

**Department of Planning and Development**

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**gwinnettcountry**

**Gwinnett County Tree Advisory Committee**  
**Monday July 10, 2017**  
**at 6:00 p.m.**  
**One Justice Square**  
**446 W. Crogan Street, Lawrenceville**  
**Conference Room B, 2<sup>nd</sup> Floor**

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**TAC MEETING MINUTES**

**COMMITTEE MEMBERS PRESENT**

Chris Barneycastle  
Carol Hassell  
Patrick Kien  
Tommy Loggins  
Hilary Wilson

**COMMITTEE MEMBERS ABSENT**

Wendy Aina  
Dennis Billew

**STAFF PRESENT**

Susan Owen, Planning & Development  
Patricia Huguenard, Planning & Development  
Cyndi Sloan, Development Review Manager

**GUESTS PRESENT**

None

1. Call to Order  
Meeting was called to order at 5:59 p.m.
2. Determination of a Quorum (6 Members Were Present)  
It was determined that there was a quorum.
3. Action Upon the Minutes from the Previous Meeting  
April 2017 minutes were approved as amended. Carol Hassell motioned; Pat Kien seconded. Motion carried unanimously with a vote of 6-0.
4. Announcements  
Patricia Huguenard announced Commissioner Howard appointed Wendy Aina, Citizen District 2 Member.
5. Adoption of the Agenda

Hilary Wilson motioned; Tommy Loggins seconded. Motion carried unanimously with a vote of 6-0.

6. Old Business

Hilary Wilson asked Carol Hassell about the list that they put together for small, medium, and large trees where they took off holly and crepe myrtles. Patricia Huguenard said that we do not have a list and that crepe myrtles have not been on the list since 2007. We have a list of streets trees because we removed the location of a tree from the six foot area before the sidewalk to after the sidewalk on private property. All of the changes are reflected in the current appendix section 4.11 in the back of the Unified Development Ordinance. Based on the sub-committee, we allowed certain smaller trees to be street trees. As an action item, Hilary Wilson stated she will look over the list to make sure all of the changes were incorporated. Hilary Wilson added there were very specific cultivars and she wants to be sure there was not only the species version but better adapted trees to be put on the list. The list that is in the UDO was adopted in February 2014.

7. New Business

- Patricia Huguenard provided handouts of pages from the Unified Development Ordinance.
- Section 630-70.3 Specimen Tree Identification – a specimen tree hardwood has been identified as 28” diameter or larger and the softwood as 30” diameter or larger, but need to make sure these specimen trees are healthy.
- On Conditions 2A to 2E in Section 630-70.3 - if the tree has a major insect problem or pathological problem it is not considered a “specimen.” When you have a specimen tree and identify that it does not have major pathological problems, then you need to rate it in Excellent, Good, Fair, or Poor condition. Patrick Kien asked for a definition of an excellent condition tree. Patricia Huguenard wants the committee to come up with criteria for an excellent, good, fair, and poor conditioned tree. Do we even need poor condition as a choice? If we have conditions, we will need to have a sliding scale. Trees grown within the environment means they could be an outstanding example but may not be aesthetically perfect but it does not mean they are not worth saving. Patricia Huguenard stated it is not right to charge the same recompense for a tree that is healthy, strong, and viable versus one that is not doing well. However, if there is not construction going on around the tree it could live a lot longer, and it should not be taken down without recompense. Tommy Loggins said there is the factor of age. A specimen tree will indicate that it is an older tree, and an older tree that is beautiful will not be the same value as a middle-aged tree that is beautiful.
- Hilary Wilson asked Patricia Huguenard if there will be a sliding scale in terms of remediation and she replied, yes, there will be a dollar amount that will be associated with the excellent, good, or fair condition. The staff arborist and the developer/professional meet on site and make these determinations and differences. In 2014, the excellent, good, fair, and poor conditions went into Section 320-20.1B of the ordinance. Chris Barneycastle said from an arborist standpoint, it would be pretty easy to determine the condition of a tree and does not know of another ordinance that has this criteria. Carol Hassel said we are looking for something to provide a guideline for the arborist. The County is asking for guidance from the

Committee because this is starting to be an issue. When the professional arborist and the County's arborist come together to review the trees is where the conflict is. Chris Barneycastle said Brookhaven added to their ordinance stating if a tree has 70% or more of the crown on one side then it is not a specimen. If a tree has more than one major and three minor dead limbs (most 28" hardwoods are going to have two large dead limbs), then it would be considered "good" condition according to the ordinance. Chris Barneycastle said there is no need for the "excellent, good, fair, poor" criteria unless we are going to use the sliding scale method. The condition criteria are to establish if it is a specimen or not. There are a lot of big trees that do not meet condition 630-70.3 2C.

- Tommy Loggins made the point that if a tree grew up in a cow pasture and is not perfectly circular around, then it did not have a chance to be perfect. He suggested taking the "excellent, good, fair, poor" criteria and converting it into a numeric point scale system to determine if it is a specimen or not.
- Hilary Wilson suggested the problem solving process where you take the criteria using a scale of DBH (circumference) x AGE x \_\_\_\_\_ = Points. Also, anything below 70% would not be a specimen tree. Carol Hassel said this approach creates a truer picture of the tree. The physical characteristics of the tree may go into a calculation like Hilary Wilson described, but that calculation should not include exceptional quality or historical significance. Carol Hassel thinks historical significance should be in a category all by itself. The calculations would be more true to size and there would need to be a calculation that identifies conditions A-E of Section 630-70.3 of the Unified Development Ordinance.
- Patrick Kien asked if we want to entertain rewriting the current regs to make it more integrated with whether it is a specimen or not and then whether it is a three or four point scale. Once it is determined a specimen by these criteria, it needs to be assessed as excellent, good, fair, or poor. Maybe these are not very good conditions and if we do an excellent, good, fair and poor rating that we combine a rating scale that takes into account the condition of whether it is a specimen. Is the board open to something like this?
- Chris Barneycastle said there is a rating system in the appraisal guide. You come up with an initial value of the tree and then depreciate it by the species, condition, and location. The conditions in the guide are five categories which are the roots, trunks, scaffold branches, twigs, and leaves. They each have a point system and totals 32. Carol Hassell said there has to be a useable system for evaluating trees. They are working on the 10<sup>th</sup> edition of the appraisal guide. The 9<sup>th</sup> edition is called the Council of Tree and Plant Appraisal.
- Patricia Huguenard asked what size tree does this scale start or will every tree on site have to be assessed? Hilary Wilson advised that a tree inventory has to be done and if it is a very large site, they will do a sample. If they start with a sample, they may determine they need to have multiple samples so that everything is not treated alike. Hilary Wilson suggested looking at some cases and running examples to see if it is realistic before making a recommendation.
- Tommy Loggins asked about identifying specimen trees on a tract to be developed, sampled, and identified. Is the Committee talking about saving every specimen tree that meets the criteria or are we setting it up where a minimum number of specimen trees on a particular site must be saved? Are we saving all specimens that

qualify or just the best ones? What the County currently does is once they are identified as specimens, they are listed on the plans and the concept is shown of what is going to be developed whether it is a subdivision or commercial development. They then work around the best specimens. The ordinance states that all specimen trees must be saved. Case studies will help make sure we are not capturing too much of something that we do not need to be capturing.

- There are different ways to pay recompense – pay in the form of planting trees or planting trees plus paying to the tree fund. There are different alternatives. They will fill up the site with as many new trees as they can and then they will pay the remaining to the tree fund.
- Tommy Loggins asked if there is any historical data of typical developments and the relationship between the development and the number of specimen trees that are retained. Patricia Huguenard said currently there is no historical data and it would depend on the type of development. Commercial, industrial, and manufacturing rarely have specimens preserved unless they are in a stream buffer area.
- Patrick Kien asked if there is any way to do research to see if another jurisdiction has come up with a similar plan. Chris Barneycastle volunteered to do some research as he has never seen the rating system and will also send Patricia Huguenard the condition criteria for specimen trees. Brookhaven, Alpharetta, and the City of Atlanta have recently revised their specimen tree criteria and maybe the size criteria. Cobb and Fulton counties criteria are just like Gwinnett. Chris said one thing about the City of Atlanta's ordinance regarding impact is that everything is spelled out.
- An Authorized Registered Professional is considered a registered landscape architect, registered land surveyor, or professional engineer which is based on qualification, knowledge, and their registration/certifications.
- In section 630-70.4B – does the committee want to drop the authorized registered professional and change it to registered landscape architect? This information will need to be changed in section 630-70.5A as well as anywhere else in the UDO. Hilary Wilson asked if we are authorizing this change to be taken to the commissioners. Carol Hassel made a motion to approve the change; Hilary Wilson second. Motion carried unanimously 6-0.
- A third party contractor would have to be approved by the department to be put on the approved contractor list and also meet the criteria comparable to a building inspector. If there is a backlog and the inspector cannot get out on site, they would sub-contract the work out from a contractor on the list. They will have to meet certain criteria and then be approved by the Committee. Hilary Wilson said the list will have to stay current and that is a lot of work to maintain because if you are not pulling from the list every so often, those people may not be available or even in the area when you need them. The list seems like it would be very cumbersome. Patricia said that the certified arborist would have to send Gwinnett County an affidavit stating they are up-to-date for the year. Patrick asked why do we even need a list and not just define the third party contractor as a certified arborist. Gwinnett has to have a list of qualified vendors to pick from. The list is maintained by staff and approved by the Board of Construction Adjustments and Appeals. The list is available to builders and developers who need inspections. The County is not calling on people from the list to go do the inspections. The builder is paying the

third party inspector to do the work so if the builder does not want to wait for a county arborist to do the work, they can pull from this list. The third party inspector then works for the builder and is a totally different relationship than if they are contracted by the County to do the proper inspection. If the builder pays them, they are contractually obligated to the County to do their job properly. The purpose for having the extra capacity is to facilitate fast track reviews and the permitting process. Chris Barneycastle said if you contract with one arborist for any length of time, they are on call. Hilary Wilson is very opposed to the builder paying the third party contractor because that puts the relationship in a whole different perspective. Who would determine the rate that these contractors get paid? Would it be a set amount?

- Gwinnett County has several development inspectors that have shown interest in becoming certified arborists and will become part of their job. This would be an added certification on their resume. The arborist that the County has now is also a development inspector. The specimen tree and landscape plans that are reviewed in the office are either done by a certified arborist, landscape architect, or under the direct supervision of one.
- There are a lot of cities within and outside of Gwinnett County that are getting their Tree City USA certifications that are looking at having an arborist on staff.
- Patrick Kien is suggesting a few compromises:
  - third party arborist is contracted by and works for the County, but is paid for by the developer
  - the third party contracts directly with the developer and is paid by the developer
  - third party is contracted with the County, but the bill is passed through to the developer so the tax payer is not burdened with this expense
- Hilary Wilson suggests investigating this to see what the real need is. There is no need to go through the process of getting the contractor list going if there is no need for this.
- Patrick Kien needs more clarity because as it was originally presented, he understood it as being more for expediting cases where they did not want to wait for the normal tree site inspection by the County and as an alternative they could hire a third party contractor.
- The reason why Gwinnett would require a symbol or notation on the final plat is for protection of a specimen tree after a Certificate of Occupancy is issued on the house and also because we do not want the homeowner to cut the specimen trees down. Cyndi Sloan said Gwinnett also has many national builders coming in to the County. It is not the developer building but is one entity developing the lots, saving the trees, getting paid, and then they are moving on. A different entity comes in building and the recompense has not been paid and they are not aware of the specimen trees.
- Cyndi Sloan said the symbol would carry over to the Final Plat from the construction plans. This symbol is not being used at this time and is not in the ordinance. Carol Hassel made a motion to require the symbol of notation on the final plat for protection of the specimen trees; Hilary Wilson second. Motion carried unanimously 6-0.
- Parking lot lights and trees in the same island after time become unsafe because the

tree is blocking the lighting. Cyndi Sloan suggested discussing this further at the October meeting.

9. Adjournment (7:55p.m.)

Patrick Kien motioned; Tommy Loggins seconded.

Motion carried unanimously with a vote of 6-0