

Town of Lynnfield Public Shade Tree Policy

Massachusetts State Law Chapter 87 provides for the protection of public shade trees. The Lynnfield Tree Warden approves the alteration or removal of any public shade tree. Any alteration and/or removal of public shade trees requires approval in advance from the Tree Warden. The Lynnfield Tree Warden is John Tomasz, Department of Public Works, 55 Summer Street, Lynnfield. He may be contacted by phone at (781) 334-9500, or by email at jtomasz@town.lynnfield.ma.us.

The Town of Lynnfield does not remove public shade trees without cause. It does not remove public shade trees because they drop leaves or acorns, because they have grown too large, or shade too much lawn, or because they are not conveniently located. The Town removes public shade trees that are determined to be hazardous.

In the context of state law, a “hazard tree” poses a threat to persons and/or property. As defined by the International Society of Arboriculture (ISA), a hazard tree **MUST** meet three (3) criteria:

1. The tree is sufficiently large enough to cause damage should it fall;
2. The tree has a target that would be damaged should it fall;
3. The tree has a condition that would make it likely to fall.

The removal of a healthy or non-hazardous public shade tree requires an advertised public hearing. If a public shade tree is deemed by the Tree Warden to be an immediate hazard to the public, a hearing is not required. In all circumstances, a public shade tree cannot be removed without prior approval of the Tree Warden.

The Tree Warden will promptly review requests for tree removal. In many cases, a public shade tree may be developing a condition that would ultimately make it a hazard, but not imminently. The removal of such trees requires a public hearing as prescribed by state law. In some cases, the entire tree may not be hazardous, but some maintenance work may be required. The work request will be entered

into the Tree Warden's work order system, and the work will be scheduled within the Tree Warden's priorities and budget.

Please note that April 2015 Town Meeting approved a Scenic Roads Bylaw which pertains to Chestnut, Essex, Lowell, Main and Summer streets. This bylaw stipulates further protection of the public way along these 5 designated streets, covering trees, stone walls and other protected elements. Property owners must receive prior approval from the Lynnfield Town Engineer before undertaking any work in the public way along these streets. All details pertaining to the Scenic Roads Bylaw can be found on the Town of Lynnfield website at:

https://www.town.lynnfield.ma.us/sites/lynnfieldma/files/uploads/scenic_roads_bylaw_and_faq_for_web_0.pdf

To assist the public, below are helpful materials related to the protection and care of trees, including Frequently Asked Questions (FAQ's) concerning public shade trees:

- Process for altering or removal of public shade trees
- Application – Altering or removal of Public Shade Trees
- Frequently Asked Questions (FAQ's) – Public Shade Trees
- Approved Tree Listing – Public shade Tree policy (April 2017)
- Helpful information – “Planting Balled and Burlapped Trees and Shrubs”
- Helpful information – “Planting Container Trees”
- Helpful information – “Proper Mulching 101”