



NEW HAVEN DEPARTMENT OF PUBLIC WORKS
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Justin Elicker
Mayor

June 30, 2022

Public Hearing Decision
YNHH Orchard Street Parking Garages Project
15 trees along Chapel St, Orchard St, and George St posted May 27, 2022

A Public Hearing was held on Tuesday, June 28, 2022 at the location of the trees (1380 Chapel St, New Haven, CT 06511)

Attendees:

City of New Haven: William Carone, Deputy Director Parks and Public Works and Tree Warden; Annie Mixsell, Arborist and Tree System Coordinator
Olivia Marston of 228 Dwight St; Jane Comins of 76 Edgewood Ave; Josh Randall of 260 Dwight St, Apt H; Miche Palmer of 301 Prospect St, Patricia Wallace of 66 Edgewood Ave; Laura Cahn of 54 Cleveland Rd; Alex Horvath of 1375 Chapel St, Apt 2.; Tomas Reyes, Jr of 6 Autumn Ridge, Oxford, CT; Christopher Beck, Shepley Bulfinch; John Malnati, Shepley Bulfinch; Tony Grasso, YNHH; Jason Beaudreault, Turner; Jonathan Palchisacel, Turner; Kyle Ballou, YNHH, Robert Reed, YNHH; Andrew Orefire, YNHH

Overview:

PROJECT SUMMARY: Project: YNHH Saint Raphael Campus Bed Replacement and Neuroscience Center
Address: 1342, 1346, 1354, 1360, 1366, 1380 & 1450 Chapel Street, 579, 583 & 629 George Street and 285, 289, 301, 323 & 330 Orchard Street
Proposed Construction: Inpatient bed towers with below-grade parking; garage expansion on Orchard Street; replacement of Orchard Street garage with additional parking; new pedestrian bridge over Orchard Street; redesigned emergency department facilities; and open space

Site Plan Commission approved submitted Site Plans on April 15, 2020. The trees were posted for removal on May 27, 2022 and several letters objecting to their removal were received by the city of New Haven Tree Warden within the 10-day posting period. The hearing began with an overview of the project presented by the Landscape Architect and members of the YNHH Team and Turner Construction. The representatives of the project described the disturbance to the roads, sidewalks, and general area of the root zones of the affected trees. They also discussed the eventual location of streetlights, utilities, and replacement plantings once the project is complete. The estimated timeframe from tree removal to tree replacement is two years. The species were selected from the City of New Haven recommended tree list and tree pits will be expanded to 5.5' x 8'.

General Comments:

A number of attendees objected to the removal of the trees and commented specifically on the many benefits that trees provide, such as air quality, reducing asthma rates and other health benefits, cooling, stormwater retention, noise buffering, and combatting climate change. Concerns were raised regarding the potential decrease in air quality during construction and whether temporary trees in pots could be utilized or the project completed in stages. When the question of watering was noted, Olivia Marsten stated that Chapel West had expressed the ability to water any new trees.

The question of what studies were done to determine the feasibility of construction protection efforts for some of the trees was raised and the landscape architect responded that the impact on the root zone of the trees was too great to pursue preservation.

Regarding the fine that developers must pay into the City of New Haven Tree Fund, the question of whether that money is put directly into tree planting was asked. Deputy Director Bill Carone responded that the money is used for the general funding of the tree division.

There was a lot of discussion regarding species selection and the care and maintenance of the new trees once they were replanted. City officials work together with the developers of the project to ensure that a diverse selection of trees appropriate to the site are utilized and the trees are being cared for. The soil used to backfill around the trees is imported and tested under the supervision of a soil scientist.

Annie Mixsell noted that the condition of the largest tree, a 35" diameter London Plane was in overall poor condition and that the tree had recently had a very large dead leader removed, had obvious decay, and showed signs of decline with tip dieback. The overall sum of tree inches slated to be removed is 160", with approximately 76" inches of caliper to be replaced, according to the landscape plans.

Action Items for City Officials:

- Evaluate the \$250/inch fine and whether this an appropriate metric for all species
- Include a warranty and maintenance requirement in permits

Decision:

As Tree Warden, pursuant to CT General Statute sec 23-50, and having held a public hearing in accordance with that statute, I am issuing the following decision to permit the removal of the following trees with the required amendments:

- Chapel St:
 - 18.5" pin oak, 22" pin oak
- Orchard St:
 - 4.5" pear, 3.7" pear, 35" London plane, 10" pin oak, 9.5" pin oak, 6.5" pear, 5" pear, 6" pear, 12" red maple
- George St:
 - 11" red maple, 11" red maple, 3.5" hawthorn, 2" Kwanzan cherry*
- Fee

Total inches of dbh to be removed	160
Monetary compensation at \$250/inch	\$40,000
Total inches of replacement (18 trees @ 4" caliper)	72
Balance to be paid into Tree Fund (160" - 72" = 88 inches @ \$250/inch)	\$22,000

The Department shares the opinions of the benefits of trees and always strives to protect healthy trees. Unfortunately, the disturbance to the street trees due to the magnitude of the project will be substantial. Long term, the burying of utility wires will eliminate the need for tree trimming by the utility companies and allow the replacement trees to grow to their full potential and maximize benefits. A permit and invoice will be issued separately according to all the specifications set forth in this decision. Representatives of the project will remain in communication with the Tree System Coordinator as project progresses.

Amendments:

- YNHH and contractors to work with the Tree System Coordinator to select a variety of tree species that are appropriate to the site. Specifically, possibly use ginkgo to replace the red maples on George St and use a variety of larger shade trees on Orchard rather than a monoculture of pin oaks. Recommended species include: Shumard oak, swamp white oak, lace bark elm, black gum, and ginkgo. The size of the trees and placement will not change.
- YNHH and contractors to evaluate whether there is the option of phasing the tree removal in a way that will not impact the progress or operation of the project.
- There is a stump and empty tree pit on the opposite side of Orchard St near the parking lot at the Emergency entrance. The City requests that YNHH include the grinding of the stump and installation of an additional tree now to offset some of the air quality issues during construction. YNHH would be responsible for all care, maintenance, and warranty the tree for three years from installation. The tree will require 25 gallons of water per week from leaf out to leaf drop.
- *One of the trees on George St, a newly planted cherry tree, is suitable for transplanting. The city requests that Urban Resources Initiative be contracted by YNHH to transplant the tree and that YNHH would be responsible for all care, maintenance, and warranty the tree for three years from installation. The tree will require 25 gallons of water per week from leaf out to leaf drop.
- Upon further thought, the use of “rented” or temporary trees does not seem a feasible option due to the regular need to water, move, and protect a tree that may in turn be negatively impacted during the construction process. The City of New Haven suggests that YNHH coordinate with URI to find suitable locations within the neighborhood for the placement of new trees and that YNHH fund the watering and care of these new trees for their first years as a gesture of good will and commitment to promoting healthy air quality for nearby residents.

According to the sec. 23-59, “Any party aggrieved by this decision, may, within ten days, appeal therefrom to the superior court of the judicial district”.

William Carone

William Carone
Tree Warden, City of New Haven