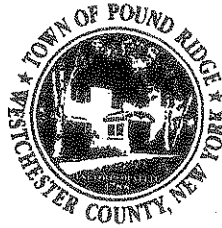


# Town of Pound Ridge

Gary David Warshauer  
Supervisor

Tel.: 914-764-5511  
Fax: 914-764-0102

Jonathan G. Powers  
Deputy Supervisor



Town Council  
Alison Y. Boak  
Peter J. Falco  
Richard B. Lyman  
Daniel S. Paschkes

## AGENDA TOWN BOARD MEETING

**Meeting Date:** Thursday, May 10, 2012  
**Meeting Time:** 8:00 PM

Town House, 179 Westchester Avenue  
Pound Ridge, New York 10576-1743

### CALL TO ORDER:

### CALL FOR EXECUTIVE SESSION:

### ANNOUNCEMENTS:

**MINUTES:** Acknowledge/correct/accept minutes of the Town Board Work Session held on April 12<sup>th</sup>.

### PUBLIC HEARINGS:

- Proposed amendment to add "No Knock Registry" to the Peddler and Solicitors Law.
- Proposed Amendment to increase the Cold War Veterans' exemption.
- Proposed Amendment to NYS Law Section 18, Chapter 104 regarding the residency requirement for a Part Time Patrolman.

### NEW BUSINESS:

- Sustainability Task Force – consider adoption of the "Partnership Pact Resolution" and institute the Energize Pound Ridge Program.
- Tree Ordinance – discuss proposed amendments recommended by the Conservation Board.
- Recreation Department - approval of summer staff's pay rates.
- Police Department – request to purchase a copier and accept a grant to cover the full cost and maintenance for 3 years.
- Highway Department – Request adoption of an Intermunicipal Agreement with the Town of Lewisboro for a Shared Highway Vehicle.
- Award Bid for 2012 Refuse Collection.
- Resolution of Standard Work Day for Elected and Appointed Officials.
- Planning Board – recommendation to release \$25,000 of the construction bond for U.S. Summit / Eastwoods, LLC.
- Maggie May's Yogurt establishment – requesting approval of Outdoor Seating Seasonal Use Permit.

- The Lions Club – requesting authorization to erect a banner for the 50<sup>th</sup> Anniversary celebration.
- Review 2011 MS-4 Report.
- Meeting Date Modifications - June 8 at 9:30 am - Special Town Board Meeting added to pay bills and meeting moved to June 21.
  - June 14 Town Bo and approve 2012 insurance policy.

**FINANCIAL MATTERS:**

- Monthly Reports.
- Pay Bills.

**ADJOURNMENT:**

## **NOTICE OF PUBLIC HEARING**

**Notice is hereby given that the Town Board of the Town of Pound Ridge will hold a Public Hearing on Thursday, May 10, 2012 at the Town House, 179 Westchester Avenue, Pound Ridge, NY, commencing at 8:00 p.m. to consider and act upon a local law amending Local Law 2-1969 Peddlers & Solicitors by adding Chapter 78-13 a "Do Not Knock" registry.**

**At the hearing anyone desiring to be heard shall be heard.**

**By order of the Town Board  
Town of Pound Ridge  
Joanne Pace, Town Clerk  
Dated at Pound Ridge, NY  
April 27, 2012**

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(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF POUND RIDGE

LOCAL LAW NO. 4 OF THE YEAR 2012

Be it enacted by the Town Board of the Town of Pound Ridge that the following section be added to existing Peddlers and Solicitors Law:

**§78-13 “Do Not Knock” Registry**

- A. Any owner or occupant of property located in the Town who wishes to prohibit soliciting on the premises shall complete a form available in the Town Clerk’s office and on the Town’s website. The completion of the form will allow the owner/occupant’s premises to be included on a list of properties that do not permit solicitation (herein referred to as the “Do Not Knock Registry” or “Registry”).
- B. In order to be removed from the Registry, the owner and/or occupant must complete a form indicating that he/she does not want his/her property to be included on the Registry.
- C. Any owner and/or occupant who has requested enlistment on the Do Not Knock Registry, pursuant to this chapter shall be able to purchase from the Town, for a nominal fee, a sticker or sign for display indicating enlistment on the Do Not Knock Registry.
- D. All solicitors shall obtain the current Do Not Knock Registry at the time of issuance of a permit or at the time of registration to solicit pursuant to the provisions of this Chapter.
- E. Solicitors shall not solicit at any premises identified on the then current Do Not Knock Registry.
- F. It shall be the responsibility of the solicitor to check each residence for the presence of such signage and to obtain updated copies of the Registry.

**§78-14 Unwanted Solicitations Prohibited**

- A. It is unlawful for any person to go upon, ring the bell, knock on the door of or attempt to gain admission to the premises of any residence, dwelling or apartment in the Town where the owner, adult occupant or other person in control thereof has expressed his

objecting to such activity either by explicit instructions, oral or written, or by posting a sticker or sign indicating the location is listed on the Town's Do Not Knock Registry pursuant to Section 78-13, or by posting a sign or decal bearing the words "No Solicitation" or words of similar import such as: "No Solicitors", "No Solicitation", "No Soliciting", "No Peddlers", or "No Trespassing", provided the signage has letters at least one (1) inch in height, and is posted conspicuously so that it can be seen by persons approaching the front entry of the residence or at the front doorway, or by persons assisting a solicitor who has such a visual impairment as to be unable to see the sign.

- B. Activities related to a service requested by the owner or occupant of the property and undertaken in the ordinary course of business, including but not limited to deliveries of utility notices, telephone directory deliveries, regular newspaper deliveries, work order notices and service inquiries, are presumed to be requested or invited for the purpose of this Section.
- C. Nothing in this Section shall be construed to prohibit the distribution of leaflets, pamphlets or other literature such as commercial, political or religious material distributed in a lawful manner.

**§78-15 Severability**

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder thereof.

### **NOTICE OF PUBLIC HEARING**

**Notice is hereby given that the Town Board of the Town of Pound Ridge will hold a Public Hearing on Thursday, May 10, 2012, at The Town House, 179 Westchester Avenue, Pound Ridge, NY, commencing at 8:00 p.m. to consider and act upon the Westchester County Board of Legislators recommendation to adopt a local law amending Chapter 92-Taxation, Article 1, Section 92-1.4 Cold War Veterans changing the limitations.**

**By order of the Town Board  
Town of Pound Ridge  
Joanne Pace, Town Clerk  
Dated at Pound Ridge, NY  
April 27, 2012**

---

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TOWN OF POUND RIDGE

LOCAL LAW NO. 3 OF THE YEAR 2012

A local law to amend the Code of the Town of Pound Ridge, Chapter 92 entitled "Taxation".

Be it enacted by the Town Board of the Town of Pound Ridge that the following section of the Cold War Veterans Exemption be modified as outlined herein:

**§92-1.4 Cold War Veterans exemption.**

C. Exemption Granted; Limitations:

- (1) Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided however, that such exemption shall not exceed \$54,000 or the product of \$54,000 multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- (2) In addition to the exemption provided by Subsection C(1) of this section, where the Cold War veteran received a compensation rating from the United States Veterans' Affairs or from the United States Department of Defense because of a service-related disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by 50% of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed \$180,000 or the product of \$180,000 multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

## **NOTICE OF PUBLIC HEARING**

**Notice is hereby given that the Town Board of the Town of Pound Ridge will hold a Public Hearing on Thursday, May 10, 2012 at the Town House, 179 Westchester Avenue, Pound Ridge, NY, commencing at 8:00 p.m. to consider and act upon the adoption of a local law to modify Section 18 of the Town Law of the State of New York, Chapter 104 and Chapter 21 of the Local Law of the Town of Pound Ridge, Article 1 of the Public Officers Law to waive the residency requirement for part time police officers.**

**At the hearing anyone desiring to be heard shall be heard.**

**By order of the Town Board  
Town of Pound Ridge  
Joanne Pace, Town Clerk  
Dated at Pound Ridge, NY  
April 27, 2012**



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(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF POUND RIDGE

LOCAL LAW NO. 2 OF THE YEAR 2012

**Section 1. Purpose.**

It is the purpose of this Local Law to modify the requirements of Section 18 of the Laws of New York (1936), Chapter 104 entitled An Act Providing for the Establishment, Organization and Operation of Police Departments in the Towns of Westchester County. Section 18 entitled Part-Time Patrolmen which provides in part that such part-time patrolmen at the time of appointment must be a resident of such Town.

**Section 2. Authority.**

This Local Law is enacted pursuant to the provisions of Section 10 of the Municipal Home Rule Law.

**Section 3. Title.**

A Local Law to repeal the residency requirements for part-time patrolmen in the Town of Pound Ridge.

**Section 4. Resident Restrictions for Part-Time Patrolmen.**

In the Town of Pound Ridge, Westchester County, part-time patrolmen at the time of appointment need not be a resident of such Town.

**Section 5. Effective Date:**

This Local Law shall take effect upon filing with the State of New York.

## Energize Partnership Pact Resolution

WHEREAS, the Town of Bedford, as lead municipality, and the Northern Westchester Energy Action Consortium, as inter-municipal partner with Bedford, have been awarded significant funding by both NYSERDA and the US Department of Energy to build an effective residential energy efficiency program that uses the high quality standards of the state's Home Performance program combined with activation of local trusted sources for word-of-mouth outreach; and

WHEREAS, the Pound Ridge Town Board wishes to participate in the Energize Northern Westchester Program currently being piloted in the Town of Bedford, in order to extend the benefits of this residential energy efficiency program to the residents throughout the Town of Pound Ridge and

WHEREAS, the Energize Program requires local community participation in order to maximize the outreach in driving demand for energy upgrades of homes; and

WHEREAS, the Energize Program makes a robust toolkit of resources, including staff and print and online materials, available to Consortium member municipalities that agree to undertake the Energize Program; and

WHEREAS, eligibility for participation is predicated upon the Consortium member municipality's adoption of the Energize Partnership Pact;

NOW, THEREFORE BE IT RESOLVED: that the Town Board of the Town of Pound Ridge hereby adopts the Energize Partnership Pact, which states as follows:

Energize and the Town of Pound Ridge will work together to identify the key community resources, to wit, a Municipal Energize Liaison, Energize Champions, and Local Trusted Sources, to support the short and long term success of the Energize Town of Pound Ridge Program.

BE IT FURTHER RESOLVED: The POUND RIDGE TOWN BOARD authorizes Gary Warshauer, Supervisor to appoint a Municipal Energize Liaison or Liaisons from among municipal staff or civic volunteers, with the understanding that the Liaison/s will serve as the chief point of contact between the Energize staff and the Town of Pound Ridge and its residents and civic associations and groups interesting in promoting residential energy efficiency; and

BE IT FURTHER RESOLVED: The Liaison will work with the Energize staff to identify Energize Champions, who typically will be homeowners in the community who have already undergone a Home Performance energy assessment and implemented energy upgrade to achieve savings, and whose role will be to assist the Liaison in identifying local civic groups, both formal and informal, also known as Local Trusted Sources, whose members may be interested in learning about residential energy efficiency; and

BE IT FURTHER RESOLVED: The Liaison and local Champions will collaborate with the Energize staff in opening doors with civic groups for presentations about the Energize Program information, and any other outreach methods that the Municipal Liaison, Champions, and Local Trusted Sources may find effective in tailoring the Energize Program to this municipality.

TREES

Chapter 93

TREES

ARTICLE 1

Tree Preservation

- § 93-1. Findings.
- § 93-2. Definitions.
- § 93-3. Administration and enforcement.
- § 93-4. Tree removal permit.
- § 93-5. Permit application.
- § 93-6. Conditions for granting permit.
- § 93-7. Fees.
- § 93-8. Penalties for offenses.
- § 93-9. Appeals.

Appendix A: Protected Trees

Appendix B: Invasive Tree Species

Appendix C: Tree Spacing Determination

§ 93-1

## POUND RIDGE CODE

§ 93-2

## ARTICLE 1

## Tree Preservation

[Adopted 1-18-1990 as L.L. No. 1-1990]

**§ 93-1. Findings.**

A.

The Town Board finds it has been established that trees stabilize the soil and control water pollution by preventing soil erosion and flooding, reduce air pollution, provide oxygen, yield advantageous microclimatic effects, temper noise, provide a natural habitat for the wildlife of the Town and further, that unusual, large and old trees, especially protected, specimen and native species, have unique visual, aesthetic and historic values. Indiscriminate removal of trees causes deprivation of these benefits and disrupts the town's ecological systems. It is, therefore, the purpose of this chapter to prevent the indiscriminate or unnecessary destruction of trees within the Town of Pound Ridge.

B.

Since the Tree Code was adopted in 1990, environmental science has identified invasive tree species which are non-native to the local environment and dominate to the exclusion of native and naturalized trees. These invasive tree species have been identified by the New York State Office of Invasive Species (April 13, 2011.)

C.

The Town, furthermore, takes note of the findings of the New York State Environmental-Quality Review Act, among them being the obligation of the Town to serve as a steward of air, water, land and living resources and the obligation to protect the environment for the use of this and further generations. It is the intent of the Town to recognize these responsibilities in part by providing these procedures as well as to preserve the public health and welfare and rural character of the community which is reflected in the woodlands of the Town of Pound Ridge.

**§ 93-2. Definitions.**

As used in this Article, the following terms shall have the meanings indicated:

**TREE**

A living woody plant with an erect perennial trunk six (6) inches or more diameter at breast height (dbh) with a definitely formed crown of foliage.

**CLEAR-CUTTING**

The cutting of more than one half (1/2) of the existing trees in an area of one acre per parcel over the period of five (5) consecutive years.

**DBH (DIAMETER AT BREAST HEIGHT)**

The diameter of a tree measured at a point 4 1/2 feet above the ground measured in inches.

**INVASIVE TREE SPECIES**

A species of tree that is non native to New York State and whose introduction has been known to cause or is likely to cause economic or environmental harm or harm to human health.

**PROTECTED TREE**

Any living tree species designated by the New York State ~~Development~~ Department of Environmental Conservation as endangered, threatened, rare or vulnerable in the New York Natural Heritage Program: New York Rare Plant Status List or any living tree species designated by the Town because of its uniqueness or vulnerability in the wild as a result of environmental stress. A list of protected tree species appears in Appendix A.

**SPECIMEN TREE**

A living woody plant with an erect perennial trunk 24 inches or more dbh, and exclusive of invasive tree species. A list of invasive tree species appears in Appendix B.

**SUBDIVIDABLE ACREAGE**

Acreage that is two or more times the minimum lot size required within the applicable zoning district (i.e., two or more acres in a one-acre zone, four or more acres in a two-acre zone and six or more acres in a three-acre zone).

**TREE CUTTING and TREE REMOVAL**

Terms used throughout and interchangeably to mean the destruction of a living tree.

**§ 93-3. Administration and Enforcement.**

- A. The Town Board designates the Building Inspector to administer and enforce this Tree Ordinance.
- B. The Building Inspector shall perform the following duties:
  - (1) Receive and keep accurate records of tree removal permit applications.
  - (2) Inspect the trees described in each application.
  - (3) Determine the disposition of the application based on the standards for granting permits described in § 93-4C.
  - (4) Carry out such other duties as pertains to this Tree Ordinance as may be assigned from time to time by the Town Board.

**§ 93-4. Tree Removal permit**

A. **General regulations.** A tree removal permit will be required before:

- (1) Removing, cutting or causing injury to living trees 6" dbh or greater growing on slopes over twenty five percent (25%) fifteen percent (15%), including the ridgelines when two rising slopes meet forming a narrow hilltop.
- (2) Removing, cutting or causing injury to any specimen tree 24" dbh or greater or protected tree regardless of size anywhere on the property.
- (3) Removing, cutting or causing injury to any living trees 6" dbh or greater within 25 feet of any property line.
- (4) Removing, cutting or causing injury to living trees 6" dbh or greater growing on designated wetland setbacks (see §93- 4D (4).)
- (5) Clear-cutting.
- (6) On sub-dividable acreage, removing, cutting, or causing injury to living trees 12" dbh or greater anywhere on the property.

B. **Exceptions.** Regulated trees may be removed as may be necessary:

- (1) To maintain Town, County, state or utility right-of-way or to control forest fires by the public agency with appropriate jurisdiction. Two weeks' prior notification of tree removal and highway maintenance activities within the Town roads right-of-way should be given to the Conservation Board.
- (2) If the presence of the tree endangers the public, the person or the property of the owner or of an adjoining owner.
- (3) If the tree is dead.

C. **Standards for the granting of permits.** The granting of a tree removal permit by the Building Inspector shall be based on the following criteria:

- (1) The tree is diseased, is in poor physical condition or is an invasive tree species which threatens the health of other trees environment.
- (2) The proximity of trees to existing or proposed improvements if located:
  - (a) Within 15 feet "striking distance" of a foundation wall, or inground swimming pool, or tennis court.

(b) Within ~~three~~ five feet of a sidewalk, ~~or~~ driveway, or driveway/roadway intersection.

(c) Within 10 feet of leaching fields, other leaching devices, dry well, septic tank or other subsurface improvement.

~~(d)~~  
~~Within five feet of a driveway/roadway intersection.~~

~~(e)~~  
Within related residential improvements such as lawns and tennis courts.

(3)

The effect of the removal on the ecological systems, including the erosion potential of the property.

(4)

The effect of removal on the area as determined by accepted tree management practices, such as appropriate thinning to promote proper crown development (see Appendix C), the removal of invasive tree species, and the maintenance or improvement in the mix of age and species of tree.

(5)

The effect of the removal on the property values and aesthetics of the neighborhood.

(6)

The effect of the removal on the solar access of existing or proposed structures on the property.

~~(7)~~

~~The presence of the tree causes hardship~~

**D. Other permits deemed tree removal permits.**

(1)

Where tree removal is proposed in connection with any site plan or subdivision application submitted or to be submitted to the Planning Board for approval, trees shall be removed from the affected property only in conjunction with the final field inspection of the proposed subdivision and right-of-way as stipulated in § A117-33 of the Land Subdivision Regulations.

The Planning Board shall apply the same criteria and procedures set forth herein for tree permits granted by the Building Inspector.

(2)

Commercial District site plans approved by the Planning Board showing trees to be removed and trees to be preserved shall be deemed a tree removal permit for the removal of trees so designated.

(3)

Administrative permit granted under the freshwater wetlands activity permit issued by the Building Inspector shall be deemed a tree removal permit for the removal of trees so designated.

(4) Wetlands activity permit issued by the Water Control Commission shall be deemed a tree removal permit for the removal of trees explicitly designated to be removed on plans approved by the Water Control Commission for which a wetlands activity permit has been issued.

(5) Logging operations permits granted by the Town Board shall be deemed a tree removal permit.

#### § 93-5. Permit Application

A. The applicant shall file three copies of the tree removal permit application with the Building Inspector. The application shall include the following information:

(1) Name and address of applicant

(2) Address and Town Tax Map designation of the property on which the tree(s) is/are located.

(3) Total land area of the parcel and total land area involved in cutting operations.

(4) The number, size and species of trees to be removed.

(5) The purpose of the tree removal.

(6) In the case of site plans and subdivisions, the tree survey shall be submitted to the Planning Board as a part of the site plan or subdivision construction plans. A survey of that section to be disturbed and the adjacent twenty-five-foot perimeter not to be disturbed showing the location of all trees regulated herein to an accuracy of one foot, indicating those trees to be cut and those to be preserved, their species and their diameter.

(7) Where no subdivision or site plan is involved, the survey requirement may be eliminated and a simple sketch drawn by the applicant may be substituted for Subsection A6 above. This sketch should include the location of the trees requested for removal in relation to the property's benchmarks and other information as may be necessary.

(8) Any additional information as may be required by the approving agency.

B. A permit shall be granted or denied within 15 business days after the receipt of all required information.



**§ 93-6. Conditions for granting a permit**

The Building Inspector may, as a condition of granting a permit:

- A.  
Require the reasonable relocation of proposed foundation walls, driveways, surface and subsurface improvements or drainage systems to preserve specific trees.
- B.  
Regulate the days and hours of operation.
- C.  
Require a performance bond to ensure compliance with this Article.
- D.  
Require that each tree approved to be cut or removed has been marked.
- E.  
Require such safeguards and guidelines as appropriate to minimize the environmental impact of such removal operations. When appropriate, requirements may include safeguards and guidelines as recommended in Standard 12 of the Westchester County: Best Management Practices for Construction Activities and/or as recommended by the New York State Department of Environmental Conservation State Forester, environmental consultant, arborist or landscape architect.

**§ 93-7. Fees.**

A tree removal permit application for tree removal shall be accompanied by a fee to be determined by the Town Board and set in the fee schedule, except when the applicant is the Town of Pound Ridge.

**§ 93-8. Penalties for offenses**

Any person, firm or corporation violating any of the provisions of this chapter shall be guilty of an offense, which shall be punishable by a fine of not more than ~~two hundred fifty dollars (\$250)~~ five hundred dollars (\$500) for each and every regulated tree removed, cut down or damaged, by a direction of the Building Inspector, directing a violator to replace any trees removed or damaged with native and/or non invasive nursery stock trees, as specified by the Building Inspector in consultation with the Conservation Board and planted within a specified time and with a guarantee that said trees shall be maintained in a healthy living condition for a minimum of two years, or by all of the above. Where such a direction is made, no building permit, certificate of occupancy or certificate of compliance shall be issued until such replacement has been completed.

**§ 93-9. Appeals.**

Any applicant aggrieved or affected by the determination of the Building Inspector shall have the right, within 10 days from the date of action by the Building Inspector to appeal to the Zoning Board of Appeals and shall state the reason for the appeal. The Zoning Board of Appeals shall render a decision on the appeal within 60 days following the close of a public hearing.

## TREES

### APPENDIX A

#### PROTECTED TREES

Protected trees identified as endangered (E), threatened (T), rare (R), or vulnerable in the New York Natural Heritage Programs: New York Rare Plant Status List, February 1989, defined in regulation 6 NYCRR 193.3, New York State Environmental Conservation Law ~ 9-1503 (amended 5-22-1989):

<b>Scientific Name</b>	<b>Common Name</b>
<i>Chamaecyparis thyoides</i>	Atlantic White Cedar (R)
<i>Diospyro virginiana</i>	Persimmon (R)
<i>Gymnocladus dioica</i>	Kentucky Coffee Tree (R)
<i>Malus glaucescens</i>	American Crab (R)
<i>Pinus echinata</i>	Shortleaf Pine
<i>Pinus virginiana</i>	Virginia Pine (E)
<i>Populus heterophylla</i>	Swamp Cottonwood (T)
<i>Quercus marilandica</i>	Blackjack Oak (R)
<i>Quercus phellos</i>	Willow Oak (E)

#### Locally designated protected trees:

<b>Scientific Name</b>	<b>Common Name</b>
<i>Castanea dentata</i>	American Chestnut (6 or more inches dbh)
<i>Juglans nigra</i>	Black Walnut (6 or more inches dbh)
<i>Ulmus americana</i>	American Elm (6 or more inches dbh)

## TREES

### APPENDIX B

#### INVASIVE TREE SPECIES

Invasive tree species are non-native to New York State and whose introduction causes or is likely to cause economic or environmental harm or harm to human health. The following invasive tree species are identified by the New York Office of Invasive Species (April 13, 2010)

<u>Scientific Name</u>	<u>Common Name</u>
<i>Acer Platanoides</i>	Norway Maple
<i>Acer pseudoplatanus</i>	Sycamore Maple
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Aralia elata</i>	Japanese Angelica Tree
<i>Paulownia tomentosa</i>	Princess Tree
<i>Phellodendron amurense</i> , <i>P. Japonicum</i>	Amur Cork Tree
<i>Robinia pseudoacacia</i>	Black Locust
<i>Vitex rotundiflora</i>	Beech vitex, Roundleaf, Chastetree

## TREES

### APPENDIX C

#### TREE SPACING DETERMINATION

Space between dominant trees can be determined by averaging their dbh and adding six, the resultant being the advisable space in feet. For example, a twelve-inch dbh tree and a twenty-two-inch dbh tree should be 23 feet apart.

Tree A:	12dbh
Tree B:	22dbh
Sum:	34
Average:	$34/2 = 17$
Add	+ 6
Distance Apart:	23 feet

## Highlights of the Tree Code

The purpose of the Tree Code is to preserve the historic character and the present environment of Pound Ridge by protecting the tree cover from indiscriminate destruction. The Code requires a permit for the removal of *certain size* trees on *certain areas* of a homeowner's property. A permit is also required for the removal of *certain species* of trees, and there is a blanket prohibition against clear cutting of any kind without a permit.

The Code requires a homeowner to obtain a permit from the Building Department if considering the removal of a tree or trees as follows:

### **TREES 6 INCHES IN DIAMETER OR LARGER:**

1. within 25 feet of the property line
2. slopes greater than 15 percent
3. in designated wetland setbacks

### **TREES 12 INCHES IN DIAMETER OR LARGER:**

1. if they are anywhere on a property that can be subdivided

### **TREES 24 INCHES IN DIAMETER OR LARGER:**

1. are designated "specimen trees" because of their size, anywhere on the property

**PROTECTED TREES:** There is a list of 12 endangered, rare, or threatened trees in the Code's Appendix. A permit is required to remove them regardless of size or location on the property.

**INVASIVE TREE SPECIES:** There is a list of 8 invasive trees in the Code's Appendix. Such trees *may* be removed with a permit regardless of size or location on the property, unless serving in the control of erosion, because they are non-native and quickly supplant all other tree species.

**EXCEPTIONS TO THE CODE:** A tree can be removed without a permit if it:

1. endangers utility lines
2. presents a dangerous condition
3. is a dead or dying tree

### **STANDARDS FOR GRANTING PERMITS:**

1. tree in poor physical condition
2. proximity of tree to existing or proposed improvements
3. the effect on the ecology
4. proper tree management practices
5. effect on property values or aesthetics
6. effect on solar access

Several other Town Codes include restrictions on tree removal and are cross-referenced in the Tree Code.

Instructions are included in the Code for: a) applying for a permit; b) conditions for removal of a tree after a permit is granted; c) fees charged if any; d) penalties for the unauthorized removal of a tree (\$500 fine and replacement tree per tree removed); and e) the appeals process.

*This summary of the Tree Code does not substitute for the complete language of the Code (Town Code, Chapter 93).*