

# TOWN OF Smithfield

OFFICE OF CODE ENFORCEMENT

926 Village Rd

Smithfield, ME 04978

## Cutting Trees in the Shoreland Zone

1. **Cutting within 100' (75' for streams) setback from the normal high waterline**
  - a. No cleared openings greater than 250ft<sup>2</sup> in the canopy
  - b. A well distributed stand of trees must be maintained:
    - i. 24 points (16 point in stream protection) within every 25'x 50' rectangular area.
      - a. 2-4 inch DBH tree = 1 point
      - b. 4-12 inch DBH tree = 2 points
      - c. 12+ inch DBH tree = 4 points

DBH = Diameter at Breast Height, or diameter measured at 4.5' above ground level

- c. No more than 40% of trees 4 inches or greater DBH may be removed in any ten year period
  - d. Existing vegetation under 3', including leaf litter and forest duff layer cannot be cut covered or removed
  - e. Pruning the bottom 1/3 of a trees branches is allowed
2. **Cutting beyond the 100' setback from the normal high waterline**
    - a. No cleared openings greater than 10,000ft<sup>2</sup> or 25% of lot in the aggregate, whichever is greater
    - b. Cleared opening of 5,000ft<sup>2</sup> or greater must be separated by a 100' buffer
    - c. The total footprint area of all structures, parking lots, and other *non-vegetated* surface areas cannot exceed 20% of the total lot located within the aggregate
    - d. No more than 40% of trees 4 inches or greater DBH may be removed in any ten year period
3. **Dead / Hazardous trees and replanting**
    - a. Unquestionably dead:
      - i. If a tree is unquestionable dead (no leaves, no bark, deep cracks, top broken off, etc.), take pictures, remove the tree properly, and replant as specified below.
    - b. Alive, but hazardous
      - i. If a tree is not unquestionably dead, but still viewed as "hazardous", have a licensed Maine forester or arborist inspect the tree and submit a letter including:

1. why they think the tree is hazardous
2. what it is a hazard to
3. Their license number
4. a picture of the tree

c. Tree replanting

- i. If the removal of a dead or hazardous tree violates any of the provisions listed above under Sections (1) or (2), trees will need to be replanted in the quantity specified below:
  1. For each tree removed between 1-9" DBH, replant one (1) tree
  2. For each tree removed between 10-19" DBH, replant two (2) trees
  3. For each tree removed greater than 20" DBH, replant three (3) trees
- ii. Trees to be replanted must be;
  1. Of a native species
  2. A minimum of 54 inches tall
  3. Planted within 10' of the stump of the removed tree
  4. No closer than 5' to other newly planted trees
  5. Maintained for a minimum of 3 years.
- iii. Other things to consider when replanting
  1. Document the replanting by taking pictures and saving receipts from the newly planted trees (if applicable)
  2. D.E.P. permits
    - a. For activities within 75' of a water body, a D.E.P permit may be needed. Check with your local office for details