



Citizens for Lexington Conservation

PO Box 292, Lexington MA 02420-0003

ADDRESS SERVICE REQUESTED

Eileen Entin, Chair

FEBRUARY 2024

Ruth M. Ladd, Editor

CANDIDATES' FORUM ISSUE

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Printed on Recycled Paper



January 2024—Canada geese chilling (literally!) on the ice at Parker Meadow. The slight ice melt makes it look like they are standing on water!

2024 DUES ARE DUE!

The status of your dues can be found on the address label of snail-mailed newsletters or near the top of the email announcing this issue. If it says, “Dues Paid through February 2024 (or earlier)”, it is time to renew your membership for 2024.

Annual membership to CLC is only \$20.00 (what a deal!). Suggested membership levels are:

_____ \$ 20 (Twig)

_____ \$ 50 (Branch)

_____ \$100 (Tree)

_____ \$ Other

You may pay your dues using PayPal on the CLC website (<https://www.clclex.org>).

If you prefer to contribute by mail, please send this form, or the information listed, along with your check payable to “Citizens for Lexington Conservation”, to:

Citizens for Lexington Conservation
P.O. Box 202
Lexington, MA 02420-0002

Name: _____

Address: _____

Email: _____

Phone Number: _____

____ New Member ____ Renewal

____ Go Green and save a tree (or at least a branch)! Check here if you would like to have your newsletter in color with live links, using a download link from an email, instead of the paper snail mail version.

Membership dues support our organization. CLC is a registered 501(c)(3) organization and all contributions are tax deductible.

CLC BOARD

President	Eileen Entin
Treasurer	Roberta “Bobbie” Hodson
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March 2023—Vernal pool behind Jefferson Drive near Wright Farm

UPCOMING EVENTS

RODENT CONTROL: THE GOOD, THE BAD, AND THE UGLY

February 17, 2:30—4:00 pm, Lexington Community Center

Save Lexington Wildlife and IndivisibleLAB host this presentation which will cover why rodenticide is dangerous to wildlife and pets, other products and methods that one can use to control unwanted rodents, and information on an article that is being presented at Lexington Town Meeting in March 2024. FREE

Presenters include:

- Laura Kiesel, M. Sc. Natural Resources Sciences and Management & environmental journalist, founder of Save Arlington Wildlife (savearlingtonwildlife.org)
- Gary Menin, Sr., Talkin’ Birds Ambassador (talkinbirds.com) and an advocate for keeping our raptors poison free
- Marci Cemenska, Founder of Save Lexington Wildlife (savelexingtonwildlife.org)

NEWHOUSE WILDLIFE RESCUE & EYES ON OWLS

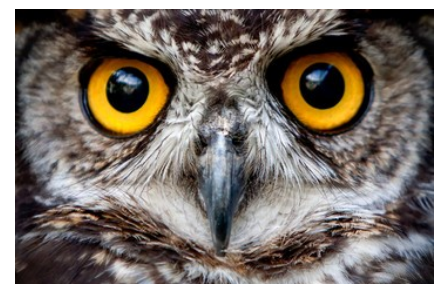
March 2, 1:00—2:30 pm, Lexington Depot Building

Jane Newhouse will discuss what wildlife rehab is all about, share fun facts about opossums, porcupines, beavers, raccoons and foxes, including Phoenix, the juvenile fox found in Lexington with an illegal leg trap. Learn the do’s and don’ts of helping injured and orphaned wild animals in an emergency. Learn about the dangers of using rodenticide poison and the significant negative impact rodenticide has on our wildlife and dogs & cats. Eyes on Owls will be there with LIVE owls to educate attendees about owls and other raptors.

FREE

Presenters include:

- Jane Newhouse, founder of Newhouse Wildlife Rescue (newhousewildliferescue.org)
- Marcia & Mark Wilson, founders of Eyes on Owls (eyesonowls.com)



CLC WINTER WALK

Shoulder Season Birding at Dunback Meadow

March 3. 8:00 am - 10:00 am

Early March is a time of the year that can provide an interesting mix of both migratory and resident bird species. Join Bobbie Hodson who will be looking for winter species that haven't gone back north, early spring migrant arrivals as well as a selection of our resident year round species. Meet at the Allen Street entrance to Dunback Meadow opposite 23 Allen Street. Co-sponsored by the Brookline Bird Club. No registration necessary.



Walk Leader: Bobbie Hodson - 781-861-9421

CLC IS SEEKING VOLUNTEERS!

Help support our expanding set of projects and activities.

Signage Coordinator CLC has begun an ambitious project to put information signs in a variety of conservation areas throughout Lexington. Thus far, we have installed an information sign about vernal pools in Hayden Woods and a sign about habitat variety in Parker Meadow. The conservation department installed a sign about wetlands at Cotton Farm and CLC will be working with the conservation department to install a sign in Willards Woods. We are seeking individuals who will help identify other locations where an informative sign would be meaningful and work with a small group to develop the content for these signs. We urge people who have particular interests in and knowledge about aspects of our conservation habitats that they would like to share to join us in this ongoing project. We envision this project as continuing over several years, with the goal of developing two new signs each year.

What is a Vernal Pool?

Vernal pools are bodies of fresh water filled by melting snow and spring rains that typically dry out over the summer, providing habitat for specialized vertebrate and invertebrate species.

This unique seasonal environment, devoid of fish, is vital to a variety of specially adapted species, including some that are listed as threatened or endangered.

Many of these creatures spend the dry season as seeds, eggs, or cysts.

When the pools fill with water, amphibians such as spotted salamanders and wood frogs migrate from forested uplands to vernal pools where they breed and lay their eggs.

Female salamanders usually lay about 100 eggs that cling to the under-water plants and ferns egg masses. When the eggs hatch, the larvae are born with external gills. It takes 3-6 months for the larvae lose their gills and become juvenile salamanders that leave the water and move to deciduous forests, where they live in the shelter of leaves or burrows.

During the breeding season, male wood frogs can be heard making quacking calls day and night.

Females lay clusters of 1,000 to 5,000 eggs, which hatch between 9 and 30 days later and reach maturity in one to two years. A wood frog's most distinct characteristic is the black markings across its legs, which have been used to resemble a mouse.

Fairy shrimp live their whole lives in one short season. The eggs they lay will hatch until they have dried out and then become wet again in another season.

Where else in Lexington can you find a vernal pool?

LEARN MORE ABOUT VERNAL POOLS



Conservation Restriction Organizer and Monitors A Conservation Restriction (CR) is a legal agreement between a landowner and the holder of the restriction. In Massachusetts, the CR is approved and accepted by the state and recorded at the Registry of Deeds. CLC has agreed to hold the CRs for several conservation properties in Lexington that were purchased by the town at least in part using Community Preservation Act (CPA) funds. To formalize a CR, we must prepare CR documents that are submitted to the state for approval. Once the CR is approved, CLC is required to inspect the property annually and report any violations to the property owner – in this case the Town of Lexington. A small team of CLC members are in the process of

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completing the applications for three properties, and are seeking people who are interested in joining the team to help develop the application documents for the remainder of the properties. We are also seeking individuals who will be responsible for annual monitoring of the properties

Public Relations Materials Developer CLC is sometimes asked to participate in fairs, displays, and other activities held by other groups in town. We are seeking one or two individuals who can develop a set of materials that are appropriate for different activities and audiences, including both information and interactive materials, that are readily available for use at Discovery Day, fairs, school events, and other types of community activities that whoever is participating in the activity can use.

Please consider whether you can help us fill any of these open positions.

If you would like to learn more about any of these positions, please send a message through the CLC website (CLCLex.org), and one of CLC's Board members will respond. Or, if you prefer, please call Eileen Entin at 781-862 6418.

January 2024 -

*Little bluestem
(Schizachyrium scoparium)
is beautiful in the winter!
This clump is in the power-
line right-of-way part of
Katahdin Woods.*



CLC 2024 QUESTIONS FOR CANDIDATES, emailed to all candidates:

Citizens for Lexington Conservation, our local environmental advocacy and education organization, has been collecting and publishing candidates' responses to environmental issues for many years.

The Lexington Tree Committee (<https://www.lexingtonma.gov/872/Tree-Committee>) has submitted three articles (34, 35, and 36) for the spring 2024 Town Meeting. They would amend the current Tree Bylaw (<https://ecode360.com/10535335>). The Tree Committee's overarching goal is to save the town's tree canopy. The proposed amendments include:

1. To require that a certified arborist hired by the property owner prepare a tree protection plan for trees that are retained during construction.

Rationale: The current bylaw requires that trees that are left in the setback must be protected from damage, and there are regulations about how that is supposed to happen. In reality, it's really hard to protect those trees because building code allows and even requires some construction activities that may encroach on a tree's critical root zone. The proposal follows the lead of Wellesley and of Washington DC and requires that the property owner follow a tree protection plan prepared by a certified arborist. The arborist can recommend ways to ensure the health of the tree even if it is impacted by construction equipment.

2. To require that a certified arborist hired by the property owner declare a tree hazardous for that tree to be exempt from the Tree Bylaw. Also, to exempt certain invasive trees from the bylaw.

Rationale: The current bylaw says that a tree can be exempt from the bylaw if it is declared hazardous by the Tree Warden. The current bylaw does not define the term "hazardous". This amendment creates a uniform administrative process with a clear standard for which trees are exempt from the bylaw due to a strong possibility that they may fail and cause damage to persons or property. The property owner would hire a certified arborist, who attests to the condition of the tree using an assessment tool created by the International Society of Arborists. Invasive tree species are not currently exempt from the bylaw. The proposal allows for such exemptions in order to encourage removal of invasive trees such as Tree of Heaven, which is a favorite host to the destructive landscape and agricultural pest, the spotted lanternfly. The Tree Committee would not exempt Norway Maple or Black Locust at this time because they make up such a large proportion of Lexington's tree canopy.

3. To require that some replanting occur along the street.

Rationale: The current bylaw gives property owners who remove trees from the setbacks a choice: they may plant replacement trees, or they may pay a fee in lieu of planting to the town's Tree Fund. Too little replanting actually takes place, and increasingly Lexington's streets and sidewalks are losing shade. If mitigation for removed trees is required, this amendment would deny the use of payments to the Tree Fund until trees have been planted along the front of the property to achieve a desired spacing of trees no further apart than 35'. That spacing would include both existing and new trees, and planting would be required only

to the extent that suitable planting locations (away from utilities and driveways, for example) exist either in the front yard or the town's right-of-way. If there are no overhead wires or other restrictions, the trees planted must be large shade tree species. Our streets and sidewalks will be better shaded, and our neighborhoods cooler, with these additional street trees.

Our questions :

Which of the proposed articles do you support? If so, why do you feel it/they is/are important?

If there are articles you do not support, why not?

Do you have any suggestions for how the Tree Bylaw could better protect and improve Lexington's tree canopy?

CANDIDATES FOR TOWN-WIDE OFFICE

Candidate for Select Board Member: 3-Year Term

Cynthia E. Arens

cindy4lex@gmail.com

I support all three articles being brought forth by the Tree Committee. The Tree Committee has consistently brought a sound voice to the concern of protecting healthy, native trees in town. They have collected data, analyzed the outcomes from the current state of the tree bylaw, and are recommending well-reasoned improvements. It is vitally important to integrate the value of healthy trees into more of our planning, awareness and policy decisions, which is why I also support the Importance of Trees Resolution (Article 37).

Healthy trees around homes reduce heat gain, thereby lowering cooling costs, provide better drainage, provide a wind break, and help prevent flooding. They also reduce noise, increase property values, absorb carbon, improve air quality and quality of life. They have a significant positive impact on the livability of our outdoor spaces, both public and private. They are an essential part of addressing the effects of climate change.

It is important to remember that there is a balance among important land uses, including non-'natural' uses like housing, recreation and solar energy generation, and natural areas like wetlands and small forested areas. It's often said that trees and new development are at odds, and sometimes, some trees have to be lost in order to accommodate new, denser housing. However, it is critical to understand that equity in housing includes access to green spaces, tree-lined streets and quality, healthy resilient low-cost burdened homes and neighborhoods.

I look forward to identifying more ways to integrate better tree preservation with construction practices for all residential, multifamily and commercial developments. Our goal should be to protect and maintain more healthy, native trees while we increase some density with smaller housing units.

Jill I. Hai
jillhailex@gmail.com

I support Articles 34, 35 and 36. Our tree canopy, and the health of the trees which comprise it, is an important element of life in Lexington. Our tree canopy contributes to the beauty of Lexington and our trees improve air quality, provide glare and heat protection, reduce noise, aid in the stabilization of soil and in natural flood and climate control, create habitats for wildlife, enhance property values and provide natural privacy to neighbors.

The Tree Bylaw balances individual property rights with the needs of, and the benefits to, the community. These amendments regulate tree replacements and protect retained trees. They do not create prohibitions for property owners.

Our current Tree By-law does not provide any protection for trees retained during major construction. Clear, specific protections, drafted by a professional arborist, and specific enforcement authority for compliance, removes ambiguity and increases likelihood that retained trees will survive. (Article 34)

Street trees are particularly valuable to the community. Article 35's street planting requirement mirrors the existing requirement in subdivision development. Mitigation payments toward future planting are helpful, but their impact is delayed and may not be connected to the site of the removal. Requiring minimum street tree planting as mitigation for protected tree removal will more quickly contribute to the revitalization of our tree canopy and maintenance of shade along our streetscapes. (Article 35)

Creating a clear, unambiguous process for hazard declarations during major construction will provide clarity for homeowners and reduce the time commitment and subjectivity of staff. (Article 36)

We need to continue the collaborative example of the many people who worked on these amendments, learning from best practices in other communities and increasing incentives to further protect our trees. I support funding for an Assistant Superintendent of Public Grounds to assist with management and enforcement of the bylaw.

Candidates for School Committee: 3-Year Term

Deepika Sawhney
dsawhney@lexingtonma.org

I support all three of the articles (34, 35 and 36) in ATM 2024 because I am well aware of the detrimental impact of losing trees.

Growing up in Delhi India, I saw how big city pressures sadly crowded out green spaces. Even within Lexington one can experience marked temperature changes on a summer day. Case in point: entering Adams Street from the dense built-up Middlesex Turnpike area in Burlington. Temperatures slowly drop till the fields of Chiesa and Fiske, and then begin to rise again.

The articles make reasonable requests to protect Lexington's tree assets. A clear articulation of hazardous tree removal and encouraging invasive tree removal is logical. Requiring a certified arborist to create a tree protection plan and requiring replanting along the street are also necessary. Public good and private benefit are aligned.

As smaller homes are bought to be redeveloped, protecting trees in the setback are a small fraction of the cost of the entire project. Existing trees may even enhance the appeal of new construction as it will integrate better with the existing neighborhood, thus yielding better prices. For home modifications undertaken by an owner, the cost of hiring an arborist may be more material in the short term, but would ultimately still enhance the property value. 'Mature plantings' is a real estate term often used as a selling point!

Ultimately, families move to Lexington to grow here. After our children graduated Lexington High School, we wanted to express our gratitude to their elementary school. We worked with DPW to plant six young trees along the playground. Once fully grown they will shade young baseball players and their families. Every time we pass them, they are a reaffirmation of our roots in Lexington.

Suggestions: Enforcing a Bylaw is the largest gap between intent and impact. Most town residents follow rules. However, sometimes a person may not be aware of the Bylaw, or may willfully disregard it, because of inadequate enforcement. Quite often neighbors' vigilance brings such cases to Town's attention. These are awkward situations. It pits neighbor against neighbor. Meanwhile the town personnel must deal with irate residents who are also taxpayers of Lexington!

Therefore, organizing a Town wide tree census (how many trees do we have greater than a certain size), building awareness (why these trees are important), and funding enforcement of the Tree Bylaw is my recommendation (don't cut these trees without an arborist's expert opinion).

Kathleen M. Lenihan
LenihanCampaign@gmail.com

I am delighted and excited to strongly support all three articles proposed by the Tree Committee. I'm from Las Vegas, a community not known for its green canopy. When you grow up in a place with few trees, you can never take their beauty and shade for granted.

Managing and protecting the tree canopy is absolutely essential for any town. It is well documented how a robust tree canopy can improve property values, lower energy bills in the summer, reduce storm runoff, and combat climate change. More difficult to quantify, but nevertheless true, is that trees are just beautiful and make people feel good. A town can, if they have the resources, build new roads, schools, and sidewalks in a short time frame. No town, no matter how wealthy, can create a tree canopy of mature shade trees in anything other than a very long time frame. You can't hurry nature. When we lose mature trees it can take decades to replace them. Whether these trees are on public or private property is beside the point. They all contribute to Lexington's canopy.

With so much building, both new construction and renovations, going on all over Lexington, we must take action to protect our trees.

All too often trees are damaged in construction, as well as removed and not replaced. It's not always convenient to care for trees and replant when necessary, which is why we need more robust measures in place to protect and enhance our tree canopy. The articles proposed by the Tree committee will offer a significant improvement over the status quo.

I am grateful to the Tree Committee for bringing this issue to Town Meeting. If re-elected as a representative for Precinct 4, I will voice my support for all three articles.

Candidates for Planning Board: 3-Year Term

Lin D. Jensen

linjensenlex@gmail.com

Subject to further debate on the Town Meeting floor, I think all three articles are important because they are a step toward the right direction. Trees are often cut down unnecessarily, causing the neighborhood to lose much needed shades as well as cooling and flood mitigation provided by them.

Change #1, and especially #2: how can we ensure that a certified arborist does not also work for a tree service company which will stand to benefit financially if a tree is identified as hazardous and is cut down? Is it worthwhile to have a town tree warden who is a certified arborist to carry out the tasks in these two sections?

Michael J. Schanbacher

michaelschanbacherlexpb@gmail.com

Since I am an architect with 20 years of experience and have also practiced landscape architecture on multiple landscape projects, I understand the importance and need of preserving trees in our community and the importance of trees to help reduce the threat of climate change.

After hearing the Tree Committee's excellent presentation at our Jan. 24th Planning Board meeting, I am wholeheartedly in support of Article #34, Article #35, and Article #36.

I am in full support of Article #34. I feel that it is critical to protect the tree canopy in the setbacks on construction sites. A required tree protection plan by a certified arborist will have to be submitted with the plot plan to protect the vital root zones of trees. Then, fencing will be required at the dripline to protect tree root zones so the trees can remain alive and healthy. If fencing at the dripline is not an option, then cutting tree roots, mats, tunneling and other measures can be taken to keep trees healthy and alive.

I am in full support of Article #35 which will require replanting shade trees along our streets when protected trees are removed in the setback during construction is incredibly important. Trees provide vital shade and reduce the temperature on our asphalt streets and concrete sidewalks by 30%. The passage of this article will make Lexington's streets more walkable and pleasant for our community. Lexington has a 26% street tree canopy; we need to plant more trees on our streets.

I am in full support of Article #36; I support a certified arborist submitting a Tree Risk Assessment on a hazardous tree in the setback on a construction site and exempting the invasive Tree of Heaven.

These three tree articles coming before Town Meeting in the spring are a good step toward a healthier Lexington.

Melanie A. Thompson
melaniethompson2020@gmail.com

I support Article 34, Article 35, and Article 36 as they collectively offer a comprehensive approach to tree protection and canopy improvement.

Article 34, the Tree Protection Plan, is important because it attempts to ensure the preservation of trees during property development. Requiring a certified arborist to devise and oversee a protection plan provides expertise and accountability, helping to prevent indiscriminate or accidental tree removal. By mandating protections until landscaping begins and enforcing compliance through measures like stop work orders, this article safeguards our trees ecological and aesthetic value.

Article 35 is useful for enhancing our suburban greenery. Requiring tree planting for properties being built when protected street trees have been removed encourages replacement of lost canopy cover. I've personally seen what it looks like when the street trees have been removed on the build out of a large property, and it doesn't look at all welcoming. We need our sidewalks to be better shaded for aesthetically appealing neighborhoods and more enjoyable walking experiences for neighbors. Hopefully providing flexibility and monetary credits will incentivize compliance.

Article 36 addressing hazardous trees, could be strengthened to better balance safety and conservation. Emphasizing alternatives to removal, such as targeted pruning or mitigation efforts by the certified arborist, would promote tree preservation. I think it's very wise to provide the exemption for the Tree of Heaven without mitigation requirements considering its ecological impact.

To enhance tree canopy protection and improvement, the tree bylaw might consider incentives for current property owners to maintain and care for existing trees, such as offering tax credits or town rebates for tree preservation efforts, which may promote long term canopy sustainability. In addition, the tree committee might consider enhancing public education and outreach initiatives to raise awareness about the importance of trees and promote community involvement in tree conservation efforts.

CANDIDATES FOR TOWN MEETING

Click on the name of your precinct for the link to skip to those responses.

In the interests of saving paper and printing costs, those receiving paper copies can find the responses from these candidates by logging into the CLC web site and looking under Newsletters for the current edition where you will be able to access the link to your precinct's responses.

NOTE: Candidates who replied are listed in alphabetical order in each precinct.

Precinct 1

Robert William Cuhna
Judith L. Zabin

Precinct 2

Sean D. Osborne
Rita Vichani

Precinct 3

Edward F. Dolan
Robert Rotberg
Michael J. Schanbacher

Precinct 4

Gloria J. Bloom
Kunal P. Botla
Sreenivasa Rao Chippada
Eileen S. Jay
Charles W. Lamb
Kathleen M. Lenihan
Jennifer Richlin

Precinct 5

Sarah E. Higginbotham

Precinct 6

Susan A. McLeish
Deepika Sawhney
Vinita Verma
Taylor Singh

Precinct 7

Philip K. Hamilton
Stacey A. Hamilton
Benjamin Charles Lees
Pamela C. Tames

Precinct 8

Lin D. Jensen

Precinct 9

Hema Bhatt
Mollie K. Garberg
Kimberly Hensle-Lowrance
Ethan Paul Kiczek
Alicia M. Morris
Thomas R. Shiple

April 2023—Whipple Hill

Rhododendrons and a small pool (vernal pool perhaps) not far from Winchester Drive parking area



View from highest point—note Pitch Pine (Pinus rigida)



Small bird's nest

PRECINCT 1

Robert Cuhna

Robert.cunha20@gmail.com

The concerns over the clear cutting of trees for new developments needs to be addressed. We as a town have seen the most recent housing project on Pleasant street and the destruction of the tree canopy as proof that action is needed now. Responsible development can live along side with the protection of our trees.

I am waiting to hear the comments from the Planning Board and the Building Commissioner before I make a final decision, but at this point I am in support of all 3 articles.

Judith L. Zabin

ajzabin@gmail.com

I am in support of articles 34, 35 and 36 as currently proposed. Passage of these 3 warrant articles would strengthen the Tree Bylaw. As Lexington grows and develops, we need to retain our mature trees and improve our declining tree canopy. I appreciate the work of the tree committee and their proposing these articles for the 2024 Annual Town Meeting.

PRECINCT 2

Sean D. Osborne

sdo2591@gmail.com

1. Which of the proposed articles do you support? If so, why do you feel it/they is/are important?

I support requiring that some replanting occur along the street.

2. If there are articles you do not support, why not?

I do not support requiring that a certified arborist hired by the property owner prepare a tree protection plan for trees that are retained during construction.

And I do not support requiring that a certified arborist hired by the property owner declare a tree hazardous for that tree to be exempt from the Tree Bylaw. Also, to exempt certain invasive trees from the bylaw.

The requirement for a "certified arborist" is an unnecessary financial burden on property owners.

Per the Massachusetts Arborists Association (MAA) website: "In 1957, the MAA initiated a voluntary certification program and established the Massachusetts Certified Arborists Examining Committee. The title "Massachusetts Certified Arborist" has become the symbol of tree care professionalism in Massachusetts, through its comprehensive examination and continuing education requirements."

As a licensed professional engineer in several states in the northeast, including Massachusetts, I am not in favor of property owners being required to pay someone with a voluntary certificate.

3. Do you have any suggestions for how the Tree Bylaw could better protect and improve Lexington's tree canopy?

I do not at this time. Thank you for your environmental advocacy. Lexington is a many-year recipient of Tree City USA status from the Arbor Day Foundation because of advocates like yourselves.

Rita Vichani

ritavachani@gmail.com

I strongly agree with the goal of protecting, and where possible, growing the tree canopy in Lexington. If we want to preserve this "green infrastructure" in town, we cannot do so by only preserving and managing the trees on public property; we have to include the trees on private property. Hence, I am generally in favor of strengthening by-laws that aim to preserve the trees on private property. However, I also want the bylaws to be as simple as possible and with clear ability to enforce them.

With regard to Articles 34, 35 and 36 specifically, my views are as follows:

Article 35: I agree with the requirement for replanting where possible.

Article 36: I agree with the need to define a "hazardous" tree if it is being used as a loophole. However, I would like to get some additional information about how often that label is used to cut down trees so that the additional cost that will be borne by homeowners to employ an arborist is justifiable.

Article 34: As I understand it, the objective of this Article is to protect "retained trees" from damage during a major construction or new build project. I agree with the objective but think more clarification is required. I list a few questions that I feel merit discussion. This Article requires a plan from an arborist to protect a retained tree and requires mitigation if the tree does not survive past 1 year after construction end. Is the goal of the Article to serve as a deterrent to poor construction practices that damage trees? Can the Tree Warden enforce protection/deter poor practices without an arborist's plan? If the tree does not survive even with an arborist's plan, is the homeowner penalized? Do we currently check on 1 year survival of retained trees?

PRECINCT 3

Edward F. Dolan

edwardddolan48@gmail.com

Article 34 (#1 above, I believe) seems appropriate and reasonable; pending further debate, I intend to support it.

Article 35 (#3 above, I believe): I would like to hear the debate about whether we should eliminate the payment in lieu of replacement -- what would be gained and what would be lost. While the goal certainly is the replacement/retention of trees, I would like to consider the consequences of this provision which at some point Town Meeting considered an appropriate alternative.

The first part of #2 (above) does not appear in the write-ups (article; motion) on the Town Meeting website. Where is it? What is it? Why is the town's Tree Warden not able to do this, requiring an outside certified arborist to do so? Are you saying that there is now no "uniform administrative process with a clear

standard" in place? What is the "uniform administrative process with a clear standard" that is being proposed? Where is it spelled out?

The second part of #2 (above) seems to be Article 36. I intend to support that.

Robert Rotberg
rirotberg@gmail.com

I am in favor of all three proposals. But I have long thought, and have said so to the Tree Committee, that the proposals are too weak. We need much stronger requirements for developers and builders. We need to mandate that trees are cut down only with the permission of the Tree Committee (not a Tree Warden who reports to the town administration). And we must mandate serious replantings to replace all the trees that are cut down.

At 49 Pleasant St we lost 5 acres (!) of long-standing trees. A few trees will be replanted, but a much larger number could have been retained for the benefit of the new residents of that development and also for the benefit the rest of the town. Without trees, Lexington will begin to resemble a desert.

For what it might be worth, I have been a CLC member for nearly all of my 48 years in Town Meeting and, incidentally, I have been a member of the Society for the Protection of NH Forests (and Mass. Audubon) for a full 50 years.

Michael J. Schanbacher
michaelschanbacherlepb@gmail.com
See info under Planning Board

PRECINCT 4

Gloria J. Bloom
gjbloom@rcn.com

I was a member of the Tree Committee until October 2023 and I participated in the discussions for these 3 bylaws. I fully support all three.

In particular, requiring replanting and enforcing the existing bylaws is crucial. As long as it is cheaper to cut down trees than to preserve them, some developers will continue to clear cut lots. Presently, the DPW does not have the man power to inspect all areas where tear downs and new construction occur. Perhaps we could have a "tree club " at the high school, where interested students could document (with their smart phones) the condition of any lot for which a permit for demolition or construction has been pulled. This would be a form of community service for which they could receive credit. With this information, the DPW could enforce the fees for cutting down large trees. so that protecting these trees would be less costly than cutting them down.

The other main causes of canopy loss are invasive species, such as bittersweet; insects such as the emerald ash borer; and diseases such as dutch elm disease. Once they appear, there is little we (as a town) can do to eliminate them. It is up to the state and federal governments to research and find solutions, and it is up to citizens to let them know it is a priority.

Kunal P. Botla

Kunal.botla@tufts.edu

I would support all three articles proposed by the Lexington Tree Committee to protect existing trees during the construction process, encourage the planting of trees within the setback to increase street-side shade, and revise exemptions to facilitate more consistent standards and an exemption for trees facilitating the spread of destructive spotted lantern fly pest. Every effort should be made to retain Lexington's valuable trees and increase tree cover on the Town's streets. These articles offer protections and guidelines for planning how the Town will be able to both retain and grow its tree canopy. Trees are important in retaining and fostering the Town's outdoor environment. As a natural method of keeping streets and spaces cooler, trees are valuable to Lexington's community in a unique way. The Tree Protection Plan's (Article 34) protections for trees during the construction process by bringing trees into a key consideration of building could be expected to elevate the importance placed on trees during construction. The tree replanting guidelines of Article 35 are a positive step forward in making Lexington's streets more comfortable; the modification to the tree bylaw sets similar requirements to the construction of individual homes as subdivisions, a step forward in holding different types of construction to similar standards. As noted, in Cambridge, trees lining streets offer coverage that can make streets significantly cooler. As a part of making Lexington a town for the future, trees play a key, irreplaceable, role in making neighborhoods more walkable, bikeable, and friendly for using public transit.

Sreenivasa Rao Chippada

cwl@yahoo.com

I have seen the presentation video of the 3 articles. I am aligned with Articles 34 and 36 and intend to vote yes if elected. On article 35, is an arborist overseeing the process of replanting? How is the success of the replanting be ensured?

Eileen S. Jay

beanyjay@yahoo.com

Which of the proposed articles do you support? If so, why do you feel it/they is/are important?

I support all three articles because they seek to maintain the health of trees within the setback area on properties under construction.

ARTICLE 34: This amendment requires that a certified arborist provide a tree protection plan for protected trees that are not removed in the setback area on a property under construction. I think this is important because it ensures that there is a viable plan for preserved trees to help them survive and maintain health, especially if there is damage to their roots or structure during construction. My only concern is for cases where homeowners cannot afford the expense of hiring an arborist, so I hope exceptions can be made in those cases.

ARTICLE 35: I support mandating tree replanting when protected trees are removed in the setback in the front of the property, with no option to pay a fee in lieu of replanting. I hope homeowners would take advantage of the setback trees offered by the Town.

ARTICLE 36: This proposed bylaw change requires that a certified arborist hired by the property owner declares a tree hazardous for that tree to be exempt from the Tree Bylaw, and exempts certain invasive trees from the bylaw. When the expense of hiring an arborist presents an undue burden on the homeowner, I hope an exception can be made. In such cases, the Tree Warden could make the determination. It's also good that the amendment specifies that certain invasive trees would be exempt from the bylaw.

If there are articles you do not support, why not?

No, I support all three.

3. Do you have any suggestions for how the Tree Bylaw could better protect and improve Lexington's tree canopy? No

Charles W. Lamb

Charles.lamb@gmail.com

1. Which of the proposed articles do you support? If so, why do you feel it/they is/are important?

I support all of the proposed Articles. There are repeated examples of various parties ignoring the Tree bylaw and therefore, the current bylaw can and should be strengthened.

3. Do you have any suggestions for how the Tree Bylaw could better protect and improve Lexington's tree canopy?

These Articles will undoubtedly run into opposition at Town Meeting, so watch for suggestions that these Articles present an undue burden on the average homeowner and developers. Unfortunately, that anticipated resistance implies that improvements to the bylaw need to go one step at a time, which is slower than many of us would like. These three Articles are a good next step in the bylaw's evolution. I'll look forward to supporting them.

Kathleen M. Lenihan

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See info under School Committee

Jennifer Richlin

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When my family moved to Lexington years ago, part of what attracted us was the large amount of conservation land as well as the beautiful trees gracing our streets. While I am grateful for the protection of trees in conservation land, the trees in our neighborhoods have not fared as well. As developers tear down small homes to build larger ones, trees are frequently taken down but are rarely replaced.

When we lose our tree canopy, not only does the aesthetic appeal of a neighborhood suffer, we also lose many other benefits. Trees improve our air quality, mitigate street noise, and provide habitats for wildlife. They are also an important natural defense against climate change since they absorb carbon and provide shade to keep our homes and streets cooler in summer.

It is for these reasons that I support the amendments submitted by The Lexington Tree Committee. We need more robust protection of our tree canopy, and requiring a certified arborist to create a tree protection plan

before lots are cleared will help. Arborists will determine which, if any, trees are hazardous and should be exempt from the tree bylaw. This will hopefully allow for more objective decisions in these cases.

I also support requiring developers to plant street trees instead of allowing payment of fines in cases where trees are removed. This will be a step toward rebuilding our neighborhood canopy without creating an unreasonable burden. Finally, and perhaps most importantly, the amendments will give the Tree Warden the authority to enforce these protections, which will help maintain and restore Lexington's tree canopy.

Trees are a precious resource that can take decades to mature. Ideally, I'd like to see the amendments go further by requiring larger shade street trees be planted when a tree is removed.

PRECINCT 5

Sarah E. Higginbotham
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I support all three articles (34, 35, and 36) brought by the Tree Committee to amend Lexington's Tree Bylaw. The Tree Committee has done important work to understand how the Tree Bylaw functions in the real-life practices of homeowners and developers in town. They are bringing specific proposals to alter the bylaw to strengthen its ultimate goal of protecting Lexington's tree canopy, which is a vital part of our community's environmental sustainability plan. Requiring a certified arborist to consult on tree protection plans and to make declarations regarding the status of trees considered for removal will bring a higher and more consistent level of professional care and expertise to the process as a whole. The requirement of property owners to plant trees along setbacks (rather than just pay into the Tree Fund) will also strengthen our goal of maintaining the "leafy suburb" that many residents cherish and that makes a difference in our experience of climate change. Research into the impact of a healthy tree canopy on environmental sustainability clearly shows the importance of supporting tree life and growth for the health of our planet and all its inhabitants. These bylaw changes will help Lexington continue to advance our goal of contributing positively to our community's environmental well-being.

PRECINCT 6

Susan A. McLeish
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I am concerned about the loss of trees that has occurred over the past years when a property has been developed. I support reasonable measures that will protect/replace trees. Trees are vital to a healthy environment and the existing by-laws have proven that they do not do enough to protect them from being removed when it's not absolutely necessary and/or having new trees planted when it is. The proposed amendments seem to be reasonable steps for a property owner/developer to have to undertake prior to removing trees from their property. My thanks go to the tree committee for proposing these amendments.

I will, however, listen to further information presented by the tree committee, as well as proponents and opponents of the articles prior to making a final decision.

Deepika Sawhney

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See info under School Committee

Taylor Singh

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Pending further explanation from the proponents that may affect my views on these three articles, I am inclined to support all three.

Per the recent iGIG candidates forum, I learned from a sitting Planning Board member that the Pleasant Street Quarry (er, I mean, Linc Cole Way development) only paid \$4,000 in fees for the devastation of the tree canopy on that property. That is unacceptable and we can do better.

I am grateful to the proponents for bringing these three articles forward and I hope to be able to support them upon realizing their full scope and detail.

Vinita Verma

vinita.verma@lexingtonma.org

Which of the proposed articles do you support? If so, why do you feel it/they is/are important?

I support all the proposed articles by the Lexington Tree Committee because of the numerous health benefits of trees. Trees are an essential element of our health. They improve our environment and mitigate noise, pollution, and heat. They enhance the privacy and appearance of the street/house/town. Trees improve our health and wellbeing; simply spending time near trees has shown to reduce stress, anxiety, and blood pressure while improving mood and recognition <https://www.hsph.harvard.edu/news/hsph-in-the-news/the-health-benefits-of-trees/>.

I agree that hiring a certified arborist and leveraging their expertise is crucial. Property owners can benefit significantly by collaborating with arborists to create a tree protection plan for retention during construction. Additionally, having arborists assess and declare the hazardous nature of a tree provides valuable insight. Furthermore, I support the initiative to replant trees along the street. This holistic approach, involving certified arborists, ensures both the preservation of existing trees and the enhancement of our community's green infrastructure.

If there are articles you do not support, why not? N/A

Do you have any suggestions for how the Tree Bylaw could better protect and improve Lexington's tree canopy?

I have a few suggestions regarding the preservation and improvement of Lexington's tree canopy:

- Ensure that all major tree-cutting companies are well-acquainted with the required Tree Bylaw before conducting any tree removal, whether for construction or due to a tree's hazardous nature. They should be able to present permission from the Tree Committee or the Town upon request by neighbors.
- If feasible, the Town should maintain a comprehensive count of trees, ideally in a pictorial database that includes approximate height and width. This would be particularly useful to monitor older trees at new construction sites and ensure that replacement trees are planted.

- Widely share knowledge of the Tree Bylaw with residents for awareness purposes. This will empower residents to take appropriate action when needed.

These suggestions aim to enhance awareness, accountability, and overall care for our community's tree canopy.

PRECINCT 7

Philip K. Hamilton

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I support all three articles. I think it is time to reconsider our notion of the value of trees to our town. It is true that Lexington's trees perform a welcome esthetic function, but with climate change our trees will also be an important factor in improving the town's resilience. Trees provide carbon sequestration and storm-water uptake. Their shade also counteracts rising outdoor temperatures. Trees are thus an important part of the town's infrastructure, regardless of who owns the land they occupy. The requirement of a tree protection plan, prepared by a qualified arborist, is only a small and relatively inexpensive step in the construction process, but it will alert the property owner to the community's interest in the survival of the remaining trees. Likewise, requiring an arborist's opinion on the hazard created by a tree, as a precondition to allowing the tree's later removal, seems reasonable when one considers the resilience value of a large, mature tree, a value that cannot usually be duplicated by replanting smaller trees, and certainly not by the payment of the standard removal fee alone. Finally, I support the proposal to require the planting of trees along the front of the property as a condition for allowing the payment of fees for the removal of other trees elsewhere on the property. This would be a small step toward a wider recognition that trees, even those on private land, are a public good. Ultimately, I would like to see protections, similar to those of the tree by-law, extended to all of Lexington's trees—not just those in the setback of major construction.

Stacey A. Hamilton

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I am generally in favor of articles supporting the preservation and replanting of trees. As a resident of the Robinson Road/Turning Mill neighborhood and on a very wooded lot, I do understand the challenges in finding a balance between tree care, preservation and proper construction activity. In this particular case, I really want to hear more before and during Town Meeting about how the enforcement will improve, with or without these proposed changes. I would also like to understand the costs that may be incurred by homeowners as a result of the changes. I do appreciate the efforts here to balance expanding the tree canopy while at the same time not impacting utilities or inadvertently increasing the need for the utility companies to literally cut trees in half - it is otherwise self-defeating. It is also frustrating to see large shade trees repeatedly replaced by small pines or other similar non-shade species. As someone who works in the compliance field for a living, I always want to know not just the "what" of these changes but also the "how". The implementation and enforcement details really matter, and can be a determining factor in whether people will actually follow both the letter of the law and the spirit of protecting our trees.

Benjamin Charles Lees
Lees.benjamin@gmail.com

I support all three articles. I agree that we are currently getting too many payments in lieu of mitigation (and often not even that), and not enough properly retained or replanted trees on the ground. I also wholeheartedly agree with ensuring that our law does not unintentionally lead to the retention of the most harmful invasive trees.

Pamela C. Tames
Pamela.tames5@gmail.com

I genuinely value Lexington's tree canopy. I affirm that trees provide multiple benefits to the natural environment and to people, and that preservation of existing trees and planting of new trees enhances a community's quality of life.

1. I support Articles 34, 35 and 36. Lexington has lost many trees to residential development. These Articles seek to protect trees by enacting and enforcing changes in the Tree Bylaws. Article 34 requires an arborist to create a tree protection plan for application throughout major construction. Article 35 mandates street tree planting when protected trees are removed. Article 36 creates a process and standard for hazardous tree exemptions and restores exemptions for invasive trees.

Minimizing the loss of mature trees and encouraging the replanting of new trees are reasonable efforts to preserve Lexington's tree canopy.

2. N/A

3. I would like to see greater enforcement of tree preservation.

PRECINCT 8

Lin D. Jensen
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See info in Planning Board

PRECINCT 9

Hema Bhatt
hpbhatt2012@gmail.com

I believe that proposed articles by Lexington Tree Committee will be very beneficial in saving our mature trees and save our town's tree canopy. From health perspective Trees improve our air quality by filtering ozone, carbon monoxide, sulfur dioxide from air we breathe. For comfort trees help us reduce the need for air-conditioning and heating produced by burning fossil fuels. Saving the tree & planting new tree, if we are losing it due to construction has ecological as well as environmental value. Trees improve air quality, con-

serve water, preserve soil, and support wildlife. It is also a pleasant experience to be around a tree, one feels relaxed & comfortable. I believe that these are very good steps we are taking for future generations by supporting & passing these articles.

Mollie K Garberg

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It is so important to protect our tree canopy and all the benefits it provides – reducing carbon in the atmosphere, mitigating heat, and preventing soil erosion, all while adding tremendous beauty to our community. Articles 34, 35 and 36 will improve the effectiveness of our tree by-law and better protect our tree canopy so I support all three amendments. Article 34 will help ensure the survival of trees retained during construction by engaging a professional arborist for a tree protection plan. Article 35 calls for planting trees as mitigation for protected tree removal, a vast improvement over mitigation payments. Article 36 will create a clear process for hazard declarations during major construction, benefiting all stakeholders.

All these amendments are important steps forward in our stewardship of Lexington's tree canopy. I'd like to see the Town improve enforcement as a next step and will support budget requests that strengthen our ability to oversee and assure the protections the tree by-law creates.

Kimberly Hensle-Lowrance

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Which of the proposed articles do you support? If so, why do you feel it/they is/are important?

I support the Tree Committee's work to protect Lexington's natural environment. I've watched with concern as trees are removed around town in order to make way for construction projects. I therefore look forward to the discussion of the proposed articles at Town Meeting.

If there are articles you do not support, why not?

I don't have any concerns about the articles. As we increasingly see the impacts of climate change—from melting polar ice caps to rising ocean temperatures—we must take steps to keep Lexington at the forefront of preserving our trees, which contribute to a healthier planet and healthier population.

Do you have any suggestions for how the Tree Bylaw could better protect and improve Lexington's tree canopy?

I'd like to see greater incentivizing of property owners to replant trees when possible, more education about the numbers of trees that have been removed from Lexington and what the consequences are on our community, and greater penalties for those who violate the by-laws.

Ethan Paul Kiczek

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I support Articles 34, 35 and 36 for the spring 2024 Town Meeting, amending the Lexington Tree Bylaw.

Article 34 provides builders and property owners much-needed guidance to thoughtfully create and execute a tree protection plan before construction begins. Article 35 builds on the lessons learned in nearby communities to help builders and property owners provide more beneficial shade to both their properties and to

public spaces. Article 36 improves exemption rules and mechanisms, providing better guidance and a more streamlined process that will benefit not only builders and property owners but also Town staff responsible for implementing such procedures. Some may contend that these Articles will force builders and property owners to adhere to onerous requirements. In my opinion, all things considered, that is not the case. All three Articles balance the rights of builders and property owners to modify their properties with the need to protect the town's tree canopy, thereby protecting our environment and enhancing our citizens' health and well-being.

Alicia M. Morris
amorris151@verizon.net

I would support all the proposed articles (34, 35, 36) to amend the existing Tree Bylaws. Article 34 requires the participation of a certified arborist to certify a tree protection plan for protected and public trees when major construction or demolition is planned on a property. The original bylaw was enacted “for the purpose of preserving and protecting both public shade trees ... and certain trees on portions of private property.” (Part 1, General bylaws, Chapter 120-2). Builders in general do not have expertise in tree preservation practices, and some ignore the bylaw altogether, preferring to pay the penalty charged for violating the bylaw. Requiring certification from an arborist will help ensure the survivability of the tree throughout the construction process. Article 35 would require the planting of trees when protected trees have been removed, eliminating the option to pay a fee when protected trees are cut down. Article 36 addresses the situations where exemptions to the new rules are warranted. The 3 articles, taken together address existing gaps in the bylaws that are resulting in a loss of our tree canopy in many of our Lexington neighborhoods.

Thomas R. Shiple
tshiple@gmail.com

I support all three of the articles. Preserving our tree canopy to the extent possible is important. All three of the articles apply only to trees in the setback, and only during major construction on a parcel. I think developers are well-equipped to understand and follow these rules.

In terms of improving our tree bylaw, perhaps some case-by-case exceptions to setbacks and building height could be granted in order to preserve additional trees within the interior of a parcel, as was mentioned in a recent public meeting.

April 2023—Poor Farm

