 TOWN OF HOLLISTON

Conservation Commission

703 Washington Street

Holliston, MA 01746

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­­­­­­­­­­­­­­­Tree Removal and Mitigation Policy

Accepted: April 2, 2019

Revised: November 12, 2019

Property owners often approach the Conservation Commission for approval to remove trees in a Wetland Resource Area or Buffer Zone on their lot because they pose a safety threat. Therefore, the Commission has developed this Tree Removal and Mitigation Policy.

The Commission has jurisdiction over the following areas (Jurisdictional Areas):

* Wetland Resource Areas, defined as 100-year flood zones, wetlands, streams, ponds, and marshes.
* Riverfront Areas (land within 200 feet of a perennial stream).
* Buffer Zones, defined as land within 100 feet of a Wetland Resource Area. A strict standard of review applies to the area within 50 feet of a Wetland Resource Area (the No Disturb Zone, or NDZ).

Landowners must obtain prior permission from the Commission before work of any kind (e.g. tree or brush removal or trimming, vegetation removal or cutting, lawn expansion, soil grading, and construction) is conducted in a Jurisdictional Area. Wetland Resource Areas and Riverfront Areas may appear to be dry and thus difficult to identify, so all landowners are encouraged to contact the Conservation office to discuss any proposed work. In certain cases, the hiring of a Professional Wetland Scientist may be suggested in order to verify wetland boundaries.

Ecological Value of Trees. Trees in Jurisdictional Areas perform ecological functions by providing habitat for wildlife, reducing flood elevations, stabilizing soils, assisting with nutrient uptake, and providing shade that contributes to healthy vegetation and cool water. *Even dead trees provide habitat for cavity nesters and nutrients for soils and will require mitigation.*

Policy. No trees may be cut from Jurisdictional Areas unless permission has been granted by the Commission. This policy applies to all Jurisdictional Areas, whether natural or landscaped. Landscaped areas are those locations comprised predominantly of lawn or landscaping shrubs. Natural areas are those areas comprised predominantly of naturally occurring vegetation. This policy only applies to trees deemed hazardous, and is not applicable for tree removal for other reasons, such as landscaping.

Mitigation. In order to minimize impacts caused by the removal of trees within Jurisdictional Areas, the Commission may require mitigation plantings. Mitigation is discussed further under the “Tree/Shrub Replacement Guidelines.”

Enforcement.The Conservation Commission has the authority to enforce the Wetlands Protection Act (MGL c. 131 s. 40) and Holliston’s Wetlands Administration Bylaw (Article XXX). The penalty provisions of the Wetlands Protection Act include civil enforcement actions and criminal penalties and fines. The penalty provisions of Article XXX include a fine of not more than $300 per violation per day or portion thereof during which any violation continues. Failure to comply with this policy shall constitute a violation of both state and local law.

\*\*\*Please ensure that all trees proposed for removal are clearly marked and easily identifiable\*\*\*

NOTE: as some requests may require approval at a Conservation Commission meeting (typically for 2 or more trees), please be aware that it may take up to two weeks to issue a decision. Emergency situations shall be handled on a case-by-case basis.

Tree Removal Request

\*\*\*Please ensure that all trees proposed for removal are clearly marked and easily identifiable\*\*\*

1. Project Address: ­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Property Owner: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Phone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Tree Cutting Request

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Species | Diameter at Breast Height (DBH) (inches) | Approximate height (ft.) | Distance to wetlands (ft.) | Natural or Lawn? |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. Reason for Request
	1. The lined paper provided with this document must be filled out as part of this application. This request will be considered incomplete without this section.
2. Tree/Shrub Replacement
	1. Please refer to the Holliston Conservation Commission’s Tree/Shrub Replacement Guidelines. Using lined paper provided, please define mitigation measures.
3. Authorization

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 Property Owner signature Date

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Tree/Shrub Replacement Guidelines

This Guidance Document was created to provide information to landowners wishing to cut trees on their property which require mitigation plantings per Holliston’s Tree Removal Policy. Native plants in and near wetlands will intercept pollutants, slow down runoff, provide wildlife habitat, and reduce the use of watering, pesticides, and herbicides. Mature trees (greater than 10” diameter at breast height (DBH)) provide more value, and require additional mitigation.

What Kind of Mitigation Planting is Required?

The loss of trees (each trunk) cut in a wetland resource area or its buffer zone shall be *minimally* mitigated as follows:

|  |  |
| --- | --- |
| Tree ≥ 10” DBH | Tree < 10” DBH |
| 1.5 trees (rounded up)OR3 shrubs | 1 treeOR2 shrubs |

As an example: if you were proposing to cut 2 trees with a DBH of 7”, 1 tree with 20” DBH, and 1 tree with 15” DBH, appropriate mitigation under this policy could be some combination as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| 7” Tree | 7” Tree | 20” Tree | 15” Tree |
| Replace with: | Replace with: | Replace with: | Replace with: |
| 1 treeOR2 shrubs | 1 treeOR2 shrubs | 1.5 treesOR3 shrubs | 1.5 treesOR3 shrubs |

A valid mitigation could be itemized as follows: 1 tree, 2 shrubs, 3 shrubs, 1.5 trees (round up to 2), for a total mitigation of 3 trees and 5 shrubs.

Replacement Tree/Shrub Requirements

A replacement tree/shrub shall:

1. Be planted in approximately the same/similar location as the cut tree.
	1. If circumstances prevent the planting in the same/similar location, the Commission will consider another location. Typically, on the edge of lawn within the 100’ buffer zone is appropriate.
2. Be of a native species. Several example species are suggested on the next page.
3. Have a caliper size of 1” or greater; shrubs shall be a 2 gallon pot or greater.
4. Be planted within six (6) months of the tree cut.
5. Survive 2 growing seasons. The University of Massachusetts guidelines provided will help ensure the survival of the plantings.

What is a Native Plant?

Native plants (also called indigenous plants) are plants that have evolved over thousands of years to adapt to the geography, hydrology, and climate of a particular region. As a result, native plants form communities with other plants that provide habitat for a variety of local wildlife species such as songbirds and butterflies.

Why Use Native Plants?

Because native plants are adapted to local conditions, they provide a beautiful, hardy, drought resistant, low maintenance landscape while benefiting the environment. Once established, they can save time and money by eliminating the need for fertilizers, pesticides, water, and lawn maintenance equipment.

Suggested Native Plants

Doug Tallamy’s book *Bringing Nature Home* has a detailed and wide list of native plants that both have value to wildlife and have desirable landscape attributes. A copy of the appendix with this list is available upon request from the Conservation Commission’s office.

C. Reason for Request.

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D. Tree/Shrub Replacement (What will you plant?)

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