

TOWN OF WEST WINDSOR

Policy on Trees in the Town Right-of-Way

The purpose of this policy is to establish guidelines and procedures for the removal of trees and brush in the town's right-of-way.

A. **REMOVAL OF TREES AND BRUSH BY THE TOWN** – Trees and brush within the town road right-of-way may be removed without the permission of the abutting landowner, and without a public hearing, under the following conditions:

1. Trees and/or brush are obstructing the view of the highway ahead, causing damage to the highway and/or are objectionable from a material or scenic standpoint (V.S.A. 19, Section 904).
2. The town tree warden determines that a tree is infested with or infected by a recognized tree pest, except where an owner or lessee of abutting real estate shall annually, to the satisfaction of such warden, control all insect pests or tree diseases upon the trees and other plants within the limits of the highway or place abutting such real estate (24 V.S.A. Sections 2504 and 2509).
3. The tree warden determines that a tree constitutes a hazard to public safety (24 V.S.A. Sections 2502 and 2509).

As a courtesy, abutting landowners will be notified in writing seven days before trees and brush are to be removed within the right-of-way, except when deemed an emergency situation by the tree warden or highway foreman.

B. **REQUESTS BY LANDOWNERS THAT THE TOWN REMOVE TREES** – If a landowner requests that a tree be removed that was not intended for removal by the town, the tree will be removed at the town's expense provided that all of the following apply:

1. At least half of the tree trunk is within the road right-of-way, as measured from the centerline of the traveled portion of the road to the trunk at a point four feet from the base;
2. The tree warden determines that the tree is diseased, dying or dead; and, that either
 - a. the tree creates a hazard to public safety, or
 - b. the tree threatens the effectiveness of disease or insect control programs. (24 V.S.A. Section 2502)

An inspection will be conducted by the tree warden, with notice to the Selectboard and highway foreman, within seven days of a request that a tree be removed. The decision of the tree warden shall be issued in writing and mailed to the landowner no later than seven days after the date of inspection.

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 (24 V.S.A. Section 2509).

Adopted December 7, 1999

The West Windsor Selectboard



