

Canton Conservation Commission Tree Removal Policy

October 2021

The Canton Conservation Commission under the Massachusetts Wetlands Protection Act and Regulations and Town of Canton Wetlands Protection Bylaw and Regulations is by law required to review any “work” within 100 feet of a Wetland Resource Area (which includes, without limitation; marsh; wet meadow; bog; swamp; vernal pool; bank; reservoir; lake; pond; intermittent stream or creek; beach; land under water; lands subject to flooding or inundation by groundwater or surface water) or 200 feet of a perennial stream or river. The review is to determine if the work might “alter” the wetland resource area. The Commission therefore must make a determination on the removal of trees which are dead and/or damaged and/or diseased, and which pose a threat to private or public property (“hazard trees”), or which are within the footprint of proposed construction. This Policy has been to provide a consistent approach to tree removal that protects the wetland functions and values provided by trees within these areas.

Trees are an important part of Canton’s stormwater management and visual landscape, as well as providing a source of cleaner air, shadier streets, and habitat for birds and other wildlife. The shade produced by trees in the summer reduces temperatures in the Town and can reduce overall energy usage and air conditioning costs, which are important factors to a Green Community. With respect to wetland functions and values, trees also provide shade that maintains a favorable microclimate for wetland plants, fish, reptiles and amphibians, and insects. Trees provide wildlife habitat features which include food, shelter, nesting habitat, migratory habitat, and perching habitat (for predatory and insect-eating birds). Dead limbs and hollow trunks provide cavities which may be used by small mammals and birds for nests, dens, or shelter. Additionally, the leaves shed by deciduous trees in the fall provide a valuable source of nutrients, habitat complexity for overwintering organisms, and organic matter that support the texture and fertility of soils.

In recognition of these important values, the Commission adopted the following Tree Removal Policy by vote on October 13, 2021:

A. Any tree removal within Wetland Resource Areas including Riverfront and the 30 Foot No Disturbance Zone*:

The Commission requires that any vegetation including trees to be removed from inside the boundary of the Wetland Resource Area, including Riverfront area defined by the Wetlands Protection Act and within the Town of Canton 30 Foot No Disturb Area require the filing of a Notice of Intent Permit. As part of the Notice of Intent Application a Request for Variance from the Town of Canton Wetlands Bylaw No Disturbance Zone must be sought. A “snag” of at least 6 feet high shall be retained when a diseased, dead, or hazardous tree, 6-inches or greater in diameter at breast height is removed. To determine the health status of a tree an ISA or Massachusetts Certified Arborist must assess the health status of each tree to be removed and a signed memo must be included as part of the application. An Arborist’s letter is not required in the event of a dead tree. Property owners wishing to remove trees that are not imminent threats and show no signs of being compromised will be required to submit a restoration planting plan to preserve and enhance the wetland and adjacent upland values and functions. The replacement trees must be 1:1

replacement and a minimum 1-inch caliper. Although replacement trees from the approved Replacement Tree List are preferred, an Applicant may propose wildlife habitat replacement with high wildlife value native shrub species in lieu of, or in addition to, trees. Shrubs shall be proposed at no less than a 2:1 ratio (two new shrubs for each one tree removed). The attached list provides guidance on the types of tree and shrub species that are acceptable. Other native plants may be proposed beyond those listed in this document. Any proposed trees or shrubs are subject to review by the Conservation Commission, or its designee, and must obtain final approval from the Conservation Commission, or its designee.

B. Tree Removal outside of Wetland Resource Areas but within jurisdictional buffer zone removal of fewer than (5) five trees:

If no other work is proposed other than tree removal and all work is outside the Wetland Resource Area and the 30 Foot No Disturbance Zone but inside the 100 Foot Buffer Zone and the project will remove fewer than five trees of any size no permit is required by the Conservation Commission. However, a Conservation Commission Permit Inquiry Form must be submitted to the Conservation Department and on file before work can be started. For the purposes of this Policy tree removal requests are good for three years and all trees 4" diameter or greater requested to be removed within a three-year period are to be considered one project.

C. Tree Removal outside of Wetland Resource Areas but within jurisdictional buffer zone removal of (5) five trees or more trees*:

If no other work is proposed other than tree removal, and all work is outside the Wetland Resource Area and the 30 Foot No Disturbance Zone, but inside the 100 Foot Buffer Zone and five or more trees of any size will be removed, a permit will be required by the Conservation Commission. A Conservation Commission Permit Inquiry Form with a site plan must be submitted to the Conservation Department to determine if the work will require a Determination of Applicability or a Notice of Intent be filed with the Commission. This determination will be made based on the number, size, and location of the trees in proximity to the jurisdictional areas.

D. Pruning outside of Wetland Resource Areas but within jurisdictional buffer zone:

Property owners may prune/trim tree branches directly overhanging existing lawns, utility lines, child's play area, driveways, and/or dwellings without a permit.

* Note: If a tree is of immediate threat to health and safety but requires a permit for removal based on this Policy, please contact the Conservation Agent to request an **Emergency Certification** from the Commission for permission to remove the tree. An ISA or Massachusetts Certified Arborist must assess the health status of each tree and deem it an immediate threat for the issuance of an Emergency Certification. If granted a MA WPA Emergency Certification all work must be completed within thirty (30) days of issuance.

This Policy is intended to cover only the removal of trees. Other vegetation removal requests within the Commission's jurisdiction, such as cutting trees that are less than 4" in diameter, shrubs, and native groundcover must be reviewed and approved by the Commission. Please contact the Conservation Office for more information regarding removal of these plants. Any unpermitted work within areas jurisdictional to the Commission may be subject to fines of \$300 per day per violation.

Replacement Trees – Native To New England

Wetter Areas	Drier Areas
<i>Acer rubrum</i> (red maple)	<i>Acer saccharum</i> (sugar maple)
<i>Acer saccharoides</i> (silver maple)	<i>Betula papyrifera</i> (paper birch)
<i>Betula lenta</i> (sweet/black birch)	<i>Fagus grandifolia</i> (American beech)
<i>Betula nigra</i> (river birch)	<i>Juniperus virginiana</i> (eastern red cedar)
<i>Betula populifolia</i> (gray birch)	<i>Liriodendron tulipifera</i> (tulip tree)
<i>Chamaecyparis thyoides</i> (Atlantic white cedar)	<i>Pinus strobus</i> (white pine)
<i>Nyssa sylvatica</i> (tupelo, black gum)	<i>Platanus occidentalis</i> (sycamore)
<i>Quercus bicolor</i> (swamp white oak)	<i>Prunus serotina</i> (black cherry)
<i>Tsuga canadensis</i> (Canada hemlock)*	<i>Quercus alba</i> (white oak)
	<i>Quercus coccinea</i> (scarlet oak)
	<i>Quercus palustris</i> (pin oak)
	<i>Quercus rubra</i> (red oak)
* <i>Tsuga canadensis</i> should only be planted if a long-term monitoring plan (approved by the Conservation Commission) is in place to control woolly adelgid.	<i>Quercus velutina</i> (black oak)
	<i>Tilia americana</i> (basswood)

High Wildlife Value Shrubs – Native to New England

Wetter Areas	Drier Areas
<i>Alnus incana</i> (<i>rugosa</i>) (Speckled Alder)	<i>Amelanchier spp.</i> (serviceberry)
<i>Clethra alnifolia</i> (Sweet Pepperbush)	<i>Swida alternifolia</i> (alternate-leaved dogwood)
<i>Swida amomum</i> (Silky Dogwood)	<i>Cornus racemosa</i> (gray dogwood)
<i>Ilex verticillata</i> (Winterberry Holly)	<i>Corylus americana</i> (American hazelnut)
<i>Salix discolor</i> (Pussy Willow)	<i>Hamamelis virginiana</i> (witch hazel)
<i>Vaccinium corymbosum</i> (Highbush Blueberry)	<i>Photinia melanocarpa</i> (black chokeberry)
<i>Viburnum dentatum</i> (Northern Arrowwood)	<i>Viburnum opulus</i> (highbush cranberry)