

MINUTES OF THE FOREST PRESERVE ADVISORY BOARD MEETING HELD  
THURSDAY, JANUARY 23, 2014 IN THE GREENBELT COMMUNITY CENTER

CALL TO ORDER: Chair Robert Snyder called the meeting to order at 7:05 p.m.

PRESENT were members Donna Almquist, Valerie Elliott, Susan Gregersen, Donna Hoffmeister, Joseph Murray, Damien Ossi, Robert Snyder, Yoni Siegel and Willis Witter.

ALSO PRESENT was Celia Craze, Director, Department of Planning and Community Development.

APPROVAL OF AGENDA: The agenda was approved by a vote of 9-0.

APPROVAL OF MINUTES: The minutes of the meeting of November 21, 2013 were approved with changes by a vote of 9-0. The minutes of the meeting of December 19, 2013 were approved with changes by a vote of 9-0.

UPDATE OF FPAB CONTACT LIST: Chairman Snyder asked Ms. Craze to forward the FPAB roster to board members.

PROHIBITED ACTIVITIES IN THE FOREST PRESERVE; TRAPPING WILDLIFE: Copies of page 46 of the Management and Maintenance Guidelines and Sections 12-156 and 12-157 were distributed. Ms. Siegel then distributed copies of a proposed motion to address possession of a trap in the forest preserve.

Chairman Snyder remarked that during the recent inspection of the proposed maintenance buffer at the community gardens that traps were observed in several garden plots. Even though the traps, when observed, were not engaged, Chairman Snyder stated that some members believed there was a loop hole in the existing code and guidelines which did not prohibit the possession of a trap in the forest preserve.

Ms. Almquist made the following motion: *“I move to strengthen and clarify the language in both the Forest Preserve Management and Maintenance Guidelines and Greenbelt Code Article IX. Forest Preserve Sec. 12-156 as it applies to trapping. The language currently lists a number of prohibited activities in the forest preserve. One of those activities is trapping. It is recommended that the language as it applies to trapping be strengthened and clarified by adding the following language:*

*In addition to the language that currently reads “prohibited activities would include.....trapping.....” (Forest Preserve Management and Maintenance Guidelines, page 46) and “.....trapping .....shall be prohibited” (Greenbelt Code Article IX. Forest Preserve Sec. 12-156) it is recommended that possessing a trap apparatus anywhere on the forest preserve is also prohibited. The recommended language is as follows: Trapping and the possession (i.e. have, hold, keep, leave, secure, store) of a trap apparatus is prohibited anywhere on the forest preserve.”*

Ms. Elliott seconded.

Mr. Murray questioned paragraph (d) in the code and asked if this language did not make fencing at the gardens illegal. Additional comments made and points discussed include the following:

- Pumpkin walks have fire, which is prohibited in the forest preserve.
- Guidelines exempt the community gardens, so by extension any controls or regulations set forth in the city code should not apply in the community gardens.
- Regulations prohibiting trapping and fires in the forest preserve are not meant to apply to the gardens; which is demonstrated on pages 48-49 of the guidelines.

Ms. Craze described the applicable law and policy governing the forest preserve and community gardens. Mr. Murray stated that trapping of groundhogs, mice and rats is permitted, based on a phone conversation Mr. Murray had with a representative of the Maryland Department of Natural Resources (DNR). Chairman Snyder stated he does not interpret the guidelines and city code as does Mr. Murray, and he views certain activities as being prohibited and not consistent with gardening. Ms. Craze stated she did not believe that having fires is integral to the act of gardening. Ms. Almquist remarked that trapping is stated in the code as being illegal, and that prohibition is law. She went on to explain that the main motion on the table is intended to strengthen the law by prohibiting the possession of a trap in the forest preserve.

Mr. Witter asked Ms. Craze how extensive a problem there was with trapping. Ms. Craze said there were 3 cases last year. Mr. Witter expressed that he was concerned with the intrusion through regulation into the operations of gardening, and if FPAB pushes too hard on adding or strengthening regulations that the gardeners may push to have the gardens removed from the forest preserve. Ms. Almquist disagreed with Mr. Witter's comment, because the motion does not specify gardens.

There was a brief disagreement between Ms. Gregersen and Mr. Witter about Mr. Witter's suggestion that there could be push back from the gardeners with perceived efforts to regulate gardening activities. Ms. Hoffmeister stated she did not see the point in changing the regulations that currently prohibit trapping.

Mr. Ossi suggested that the code could be strengthened by including definitions, which would remove ambiguity. He believes that the issue of fencing shows that the code exempts the community gardens from forest preserve regulation.

Mr. Witter called the question to end debate. Ms. Siegel seconded. The vote passed 8-1.

Ms. Almquist re-read the main motion. The motion passed by a vote of 5-4 (Aye – Snyder, Almquist, Elliott, Gregersen, Siegel; Nay – Hoffmeister, Murray, Ossi, Witter).

**REVIEW OF COMMUNITY GARDENS REPORTS FOR HAMILTON PLACE AND HENRY'S HOLLOW:** Ms. Almquist asked if a member wished to discuss an issue in a report, after the report is approved, could that be done. Ms. Craze briefly described options for reopening discussion on an approved report. Mr. Murray asked if gardeners would be allowed to cut out small saplings in the maintenance buffer. Chairman Snyder responded that only the Public Works Department could remove vegetation from the maintenance buffer zone. Mr. Murray stated that he was concerned that the city public works crews do not have the knowledge to properly remove saplings, and FPAB should be notified before any vegetation removal is started.

There was another discussion about the area between the GHI boat yard and the Hamilton Place gardens. Ms. Almquist read from the background of the Maintenance and Management guidelines.

Members discussed the FPAB report for Henry's Hollow. There were no comments or changes. The Hamilton Place gardens report was reviewed and edits suggested.

On a motion by Ms. Elliott and seconded by Ms. Gregersen, the reports on the Hamilton Place gardens and the Henry's Hollow garden were approved by a vote of 5-4 (Aye – Snyder, Almquist, Elliott, Gregersen, Siegel; Nay – Hoffmeister, Murray, Ossi, Witter).

Chairman Snyder asked the four board members who have voted against the FPAB reports to explain their vote. Ms. Hoffmeister said she did not agree with all the exceptions listed for the various gardens, and that the standard width for the maintenance zone would allow sufficient width for machinery to operate around the gardens. Mr. Murray said he agreed with the 8' width for the maintenance zone.

In response Ms. Almquist stated that Mr. Sterling had said the public works could use smaller equipment. Ms. Elliott expressed concern that the Council will see that the board's action does not reflect full support, and is fearful that the split vote will send a bad message to the city council.

Mr. Witter said that he voted against the reports because he believes that trees will continue to grow, and those close to the gardens will cause a recurrence of the problems that currently plague the gardens. He believes that the guidelines are a promise to the gardeners that the city did not keep.

**DISCUSSION OF USE OF FIRE AT COMMUNITY GARDENS:** Mr. Murray asked that this item be included on the agenda. He argued that the use of fires (for use in cookouts or social gatherings) at the community gardens is an integral component to the function of community gardens. He noted that candles are burned during the annual pumpkin walk, and it is wrong to exempt the pumpkin walk from restriction on burning, but not to exempt gardeners. Fires are also a natural cycle in the forest ecosystem, and

that the health of a forest depends on such fires. Regarding the argument that burning and fires in the forest preserve are dangerous, he pointed out that GHI members grill in their yards, and these fires are immediately adjacent to the forest preserve.

There was a general discussion about control burns in national forests and parks. Mr. Murray stated that it would be difficult to accidentally start a fire in the forest preserve, because forest ecosystems would respond differently to fire.

Ms. Gregersen expressed her disagreement with Mr. Murray's arguments, and Ms. Elliott stated that she was concerned with the pumpkin walk in general, and she thought this was an issue the FPAB could take up in the future.

Mr. Witter stated that he believed the pumpkin walk should be moved for area B of the forest preserve, and that the organizers and participants in past pumpkin walks have cleaned up after the walk. He suggested that the benefit of the pumpkin walk as an educational opportunity outweighed the isolated impacts from the walk. Ms. Elliott suggested that forest preserve area D be considered for future pumpkin walks.

It was agreed to schedule further discussion of this issue at the FPAB meeting of February 20, 2014.

**SCHEDULING OF NEXT MEETING:** The next meeting is scheduled for Thursday, February 20, 2014 at 7p.m.

**ADJOURNMENT:** On a motion by Ms. Siegel and seconded by Mr. Ossi, the meeting was adjourned at 9:10 p.m.

RESPECTFULLY SUBMITTED,

Celia W. Craze

Director

These minutes were approved by a vote of .