

Hudson Conservation Commission Tree Removal Policy

Approved March 16, 2023

Definitions

Resource Area: wetland or waterbody

No Disturb Zone: area within 25 feet of a Resource Area

Jurisdictional Area: Resource Areas, area within 200-feet of a perennial stream, and area within 100-feet of other waterbodies and wetlands

As required by state law, all work including vegetation removal within Jurisdictional Areas requires permission from the Conservation Commission. Therefore:

No trees may be cut from Jurisdictional Areas unless permission has been granted by the Commission or its agent.

Non-Hazardous Tree Removal Approval Process

If the tree is not hazardous, unhealthy, or dead, then the property owner must submit a Request for Determination of Applicability (RDA) to the Conservation Commission to request permission to remove the tree.

Hazardous Tree Removal Approval Process

If the tree is deemed hazardous to safety or to property, or if the tree is dead or dying, the Conservation Agent is authorized by the Conservation Commission to give administrative approval for tree cutting. If the Conservation Agent questions that the tree is hazardous or unhealthy, a letter from a certified arborist shall be required to establish the need to remove the tree.

Stipulations for Tree Removal

1. No heavy equipment may be taken within the No Disturb Zone .
2. Stumps of at least 2' tall must be left within the No Disturb Zone
3. The Commission encourages the homeowner to leave a 10' -15' snag (removing the tree branches and leaving a 10'-15' tall trunk of the tree) if it will not cause property damage if it falls. Snags provide excellent habitat for wildlife and are important to biodiversity.

Mitigation for Tree Removal:

(Applicants may request a waiver to mitigation due to constraining site conditions)

Trees cut in a Resource Area or in the No Disturb Zone require the following mitigation:

- Trees more than 16" in diameter: the owner shall plant a native tree sapling or two large native shrubs for each tree cut
- Trees 4 - 16 inches in diameter: the owner shall plant a native tree sapling or two large native shrubs for every 5 (or subset of 5) trees cut

A replacement planting shall:

- Be planted at least as close to the Resource Area as the closest tree that was cut;
- Be a native species;
- Have a caliper size of 1" or greater (tree saplings); or be a shrub species that grows at least 5 feet high at maturity and is at least 2 feet tall at time of planting; and
- Survive two growing seasons. The applicant/owner must describe the steps that will be taken to maintain the tree for at least 24 months after the date that it is planted. Plants that do not survive must be replaced.