kilbourn Road in Simsbury.

Barry Croke speaking on behalf of Eversource and in support of removals and trimming provided the following testimony on the trees in question - trees were discussed in order moving from east to west along Hoskins Road:

1. Oak trees approximately 30 foot tall:
  - Growing directly into wires
  - Would require frequent if not annual trimming, clearly more often than every 4 years to keep branches from contacting wires
  - The trimming required would not be good arboricultural practice
  - If contacting wires, Eversource has right to trim – CGS Chapter 234 Section 16
  - If not trimmed may causes power outages
2. Cedars
  - Tree is located in the Utility Protection Zone and growing into the wires
  - Could be topped to prevent contact with wires, but will not grow correctly or be healthy - would not be good arboricultural practice
3. Two-Three Oaks in cluster 30-35' tall
  - Growing directly into wires
  - Would require frequent if not annual trimming, clearly more often than every 4 years to keep branches from contacting wires
  - The trimming required would not be good arboricultural practice
  - If contacting wires, Eversource has right to trim – CGS Chapter 234 Section 16
  - If not trimmed may causes power outages

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4. Multi-stemmed walnut

- At least half of tree (one stem) would need to be removed – not meeting good arboricultural standard
- Tree would be subject to decline

5. West from walnut to intersection

- Trimmed 8' off wires – limbs currently no contact with wires
- If contacting wires, Eversource has right to trim – CGS Chapter 234 Section 16
- If not trimmed, may cause outages

Mr. Croke explained that the power lines in this area are “backbone” wires and serve approximately 1,000+ homes.

Mr. Croke added that Eversource had offered to plant six 5' tall arborvitae to help the resident with privacy issues.

The hearing remains open and will be continued on March 17, 2017 at 10:00 a.m. at Town Hall Main Meeting Room when the impacted residents will be available.

**March 17, 2017: Tree Hearing continuance at 10:00 am**

In Attendance:

Thomas J. Roy, Tree Warden

Kevin Clemens, Deputy Tree Warden

Stacey McMahon, Resident 6 Kilbourn Road

John McMahon IV, Resident 6 Kilbourn Road

John Kosnicki, Asplundh Tree

Testimony was provided by Stacey and John McMahon the owners of 6 Kilbourn Road, the property adjacent to the trees in question. The McMahon's stated that they do not feel these trees have been growing very fast and they do not see how these trees that are not very large would impact the powerlines. The McMahon's reported that they have consulted with an arborist.

Mrs. McMahon questioned if Tom Roy or Kevin Clemens were licensed arborists. Mr. Roy explained that he is acting in the role of Tree Warden and this is a different set of requirements from an arborist.

The trees discussed with Mr. Croke were discussed at length, with the following comments provided by the McMahon's:

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1. Oak trees approximately 30 foot tall
    - McMahan's would accept the removal of this tree as it would not impact the privacy of 6 Kilbourn Road.
  2. Cedars
    - Trees are slow growing and provide a lot of privacy
    - McMahan's reported that their arborist feels trimming the top of the tree is a reasonable course of action
  3. Two-Three Oaks in cluster 30-35' tall
    - McMahan's feel these trees can be trimmed and would prefer they not be removed.
  4. Multi-stemmed walnut
    - It was acknowledged it has been trimmed in the past and it is slow growing
    - The identification of the tree as a walnut was questioned
    - McMahan's reported that their arborist feels the front leader can be removed, but will require a special cut from an arborist
    - McMahan's generally agreed that removing the front leader would be preferred to removal of the tree.
  5. West from walnut to intersection
    - General discussion that the trees are not growing into the wires
    - Stacey McMahan did not support any trimming
    - John McMahan felt trimming of branches near the wires would be acceptable

Mr. Roy asked if the arborist hired by the McMahan's had provided a letter or report to document his findings. The McMahan's reported they did not have anything in writing from the arborist.

A recess was held to allow Stacey McMahan to call the arborist to discuss obtaining a report. Following the recess, Mrs. McMahan reported that the arborist was very busy and would like three weeks to produce a report, but may be able to produce a report in a weeks' time, but only if the Tree Warden provided a letter stating the specific information in question. Mr. Roy stated that he had recommended that the McMahan's bring any supporting documentation with them to the hearing and felt that a further continuance would not provide any material changes in the information presented as the comments from the arborist were provided via the McMahan's testimony.

Mr. Roy reported that in accordance with Connecticut state law, he would provide a decision on the proposed trimming and removal of the trees within three business days and if any party took issue with this decision, they could appeal with the Connecticut Superior Court.

Mr. Roy closed the hearing.