

Town of Peacham Tree Policy
Approved by Peacham Selectboard on June 30, 2007

Purpose

This policy establishes policies, regulations, and standards necessary to ensure the Town of Peacham will continue to realize the benefits provided by its public trees.

This policy is written with the intent to educate the public of the economic, health, and social welfare benefits that trees provide; and the positive character trees contribute to the Town.

Definitions

Public Trees: Trees, shrubs, and all other woody vegetation on any Town property or within the public right-of-way.

Public Right-of-Way: Standard right-of-way is three rods or 49.5 feet. Right of way is measured as ~25 feet on either side of the center line of the road.

Invasive Species: An invasive species is defined by the National Invasive Species Council as a species that is:

1. non-native (or alien) to the ecosystem under consideration *and*
2. whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Invasive species present in the Northeast Kingdom include Shrubby Honeysuckles *Lonicera spp.*, Norway maple *Acer platanoides L.*, and winged euonymus *Euonymus alata (Thunb) Sieb.*

Jurisdiction

The Select Board shall appoint a Tree Warden, under VSA 24, 871. The Tree Warden may appoint a Deputy Tree Warden under VSA 24, 2505. The Tree Warden shall have control of all public trees and shall have the authority to plant, maintain, remove, and replace such vegetation.

Authority and Administration

The Tree Warden and Deputy is/are charged with the administration of this policy. The rules and regulations in this policy shall apply to and be in effect in all trees under the control, supervision and jurisdiction of the Town; under authority granted in 24 V.S.A. §§ 871, 2502 through 2511.

The Tree Warden shall, by use of Town employees, Tree Board members, Deputy Tree Warden, or private contractors, plant, maintain, and remove trees in any public property in the Town.

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Tree Warden Responsibilities

Responsibilities of the Tree Warden shall include but not be limited to, the following:

1. With the Peacham Tree Board, prepare annual program for tree planting and care of public trees in town
2. Inspect the planting, maintenance, and removal of all public trees
3. Prepare and maintain all necessary maps, plans, and records relating to the functions carried on under this policy
4. Work with the Planning Commission, Zoning Board of Adjustment, and Conservation Commission as asked in reviewing proposed project applications
5. Work with the Town Road Crew as needed on projects involving removal of public trees

Tree Planting, Maintenance, and Removal

No person shall plant, remove, transplant, move, spray, brace, trim, prune, cut above or below ground, disturb or alter any public tree within the Town or cause such acts to be done by others without first obtaining (written) permission from the Tree Warden or designee. Invasive species will not be approved for new plantings. Consideration must be given to replace existing public trees if in the event the tree must be removed in Peacham village, East Peacham, and South Peacham. Replacement of public trees will be considered on a case by case basis outside the three villages mentioned above.

As stated in Vermont Tree Warden Statutes 24 V.S.A. §§ 2508 & 2509:

§ 2508 – Cutting shade trees; regulations

Unless otherwise provided, a public shade tree shall not be cut or removed, in whole or in part, except by a tree warden or his deputy or by a person having the written permission of a tree warden.

§ 2509 – Hearing

A public shade tree within the residential part of a municipality shall not be felled without a public hearing by a tree warden, except that when it is infested with or infected by a recognized tree pest, or when it constitutes a hazard to public safety, no shearing shall be required. In all cases the decision of the tree warden shall be final except that when the tree warden is an interested party or when a party in interest so requests in writing, such final decision shall be made by the legislative body of the municipality.

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Tree planting, major maintenance, and removal projects will be posted by the Tree Warden or Tree Board on the Town Bulletin Board (outside of Town Hall) at least 30 days prior to start of the project. In the case of emergencies due to but not limited to storm damage to public trees, it may be necessary to waive this requirement in the interest of public safety.

Every attempt will be made to notify residents of major work to be performed in the three Peacham villages. Usable portions of felled trees in public rights-of-way will be left for the landowner, unless requested otherwise. Should a landowner have a grievance concerning a proposed project on the right-of-way adjacent to his or her property, the grievance should be submitted in writing to the Peacham Selectboard. The Selectboard will have the final authority in determining the outcome of the grievance.