

# Preserving the Canopy – Tree Regulation and Services

*From the Town of Chevy Chase Environment Committee*

The leafy mature tree canopy in our town is one of our choicest assets. The presence of over 100 tree species adds beauty, color, and splendor to our daily experience and contributes greatly to our community pride. Our trees also protect our environment in many ways – fighting global warming through the absorption of carbon dioxide and the production of oxygen, improving water quality by reducing soil erosion and storm water runoff, and providing food and shelter for innumerable plant and animal species. Furthermore, we appreciate the practical benefits of our trees -- how they muffle traffic noise from our adjacent highways, provide cooling shade, and reduce our energy bills.



Over the past year, through a citizen-driven process, our town government has strengthened its commitment to protecting our cherished tree canopy. In July 2006, the Town Council adopted a Strategic Plan, which includes the explicit goal of *preserving and expanding our tree canopy*. To this end, the Town Office has been administering a stringent tree ordinance (in effect since February 2006) and offering other services to promote healthy and long-living trees.

How much do you know about the Town’s program to protect our tree canopy? For example, you may ask:

## **Do I need a permit to remove a tree on my property?**

Yes you do, if your tree is a “canopy tree.” A canopy tree is any tree with a trunk measuring 24 inches in circumference or larger measured at 4½ feet above the ground (if a tree divides into branches at less than 4½ feet, the trunk is measured immediately below the dividing point). Twenty-four inches around isn’t very big – about the size of a 10-year-old child’s waist! This rule applies whether you wish to remove a tree for aesthetic or safety reasons or in connection with a construction project, and it is separate from any other permits you might need for other activities on your property. The permit application is available in the Town Office or on the website at [www.townofchevyhchase.org](http://www.townofchevyhchase.org).

## **What are sufficient grounds for removing a canopy tree?**

The tree must be (1) dying, dead, or in danger of falling; (2) hazardous to the safety of people or property; or (3) a “nuisance tree” on the Town’s list of undesirable tree species (available with the permit application). Otherwise, the permit will be denied by the Town Manager. (Denials may be appealed to the Tree Ordinance Board.)

## **I’m planning a construction project, but it won’t require removing any trees. Am I in the clear?**

No! Before starting any projects that might pose a risk to any canopy tree on your property, a neighbor’s property, or the Town right-of-way, you must file a *Tree Protection Plan* for review and approval by the Town Manager. (It’s the responsibility of the homeowner to determine if an activity poses a risk to any canopy tree. The Town arborist can help with this.) The tree protection plan must delineate tree root protection areas and other measures to be taken to ensure the safety and survivability of affected canopy trees. Check the Town website under “Tree Protection and Removal” for a list of what must be included in the Plan.

## **What kinds of construction projects might require a Tree Protection Plan?**

Tear-downs, new construction, and additions/renovations, but also landscaping work (such as construction of driveways, walls, patios, or re-grading) might put canopy trees at risk. When evaluating whether a construction project will put a canopy tree at risk, you should consider potential “invisible” damage to a tree’s shallow root system caused by the operation of heavy construction equipment. In that instance, a tree protection plan may entail something as simple as routing construction equipment around a tree’s root system.

**Can I get my Town building permit and begin my construction project prior to filing my Tree Protection Plan?**

No! If canopy trees are at risk, you must file your tree protection plan *before* your building permit will be issued. No construction or demolition can begin on your property until an approved tree protection plan has been implemented. Once construction begins, the Town Manager will oversee compliance with the plan and has the power to issue a stop work order if the plan is not being followed.

**My next-door-neighbor is doing a construction project that may damage a tree on my property. How can I find out whether he's made any plans to protect my tree?**

Your neighbor must provide you and all other adjacent and confronting properties with a copy of his tree protection plan even before he submits it to the Town Manager. If you suspect that one of your neighbors is violating any of the tree protection requirements discussed in this article, please report your concern to the Town Office.

**Can the Town help me to determine if my trees are in good health?**

Yes! The Town Arborist can evaluate your trees free of charge. Even aside from inspecting specific trees on your property in connection with a tree removal permit or a tree protection plan, the services of the arborist are also available to any resident on a biannual basis. The arborist's visit to your property will be followed by a detailed written report with recommendations for pruning, removal, and/or pest management.

**Can I request that a tree be planted along the street in front of my house?**

Yes. Each year the Town plants approximately 80 street trees. Just submit a tree planting request form (available in the Town Office). All requests will be reviewed for fall and spring plantings.

By observing these policies, we can support the lives of our mature trees and provide a bright future for our younger ones. If you have any more questions about the Town's tree protection services, please contact Dave Walton in the Town Office, (301) 654-7144, or email to [dwalton@townofchevy Chase.org](mailto:dwalton@townofchevy Chase.org). The full text of the tree ordinance and other pertinent information is available on the Town website at [www.townofchevy Chase.org](http://www.townofchevy Chase.org).

***Quick Guide to the Town's Tree Protection Program***

- *To remove a canopy tree\* ...you must have an approved tree removal permit.*
- *To obtain a building permit for a project that may endanger a canopy tree\*... you must have a Tree Protection Plan approved by the Town Manager.*
- *To obtain approval for a landscaping project that may endanger a canopy tree\*... you must have a Tree Protection Plan approved by the Town Manager.*
- *To determine if you need a tree removal permit or a tree protection plan... request a free assessment from the Town Arborist.*
- *For advice on keeping your trees healthy and thriving... request a free evaluation from the Town Arborist.*
- *To find a permit application and more information on tree protection... go to [www.townofchevy Chase.org](http://www.townofchevy Chase.org).*
- *To request a new street tree... submit a request form to the Town Office.*

*\*A canopy tree is any tree with a trunk measuring 24 inches in circumference or larger, measured at 4 1/2 feet above the ground. If a tree divides into branches at less than 4 1/2 feet, the trunk is measured immediately below the dividing point.*