ATTACHMENT A

ORDINANCE NO. 2009-___
IN THE BOARD OF ALDERMEN: _____

TREE PRESERVATION ORDINANCE

Whereas, trees are recognized as an asset to the community, providing a more healthful and beautiful environment in which to live.

Whereas, trees and other vegetation provide oxygen, shade, protection from wind, glare and noise, wildlife habitat aesthetics, and a priceless psychological counterpoint to the man-made urban setting.

Whereas, trees are economically beneficial in attracting new residents, visitors and industry.

Whereas, when grown on the right place and of proper varieties, trees enhance the value and marketability of property and promote the stability of desirable neighborhoods and commercial areas.

NOW THEREFORE, be it ordained by the Board of Aldermen, in session assembled, that the Code of Ordinances of the City of Somerville is hereby amended by adding the following as Chapter 12, Article V:

Section 12-100. Establishment of Somerville Tree Committee

A Somerville Tree Advisory Committee charged with advising with respect to the management and maintenance of existing and new public shade trees shall be established, consisting of the following:

1) the Mayor or his or her designee;

2) a representative selected by the Board of Aldermen, to serve for a term of three years;

3) a representative of the Office of Strategic Planning and Community Development,

4) the Tree Warden;

5) one member of the Somerville Garden Club, or similar organization, to serve for a term of three years, selected by the Mayor, subject to confirmation by the Board of Aldermen.

Such tree committee shall have no authority to interfere with the daily operations or conduct of business by the Tree Warden or City Arborist.

Section 12-101. Criteria for Removal

A public hearing may not be initiated under G. L. c. 87, s. 3 to remove a healthy public shade tree, unless, the Tree Warden finds in writing that there is a public health, safety, or welfare basis for removing the public shade tree, including, but not limited to, hardship to a property owner, economic development, facilitating the development of affordable housing, pedestrian access enhancement, transportation improvement, or public project development. Nothing in this Section shall be construed to prevent the cutting, trimming, or removal of trees in accordance with G. L. c. 87, s. 5.

Section 12-102. Notice Requirements

In addition to notice under G.L. c. 87, s. 3 for removal of a public shade tree, notice shall be given by the City by electronic notification, when feasible, and first class mail to all owners of real property located within 150 feet of the public shade tree proposed to be removed at least fourteen days before the public hearing. Notice shall also be given by placing notice on the City website and Cable Wheel at least fourteen days before the public hearing. In the event that a public hearing is initiated under G. L. c., 87, s. 3 at the request of anyone other than the City, the requesting party shall pay for all costs of mailing and advertising, such costs to be determined by the City Clerk. The City Clerk may waive the costs if the requesting party demonstrates to the City Clerk that payment of the fee would cause financial hardship. Guidelines for determining financial hardship shall be established by the City Clerk. Applications for financial hardship shall be provided by the City Clerk.

Section 12-103. Tree Replacement

Any healthy public shade tree removed at the request of a property owner, or agent thereof, shall be replaced within one year from date of removal. The replacement tree shall be of such size and species as specified by the Tree Warden.

Section 12-104. Tree Replacement Fund

(a) Establishment: There shall be established a tree replacement fund which shall be held in a separate identifiable account and administered in accordance with applicable provisions of General Laws. Any payments into the tree replacement fund required by this Article shall be deposited in the tree replacement fund and shall be used in accordance with subsection (c) hereof.

(b) Payment for Planting Replacement Tree: Where a healthy public shade tree is removed at the request of a property owner, or agent thereof, for the purposes of economic development, as determined by the Tree Warden, the requesting party shall

make a contribution to a tree replacement fund in an amount deemed equal to the cost to replace the tree, which cost shall be determined by the Tree Warden or his designee, based on standards set forth by Council of Tree and Landscape Appraisers,, plus the value of the tree to be replaced, which value shall be determined by the Tree Warden or his designee, based on standards set forth by the Council of Tree and Landscape Appraisers..

(c) Maintenance of Tree Replacement Fund: The tree replacement fund shall be maintained in a separate account in accordance with state law. All sums deposited into such fund shall be used solely for the purpose of buying, planting and maintaining trees in the City.

Section 12-105. Compliance with State Law

All public shade tree hearings shall comply with the applicable requirements set forth in G. L. c. 87, s. 3.

Approved:

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President

ATTACHMENT B

Tree Replacement Policy

The City of Cambridge typically replaces trees in the following manner:

1. **Requests** – Property owners can request a new street tree
   - Tree can be installed after old tree is removed
   - A new tree well can be opened in sidewalk
     - Requester submits Tree Planting application and $140 per well fee to City

2. **Tree Hearings** – If tree is removed as a result of a tree hearing, the City tries to install replacement tree if possible

3. **Storm Events** – Tree fails during storm event

4. **Scouted Locations** – City Arborist identifies planting locations

5. The City Arborist works with the Engineering and Community Development Departments to help identify planting locations through **Street and Sidewalk Improvement Projects.** City tries to capitalize on tree planting opportunities by installing new tree wells and trees during construction process

6. Tree replacements as a result of **development/construction projects.**

The City Arborist tries to work with every requester when determining what type of new tree to install

List of Potential Street Trees (not inclusive):

Red maple	Honeylocust	Golden raintree
Hedge maple	Sweetgum	Zelkova
Red oak	Tuliptree	Serviceberry
Pin oak	Littleleaf linden	Pear
Swamp white oak	Cherry (various cultivars)	Yellowwood
American elm	Japanese tree lilac	Ginkgo
Elm (various cultivars)	Hackberry	River birch
London planetree	Crabapple	Sophora

There are many factors that come into play when selecting a new tree. The following are some factors, but not limited to:

Above and below ground utilities
Proximity to stop signs and traffic signals
Proximity to crosswalks and driveway openings
Proximity to existing buildings
Existing width of sidewalk

Reasons why the City would not install a new tree:

Existing sidewalk is too narrow
Existing tree well is between handicap parking space
Existing tree well is too close to stop sign, traffic signal, driveway opening or crosswalk
Existing utilities or infrastructure impedes potential tree growth

ATTACHMENT C

Urban Forestry:

Plans to involve residents in care of trees, and to expand education and outreach efforts. Existing practices and plans for expansion FY2011-12

Existing practices:

- Work with Committee on Public Planting (Chapter 2.106 of Cambridge Municipal Code) – Purpose is to promote and improve the quality and diversity of public plantings throughout all areas of the City. 18+ member committee meets monthly.
- DPW and Urban Forestry Web site. Brochures, door hangers. Information given to property owners when new trees are planted.
- Promote Off-Set planting Program with property owners before street reconstruction.
- Arbor Day and special events. Promote tree planting and maintenance.
- Work with neighbors on identification of tree planting and replacement opportunities.
- 18 years as a "Tree City USA" designation and attainment of the "Growth Award" for the 3rd consecutive year.

Plans for expansion:

- **Work to raise awareness of the importance of Urban Forestry and Tree maintenance**

    1. Educational materials on trees and tree care—Public Planting Committee working on this with the department and developing materials.
    2. Tree Walks. To foster an overall appreciation for trees and provide information to residents about trees in their neighborhood. David Lefcourt to schedule 3 in 2011: Spring, summer, fall. First one in mid-May, Saturday 9-11:00 am. Work with a neighborhood association in 3 different areas.
    3. Involvement at Special Events, including the Cambridge Science Festival. Planning the following for the Science Festival: Urban Forestry Table w/GIS and 'Caring for our Urban Trees' focus. Container gardening workshop that will include edibles, ornamentals (things that can be grown in small spaces). A second container gardening workshop to be held in June.
    4. Sponsor two "green" speakers talk about plants, tree wells or other topics.

- **Expand Public Involvement:**

    1. Develop Junior Forester Program for school aged children. We are working on the details of the Jr. Forester program that might be promoted during Arbor Day events, Science Festival, the re-designed web and any other events that have good attendance of youth (Danehy Family Day). Also would like to focus on caring of new trees—weeding and watering.

    2. Tree tags –to be attached to trees with information on care, and identifying the person/organization/ address caring for the tree.

    3. Develop the concept of a "resident/business streetscape maintenance" campaign. Need to reach out to businesses with information on the benefits of keeping business frontages clean and weed free, along with watering newer plantings. Perhaps attach to Jr. Forester Program.

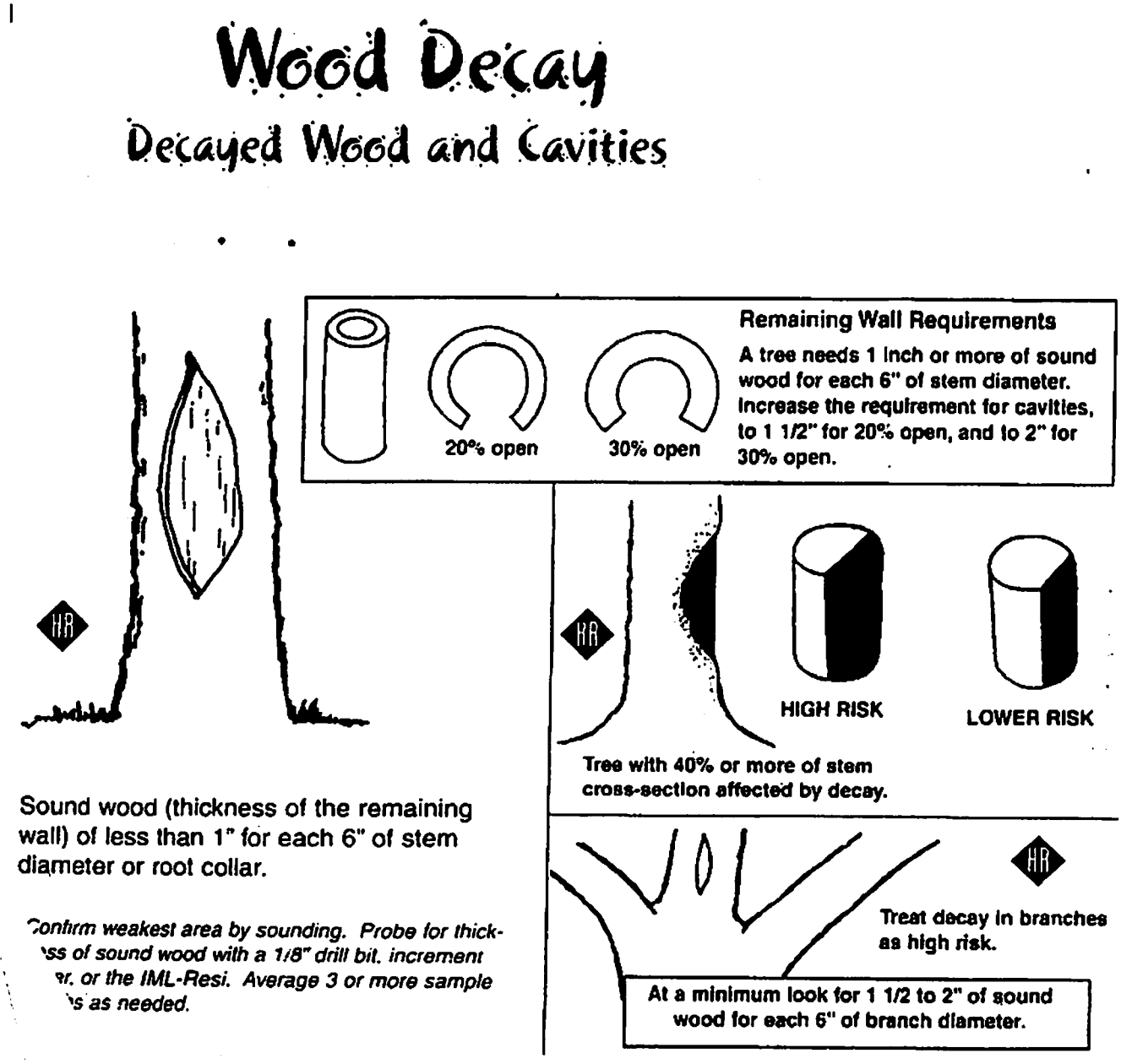
    4. Exploring Cambridge Citizen Pruner Program, with a focus on training/pruning new trees. Approximately 10 people to be trained/certified and supervised by the Arborist.

Resistograph

ATTACHMENT D

When performing a visual tree assessment, certain areas of concern may require additional evaluation. A rubber mallet can be used to sound the trunk or areas of concern for potential decay. Further evaluation of potential decay can be tested with a resistograph.

The resistograph is a tool used by arborists to help detect decay and cavities in trees. It is useful in identifying the extent of internal decay and the thickness of the outer shell. The rule of thumb for determining if a tree is a high risk for failure is for every 6" inches of decay, 1" inch of healthy, sound wood is necessary. The formula changes when dealing with cavities.

The resistograph uses a drill bit that measures the resistance of the wood and transfers the information to a graph like an EKG print out.

In situations where a resistograph can be utilized, it should not be the stand alone tool when determining if a tree should be removed. The resistograph is an additional tool in the arborist's toolbox for evaluating trees.