



Village of Hamburg, NY

Tree Management Plan

December 2014



Acknowledgements

This document was created through the efforts of many people. Among them are Marc Shuttleworth, Superintendent of Public Works, Mark Colmerauer, Village Trustee and the liaison to the Environmental Conservation Commission and the Environmental Conservation Commission whose members include:

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Tree lined Buffalo Street

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The practice of planting large trees directly under wires, such as these whose mature heights necessitates pruning which results in unsightly and unhealthy crowns, is to be avoided (Hunt Avenue, Village of Hamburg, New York)

1 Purpose of Plan

The plan's purpose is to develop and maintain a healthy, functional urban forest on Village owned property. In doing so, it supports the Village's comprehensive plan and municipal code to elevate the Village's quality of life. The plan provides a rationale for decision making to aid in improving, coordinating maintenance, and ensuring management consistency of the Village's tree canopy.

1.1 Vision

The Village's urban forest should be sustained as a healthy, ecologically balanced system that is valued and cared for by its residents as an essential economic, environmental and community asset.

1.2 Principles/Goals/Objectives/Actions

PRINCIPLE #1

As an equal part of the Village's infrastructure, this "green" infrastructure that constitutes our urban forest contributes positively to the health of all residents and is a valued and shared resource

Goals

- A. Maximize canopy cover and optimize age and species diversity
- B. Maximize the ecological, environmental and economical benefits of the urban forest
- C. Achieve and maintain a vibrant, healthy and diverse urban forest in the Village consisting of both native and non-invasive, non-native trees
- D. Provide significant habitat value in the Village's urban forest
- E. Maintain tree health and value by providing a below-ground environment favorable to supporting trees, especially in the commercial district
- F. Create attractive, unobstructed main business streets in the Village by utilizing trees that provide a significant, high canopy
- G. Maintain trees to promote their health and longevity

Objectives/Actions

- Redevelop street profiles to include trees and create more opportunities for tree planting in the public right-of-way; include innovative standards for adequate tree planting facilities so that root systems neither fail nor interfere with utilities in the right-of-way
- Maintain an inventory of street trees, historic trees and "exceptional" trees in the Village
- To have a 'fully stocked' urban forest consisting of an acceptable blend of species diversity, mixed-age, and large shade tree varieties
- As is appropriate to location and function, trees should be considered for wildlife value
- No removal of trees unless they are diseased in over 50% of the canopy, dying, dead or structurally unsound, as determined by an arborist or tree professional.
- Create and maintain a healthy and diverse public tree canopy, including over streets and on all civic properties
- Maintain and improve a quality tree canopy within the Village
- Recognize the importance of trees and the crucial role they play in providing habitat and food for fauna and flora; both those that live and remain in the Village and those that pass through



PRINCIPLE #2

Guide and promote a sustainable urban forest through education, incentives, and regulation for environmental, social, and economic benefit of Village residents and business owners

Goals

- A. Set/determine a minimum overall tree canopy cover for the Village (30%)
- B. Develop an Emergency Management Plan as related to trees and storms
- C. Periodically update/revise the existing Village street tree list (Appendix A - Guidelines for Trees Suitable for Planting in an Urban Setting) drawing from currently available tree cultivars and utilizing both natives and non-invasive non-natives
- D. Provide, promote, and support continuing tree care educational opportunities for staff, landscape and building contractors, tree service owners and employees, business owners, and citizens

Objectives / Actions

- Educate Village, Recreation Department and Department of Public Works staff and other tree maintenance workers on Best Management Practices for tree protection
- Adopt Best Management Practices as standard Village operating procedures
- Lobby utility workers to ensure they achieve more sympathetic pruning around overhead wires
- Develop a community-wide program to enhance the community's awareness of the value of trees and the urban forest (Village newsletter, brochure, web site, etc.)
- Encourage the use of Best Management Practices by residents/business owners to protect and enhance street trees and the urban forest
- Document and standardize the tree planting, pruning and removal processes and procedures to ensure consistency in the management of trees within the Village

PRINCIPLE #3

Develop an adaptive management approach that allows for changes in response to new information or new circumstances

Goals

- A. Maximize public safety relative to public trees by, in part, developing a long term Risk Management Plan for hazardous trees
- B. Prepare street tree planting guidelines which outlines broad principles and apply a broad brush approach to provide a rationale for choosing street tree varieties for certain areas of the Village
- C. Manage the Village's urban forest through the use of the Tree Management Plan and the computerized tree inventory
- D. Maintain up-to-date information on the urban forest such as character, extent, and maintenance needs
- E. Maintain a healthy Village tree canopy with a diversity of tree ages through proper periodic maintenance of existing trees and continued planting of new trees to replace lost trees and fill gaps

Objectives / Actions

- Update the inventory on a continual, standardized basis
- Develop a street tree plan that identifies a long-term strategy for street tree selection, siting, replacement and maintenance
- Periodically review Village-wide conditions and revise policies and actions to address changing or emerging circumstances and needs

PRINCIPLE #4

Balance the needs of the Village as a whole (the public) with the needs and desires of individual residents and business owners regarding the Village's urban forest

Goals

- A. Develop a procedure for planting new trees (revitalize park tree populations, recognize citizen requests, acknowledge needs of the business community)
- B. To the extent possible, provide uniformity of species along a street, while maintaining diversity in the overall street tree inventory (i.e. limit planting of same variety and/or cultivar to one block; do not plant same tree species over large areas; utilize a diverse mix of varieties over the Village as a whole)

Objectives / Actions

- Actively solicit resident / business tree planting preference, but reconcile this with the Village's system of trees
- Integrate trees into parking areas as well as public streets and parks

PRINCIPLE #5

Recognize the urban forest as a critical municipal asset and infrastructure component through a long-term commitment to proactive management and adequate resource allocation

Goals

- A. Effectively and efficiently manage the Village's urban forest
- B. Reduce the Village's exposure to liability by maintaining the urban forest
- C. Develop sustainable annual budgets and funding sources that allow basic operations to be completed in addition to regular program improvements

Objectives / Actions

- Budget effectively to maintain these resources and to follow a planned pruning cycle
- Provide funds for successful implementation of the Street Tree Plan
- Implement an annual tree planting program to increase species, age diversity and to maintain the desired percentage of tree canopy in the Village; replace each tree removed with at least one (1) newly planted tree, averaged over a five (5)-year period, taking into account budget limitations
- Create and maintain a street tree program that provides diversity of species, interest and aesthetic quality



Trees add to the quality of the play space at the Community Center Playground

1.3 Policy

The plan is in support of the following policy in order to attain the vision for the Village's tree canopy.

- Support an urban forest that is compatible with other aspects of Village life, including visual amenities, environmental services and economic development, while minimizing maintenance costs
- Sustain a healthy, safe and appealing public street and park tree population in the Village
- Create and maintain a street tree program that provides a healthy street tree canopy with diversity of species, interest and aesthetic quality within the Village
- Replace any tree or trees removed to maintain the desired percentage of tree canopy in the Village
- Encourage the use of Best Management Practices to protect and enhance Village trees and forests
- Periodically review Village-wide conditions and revise policies and actions to address changing or emerging circumstances and needs
- Increase awareness and educate the community, developers and Village staff on the value of trees in the urban landscape
- Document and standardize the processes and procedures to ensure consistency in the management of trees within the Village
- Identify and preserve "significant valuable trees" based on historic, visual, cultural, social and ecological criteria
- Promote a functional and ecologically balanced forest that consists of a diverse mix of native and non-invasive tree species to best stand up to various stressors, including climate change
- Control and prevent establishment of invasive species that are destructive to the ecological health of the Village
- Protect, restore and improve existing vegetation that has environmental, wildlife habitat and aesthetic qualities (to include tree groves, significant tree stands, and forested hillsides and vegetation associated with wetlands, stream corridors and riparian areas)



"Adolescent" Main Street trees will require pruning as they grow to achieve the desired aesthetic for the mature tree

U.S. Forest Service scientists have found that for every dollar spent on planting and caring for a street tree, the benefits that it provides are as much as five times that investment

2 Tree Inventory

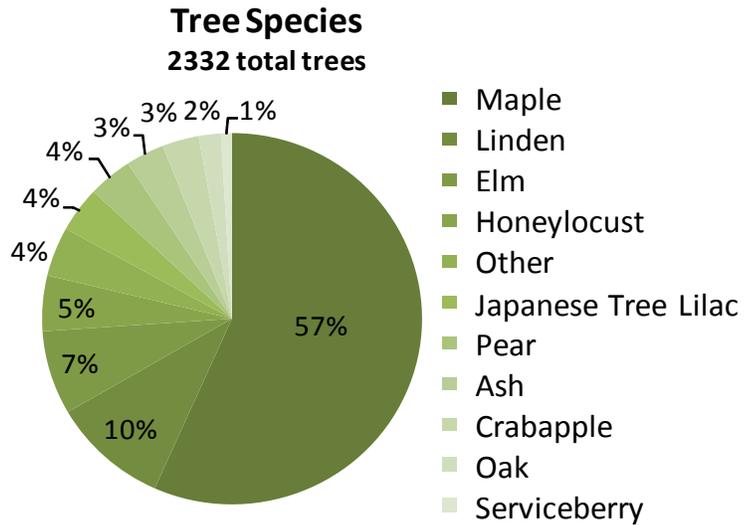
2.1 The Village's Urban Forest

In 2012, the Village contracted Iris Hill Consulting, Inc. to perform a tree survey of all community trees in the public right-of-way within the municipal boundaries. The database collected included the following attributes associated with each surveyed tree:

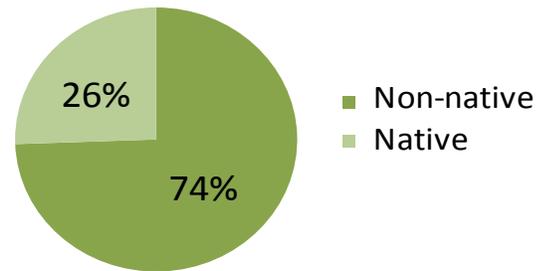
- Village Managed (yes or no)
- Species of Tree
- Land Use at tree site (Single Family Residential, Multi-Family Residential, Industrial / Large Commercial, Small Commercial, Park / Vacant/Other)
- Site Type (Planting Strip, Front Yard, Median)
- Street Name
- Adjacent Property Address
- Planting Location in Relation to the Property
- Approximate Diameter at Breast Height - DBH (0-3", 3-6", 6-12", 12-18", 18-24", 24-30", 30-36", 36-42")
- Recommended Tree Maintenance (Critical Concern - Public Safety Issue, Immediate - for large and small trees, Routine - for large and small trees, None)
- Recommended Maintenance Tasks (Removal, Crown Cleaning, Crown Reduction / Thinning, Crown Raising, Stake / Train, None)
- Condition of the Wood (Good, Fair, Poor)
- Condition of the Leaves (Good, Fair, Poor)
- Wire Conflict (Present & Conflicting, Present & No Potential Conflict)
- Potential Tree Planting Sites

To more easily manage the data collected, the Village is broken into four sections (quads). Each tree in the inventory will be allocated to the quad in which the tree is located. A map of the quads is in the Appendix.

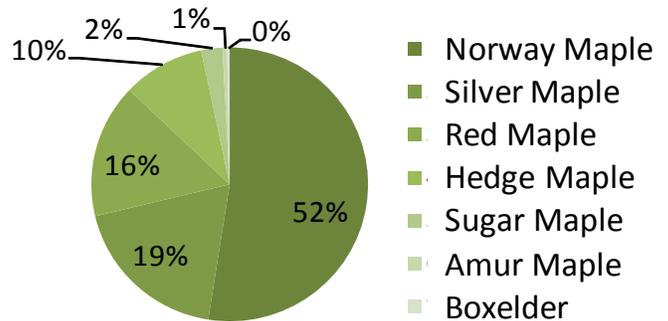
The results of the inventory had about 2,300 trees in the public domain. About three quarters of the trees are non-native species and about one quarter are native species. About 60% of the trees are a species of maple. Four tree species (Maple, Linden, Elm and Honeylocust) make up about 80% of the public trees in the Village. Of the maple trees, over half are Norway Maples and about 60% are non-native species. The inventory also determined there to be about 740 potential tree planting sites (locations able to support a tree, but having no tree at this time).



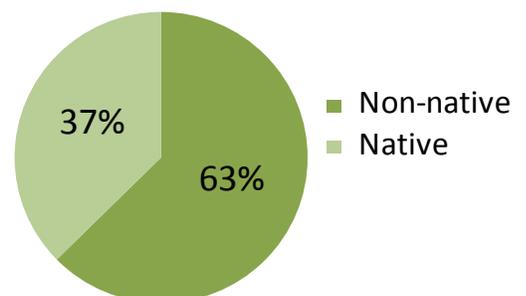
All Tree Species
2332 total trees



Maple Species
1322 total trees

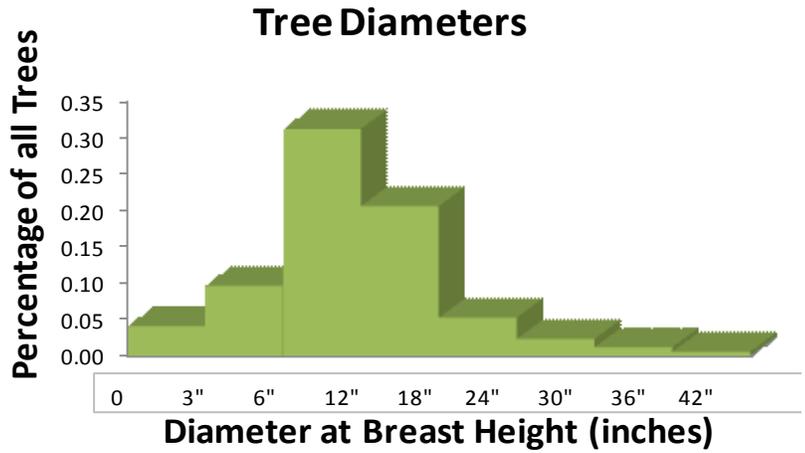


Maple Species
1322 total trees

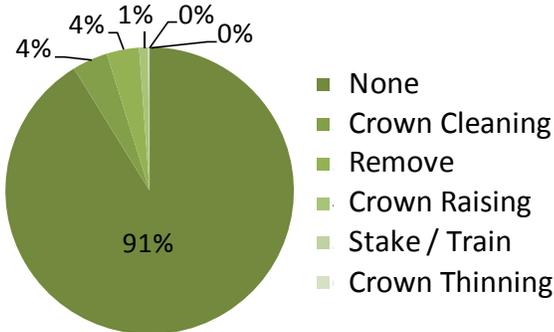


The trunk size of the majority of public realm trees are in the 12" to 18" diameter at breast height.

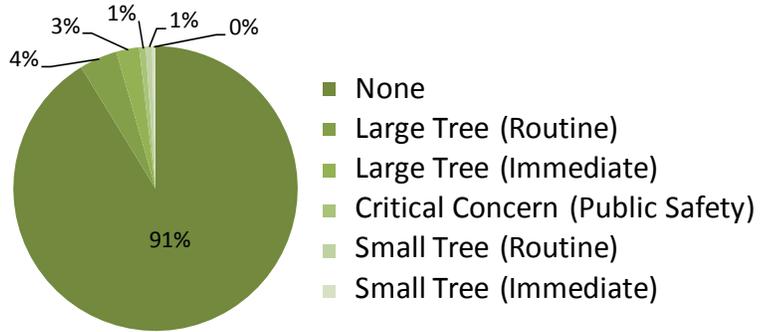
Regarding maintenance, over 90% of the public trees in the Village currently require none. About 1% of the trees are of critical concern being a threat to public safety and should be addressed as soon as possible. The Village's Department of Public Works (DPW) has since addressed the list of critical concern trees; they have been taken down. The DPW has incorporated the recommendations of the tree survey into their yearly work schedule and is working through the recommended tree maintenance list, typically in early and late winter when their other responsibilities lessen.



Required Tree Maintenance



Tree Maintenance Recommended



2.2 Historic Trees

The intent of this plan is to maintain the well-established tree canopy of the Village. The tree canopy as a whole represents a community resource that reflects the historic nature of the Village. As such, it is not the intent of this plan to implement additional regulations for specific trees, but instead to have the historic nature of the tree canopy be considered when planning maintenance, removal and re-planting activities.

3 Public Spaces Development

3.1 Types of Tree Planting Spaces Available for Planting of Village Trees

- Planting Strips / Development Strip / Devel Strip / Tree Lawn (grass area in the road right-of-way)
- Tree Pits / Box-outs (business district & commercial thoroughfares)
- Parks / Civic Spaces (public spaces not included in road right-of-ways)
- Other planting areas within eight (8) feet of the road right-of-way



4 Guidance for Plantings

4.1 Rationale / Direction Regarding Plantings / Guidance

General premise of planting the largest tree species that the space affords.

Planting Strips

- Appropriate species / cultivars for parcel width and surrounding existing trees
- Appropriate species / cultivars for underground and overhead utilities
- Proximity to signage, traffic flow & patterns to maintain sight lines
- Consideration for resident concerns



Red Maple tree planted three years ago in the devel strip on Highland Avenue

Tree Pits

- “Traffic hearty” species placement (able to withstand demands of public / street traffic [salt spray, heat, soil compaction])
- Maintenance appropriate species / cultivars for pedestrian traffic and on-street parking (limit fruit litter, sidewalk interferences / upheavals, pruning requirements)
- Aesthetic fit for location
- Property / business owner concerns
- Largest canopy tree that is suitable given the above / below ground limitations

Parks

- Protect the existing tree population
- Size and purpose of park (athletic facilities, pocket park, pastoral park) directs type of tree species / varieties to be planted
- Type and size of amenities in the park (such as playgrounds, athletic fields, gazebos, etc.) directs the type of tree species / varieties to be planted
- Choose appropriate species to afford buffering and shade
- Utilize species and cultivars not suitable for other public spaces to develop a diverse species of trees in the Village

Mulch Volcano - Bad



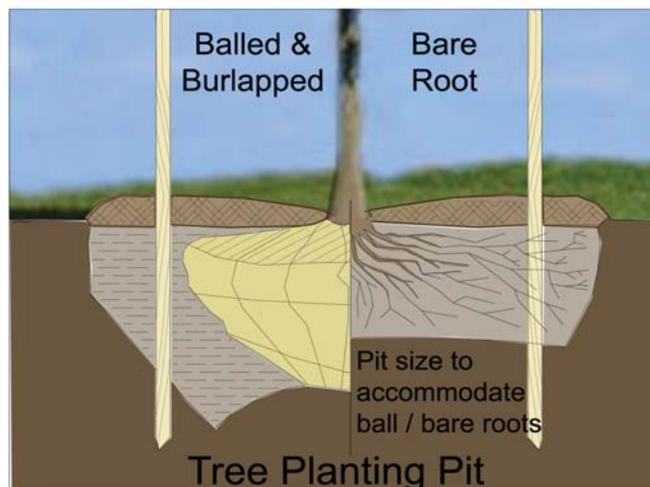
Mulch Doughnut - Good



Improper mulching can kill trees. Proper mulching will increase the survival rate of newly planted trees

Appropriate for Surroundings

- Consideration for adjacent property/business owner’s tree preferences
- Appropriate species / cultivars for the desired street character
- Appropriate species / cultivars for planting site width/length/depth and surrounding existing trees
- Appropriate species / cultivars for underground and overhead utilities



Trunk flare slightly above soil level

“Doughnut” mulch around tree

Press heel into soil to fill large air spaces

Water after planted & staked

4.2 Tree Planting Recommendations

The following recommendations shall apply to the planting of trees on public streets, parks and public lands:

- Street trees in existing residential areas, which are located in the public right-of-way shall be managed by the Village; trees that die as the result of disease, insects, construction activity or natural disaster shall be removed and replaced at the Village’s discretion
- The Village shall be responsible for the planting and maintenance of public trees; this includes trees in parks, road right-of-ways, out lots, and all other properties owned by the Village
- Site criteria used to determine tree planting locations shall be: visibility of the site, probability of long-term tree survival, likelihood of private participation and financing, and overall benefit to the community
- Public tree planting can be balled-and-burlap, tree spade, container method, or bare-root
- Only those species recommended for planting in Western New York shall be selected (tree species / varieties recommended for planting are listed in the Appendix under ‘Trees Suitable for Planting in an Urban Setting’)

Given about 30% of the Village’s public trees are Norway Maples and that tree experts recommend avoiding Norway maple trees in urban settings due to their higher propensity for splitting and falling, this tree species should no longer be planted in the Village.

The following is guidance for the planting of trees on residential properties:

- As a majority of the trees within the Village are located on private property, this plan encourages private property owners to maintain and replenish the private tree canopy as it continues to age throughout the Village.
- When considering planting trees on a residential property, several items should be considered, including location to property lines, location of building and patios (to shade or not to shade) and location to overhead and underground utility services.
- If the tree intended is to be more for ornamental uses, to supplement landscaping, smaller and shorter trees are recommended. A list of trees that would be applicable for use can be found in Appendix “A” – Guidelines for Trees Suitable for Planting in an Urban Setting. The listing for “Small Trees” and “Trees for Central Business District” are good resources. In particular, the following ornamental trees are well known for their flowering traits:
 - Amelanchier leavis
 - Syringia reiculata
 - Cornus mas
 - Summer Snow or Ivory silk Japanese lilacs
- If the tree is intended to be more of a shade tree or “majestic” tree, the trees listed in Appendix “A” under “Medium to Large Trees” and “Park Trees” are recommended. Popular selections for shade trees include:
 - Magnolia
 - American, European and Tricolor beech
 - Red Maple
 - Sugar Maple
 - Spruce (conifer)
 - Red and White Cedar (conifer)

4.3 Community Education / Staff Training

The intent of this document is to provide the community and Village staff guidance on the maintenance of the tree canopy. The Village Environmental Conservation Commission encourages continuing education within the community regarding the value and needs to support the tree population, and is responsible for leading this effort. The Village of Hamburg maintains the trees on Village-owned property through the Department of Public Works (“DPW”). This plan is meant to be a resource for DPW staff, whose duties often include assisting in tree maintenance or planting activities. Copies of this plan should be readily available to all DPW staff and supervisors to encourage consistency in managing Village trees. For staff that are partially designated to assist in maintaining the tree database and maintenance records, access to additional educational resources on urban forestry is encouraged.

5 Tree Canopy Maintenance Procedures

Trees in the public domain, as well as on private property, have public usefulness and value in energy conservation; in moderating extremes of temperature and humidity; in reducing noise, glare, and air pollution; in reducing soil erosion; and in improving the Village's aesthetic character. Maintenance of trees located on public or easement-laden lands shall be performed under the supervision of the Superintendent of Public Works. Trees located on private land are the property and responsibility of the owner of such land.

5.1 Urban Forest Assessments

Inventory Update

The 2012 Village of Hamburg tree survey encompassed a Village-wide tree inventory that located and described each tree in the public domain. In order for this inventory to maintain its usefulness over time, the Superintendent of Public Works in cooperation with the Environmental Conservation Commission shall be responsible for the annual updating of this inventory no later than August 30 of each year.

The annual updates shall include the following:

- Identification of trees lost/removed since the last update
- Identification of trees planted since the last update

Hazard and Disease Updates

The re-assessment of trees in the public domain for the health and safety of residents and visitors should occur on a periodic basis. The Superintendent of Public Works shall be responsible for the updating of the tree inventory regarding hazard and disease assessments every five to seven years. The updates shall include the following:

- Evaluation of tree conditions and overall health
- Identification of hazardous trees

To assist with these updates, the Superintendent of Public Works may select one or more staff members. This will require the education of tree care workers, which may include the acquisition or development of training materials oriented toward field tree-service crews and their supervisors, on the following topics and others, as needed:

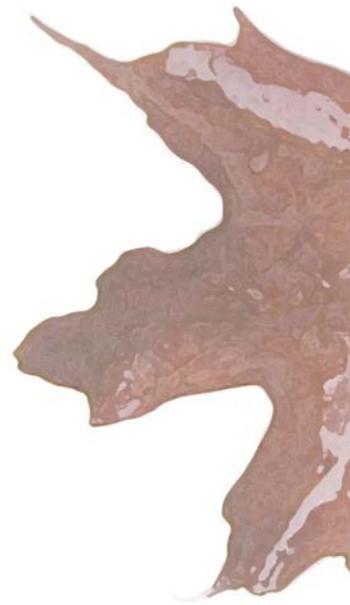
- Village and other public policies, ordinances, etc.
- Tree anatomy and growth
- Tree reactions to injury and decay
- Tree maintenance standards (ANSI Standard A-300)
- Safety and aerial rescue (ANSI Standard Z-133)
- Utility pruning techniques

If requested, the Superintendent of Public Works may provide appropriate assistance, as requested by other Village departments, utility companies, commercial tree-service companies, etc., in the training of crews, supervisors, and other personnel, and may contract with instructors available from outside sources, if needed, with costs shared by agencies requesting the training.

5.2 Removal of Hazardous Trees

Abatement of Hazards

Either through the updates described in Section 5.1 or via visual observation or notification by a resident, the presence of hazardous trees may become known to Village officials and/or employees. To provide a safe



environment, these trees must be addressed in a timely and appropriate manner.

When it comes to the attention of any owner of a parcel of land which adjoins any public land or easement-laden land that any tree maintained by said owner is, or is likely to become, a threat to the public safety, it is the duty of said owner to abate said hazard by appropriate action in accordance with the adopted standards.

When it comes to the attention of an officer or agent of the Village that any tree maintained on a parcel of property which adjoins any public land or easement-laden land which is, or is likely to become, a threat to the public safety, the appropriate agent of the Village, including the Superintendent of Public Works, shall take one or more of the following actions:

- If the tree in question is deemed to be on private property, the officer or agent of the Village shall give notice to the property owner upon whose land the hazardous condition exists and allow the property owner a period of thirty (30) days to take the necessary action or actions needed to remedy the hazardous condition; or
- The officer or agent of the Village may forthwith abate the hazardous condition by taking the appropriate and necessary action or actions in accordance with adopted standards if the tree poses an immediate hazard.
- If the tree in question is deemed to be wholly located on private property, and the owner of the private property has failed to abate the hazardous condition during the allotted time, the cost of the Village's abating the hazard shall be assessed against the property owner.
- If the tree in question is deemed to be partially located on private property and partially located on public property, then the cost of abating the hazard shall be borne both by the Village and the private property owner. The costs attributed to the Village and to the property owner shall be assessed and prorated based on the proportion of the stump diameter of the tree located on public and private property.

5.3 Replacement of Trees

The replacement of trees may be accomplished in a number of ways. These include:

- Continuing efforts by the Village to set aside funds, as well as obtain grant funding for the continuation of its annual tree planting program. Locations for trees may be selected based on requests from residents; determination of priority areas; and / or rotating target areas throughout the Village.
- Working with outside organizations willing to assist the Village with its tree maintenance and replacement programs.
- Providing advice or other assistance to residents interested in planting trees on privately held property, but adjacent to the public domain.

5.4 Tree In-Fill Program

The Environmental Conservation Board works with the DPW to develop spring and / or fall tree planting programs depending upon what funds are available in the annual budget. Available tree planting locations noted in the tree survey will be utilized. Tree planting / replacement shall be in accordance with the following:

- Resident requests, business district areas and parks have the greatest priority
- It is the objective of the Village that there will be no net loss of existing urban forests (i.e. for every square foot of leaf area that is removed from Village property or from road rights-of-way, sufficient trees will be replanted to replace the lost square feet of leaf area)
- Ensure that there is adequate species diversity throughout the urban forest
- The Village, as a matter of practice, has consistently done a targeted in-fill planting in spring and fall on an annual basis

5.5 Record Keeping (DPW Forms and Excel / Database Files)

The Village shall create procedures to maintain up-to-date records to better manage its urban forest. This is accomplished by the following:

- The Village should allocate an individual in the DPW to oversee and administer the inventory and database management of the urban forest regarding plantings, removals, etc.
- The Village should consider securing a GIS software system, or coordinate with another agency with such a system, to better manage the urban forest (this Management Plan recognizes that the Village is currently using “i-Tree”, a tree management system developed through the U.S. Forestry Service)

6 Village Government Responsibilities

Various members of the Village government will be responsible for sustaining and maintaining the urban forest.

- Village Clerk is responsible for keeping the Environmental Conservation Commission abreast of any tree requests by residents / business owners
- Environmental Conservation Commission is responsible for developing/organizing tree planting specifications in coordination with the Village Clerk and the DPW
- Environmental Conservation Commission shall provide information and technical referral service to landowners, developers, builders, and other interested parties, including persons and private and public agencies, in protecting trees during planting and construction
- Environmental Conservation Commission shall cooperate with interested public and private parties in conservation efforts such as Arbor Day observance, plant digs, community tree-planting, and cooperative community projects
- The DPW is responsible for planting/maintaining the urban forest with the help from the Environmental Commission

Maple Avenue is one of many streets in the Village where most “street trees” are planted outside the street R.O.W., allowing the street to support larger trees and framing a larger volume of space with a canopy “roof” to the street



Appendix

Existing Tree Bylaws / Regulations (ECODE)

Appendix A - Guidelines for Trees Suitable for Planting in an Urban Setting

Appendix B - Tree Planting Easement (REPLACE WITH "LETTER" FROM DON WITKOWSKI)

Appendix C - Water and Care for Trees

Appendix D - Waiver Form for Private Plantings

Appendix E - Utility Company Notice

Village Map of Tree Zones (4 Quads)

Existing Tree Bylaws / Regulations

ECODE Village of Hamburg

Chapter 225. TREES

§ 225-1. Purpose.

§ 225-2. Rationale.

§ 225-3. Provisions.

[HISTORY: Adopted by the Board of Trustees of the Village of Hamburg 2-18-1997. Amendments noted where applicable.]

GENERAL REFERENCES

Property maintenance — See Ch. 182.

Subdivision of land — See Ch. 207.

Zoning — See Ch. 250.

§ 225-1. Purpose.

The purpose of this policy is to provide for the progressive management of the urban forest on public land and, if advantageous, on private land in the Village of Hamburg, pertinent to planting, removing, replanting, pruning, nurturing and protecting trees, as well as protecting the structures around trees, with thoughtful regard for balance between aesthetics and practicality.

§ 225-2. Rationale.

Village residents and business people acknowledge the beauty and attractiveness of tree-lined streets and shaded parks. They appreciate enhanced property values created by the fullness of mature trees along the right-of-way, sometimes called “curb appeal.” They are aware of the environmental advantages of gas-absorbing, noise-suppressing foliage on busy streets, but they also recognize that street trees can interfere with utility services and sound sidewalks. Common sense dictates that any successful community tree plan must accommodate the need to beautify and to preserve service.

§ 225-3. Provisions.

- A. The Village of Hamburg Department of Public Works is authorized to manage all aspects of this policy with regard to plantings in the area known as the right-of-way, development strip, tree lawn or street lawn. Plantings in parks, gardens and other public places will be managed by the Department of Public Works and the Parks and Recreation Department. Street medians will be treated in the same way as the right-of-way.
- B. The Environmental Commission is authorized and requested to devise and submit an annual planting plan to the Village Board prior to budget preparation time.
- C. The Village Board will budget and expend funds annually to ensure the proper management of trees in public places and, if needed, on private property.
- D. The expenditure of funds for tree management under this policy may include the cost of materials, equipment and labor required to produce the most efficacious results.
- E. Trees removed for cause from public places must be replaced in a timely (normally two years) and thoughtful manner and in accordance with this policy, or the property owner nearest the removed tree must be notified that the tree will not be replaced because of the restrictions in Subsection F.
- F. Location, spacing and species of trees to be planted initially as replacements for trees removed will be determined by the restrictions imposed by the proximity of utility equipment, immediate environment of the site, growth characteristics of the trees and the desired aesthetic effect.

Village of Hamburg, NY

- G. Trees may be planted in the street lawn of streets which previously had no trees planted in the street lawn of those streets, curbed or uncurbed.
- H. Trees may be planted on privately owned land adjacent to the right-of-way, when the planting serves the best interests of the Village plan and when a proper easement has been executed. (Appendix B)
- I. No person shall plant any tree or trees in any street in the Village, except at such place or places, and in such manner as may be directed by the Board of Trustees. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
- J. Under this policy, suitable street trees shall be those named in Appendix A, or approved by the Environmental Commission. Trees shall be bare root, approximately one and one half to three inches caliper-measured and have their initial bifurcation or lowest branches at least six feet above ground level. Balled trees may be substituted for bare root trees.
- K. Trees to be planted in other public places must be those named in Appendix A, or approved by the Environmental Commission. Trees may be of a larger caliper measurement, have a lower initial bifurcation and may be balled.
- L. Contractors, builders and developers must plant street trees in accordance with this policy, cognizant of the need to plant one street tree, or more, for each lot developed or redeveloped, or an alternate, as determined by the Planning Commission.
- M. General welfare of the community dictates that trees may not be planted:
- (1) In a street lawn less in depth than four (4) feet, except in the central business district
 - (2) Within six (6) feet of on-ground or underground individual lot utility equipment
 - (3) Within eight (8) feet of a sidewalk when a tree is planted by the Village on private land
 - (4) In a location where its expected mature height would be equal to the height of the overhead high voltage wires
 - (5) Within four (4) feet of a ground or ungrounded stump
 - (6) Off-center of the determined center of the street lawn
 - (7) Within six (6) feet of the outer edge of a driveway approach
 - (8) Within detrimental proximity of an existing healthy tree
 - (9) Within fifty (50) feet of stop signs when planted in the street lawn
- N. When a tree is planted under this policy, the person most capable of doing so must be informed in writing that he or she is expected to water and care for the tree according to the instructions in the written notification. (Appendix C)
- O. Besides emergency, resident-requested or newly planted pruning, annual pruning of public trees must be scheduled and accomplished by the Department of Public Works, assisted with long-range advisement by the Environmental Commission, and cognizant of the advisability of pruning newly planted trees on a two-year cycle.
- P. This policy supersedes previous tree replacement policies adopted in 1993 and before, but it does not contradict any Village law. (See Appendix D)
- Q. The Village of Hamburg will continue to remove dead, dying or dangerous trees located in public places, as determined by the Superintendent of Public Works. All others are restrained from removing, planting, pruning or treating trees in public places, as prohibited according to Village law*. (See also Appendix E for utility company notice)

* Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

GENERAL REFERENCES

Ch. 182. Property maintenance

§ 182-13 Pruning or removal of trees.

[Added 12-3-2007 by L.L. No. 6-2007[1]]

The Village shall have the right to cause the pruning or removal of any dead, dying, dangerous or diseased trees on private property within the Village when such trees constitute a hazard to life or property or harbor insects or disease which constitute a potential threat to other trees within the Village. The Village may notify, in writing, the owners of the property and of such trees. Removal shall be done by said owners within 60 days after the date of service of notice. In the event of failure of the owners to comply with such notice, the Village, or its authorized representative, shall have the authority to remove such trees, charge the cost of removal to the owners and levy the same on subsequent tax bills.

[1]:

Editor's Note: This local law also redesignated former § 182-13, Penalties for offenses, as § 182-14.

Ch. 207. Subdivision of land

§ 207-5 Required improvements.

A. Monuments and lot corner markers.

(1) Monuments shall be placed at all block corners, angle points and points of curves in streets and at intermediate points as required by the Engineer. The monuments shall be of such material, size and length as may be approved by the Engineer.

(2) Markers shall be located in the ground to final grade at all lot corners. Such markers shall be of ferrous metal, 3/4 inch in diameter and at least 24 inches long.

B. Utility and street improvements.

(1) Utility and street improvements shall be provided in each new subdivision in accordance with the standards and requirements on file in the office of the Superintendent of Public Works or the Planning Commission. These utility and street improvements shall include the following:

- (a) Public water system, complete with house laterals to the front line.
- (b) Public sewer systems.
- (c) Sanitary sewers, complete with house laterals to the front property line.
- (d) Storm sewers, complete with laterals to the front property line.
- (e) Street pavements.
- (f) Concrete curbs.
- (g) Concrete sidewalks.
- (h) Streetlighting.

[Added 6-15-1998 by L.L. No. 3-1998]

- (i) Tree planting.

[Added 6-15-1998 by L.L. No. 3-1998]

(2) The installation or construction of all utility and street improvements must be observed by an inspector hired by the village. The developer shall reimburse the village for the cost of this inspector.

Ch. 250. Zoning

§ 250-22 Performance bond requirement for site plan review or special permit.

[Amended 6-3-1985 by L.L. No. 3-1985]

A. The Planning Commission may recommend as a condition of site plan review or special permit approval, that the owner file a performance bond in such amount to be determined by the Superintendent of Public Works to ensure that the proposed development will be built in compliance with the accepted plans.

B. This performance bond shall be sufficient to cover the full cost of any required streets, sidewalks, street lights, curbs, gutters, street trees, landscaping, water mains, fire alarm signal devices, sanitary sewers and storm drains

§ 250-20 Submission of site plan and supporting data.

[Amended 6-20-1977 by L.L. No. 6-1977; 9-4-2007 by L.L. No. 3-2007]

A. The owner shall submit a site plan. The Planning Commission may require supporting data prepared by an architect, landscape architect, engineer or land surveyor, and may include any or all of the following information presented in drawn form and accompanied by a written text:

- (1) Survey of the property, showing existing features, including contours, large trees, buildings, structures, streets, utility easements, rights-of-way and land use; and zoning and ownership of surrounding property;
- (2) Site plan showing proposed lots, blocks, building locations and land use areas;
- (3) Traffic circulation, parking and loading spaces and pedestrian walks;
- (4) Landscaping plans, including site grading landscape design and all exterior lighting, prepared in accordance with any stormwater pollution prevention plan (SWPPP) required under § 250-20B;
- (5) Preliminary architectural drawings for buildings to be constructed;
- (6) Preliminary engineering plans, including street improvements, storm drainage system, public utility extensions, water supply and sanitary sewer facilities;
- (7) Engineering feasibility studies of any anticipated problems which might arise due to the proposed development, as required by the Planning Commission;
- (8) Construction sequence and time schedule for completion of each phase for buildings, parking spaces and landscaped areas;
- (9) A description of the proposed uses, including hours of operation, number of employees, expected volume of business, and any type and volume of traffic expected to be generated

§ 250-30 Landscaping requirements.

[Amended 6-20-1977 by L.L. No. 6-1977; 6-15-1998 by L.L. No. 3-1998; 6-21-2004 by L.L. No. 2-2004]

Following are the minimum landscaping requirements:

A. Where any land use in nonresidential districts abuts land in any residential district, a strip of land at least 20 feet in width shall be maintained by the owner as a landscaped area in the side and rear yard which adjoins the residential district.

B. Where any nonresidential land use or multiple-family development in a residential district abuts any land use in a residential district, a strip of land at least 20 feet in width shall be maintained as a landscaped area in the side and rear yard which adjoin these uses.

C. In an industrial or commercial district, each use shall have a strip of land at least three feet in width in any required front yard and at least five feet in width in any required rear and side yards which shall be maintained as a landscaped area.

D. In a Planned Development District or mobile home park, requirements shall be as approved by the Planning Commission.

E. Landscaping required by this section shall be installed and maintained in a healthy growing condition in front, side and rear yards and shall consist of shade trees, deciduous shrubs, evergreens, grassed areas or ground cover or any combination thereof as approved by the Planning Commission.

F. Landscaping required under this section shall be installed and maintained in accordance with any stormwater pollution prevention plan (SWPPP) required under the Code of the Village of Hamburg.

[Added 9-4-2007 by L.L. No. 3-2007]

Appendix A - Guidelines for Trees Suitable for Planting in an Urban Setting

The Environmental Commission may amend this list as new tree varieties / species become available and as each site has characteristics preferable to specific tree species. Preference is for native and non-invasive trees. The general guidelines are as follows:

Small Trees – up to ~25 feet in height:

Site Conditions: Overhead utility wires present

Minimum planting space – 4 feet wide development strip

Rationale: Tree planted will not grow into the three highest wires and have enough root space to support a healthy tree canopy

<u>Botanical Name</u>	<u>Common Name</u>
Acer buergeranum	Trident maple
Acer campestre	Hedge maple
Acer ginnala	Amur maple
Acer miyabei	Miyabei maple
Acer tataricum	Tartarian maple
Acer truncatum	Shantung maple
Amelanchier	Serviceberry
Carpinus caroliniana	American hornbeam
Chioanthus virginicus	Fringe tree
Circes canadensis	Eastern redbud
Cornus mas	Cornelian cherry dogwood
Cornus florida	Flowering dogwood
Cornus kousa	Kousa dogwood
Crataegus	Thornless cockspur hawthorn
Maackia amurensis	Maackia
Malus	Crabapple (larger, upright or narrow varieties)
Prunus 'Accolade'	Accolade flowering cherry
Syringa reticulata	Japanese tree lilac
Viburnum sieboldii	Seneca viburnum

Medium to Large Trees – up to or over 60 feet in height:

Site Conditions: No overhead utility wires

Minimum planting space – 6 feet wide development strip

Rationale: The above ground space is free of restrictions and there is ample below ground space to support a healthy large tree

<u>Botanical Name</u>	<u>Common Name</u>
Acer x freemanii	Autumn Blaze, , Bowhall, Celebration maples, etc.
Acer platanoides	Emerald Queen, Deborah Schwedler maples, etc. (however, given the large percentage of this tree species in the Village, it is recommended to restrict its planting)
Acer rubrum	Red maple
Aceer saccharum	Sugar maple
Betula nigra	River birch
Celtis occidentalis	Hackberry
Cercidiphyllum japonicum	Katsura tree
Corylus colurna	Turkish filbert

Medium to Large Trees – up to or over 60 feet in height (continued):

<u>Botanical Name</u>	<u>Common Name</u>
Eucommia ulmoides	Hardy rubber tree
Ginkgo biloba	Ginkgo (male only)
Gleditsia	Thornless honeylocust varieties
Gymnocladus	Kentucky coffee tree (male only)
Koelreuteria paniculata	Golden rain tree
Halesia Carolina	Carolina silverbell
Nyssa sylvatica	Sourgum
Phellodendron amurense	Amur cork tree
Prunus sargentii	Sargent cherry
Quercus rubra	Red oak
Quercus velutina	Black oak
Tilia cordata 'greenspire'	Greenspire linden
Tilia euchlora	Crimean linden
Ulmus americana	American elm (improved, disease resistant varieties)

Trees for Central Business District:

Site Conditions: Tree pit or restricted root space
Adjacent building

Rationale: Trees should not interfere with pedestrian access, should not have excessive litter and should not impinge on building (trees with vase shaped or columnar growth habits)

<u>Botanical Name</u>	<u>Common Name</u>
Acer tartaricum	Tartarian maple
Acer buergeranum	Trident maple
Acer campestre	Hedge maple
Acer rubrum 'armstrong'	Armstrong maple
Amelanchier laevis	Cumulus or Majestic serviceberry
Cornus mas	Golden Glory dogwood
Ginkgo biloba	Princeton sentry ginkgo
Syringa reticulata	Summer snow or Ivory silk Japanese lilacs
Ulmus americana	American elm (improved, disease resistant varieties)

Tree Management Plan

Park Trees:

Site Conditions: Few restrictions (required approval from the Environmental Commission)

Rationale: Create a more diverse Village tree population and offer characteristics not available in previously listed trees

Some of the possible trees for park use include all of the aforementioned, as well as the following:

<u>Botanical Name</u>	<u>Common Name</u>
Abies	Fir
Aesculus	Bauman and red horsechestnut
Betula	Yellow and sweet birch
Carya cordiformis	Bitternut hickory
Carya ovata	Shagbark hickory
Cladrastis lutea	Yellowwood
Fagus	American, European and tricolor beech
Juniperus virginiana	Eastern redcedar
Larix	Larch
Liquidambar	Sweetgum
Liriodendron	Tuliptree or Yellow poplar
Magnolia	Cucumber tree
Malus	Crabapple
Picea	Spruce
Pinus	Pine
Platanus	Sycamore or London plane
Prunus serotina	Black cherry
Quercus	English, Bur, White, Scarlet and Swamp white oak
Sassafras	Sassafras
Taxodium	Baldcypress
Thuja	Arborvitae / White cedar
Tilia americana	Basswood
Tsuga	Hemlock

Trees Prohibited for Street Planting:

<u>Botanical Name</u>	<u>Common Name</u>
Acer negundo	Boxelder
Acer saccharinum	Silver maple
Ailanthus altissima	Tree of Heaven
Malus	Orchard apples
Prunus	Orchard cherries
Pyrus	Orchard pears
Populus spp.	Poplars
Salix spp.	Willows

Appendix B - Tree Planting Notification Letter

Date

Resident Name

Resident Address

On behalf of the Village of Hamburg and the Environmental Conservation Commission, this is to notify you that a tree is to be planted in the development strip (the area between the sidewalk and the street) by your property.

As part of the Tree Planting Program, either we have identified the right of way in front of your property as one in need of a street tree or you have requested a street tree. The exact planting site will be determined after any infrastructure in the development strip has been located and marked. A stake will be placed in the ground at the planting site. When feasible, the Department of Public Works will plant and stake the tree.

We ask that, during the first crucial year after planting, you deeply and thoroughly water the tree about every two weeks if there has been no appreciable rain in that time period. The young tree is susceptible to having its bark girdled by weed wackers and mowers. We ask that you refrain from these activities against the base of the tree as they could kill it.

Thank you.

Environmental Conservation Commission / Department of Public Works

Appendix C - Water and Care for Trees

HAMBURG VILLAGE BOARD

TREE PLANTING, REPLACEMENT, AND CARE POLICY

APPENDIX C

WATERING NOTICE

Being the nearest resident to the newly planted tree, you are the one best able to help. The tree was selected because it is attractive and hardy. Trained people planted it, staked it, wrapped it, and mulched it so that it would have the best chance to thrive and become a valuable asset to our community. They will return to check on it and prune it as needed, but in the meantime you must play an important role in the process, and you are probably the only one who can.

The tree needs water and plenty of it, especially in the first year after planting. The mulch and the wrap hold the moisture and reduce dehydration, but rainfall will not provide all of the moisture needed by the tree to establish itself.

During periods of regular, moderate rainfall, trees should be watered at least once every week. Generally, one gallon per square foot of root area is enough to **soak** the soil to root depth and keep the tree healthy. If the soil is soggy, the tree needs no watering.

When we experience an extended dry spell or drought, it is most important to pour several buckets of water around the base of the tree. Do not lightly sprinkle the soil, or the roots will come up for water and then burn as the sun quickly dries the soil. One or two **soakings** a week does far more good than everyday sprinklings.

Your effort in this matter will benefit you and the whole community. Many thanks!

Department of Public Works

Environmental Commission

Appendix D - Waiver Form for Private Plantings

HAMBURG VILLAGE BOARD

TREE PLANTING, REPLACEMENT, AND CARE POLICY

APPENDIX D

TREE RELATED ORDINANCES

Sec. 15-20. Erection of posts; planting of trees.

No person shall place or erect any post or posts, or plant any tree or trees in any street in the village except at such place or places and in such manner as may be directed by the board of trustees. (Ords. 1925, Ch. XV, § 20)

Sec. 15-21. Injury to, removal of trees.

(a) *Permission required.* No person shall trim, prune, climb, injure or remove any living tree in any street or public place or cut or break any branch or root thereof without the consent of the owner of the immediately adjoining premises and the written permission of the board of trustees.

(b) *Removal, trimming, etc., by director of public works.* The director of public works is authorized to cut down and remove or trim and prune any tree in any street or public place upon receiving permission to do so from the board of trustees if such board shall determine that such removal or trimming is for public interest. (Ords. 1925, Ch. XIII, §§ 1,5

Sec. 15-73. Attachment of wires to trees; injury to trees by wires.

(a) No person shall attach any electric wires, guy wires, insulator or other device for the holding of wire to any living tree in any street or public place without the written consent of the owner of the immediately adjoining premises and the written permission of the board of trustees.

Appendix E - Utility Company Notice

HAMBURG VILLAGE BOARD

TREE PLANTING, REPLACEMENT, AND CARE POLICY

APPENDIX E

NOTICE TO UTILITY COMPANIES

THE FOLLOWING, A COPY OF A RESOLUTION PASSED UNANIMOUSLY IN MARCH, 1993, RESTRAINS UTILITY COMPANIES IN TREE MATTERS.

MOTION by Trustee Schoetz, seconded by Trustee Rieman,

WHEREAS, tree-lined streets create beauty and immeasurably enhance the quality of life in the Village of Hamburg, AND

WHEREAS, tree trimming by utility companies, though a necessity for operation of telephone and power lines, can and has from time to time resulted in excessive pruning and destruction of tree; AND

WHEREAS, an example of such excessive trimming is the "V" cut, often used to quickly clear telephone and power lines, but a practice that can ruin the appearance of trees, AND

WHEREAS, clear distinction can and should be made between trimming branches that have to be trimmed, as opposed to taking all the branches that might someday get in the way of these power lines, AND

WHEREAS, from time to time telephone and power companies will select a geographic area for general tree pruning to cut branches that interfere with their lines,

NOW, THEREFORE, BE IT RESOLVED, that this Board requests notification by NYSEG and N.Y. Telephone of any such general tree trimming they plan to undertake in the Village of Hamburg, and be it further

RESOLVED, that when such general tree trimming planned, this Board requests that NYSEG and N.Y. Telephone present the Board with their plan and schedule for such trimming so that the work can be monitored, and be it further

RESOLVED, that this Board strongly urges when NYSEG and N.Y. Telephone trim trees, individually or as part of a general tree trimming effort in this Village, that they cut only those branches which need to be trimmed, and that all other branches be left alone to preserve the beauty of Village trees, and be it further

RESOLVED, that a copy of this Resolution be tendered to the NYSEG and N.Y. Telephone offices responsible for maintenance in our Village, as well as the Beautification Committee and Environmental Board.

ROLL CALL:

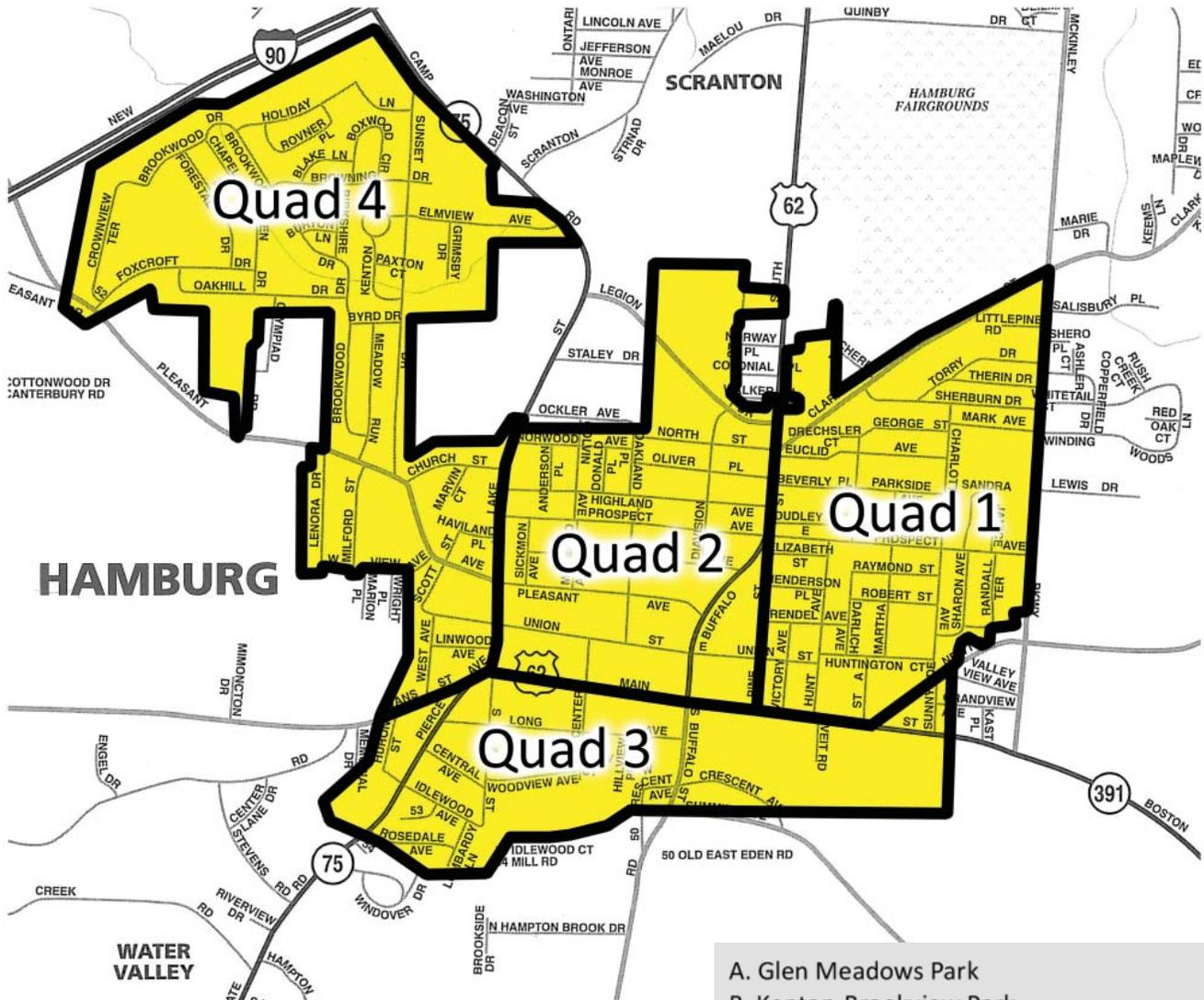
AYES: Mayor Hansen, Trustees Emerling, Thomas, Rieman, Schoetz

NAYS: None

CARRIED

Village Map of Tree Zones (4 Quads)

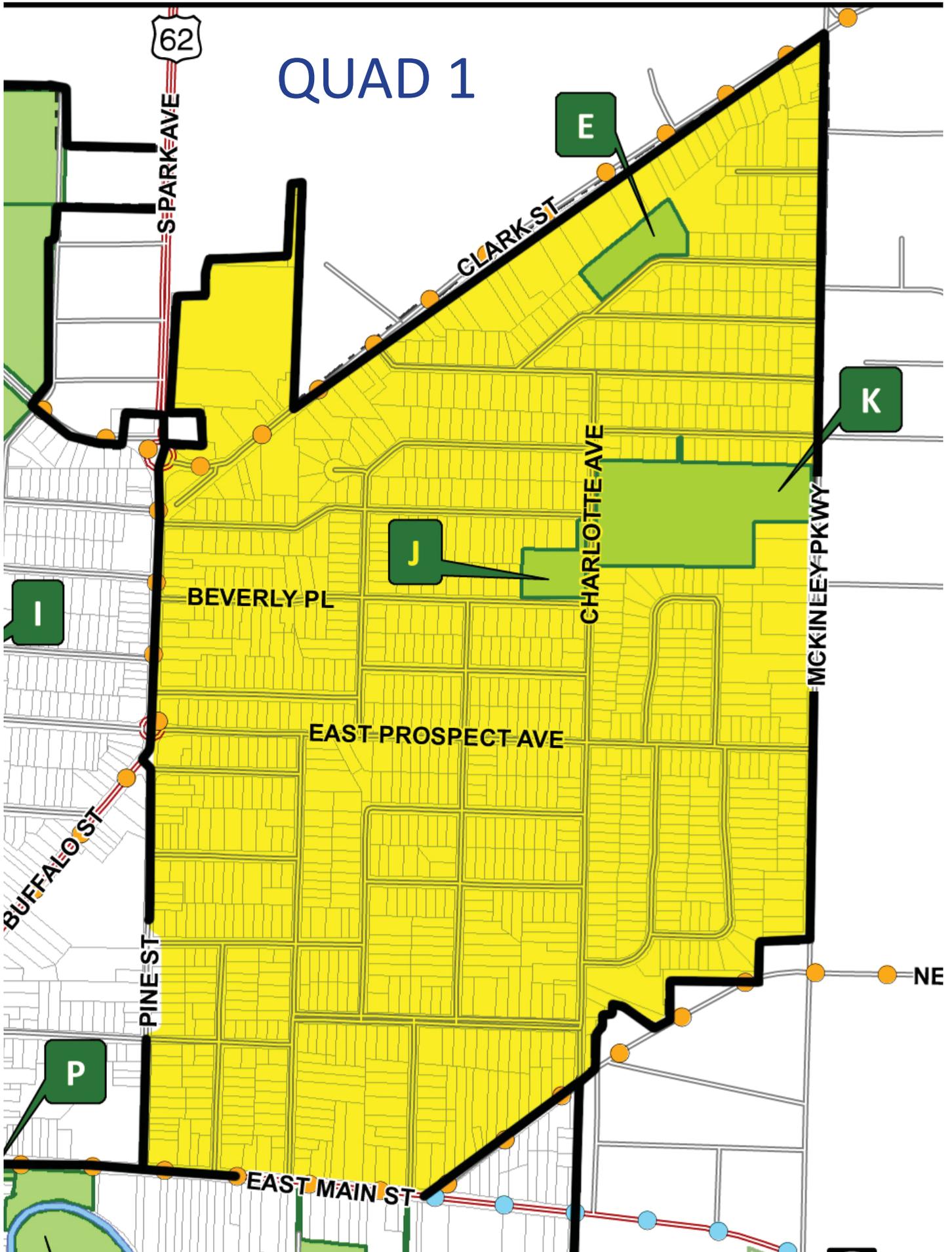
The Village is divided into four sections to more easily manage tree planting, maintenance and record keeping. Enlargements of each of the 'Quads' are shown on the following pages.



Village of Hamburg divided into four quadrants

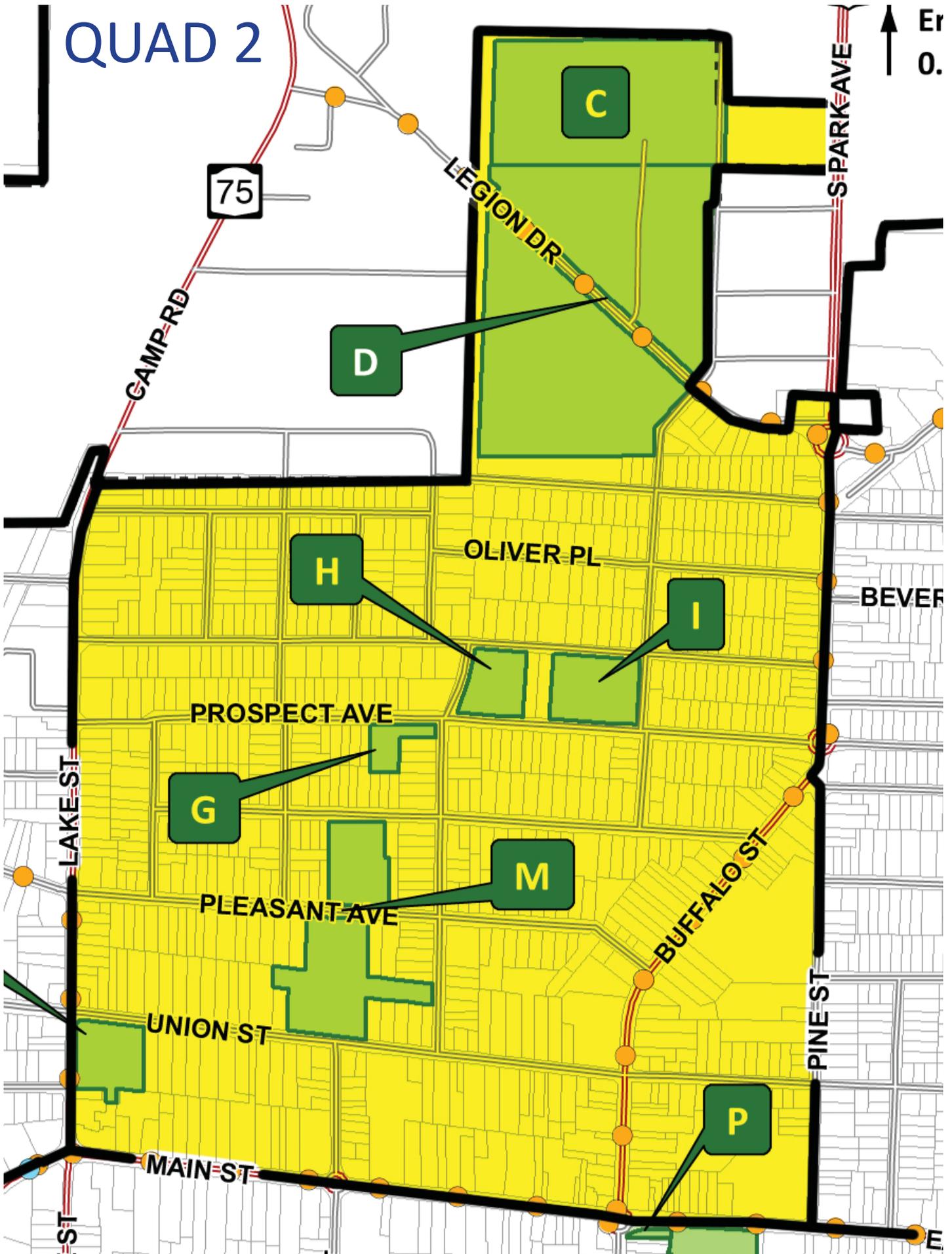
- A. Glen Meadows Park
- B. Kenton-Brookview Park
- C. Hamburg Middle School
- D. Hamburg High School & Athletic Fields
- E. Hamburg Swim Center
- F. Westview-Lenora Park
- G. Memorial Youth Center
- H. Highland Avenue Tree Grove Park
- I. Hamburg Community Ctr. & Playground
- J. Parkside Park
- K. Charlotte Avenue Elementary School
- L. Memorial Park
- M. Union Pleasant Elementary School & Field
- N. Legion Field Baseball Complex
- O. Woodview Park
- P. Centennial Gardens
- Q. Centennial Park (3 parcels)
- R. Saints Peter & Paul Cemetery

Legend for the public and private greenspaces shown on the following Village 'Quad' illustrations

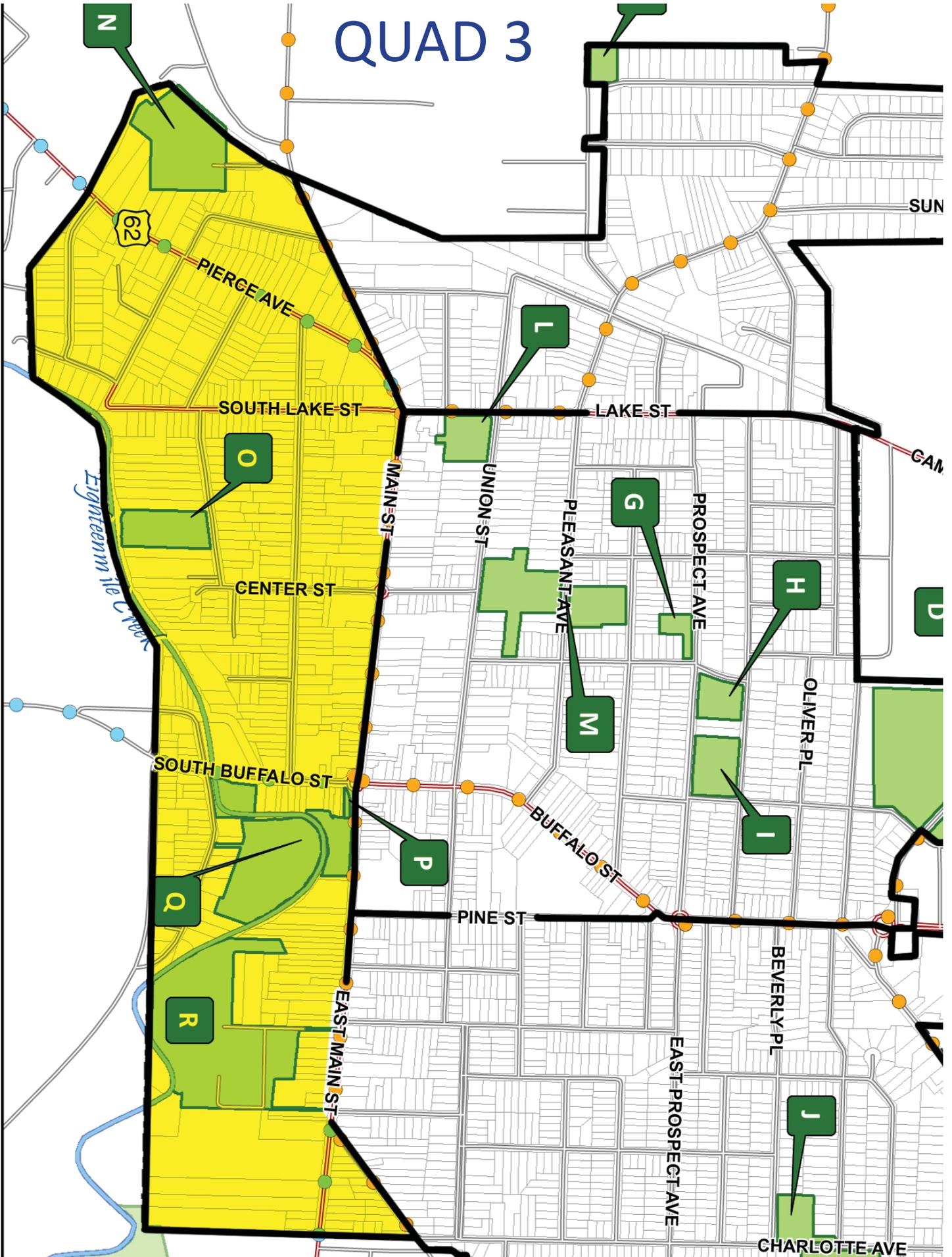


QUAD 1

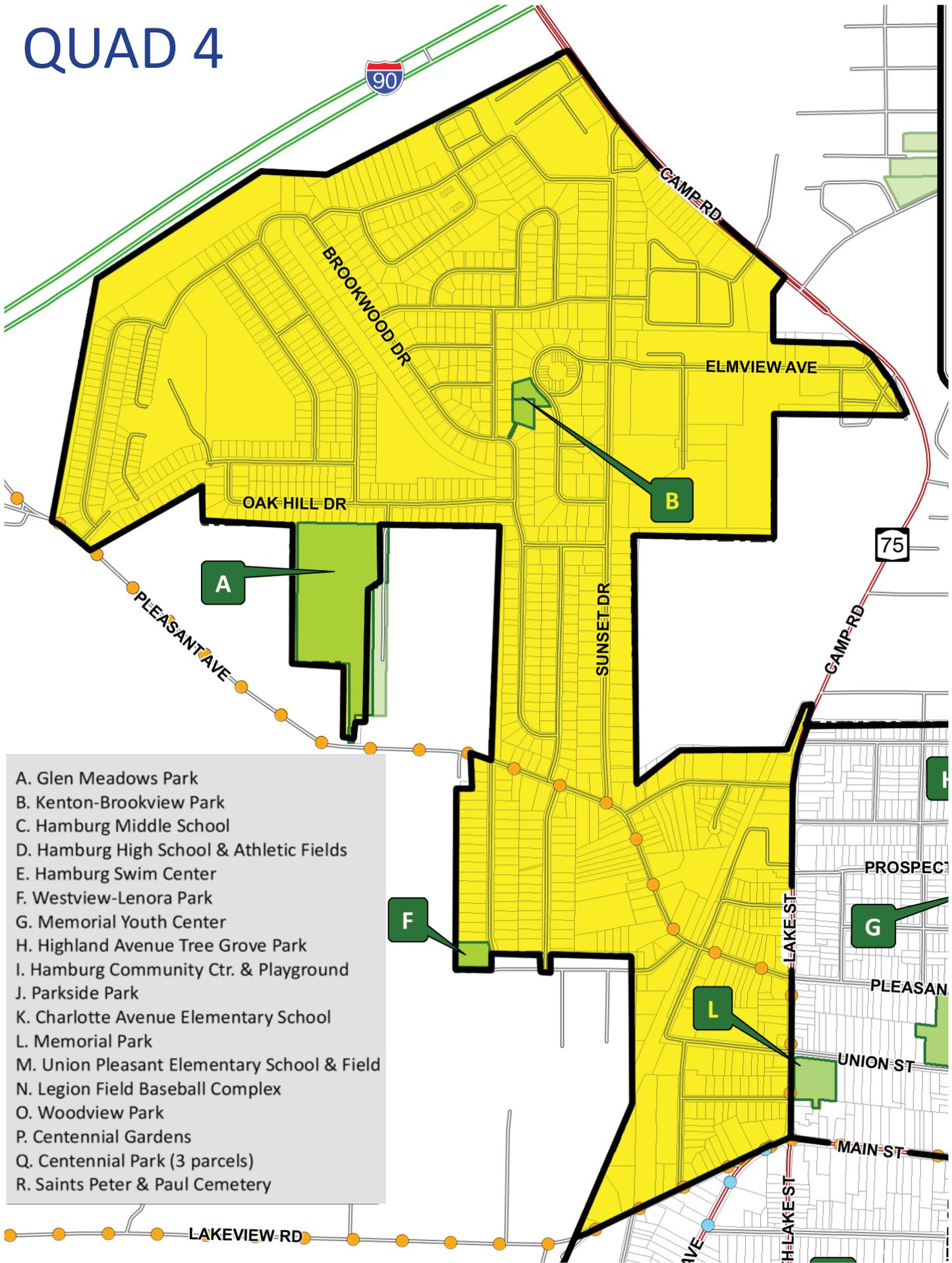
QUAD 2



QUAD 3



QUAD 4



- A. Glen Meadows Park
- B. Kenton-Brookview Park
- C. Hamburg Middle School
- D. Hamburg High School & Athletic Fields
- E. Hamburg Swim Center
- F. Westview-Lenora Park
- G. Memorial Youth Center
- H. Highland Avenue Tree Grove Park
- I. Hamburg Community Ctr. & Playground
- J. Parkside Park
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