

Agenda
Village of Glen Ellyn
Village Board Workshop
Monday, April 19, 2010
7:00 P.M. – Galligan Board Room
Glen Ellyn Civic Center

1. Call to Order
2. Public Comments?
3. Review Agenda for April 26 Regular Board Meeting
4. Emerald Ash Borer Management Plan – Joe Caracci (Pages 2 – 25)
5. Fence Policy Discussion – Staci Hulseberg (Pages 26 – 33)
6. Other items?
7. Motion to adjourn to Executive Session for purposes of discussing threatened or pending litigation, and the review and approval of Executive Session minutes, adjourning thereafter without returning to open session.

BOARD WORKSHOP

4/19/10

4



To: Steve Jones, Village Manager

From: Joe Caracci, Public Works Director

Date: April 12, 2010

Re: EAB Management Plan – Workshop Discussion

Background

Emerald Ash Borer (EAB) was confirmed in Glen Ellyn in March 2009. Upon confirmation, our Forestry Division began compiling data and research to how to best move forward with managing this devastating insect. At the September 21, 2009 Village Board Workshop, Village Forester Drescher and I presented the draft EAB Management Plan. The Plan explained our proposed course of action, but needed a comprehensive ash tree inventory inspection program to confirm the extent of the infestation and condition of our ash population. This inspection was completed early this spring.

Based on the research and inspection results, the draft EAB Management Plan was modified (ver2) to account for our field results. Version 2 of the EAB Management Plan was then presented to the Environmental Commission (EC) at their March Meeting. The modified plan was well received and the EC recommends approval of the plan. We are now prepared to present our modified EAB Management Plan to the Village Board for discussion.

Issues

Attached to this memo are a memo that describe the proposed modifications to the original draft Plan as well as a memo summarizing the presentation at the March Environmental Commission Meeting.

The two biggest changes to the Plan involve reducing the number of EAB signs and symptoms from four (4) to two (2) to place the tree in the Ash Removal Program and the elimination of the Ash Reduction Program. We plan to go into detail regarding our reasons for the changes at the April 19 Village Board Workshop. With Village Board concurrence, we will move forward with formal adoption of the EAB Management Plan.

One issue that still exists is how we plan to respond to the many trees that were tagged for removal prior to the Plan changes. If you recall, some trees were marked (with a pink "x") for removal that currently do not qualify for removal under the new guidelines. Our plan will be to send a letter to every homeowner with a parkway ash tree to inform them on which of the three categories their tree(s) fall into. If a tree exhibited the required defects to place it into the "Ash Removal Program" they will be given directions on how we plan to proceed with tree removal and possible replacement. If the tree has been identified as a "Village Treatment Tree"

we will inform them of our schedule for treatment. If the tree is categorized as a “No Action Tree”, we will let them know what options are available, including an option for the resident to fund the chemical treatment of the tree(s). For those who fall into the “No Action Tree” but were tagged with an “x”, we will provide a letter asking them how they would like to proceed. They can either elect to do nothing, allow the Village to remove the tree, or fund a treatment of their tree.

Action Requested

- Comments and direction on how the Village Board would like us to proceed. Any comments or changes requested by the Village Board could be incorporated after the meeting.
- Does the Village board desire for us to formally adopt the EAB Management Plan via Ordinance?

Recommendation

I am supportive of the latest version of the EAB Management Plan and recommend formal approval via Ordinance at the next Village Board Meeting.

Attachments

- EAB Management Plan (ver2) dated March 2010
- EAB Management Plan (ver1) dated June 2009
- Memorandum dated March 10, 2010 co-authored by Public Works Director Joe Caracci and Village Forester Peggy Drescher
- Memorandum dated March 29, 2010 authored by Village Forester Peggy Drescher

Supplemental Agenda Information Village of Glen Ellyn

Agenda Item Supplemented by Commentary

- Pros & Cons
- X Strategic Action Goal
- Downtown Strategic Plan Goal
- X Budget Impact/Return on Investment
- Process Improvement
- X Green Initiative
- X Communication Initiative
- X Safety/Liability/Risk Assessment
- X Comparable Community Info
- Other

Comments:

Strategic Action Goal

Development and implementation of an EAB Management Plan was one of the identified Strategic Goals established at our bi-annual strategic planning session.

Budget Impact / Return on Investment

The implementation of the proposed EAB Management Plan will have significant budget impact until this insect is eradicated. Our proposed FY11 budget identifies a new account number for EAB. Costs will be monitored as part of this line item. Our proposed budget for FY11 allocates \$80,000, which includes: \$52,500 for tree and stump removal, \$10,000 for chemical treatment, and \$17,500 for tree replacements. We have already received lower removal costs (contract pending on April 26) that will help keep costs down.

It is important to face this insect head on as early as possible. If left unattended, the EAB will completely take over our ash population within a few years. If the infestation gets out of control and trees need to be removed because they have become safety hazards, we will see our annual cost exponentially grow in efforts to keep up.

Green Initiative

With the advent of the Emerald Ash Borer, individuals and groups have been looking at way to address the numerous ash trees being cut down in a fairly short period of time. Sustainable programs have sparked the initiative to send the fallen Ash trees to a better second use than wood chips. Since the EAB destroys only the outer layer of the tree, the majority of a mature Ash tree can be reclaimed for a second use such as flooring, furniture, and doors. Ash wood is hard and is light colored with a few darker streaks running through the grain. The Illinois Emerald Ash Borer Wood Utilization Team led by Morton Arboretum Tree Advocate Edith Makra has put together a very informative website including a directory of arborists, saw mills, etc across Illinois. We are currently researching and trying to develop an alternative approach to disposing of Ash trees that may result in less cost and better recycling of material.

Communication Initiative

Even before EAB hit Glen Ellyn in March 2009, the Public Works Department has actively been educating the residents of Glen Ellyn on EAB. Newsletters, Village website, and brochure display Board (at Reno Center, Library and Civic Center) have been the primary source of communication / information exchange.

Once EAB was confirmed in March 2009, press releases, additional information on Village website, and an EAB Tree Care Seminar Talk were conducted. We continue to respond to many inquiries via phone calls, emails, and letters.

Part of the EAB Management Plan includes sending letters to each resident with a parkway ash tree to inform them of the most recent condition inspection. Yearly inspections will be performed by our Village Forester and letters or postcards will be sent annually to each resident with an ash tree(s).

Safety / Liability / Risk Assessment

As mentioned earlier, one of the biggest concerns of an EAB infestation is the possibility of a rapid spread that goes beyond our control. We have learned from early infestations in Michigan how quickly an urban forest can succumb to EAB. We are responsible for each and every tree in our parkways. An infested tree can go from healthy to dead in a matter of 3-5 years. With over 1,900 parkway ash trees, a quick infestation can pose some serious liability issues. Although we are hopeful that our proposed Management Plan will help us stay on top of our ash population, we must prepare for the possibility that each of these trees could become standing dead hazards in our parkway. We commit to stay on top of the infestation, but will need to pay particular attention to rapid removal of any hazardous ash trees in our parkways.

Comparable Community Information

Most of our Management Plan was derived from conversations with other communities and research. We are currently developing a detailed account of what other neighboring

communities are doing to combat this insect. We feel our approach mirrors the general direction other communities are taking, but with a little more pro-active approach.



VILLAGE OF GLEN ELLYN

EMERALD ASH BORER MANAGEMENT PLAN

Prepared by Public Works Department

March 2010

Ver2

I. Background

Emerald Ash Borer (EAB), *Agrilus planipennis Fairmaire*, is an invasive beetle native to Asia that was first discovered in southeastern Michigan near Detroit in the summer of 2002. The adult beetles nibble on ash foliage but cause little damage. The larvae (the immature stage) feed on the inner bark of ash trees, disrupting the tree's ability to transport water and nutrients. Emerald ash borer probably arrived in the United States on solid wood packing material carried in cargo ships or airplanes originating in its native Asia. Emerald ash borer has also been reported as established in Ohio (2003), Indiana (2004), Maryland (2006), Illinois (2006), Pennsylvania (2007), West Virginia (2007), Wisconsin (2008), Missouri (2008), Virginia (2008), Minnesota (2009), and New York (2009). Since its discovery, EAB has:

- Killed tens of thousands of ash trees in southeastern Michigan alone, with tens of millions more lost in the other states mentioned above.
- Caused regulatory agencies and the USDA to enforce quarantines and fines to prevent potentially infested ash trees, logs or hardwood firewood from moving out of areas where EAB has been reported.
- Cost municipalities, property owners, nursery operators and forest products industries tens of millions of dollars.

On March 20, 2009 the Illinois Department of Agriculture (IDOA) confirmed the presence of EAB in Glen Ellyn.

II. Impacts on Glen Ellyn

The Village of Glen Ellyn has approximately 15,500 parkway trees of which approximately 2,000 are ash trees (12% of our total parkway tree population). The value of these ash trees has been estimated at \$7.1 million dollars. If these ash trees are removed, stumped and replaced it would cost the Village approximately \$1.2 million.

We do not know the inventory of private ash trees but can only guess it will make a significant negative impact on the community if all ash trees become infested and need to be removed. While this impact on the environment is obvious we cannot assess the overall impact tree loss will have on areas like storm water run off and the increase in local temperature. The loss of shade, wildlife habitat and overall tree benefits to the Village will be devastating.

The Village of Glen Ellyn takes great pride in its Community Forest as shown by the 25 years of Tree City USA awards and 12 Growth Awards. It is important to understand that this EAB Management Plan is a recommendation that should be flexible, taking new circumstances and the most current research into consideration. Research on EAB and how to manage this insect is in a

continual state of change. By being steadfast yet open minded about managing this insect we hope that this management plan helps to create a more healthy community forest that provides greater benefits to all those that live and visit here.

III. Management Recommendations – Public Trees

Our management plan will consist of a number of procedures that will focus on maintaining a healthy urban forest. Due to the rapid spread of EAB witnessed by other states before us, early detection as well as early action will be vital to a successful program. Our goal will be to act as quickly as time and budget allows to any one situation.

The first step in combating EAB will be to update our inventory of all parkway ash trees. Each ash tree will be identified and location recorded via Global Positioning System (GPS). This will allow us to graphically display the ash population on any number of criteria. Each public ash tree will be assessed at the time of data collection to fit into one of four categories: “Infested Tree - Removal Necessary”, “Village Treatment Tree”, or “No Action at This Time”.

- A. EAB Removal Program** – The Illinois Department of Agriculture (IDOA) has established guidelines for recognizing EAB infested ash trees. There are eight identifiable signs and symptoms that a tree may be infested with EAB (dieback, sprouting, bark splits, D-shaped holes, S-shaped larvae galleries, presence of larvae, woodpecker damage, and presence of adult beetles). If two of these signs and symptoms are present, there is a positive identification for EAB, the tree is determined to be in decline or at least 50% dead (by our Village Forester), and/or the tree is exhibiting splitting or decay/hollowness the tree will be considered infested and must be removed. No treatment will be allowed to be done on these trees. The tree will be removed by the Village as time and budget allows
- B. “Village Treatment” Trees** – Since EAB was first discovered the research on chemical treatments are more promising than in the past, but there is still no guarantee of success. It is not fiscally possible (nor would we try) to save every ash tree. It is our hope that we will be able to save some of our higher quality trees with these treatments. The Village will continue to follow the research to stay on top of the latest advancements. Our intent will be to treat approximately 250 of our best ash trees with a chemical that gives the best opportunity for extending the life or potential survival.
- C. “No Action Necessary” Trees** – These trees do not show signs of infestation and do not fall within the category of “Village Treatment” Trees. A resident may choose to fund a treatment application on a “No Action Necessary” tree. They will be required to obtain a permit for the application on a public tree approved by the Village Forester with the understanding that once the tree shows four or more Signs and Symptoms it will be marked for removal. A FORMAL PROCEDURE IS CURRENTLY UNDER DEVELOPMENT.

IV. Management Recommendations – Private Trees

Focusing only on the removal of public infested ash trees will not help to prevent the further spread of EAB. The Village of Glen Ellyn's current ordinance (8-4-10) requires the removal of Public Nuisances such as diseased elms and oaks on private property. EAB is a Public Nuisance and will be incorporated into this ordinance.

If a resident thinks a private tree may be infested with EAB, they should contact a certified arborist to inspect the tree in question. If the tree is confirmed to exhibit signs of EAB, it should be reported immediately to the Village Forester.

Residents who are concerned that trees on others private property that may pose health or safety concerns for their own property may request an inspection by Village staff. Due to manpower limitations, these trees will be inspected on an "as time permits" basis after all public EAB issues are addressed.

Private trees that exhibit signs of EAB infestation (as defined in Section III-A of this Plan) will be required to be removed within 30 days of notification. If the tree is not removed at that time, the Village will proceed to remove the tree in accordance with Section 8-4-10(d) of the Village Code.

If a private property owner wants to treat their trees we can provide a wide variety of information to help them make that decision. It is important to note that if/when the private trees becomes infested (as defined in Section III-A of this Plan) then the tree must be removed. Due to the difficult economic times, efforts will be made to seek low or no cost loans through area banks for those that can prove financial hardship.

V. Material Handling

In order to minimize the spread of EAB through infested material the IDOA began asking that any company or municipality handling ash debris sign an official IDOA Compliance Agreement. This agreement requires that the company properly dispose of infested wood in compliance with the state's Department of Agriculture requirements. Glen Ellyn signed this agreement in 2007. All contractors performing landscape or tree care work for the Village are required to sign a compliance agreement.

V. Reforestation

It is critical that we continue to pursue mixed species tree planting on parkways and provide proper species planting information to residents so as to mitigate the impact of extensive tree

loss. Not every tree can be replaced due to several factors including under and above ground utilities and location of other private and parkway trees. The Village will continue to pursue tree planting in every possible available space as budget allows.

VI. Public Education

The Village of Glen Ellyn will continue with our Public Education Campaign. It will be important to provide the most current information to help residents make educated decisions regarding their private property. We will continue to use the following methods of communication:

1. Keep current information on the VGE website.
2. Provide information through the Glen Ellyn radio station.
3. Show informational DVD's on GETV.
4. Village Newsletter Articles
5. Information letters to residents specifically affected.
6. Provide brochures at Village Buildings/Library
7. Provide speeches to groups as requested.

VI. Program Future

This management plan should be a somewhat flexible document that is amendable due to new research and technology that will best help combat this insect.

EAB SIGNS AND SYMPTOMS

SYMPTOMS

Crown Dieback: Dieback of the upper and outer crown begins to occur after multiple years of EAB larval feeding. Trees begin to show dead branches throughout the canopy, beginning at the top. Larval feeding disrupts nutrient and water flow to the upper canopy, thus resulting in leaf loss. Foliage in the top of the tree may be thin and discolored.



Epicormic Sprouting: Stressed trees will attempt to grow new branches and leaves where they still can. Trees may sucker excessively both at the base of the tree and on the trunk, often just below where the larvae are feeding.



Bark Splits: Vertical splits in the bark are caused due to callus tissue that develops around larval galleries. Larval galleries can often be seen beneath bark splits.



SIGNS

D- shaped emergence holes: As adults emerge from under the bark they create an emergence hole – 1/8 inch in diameter and D-shaped.



S-shaped larval galleries: As larvae feed under the bark they wind back and forth, thus creating galleries that are packed with frass and sawdust and follow a serpentine pattern.



Larvae: Larvae are cream-colored, slightly flattened, and have pincher-like appendages at the end of their abdomen. Mature larvae reach 1 ½ inches in length and all larvae are found feeding beneath the bark.



Adults: Adult beetles are metallic green in color and are 3/8 -1/2 inch in length and 1/16 inch in width. Adult's area flat on the back and rounded on their underside



Woodpecker Damage – Damage occurs from woodpeckers drilling through the bark of trees to forage for larvae located under the bark. White patches of bark are observed on trunks and branches and feeding is typically evident higher in the tree where the emerald ash borer prefers to initially infest.



Decline: Refers to progressive loss of vigor and health, not to any specific disease or disorder. Trees decline for many reasons, sometimes as the result of a single disease or damaging environmental factor but often as the result of several environmental and biotic factors acting in concert or in sequence. Decline results from the action of stressing factors over periods of years.

DRAFT



VILLAGE OF GLEN ELLYN

EMERALD ASH BORER MANAGEMENT PLAN

**Prepared by Public Works Department
June 2009**

I. Background

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hope that this management plan helps to create a more healthy community forest that provides greater benefits to all those that live and visit here.

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The first step in combating EAB will be to update our inventory of all parkway ash trees. Each ash tree will be identified and location recorded via Global Positioning System (GPS). This will allow us to graphically display the ash population on any number of criteria. Each public ash tree will be assessed at the time of data collection to fit into one of four categories: “Infested Tree - Removal Necessary”, “Village Treatment Tree”, “Ash Reduction Program Tree”, or “No Action at This Time”.

- A. **“Removal Necessary” Trees** - The Illinois Department of Agriculture (IDOA) has established guidelines for recognizing EAB infested ash trees. There are seven identifiable signs and symptoms that a tree may be infested with EAB (dieback, sprouting, bark splits, D-shaped holes, S-shaped larvae galleries, presence of larvae, and presence of adult beetles). If four of these signs and symptoms are present or the tree is determined to be 50% dead (by our Village Forester) the tree will be considered infested and must be removed. No treatment will be allowed to be done on these trees. The tree will be removed by the Village as time and budget allows.
- B. **“Village Treatment” Trees** - Since EAB was first discovered the research on chemical treatments are more promising than in the past but there is no guarantee of success. It is not fiscally possible (nor would we try) to save every ash tree. It is our hope that we will be able to save some of our higher quality trees with these treatments. Treatments must be done every year (or two depending on chemical) for the life of the tree and the tree must be in good health. In 2008 the Village began an every-year treatment program using a chemical called MERIT®. The approximate cost of this treatment is \$34 per tree per year. The Village estimates an annual program of 250 trees at a cost of \$9,000. These trees are selected by the Village Forester based on tree condition and location. The Village will continue to chemically treat trees as budget allows.
- C. **“Ash Reduction Program Tree”** - The Village of Glen Ellyn began an Ash Reduction Program (ARP) in November of 2008. The program’s objective was to begin selectively removing ash trees in poor to fair condition so as to spread removal costs over a longer period of time. Trees on the ARP will be removed as budget allows. It should be noted that

experience from other municipalities that are dealing with EAB show that once EAB is confirmed, the amount of tree removals from one year to the next goes up exponentially. A resident may choose to fund a treatment application on an "ARP" tree. They will be required to obtain a permit for the application on a public tree approved by the Village Forester with the understanding that once the tree shows four or more Signs and Symptoms it will be marked for removal.

- D. "No Action Necessary" Trees – These trees are considered healthy trees that do not show signs of infestation and do not fall within the category of "Village Treatment" Trees. A resident may choose to fund a treatment application on a "No Action Necessary" tree. They will be required to obtain a permit for the application on a public tree approved by the Village Forester with the understanding that once the tree shows four or more Signs and Symptoms it will be marked for removal.

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Interoffice Memorandum

to: Steve Jones, Village Manager

from: Joseph M. Caracci, Public Works Director
Peggy Drescher, Village Forester

subject: EAB Management Plan Modifications

date: March 10, 2010

At the September 21, 2009 Village Board Workshop, we presented a draft Emerald Ash Borer (EAB) Management Plan (attached as ver1) to the Village Board. The plan was thoroughly reviewed and carried the caveat that it must remain flexible. Our plan was to conduct a thorough ash tree inspection program of our nearly 2,000 ash trees and return to the Village Board with a final recommendation.

We have recently completed our inspections and created an inspection log that identifies a number of defects associated with our ash population. After reviewing the results of our inspections, we propose to make some significant changes to our draft plan. This memo will summarize proposed changes. Our intent would be to bring this draft ver2 plan to the Environmental Commission for review and comment at their March 2010 meeting. Once we gather their thoughts, we plan to bring a final version of the EAB Management Plan to the Village Board for final approval and adoption.

Results of Inspections

There were a number of defects that were identified and tabulated during our extensive inspection program. These included:

- Dead (12)
- ½ Dead (50)
- Declining (46)
- Decay/Hollow (8)
- Split (1)
- No Room (65)
- Poor Form (178)

Trees were also inspected for the EAB Signs and Symptoms as outlined in the draft ver1 plan. These defects included:

- Crown Dieback (42)
- Epicormic Sprouting (110)
- Bark Splits (27)
- D-shaped emergence holes (6)
- S-shaped larvae galleries (9)
- Larvae (3)
- Adult EAB (0)
- Woodpecker Damage – NEW (43)

Evaluation of draft EAB Management Plan ver1 and changes for ver2

The original EAB Plan called for each ash tree to be placed in one of four categories.

- Removal Necessary Tree
- Village Treatment Tree
- Ash Reduction Program Tree
- No Action Necessary Tree

In order to qualify for the Removal Necessary Tree, the tree was to show four of the eight EAB Signs and Symptoms or be classified as 50% dead by the Village Forester. These trees were assumed to be infested with EAB or in a condition that would warrant removal regardless of infestation.

During the early stages of inspection, we realized that of the eight EAB Signs and Symptoms only four are considered reasonably visible without performing a more detailed inspection of the tree. Crown Dieback, epicormic sprouting, woodpecker damage, and bark splits can be identified through a cursory inspection. If these symptoms are identified, a much more detailed inspection of the tree could yield identification of D-shaped emergence holes. However, these holes are usually elevated in the trees and not visible without climbing or accessing higher areas of the trees. This was not planned to be part of the inspection process due to time and manpower available to perform the inspections. S-shaped larvae galleries and larvae can only be identified if the tree was bark-scraped. Bark-scraping was not typically utilized during the inspection process as it is time consuming and it could be detrimental to the health of the tree. However, if only one sign is apparent and we have an indication otherwise that the tree may have EAB, we may bark scrape to confirm existence. The presence of adult EAB is only evident during the flying season for EAB (Late May through August)

At this time we are proposing reducing the number of signs to two (2) of the eight (8). Our results are showing that some trees in the Village that are exhibiting only one sign of EAB (specifically woodpecker damage) are proving to be severely infested with EAB. Reducing the requirement to two signs will hopefully remove more ash trees that have already succumbed to the insect. The tree can host EAB for three to five years before symptoms become noticeable, including the trained eye. Unfortunately, the population of EAB grows exponentially with each passing year.

We are also proposing to include in the Removal Necessary Tree Program, those trees that exhibit decline, decay/hollow, and split defects. These trees pose a potential hazard that we feel should be removed from our urban forest at this time.

We also propose to change the title of the Removal Necessary Tree to EAB Removal Program. The new section of the Plan would read as follows:

EAB Removal Program – *The Illinois Department of Agriculture (IDOA) has established guidelines for recognizing EAB infested ash trees. There are eight identifiable signs and symptoms that a tree may be infested with EAB (dieback, sprouting, bark splits, D-shaped holes, S-shaped larvae galleries, presence of larvae, woodpecker damage, and presence of adult beetles). If two of these signs and symptoms are present, there is a positive identification for EAB, the tree is determined to be in decline*

or at least 50% dead (by our Village Forester), and/or the tree is exhibiting splitting or decay/hollowness the tree will be considered infested and must be removed. No treatment will be allowed to be done on these trees. The tree will be removed by the Village as time and budget allows.

Under this modified EAB Removal Program category, our inspections yielded the need to remove 187 trees. These removals will be done by contractor and in-house team.

Our next proposed change includes the elimination of the Ash Reduction Program Tree. The purpose of this program was to proactively remove trees in poor to fair condition so as to spread the removal costs over a longer period of time. Our inspections have shown that the spread of EAB throughout the Village is a reality. The fact that 187 trees have already been identified for removal in the first year of the program, it appears that a proactive program to remove trees that are not exhibiting signs of EAB most likely could not be realized due to manpower and budget constraints. Any tree that was identified to be in poor to fair condition or to have poor form will be placed in the No Action Necessary category. Residents will be allowed to treat these trees if they so desire at their own expense. We feel the administration and management of maintaining this fourth category will be a burden to our team.

Our next proposed modification deals with the Treatment Program. As chemical advances come to the forefront, the Village will continue to evaluate our options and costs. We have modified our description in the draft EAB Plan to be less specific to any one individual chemical as we would expect the possibility of changes as new product become available.

We are hopeful for full support of the modified EAB Management Plan ver2. We welcome comments from both the Environmental Commission and Village Board. As this program will add to our already intense forestry program, support from the Village Board will help with a smooth implementation.

Enc. ~~EAB Management Plan ver1~~
~~EAB Management Plan ver2~~

Cc: Kathy Horn, Administrative Assistant

Interoffice Memorandum

to: Joseph M. Caracci, Acting Public Works Director
from: Peggy Drescher, Village Forester
subject: Presentation to Environmental Commission Regard the EAB Management Plan
date: March 29, 2010

On March 16, 2010 I made a presentation to the Environmental Commission on our proposed changes to the draft Emerald Ash Borer Management Plan. I provided information and asked for comments and suggestions.

I first explained that we had presented the draft EAB Management Plan to the Village Board, and that after I inspected all parkway ash trees we were to return to the Village Board with the results and provide a final recommendation on the plan.

I provided the EC with detailed information on my inspection results of our 1919 parkway ash trees. I informed them that due to the results, we found it necessary to change some of our original recommendations in the draft plan. I have listed below the major changes that I reviewed with them:

1. Removal Necessary Tree – Reduce the number of signs a tree is identified for removal from four to two and include those trees that exhibit decline, decay/hollow and split defects and poor form.
2. I explained that many trees that were marked for removal were identified because they had poor form and/or no room. Although they may not have exhibited EAB signs they were in such poor shape that removal was necessary.
3. Change the title of Removal Necessary Tree to EAB Removal Program.
4. Eliminate the Ash Reduction Program. Now that the inspection process has begun and we have changed our removal requirements will do not need separate removal programs.
5. The Treatment Program should be less specific to allow different options of treatment as necessary.

After discussion and many excellent questions, Kristen asked if a recommendation was needed from the EC for the Village Board. They took a vote on all of the proposed changes and it was unanimous that they all were in favor of the proposed changes.

BOARD WORKSHOP
4/19/10
5

MEMORANDUM

TO: Steve Jones, Village Manager

FROM: Staci Hulseberg, Planning and Development Director
Michele Stegall, Village Planner *MS* *SH*

DATE: April 13, 2010

FOR: April 19, 2010 Village Board Workshop

SUBJECT: 196 Brandon Avenue – Private Fence in Public Right-of-Way Policy Discussion

Background: The Village received a request from Jennifer Iarrobino, owner of property located at 196 Brandon Avenue, to install a fence in the right-of-way along the corner side of her home on Greenfield Avenue. The subject property is located at the southwest corner of Greenfield Avenue and Brandon Avenue in the R2 Residential District. As can be seen on the attached plat of survey, the property line is located approximately 5 feet from the sidewalk, rather than approximately one foot which is more typical. Since the lot has a shallow corner side yard (approximately 16 feet), the owner believes that if a fence was installed along the property line that it would appear to be located in the middle of the corner-side yard. Therefore, the owner is requesting approval to install a fence in the public parkway one foot off of the sidewalk as shown on the attached plat.

Issues. If the Village Board were interested in allowing such a fence in the public right-of-way, the Village could either enter into a license agreement with the owner to allow the installation of the fence on public property or the Village could sell or vacate a portion of the property to the owner to accommodate the fence. The Village has never entered into a license agreement with a single family homeowner to allow the installation of a private property fence on public property. Therefore, this approach could set a precedent. If the Village Board were to find this option acceptable, the property owner would need to reimburse the Village for all out-of-pocket expenses for the request, including legal fees for the preparation of the license agreement. Insurance and indemnification may also be required.

If the Village were to sell or vacate a portion of the right-of-way to the owner, this would result in an uneven right-of-way line along Greenfield Avenue. Upon review of the request to vacate right-of-way for this purpose, the Public Works team expressed concern regarding jogs in the right-of-way line which would constrain the Village when widening roadways, planting street trees, performing utility maintenance, or completing sidewalk work.

In addition, when the Village has previously vacated rights-of-way to single family homeowners, the owner typically has not been charged for the right-of-way as it has added little to no value to the property. However, often these vacations are along the rear or side property lines of residential properties. The Village Board could decide that land added to the front or corner side yard does have value and should receive compensation. However, if the Village Board decided to follow past policy and not charge for the right-of-way, the Village would not receive any compensation for the property. If compensation were to be required, the property owner would need to reimburse the Village for an appraisal that would be prepared for the property. Similar to entering into a license agreement, selling or vacating a portion of the property to the owner could invite others to make similar requests. If permitted for this homeowner, it would be important for the Village to treat other requests similarly.

Recommendation: There are concerns about beginning to allow private property owners to use public right-of-way for private use and structures. In addition to the concerns raised above, there are questions of liability.

Village Board Action: It is requested that the Village Board decide whether or not it would be in favor of entering into a license agreement, selling or vacating a portion of the right-of-way to the owner in order to accommodate the installation of a fence in the existing parkway.

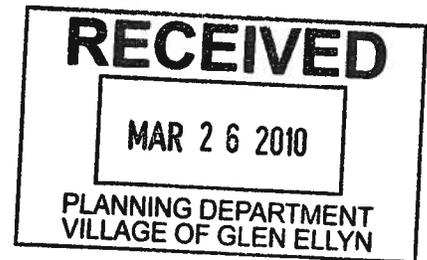
Attachments:

Letter from Homeowner dated March 25, 2010
Pictures of House
Plat of Survey

cc: Joe Carracci, Public Works Director
Stewart Diamond, Village Attorney
Jennifer and Joe Iarrobino, 196 Brandon Avenue

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March 25, 2010



TO: Village of Glen Ellyn Board

FROM: Joseph and Jennifer Iarrobino
196 Brandon Avenue
Glen Ellyn, IL 60137
630-793-5364

RE: Contesting Property Line for Purpose of Fence Installation

Thank you so much for taking the time to review our request to build a fence outside our official property line; we sincerely appreciate your time and consideration.

We are thrilled to say that our family has recently moved from Chicago to Glen Ellyn. We had been living in a high-rise apartment in the South Loop for the past three years. With the birth of our third little boy in October, we decided the time was right to move West and give them a yard in which to play.

Being from New England, my husband fell in love with this town, as it reminded him so much of the town in which he grew up. The home that we decided to purchase resides on 196 Brandon Avenue. The house lacks a back yard, but we had planned to fence in the entire lot so our boys (4, 2 and 5 months) would be able to utilize the side yards and front yard. Our home is on the corner of Brandon and Greenfield, directly across the street from Lincoln Elementary. The traffic is very heavy during drop-off and pick-up times, which is another reason why we wish to fence-in the yard.

Unfortunately, the day First Fence was to begin installing the fence, the representative called us and told us there was a major problem. Upon closer inspection of the Plat of Survey, he realized that our lot does not officially begin at the sidewalk. It is not an exaggeration to say that we were extremely disappointed. We likely would not have purchased the house had we realized our lot does not officially begin at the sidewalk (it actually begins about 5 feet from the sidewalk). As you can see from photographs, our front lawn is also quite small. Upon reviewing our Plat of Survey with the representative from First Fence, we realized how strange the fence would look if we went forward with our initial plan. As he stated, "your neighbors would wonder why you put a fence right in the middle of your front and side yards. It would look ridiculous". Furthermore, we do not want to decrease the value of the home by installing a fence that is situated in an unattractive manner. And installing a fence on the side yard alone would still leave us in the same predicament; the side yard also begins quite far in from the sidewalk.

As the weather has become milder, our children want to play outside as much as possible. If we had been able to install a fence, I would be able to let them outside while watching them from our kitchen. Instead, they are often regulated to playing inside the garage. We clearly need to install a fence in our yard, but we want to install one that makes the most sense and does not create a distraction and look peculiar.

It is for these reasons that we ask the Village to allow us to install the fence where most fences typically are situated – about one foot in from the sidewalk. As this land technically belongs to the Village of Glen Ellyn, we understand that we would be required to enter into a Legal Agreement with the Village, allowing us to install the fence at a more sensible, usable, and visually appealing spot.

Enclosed please find a copy of the Plat of Survey, photographs, and a full description of the fence to be installed. Again, thank you so much for your time and consideration. We truly hope that you empathize with our predicament and take our request into serious consideration.

Sincerely,

A handwritten signature in cursive script that reads "The Iarrobino Family".

The Iarrobino Family
Joe, Jen, Frankie, Dan and Joey

Encl.

**Supplemental Agenda Information
Village of Glen Ellyn**

Agenda Item Supplemented by Commentary

- x Pros & Cons
 - Strategic Action Goal
 - Downtown Strategic Action Goal
 - Budget Impact/Return on Investment
 - Green Initiative
 - Communication Initiative
 - Safety/Liability/Risk Assessment
 - Comparable Community Info.
 - Other

Comments:

Pros:

- Would give the property owner the appearance of a larger front yard and greater use of the land in front of her house.
- Depending on the Board's direction, the Village could receive compensation for the use or sale of the property.

Cons:

- Could establish a precedent for similar applications.
- Selling or vacating the property would result in an uneven right-of-way line along Greenfield.
- Depending on the Board's direction, the Village may not receive compensation for the use or sale of the property.
- If the Village entered into a license agreement, the Village could assume some liability for the fence.

Description of Fence

4 ft Space Picket Scallop (Dog-eared) fence

Painted white

First Fence Inc.

Representative: Adam Randinelli

630-553-9594

