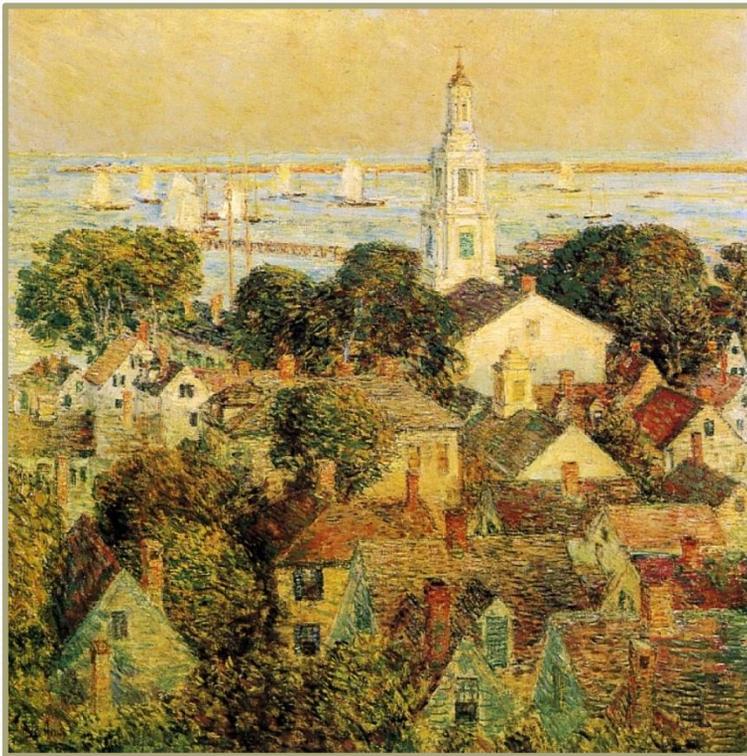


# Town of Provincetown Tree Manual

## Resource Guide for Community Trees in Provincetown



*Childe Hassam "Provincetown" circa 1900*

[www.provincetown-ma.gov/index.aspx?NID=1081](http://www.provincetown-ma.gov/index.aspx?NID=1081)

1<sup>st</sup> ed. 2018

TOWN OF PROVINCETOWN  
DEPARTMENT OF PUBLIC WORKS

# Town of Provincetown Tree Manual

## Resource Guide for Community Trees in Provincetown

*Issued by:*

The Provincetown Tree Warden  
and Tree Advisory Group

*Available at:*

*Office of the Tree Warden*

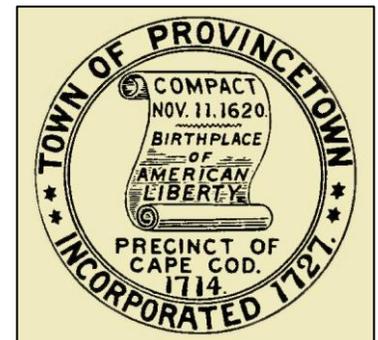
Provincetown Department of Public Works  
2 Mayflower St.

*Town Clerk's Office*

Provincetown Town Hall  
260 Commercial St.

[www.provincetown-ma.gov/index.aspx?NID=1081](http://www.provincetown-ma.gov/index.aspx?NID=1081)

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## **ACKNOWLEDGMENTS**

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Lexington Tree Management Manual, 3<sup>rd</sup> Edition, Lexington Tree Committee, Town of Lexington, MA (2012)

Tree Owners Manual for the Northeastern and Midwestern United States, published by the USDA Forest Service, at [www.treeownersmanual.info](http://www.treeownersmanual.info) (2008)

Consumer Information Program Brochures, published by the International Society of Arboriculture (ISA), at [www.treesaregood.org](http://www.treesaregood.org) (2011)

### **Tree Warden**

#### **Richard J. Waldo, P.E.**

Town of Provincetown  
Department of Public Works - Director  
2 Mayflower St. - Room 74  
Mail: 260 Commercial St.  
Provincetown MA 02657  
Phone 508-487-7060  
Fax 508-487-4675  
[rwaldo@provincetown-ma.gov](mailto:rwaldo@provincetown-ma.gov)

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## 1. Purpose of This Manual

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A new town bylaw was passed in 2017 to regulate Provincetown's community trees. By "community trees" we mean public shade trees and town trees. Public shade trees are, essentially, street trees, and town trees are other trees on town property.

The purpose of this manual is to serve as a resource guide for caring for Provincetown's community trees. The standards set forth apply only to community trees. They do not apply to trees on private property other than public shade trees. This is explained in more detail in the next chapter.

While this manual is intended to regulate only community trees, it contains a great deal of information relating to trees in general, and it can serve as a resource guide for their care as well. We hope that private property owners in Provincetown find this resource as useful for trees in their yards and gardens as we designed it to be for trees in the community.

### 1.1 Why Trees Matter

The simple act of caring for trees improves life on earth and in this town in many ways. Trees beautify our neighborhoods and build civic pride. They clean the air and combat climate change. They reduce stormwater runoff and prevent soil erosion. They provide shade, lower air temperatures and reduce energy demand. They are a natural habitat for birds and insects, including migrating birds and important pollinators. They increase property values. They make for healthier communities and people, alleviating stress and anxiety. We can each play a role in protecting our trees and enhancing life in Provincetown, already a remarkable place on the planet.

### 1.2 Standards for Tree Care

In April 2017, Annual Town Meeting approved General Bylaw Chapter 16, titled "Trees," that gives increased protection to public shade trees and other trees on public land. **This Tree Manual sets forth the approved standards, under the bylaw, for care of public trees in town.**

### 1.3 Applicability of These Standards

The standards set forth in this Tree Manual apply to all town Boards, Departments, Commissions, Committees and other administrative and regulatory officials and agencies of the town, all town employees, all developers, builders, contractors, subcontractors, utility companies, landscapers, arborists, and any other person or entity involved in planting, maintaining, pruning, or removing public shade trees and town trees.

## 2. Executive Summary

---

The best way to learn about the standards set forth in this Tree Manual is to read the manual in full. Here is a summary of the key points.

### 2.1 Trees to Which the Standards Apply

- The standards apply to "public shade trees" and "town trees."
- **Public shade trees** are trees within or on the boundaries of a public way other than a state highway. In this manual they are sometimes referred to as "street trees".
  - **A public way is any public street, public road, public alley, or public highway.**

- **Trees within a public way are trees where part or all of the tree trunk is growing in the public way.**
- **Trees on the boundaries of a public way are trees where part or all of the tree trunk is growing on the border or edge of the public way.**
- **In most cases the public way is larger than the paved portion of the street. If it's not clear where the boundary of the public way is, call the Tree Warden.**
- **Town trees** are trees in public parks or other places owned, controlled or leased by the town of Provincetown except trees on conservation lands managed by, or resource areas or their buffer zones under the jurisdiction of, the town's Conservation Commission.
- For ease of reference, public shade trees and town trees will be referred to in the following sections of this manual jointly as **community trees**.

## **2.2 Trees to Which the Standards Do Not Apply**

- A property owner can plant a tree on his property without Tree Warden approval so long as the tree is not planted within or on the boundaries of a public way.
- Existing trees planted on private property that are not within or on the boundaries of a public way are not subject to the standards.

## **2.3 Planting Community Trees**

- A permit from the Tree Warden is required for planting a community tree. A copy of the permit application form is included in Appendix D to this manual.
- Anyone wishing to plant a community tree is required to purchase the tree at a nursery and arrange for its planting by the nursery or by a qualified tree expert. The nursery is required to guarantee the tree for at least two years.
- The type of tree planted as a community tree is regulated by the standards in Chapter 5 of this manual.
- Compliance with certain other standards is mandatory for community tree plantings: Calling Dig Safe (Ch. 6.5) and the dimensions for a sidewalk tree pit (Ch. 6.7). Other planting standards in Ch. 6 and 7 are guidelines, not requirements.
- For projects involving Planning Board Site Plan Review or Special Permit, coordination with the Tree Warden is mandatory.

## **2.4 Pruning Community Trees**

- A permit from the Tree Warden is required for pruning a community tree. A copy of the permit application form is included in Appendix D to this manual.
- Any pruning must be done by a certified arborist.
- Topping or stubbing tree branches is prohibited. See definitions in Ch. 9 below.

- Excessive pruning is prohibited, and pollarding is prohibited unless done by a certified arborist. See definitions in Ch. 9 below.

## **2.5 Engaging in Activities that May Damage Community Trees**

- For any construction or demolition activities within the drip line of a tree (i.e., under its canopy), or excavation activities that may disturb a tree, a permit from the Tree Warden is required. See definitions in Ch. 10 below. A copy of the permit application form is included in Appendix D to this manual.
- For any construction, demolition or excavation project that may impact a tree, any Town Department or Board with jurisdiction over the project must coordinate with the Tree Warden
- Girdling tree trunks is prohibited.
- Cutting or poisoning tree roots is prohibited.

## **2.6 Removing Community Trees**

- A permit from the Tree Warden is required. A copy of the permit application form is included in Appendix D to this manual.
- If the tree is a street tree greater than 1½” in diameter, a public hearing before the Tree Warden is mandatory.

## **2.7 Replacing Community Trees**

- For any tree that is removed, replacement plantings approved by the Tree Warden are required.

## **2.8 Violating the Law**

- At the Tree Warden’s discretion, fines and penalties are enforceable against anyone who violates these standards.

# **3. Relevant Laws**

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In Massachusetts, we are fortunate to have a long history of street tree protection. Over 100 years ago, the Commonwealth adopted a statute for the protection of public shade trees, now known as Massachusetts General Laws Chapter 87. In modern times many Massachusetts towns, with encouragement of the State Department of Conservation and Recreation, have adopted local tree ordinances to tailor Ch. 87 to the goals of their community. At the 2017 Annual Town Meeting a tree bylaw, General Bylaw Chapter 16, was unanimously approved for the protection of public trees in Provincetown.

## **3.1 Massachusetts General Laws Chapter 87, “Shade Trees”**

Chapter 87 defines public shade trees, grants local tree wardens the power and the duty to protect them, establishes standards for planting, pruning and removing them, and provides penalties for violating the standards.

Trees within or on the boundaries of a public way are defined as public shade trees to which Ch. 87 applies. It also applies to trees planted by the tree warden on private property within 20 feet of a public way with permission from the property owner.

Local tree wardens are responsible for the care and protection of public shade trees and for enforcing the provisions of Ch. 87. No person may plant, trim, cut, or remove a public shade tree without the tree warden's permission. No person, including the tree warden, may remove a public shade tree greater than 1½" in diameter without a public hearing.

The best way to learn about Ch. 87 is to read it in full. See Appendix A of this manual, and <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter87>.

### **3.2 Massachusetts General Laws Chapter 40 Section 15C, "Scenic Roads"**

It is worth noting that state law governing scenic roads requires a public hearing before the town planning board for cutting or removing a tree on a scenic road within the town. See Appendix A.

### **3.3 Provincetown's Tree Bylaw**

Provincetown General Bylaw Chapter 16, titled "Trees," is intended to dovetail Ch. 87, create clear standards for tree preservation in town, and establish procedures for tree protection.

The bylaw applies to "public shade trees," the subject of Ch. 87, and also to the broader category of "town trees," defined as any tree in a public park or other place owned, controlled or leased by the town except trees on conservation lands managed by, or resource areas under the jurisdiction of, the town's Conservation Commission. The bylaw does not apply to trees on private property other than public shade trees. For purposes of this manual, public shade trees are sometimes referred to as "street trees," and public shade trees and town trees are referred to jointly as "community trees."

Mirroring Ch. 87, the bylaw applies to planting trees in addition to preserving and protecting them. It requires a permit for planting town trees and trees in public ways and for cutting, trimming or removing them; and a public hearing for removal of public shade trees and trees on a scenic road in town.

To read Provincetown's tree bylaw in full, see Appendix B of this manual. You may also go to <http://www.provincetown-ma.gov/index.aspx?NID=1081>

### **3.4 Bylaw Provisions Tailored to Provincetown's Community Goals**

The tree bylaw requires coordination between town regulators and the Tree Warden if any community tree may be impacted by construction, demolition or excavation activities under their jurisdiction. It also requires coordination by the Planning Board with the Tree Warden for projects that require Board Site Plan Review or Special Permit.

For community trees, the bylaw prohibits topping or stubbing tree branches, girdling tree trunks, cutting or poisoning tree roots, excessive pruning, and pollarding a tree if done by anyone other than a certified arborist. See definitions in Ch. 9 below. For any community tree that is removed, the bylaw requires replacement plantings subject to the approval of the Tree Warden.

### **3.5 Explanation of Trees to Which the Bylaw Applies**

The bylaw applies to "public shade trees" and "town trees."

- **Public shade trees** are (a) trees within or on the boundaries of a public way other than a state highway, sometimes referred to as “street trees,” and (b) trees planted by the Tree Warden on private property within 20 feet of a public way with permission from the property owner.
  - **A public way is any public street, public road, public alley, or public highway.**
  - **Trees within a public way are trees where part or all of the tree trunk is growing in the public way.**
  - **Trees on the boundaries of a public way are trees where part or all of the tree trunk is growing on the border or edge of the public way.**
  - **In most cases the public way is larger than the paved portion of the street. It may not be clear where the boundary of the public way is for many Provincetown streets. If you’re uncertain, call the Tree Warden.**
- **Town trees** are trees in public parks or other places owned, controlled or leased by the town of Provincetown except trees on conservation lands managed by, or resource areas or their buffer zones under the jurisdiction of, the town’s Conservation Commission.
- For ease of reference, public shade trees and town trees are sometimes referred to in this manual jointly as community trees.

### **3.6 Trees to Which the Bylaw Does Not Apply**

- A property owner can plant a tree on his property, including within 20 feet of a public way, without Tree Warden approval. For trees within 20 feet of a public way, see relevant discussion in Ch. 6, Section 6.4, “Setback Planting on Private Property.”
- Existing trees planted on private property that are not within or on the boundaries of a public way are not subject to the bylaw.

## **4. Role of the Tree Warden and Other Town Officials**

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### **4.1 Tree Warden**

With the two exceptions noted below, the Tree Warden has jurisdiction over street trees and town trees located in Provincetown. **Street trees** are trees within or on the boundaries of a public right of way in Provincetown, as well as trees planted by or on behalf of the Tree Warden on any adjoining land, upon the written consent of the owner of that land, at a distance of 20 feet or less from a public way. **Town trees** are trees in a public park or other place owned, controlled or leased by the Town of Provincetown.

The two exceptions are (1) street trees along a state highway, which are managed by the state, and (2) town trees on conservation lands managed by, or resource areas or their buffer zones under the jurisdiction of, the Provincetown Conservation Commission.

The Tree Warden has the right and the obligation to care for trees under his jurisdiction and to enforce all the provisions of law for their protection and preservation. On a day-to-day basis, the Tree Warden is responsible for planting new trees, pruning trees that require trimming, overseeing utility pruning operations, and taking down trees that have become hazardous due to damage or disease. Under the tree bylaw, the Tree Warden also is required to work closely with town regulators on projects where public trees are impacted, to

issue standards and permits for planting such trees, and to perform many other specific functions for tree maintenance, pruning and protection, all of which will be addressed in the following sections of this manual. A Tree Advisory Group will assist the Tree Warden in these endeavors.

## **4.2 Town Boards and Departments**

One of the important goals of the tree bylaw is to achieve close cooperation between the Tree Warden and all town boards and departments, private developers, contractors and others, including utility companies, on matters that affect Provincetown's community trees. A key provision applies when a public shade tree or town tree may be impacted by construction, demolition or excavation activities under the jurisdiction of the town's Building Department, Planning Board, Zoning Board of Appeals, or other town Department or Board. In such a case, the regulatory agency must (1) require the owner of the affected property and any person engaging in such activities to comply with the provisions of the tree bylaw, and (2) notify the Tree Warden of such activities. Local Bylaw Sec. 16-3-2. See Ch. 10 below for a discussion of the bylaw provisions relating to construction, demolition and excavation activities.

## **4.3 Town Planning Board**

Another key provision applies to projects that require Planning Board Site Plan Review or Special Permit. In any such project, all tree and landscape requirements must be made part of the Planning Board Site Plan Approval or Special Permit, and the Planning Department must forward the Site Plan Review or Special Permit application to the Tree Warden for review and comment. No Site Plan Approval or Special Permit can be issued without written comments from the Tree Warden, unless the Planning Board does not receive the comments within 30 days of the date the application is submitted. Bylaw Sec. 16-3-3.

## **5. Trees Acceptable for Planting**

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Selecting a tree for planting in Provincetown should take several factors into account. This is true whether it be a community tree or a tree on private property, given our local growing conditions and state and regional criteria.

A permit from the Tree Warden is required for planting a community tree. A copy of the permit application form is included in Appendix D to this manual.

Anyone wishing to plant a community tree is required to purchase the tree at a nursery and arrange for its planting by the nursery or by a qualified tree expert. The tree must be guaranteed by the nursery for at least 2 years.

The type of tree planted as a community tree is regulated by the standards in this chapter. Compliance with certain other standards is mandatory for community tree plantings: Calling Dig Safe (Ch. 6.5) and the dimensions for a sidewalk tree pit (Ch. 6.7). Other planting standards in Ch. 6 and 7 are guidelines, not requirements.

Don't forget that projects involving Planning Board Site Plan Review or Special Permit require coordination with the Tree Warden.

### **5.1 Prohibited Trees**

The first thing to consider is the Massachusetts Prohibited Plant List. This is a list of plants, including trees, that have been banned in Massachusetts since 2005 by the State Department of Agricultural Resources. The purpose of the ban is to stop the spread of non-native invasive plants in Massachusetts. These are the trees,

including all cultivars, that you cannot plant in Provincetown or anywhere else in Massachusetts, whether on public or private property:

- Norway maple (*Acer platanoides*)
- Sycamore maple (*Acer pseudoplatanus*)
- Tree of heaven (*Ailanthus altissima*)
- Black locust (*Robinia pseudoacacia*)
- Amur corktree (*Phellodendron amurense*)
- Common buckthorn (*rhamnus cathartice*)
- European or glossy buckthorn (*frangula alnus*)

These trees also are prohibited from sale, purchase, trade and propagation. Although transplanting them is not banned, please avoid doing so as their very presence is harmful to our environment. Pull out saplings where you find them, especially of Norway Maple. Go to <http://www.mass.gov/eea/agencies/agr/farm-products/plants/prohibited-plant-list-faq.html> for further information about the Massachusetts Prohibited Plant List.

## **5.2 Acceptable Trees**

The Cape Cod Commission has published a list of trees encouraged for planting on the Outer Cape. The list is extensive and user-friendly; it groups the trees by height and width at maturity, making it an ideal resource for tree selection and placement. The list appears at pp. 45-65 of the *Route 6A Vegetation Management Plan*, Cape Cod Commission (1995). To download the document, go to [http://www.capecodcommission.org/resources/transportation/Route6A/Vegetation\\_MP\\_1995.pdf](http://www.capecodcommission.org/resources/transportation/Route6A/Vegetation_MP_1995.pdf). A listing of the trees by common and scientific names is included in Appendix C to this manual. These are all acceptable for planting in Provincetown with the few exceptions noted in red. Please refer to the online resource for additional information and specific characteristics.

Another list of trees acceptable for planting in Provincetown, titled *Trees & Shrubs for Coastal Environments*, is published by the Cape Cod Cooperative Extension, located in Barnstable. Plants on this list were selected based on their ability to grow in coarse soils and windy environments, and for salt tolerance. <http://www.grownativemass.org/sites/default/files/downloads/Cape%20Cod%20Coop%20Ext%20Plant%20List.pdf>. A listing of these trees by common and scientific names is also included in Appendix C to this manual. The online resource should be consulted for more detailed information.

Trees on a third, shorter list, published by the Brewster Conservation Commission, are also acceptable for planting in Provincetown. See the last section of Appendix C.

## **5.3 Vulnerable Trees**

A word of caution: The lists published by the Cape Cod Commission and the Cape Cod Cooperative Extension include trees known to be hosts to the Asian longhorned beetle (“ALB”) and the emerald ash borer (“EAB”), two insects that kill trees. These insects have attacked, and killed, hundreds of millions of trees in the United States. So far (as of this writing in 2018) neither insect has been detected on Cape Cod. When planting trees in Provincetown, you may want to consider planting trees that these insects do not prefer. The ALB

prefers maple species (*Acer*), including boxelder, red, silver, and sugar maples. Other preferred hosts are birches, Ohio buckeye, elms, horsechestnut, and willows. The EAB attacks only ash trees (*Fraxinus*).

An insect that has been detected on Cape Cod is the Southern pine beetle (SPB), which infests pine trees. All pine trees are susceptible, including pitch pine, white pine, and red pine. In addition to pines, hemlocks and spruce may also be affected in highly infested areas. Pitch pine is a dominant tree on Cape Cod. So far, the SPB has been found in traps on the Cape but not in trees.

Any planting on the public right-of-way or town property is required to comply with all local and state regulations for insect pest control. Stay alert to insect pest control requirements that may be issued after the date of this writing.

#### **5.4 Native Trees**

We cannot overemphasize the value of planting native trees when selecting a tree for planting in Provincetown. They are hardier and more viable, have less need of water, nutrients and pesticides/herbicides, are a better fit for the Outer Cape fauna that have coevolved with them, and have an historical and cultural connection that should not be overlooked. Trees that are native to Cape Cod are marked with an asterisk (\*) in the listings attached as Appendix C.

#### **5.5 Recommended Trees**

The Tree Warden, assisted by the Tree Advisory Group, will develop and publish a list of trees recommended for planting in Provincetown, based on the listing of acceptable trees attached as Appendix C.

#### **5.6 Approval of Selected Trees**

By virtue of the permitting process under the new tree Bylaw, the Tree Warden shall have final approval of the type of tree selected for planting as a public shade tree or town tree. In addition, under Bylaw Section 16-3-3, no Site Plan Approval or Special Permit shall be issued by the Planning Board without written comments from the Tree Warden about tree selection and planting.

### **6. Planting Locations**

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#### **6.1 Site Selection**

Anyone who wants to plant a street tree or a town tree in Provincetown must apply for a planting permit from the Tree Warden. A copy of the permit application form is included in Appendix D to this manual. The sites in town that may be available for tree plantings include the following:

- Public streets
- Lawns, walkways and parking areas around municipal facilities (e.g., Town Hall, Police Station, Fire Station)
- School yards
- Parks, fields and playgrounds
- Public parking lots
- Cemeteries

- Other outdoor space owned or leased by the town

Proposed planting locations will be considered by the Tree Warden on a case-by-case basis, with the intent of being flexible considering site conditions and scenic and historic concerns. In general, new plantings should be placed where they will make the greatest contribution to providing shade and improving the appearance of the street and surroundings.

## **6.2 Tree Selection to Fit the Site**

Deciding what kind of tree to plant cannot be made without deciding where the tree will be planted. The impact of these decisions can last a lifetime, or several. The importance of matching the tree to the site is a key reason why a permit from the Tree Warden is required for planting community trees in Provincetown.

In choosing a tree, the mature height and spread should be considered to ensure that it will not interfere with buildings, overhead utility lines, pavement, or intersection sightlines as it gets bigger. Narrow, columnar trees may provide a screen between two buildings. Small trees should not be planted in large open spaces like a park or cemetery. Other factors that may matter include whether the site is in the sun or shade, in wet soil or dry, in the wind, exposed to salt, or subject to compaction from human activity.

A list of factors in selecting the right tree for a site has been developed by the International Society of Arboriculture (“ISA”). According to ISA, planting the wrong tree accounts for more tree deaths than all insect-related and disease-related tree deaths combined. We cannot improve upon the ISA list. To download the document, go to <http://www.treesaregood.com/treecare/resources/TreeSelection.pdf>.

## **6.3 Priorities for Tree Planting Locations**

The Tree Warden has set the following priorities for community tree planting locations in Provincetown.

- Streets or public spaces where there has been significant tree loss
- Sites where development or town projects require more plantings
- Prominent public places in need of new trees
- Tree removal locations where replacement trees need to be planted
- Streets or public spaces where new plantings have not survived
- Setback areas on private property within 20 feet of a public way

## **6.4 Setback Planting on Private Property**

Provincetown’s tree bylaw, mirroring the MA Shade Tree Act, defines public shade trees to include trees planted by the Tree Warden on private property within 20 feet of a public way with permission from the property owner. Planting trees in front yards on private property, inside the public way, has a number of benefits. It avoids root constriction and damage from road and sidewalk traffic and chemicals. It minimizes sidewalk problems due to root growth. It reduces replacement tree costs. Most importantly, it enables more tree planting throughout the town.

Private property owners may contact the Tree Warden and request a setback tree to be planted on their property. If the Tree Warden and the property owner agree on a site for a planting, the Tree Warden will provide a written agreement to the property owner for signature, stating that:

- The town will pay for and plant the tree in the set-back area
- The town will guarantee the tree for a period of two years and replace it if necessary during the warranty period
- The private property owner will be responsible for the watering and care of the tree from the time of planting and will reimburse the town for the cost of the tree if it dies from negligent care, is removed without the Tree Warden's permission, or if the property is sold and the new owner does not wish to carry out the agreement
- The tree will always be considered a public shade tree subject to the town's tree bylaw, including in particular restrictions on pruning and removal

### **6.5 Planting Location: First, Rule Out Underground Obstacles**

A street tree or town tree, and any tree for that matter, cannot be planted over underground utilities. Before digging a planting hole or excavating a tree pit, MA law requires you to call Dig Safe to confirm the location of underground utilities. Dig Safe is a nonprofit group that coordinates marking underground utility lines before work begins. These services are free. Call 811 or 1-888-344-7233.

### **6.6 Above Ground Spacing Requirements**

As a tree gets bigger, it will interfere with its surroundings if proper spacing is not heeded at planting time. Here are the guidelines.

- **Next to Pavement and Fences.** Make sure your planting spot is at least 3 feet from pavement (sidewalks, driveways and street curbs) and fencing on all sides
- **Next to Buildings and Other Trees.** Avoid planting the tree within 15 feet of a building or another tree. Exceptions include using the espalier method of planting against a building wall, or when columnar trees are used.
- **Under Overhead Utility Lines.** A tree should be planted under overhead utility lines only if will not grow taller than 25 feet at maturity.
- **Near Overhead Utility Lines.** If the tree will grow taller than 30 feet, it should not be planted within 25 feet from overhead utility lines.
- **Near a street intersection.** Minimum distance from the corner of a street intersection to the tree trunk is 20 feet.
- **Near a Street Light or Utility Pole.** Minimum distance from a street light or utility pole to the tree trunk is 10 feet, although this may vary with tree species.

Additional spacing requirements may be imposed at the discretion of the Tree Warden depending on the tree species, location and site conditions.

### **6.7 Tree Pit Dimensions**

When siting a tree pit along a sidewalk or street, the pit should be as large as possible to allow for ample growing space for the tree's roots and to reduce the likelihood of future pavement lifting. The standard tree pit size in Provincetown is 4 feet by 4 feet. The tree must be set back from the street a minimum of 30 inches from

its center to the face of the curb. Where a 4 feet by 4 feet tree pit is not possible, alternate dimensions must be approved by the Tree Warden.

## **7. Planting Guidelines**

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Planting guidelines published by the International Society of Arboriculture (ISA) shall serve as the standards applicable to planting street trees and town trees in Provincetown. The following is adapted with permission from the ISA Consumer Information Program Brochure titled *New Tree Planting*, [www.treesaregood.org](http://www.treesaregood.org). Recommendations published by the U.S. Forest Service in its Tree Manual are also invaluable and are included here.

### **7.1 When to Plant**

Ideally, trees are planted in the dormant season – in the fall and in early spring, when weather conditions are cool and allow plantings to establish roots in the new location before spring rains and summer heat stimulate new top growth. As a general rule, street trees and town trees may be planted in Provincetown from October 1 through December 15, and from March 1 through May 15.

### **7.2 Planting Stress**

Trees arrive from the nursery in three forms: Bare root, balled and burlapped, and in a container. Balled and burlapped (B&B) trees lose a significant portion of their root system when dug at the nursery. As a result, these trees commonly exhibit what is known as “transplant shock.” Transplant shock is a state of slowed growth and reduced vitality following transplanting. Container trees may also experience transplant shock, particularly if they have circling or kinked roots that must be cut. Proper site preparation, careful handling and follow-up care reduce transplant shock and promote faster recovery.

### **7.3 Preparing to Plant Balled and Burlapped Trees**

- **Identify the Trunk Flare.** The trunk flare is where the trunk expands at the base of the tree as it meets the roots. Some trees are grafted above the flare; do not mistake the graft bulge for the flare. The trunk flare should be partially visible after the tree has been planted. (See figure below.) To locate the trunk flare before planting, it may be necessary to remove soil from the top of the root ball. If the trunk flare is located more than 4 inches deep, return the tree to the nursery and get another one.
- **Remove Packaging.** Remove the top of the root ball packaging. Cut any twine from around the trunk taking care not to nick the bark. Then bend the wire basket back off the top of the ball. Remove soil from the top of the root ball until the main root system is found. You may have to cut some of the wire. Leave the rest of the wire basket in place until the tree is put in the ground.
- **Dig a Shallow, Broad Planting Hole.** Dig the hole no deeper than the root ball as measured from the point of the trunk flare to the bottom of the ball; and dig the hole 2 to 3 times wider than the root ball. Digging a broad hole breaks up the surrounding soil and provides newly emerging tree roots room to expand. Slope the sides of the hole, and leave the bottom of the hole firm.
- **The Importance of Proper Depth.** Take care to dig the hole to the proper depth – and no more. Most of a tree’s roots develop in the top 12 inches of soil. If the tree is planted too deep, new roots will have difficulty developing because of a lack of oxygen.

## 7.4 Preparing to Plant Container Trees

If the tree is container-grown, remove or cut off the container. Inspect the root ball for girdling, or circling, roots. Straighten, cut, or remove them. Expose the trunk flare, if necessary. Plant the tree no deeper than it was planted in the container.

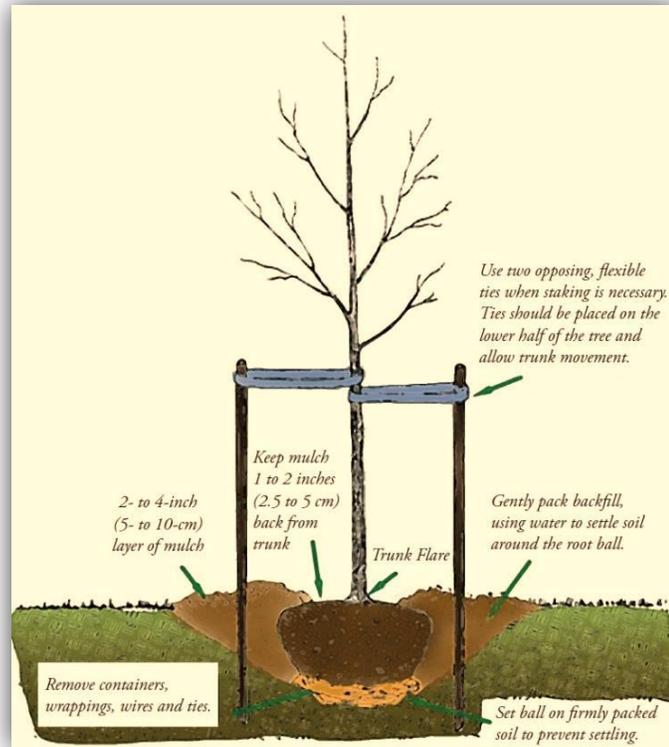


Figure 1: ISA tree planting guideline

## 7.5 Planting Instructions

- **Place the Tree in the Hole.** Lift the tree into the hole by the root ball (not the trunk) so that the ball will not be loosened. Set the tree straight and in the center of the hole. Make sure the trunk flare is level with the existing grade. Pack soil around the base of the root ball to stabilize it.
- **Straighten the Tree in the Hole.** Before backfilling, have someone look at the tree from several directions to confirm it is straight. Once planted, it's difficult to re-position.
- **For B&B Trees, Remove Root Ball Packaging.** Without loosening the root ball, cut, peel back, and remove as much of the wire basket and burlap as possible (at least the top third). The remaining wire and burlap should be pulled back to prevent the formation of air pockets. Be careful to keep soil around the roots.
- **Fill the Hole Gently but Firmly.** Begin filling the hole with soil removed from the hole. Amend the soil when planting in construction rubble or poor or severely disturbed soil. Use aged compost or quality topsoil to supplement the existing soil; do not use organic amendments such as peat moss. Firmly pack the soil to eliminate air pockets that may dry out roots. Water the soil half way through the backfill process. After the water drains

away, finish backfilling and water again throughout. Avoid fertilization at the time of planting.

- **Make a Saucer.** Build a 3-inch high saucer of soil around the outer edge of the hole to retain water and allow it to soak down to the roots.
- **Stake Only If Necessary.** Studies have shown that trees establish more quickly and develop stronger trunk and root systems if they are not staked at the time of planting. Staking may be required, however, when planting bare root stock or planting on windy sites. Stakes may also offer protection against lawn mower damage and vandalism. One or two stakes used in conjunction with wide, flexible tie material on the lower half of the tree will hold the tree upright and minimize injury to the trunk (see figure above) yet still allow movement. Remove staking and ties after the first year of growth.
- **Mulch the Base of the Tree.** Mulch is organic matter spread around the base of a tree to hold moisture, moderate soil temperature extremes, and reduce grass and weed competition. Use a natural forest product bark mulch composed of shredded bark or wood not exceeding 3 inches in length and 1 inch width. Preferably it should be natural in color and not dyed. A 2- to 4-inch layer is ideal, spread in a band about 3 times the diameter of the root ball. Leave a radius of 2 inches of bare soil around the tree trunk to prevent decay of the living bark. Mulch that is too deep and touching the tree can harm the tree and even kill it due to problems with oxygen and moisture levels. Peat moss should never be used as mulch because it does not absorb water well.

## 7.6 Post-Planting Care

**Watering is the key to the tree's survival.** Water twice weekly for a month after planting, by filling the saucer around the tree, and weekly after that through at least one growing season (tapering off mid-fall). Use 5 gallons per week per inch of caliper. Commercially available watering bags are useful during the growing season; remove them for the winter. Water regularly for several years, regardless of natural rainfall. Over-watering is also harmful. Keep the soil moist but not water-logged. Other follow-up care may include minor pruning of branches damaged during the planting process. After that it's the Tree Warden's responsibility to prune sparingly after planting and delay any necessary corrective pruning until a full season of growth in the new location.

## 8. Other Activities Requiring a Permit

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In addition to requiring a permit from the Tree Warden for planting a street tree or town tree, the Provincetown tree bylaw requires a permit from the Tree Warden for:

- Engaging in construction or demolition activities within the drip line of a public shade tree or town tree
- Engaging in excavation activities that may disturb a public shade tree or town tree, including but not limited to the installation of utility lines
- Trimming, pruning or removing a public shade tree or town tree

Bylaw Sec. 16-4. These permitting requirements apply to work done by town employees, developers, builders, contractors, subcontractors, utility companies, landscapers, arborists, and private individuals. Permit application forms are available at the DPW offices and in the Town Clerk's office. Compliance is mandatory. See the following chapters of this manual for more detail.

## 9. Tree Pruning

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Under Provincetown's tree bylaw, a street tree or town tree may not be trimmed, pruned or removed by any person other than the Tree Warden without a permit from the Tree Warden. Bylaw Sec. 16-4-1. A copy of the permit application form is included in Appendix D to this manual.

For street trees and town trees, the bylaw specifically prohibits topping tree branches, stubbing tree branches, and girdling, cutting or poisoning tree roots, as well as pollarding the top and branches of a tree if done by anyone other than a certified arborist. Sec. 16-6. See definitions below.

In general, any trimming or pruning of street trees and town trees in Provincetown will be undertaken by the Tree Warden and done in accordance with ANSI A300 Part 1 Standard Practices for Structural Pruning. The Tree Warden may, however, use his discretion to grant a permit for trimming or pruning street trees and town trees to a town contractor, private contractor, subcontractor, developer, builder, utility company, landscaper, arborist, and any other person or entity, provided that the actual pruning is performed by a certified arborist, and subject to the following standards, adapted with permission from ISA guidelines and the Forest Service's *Tree Owner's Manual*.

### 9.1 Why It Matters

Pruning a tree properly can extend its life, enhance its health and structure, and make it a creature of lasting beauty. Pruning a tree improperly can kill it, maim it for life or destroy its natural grace and appearance. There are too many examples of pruning once-majestic trees in Provincetown that have done much more harm than good. The tree bylaw is meant to protect our trees from this kind of assault, and the Tree Warden is empowered to stop it.

### 9.2 Reasons for Pruning Trees

The main reasons for pruning trees are safety, health and esthetics. Every applicant must satisfy at least one of these criteria.

- **Pruning for Public Safety.** This involves removing branches that could fall and cause injury or property damage, trimming branches that interfere with lines of sight on streets or driveways, and removing branches that grow into utility lines. Branches that are within 10 feet of the utility lines cannot be pruned by anyone other than the utility company.
- **Pruning for the Tree's Health.** This involves removing diseased or insect-infested wood, thinning the crown to increase airflow and reduce pest problems, and removing crossing and rubbing branches.
- **Pruning for Esthetics.** This involves enhancing the natural form and character of trees or stimulating flower production.

### 9.3 Making the Cut

Pruning cut location is critical to a tree's wound closure response. Improper pruning cuts may lead to permanent internal decay. Make pruning cuts just outside the branch collar to avoid damaging the trunk and compromising wound responses. Support the branch with one hand while you make the cut to prevent the bark from ripping. Look for the branch bark ridge and trunk collar. Begin the cut just outside of the branch bark ridge, and angle down away from the trunk. Stay close to the trunk collar without cutting into it. (See images below.)

If the branch is too large to support, use the 3-step method.

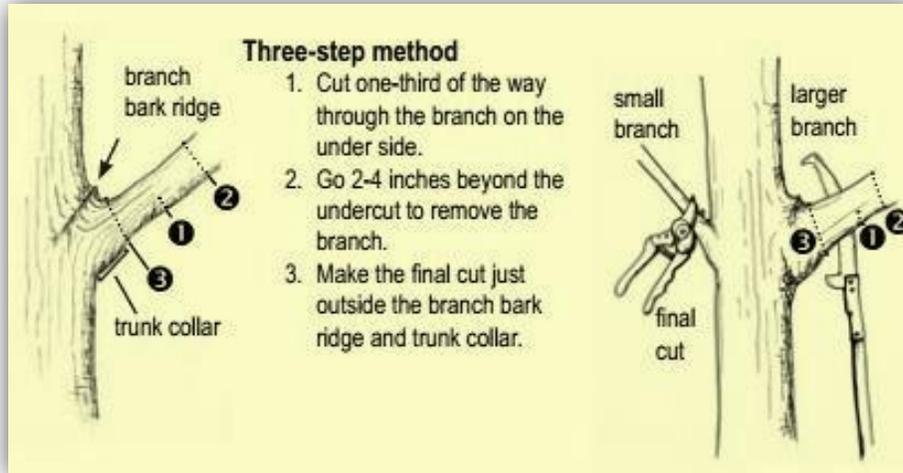


Figure 2: USDA Forest Service Tree Owner's Manual

#### 9.4 When to Prune

Winter is the best time of year to prune because branches are easy to see, diseases cannot be spread, and there is minimal stress to the tree.

#### 9.5 Wound Dressings

Research has shown that wound dressings do not reduce decay or speed wound closure and rarely prevent disease and insect infestations. Wound dressing should not be used.

#### 9.6 Definitions of Prohibited Practices

- **Topping and stubbing tree branches** are examples of drastic removal or cutting back of large branches in mature trees. Topping involves decapitating large limbs so that stubs several feet long are left without natural terminal points. Topping is done to reduce the tree's height. The practice is harmful to the tree and can be avoided by selective branch thinning and removal.
- **Girdling tree roots** are roots wrapped around the lower main trunk or upper large roots resulting in strangulation of the wrapped area. Careless placement or overcrowding of the roots at transplanting time may lead to root girdling.
- **Pollarding** is a pruning system in which, starting at a young age, the tree is headed back every year to approximately the same place. The end of the framework branches become knob-shaped and most of the regrowth branches arise from these knobs. The height and spread of the tree is kept uniform year after year. It is a precise pruning technique that should be done only by a certified arborist.

### 10. Protecting Trees During Construction

Construction activities, including demolition and excavation, can easily damage or kill existing trees. The damage results from soil compaction, adding or removing soil, cutting roots, tearing the bark, breaking the

branches and otherwise wounding the tree and root system. These injuries are permanent and can be fatal if extensive.

Avoiding tree damage during construction is a key objective of Provincetown's tree bylaw as it applies to public shade trees and town trees. Saving living trees is the goal, and the Tree Warden's involvement in each project is the linchpin.

- A permit from the Tree Warden is required for engaging in construction or demolition activities within the drip line of a public shade tree or town tree. "Drip line" means a vertical line running through the outermost portion of the crown (i.e. the outer branch tips) of a tree and extending to the ground. This is the best way to measure and define the tree's critical root zone.
- A permit from the Tree Warden is also required for engaging in excavation activities that may disturb a public shade tree or town tree. These activities include digging, grading and trenching in a tree's critical root zone. See figure.
- Copies of the permit application forms are included in Appendix D to this manual.
- If any public shade tree or town tree may be impacted by construction, demolition or excavation activities under the jurisdiction of the Town's Building Department, Planning Board, Zoning Board of Appeals, or other Town Department or Board, the agency must (1) require the owner of the affected property and any person engaging in such activities to comply with the provisions of the tree bylaw, and (2) notify the Tree Warden of such activities.
- For projects that require Planning Board Site Plan Review or Special Permit, all tree and landscape requirements must be made part of the Planning Board Site Plan Approval or Special Permit. The Planning Department is required to forward Site Plan Review and Special Permit applications to the Tree Warden for review and comment.

Guidelines published by the International Society of Arboriculture (ISA) and the U.S. Forest Service shall serve as the standards applicable to protecting street trees and town trees in Provincetown during construction. The following is adapted with permission from the ISA Consumer Information Program Brochure titled *Avoiding Tree Damage During Construction* at [www.treesaregood.org](http://www.treesaregood.org) and the Forest Service's *Tree Owner's Manual* at [www.treeownersmanual.info](http://www.treeownersmanual.info).

### **10.1 Avoiding Tree Damage During Construction**

The activities listed below all negatively impact trees during construction. To protect a tree, define the critical root zone and – at a minimum – keep these activities away from this area.

- **Storing Materials and Moving Equipment.** Soil compaction around the tree's critical root zone is one of the main killers of urban trees. Compaction inhibits root growth, limits water penetration, and decreases oxygen needed for root survival. Keep construction activities away from the critical root zone of every tree on the construction site. Do not stockpile building materials, use heavy machinery, or allow worker foot traffic in these areas. To minimize damage, install orange polypropylene or chain link fencing and post "Off Limits" signs around the protected root zone (PRZ) of each tree, as far out from the tree trunk as possible.

## How Close Is Too Close? Defining The Protected Root Zone (PRZ)

The tree's Protected Root Zone (PRZ) can be identified as follows:

1. Measure the diameter (width) of the trunk at chest height, to the nearest inch. To do this, either wrap a tape measure around the trunk and divide that number by 3 or hold a yard stick up to the trunk and approximate the distance.
2. Multiply that number by 1.5 for mature or stressed trees or by 1.0 for young, healthy trees. Express the result in feet.
3. Measure that distance from the trunk of the tree. The area within this radius is the Protected Root Zone (PRZ).

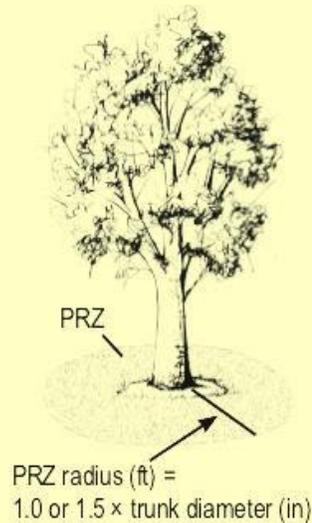


Figure 3: USDA Forest Service Tree Owner's Manual

- **Changing the Grade.** A tree's most important roots are in the upper 6 to 12 inches of soil. Changing the grade of a site by adding as little as 2 inches of soil over the roots can smother these upper roots and kill a tree. To minimize damage, consult an arborist about methods to protect the roots if fill needs to be added or soil needs to be removed within the PRZ of any tree on the construction site.
- **Cutting roots.** The digging, grading and trenching involved in construction projects kills trees if done in a tree's critical root zone. If utility or irrigation lines cannot be relocated outside any tree's PRZ, reduce root damage by tunneling under the tree's root system instead of trenching through it. Consult an arborist about tunneling installation techniques.

## 11. Tree Removal and Replacement

Provincetown's tree bylaw requires that public shade trees and town trees may not be trimmed, pruned or removed by any person other than the Tree Warden without a permit issued by the Tree Warden. Bylaw Sec. 16-4-1. A copy of the permit application form is included in Appendix D to this manual. A public shade tree may not be removed by the Tree Warden or any other person without a public hearing. Bylaw Sec. 16-8. Under the MA Public Shade Tree law, if anyone objects in writing to the tree's removal, the removal cannot proceed without approval from the Board of Selectmen.

### 11.1 Criteria for a Tree Removal Permit

Under Bylaw Sec. 16-9, the Tree Warden shall approve removal of a public shade tree or town tree if one of the following is met:

- The tree interferes with structures, utilities, streets, sidewalks or proposed necessary improvements for which there is not alternative

- The tree is dead, diseased, terminally injured, in danger of falling, dangerously close to existing structures, causing disruption of public utility service, causing drainage or passage problems upon rights-of-way, or posing a threat to pedestrian or vehicular safety
- There is no alternative to removal of the tree as determined by the Tree Warden.

### **11.2 Removing the Tree**

To remove a large tree after obtaining permission to do so, hire an arborist. For a list of certified arborists in our area, please visit [www.treesaregood.org](http://www.treesaregood.org). If the tree is located near a power line, contact the local electrical utility. If you are interested in having the tree milled into lumber, visit [www.harvestingurbantimber.com](http://www.harvestingurbantimber.com) to locate a portable mill in the area. You may also try contacting local woodworkers and artists to see if they would like the wood.

### **11.3 Activities Resulting in Inadvertent Tree Removal**

The tree bylaw recognizes that public shade trees and town trees can be removed by activities that result in the tree's death even if the tree was not actually cut down. These include acts that will cause a tree to die within a three-year period, such as improper or excessive pruning, and construction, demolition and excavation activities. Bylaw Sec. 16-2-6. "Excessive pruning" means the removal of more than one-third of the tree canopy or cutting back the limbs to a point that prevents the natural growth of the tree.

### **11.4 Replacing a Tree After its Removal**

The tree bylaw requires that anyone who removes a public shade tree or a town tree, either by cutting it down or engaging in activity that causes its death, must replace the tree within 12 months of the date of its removal. Bylaw Sec. 16-12. Here are the specifics:

- The tree is to be replaced at such person's cost and in accordance with the permit application procedures set forth in the bylaw (Sec 16-7).
- The replacement tree shall be purchased from a certified tree nursery professional approved by the Tree Warden. Such professional shall plant and ensure the health of the tree for three years.
- The replacement tree shall be of the same or similar species or such other species as deemed advisable by the Tree Warden and shall have the same or equivalent size as measured in DBH inches as that of the tree that was removed.
- If a tree of equivalent size cannot be obtained or is not appropriate, the Tree Warden shall determine a suitable alternative including planting two or more smaller replacement trees that are the largest available and appropriate for transplanting, and payment to the Town's Tree Revolving Account for the value of the tree that was removed, as determined by a certified arborist based on standards in the industry.

Under the tree bylaw these requirements also pertain to a driver of any vehicle that knocks down or severely injures a public shade tree or town tree.

### **11.5 List of Acceptable Trees for Replacement Planting**

The standards set forth in Ch. 5, "Trees Acceptable for Planting", apply to replacement plantings.

## 12. Tree Maintenance

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Taking care of a tree so it can grow to maturity requires watering the tree, mulching, fertilizing and pruning it, and considering other measures such as installing a trunk guard. Instructions for tree maintenance are available in numerous publications. We recommend the chapter titled “Maintenance Instructions,” together with a helpful “Maintenance Schedule,” in the *Tree Owner’s Manual for the Northeastern and Midwestern United States*, published by the Forest Division of the USDA (2008), available online at [www.treeownersmanual.info](http://www.treeownersmanual.info). Here are the highlights, adapted with permission from the *Tree Owner’s Manual*.

### 12.1 Watering

One of the most important factors in tree survival is providing the right amount of water. The first 3 years are most critical, but pay attention to watering needs throughout the tree’s life.

- **How Often and How Much.** Frequency depends on soil drainage and the age of the tree. Soils that drain quickly will require more frequent watering than those that drain slowly. The best way to know how often to water is to check the soil moisture at 6 inches below the surface. Check every other day during first 3 years after planting, weekly after that. Water when dry. During the first 3 years, provide about 1½ gallons of water per diameter inch of the trunk. After that, as needed depending on soil type and weather conditions. Soil saturated with water for more than 24 hours can prevent roots from getting oxygen. Watering too much is as dangerous as watering too little (and is harder to correct).
- **Where.** During the first 3 years after planting, water within the dripline. After that, water within the dripline or, for large trees, in the area within 6 feet of the trunk and the dripline.
- **When.** Start checking soil moisture and watering when necessary in early spring, and continue until the soil freezes.

### 12.2 Mulching

Check each spring, following the guidelines in Ch. 7.4.

### 12.3 Fertilizing

Do not apply nitrogen fertilizer unless a diagnosis by a certified arborist indicates that it is necessary. Apply other fertilizers only if a soil test shows that nutrients are lacking. Follow the product’s instructions for the proper dose. Do not use “weed and feed” on lawn near a tree if the product states that it will kill broadleaved weeds. (Most deciduous trees are broadleaved.)

### 12.4 Cultivating

Ideally, tree beds should be cultivated between mid-May and the end of October each year. This activity includes removing litter and weeds, cultivating the soil, and planting flowers but not ivy or woody shrubs, as they compete with the tree for vital nutrients.

### 12.5 Pruning

Under Provincetown’s tree bylaw, a street tree or town tree may not be trimmed, pruned or removed by any person other than the Tree Warden without a permit from the Tree Warden. Bylaw Sec. 16-4-1. In general, any trimming or pruning of street trees and town trees in Provincetown will be undertaken by the Tree Warden and done in accordance with ANSI A300 Part 1 Standard Practices for Structural Pruning.

### 13. Resources

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- *Lexington Tree Management Manual*, 3<sup>rd</sup> Edition, Lexington Tree Committee, Town of Lexington, MA (2012), [www.lexingtonma.gov/committees/tree.cfm](http://www.lexingtonma.gov/committees/tree.cfm)
- Massachusetts Prohibited Plant List, <http://www.mass.gov/eea/agencies/agr/farm-products/plants/prohibited-plant-list-faq.html>
- *Route 6A Vegetation Management Plan*, Cape Cod Commission (1995), [http://www.capecodcommission.org/resources/transportation/Route6A/Vegetation\\_MP\\_1995.pdf](http://www.capecodcommission.org/resources/transportation/Route6A/Vegetation_MP_1995.pdf).
- *Street Tree Planting Standards for New York City (2016)*, City of New York Department of Parks and Recreation, [www.nycgovparks.org](http://www.nycgovparks.org)
- *Tree Owner's Manual for the Northeastern and Midwestern United States*, Forest Service, U.S. Department of Agriculture (2008), [www.treeownersmanual.info](http://www.treeownersmanual.info)
- *Trees & Shrubs for Coastal Environments*, Cape Cod Cooperative Extension, <http://www.grownativemass.org/sites/default/files/downloads/Cape%20Cod%20Coop%20Ext%20Plant%20List.pdf>
- *Trees Are Good* Consumer Information Program Brochures, International Society of Arboriculture (ISA), [www.treesaregood.org](http://www.treesaregood.org), including the following titles:
  - **Tree Selection and Placement (2011)**
  - **Avoiding Tree Damage During Construction (2011)**
- *What Do Tree Wardens Do*, Massachusetts Tree Wardens & Foresters Association, [www.masstreewardens.org](http://www.masstreewardens.org)

## APPENDIX A

### **Chapter 87: Shade Trees Massachusetts General Laws**

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#### **Chapter 87: Section 1. Public shade trees; definition**

Section 1. All trees within a public way or on the boundaries thereof including trees planted in accordance with the provisions of section 7 shall be public shade trees; and when it appears in any proceeding in which the ownership of or rights in a tree are material to the issue, that, from length of time or otherwise, the boundaries of the highway cannot be made certain by records or monuments, and that for that reason it is doubtful whether the tree is within the highway, it shall be taken to be within the highway and to be public property until the contrary is shown.

#### **Chapter 87: Section 2. Powers of tree wardens**

Section 2. The tree warden of a town may appoint and remove deputy tree wardens. He and they shall receive such compensation as the town determines or, in default thereof, as the selectmen allow. He shall have the care and control of all public shade trees, shrubs and growths in the town, except those within a state highway, and those in public parks or open places under the jurisdiction of the park commissioners, and shall have care and control of the latter, if so requested in writing by the park commissioners, and shall enforce all the provisions of law for the preservation of such trees, shrubs and growths. He shall expend all money appropriated for the setting out and maintenance of such trees, shrubs and growths, and no tree shall be planted within a public way without the approval of the tree warden, and in towns until a location therefor has been obtained from the selectmen or road commissioners. He may make regulations for the care and preservation of public shade trees and establish fines and forfeitures of not more than twenty dollars in any one case for violation thereof; which, when posted in one or more public places, and, in towns, when approved by the selectmen, shall have the effect of town by-laws.

#### **Chapter 87: Section 3. Cutting of public shade trees; public hearing; damages to fee owner**

Section 3. Except as provided by section five, public shade trees shall not be cut, trimmed or removed, in whole or in part, by any person other than the tree warden or his deputy, even if he be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from said tree warden, nor shall they be cut down or removed by the tree warden or his deputy or other person without a public hearing and said tree warden or his deputy shall cause a notice of the time and place of such hearing thereof, which shall identify the size, type and location of the shade tree or trees to be cut down or removed, to be posted in two or more public places in the town and upon the tree at least seven days before such hearing and published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than seven days before the day of the hearing or if no such local newspaper exists then in accordance with the provisions of section six of chapter four; provided, however, that when a public hearing must be held under the provisions of this section and under section fifteen C of chapter forty prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided herein. Any person injured in his property by the action of the officers in charge of the public shade trees as to the trimming, cutting, removal or retention Lexington Tree Manual 43 of any such tree, or as to the amount awarded to him for the same, may recover the damages, if any, which he has sustained, from the town under chapter seventy-nine.

**Chapter 87: Section 4. Cutting down or removing public shade trees; approval of selectmen or mayor**

Section 4. Tree wardens shall not cut down or remove or grant a permit for the cutting down or removal of a public shade tree if, at or before a public hearing as provided in the preceding section, objection in writing is made by one or more persons, unless such cutting or removal or permit to cut or remove is approved by the selectmen or by the mayor.

**Chapter 87: Section 5. Cutting down, trimming or removing bushes and small trees**

Section 5. Tree wardens and their deputies, but no other person, may, without a hearing, trim, cut down or remove trees, less than one and one half inches in diameter one foot from the ground, and bushes, standing in public ways; and, if ordered by the mayor, selectmen, road commissioners or highway surveyor, shall trim or cut down trees and bushes, if the same shall be deemed to obstruct, endanger, hinder or incommode persons traveling thereon or to obstruct buildings being moved pursuant to the provisions of section eighteen of chapter eighty-five. Nothing contained in this chapter shall prevent the trimming, cutting or removal of any tree which endangers persons traveling on a highway, or the removal of any tree, if so ordered by the proper officers for the purpose of widening the highway and nothing herein contained shall interfere with the suppression of pests declared to be public nuisances by section eleven of chapter one hundred and thirty-two, including the Dutch elm disease.

**Chapter 87: Section 6. Penalty for violation of Sec. 3, 4 or 5**

Section 6. Violations of any provision of the three preceding sections shall be punished by forfeiture of not more than five hundred dollars to the use of the city or town.

**Chapter 87: Section 7. Planting of shade trees**

Section 7. Cities and towns may appropriate money for the purpose of acquiring and planting shade trees in public ways. The tree warden, or a private organization acting with the written consent of the tree warden, may plant shade trees acquired with public or private funds in a public way, or if he deems it expedient, upon adjoining land at a distance not exceeding 20 feet from the layout of such public way for the purpose of improving, protecting, shading or ornamenting the same; provided, however, that the written consent of the owner of such adjoining land shall first be obtained.

**Chapter 87: Section 8. Trees on state highways**

Section 8. The department of highways, in this chapter called the department, shall have the care and control of all trees, shrubs and growths within state highways, and may trim, cut or remove such trees, shrubs and growths, or license the trimming, cutting or removal thereof. No such tree, shrub or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the department, even if he be the owner of the fee in the land on which such tree, shrub or growth is situated, except upon a permit in writing from the department. Any person injured in his property by the action of the department as to the trimming, cutting, removal or retention of any such tree, shrub or other growth, may recover the damages, if any, which he has sustained, from the commonwealth under chapter seventy-nine.

**Chapter 87: Section 9. Signs or marks on shade trees**

Section 9. Whoever affixes to a tree in a public way or place a notice, sign, advertisement or other thing, whether in writing or otherwise, or cuts, paints or marks such tree, except for the purpose of protecting it or the public and under a written permit from the officer having the charge of such trees in a city or from the tree warden in a town, or from the department in the case of a state highway, shall be punished by a fine of not

more than fifty dollars. Tree wardens shall enforce the provisions of this section; but if a tree warden fails to act in the case of a state highway within thirty days after the receipt by him of a complaint in writing from the department, the department may proceed to enforce this section.

**Chapter 87: Section 10. Injury to trees on state highways**

Section 10. Whoever without authority trims, cuts down or removes a tree, shrub or growth, within a state highway or maliciously injures, defaces or destroys any such tree, shrub or growth shall be punished by imprisonment for not more than six months, or by a fine of not more than five hundred dollars to the use of the commonwealth.

**Chapter 87: Section 11. Injury to trees of another person**

Section 11. Whoever willfully, maliciously or wantonly cuts, destroys or injures a tree, shrub or growth which is not his own, standing for any useful purpose, shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.

**Chapter 87: Section 12. Injury to shrubs, trees or fixtures**

Section 12. Whoever wantonly injures, defaces or destroys a shrub, plant or tree, or fixture of ornament or utility, in a public way or place or in any public enclosure, or negligently or willfully suffers an animal driven by or for him or belonging to him to injure, deface or destroy such shrub, plant, tree or fixture, shall be punished by a fine of not more than five hundred dollars, and shall in addition thereto be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act. Whoever by any other means negligently or willfully injures, defaces or destroys such a shrub, plant, tree or fixture shall likewise be liable to the town or any person for all damages to its or his interest in said shrub, plant, tree or fixture caused by such act.

**Chapter 87: Section 13. Powers and duties of tree wardens in cities**

Section 13. The powers and duties conferred and imposed upon tree wardens in towns by this chapter shall be exercised and performed in cities by the officers charged with the care of shade trees within the limits of the highway.

**Chapter 87: Section 14. Performance of maintenance and tree removal work by utility; submission and approval of vegetation management and hazard tree removal plans; submission of utility tree maintenance standards and specifications**

Section 14. (a) For the purposes of this section, "utility" shall mean a company engaging in the Distribution of electricity or owning, operating or controlling distribution facilities; provided, however, that a distribution company shall not include any entity which owns or operates plant or equipment used to produce electricity, steam and chilled water, or an affiliate engaged solely in the provision of such electricity, steam and chilled water, where the electricity produced by such entity or its affiliate is primarily for the benefit of hospitals and nonprofit educational institutions, and where such plant or equipment was in operation before January 1, 1986.

(b) A utility may, or at the request of the tree warden shall, submit an annual vegetation management plan describing the maintenance work to be performed in a municipality. The plan shall include, but not be limited to, a map of the circuits where the maintenance work will be performed, the tree maintenance standards that will be followed and any foreseeable variance from those standards. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date the utility proposes to begin its maintenance work. Upon receipt of the plan, the tree warden, or a designee thereof, shall

notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, a utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.

(c) A utility may, or at the request of the tree warden shall, submit an annual hazard tree removal plan describing hazard tree removal work to be performed in a municipality. The plan shall include, but not be limited to, the specific trees that the utility has identified as a hazard and proposes to remove. The plan shall comply with local ordinances and regulations. The plan shall be submitted not less than 90 days prior to the date a utility proposes to begin tree removal. Upon receipt of the plan, the tree warden, or a designee thereof, shall notify the utility within 60 days, in writing, whether or not the plan has been approved. Upon receipt of written notification that the plan has been approved, or approved with modifications agreed to by both parties, the utility shall be exempt from the requirements of sections 3 and 5 for the work described in the approved plan.

(d) If a tree warden fails to notify a utility whether a vegetation management plan or hazard tree removal plan has been approved within 60 days of the warden's receipt of the plan, the utility may request a decision by the selectmen, mayor or chief administrative officer of the municipality.

(e) Notwithstanding approval of a vegetation management plan or hazard tree removal plan, a utility shall notify a tree warden, in writing, not less than 14 days prior to beginning maintenance work or tree removal work in a municipality. If a local ordinance or regulation requires more than 14 days notice, the utility shall comply with such ordinance or regulation. The notice provided shall include the date on which the utility will begin work and the phone number of the person or persons supervising the work in the field.

(f) The utility shall provide to the state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, a copy of any annual vegetation management plan or hazard tree removal plan and a copy of the approval or denial letter from the applicable tree warden. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall provide the utility an acknowledgment of receipt of such plans and determinations in any manner approved by said secretary.

(g) The utility shall annually submit to the state forester's office a set of utility tree maintenance standards and specifications and evidence that these standards have been adopted by the utility company. These standards and specifications shall conform with: American National Standard Institute A-300; American National Standard Institute Z-133; and National Electric Safety Code 218 Tree Trimming and OSHA 29 CFR Part 1910 Line Clearance Tree Trimming Operations. The state forester, or such other person or agency as designated by the secretary of energy and environmental affairs, shall make these standards and specifications available to the public on their websites or other accessible locations and shall accept and maintain a publicly accessible record of comments received relative to the standards and specifications and shall transmit the comments to the utilities.

\* \* \* \* \*

**Chapter 40 Section 15C: Scenic Roads  
Massachusetts General Laws**

**Chapter 40: Section 15C. Scenic road designations; improvements; fines**

Section 15C. Upon recommendation or request of the planning board, conservation commission or historical commission of any city or town, such city or town may designate any road in said city or town, other than a numbered route or state highway as a scenic road; provided, however, that a numbered route may be

designated by a city or town as a scenic road if its entire length is contained within the boundaries of said city or town, and no part of said route is owned or maintained by the commonwealth.

After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a public hearing must be held under the provisions of this section and under section three of chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the tree warden and the planning board, or if there is no planning board, the selectmen of a town, or the city council of a city, and notice of such consolidated public hearing shall be given by the tree warden or his deputy as provided in said section three of chapter eighty-seven. Any city or town making said scenic road designation may make an ordinance or by-law establishing that a violation of this paragraph shall be punished by a fine not to exceed three hundred dollars.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of chapter ninety.

\* As of the publication date of this manual (2018) there are no scenic roads in Provincetown.

## APPENDIX B

### Chapter 16 of Provincetown's General Bylaws Approved at Town Meeting 4/5/17 & 9/13/17

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#### 16. TREES

##### 16-1. Purpose

Trees contribute to the health and well-being of the Town of Provincetown (the "Town") and its residents and wildlife. Trees also help define the Town's ambience and streetscape and enhance property values. The purpose of this bylaw is to preserve and protect public shade trees in Provincetown in accordance with the provisions of Massachusetts General Law Chapter 87, and to provide standards for the proper care of town trees.

##### 16-2. Definitions

**16-2-1. "Public shade tree"** means any tree within or on the boundaries of a public right-of-way except for a state highway, including any tree planted by or on behalf of the Tree Warden on any adjoining land, upon the written consent of the owner of such land, at a distance of 20 feet or less from the layout of such public way, all in accordance with the provisions of G. L. c. 87, s. 7.

**16-2-2. "Town tree"** means any tree in a public park or other place owned, controlled or leased by the Town of Provincetown except trees on conservation lands managed by, or resource areas or their buffer zones under the jurisdiction of, the Provincetown Conservation Commission.

**16-2-3. "Public right-of-way"** means the strip of land controlled or owned by the Town within which a public street or road lies. Typically the public right-of-way is wider than the road surface and often includes curbs, sidewalks, utilities, public shade trees and grass strips.

**16-2-4. "Person"** means any individual or entity as defined by Section 1-2-5 of the Provincetown General Bylaws.

**16-2-5. "Drip line"** means a vertical line running through the outermost portion of the crown (i.e., the outer branch tips) of a tree and extending to the ground.

**16-2-6. "Tree removal"** means the cutting down of any public shade tree and any other act that will cause such a tree to die within a three-year period, including but not limited to improper or excessive pruning and construction, demolition and excavation activities.

**16-2-7. "Excessive pruning"** means the removal of more than one-third of the tree canopy or cutting back the limbs to a point that prevents the natural growth of the tree.

**16-2-8. "DBH (Diameter at Breast Height)"** means the diameter of the trunk of a tree 4 ½ feet above the existing grade at the base of the tree.

**16-2-9. "Tree fund"** means a fund to be established hereunder as a revolving fund pursuant to G.L. c. 44, s. 53E1/2, for use by the Tree Warden for the purchase, planting, protection and care of public shade trees and town trees.

### **16-3. Jurisdiction**

#### **16-3-1. Tree Warden**

This bylaw applies to all public shade trees and town trees in the Town. The Tree Warden shall have jurisdiction over all trees to which this bylaw applies and as set forth in G.L. c. 87, s. 2.

#### **16-3-2. Coordination With Other Town Regulators**

If any public shade tree or town tree may be impacted by construction, demolition or excavation activities under the jurisdiction of the Town's Building Department, Planning Board, Zoning Board of Appeals, or other Town Department or Board, such regulatory agency shall (1) require the owner of the affected property and any person engaging in such activities to comply with the provisions of this bylaw, and (2) notify the Tree Warden of such activities.

#### **16-3-3. Planning Board**

For projects that require Planning Board Site Plan Review or Special Permit, the provisions of Sections 16-4-2 and 16-5 of this bylaw shall be waived and all tree and landscape requirements shall be made part of the Planning Board Site Plan Approval or Special Permit. The Planning Department shall forward Site Plan Review and Special Permit applications to the Tree Warden for review and comment. No Site Plan Approval or Special Permit shall be issued without written comments from the Tree Warden, unless such written comments are not received by the Planning Board within 30 days of the date the application is submitted.

### **16-4. Activities Requiring a Permit**

**16-4-1.** A public shade tree or town tree may not be trimmed, pruned or removed by any person other than the Tree Warden until and unless the Tree Warden issues a written permit pursuant to this bylaw.

**16-4-2.** Such a permit shall also be required of any person for (1) planting a public shade tree or town tree, (2) engaging in construction or demolition activities within the drip line of a public shade tree or town tree, and (3) engaging in excavation activities that may disturb a public shade tree or town tree, including but not limited to the installation of utility lines.

### **16-5. Tree Planting**

The Tree Warden shall issue standards for planting public shade trees and town trees for which a permit is required under Section 16-4-2. Such standards shall include (1) listing of trees acceptable for planting, (2) site selection, (3) priorities for tree planting locations, (4) spacing of street trees, and (5) planting guidelines.

### **16-6. Prohibited Activities**

It shall be unlawful for any person to engage in any of the following activities relating to public shade trees or town trees: (1) topping tree branches, (2) stubbing tree branches, (3) girdling tree trunks, (4) cutting or poisoning tree roots, (5) causing any other kind of injury, and (6) pollarding the top and branches of a tree if done by any person other than a certified arborist.

### **16-7. Permit Application Procedures**

**16-7-1.** A person who wishes to initiate any activity affecting a tree for which a permit is required under this bylaw shall submit an application to the Tree Warden in accordance with application requirements issued by the Tree Warden. Application forms shall be available at the office of the Town Clerk and the office of the Tree Warden. There shall be no fee for filing an application.

**16-7-2.** The permit issued by the Tree Warden may specify schedules, terms, and conditions as deemed appropriate by the Tree Warden. For activities except removal, the Tree Warden shall issue or deny the permit within fourteen (14) calendar days of receipt of a completed application. A permit shall be valid for one hundred twenty (120) days from issuance unless the permit specifies otherwise.

### **16-8. Public Hearing**

**16-8-1.** Except as provided in G. L. c. 87, s. 5, the Tree Warden shall not remove a public shade tree, or grant an application to any person for the removal of a public shade tree, without first conducting a public hearing. Where a public hearing is required, the Tree Warden shall, in accordance with the provisions of G. L. c. 87, s. 3, issue a notice of the time and place of the hearing, which notice shall identify the size, type and location of the tree to be cut down or removed. The Tree Warden shall also post the notice in two or more public places in Provincetown, including the Town's website, and in public view upon the tree at least seven (7) days before such hearing and publish it in a newspaper of general circulation in Provincetown once in each of two successive weeks, the first publication to be not less than seven (7) days before the day of the hearing, or if no such local newspaper exists then in accordance with the provisions of G. L. c. 4, s. 6. The costs of notice, posting and publication shall be borne by the applicant.

**16-8-2.** When a public hearing must be held under the provisions of this bylaw and also under G. L. c. 40, s. 15(c), Scenic Roads Designations, such hearings shall be consolidated into a single public hearing before the Tree Warden and the Planning Board.

**16-8-3.** When the public shade tree to be removed is on conservation lands managed by, or resource areas or their buffer zones under the jurisdiction of, the Provincetown Conservation Commission, the public hearing required under the provisions of this bylaw shall be consolidated into a single public hearing before the Tree Warden and the Conservation Commission.

### **16-9. Approval Criteria**

The Tree Warden shall approve removal of a public shade tree or town tree under this bylaw upon a determination that one of the following criteria is satisfied:

**16-9-1.** The tree interferes with structures, utilities, streets, sidewalks or proposed necessary improvements for which there is no alternative;

**16-9-2.** The tree is dead, diseased, terminally injured, in danger of falling, dangerously close to existing structures, causing disruption of public utility service, causing drainage or passage problems upon rights-of-way, or posing a threat to pedestrian or vehicular safety; or

**16-9-3.** There is no alternative to removal of the tree as determined by the Tree Warden.

### **16-10. Mandatory Applicability of State Standard**

In accordance with the provisions of G. L. c. 87, s. 4, the Tree Warden shall not remove or grant a permit for the removal of a public shade tree if, at or before the public hearing required by this bylaw, objection in writing is made by one or more persons, unless such removal is approved by the Board of Selectmen.

### **16-11. Appeals**

Any decision of the Tree Warden under this bylaw may be appealed to the Board of Selectmen. The appeal must be in writing and must be received by the Board of Selectmen within thirty (30) calendar days of

the issuance of the Tree Warden's decision. The Board of Selectmen shall make a final decision within thirty (30) calendar days from the date of receipt of the appeal request.

## **16-12. Tree Replacement**

Any person who removes a public shade tree or a town tree, including the driver of any vehicle that knocks down or severely injures such a tree, shall be required to replace it, within twelve (12) months of the date of its removal, at such person's cost, and in accordance with the permit application procedures set forth in Section 16-7, as follows:

**16-12-1.** The replacement tree shall be purchased from a certified tree nursery professional approved by the Tree Warden. Such professional shall plant and ensure the health of the tree for three years.

**16-12-2.** The replacement tree shall be of the same or similar species or such other species as deemed advisable by the Tree Warden and shall have the same or equivalent size as measured in DBH inches as that of the tree that was removed.

**16-12-3.** If a tree of equivalent size cannot be obtained or is not appropriate, the Tree Warden shall, determine a suitable alternative including planting two or more smaller replacement trees that are the largest available and appropriate for transplanting, and payment to the tree fund for the value of the tree that was removed, as determined by a certified arborist based on standards in the industry.

## **16-13. Emergencies**

**16-13-1.** Pruning or removal shall be allowed without a permit for any public shade tree or town tree that is determined by emergency response officials to create a public hazard so as to immediately endanger public safety or cause an immediate and severe disruption of public services. Such officials shall complete a written record of any such determination and submit it to the Tree Warden within fourteen (14) calendar days of such determination.

**16-13-2.** The Tree Warden may waive the provisions of this bylaw as an emergency response to a hurricane, windstorm, flood or other act of nature.

## **16-14. Enforcement**

**16-14-1.** Any person who violates any provision of G. L. c. 87, s. 3-5, relating to the trimming, cutting or removal of public shades trees, shall be subject to fines of up to \$500 for each separate offense, as provided by G. L. c. 87, s. 6. Where any person violates any provision of this bylaw but not the provisions of G. L. c. 87, the person shall be subject to a fine of \$300 for each separate offense. Each act causing damage to a separate tree shall constitute a separate offense. Each day that a violation continues shall constitute a separate offense. Fines shall be assessed and collected under the G. L. c. 40, s. 21D process.

**16-14-2.** These remedies shall not be in derogation of the Town's right to enforce the provisions of G. L. 242, s. 7, against any person who without a permit willfully cuts down, girdles or otherwise destroys a public shade tree or town tree, or the Town's right to apply or enforce any other Massachusetts law or Town bylaw.

**16-14-3.** Fines and damages paid to the Town under this bylaw, G. L. c. 87, or G. L. c. 242, shall be paid into the Tree Revolving Account.

## **16-15. Severability**

If any part of this bylaw is for any reason declared invalid or unconstitutional by any court, every other part shall continue in full force and effect.

## APPENDIX C - PART 1

### List of Recommended Trees from *Route 6A Vegetation Management Plan 1995*, Cape Cod Commission, pp. 45-65

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[http://www.capecodcommission.org/resources/transportation/Route6A/Vegetation\\_MP\\_1995.pdf](http://www.capecodcommission.org/resources/transportation/Route6A/Vegetation_MP_1995.pdf)

#### **SMALL TREES – (Under 30 ft.) Suitable for use near or under power lines**

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Crabapple	<i>Malus spp.</i>
Dogwood, Kousa	<i>Cornus kousa</i>
Fragrant Epaulette-tree	<i>Pterostyrax hispida</i>
Hoptree	<i>Ptelea trifoliata</i>
Japanese Tree Lilac	<i>Syringa reticulata</i>
Maple, Amur	<i>Acer ginnala</i>
Maple, Paperbark	<i>Acer griseum</i>
Maple, Tatarian	<i>Acer tataricum</i>
Maple, Three-flowered	<i>Acer triflorum</i>
Maple, Trident	<i>Acer buergeranum</i>
Smoketree, American	<i>Cotinus obovatus</i>
Smoketree, Common	<i>Cotinus coggygria</i>
Stewartia, Japanese	<i>Stewartia pseudo-camellia</i>
Stewartia, Korean	<i>Stewartia koriana</i>

#### **MEDIUM TREES – (30-45 ft.)**

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Callery Pear	<i>Pyrus calleryana spp.</i>	Overplanted
Carolina Silverbell	<i>Halesia carolina</i>	
Cherry, Higan	<i>Prunus subhirtella “Autumnalis”</i>	
Cherry, Sargent	<i>Prunus sargentii</i>	
Golden Rain Tree	<i>Keolreuteria paniculata</i>	
Hornbeam, American Hop	<i>Ostrya virginiana</i>	
Maple, Crimson King (Norway)	<i>Acer platanoides</i>	Banned
Magnolia, Kobus	<i>Magnolia kobus</i>	
Magnolia, Loebner	<i>Magnolia x loebneri</i>	
Persian Parrotia	<i>Parrotia persica</i>	

#### **LARGE TREES – (Over 45 ft.)**

---

Alder, Black	<i>Alnus glutinosa</i>
Alder, White	<i>Alnus incana</i>
American Yellow-wood	<i>Cladrastus lutea (kentukea)</i>
Beech, European	<i>Fagus sylvatica</i>
Castor-Aralia	<i>Kalopanax pictus</i>
Elm, Lacebark (Chinese)	<i>Ulmus parvifolia</i>
Gingko	<i>Gingko bilboa</i>
Golden-larch	<i>Pseudolarix kaempferi</i>
Hornbeam, European	<i>Carpinus betulus</i>
Horsechestnut	<i>Aesculus hippocastanum “Baumannii”</i>
Japanese Pagoda (Scholar) Tree	<i>Sophora japonica</i>
Japanese Zelkova	<i>Zelkova serrata</i>

**LARGE TREES – (Over 45 ft.) (Continued)**

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Katsura Tree	<i>Cercidiphyllum japonicum</i>	
Korean Mountain Ash	<i>Sorbus alnifolia</i>	
Littleleaf Linden	<i>Tilia cordata</i>	
Magnolia, Cucumbertree	<i>Magnolia acuminata</i>	
Maple, Red*	<i>Acer rubrum*</i>	
Maple, Sugar	<i>Acer saccharum</i>	
Maple, Sycamore	<i>Acer pseudoplatanus</i>	Banned
Oak, Pin	<i>Quercus palustris</i>	
Oak, Northern Red*	<i>Quercus rubra*</i>	
Oak, Swamp White	<i>Quercus bicolor</i>	
Oak, White*	<i>Quercus alba*</i>	
Oak, Willow	<i>Quercus phellos</i>	
Tupelo, Black Gum*	<i>Nyssa sylvatica*</i>	
Turkish Filbert	<i>Corylus colurna</i>	
Turkish Hazel	<i>Corylus colurna</i>	

**EVERGREEN TREES Good for screening**

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Cedar, Eastern Red*	<i>Juniperus virginiana*</i>	
Cypress, Leyland	<i>x Cupressocyparis leylandii</i>	
Fir, Cilicia	<i>Abies cilicica</i>	
Fir, Korean	<i>Abies koreana</i>	
Fir, Nikko	<i>Abies homolepsis (brachyphylla)</i>	
Fir, White	<i>Abies concolor</i>	
Holly, Longstalk	<i>Ilex pedunculosa</i>	
Japanese Umbrella Tree	<i>Sciadopitys verticillata</i>	
Pine, Austrian	<i>Pinus nigra</i>	
Pine, Eastern White*	<i>Pinus strobus*</i>	
Pine, Japanese White	<i>Pinus parviflora</i>	
Pine, Korean	<i>Pinus koraiensis</i>	
Pine, Scots	<i>Pinus sylvestris</i>	
Pine, Swiss Stone	<i>Pinus cembra</i>	
Spruce, Oriental	<i>Picea orientalis</i>	
Spruce, Serbian	<i>Picea omorika</i>	

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\*Native to Cape Cod

Trees indicated in red have been removed from the 1995 list by the Provincetown Tree Advisory Group as not acceptable for planting in Provincetown, either because they've been overplanted in town or banned in the Commonwealth.

We cannot overemphasize the value of planting native trees when selecting a tree for planting in Provincetown. They are hardier and more viable, have less need of water, nutrients and pesticides/herbicides, are a better fit for the Outer Cape fauna that have coevolved with them, and have an historical and cultural connection that should not be overlooked. Trees that are native to Cape Cod are marked with an asterisk (\*) in the listings in this Appendix C.

## APPENDIX C - PART 2

### List of Recommended Trees from Cape Cod Cooperative Extension, Trees for Coastal Environments

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<http://www.grownativemass.org/sites/default/files/downloads/Cape%20Cod%20Coop%20Ext%20Plant%20List.pdf>

These are the trees on this list that do not appear on the Cape Cod Commission list 1995

#### SMALL TREES – (Under 30 ft.) Suitable for use near or under power lines

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Dogwood, Alternate-leaf	<i>Cornus alternifolia</i>
Dogwood, Flowering*	<i>Cornus florida</i>
Hawthorn, Cockspur	<i>Crataegus crus-galli</i>
Holly, American*	<i>Ilex opaca</i>
Hornbeam, American	<i>Carpinus caroliniana</i>
Magnolia, Sweetbay	<i>Magnolia virginiana</i>
Sassafras	<i>Sassafras albidum</i>
Serviceberry, Downy*	<i>Amelanchier arborea</i>
Serviceberry, Smooth	<i>Amelanchier laevis</i>
Shadbush*	<i>Amelanchier canadensis</i>

#### MEDIUM TREES – (30-45 ft.)

---

Birch, River	<i>Betula nigra</i>
Hackberry	<i>Celtis occidentalis</i>
Willow, Black	<i>Salix nigra</i>

#### LARGE TREES – (Over 45 ft.)

---

Ash, White	<i>Fraxinus americana</i>
Ash, Green	<i>Fraxinus pennsylvanica</i>
Basswood, American	<i>Tilia americana</i>
Beech, American*	<i>Fagus grandifolia</i>
Oak, Black*	<i>Quercus velutina</i>
Oak, Chestnut	<i>Quercus prinus</i>
Oak, Post	<i>Quercus stellata</i>
Oak, Scarlet*	<i>Quercus coccinea</i>
Poplar, Tulip	<i>Liriodendron tulipifera</i>

#### EVERGREEN TREES

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Cedar, Atlantic White	<i>Chamaecyparis thyoides</i>
Spruce, Black	<i>Picea mariana</i>
Spruce, White	<i>Picea glauca</i>

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\*Native to Cape Cod

## APPENDIX C - PART 3

### List of Recommended Trees from *Acceptable Plantings, Brewster Conservation Commission*

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<http://www.grownativemass.org/sites/default/files/downloads/Brewster-Acceptable%20Plants.pdf>

**These are the trees on this list that do not appear on either the Cape Cod Commission list 1995 or the Cape Cod Cooperative Extension list**

#### **SMALL TREES – (Under 30 ft.) Suitable for use near or under power lines**

Chokecherry	<i>Prunus virginiana</i>
Pin Cherry	<i>Prunus pensylvanica</i>
Pagoda Dogwood	<i>Cornus alternifolia</i>

#### **MEDIUM TREES – (30-45 ft.)**

American Aspen	<i>Populus grandidentata</i>
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#### **LARGE TREES – (Over 45 ft.)**

Black Cherry*	<i>Prunus serotina*</i>
Paper Birch	<i>Betula papyrifera</i>
Quaking Aspen	<i>Populus tremuloides</i>

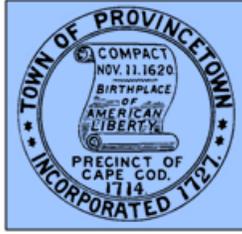
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\*Native to Cape Cod

**APPENDIX D – TREE WARDEN APPLICATION FORMS**

**Application to Plant Tree in Public Way and/or On Public Lands**

**TOWN OF PROVINCETOWN**



**MASSACHUSETTS**

**DEPARTMENT OF PUBLIC WORKS**

2 MAYFLOWER ST., RM. 74 • PROVINCETOWN, MA 02657

Richard J. Waldo, P.E.  
Tree Warden  
[www.provincetown-ma.gov](http://www.provincetown-ma.gov)

Telephone: (508) 487-7060  
Facsimile: (508) 487-4675  
[rwaldo@provincetown-ma.gov](mailto:rwaldo@provincetown-ma.gov)

**APPLICATION TO PLANT TREE IN PUBLIC WAY AND/OR ON PUBLIC LANDS**

Applicant Name: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Telephone Number: \_\_\_\_\_

Applicant Email Address: \_\_\_\_\_

*I/We are requesting permission to plant the following type of tree(s) at the designated location in or on the boundary of the public way and/or on public land:*

Species: \_\_\_\_\_ Size: \_\_\_\_\_

Location: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The Tree Warden approves this planting with the following conditions:

\_\_\_\_\_

Under Massachusetts law, trees planted by residents in or on the boundary of the public way are public shade trees and the Tree Warden or its agent may at any time enter, inspect, treat, and prune the tree(s). Trees planted by or on behalf of the Tree Warden within 20 feet of a public way are also public shade trees if planted with the property owner's permission. If at any time the tree is deemed an immediate hazard, it shall be removed by the Tree Warden or its agent.

Tree Warden's Signature: \_\_\_\_\_ Date Planting Approved: \_\_\_\_\_

A Trench Permit is required. No person shall, except in an emergency, contract for the making of or make a trench, in any public way, public property, or privately owned land until a permit is obtained from the appropriately designated person within the Town. A trench permit application can be obtained and must be submitted to the Department of Public Works.

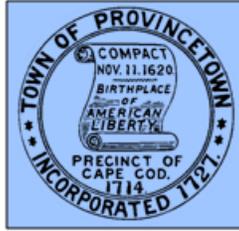
This form conforms to the  
Massachusetts Tree Warden  
and Foresters Association  
Standardized form protocol.  
MTWFA is not liable for its use,  
implementation or legal viability.



**APPENDIX D – TREE WARDEN APPLICATION FORMS – (Cont'd)**

**Permission to Prune Public Tree**

**TOWN OF PROVINCETOWN**



**MASSACHUSETTS**

**DEPARTMENT OF PUBLIC WORKS**

2 MAYFLOWER ST., RM. 74 • PROVINCETOWN, MA 02657

Richard J. Waldo, P.E.  
Tree Warden  
[www.provincetown-ma.gov](http://www.provincetown-ma.gov)

Telephone: (508) 487-7060  
Facsimile: (508) 487-4675  
[rwaldo@provincetown-ma.gov](mailto:rwaldo@provincetown-ma.gov)

**PERMISSION TO PRUNE PUBLIC TREE**

Property Owner: \_\_\_\_\_  
Property Address: \_\_\_\_\_  
Owner Telephone Number: \_\_\_\_\_  
Owner Email Address: \_\_\_\_\_

*As the registered owner of the above referenced property I/We are requesting permission to prune the following tree(s) at our address at the designated location:*

Location/Description of tree(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I/We recognize that it is required, if approved, that the above mentioned tree(s) are to be pruned to requirements and specifications of the Tree Warden and that said work must not deviate from these requirements. All tree pruning will be completed by a qualified professional Arborist approved by the Tree Warden. Failure to comply with the requirements of the Tree Warden may result in fines and penalties per all applicable Laws of the Commonwealth of Massachusetts and local regulations.*

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

The request to prune the public tree(s) indicated above has been:

- APPROVED – The Following Conditions shall apply: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- DENIED for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tree Warden's Signature: \_\_\_\_\_ Date of Action: \_\_\_\_\_

*If approved, the pruning of this tree(s) must take place within \_\_\_\_\_ days. The Tree Warden reserves the right to change this decision at any time and will provide verbal and/or written notification to the applicant of this change.*

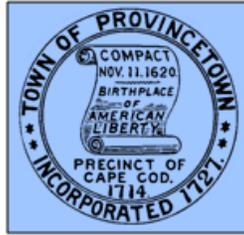
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**APPENDIX D – TREE WARDEN APPLICATION FORMS – (Cont'd)**

**Public Shade Tree Removal Application**

**TOWN OF PROVINCETOWN**



**MASSACHUSETTS**

**DEPARTMENT OF PUBLIC WORKS**

2 MAYFLOWER ST., RM. 74 • PROVINCETOWN, MA 02657

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Tree Warden  
[www.provincetown-ma.gov](http://www.provincetown-ma.gov)

Telephone: (508) 487-7060  
Facsimile: (508) 487-4675  
[rwaldo@provincetown-ma.gov](mailto:rwaldo@provincetown-ma.gov)

**PUBLIC SHADE TREE REMOVAL APPLICATION**

Property Owner: \_\_\_\_\_

Property Address: \_\_\_\_\_

Property Parcel Number: \_\_\_\_\_ Map: \_\_\_\_\_ Lot: \_\_\_\_\_

Reason for removal request/ project description: (attach additional plans or description if needed)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tree Species: \_\_\_\_\_ Tree Diameter (measured at DBH): \_\_\_\_\_

1. I am/We are the record owner(s) of the lot referenced above.
2. I am/We are requesting that the Tree Warden grant permission to remove a Public Shade Tree owned by the Town of Provincetown located adjacent to my/our property.
3. I/We have prior approval and all necessary permits and approvals from all other applicable Town agencies e.g., Conservation Commission, Planning Board.
4. I/We understand that per Massachusetts General Law Chapter 87 the Tree Warden is required to conduct a public hearing. If at or before the public hearing written objection is received by the Tree Warden the removal of the tree shall be denied unless such removal is approved by the Board of Selectmen. I/We understand that all costs of the hearing shall be borne by the applicant.
5. I/We understand that if approval is granted for the removal of the tree(s) I am/We are responsible for the removal of the tree including all associated costs.
6. I/We understand that if approval is granted for the removal of the tree(s) I am/We will compensate the Town for the loss of tree in the following manner.  
\_\_\_\_\_  
\_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owners Signature (if different): \_\_\_\_\_ Date: \_\_\_\_\_

The request to prune the public tree(s) indicated above has been:

APPROVED – The Following Conditions shall apply: \_\_\_\_\_

DENIED

Tree Warden's Signature: \_\_\_\_\_ Date of Action: \_\_\_\_\_

*If approved, the removal of this tree must take place within 45 days. The Tree Warden reserves the right to change this decision at any time and will provide verbal and/or written notification to the applicant of this change.*

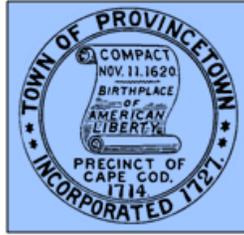
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**APPENDIX D – TREE WARDEN APPLICATION FORMS – (Cont'd)**

**Tree Planting Permission & Agreement Form**

**TOWN OF PROVINCETOWN**



**MASSACHUSETTS**

**DEPARTMENT OF PUBLIC WORKS**

2 MAYFLOWER ST., RM. 74 • PROVINCETOWN, MA 02657

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**TREE PLANTING PERMISSION & AGREEMENT FORM**

Property Owner: \_\_\_\_\_

Property Address: \_\_\_\_\_

Tree Planted/Common Name: \_\_\_\_\_

Tree Planted/Botanical Name: \_\_\_\_\_

I herewith grant permission to Provincetown's Tree Warden and the Department of Public Works to plant the above-noted tree on my land under the provisions of Massachusetts General Laws, Chapter #87, Section #7, and the noted tree(s) shall be a protected public shade tree after planting under Chapter #87. I agree to take responsibility for the care of this tree and agree to reimburse the town for the cost of this tree if it dies from negligent care, removal that is not authorized by the Tree Warden or if the property is sold and the new owner does not wish to carry out this agreement.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Tree Warden Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Thank you for your support. Your help demonstrates Provincetown's commitment to its open space and urban forest.

Date Planted: \_\_\_\_\_ Field Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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