

IV.6. Town Tree Removals and Replacement

Whereas, Town Trees provide ecosystem services and are integral to the infrastructure and aesthetic character of Andover they shall be: preserved whenever possible; maintained for health, longevity, and public safety; replaced where necessary with tree specimens that are selected, sited, and planted according to best professional practices.

A Town Tree is defined as any tree within a public park, open space, public way or other town owned land under the jurisdiction of the Select Board.

Now therefore, the Andover Select Board hereby establishes the following policy regarding the removal and replacement of Town Trees, excluding conservation lands, which shall be overseen by the Town of Andover Conservation Commission, and lands under the control of the Andover School Department.

1. Shade Tree removal is governed by MGL, Chapter 87 the MA Shade Tree Act.
 - a) In addition to the notice provisions of Chapter 87, Section 3, the owners of property where any portion of which is within fifty (50) feet of the tree proposed for removal (abutters) shall receive written notice of the public hearing under Chapter 87, Section 3 at least 7 days before the hearing. This shall not apply to removal of trees authorized under Section 5 of Chapter 87 or other lawful authority.
2. The Town shall include in the removal process: grinding stumps below grade, filling with good quality topsoil and sowing lawn grass or native plant seeds, as determined by the tree warden
3. An abutter or abutters of a Town tree proposed for removal will receive written notice from the Town that they may petition the Director of Public Works, or designee, in writing, to replace the tree as follows:
 - a) The Tree Warden shall prioritize tree health and longevity, and determine the tree species that will be ecologically, functionally, and aesthetically best suited for the location. The replacement tree location shall not interfere with buried utilities or public safety, will minimize root damage to streets and sidewalks, will not become a nuisance and careful consideration shall be undertaken for the location of trees near overhead utility lines, roadways and sidewalks. The replacement tree shall be planted at the Town's expense within a reasonable length of time, not to exceed two (2) years.
 - b) In the event of a disagreement between the abutter(s) and the Tree Warden, the Tree Warden shall have the final decision on the species, size and location of the new tree and, if any abutter opposes replacement, whether the removed tree should be replaced.
 - c) The replacement tree shall be selected, procured, sited, planted and established by the Tree Warden according to best professional practices.
 - d) Native tree species shall be given first priority for selection, however there are circumstances in which non-natives may be better suited for the specific site conditions. Invasive species shall not be planted.
 - e) The Tree Warden shall notify the abutter(s) about best professional practices for establishing a replacement tree and shall request assistance from the abutter(s) including, but not limited to, proper watering, trunk protection, and keeping mulch away from the trunk flare.

- f) The Tree Warden shall monitor the replacement tree for at least two (2) years to confirm establishment. When successfully established, the tree shall be incorporated into the Town's inventory, maintenance, and management plan for Town Trees.
4. The Town of Andover Department of Public Works will replace a Town Tree that has been removed within two years.
5. The Town shall establish a Town of Andover Tree Replacement Gift Account for the purpose of accepting funds to be used for replacing Town Trees that have been removed.
6. This policy will not apply to reconstructed streets that will require new trees as part of the overall plan for construction.
7. The Town Manager shall appoint the Town Tree Committee, with approval of the Select Board, within six (6) months of the policy being approved. The Town Tree Committee shall:
 - a) Be tasked, among other duties, with developing a Town Tree Bylaw for presentation to the Select Board and Town Meeting within two (2) years of appointment.
 - b) Include a member of the Andover Green Advisory Board, the Andover Village Improvement Society (AVIS), Andover Conservation Division staff, the Town of Andover Tree Warden, the Director of Public Works or designee, a representative of the Town Manager's Office, and three residents at large.
 - c) Periodically report to the Select Board on any recommendations to amend, replace, or incorporate this policy as per the Town Tree Committee.