

POLICY NO. 14

OLD TITLE: TREE PRUNING, REMOVAL AND VANDALISM (Policy 9) and ORNAMENTAL TREE and SHRUB REMOVAL (POLICY 10)

NEW TITLE: TREE REMOVAL REQUESTS FROM UNIT OWNERS

PURPOSE: To comply with the Tree Protection ordinance of the Village of Lake Barrington, Illinois, and provide a process for Unit Owners to request tree removals for purposes of view obstruction or nuisance condition.

DEFINITIONS:

dbh: "Diameter at breast height" for single-stem trees shall be the diameter of the trunk size as measured at fifty-four inches (54") above the established ground level, or for replacement trees, fifty-four inches (54") above the top of the root ball. Diameter at breast height (dbh) for multi-stem or "clump form" trees shall be calculated as the sum of the dbh of each of the stems.

COMMON AREA TREE: Any tree located in a Common Area with a total dbh greater than or equal to four inches (4").

CONIFER: A tree, often but not always evergreen, that bears cones and that has needle-leaved or scale-leaved leaves.

HERITAGE TREE: Any tree located in a Common Area with a trunk size of twenty inches (20") or larger dbh.

MULTI-STEM TREE: A tree where two or more main stems arise from the ground from a single root crown or at a point just above the root crown.

NATIVE TREE: Any tree of any size, including saplings (those smaller than four inches (4") dbh), located in a Natural Area, of those genera (and their cultivars and varieties) that were present in Northern Illinois prior to the arrival of European settlers. A list of Native Trees is attached as Exhibit A for reference.

ORNAMENTAL TREE: A tree, typically considered an understory tree, generally reaching a mature height of 20'-25', and which generally displays showy flowers early in the growing season.

PROTECTED TREES: Shall be defined as and include Common Area Trees, Heritage Trees, Native Trees and Ornamental Trees which are all specially protected by the provisions of this policy.

I. GENERAL PRINCIPLES REGARDING TREE PROTECTION AT LAKE BARRINGTON SHORES:

- A. Trees are one of the most valuable assets of the community. The LBCHA Master Board and the Landscape Commission will make every effort to preserve and safeguard Protected Trees. Heritage Trees and Native Trees receive special consideration for protection.
- B. Only the LBCHA authorized tree maintenance contractor acting upon the direction of the Landscape Manager may remove a tree in a Common Area.
- C. With funding provided in the LBCHA landscape budget, the Landscape Manager evaluates and removes all trees, including Protected Trees, located in Common Areas meeting one or more of the following criteria:
 1. trees that are structurally damaging buildings, building safety or fluid infrastructure (underground water or sewer piping)
 2. trees that are contributing to soil instability or erosion
 3. trees that are interfering with the safety of individuals
 4. trees that are dead or diseased and which cannot be cost-effectively rehabilitated
 5. trees which are interfering with pedestrian access.

II. TREE REMOVAL AT UNIT OWNER REQUEST

- A. Protected Trees which do not meet any of the criteria listed in Section I.C. above will be considered for removal to improve a Unit Owner’s view or eliminate a nuisance condition resulting from excess tree litter (e.g., excess sap, fruit, leaves or needles) at a Unit Owner’s request only if the Unit Owner submits a Landscape Variance Application request for removal. No Heritage Trees with dbh greater than or equal to 30 inches will be considered for removal.
- B. The Landscape Manager, in consultation with the LBCHA approved arborist, will evaluate the Unit Owner’s request to determine the cost of the requested removal.
- C. The Landscape Manager, in consultation with the LBCHA approved arborist, will evaluate the Unit Owner’s request using criteria including but not limited to:
 - 1. current total dbh of the tree requested for removal
 - 2. species identification of the tree and approximate age of the tree
 - 3. if the tree is a Common Area Tree or Heritage Tree
 - 4. current health and structural stability of the tree
 - 5. date of Unit Owner’s purchase of the unit
 - 6. building impacts likely to occur following removal of the tree, including foundation stability, weather protection for siding or roofs, and bio-cooling
 - 7. likely impacts to surrounding plant material including other trees, shrubs, and perennials following removal of the tree
 - 8. drainage or soil impacts following removal of the tree
 - 9. impact on the views of other Unit Owners
 - 10. determination of the cause of tree nuisance.
- D. If the Landscape Manager and the Condominium Association Landscape Representative support approval of the Landscape Variance Application for tree removal, they will so note their support and forward the application to the Condominium Association Board of Directors for approval or denial.
- E. If the Landscape Manager does not support the approval of the Landscape Variance Application for tree removal, the concerns will be noted by the Landscape Manager, and the denied application will be forwarded to the Condominium Association Board of Directors for its approval or denial.
- F. If the Condominium Association Board of Directors denies the application, the application is officially denied.
- G. If the Condominium Association Board of Directors wishes to approve the application when the Landscape Manager has denied the application, the Condominium Association or the Unit Owner must request a hearing from the LBCHA Master Board, or such body as the Master Board appoints, to present the case for approval. The decision of the LBCHA Master Board or its designated body shall be final.
- H. If the Landscape Variance Application for tree removal is approved either by the appropriate Condominium Association Board or by the LBCHA Master Board or its designate after a hearing, the Unit Owner must agree to pay the cost of removal and cleanup for the tree to be removed, and for the purchase, planting, and watering for two years of replacement trees, to be obtained at competitive pricing, elsewhere in the Common Area in accordance with the following schedule:

Size of Existing Tree dbh (in inches)	Number of Replacement Trees
Heritage Trees:	

Size of Existing Tree dbh (in inches)	Number of Replacement Trees
30 or greater	No removal shall be permitted
26 - 29	12
20 - 25	10
Common Area Trees:	
13 - 19	4
8 - 12	3
4 - 7	2

- I. In interpreting the above exchange rate, in the event of a fraction of an inch, if a fraction is equal to one-half inch (1/2") or greater, the higher full number shall be used.
- J. All replacement trees shall have a minimum size of three inches (3") dbh upon installation, or in the case of Conifers or Multi-Stem Trees, a six foot (6') height. If such sizes are not available, the Landscape Manager, at his discretion, may install multiple replacement trees so that the sum of the dbh of the multiple replacement trees equals 3".
- K. Any replacement trees will be obtained by the Landscape Manager at competitive pricing.