



City of Bath
Office of
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Brilliant, Just Brilliant!

I want to begin by thanking Mr. Doug Stills and the SMA Municipal Arborist Exchange Board for availing this opportunity to the membership, as well as the industry sponsors for their financial support of this year's exchanges. This program speaks well to, and encourages, life-long learning and professional education and development, and for that I applaud this organization and its efforts.

The old adage, "If at first you don't succeed, try, try, again", is one I follow quite often. I recall attending an ISA Annual conference, and, being a new member of SMA, heard about the Arborist Exchange program, and becoming very excited about such an opportunity. My wife and I are always on the lookout for opportunities not only for professional development, but also for cultural opportunities for our two daughters. She and I have both grown up either hosting exchange students or living abroad in various locales. I had first unsuccessfully applied for the Arborist Exchange in early 2003. When my wife was discussing her plans for a sabbatical from her high school Social Studies teaching position, as well as our decision to host a German exchange student, being asked to conduct an appraisal of a family friend's olive orchard in Italy, and an open invitation to visit family in Norway, all these prompted me to re-apply for the SMA exchange program. After e-mailing Mark Minkley, the Bath, England Council Arborist, and hearing of his interest in also applying, I felt we had a better chance of being accepted, which, in fact, was the case! To quote Mark, "Oh, this is Brilliant!"

Last Spring, my wife and I scheduled and cobbled together a longer plan to travel through Europe with our daughters, with the exchange in Bath, England taking place at the end of this longer visit. We arrived in Bath, England on Sunday, July 25th, by train, where Mark greeted us. After spending the next day getting settled into our new accommodations, I met with Mark and his team in his office, at Trimbridge House. Within the Bath & North East Somerset Councils Planning Service there are two groups: Development Control; and Policy, Environment and Projects (PEP) (the "Tree Team" is within PEP). The "Tree Team" consists of Mr. Mark Minkley and Mr. Paul Wilkins. They deal with Tree Preservation Orders (TPO's), trees in Conservation Areas and planning applications that affect trees. They maintain a public register of notifications of works to trees within Conservation Areas, which is available for reviewing.

The Council's Parks & Open Spaces Section handle other arboricultural responsibilities and is managed by Mr. Mark Cassidy and Ms. Denise Hart. This Section inspects and undertakes maintenance of the 24,000 trees growing on Council-owned land within the Authority. They also manage 9 hectares of woodland and implement new tree planting schemes. They work within a unique set of qualifications and designations, both nationally and internationally.

Bath is both a Conservation Area, and recognized by UNESCO as a World Heritage Site. The Council has a population of roughly 160,000 with approx. 80,000 in Bath and the remaining in the towns of Keynsham, Radstock, Midsomer Norton and Chew Magna and numerous small villages. The district covers 220 square miles. With the pressures of such a population base and that of tourism, great efforts are necessitated to protect the tree resources that exist. The first day I met with Mark and Paul for their weekly strategy meeting, there were a number of perspectives and definitions of authority that I had to get my hands around in order to begin to appreciate their position and jurisdiction. The first definition to consider was that of the "conservation area." From the Bath NE Somerset website, "A Conservation Area is designated where special architectural or historic interest makes it desirable to preserve or enhance the area's character or appearance. There are over 30 designated Conservation Areas within Bath and North East Somerset at present. The City of Bath Conservation Area covers almost three quarters of the City making it one of the largest single Conservation Areas in the country. Whilst a Conservation Area is generally centered on listed buildings and

other historic built features, the landscape surrounding it and trees within it contribute significantly to its appearance. The setting of a Conservation Area can be equally as important as the buildings or historic features themselves. Trees also help to improve the quality and amenity of an area. They provide cool dappled shade and improve the quality of our air. Under the Town and Country Planning Act 1990 all trees in a Conservation Area with a trunk diameter of 75mm or more (measured at 1.5m above natural ground level) are protected (subject to some exemptions). It is an offence to prune, fell or otherwise damage a tree without first giving notice to the Council. The purpose of this requirement is to give the Council the opportunity to consider whether a Tree Preservation Order (TPO) should be made to further protect the tree.” By the end of the exchange, I would fully appreciate the impact of this definition and the reasoning for such measures. Mark and Paul divide up the work geographical. They reviewed and divided up roughly 25 or so requests for review. The Section has performance levels that they work towards, with theirs being an 80% completion rate in a timely manner. The shock I had with their discussion was the fact that they were to examine trees on what I perceived as “private” property, for in the States, my jurisdiction is only with trees found on “public” property. While I feel that, ethically, it is my duty to notify a property owner if a tree, on private property, is compromised or would be considered, professionally, a hazard or, if a homeowner calls for advice or consultation about a tree concern, I will oblige. In general, trees, and their care and maintenance, on private property are the responsibility of the property owner. So the whole notion of property rights and responsibilities in England versus Bath, Maine was cause for some initial confusion. Once they sorted out the requests, Paul and I set-off for an afternoon of site visits, while Mark and their clerk, Tessa, worked on preparations for a regional, professional conference they were hosting the following day.

As other municipal arborists will attest, the site visit with a homeowner is such a subtly important activity, and one, which, yields such a variety of feedback, perspective and education about people and trees and how they relate. Personality, demeanor, verbal and non-verbal language all play a part in the resolution of site visits and the work requested. Between Paul and Mark, I was present for about 25 site visits, and I am saddened but also relieved to know that, in general, most people, in Bath, England as well as in Maine, still do not fully realize nor comprehend how a tree’s design operates and functions, regardless of location. Education seems to be the most critical piece in resolving site visits and the implementation of proper, valid work requests. The use of the TPO is a last alternative, and one in which this resolve has not been met. Because of the scale and critical mass of population and frequency of incidence, a certain level of TPOs being issued is to be reasonably expected.

The following day they hosted a conference for regional certified foresters (Institute of Chartered Foresters) about establishing woodland projects. The conference hosted 25-30 people from the southeastern portion of England. There were speakers from 11:00 until 1:00, including Mark, Paul and David Evans of The Arb Centre (“Pruning Trees to Death”, soon to be in the Journal of Arboriculture). It did present clever approaches to educating people about how a tree works and responds to remediation. After lunch, Mark Cassidy, who is in charge of the Bath’s Park maintenance and the tree “gangs”, led the group on a tour of local parks. At each site, the trees present were discussed, and relevant standards and ordinances were highlighted as they pertained to the examples. Discussions went around from the academic to the scientific to the practical regarding how one would assess the quality and condition of the tree in its location. All in all, they were pleased with the attendance and the discussions generated by the talks and the tours. As always it is beneficial to meet with colleagues to talk about what they are most passionate about. The attendees ranged from municipal tree officers and large woodland managers, to parks officers and utility company vegetation managers.

The day after the conference, I was invited to sit-in on a department meeting regarding the redefinition and reconfiguration of the District’s Conservation Area, in light of the recent merging of four local council areas. David McLaughlin, the Historical Architect and Andrew landscape architect for Planning Services ran the meeting. The meeting was very beneficial in regards to updating comprehensive evaluations and definitions of criteria and characteristics identified as pertinent to the management of a local resource and how it relates to the community. Specifically, the exercise of surveying, quantifying and qualifying regions or areas of Bath across a range of elements in order to better characterize an area holistically, and patterns of prominent

features or resources. After the meeting, David, the Historical Architect, showed me a book entitled the "Bath Pageant", copyrighted in July 1909, when Bath, England hosted a pageant celebrating the dedication of Bath, and including guests from other communities named "Bath" (2 from Canada and 9 from the states). Ms. Clifford from Maine was the representative. The weeklong event was well documented and received.

On Friday of that week, Paul picked me up at the house we're staying at, and we did several site visits until 12:00. Most were residences but one was an addition to an elderly housing facility. The preservation plan was extensive and the landscaping was well developed for a relatively recent installation. They credited their success with good, quality material, proper installation, and comprehensive maintenance. There was a slightly heated exchange regarding an approved use being in conflict with Conservation Area (CA) standards, which was resolved by Paul iterating what the CA allowed, and putting the contractor on notice. Does the right hand ever really know what the left hand is doing? Next we visited a closed cemetery and looked at examples of cut-leaf beeches, Tilia, and a cedar that was topped but thriving. Paul and I both agree that the position of tree officer for a community is very much about talking with people about something that they live with day-in and day-out, and what a pleasure it is, but what a skill it requires that is not taught in school. He has asked of people the duration of their living with the condition(s) that have generated the Notification / Application (NA), as a means of negotiating a resolve of the applicant that is more arboriculturally reasonable and having less of an impact than may have been requested. For the amount of NA's fielded by the two officers and their department, the number of TPO's they have served is relatively few. They average 750 NA's yearly, but have only 61 TPO's that they service, with the oldest that was reviewed for re-evaluation being dated in the mid-1970's. The TPO is a last resort when an NA cannot be negotiated or resolved to the satisfaction of both the applicant and the council. For an applicant, a TPO can be appealed to a District representative, who can rescind the decision of the TPO or overrule the appeal.

The following Monday, Mark and I conducted some site inspections in and around the Bath Council. One was a private home having some restoration and renovation work that conflicted with some existing trees. Another visit was to a vacant lot to be developed into a housing sub-division. The last visit was more extensive and lengthy. We stopped at the University of Bath to look at some construction involved with the expansion and reconfiguration of existing parking where numerous trees were to be preserved, and to check the measures being used and their effectiveness in preserving these trees. We also walked around the campus looking at other examples preservation during construction, as well as several sites where renovations were being designed and suggestions on trees to be preserved and those not worth keeping and the conditions and measures to be included in the engineering plans. The afternoon was spent getting caught-up at the office and then visiting with the Bath Mayor in his chambers.

On Tuesday of that week, I met with Mark in his Trim St. office to touch base, and get directions to Mark Cassidy's office. After checking and responding to e-mails, I set out for Marks office. Mark and Denise head the Park Maintenance crew and the tree gangs. There are eleven people in his crews. The Council also runs a number of greenhouses, roughly 10,000 sq. ft. in total, used for growing various plantings used in and around the Council. They are able to grow their plant material less expensively than buying it in from local nurseries. Mark demonstrated for me his park tree inventory software. We then left and he showed me around the various parks located near the office, pointing out various trees of note and we also discussed numerous trees that were on his radar screen for options of remediation. After some time we ran into one of the tree gangs, and upon being introduced was informed that I would be assigned to the gang the next day, so we conferred about when and where to meet the following morning. We returned back to his office around 12:00, and he "handed me over" to Denise for the afternoon. She is involved in inspecting tree problems identified in the parks and other Council properties, and arranges work orders to address them. She had some specific site visits scheduled so we set-off. The first one was in a park along the canal, and while we were there we met the park caretaker who asked her to also look at another tree he had concerns about. After about an hour it poured rain! We thought we could wait out the rain under an overhang, but we decided to make a dash for her car. We next inspected a site where a tree had damaged a car and there was fear that the remaining trees were in danger of causing similar problems. We inspected the trees that remained and looked for the stump of the tree involved with the damage claim, but were unable to locate it. The claim was that location and disease vectors

damaged the tree, and that there should be similar symptoms present on the trees present which we determined there weren't. We then proceeded to a residence that abutted a Council-owned property where some trees had failed and were in need of being removed from the owner's property. We inspected the site to figure out a route for the tree gang to get to the fallen trees and remove them without impacting the owner's property. We also examined the remaining trees to assess whether they posed a risk to similar failure and to estimate when that might occur. Other trees were identified for removal to ameliorate the potential they posed. At this point we were both soaked, and she was not going to finish the list of visits she had planned on conducting so she dropped me off at the Trim St. office, and I then headed home.

My last full day was spent, in the morning, with the tree gang, taking down a dead, thirty-six (36') foot Callery pear in the park. The area was roped-off when I arrived and they were still setting up. They predominantly climb and only very rarely use bucket trucks. They worked well and efficiently and safely! The crown was removed and then chipped. After cleaning up as much as we could, the bole was dropped and bucked-up. At that point, Mark came and fetched me for a farewell lunch with the planning office folks. After lunch I caught up on e-mails, made note of final travel plans and met individually with folks before saying goodbye.

Mark Minkley, and Cassidy, as well as Paul Wilkins, all expressed that funding was by far the largest limiting factor in their overall program. Being spread too thin over too large a geographic area was also cited as an operational limitation. It was suggested that the district could be divided into wards, with a tree officer assigned to attend to a single ward. The idea would help foster the creation of neighborhood/ward tree boards and foster more community-based projects and volunteer participation. Funding could also be allocated on a local basis instead of a regional basis. Some services are more efficient and cost-effective on a regional basis, though, but savings can also be realized by having more local, "ward" service providers. The scope of the management that Mark & Paul provide is an outcome of Bath being a World Heritage Site and also being designated a conservation area. This adds to their plate the care of public trees, pro-actively, and private trees, on a re-active basis. An onus is definitely placed upon the public to be more aware of their tree resource and to be more forthcoming regarding the care and maintenance of their tree resource. The public's relationship with Mark and Paul is, by definition, mandated, but it fosters a greater public awareness of urban and community tree issues. On broader topics, Mark made mention of the rise in insurance rates in England for practicing arborists, and how he felt it stemmed from a more litigious attitude on the part of the public based, in part, on overall perceptions of "how things are done in the States." He did appreciate the licensing requirement of arborists in the States, and felt such a requirement and procedure would benefit the industry by providing a measurement of working knowledge, and if tied with continuing education credits would promote a greater level of professionalism within the industry.

As previously stated, this exchange opportunity has such a depth of benefit to it for all participants and their communities, and I can not emphasize enough how important and beneficial it is for any municipal tree officer to not only examine another communities tree program, but to then have a colleague come and examine your own tree program. Ah, the luxury of perspective! And, oh, how thankful I am to Mark for opening his "doors" and to the SMA and the exchange sponsors for this "brilliant" opportunity.

Sincerely,
Thomas C. Hoerth
Bath City Arborist & Tree Warden

