

# Chapter 281:

## Trees, Grass, Bush and Weeds (Proposed Amendments)



### **Presentation to the Law Committee and Sustainability Committee**

Tuesday, January 23, 2018

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# Requested modifications by members of the Board of Trustees

- Eliminate the reference to a landscape architect from the Tree Expert definition.
- Include the opportunity for each property owner to have the right to remove two trees per year with a permit, but at no cost.
- Exempt property owners who remove a dead or dying tree from the replacement requirement §281-5 (Replacement Trees).
- Remove provision A (2) of §281-5 (Replacement Trees), which requires a replacement tree for every 24 inches DBH removed within a twelve month period.



## § 281-2. Definitions, Tree Expert

**Board of Trustees modification:** Eliminate the reference to a landscape architect from the Tree Expert Definition.

**Solution:** Remove the reference to landscape architect in §281-2. definitions, Tree expert



## § 281- 3 (Activities Permitted as of right on nonpublic property) - Reinstate the as of right provision

**Board of Trustees Modification:** Include the opportunity for each property owner to have the right to remove two trees per year with a permit, but at no cost.

**Solution:** Add language under § 281-3 (Activities permitted as of right on nonpublic property) that the removal of up to two trees exceeding six inches DBH per lot per twelve month period, excluding protected trees, is permitted.



# Exempt dead, dying or diseased trees from the replacement requirement

**Board of Trustees modification:** Exempt property owners who remove a dead or dying tree from the replacement requirement §281-5. (Replacement Trees).

**Solution:** The proposed amendments do not have to be changed. Dead, dying, hazardous or diseased trees determined by a tree expert falls under §281-3 (C) as such replacement trees are not required. Replacement trees are only required for trees that fall under §281- 4. (Tree Removal permit)



## §281-5 A. (2) - the Aggregate Language

**Board of Trustees modification:** Remove provision A (2) of § 281-5 (Replacement Trees), which requires a replacement tree for every 24 inches DBH of permitted trees removed within a twelve month period.

### **Solutions:**

- § 281-5. (Replacement Trees) A (2) can be removed in its entirety,
- or
- develop a threshold of the number of trees removed prior to requiring applicants to meet § 281-5 (Replacement Trees) A (2).