

# ***GENESEE FOUNDATION TREE REMOVAL POLICIES AND PROCEDURES – revised 7/27/06***

## **POLICY FOR TREE REMOVAL ON PRIVATE PROPERTY**

It is the policy of the Genesee Foundation to preserve, protect and enhance the natural environment in our community. The conservation and protection of trees on private property is mandated by the Declaration of Covenants, Conditions and Restrictions of the Genesee Foundation. The Genesee Foundation will permit the removal of trees for specific valid reasons. The criteria used for evaluating tree removal proposals include tree/forest health, fire risk, and the aesthetic integrity of Genesee.

Felling of trees **may** be approved for the following reasons:

1. New home construction or additions of 400 square feet or larger.
2. Pest infestation.
3. Imminent danger of falling.
4. Dead or dying.
5. Reduction of fire risk or for general forest health.
  1. Sapling removal.

Because the reasons for tree removal may vary, the following procedures apply:

1. Trees to be felled for new home construction/additions fall under the jurisdiction of the Jefferson County building permit process and, in addition, the Architectural Review Committee (ARC). Any trees designated for removal must be specified in submittal documents to the ARC and marked on site by the Colorado State Forest Service in accordance with their guidelines. The ARC is responsible for approval and replacement requirements.
2. For removal of trees which are pest-infested, the following procedures apply:
  - A. Pest infested trees (three or fewer trees): Due to the risk of the spread of certain pests, infested trees must be inspected by Open Space Staff or the Maintenance Manager, and permission to remove the tree(s) may be given immediately. Prior to actual removal, the Tree Removal Form must be completed and both the owner and staff person shall sign the form. The completed form and a schematic diagram showing location of the tree must be returned to the Foundation Office for "after the fact" ARC approval. If the tree is infested with mountain pine beetle, a copy of the MPB Action Form shall be attached to the Tree Removal Form submitted to the ARC.

If appropriate, neighbors will be notified by the Genesee Foundation of the potential risk of infestation spreading towards neighboring trees.

- B. If four (4) or more trees are infested, the entire process must be followed as outlined below in the "Tree Removal Procedures".

3. A hazard tree in imminent danger of falling. The procedure is outlined below under "Tree Removal Procedures", with the exception that it is not necessary to contact the Colorado State Forest Service or in the opinion of Genesee Open Space Department, it may not be necessary to apply for ARC approval.
4. Dead or dying trees that do not pose a threat to forest health may or may not be approved for removal. The procedure is outlined below under "Tree Removal Procedures", with the exception that it is not necessary to contact the Colorado State Forest Service or in the opinion of Genesee Open Space Department, it may not be necessary to apply for ARC approval.
5. Removal of trees to reduce fire risk or for forest health shall follow the "Tree Removal Procedures" outlined below.
6. Sapling Removal Policy. Sometimes referred to as "volunteer trees", saplings or young trees of mostly ponderosa pine can be seen almost anywhere land was disturbed within the past 25 or so years. Sapling trees that measure 2 inches or less in diameter at 5 feet measured from the ground may be removed without ARC approval.

## **PROCEDURE FOR TREE REMOVAL ON PRIVATE PROPERTY**

1. Obtain a Tree Removal Form from the Foundation Office for evaluation and tree marking. Contact the Colorado State Forest Service (303-279-9757) for evaluation and tree marking. If Colorado State Forest Service is not available, you may use a professional tree company. Submit to the Foundation Office the completed form and a schematic diagram which shows property lines of the lot, an explanation of how property lines were determined, the perimeter of the residence and location of flagged trees being considered for removal. Additionally, a time frame for felling should be provided along with plans for slash removal. **For new home construction or an addition of 400 square feet or more, the Tree Removal Form should be submitted to the Foundation Office after the trees are marked by the Colorado State Forest Service.**
2. Upon receipt of completed Tree Removal Form and diagram, Office staff will forward the application to the Open Space Department to arrange for their inspection of the tree(s). Open Space staff may consult with owner if necessary and provide written comments on the application form. If removal is for imminent danger of falling or dead/dying trees, the Open Space Department has the authority to approve removal of trees by signing the Tree Removal Form. **Staff may refer submittal to ARC for approval.** See # 3 below.
3. Upon receipt of Staff comments, the application for tree removal shall be considered "received" for ARC purposes. The Foundation Office will post the property for a period of 10 days, during which time comment may be made to the ARC by neighbors. A special posting sign is provided for tree removal. After the mandatory posting period, the ARC will review the application for tree removal at its next regularly scheduled meeting. The applicant will be notified of a decision within 30 days of receipt of completed application.
4. Tree cutting and removal of debris must be completed within 1 (one) year of approval date. Applicant shall notify the Foundation in writing upon completion of the tree removal. If it is not completed within 1 (one) year, a new submittal will be required before tree removal occurs. The ARC will check the work at its next regularly scheduled meeting after notification of completion. Removal of trees and slash from the cutting will be at the owner's expense.
5. Accepted methods of tree limb and log removal on private property includes physical removal, broadcast chipping to a depth no greater than 2 inches and slash pile burning if done in association with open space forest management project.

## **POLICY FOR TREE REMOVAL ON OPEN SPACE**

The Foundation Policy is to leave trees in place on Open Space. The following conditions may necessitate tree removal:

1. Trees infected or infested with certain diseases or insects that pose a threat to surrounding trees. Removal of these trees by Foundation staff or contractors hired by the Foundation is automatic and requires no permits.
2. Thinning in high fire risk areas is completed in accordance with an approved Forest Management Plan. Areas to be thinned will be posted each year prior to the beginning of cutting to alert neighbors that felling and cutting is planned for the area. At least one posting sign will be erected at the nearest public road access to the thinning area and the community will be informed of the cutting via the Genescene. Neighbors directly affected by the cutting will be notified by letter. Application to the ARC and/or the Board is not necessary if trees are in high fire danger areas as designated by the Colorado State Forest Service.
3. Dense stands of young trees (sapling trees) may be removed by staff upon advice and approval by the Open Space Department. Trees to be removed will follow guidelines set by the Colorado State Forest Service.
4. Trees in imminent danger of falling or posing other safety hazard. Removal of these trees by Foundation staff or contractors hired by the Foundation is automatic and requires no permits.
5. Other trees may be removed from Open Space only after the Tree Removal Procedure outlined above is followed. The involvement of the Colorado State Forest Service may be waived for three (3) or fewer trees. The Applicant may be either staff or a Genesee resident. This type of submittal must also be approved by the Genesee Foundation Board of Directors.

### **Definition of a Hazard Tree on Genesee Open Space**

A hazard tree on Genesee Open Space is defined as a dead or dying tree in danger of ultimately falling on a neighboring structure, private property, county road, Genesee private drive, or a designated Genesee trail.

Dead or dying trees that don't meet the above requirements will be left as natural circumstances dictate.

If a dead or dying tree is located within an Open Space area scheduled for a prescriptive thinning, an evaluation will be made at that time to determine if it should be felled in order to meet current forest management practices.

**POLICY FOR TREE REMOVAL ON OPEN SPACE FOR PRIVATE DEFENSIBLE SPACE MANAGEMENT**

To achieve 100 feet of defensible space around a home for fire hazard reduction, resident the following guidelines shall apply:

1. The use of Open Space for achieving defensible space shall occur only in conjunction with a private property defensible space program.
2. The Colorado State Forest Service shall mark all trees on both private property and Open Space.
3. All trees marked for removal shall be removed from both private property and Open Space if Open Space is to be used as part of the overall defensible space program.
4. The 100 feet shall be measured from the edge of the structure, including decks.
5. All property lines shall be defined on the application to the ARC. This includes the owners' lot, Open Space property lines as well as any adjoining neighbors' property lines.
6. The applicant shall provide a statement that all owners with property adjoining the Open Space area have been notified and furnish a list of these affected neighbors to the ARC.
7. Both the ARC and the Genesee Foundation Board of Directors must approve the application for tree removal.
8. All associated costs of thinning on Open Space, including slash removal shall be paid by the private property owner. Any damage caused to the Open Space or private property shall be the responsibility of the private property owner.
9. The lot owner shall use a qualified contractor in the tree removal business. Evidence of liability insurance and worker's compensation insurance shall be submitted to the Foundation office **prior to** any work being started.

**PROCEDURE FOR TREE REMOVAL ON OPEN SPACE FOR PRIVATE DEFENSIBLE SPACE MANAGEMENT**

1. Contact the Colorado State Forest Service (303.279.9757) for evaluation and tree marking.
2. Complete a Tree Removal Form available from the Foundation office. The Colorado State Forest Service must also sign the form.
3. Submit the completed form to the Foundation office. Application must include completed form and a schematic diagram which shows property lines of the lot, an explanation of how property lines were determined, the perimeter of the residence and location of flagged trees being considered for removal. A list of affected property owners and a statement that they have been notified of the proposed Open Space thinning should be included. Additionally, a time frame for felling should be provided along with plans for slash removal.
4. After approval by the ARC, the complete application must be submitted to the Foundation Board of Directors for review and approval at their next regularly scheduled Board meeting.
5. After approval by the ARC and Foundation Board and before cutting is started, the Open Space Tree Removal Form shall be completed and submitted to the Foundation Office. Cutting may not begin until all items on the Open Space Tree Removal Form have been submitted and approved by a member of Foundation management.
6. Contractor specifications: Trees on both private and Open Space property shall be cut leaving stumps of 4" or less. All slash on Open Space shall be removed through the private property of the resident. Logs may be left in Open Space provided they are cut into no longer than 4 feet lengths, stacked no larger than 4 feet by 6 feet. Motorized vehicles including chippers shall not be permitted on Open Space. Contractors shall carry fire extinguishers at all times and take care not to damage other trees, vegetation or the soil. In addition, all construction regulations in the ARC Standards shall apply.
7. The Foundation Office must be notified the day prior to tree cutting in order to have a staff member oversee the cutting on Open Space.

# GENESEE

Architectural Review Committee

## TREE REMOVAL FORM

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Filing & Lot: \_\_\_\_\_ Phone: \_\_\_\_\_

Number of trees to be removed: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Reason for tree removal:

- \_\_\_\_\_ New construction
- \_\_\_\_\_ Pest infested - 4 or more trees
- \_\_\_\_\_ Reduce fire risk/general forest health - 4 or more trees
- \_\_\_\_\_ Reduce fire risk/general forest health - 3 or fewer trees
- \* \_\_\_\_\_
- \_\_\_\_\_ Pest infested - 3 or fewer trees\*
- \_\_\_\_\_ Imminent danger of falling\*
- \_\_\_\_\_ Dead or dying\*

These specific reasons require that Colorado State Forest Service (303.279.9757) be consulted first. If Colorado State Forest Service is not available, you may use a professional tree company. Jefferson County Planning & Zoning Dept. has certified individuals for fire defensible space assessment (303.271.8700).

\* Approval can be given by the Open Space Coordinator (303-526-9463)/ Maintenance Manager without consulting the Colorado State Forest Service. Imminent danger of falling or dead/dying trees may or may not require ARC approval at the discretion of the Open Space Department Staff. Go directly to #2 below.

*Application must include a schematic diagram which shows property lines of the lot, the perimeter of the residence, and the location of the **flagged trees** being considered for removal. Indicate on submittal how slash will be treated.*

Owner's Signature: \_\_\_\_\_

1. Colorado State Forest Service (303-279-9757) or Professional Tree Company inspection date:

Signature: \_\_\_\_\_

Comments: \_\_\_\_\_

2. Open Space Coordinator inspection date:

Response & Signature: \_\_\_\_\_

3. ARC review date:

Response & Signature: \_\_\_\_\_

# GENESEE

Architectural Review Committee

## OPEN SPACE TREE REMOVAL FORM

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_ Filing & Lot: \_\_\_\_\_ Phone: \_\_\_\_\_

Date of ARC Approval: \_\_\_\_\_ Date of Board Approval: \_\_\_\_\_

Estimated Date of Tree Removal on Open Space: \_\_\_\_\_

Contractor's Name and Contact: \_\_\_\_\_

Contractor's Telephone: \_\_\_\_\_

Certificate of Liability Insurance enclosed (\$1,000,000 minimum, General Aggregate)

Evidence of Worker's Compensation Insurance: \_\_\_\_\_

I agree to accept and abide by the Genesee Foundation's Tree Removal Policies and Procedures including the (1) Policy For Tree Removal on Private Property, (2) Procedure for Tree Removal on Private Property, (3) Policy for Tree Removal on Open Space, (4) Policy for Tree Removal on Open Space for Private Defensible Space Management, (5) Procedure for Tree Removal on Open Space for Private Defensible Space Management and the (6) ARC Standards.

Signed: \_\_\_\_\_ DATE: \_\_\_\_\_

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Date Received by Foundation Office: \_\_\_\_\_

Management Approval: \_\_\_\_\_

Comments: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Staff Inspection - Date and Name: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_