

**BOROUGH OF INTERLAKEN  
WORKSHOP MINUTES  
SEPTEMBER 18, 2019  
7:00 P.M. BOROUGH HALL**

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The workshop meeting of the Borough of Interlaken was called to order at 7:00 p.m., by Mayor Nohilly. Sunshine Statement was read by Borough Clerk Reibrich. “The notice of the requirements of the Open Public Meetings Act has been satisfied by forwarding notice to the Coaster and Asbury Park Press. A copy of the notice is posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council members: Horowitz, Butler, Watson, Fama and Maloney

Absent: Council President White

Also Present: Borough Attorney Richard Shaklee and Borough Clerk/Administrator Lori Reibrich

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1. **PROPOSED AMENDMENTS TO TREE ORDINANCE** –

Council continued discussion regarding amendments to the existing tree ordinance.

Mayor Nohilly stated that the discussion would proceed in an orderly manner. There will be no interruptions. Everyone will get a turn to talk. Council will be reviewing items from the list that was compiled by Borough Clerk/Administrator Reibrich from the suggestions previously submitted by Council members. A consensus review will be made on each bullet point.

Mayor Nohilly stated that the reason for the review of the ordinance is to protect the tree canopy. Current data shows that a little over 60 trees per year are being taken down. The Shade Tree can plant maybe 9-12 trees per year and are limited to plantings on Borough property and within the curb strip. Residents are planting more ornamental trees that are smaller and do not contribute to the tree canopy.

Councilman Fama stated that the Shade Tree has been working with the Tree Expert, Bill Brash, that they have retained. Mr. Brash is impressed with the Borough canopy who believes that the current removal rate will affect the canopy before long.

Council discussed listed suggestions including: required replacement tree size and the cost to residents, ease in planting, encouraging replacement rather than paying fines, permit costs, ways to encourage heritage trees be planted over ornamental trees, suggested ways to track tree removal by tree type, whether all trees should require a permit for removal or just larger heritage trees, the value of heritage trees and ornamentals, a proposed tree fund to aid residents to plant heritage size trees on private property and the rights of homeowners to have control over the trees on their property.

Councilman Butler questioned whether the replacement tree size should be manageable by the homeowner to accomplish planting themselves to encourage replacement rather than someone just writing a check.

Council continued review items from the suggestion list including: changes to the language of the ordinance pertaining to reasons for removal, making more specific tree size categories for removal permits, number of trees that should be permitted to be removed, permit requirements such as a survey or a sketch.

Council had a brief discussion regarding what language should be used pertaining to the circumstances in which a tree should be removed.

Borough Attorney Shaklee added that the language would depend on the spectrum and noted that he liked the idea of including factors to be considered.

Borough Clerk/Administrator Reibrich noted that she was most concerned about the practical application within the office. Documentation regarding denial reasoning would be necessary.

Councilman Fama stated that the totality of the circumstances would be considered for the decision of permitting the removal of a tree. Circumstances would vary and would be specific to each property.

Councilwoman Maloney had concerns regarding the homeowners’ rights to take down any tree on the property and some of the wording regarding circumstances for removal.

Councilman Watson questioned whether the Borough should track what type of trees are being taken down. There is no data that indicates tree type in the tree permits of the previous years.

2. **NEW BUSINESS** - None

3. **COMMENTS FROM THE PUBLIC**

Mayor Nohilly opened the floor for public comment.

Marguerite Dalton, 419 Grassmere Avenue, stated that she is a long-time member of the Shade Tree Commission. Ms. Dalton stated that in less than 10 years, the Borough has lost over 500 trees, and gave examples of streets that have lost many trees. Ms. Dalton stated that with every inch of caliper there is 10 inch of root ball. Homeowners have more space to plant larger trees on their properties than Shade Tree does between the curb and sidewalk. Ornamentals are planted under wires and larger trees are planted when conditions permit. Ms. Dalton suggested that native species be planted, as these do better. Ms. Dalton also noted that trees take 20-25 years to mature. It is sometimes 25 years before the first acorn. Ms. Dalton gave some estimates for tree plantings. Most 2-inch trees will be about \$ 400, and the cost of planting will be \$500. Ms. Dalton estimated that trees in the 3 ½ caliper range would be more than \$500 and suggested to give more of a range for replacement size.

Laura Mulhaul, 101 Grassmere Avenue, stated that she feels the Borough is making residents that currently have heritage trees be the stewards of those trees. Ms. Mulhaul stated that there are some lovely ornamentals. Ms. Mulhaul suggested that the ordinance allow a ratio of trees to be replaced one heritage tree for every three ornamentals, otherwise there will never be heritage trees planted on properties. Even if you are removing ornamentals and not replacing them, you are changing the aesthetic of the neighborhood. Ms. Mulhaul feels that if the tree in question is on a property of a neighbor of a Shade Tree member, that member should recuse themselves.

Jodi Heinz, 512 Bridlemere Avenue, stated that what was discussed at the Shade Tree Commission is that not one person would go out to look at the tree, it would be two or three that would decide for the first part of the process. Ms. Heinz stated that she went back and listened to the tapes of the last Council meeting and wanted to reiterate in her own words that, if there is a tree growing right next to a house or foundation that tree would be permitted to come down. The Shade Tree has gone to people’s homes and have recommended removal of trees in this circumstance. The Shade Tree Commission does want to work with people. Ms. Heinz stated that on the tape it was also said that she would not allow a dying tree to be taken out and Ms. Heinz stated that she absolutely did not say that. If there is a tree in decline, the Shade Tree Commission is well versed in knowing if there is something that is going to cause a problem. The Commission talks amongst each other about these matters. Ms. Dalton is a Master Gardener and is amazing in what she can offer. Ms. Heinz said that people come to the Shade Tree Commission all the time regarding dying trees. Ms. Heinz also stated that while at classes that are offered by the Monmouth County Shade Tree Commission, she learned that the climate is changing, and heritage trees will be dying in the next couple of years due to this. It is going to be sad. Ms. Heinz also stated that pertaining to the caliper for replacement trees, it takes a long time for a tree under six feet tall to grow. As soon as it hits the six-foot mark, it starts to grow rapidly.

With no additional public comment, the floor was closed.

4. **ADJOURNMENT:** With no further comments from the Governing Body, Councilman Fama made a motion to adjourn, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve							<b>X</b>
Motion to Second				<b>X</b>			
Approved			<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
Opposed							
Abstain/ Recuse		<b>X</b>					
Absent/ Excused							

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Lori Reibrich, RMC  
Borough Clerk/Administrator