

Bruce Spaman  
Superintendent  
Parks & Trees Division



Administration.....622-6472  
Griffith E. Harris Golf Course.....531-7200  
Information/Programs.....622-7830  
Marine & Facility Operations.....618-7651  
Parks & Trees.....622-7824  
Recreation.....622-6478

## DEPARTMENT OF PARKS AND RECREATION

September 2, 2009

### NOTICE OF FINAL DECISION OF THE TREE WARDEN REGARDING A TREE POSTED FOR REMOVAL AT 29 MACARTHUR DRIVE

A public hearing was held on Thursday August 20<sup>th</sup>, 2009 12:00 for a European Linden tree posted for removal at 29 MacArthur Drive, Greenwich, CT. The abutting property owner had requested the removal of this tree to facilitate the construction of a modular home.

As required by Chapter 451, Section 23-59 of the Connecticut General Statutes, an appeal objecting to the removal of these trees was received by me within ten days of the posting. Residents and other concerned people were present at the hearing and voiced their concerns regarding the disposition of the subject tree. Correspondence was also received by the Tree Warden and read into the record.

Based on my investigation and research of the circumstances associated with this tree and its location, and taking into account the concerns of parties present at the Public Hearing, **my decision is to remove this tree in accordance with the following terms and conditions;**

1. The appraised value of this tree as determined by nationally recognized standards, methods and guidelines established by the Council of Tree & Landscape Appraisers in the publication "Guide For Plant Appraisal" produced by the Council of Tree & Landscape Appraisers and published by the International Society of Arboriculture, is \$4,500.00. It is understood that trees shall be planted that equal or exceed the appraised value of the tree removed. Two trees to be planted on the frontage of 29 MacArthur Drive and the remaining trees to be planted on Town-owned property within the limits of Havermeyer Park. The tree species, caliper measure and location will be determined by the Tree Warden. Final approval of the tree planting will be required to satisfy this condition, a hold on the Certificate of Occupancy from the building Department will be released upon satisfaction.

**If the owner chooses not to construct a modular home and instead chooses to construct a home with conventional methods this decision for tree removal is void and the following conditions will be in effect:**

2. The subject tree and all other Town trees at this site shall be protected and treated during and after construction following the provided guidelines of the attached '*Specifications For The Protection Of Shade Trees During Construction*'. The Tree Warden or his representative will inspect the tree protection measures as they progress. (see attached)

3. The Tree Warden will be notified 48 hours in advance of excavation for driveway construction or utility trenching that is planned within the 'dripline' of the tree's canopy so that he or his representative can be present to verify that the conditions of the specification are properly done.
4. Unnecessary damage done to these trees may cause damage to the health and condition or cause the trees' premature death. If it is determined that the trees' death was caused by negligence and mistreatment during construction activities then the owner will be liable for a fine of the trees' appraised value as required by Chapter 451, Section 23-65 of the Connecticut General Statutes.

This is the final decision of the Tree Warden of the Town of Greenwich. Let it be known that Chapter 451, Section 23-59 of the Connecticut General Statutes states "*..the Tree Warden shall render his decision granting or denying the application, and the party aggrieved by such decision may, within ten days, appeal therefrom to the superior court or the judicial district within which such town or borough is located.*"

This decision will be posted in the lobby of the offices of the Parks and Recreation Department located on the 2<sup>nd</sup> floor of the Town Hall. It will also be sent to persons present at the Public Hearing and to those who appealed the posting of these trees for removal.



Signed; Bruce Spaman, Greenwich Tree Warden  
September 2, 2009

Cc: Peter Tesei, First Selectman  
Joseph Siciliano, Director of Parks & Recreation Department  
Lin Lavery, Selectman  
Attendees of the Public Hearing  
Persons who sent in correspondence regarding the subject tree

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## DEPARTMENT OF PARKS AND RECREATION

### SPECIFICATIONS FOR THE PROTECTION OF SHADE TREES DURING CONSTRUCTION

Revised: February 2009

#### 1. PURPOSE

The purpose of these specifications is to provide guidelines for the preservation of beneficial urban or community trees during the construction and installation of underground utilities and/or road or sidewalk improvements. Street trees provide the community multiple benefits with regards to environmental quality, aesthetic enhancement, and increased property values. Because of the benefits they provide to the community, cities and towns realize that their street trees are assets not unlike their other infrastructure systems such as buildings, streets, and water, sewer and drainage systems.

#### 2. GENERAL:

Trees located near construction and excavation projects are impacted in two major areas; above ground and below ground. The above ground impacts are obvious to all, trunk injuries and broken branches. Severity of the injuries are obvious and corrective treatment is directed to the trunk or branches as needed. However, damage to a tree's root system is not obvious and not easily treated. The underground portions of a tree are just as important as the above ground parts. The roots of a healthy tree will extend anywhere between one and one half to three times the tree's height. This distance can be considered as the tree's root zone. Anytime construction enters within the dripline of a tree, you are operating in the Critical Root Zone of that tree. Trenching within the dripline of a tree can sever 30%-50% of the tree's root system, depending how close it is to the tree's trunk. Soil compaction by heavy equipment and general operations causes further damage to the tree's root system and diminish the tree's ability to sustain itself. The following specifications are provided to preserve street trees during construction and to reduce tree mortality due to construction impacts.

#### 3. IMPLEMENTATION:

##### 3.1 Protection and repair of impacts to above ground portions of street trees:

- 3.1.1 Prior to beginning any construction activities, a qualified arborist or tree service should remove all trees designated for removal. Where appropriate, the arborist or tree service should prune tree branches to a height of 14 feet over streets and 7-8 feet over sidewalks. This will reduce the possibility of breaking or damaging limbs with equipment during construction.

3.1.2 During construction, extreme care should be exercised to avoid equipment damage to the tree trunks and lower branches. Damaged or broken branches and tree trunk injuries should be reported to the project inspector and be professionally treated as soon as possible.

### 3.2 Root Zone Protection

3.2.1 Before beginning any construction activities, trees to be retained shall be protected with fencing. The purpose of the fencing is to prevent root damage due to soil compaction. Soil compaction can be caused by heavy equipment, truck traffic, and stockpiling fill or other construction materials on the root system of a tree. As much of the tree's root zone as possible should be fenced off. The minimum area to be fenced off would be that area within the dripline of the tree; otherwise known as the Critical Root Zone. The fencing should be highly visible, of sturdy construction, and at least four feet high. Fences may be snow fence, synthetic fabric, or plastic fence.

3.2.2 Any excavation within the Critical Root Zone will be done carefully so as not to damage the tree roots and to expose tree roots. Laborers will then hand dig beneath the tree roots so that conduit or pipe may safely pass beneath the tree roots. The excavator may then continue using power equipment when safely beyond the Critical Root Zone.

OR

3.2.3 Any excavation within the Critical Root Zone will be done carefully so as to expose tree roots to be cut. Tree roots with a diameter of one half inch or larger will be severed cleanly with a sharp pair of lopping shears. Tree roots too large for lopping shears may be cut with a power cut-off saw. Back-fill adjacent to the severed roots will be good quality topsoil mixed with an equal amount of peat moss. Excavated roots will be back-filled the same day to prevent drying.

3.2.4 A commercial tree service equipped with supersonic air excavating equipment (i.e. "Air Spade") will be used to carefully expose roots for pruning. With air excavation, a trench can be dug and the location on the root can be selected for cutting. This will allow a more sensitive selection of cut location. For example, if the root branches, it may be possible to locate the cut so as to save the branch of the root that does not travel toward the area to be excavated. It may also be possible to relocate small roots by excavating around them and replanting them inside the retained rooting area.

### 3.2.5 Tree Fertilization and Aeration

Immediately after construction all trees impacted by excavation operations should be backfilled with topsoil and not left open so that the tree's roots dry out. Trenches near trees should be backfilled within 2-4 hours after excavation and not left open over night.

Trees should be fertilized by high pressure liquid injection method with a slow release organic fertilizer mixed with an organic root growth enhancer.

The following rates will apply: (formulated for 100 gals. of water)

20 lbs. of Davey Arbor Green<sup>®</sup> (30-10-7) or equivalent;

1 lb. of MycorTree Injectable<sup>®</sup> containing beneficial spores of the endo- and ectomycorrhizal Mycorrhizal fungi with PHC BioPak<sup>™</sup> biostimulant.

Apply 100 gallons of this mixture per 2,000 square feet of available root area. Soil injection should be 8 - 12 inches deep using an injector probe at 150 - 200 lbs pressure. Injection shall begin four feet out from the trunk of the tree and be spaced two and a half feet apart, injecting on a 2 ½ foot grid extending beyond the dripline or out to area of root severance. It should be noted that tree root zones may extend onto private property and should also be treated there when permitted.