



ALTOONA SHADE TREE COMMISSION
Minutes of September 19, 2018

In attendance: Ted Newkirk, *Chairperson*; James Batrus, Nancy Fellabaum, Paula Over, - *Shade Tree Commission*, Lee Slusser-*Director*, Marilyn Morgan, *staff*

Ted Newkirk, Chairperson, called the meeting to order.

1. The September 19, 2018 minutes were reviewed and a motion for approval was made by Paula Over, and seconded by Nancy Fellabaum. Motion passed.
2. **Public Comment** – There were no public comments at the meeting.
3. **Street and Park Tree Ordinance of the City of Altoona** – Mr. Slusser reviewed the current Code and introduced the Proposed New Chapter 679 of the City Code: Trees. The Commission had the following comments. Mr. Slusser will send this information on to Bill Elmendorf and will bring his thoughts back to the Commission at their July 17, 2019 meeting.
 1. For what is defined as adequate public notice, they suggested putting the public access channel, social media, and other local websites as possibilities in addition to the City website and signs tied to the tree, which are already in your definition. These would all be options, just to keep us from getting due process challenges.
 2. The Commission is divided on eliminating the “Specially Designated Areas” and instead applying the entire ordinance to the entire City. The available enforcement resources are a major concern. But either way, they’d like to discuss this important policy decision further when you get a chance to talk to them directly. Some Commission members like the idea, if we can pull it off.
 3. Under the STC’s responsibilities, it appears to give the STC the responsibility under (2) of notifying “said property owner, in writing” when a tree needs “pruning, trimming, spraying and/or removing.” Elsewhere in the ordinance these responsibilities are given to the City Manager. This needs clarified. In your defense, our current ordinance also contains this same contradiction (using Codes and Inspections and the Police instead of the Manager), I suspect that’s where you got it from.
 4. Under “Payments, Assessments, and Liens,” The Commission likes the idea of keeping primary responsibilities for trees with the adjacent property owners. But they want to exclude medians and City parks explicitly from this policy. Those should solely be the City’s responsibility. Also, they like the idea of explicitly enabling the City to help pay for such work at times. But a process and criteria would have to be included as well. Perhaps household income, the cost of the action ordered, and whether or not the tree can be demonstrated to have originally been planted by the City could be criteria. In terms of process, could we have staff vet the applicant, determine if we have enough funds, and then have the STC make the final decision on spending the money? Just asking.
 5. Under “Authorized Activities for the City,” everywhere that it says “City Manager” should be replaced with “the City Manager or his/her designees.” I don’t see most City Managers wanting to take on this job on their own. As we go through this drafting process, we may actually get lucky and get a different city employee to take on these roles. You never know.
 6. Under “Authorized Activities for the City” (a), the adoption of rules, policies, and regulations should be handled by City Council after hearing recommendations on said rules, policies, and regulations by the STC and staff. So this may need to be moved to the previous section.



7. Under “Authorized Activities for the City” (b), the planting of new trees should be approved by staff and the STC after a mandatory public hearing. The City Manager probably does ‘t want to head this up, plus it gives property owners a chance to get involved.
8. Under “Authorized Activities for the City” (c, d, e, and f), the STC should be designated as the appeal body to determinations of City staff regarding dangerous trees (via a public hearing). Furthermore, the process should be lined up to match their monthly meetings, just as it is for the Zoning Hearing Board. We’re assuming that the STC may or may not want to hear appeals on those few trees that are immediate hazards, or to obstruction cases.
9. Under “Authorized Activities for the City” (h), the review of land development plans should be moved to the Commission’s list of responsibilities. Staff should be given the option of getting an STC review on major land developments, and the timeframe should be lined up with the Planning Commission deadlines proscribed by the Pennsylvania MPC. Since our Planning Commission is the final approval body and elected officials are not involved in our SALDO administration (admittedly dd for Central PA, but we like it), recommendations on any plans should be given to the Altoona City Planning Commission. And there is no need to distinguish between concept and final plans in our system.
10. Under “Authorized Activities for the City” (i), there is some concern about protecting driplines. Keep in mind that the City is far more dense, and City lots are far smaller, than their counterparts in State College Borough (you ought to see them both from an airplane). Most City lots are only 120” long by 20” wide. One large tree could conceivably keep driveways and sidewalks from being constructed across several neighboring lots. But requiring staff review of zoning permit application may still be a good idea. We’d just have to make them fairly flexible.

4. There being no other business, Mr. Newkirk called for adjournment of the meeting. A motion was made by James Batrus. The motion was seconded by Nancy Fellabaum. Motion passed.

Shade Tree Commission