

Sturbridge Conservation Commission

Tree Removal Policy

BACKGROUND:

Trees have significant ecological value in that they provide oxygen, shade, moisture transpiration in the air benefitting lower story plant life, habitat for wildlife, soil stabilization, carbon dioxide absorption and erosion control. Even dead trees provide habitat for a variety of cavity nesters and organic nutrients for soil. However, the Sturbridge Conservation Commission (SCC) recognizes that a tree which is diseased, dying, dead or otherwise compromised can pose a danger to persons and property prompting their removal. Notwithstanding, the Buffer Zone and Riverfront Areas, typically provides a barrier between developed regions and resource areas such as wetlands, ponds, streams, and rivers which must be maintained in as close to their natural state as is reasonable to ensure the health and viability of the wetland resource areas.

PURPOSE:

This policy is intended to prevent damage to or alteration of SCC jurisdictional areas and to mitigate the net loss of trees owing to their removal therefrom and to provide an expedited procedure and guidelines for tree removal where appropriate circumstances warrant their removal. The policy applies to two types of trees “Compromised” trees and “Healthy” trees

Compromised trees - Trees that are either deemed to be a threat to a dwelling, structure, or a public facility, its state of health, or persistent insect activity or trees that have been infected with insects, fungi, or diseases that pose a threat of spreading to the surrounding area. Such trees will be called “compromised trees” (a letter from a Certified Arborist may be required to verify its condition as a “Compromised Tree”).

Healthy trees – A healthy tree is one that is growing, and able to maintain a crown of leaves or needles. It produces new growth yearly on both its trunk and branches.

In instances where there is clear evidence of a tree’s imminent failure threatening danger to persons and property the SCC Agent is authorized, at their discretion, to issue an Emergency Authorization for the immediate removal of the tree.

PROCEDURE:

Compromised trees

Any applicant proposing to remove a Compromised Tree from a jurisdictional area of the SCC shall:

- 1) Mark each Compromised Tree to be removed with ribbon or string.
- 2) Identify each Compromised Tree to be removed on a sketch or plan or in photographs to be filed with their application.
- 3) Provide a written narrative describing in detail:
 - a. the manner in which each of the subject tree(s) constitutes a Compromised Tree;
 - b. the immediate danger each tree poses;
 - c. the location of each such tree and its immediate environmental conditions (landscaping,

- grade, soil conditions, etc.);
 - d. the proposed method for each tree's removal, including the handling of tree debris and any disturbed area; and
 - e. the proposed replacement for each removed tree, including tree species and planting location, unless otherwise exempted from replacement. The applicant/owner must describe the steps that will be taken to maintain the tree for at least 24 months after the date that it is planted.
 - f. The SCC may require the written opinion of a certified arborist in the event the health of, or danger imposed by, the Compromised Tree is unclear or has not been adequately substantiated. It is much more difficult to tell the health of a deciduous tree in the winter, so the Commission suggests that trees be evaluated during the growing season.
- 4) File the appropriate application for relief with the SCC**:
 - a. For removal of no more than five (5) Compromised Trees located solely within the Buffer Zone, an Administrative Approval is required; or
 - b. For removal of six (6) or more trees located within the Buffer Zone or any number of trees within Riverfront Area, 25 foot buffer zone to Bank, or Priority Habitat a Request for a Determination of Applicability (RDA) shall be submitted;
 - 5) In any instance where an arborist or tree services company is or has been consulted to determine the status of, and recommendations for, a property's trees, the property owner shall provide an official copy of the expert's survey results and recommendations as part of their request to the SCC.***
 - 6) Conduct the removal of any Compromised Trees in accordance with any and all conditions imposed by the SCC in granting approval for said removal.

Healthy trees

Any applicant proposing to remove a Healthy Tree from a jurisdictional area of the SCC shall:

- 1) Mark each Healthy Tree to be removed with ribbon or string.
- 2) Identify each Healthy Tree to be removed on a sketch or plan or in photographs to be filed with their application.
- 3) Provide a written narrative describing in detail:
 - a. why the tree needs to be removed and its immediate environmental conditions (landscaping, grade, soil conditions, etc.);
 - b. the proposed method for each tree's removal, including the handling of tree debris and any disturbed area;
 - c. and the proposed replacement for each removed tree, including tree species and planting location, unless otherwise exempted from replacement. The applicant/owner must describe the steps that will be taken to maintain the tree for at least 24 months after the date that it is planted.
- 4) In any instance where an arborist or tree services company is or has been consulted to determine the status of, and recommendations for, a property's trees, the property owner shall provide an official copy of the expert's survey results and recommendations as part of their request to the SCC.***
- 5) File the appropriate application for relief with the SCC**: For the removal of most Healthy trees located within the Buffer Zone or within Riverfront Area, a Request for a

- Determination of Applicability (RDA) shall be submitted;
- 6) Conduct the removal of any Healthy Trees in accordance with any and all conditions imposed by the SCC in granting approval for said removal.

Tree Mitigation Requirements

The SCC requires planting of up to two trees for each tree removed. Trees shall be **native** with a minimum of 1.5" caliper at dbh. That however is not required to be of same species, nor shall the new planting necessarily be in the same locus as the tree removed. In some situations, the SCC, at their discretion, may consider native shrubs such as but not limited to: Alders, Highbush Blueberries, or Sweet Pepperbush or other suitable native species for the location. Native berry bearing bushes are highly recommended. Use of shrub replacements must be reviewed and approved by the SCC. The applicant/owner must describe the steps that will be taken to maintain the tree for at least 24 months after the date that it is planted.

*This Policy is intended to cover only the removal of trees. Other vegetation removal requests within the Commission's jurisdiction, such as shrubs, and native groundcover must be reviewed and approved by the Commission. Please contact the Conservation Department for more information regarding removal of these plants.

**A Notice of Intent may be required. Decisions about these removals are made on a case-by-case process. It is highly recommended to consult with the Conservation Department to discuss the project to determine filing requirements.

***Please refer to the following two websites to learn more about utilizing a certified arborist.

- Massachusetts Arborists Association: <http://www.massarbor.org/>
- International Society of Arboriculture: [Welcome \(isa-arbor.com\)](http://www.isa-arbor.com)

Additional Definitions for use in this document:

Bank - Portion of land surface which normally abuts or confines a waterway. It occurs between a water body and bordering vegetated wetland and adjacent to floodplain, or in the absence of these it occurs between a water body and upland.

Riverfront Area -The area of land between a perennial river's mean annual high water line and a parallel line located 200 feet away, measured horizontally outward from the river's mean annual high water line.

Buffer Zone- that area of land extending 200 feet horizontally outward from the boundary of any wetland resource area. Refer to the Sturbridge Wetland Bylaw Regulations for definitions. [Town of Sturbridge, MA Wetlands Regulations \(ecode360.com\)](http://www.ecode360.com)

Priority Habitat- is the geographical extent of habitat for all state-listed rare species, both plants and animals, which are protected under the Massachusetts Endangered Species Act (MESA).****

****Additional permitting requirements are required for work located within Priority Habitat with the Natural Heritage and Endangered Species Program. Habitat alteration within Priority Habitats may result in a "take" of a

state-listed species, and is subject to regulatory review by the Natural Heritage & Endangered Species Program. Additional information can be found at: [MassWildlife's Natural Heritage & Endangered Species Program | Mass.gov](#)

Conservation Department staff authorized by the SCC can process Administrative Approval applications. Authorization must be granted by the SCC at a meeting.