



Tree Removal Policy

Approved: July 6, 2017

Amended September 9, 2021, November 1, 2022, January 2, 2024

The Wakefield Conservation Commission is the statutory authority for administration of the Massachusetts Wetlands Protection Act (WPA) and implementing regulations (310 CMR 10.00). The Conservation Commission is further authorized by MGL Chapter 40, Section 8C to adopt its own rules and regulations "to further regulate matters established by section 40 of Chapter 131" (the WPA).

The Commission has jurisdiction over the following areas, as defined under 310 CMR 10.00:

- Wetland resource areas (bank; BVW which includes wet meadows, marshes, swamps and bogs), and related Buffer Zones;
- Land under water, under any creek, river, stream, pond, or lake;
- Land Subject to Flooding (bordering and isolated);
- Riverfront areas; and
- Town-owned land under the care and custody of the Conservation Commission.

A priority of the Conservation Commission is to encourage the preservation and protection of trees within the Town of Wakefield. The Commission recognizes that trees provide numerous essential services to the residents of Wakefield including, improving air quality, regulating temperature, minimizing stormwater runoff, stabilizing soils and maintaining soil health, providing wildlife habitat, reducing noise pollution, enhancing property value, and offering natural privacy to neighbors. The protection of trees is critical for the Town's adaptation to climate change. Trees are effective carbon sinks, absorbing atmospheric carbon during photosynthesis and providing long-term storage in wood and soils. Trees also play a significant role in preserving the integrity of nearby water courses and wetlands, thereby ensuring protection of vital functions and values.

The goal of this tree policy is for no net loss of trees. Tree removal requests may be granted conditional on the replacement of one or more trees in accordance with the replacement standards contained in this policy. All landowners must obtain prior approval from the Commission and/or its Agent before work of any kind (i.e. tree or brush removal or trimming, vegetation removal or cutting, lawn expansion, soil grading and construction) is conducted in a



jurisdictional area. The Commission may require further review through the filing of a Request for Determination.

Policy Requirements

Any proposed tree removal within the jurisdiction of the Commission **shall** adhere to this policy. No trees may be cut or removed in jurisdictional areas unless permission has been granted by the Commission and/or its Agent. This policy applies to all jurisdictional areas, whether natural or landscaped. The loss of live trees in a resource area shall be replaced in accordance with the conditions outlined in this policy.

This policy is intended to cover the removal of trees only. Other vegetation removal within the Commission's jurisdiction such as, removing trees less than 6" in diameter, removal of shrubs, native groundcover, and/or other native vegetation must be reviewed and approved by the Commission and/or Agent.

Applicability

Healthy trees at least 6" in diameter, measured 4' off the ground shall require replacement as described below.

Compromised trees at least 6" in diameter, measured 4' off the ground, including trees which appear to be dying, dead, diseased, heavily rotting, uprooted, in immediate danger of toppling, or otherwise heavily damaged may require replacement at the discretion of the Commission. Determination will be made in consideration of existing tree location, setting, distance to resource areas, surrounding tree cover, density of nearby trees, tree species, habitat value, etc. The Commission may require a letter from a licensed arborist to confirm that a tree is compromised.

Written Requests

Tree removal requests shall be made in writing and submitted to the Conservation Department (conservationdepartment@wakefield.ma.us). This request should include the location of the tree and reason for removal.

Review and Approval Process

Upon receipt of a written request, a member of the Commission and/or its Agent will conduct a site visit. In some cases, such as if the tree shows obvious signs of disease and decay or is dead, requests can be administratively approved during the site visit. Otherwise, tree removal requests are reviewed at the Commission's regularly scheduled public meetings. Once the review is complete, a letter or email of approval or denial will be issued to the homeowner.

Replacement Standards

Each live tree 6" in diameter or greater measured 4' up from the ground shall be replaced by any one of the following:

- 1 deciduous shade tree 2.5" or greater in diameter measured 4' up from the ground;
- 1 evergreen tree 5' to 6' in height or greater at time of planting;
- 2 large shrubs 5' to 6' in height or greater at time of planting; and/or
- 3 small shrubs 3' or greater in height at time of planting.

In addition to replacement, if a tree 6" or greater in caliper is cut, the Commission may require that a portion of the tree trunk be left in place (and not removed), allowing the tree trunk to stand in place to at least 6' above grade and up to 15' feet high. This remaining tree trunk is called a snag, which provides a valuable resource for animal foraging and habitat. The Commission considers snags most valuable within the 25' buffer zone.

Tree Planting Requirements

- Replacement trees or bushes shall be planted at least as close to the resource area as the cut tree, or otherwise in alternative location which provides value to the resource area. Actual locations to be reviewed and approved by the Commission and/or its Agent.
- Planting within the buffer zone **shall** be a native species and in accordance with the Wakefield Conservation Commission Native Planting Policy.
- A proposed planting plan and plant list shall be submitted to the Commission and/or its Agent for approval prior to purchase and installation.

Replacement Alternative

In the event the appropriate replacement ratio cannot be achieved, or replacing on the site is not practicable, a contribution to the Commission's Habitat Replacement Fund shall may be made in lieu of replacement of one or more trees/shrubs. The contributions to the Habitat Replacement Fund shall be a minimum of \$250 and a maximum of \$500. The payment amount will be determined by the Commission and based on number of trees removed, size of the tree or trees removed, and proximity to the wetland resource area.

Planting Schedule

- Replacement plantings must be installed within 180 days of the day the existing tree is cut.
- The Agent will conduct a site visit 6 months after the approval to observe and photograph plantings. In the event that this deadline cannot be met, please contact the Conservation office for further review.
- Subsequent site visits will be conducted both 1-year and 2-year post-planting.
- Replacement plantings that do not survive for at least two growing seasons must be replaced.

Miscellaneous Requirements

- The Commission requires that all tree removal equipment remain on landscaped or paved areas and outside natural areas. This requirement may be waived if approved by the Commission and/or Agent.
- To minimize disturbance, the only tree trunks that may be ground below the surface are those in landscaped areas or outside the 25' buffer zone.