

## **Town of Thetford Tree Policy**

This policy references: Vermont Statutes: title 24, § 2501-2511; title 19, §702 §901-904.

### **Narrative:**

**Right of Way:** The municipal easement, or right of way, for highway purposes is presumed to be 49.5 feet or 24.75 feet each side of the centerline of the currently existing highway but may be wider for the public benefit of a road. Right of way can also be delineated by stone walls or other survey monuments, and the existing traveled roadway might not be centered in the right of way. The abutting landowner is stopped from exercising his or her full rights to the land within the right of way. The municipality has the authority to address trees and plantings growing within the easement following guidelines set forth in this policy. The town is obligated to maintain the roads to certain standards that are dictated by a road's classification under state statute.

**Public Places:** encompass cemeteries, ground of public buildings, greenways, parks, and town forests, road right of ways and any other land owned by the municipality.

**Tree Warden:** Qualified volunteer appointed by the Town Select Board. The Tree Warden oversees trees and plantings of the Town's Public Places. The Tree Warden is the Town's liaison between the citizenry and the Town Select Board, reporting on horticultural and silvicultural issues as they present themselves and/or are brought to their attention. They make the final decision for the removal and/or care of plantings and conduct public hearings when it is proposed that trees or plantings be removed from a residential area, or any other invasive action.

**Trees:** A planting (natively occurring or ornamental) greater than 6 inches diameter at stump height or taller than 15 feet.

**Plantings:** Any plants, native or ornamental, cultivated by a citizen and/or the municipality.

**Select Board:** Is responsible for maintaining the usefulness and safety of town roads; decides appeals of any decisions and application of the Tree Policy.

**Highway Department:** Performs and/or oversees road maintenance, including tree and brush removal.

### **Pertinent Thetford Town Policies:**

1. The Town maintains compliance with all State statutes and regulation when performing roadwork and is dedicated to the preservation of its forests health and esthetics.
2. The Tree Warden may be contacted with any tree and/or planting related issue.
3. All work performed by the town and/or it designates on tree(s) and/or planting(s) shall comply with American Arborist Society standards for care and pruning.
4. **Non-emergency removal of tree(s) and/or plantings** that are deemed actionable (this can be done by anyone,) will take the following steps:
  - a. A request is submitted to Highway Foreman, Road Commissioner, Tree Warden, or Select Board to have tree(s) and/or planting(s) removed.
  - b. Highway Foreman will describe the location and proposed work to the Tree Warden.

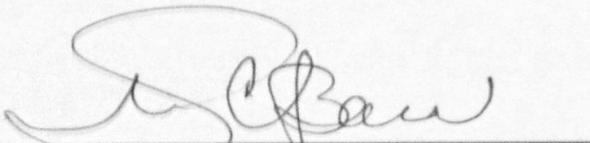
c. The Tree Warden, and/or their designate, will provide an opinion to the whether the proposed work would require cutting of tree(s) and/or planting(s) subject to this ordinance and issue a decision to the Select Board.

d. If removal is deemed warranted by the Tree Warden, within 10 days of filing their report(s) to the Select Board, the Select Board will send notification letters with delivery confirmation to all affected property owners of the tree(s) and/or planting(s) removal. The letter will contain the earliest date of removal. The earliest date of removal will be no less than 21 days from the date of notification. The property owner may request an appeals hearing by notifying a Select Board member within 14 days of notification.

5. **Emergency removal of tree(s) and/or planting(s)** is warranted when ingress/egress is blocked, public safety is at risk, and/or further damage may occur from the conditions. When such emergencies arise, the party who removed the tree(s) and/or planting(s) will notify the Tree Warden, who will determine if additional parties will be notified.

6. **Tree or Planting outside of the public right of way.** There are situations whereas Trees or Plantings outside the public right of way may threaten town assets or public safety, and the town reserves the right to protect said assets and safety. The process for removing trees outside the town right of way is the same as the process above for the **Non-emergency removal of tree(s) and/or plantings.**

Approved by the Selectboard on April 2, 2012



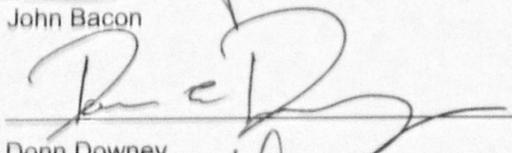
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John Bacon



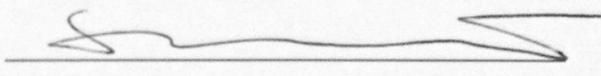
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Mike Pomeroy



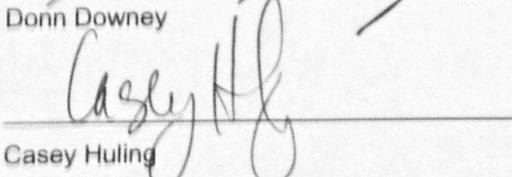
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Donn Downey



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Tig Tillinghast



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Casey Huling