

# VILLAGE OF BARRINGTON HILLS

---

## Plan Commission NOTICE OF SPECIAL MEETING



Monday, February 8, 2015 ~ 7:30 P.M.  
Village Hall ~ 112 Algonquin Road

### AGENDA

1. Call to Order & Roll Call
2. Public Comments
3. [Vote] [Minutes November 9, 2015](#)
4. Native Tree Preservation, CFC
5. [Tree Preservation Ordinance Review](#)
6. Municipal Property Usage Review
7. Trustee's Report
8. Adjournment

Chairman: Kenneth Bosworth

### NOTICE AS POSTED

# VILLAGE OF BARRINGTON HILLS

## Plan Commission Meeting Minutes

Monday, November 9, 2015 ~ 7:30 pm  
112 Algonquin Road, Barrington Hills, IL

The regular meeting of the Village of Barrington Hills Plan Commission was called to order by Vice Chairman Cools at 7:39 pm.

### Members Present:

Pamela Cools  
Lou Anne Majewski  
Kelly Mazeski  
Julie Joyce  
Arnold Cernik  
Curt Crouse

### Members Absent:

Kenneth Bosworth  
John Gigerich  
Kim Van Fossan

### Public Comments: None

Previous Minutes: Vice Chairman Cools requested a motion for the approval of the August 10, 2015 minutes. Commissioner Majewski motioned to approve the minutes of the last meeting of the Commission on August 10, 2015 as amended. Commissioner Mazeski seconded. All present said aye.

### COMMUNITY UNIT SCHOOL DISTRICT 220 INTERGOVERNMENTAL AGREEMENT (IGA):

Director of Administration, Robert Kosin used a map to describe the property between Old Hart and New Hart Roads and its inclusion in an Intergovernmental Agreement. Lots 4 & 5 have been acquired by CUSD 220 have been deemed buildable and appropriate for office buildings. It should be noted that lot 4 does not adjoin any residences. The Barrington Hills Board of Trustees has directed the Plan Commission take under consideration future design and uses on those lots including elementary and high school uses and related facilities but not to include vehicle storage. Bob Kosin is to find out who resides on adjacent properties so that they may be included in any future discussions regarding property. No proposal is yet before the Village.

The District has ownership of Flint Creek Conservation Area and the use of that area is addressed by management standards in the IGA.

No action was required and none was taken by the Commission.

### TREE PRESERVATION ORDINANCE REVIEW:

The Board of Trustees has directed the Plan Commission to review the Tree Preservation Ordinance (TPO) passed nearly 9 years ago. Chuck Stewart, of Urban Forest Management and Village Arborist, and Robert Kosin submitted written comments/handouts to the Commission that outline 3 areas of review - resources, mitigation, and enforcement, with the latter being the responsibility of the Village Attorney.

After a brief introduction of which species and sizes of trees are considered Village Heritage Trees (Exhibit A) and the challenges of obtaining, planting and growing certain species, Mr. Stewart's comments were mainly concerned with tightening up the language of the TPO with better definitions,

and a clear indication of what/whose standards (American National Standards) the Ordinance should follow. He also suggested that other logical steps for tree preservation needs to be incorporated in the planning or pre-construction phase of a property to make homeowners and builders aware of trees. He suggested having a checklist to be submitted with plans. Questions such as "where are gas and electrical lines going" would be helpful. Mr. Stewart also thought that the ordinance needs work in the exemption section and that including good forestry practices and planting tips would be helpful.

The Commission discussed how to get information/education about the TPO to the residents/prospective residents in addition to the enforcement of the Ordinance. Suggestions for information sharing included by Village newsletter or through realtors. Vice Chairman Cools posed the question of how can we get tree cutting stopped before plans are submitted?

Vice Chairman Cools asked for volunteers to form a subcommittee to research the TPO and present their findings to the entire Plan Commission. Subcommittee members are Julie Joyce, Curt Crouse, and Kelly Mazeski.

#### **MUNICIPAL PROPERTY USAGE REVIEW:**

The Board of Trustees has requested that the Plan Commission recommend a public use for a 5 acre parcel owned by the Village along the east side of State Rt. 25 and south of Algonquin Road and in Kane County. A public use would eliminate the \$5,000-\$7,000 property tax bill the village is now incurring. Vice Chair Cools suggested something recreational, educational, or conservational that could be maintained easily by volunteers and at minimal expense. Other suggestions included community garden, dog park, or butterfly rest stop. It was mentioned that the property could be used as an Affordable Housing Act parcel for Barrington Hills. Additional suggestion or ideas should be sent to Anna Paul for discussion at the next meeting.

**TRUSTEES REPORT:** No trustee report

**ADJOURNMENT:** Commissioner Cernik motioned to adjourn at 9:07 pm. Commissioner Majewski seconded. All present said aye. Meeting adjourned.

Respectfully Submitted,

Kim Van Fossan, Recording Secretary

# Memo

**To:** Chairman Bosworth  
**From:** Robert Kosin  
**cc:** Plan Commission  
**Date:** February 3, 2016  
**Re:** Tree Preservation Ordinance Review

---

Since the last meeting of the Plan Commission, the Village Arborist and I with collaboration by Commissioner Joyce have reviewed the provisions of the Tree Preservation Ordinance to present proposed revisions to the Ordinance. The review was initiated upon request of the Board of Trustees.

There is no change to the application or coverage of the Ordinance. It only applies as adopted to Heritage Trees in a Woodland and only trees of a good quality rating or greater. The lists of Heritage Trees are part of the Ordinance and are trees native to the Barrington area.

The revisions intend to establish professional standards for forestry activities by identifying professional organizations and publications.

There is also proposes a revision to the replacement of a Heritage Tree by a fee to a public tree restoration program.

The presentation of the revision will also include a presentation by a landscape architect who recently made a presentation on the experiences of other municipalities with tree preservation ordinance.

The agenda for the Special Meeting of February 8th of the Plan Commission includes the presentation of the review of the Tree Preservation Ordinance.

**CURRENT TREE PRESERVATION ORDINANCE**

## Village of Barrington Hills

### Tree Preservation Ordinance

#### 4-6-1: INTENT AND PURPOSE:

The intent of this chapter is to ensure the presence and continuation of heritage trees, a special resource throughout the village of Barrington Hills by requiring sound forestry practices and preventing storm water runoff and topsoil erosion. It is also the intent of this chapter to promote and educate our residents as to the importance, protection and existence of heritage trees. Residents of the village will then continue to enjoy all the benefits of living in the unique environment of Barrington Hills, because the village strives to protect the health, safety and welfare of its residents from situations which may substantially alter the environment. This will be accomplished by regulating how such trees may be removed and replaced, whether as a result of building construction or as a result of landscaping activity only.

#### 4-6-2: DEFINITIONS:

For the purpose of the regulations contained in this chapter, the definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise. Words used in the present tense shall include the future, and words used in the singular shall include the plural, and the plural the singular; the word "shall" is mandatory and not discretionary; the word "may" is permissive; the masculine gender includes the feminine and neuter. Whenever a word or term defined herein appears in the text of this chapter, its meaning shall be construed as set forth in the definition thereof and any word appearing in parenthesis directly thereafter shall be construed in the same manner.

**AMERICAN NURSERY AND LANDSCAPE ASSOCIATION (ANLA):** The national trade association of the nursery and landscape industry. ANLA provides education, research, public relations and representation services to ANLA members.

**ARBORIST:** A person who, based on training and experience, diagnoses the condition of shade or ornamental trees and shrubs and recommends or supervises the treatment of any such trees, or in any manner treats any such trees, by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods and is a member in good standing in a reputable nationally recognized professional arborist association such as the American Nursery and Landscape Association or is so licensed.

**BUILDING OFFICER:** The building and zoning enforcement officer as defined in section 1-6-9 of this code.

**CONDITION RATING:** The condition of a heritage tree based on a six (6) point scale set forth in table B of this chapter with 1 being the best and 6 being the worst, for purposes of determining the health of a heritage tree and whether the tree is subject to regulations contained in this chapter.

**DIAMETER BREAST HEIGHT (dbh):** The diameter of the trunk of the tree measured in inches at a point of four and one-half feet (4 1/2') above grade.

**GOOD CONDITION:** A tree having a condition rating of 1, 2, or 3 as set forth in table B of this chapter. Only trees of those ratings will be considered heritage trees.

## Village of Barrington Hills

### Tree Preservation Ordinance

**HERITAGE TREES:** Trees, as set forth in table A of this chapter, that are of a genus and species indigenous to this region and determined to be of significant historical value to the village of Barrington Hills. Such trees shall be above the minimum specified dbh and of good condition.

**MINIMUM ROOT ZONE:** The area beneath a tree having as its center point the center of the trunk of the tree and a radius equal to one foot (1') for every inch of dbh.

**SITE:** A lot, or contiguous lots, under the control of a common owner, for which a tree removal permit was sought and obtained.

**SURROUNDING AREA:** Shall not include any area which is not on the same site as that for which the tree removal permit was sought and obtained.

**TREE:** Any self-supporting, woody plant together with its root system, growing upon the earth usually with one trunk, or a multistemmed trunk system, supporting definitely formed crown.

**TREE REMOVAL PERMIT (TRP):** The permit required by this chapter in order to remove any heritage tree within a protected woodland.

**WOODLAND:** Eight (8) or more heritage trees on a site within circular area having a radius not to exceed 117.8 feet and shall include all such trees within the woodland regardless of the number of such trees. A site may encompass more than one woodland.

#### 4-6-3: ADMINISTRATION AND ENFORCEMENT:

(A) Tree Removal Permit Required: A tree removal permit ("TRP") shall be required for the destruction or removal of any heritage tree in any woodland. No person shall, directly or indirectly, remove, damage or destroy a woodland without having secured a TRP.

(B) Exemption:

1. This chapter shall not apply to the removal of woodlands pursuant to a forestry management or nursery stock plan that is approved and administered by a proper governmental agency with jurisdiction over such matters.
2. This chapter shall not apply to the removal of woodlands on property owned by a common owner, either singularly, collectively or institutionally, which exceeds one hundred (100) acres of contiguous land in the village so long as the property is subject to a tree preservation plan acceptable to the village. Such a plan, which shall have been written under the oversight of an arborist or endorsed by such, may be accepted by either or both of the village's zoning board of appeals or board of trustees and shall, at a minimum, include the intent through sound forest management to preserve and protect heritage trees.

(C) Application And Fee: A TRP application on the prescribed form shall be submitted to the village building officer with the permit fee established by the village.

(D) Application Procedure:

1. New Construction Permit: The applicant shall submit a tree preservation plan ("TPP") to the village building officer with his application for a TRP in conjunction with new construction (when a building permit is required), which shall consist of at least two (2) legible reproducible site plans, drawn to scale, which in addition to the general submittal requirements of this chapter shall include a tree survey overlaid directly upon the site plan indicating the location, species, condition rating and dbh of all heritage trees. The survey shall distinguish among trees to be preserved, transplanted, and/or destroyed. Groups of trees which are less than three feet (3') apart may be designed by clumps, provided that all heritage trees and all other trees with a dbh of twelve inches (12") or greater must be individually depicted. The building officer may permit the application to exclude areas of the site from the tree survey if he determines that the proposed construction or other activity will not impact those areas. The survey shall include a maintenance plan for all heritage trees, consistent with sound forestry practices, to ensure the protection of the trees for a period of at least three (3) years from the conclusion of construction or activity and the issuance of an occupancy permit, if one is required.

2. Nonconstruction Permit: The applicant shall submit the following with his application for tree removal permit with existing structure and use (when no building permit is required):

a. Site plan that depicts the area of the tree removal, the heritage trees to be removed, and all other heritage trees in proximity to the removal. All heritage trees shall be identified by location, species, condition rating and dbh.

b. Reasons for removing the trees.

c. Reports or studies, if any, indicating that the trees should be removed.

3. Application Review: Upon receipt of a completed application with the required fee, the building officer shall review the application, which, if deemed necessary, may include a site inspection by village staff and professional review by an arborist or other professional.

(E) Granting A TRP:

1. The building officer shall grant a TRP only if:

a. All reasonable efforts have been undertaken in the architectural layout and design of the proposed construction or other activity to preserve woodlands and to otherwise enhance the aesthetic appearance of the site by the incorporation of trees in the design process and the transplanting of the woodlands is not feasible.

b. The removal of the heritage trees is consistent with sound forestry practice or will result in the woodland enhancement.

2. As a condition to granting a TRP, the applicant may be required to replace the heritage trees that will be destroyed and other trees of the species identified in table A of this chapter. Replacement trees shall



## Village of Barrington Hills

### Tree Preservation Ordinance

conform to the minimum standards of the American Nursery and Landscape Association. In determining the necessity of transplanting or replacement of trees, the building officer shall consider the following:

- a. Existing tree coverage on the site and in the immediate surrounding area.
  - b. Number of trees to be preserved on the entire site.
  - c. The species, dbh, and condition rating of the tree(s) to be removed.
  - d. The feasibility of transplanting the particular tree or trees.
  - e. Topography and drainage of the site.
  - f. The extent to which the protected tree(s) contributes to the historic, economic and environmental integrity of the surrounding area.
  - g. The nature of the existing and intended use of the property, including adjoining rights of way, scenic easements, conservancy district or conservancy areas or other open spaces on the site or within a distance of two hundred fifty feet (250') of the site.
3. A TRP shall expire and become null and void if work authorized by the TRP is not commenced within one year from the date of issuance of the TRP or if such work, when commenced, is suspended or abandoned at any time for a period of ninety (90) days. Upon good cause shown, the TRP may be extended six (6) months by the building officer.
4. No occupancy certificate shall be issued until any required replacement of heritage trees, as required by the TRP or TPP, has been completed and the final tree inspection approval has been given by the building officer.

#### (F) Tree Protection:

1. During construction, the TPP must be followed to prevent the destruction or damaging of heritage trees. Heritage trees that are destroyed or receive major damage must be replaced by heritage trees of equal dbh in the aggregate, as determined by the building officer and/or a professional arborist retained by the village, except when clearly impractical.
2. During construction, unless otherwise authorized by the TPP, a fence shall be erected and maintained so that no excess soil, additional fill, equipment, liquids, or construction debris shall be placed within the minimum root zone of any protected tree, unless the addition of excess soil or fill is required in order to comply with either the flood criteria requirements and/or federal flood regulations in high flood hazard location.
3. No attachments or wires other than those of a protective or nondamaging nature shall be attached to any heritage tree(s) during construction.

## Village of Barrington Hills

### Tree Preservation Ordinance

4. Unless otherwise authorized by a TPP, no soil is to be removed from within the minimum root zone of any protected tree.

5. All woodlands which are planted or transplanted pursuant to this chapter shall be maintained alive and healthy on the site. Any of such tree(s) which die within three (3) planting seasons, shall be promptly replaced by the applicant.

#### 4-6-4: APPEALS:

Any person aggrieved by any action taken, order issued, or determination made pursuant to this chapter, other than a stop work order issued pursuant to subsection 4-1-7(C) of this title, may appeal to the Barrington Hills plan commission in accordance with the notice and appeal provisions of subsection 4-3-4(D) of this title, upon payment of a filing fee of one hundred dollars (\$100.00).

#### 4-6-5: REPLACEMENT:

In the event that a person shall remove, damage or destroy a woodland without having secured a TRP, in addition to the general penalty provided in this code, he shall plant a replacement tree or trees on the site within ninety (90) days of written notice from the village. Such replacement tree(s) shall be a species listed in section 4-6-6, table A of this chapter and shall be minimum three inch (3") dbh trees with the aggregate plantings equaling the dbh of the damaged or destroyed protected tree. The failure to plant the replacement trees shall constitute a violation of this chapter and each day that the replacement tree is not planted shall constitute a separate offense. These replacement trees shall conform to the minimum standards of the American Nursery and Landscape Association. Any of such trees which die within three (3) planting seasons shall be promptly replaced upon written notice from the village.

**DRAFT REVISED**  
**TREE PRESERVATION ORDINANCE**

## Chapter 6

### TREE PRESERVATION

#### 4-6-1: INTENT AND PURPOSE:

#### 4-6-2: DEFINITIONS:

#### 4-6-3: ADMINISTRATION:

#### 4-6-4: GENERAL REQUIREMENTS:

#### 4-6-5: CONSTRUCTION STANDARDS:

#### 4-6-6: REPLACEMENT:

#### 4-6-7: APPEALS:

#### 4-6-8: TABLES:

#### 4-6-1: INTENT AND PURPOSE:

The intent of this chapter is to ensure the presence and continuation of Heritage Trees, a special natural resource is found throughout the Village of Barrington Hills by requiring sound forestry practices, preventing storm water runoff and topsoil erosion. It is also the intent of this chapter to assist, promote and educate its residents as to the importance, protection and existence of Heritage Trees. Residents of the Village will then continue to enjoy all the benefits of living in the unique environment of Barrington Hills, because the Village strives to protect the health, safety and welfare of its residents from situations which may substantially alter the natural environment. This will be accomplished by regulating how Heritage Trees may be removed and replaced, whether as a result of building construction or as a result of only landscaping activity.

#### 4-6-2: DEFINITIONS:

For the purpose of the regulations contained in this chapter, the definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise. Words used in the present tense shall include the future, and words used in

the singular shall include the plural, and the plural the singular; the word "shall" is mandatory and not discretionary; the word "may" is permissive; the masculine gender includes the feminine and neuter. Whenever a word or term defined herein appears in the text of this chapter, its meaning shall be construed as set forth in the definition thereof and any word appearing in parenthesis directly thereafter shall be construed in the same manner.

**BUILDING OFFICER:** The building and zoning enforcement officer as defined in section 1-6-9 of this code.

**CERTIFIED ARBORIST:** A person, who based on training and experience, diagnoses the condition of shade or ornamental trees, evergreens and shrubs and recommends or supervises the treatment of any such trees, or in any manner treats any such trees, by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods, has passed the ISA Certified Arborist exam and maintains his or her certification in good standing with the International Society of Arboriculture (ISA).

**CERTIFIED FORESTER:** A person who practices the art and science of forest stewardship and natural resource management, and who has met the requirements to be a Certified Forester and maintains his or her certification in good standing with the Society of American Foresters.

**CONDITION RATING:** The condition of a Heritage Tree based on a six (6) point scale set forth in table B of this chapter with 1 being the best and 6 being the worst, for purposes of determining the health of a Heritage Tree and whether the tree is subject to regulations contained in this chapter.

**DIAMETER BREAST HEIGHT (dbh):** The diameter of the trunk of the tree measured in inches at a point of four and one-half feet (4 1/2') above grade.

**GOOD CONDITION:** A tree having a condition rating of 1, 2, or 3 as set forth in table B of this chapter. Only trees of those ratings will be considered Heritage Trees.

**HERITAGE TREES:** Trees of a size, genus and species indigenous to this region, as set forth in Table A of this chapter, are determined to be of significant historical and ecological value to the village of Barrington Hills to be protected trees. Such trees shall be above the minimum good condition standard as listed in Table B of this chapter.

**MINIMUM ROOT ZONE:** The area beneath a tree having as its center point the center of the trunk of the tree and a radius equal to one foot (1') for every inch of dbh.

**SITE:** A lot, or contiguous lots, under the control of a common owner, for which a tree removal permit was sought and obtained.

**SITE PLAN:** A general illustration of the proposed work, its location, the use of the building or structure, and all portions of the site, including but not limited to details of grading, and structural, mechanical, sanitary and electrical work.

**SURROUNDING AREA:** Shall not include any area which is not on the same site as that for which the tree removal permit was sought and obtained.

**TREE:** Any self-supporting, woody plant together with its root system, growing upon the earth usually with one trunk, or a multi-stemmed trunk system, supporting definitely formed crown.

**TREE PRESERVATION PLAN (TPP):** A plan directly overlaid on the site plan indicating the location, species, condition rating and dbh of all Heritage Trees, and includes a maintenance plan for all Heritage Trees, consistent with sound forestry practices, as found in Table C of this chapter.

**TREE REMOVAL PERMIT (TRP):** The permit required by this chapter in order to remove any Heritage Tree within a protected Woodland.

**VILLAGE:** The Village of Barrington Hills, and the Counties of Cook, Kane, Lake and McHenry, in the State of Illinois.

WOODLAND: Eight (8) or more Heritage Trees on a site within circular area having a radius not to exceed 117.8 feet and shall include all such trees within the woodland regardless of the number of such trees. A site may encompass more than one woodland.

#### 4-6-3: ADMINISTRATION:

(A) Tree Removal Permit Required: A tree removal permit ("TRP") shall be required for the destruction or removal of any Heritage Tree in any woodland. No person shall, directly or indirectly remove, damage or destroy a woodland without having secured a TRP.

(B) Exemption:

1. This chapter shall not apply to the removal of woodlands pursuant to a forestry management plan or nursery stock plan that is approved and administered by a governmental agency with jurisdiction over such matters.

2. This chapter shall not apply to the removal of woodlands on property owned by a common owner, either singularly, collectively or institutionally, which exceeds one hundred (100) acres of contiguous land in the Village so long as the property is subject to a tree preservation plan acceptable to the Village. Such a plan, which shall have been prepared by or endorsed by a Certified Arborist or Certified Forester, may be accepted by the village's Plan Commission and shall, at a minimum, include the forestry management practices found in Table C of this chapter to preserve and protect Heritage Trees.

(C) Application And Fee: A TRP application on the prescribed form shall be submitted to the village building officer with the permit fee established by the village.

(D) Application Procedure:

1. Construction Permit: The applicant shall submit a tree preservation plan ("TPP") to the village building officer with his application for a TRP in conjunction with construction when a building permit is required by the provisions of this Title.

a. The TPP shall consist of two (2) legible reproducible site plans, drawn to scale, including a tree survey of all Heritage Trees overlaid directly upon the site plan including the location, species, dbh, and condition rating found in Table B of this chapter. The survey shall distinguish among the Heritage Trees to be preserved, transplanted, or destroyed. Groups of trees which are less than three feet (3') apart may be designed by clumps, provided that all Heritage Trees and all other trees with a dbh of twelve inches (12") or greater must be individually depicted on the plan.

b. The building officer in consultation with the Village Arborist, may permit the TPP to exclude areas of the site from the tree survey if he determines that the proposed construction or other activity will not impact those areas.

c. The TPP shall include a maintenance plan for all Heritage Trees, consistent with the forestry practices found in Table C of this chapter, to ensure the protection of the trees for a period of at least three (3) years from the issuance of an occupancy permit, if one is required.

2. Non-construction Permit: When no building permit is required, the applicant shall submit the following with his application for a tree removal permit ("TRP"):

a. Site plan that depicts the area of the tree removal, the Heritage Trees to be removed, and all other Heritage Trees whose minimum root zone is within the tree removal area. All Heritage Trees shall be identified by location, species, condition rating and dbh.

b. Reasons for removing the trees, including reports or studies, if any, indicating that the trees should be removed.

3. Application Review: Upon receipt of a completed application including the TPP and the required fee, the building officer shall review the application, which, if deemed necessary, may include a site inspection by the Village Arborist.

#### 4-6-4 GENERAL REQUIREMENTS:

1. The building officer shall grant a TRP only if:



- a. All reasonable efforts have been undertaken in the architectural layout and design of the proposed construction or other activity to preserve woodlands; or
  - b. The removal of the Heritage Trees is consistent with sound forestry practice or will result in the enhancement of the Woodland; and
  - c. The transplanting of the woodlands is not feasible.
2. As a condition to granting a TRP, the applicant shall be required to replace the Heritage Trees that will be destroyed in accordance with Section 4-6-6 with those tree species identified in Table A of this chapter. Replacement trees shall be acquired and planted in conformance with Table C of this chapter.
  3. A TRP shall expire and become null and void if work authorized by the TRP is not commenced within one year from the date of issuance of the TRP or if such work, when commenced, is suspended or abandoned at any time for a period of ninety (90) days. Upon good cause shown, the TRP may be extended six (6) months by the building officer.
  4. No occupancy certificate shall be issued until any required replacement of Heritage Trees, as required by the TRP, has been completed and the final tree inspection approval has been given by the building officer in consultation with the Village Arborist.
  5. In the event the completion of the required Heritage Trees is prevented by seasonal weather conditions, or availability of plant stock, the Building Officer in consultation with the Village Arborist may extended the date of completion by six (6) months.

#### 4-6-5: CONSTRUCTION STANDARDS:

1. During construction, the TPP shall be followed to prevent the destruction or damaging of Heritage Trees.

2. During construction, unless otherwise authorized by the TPP, a tree protection fence shall be erected and maintained so that no excess soil, additional fill, equipment, liquids, or construction debris shall be placed within the minimum root zone of any Heritage Tree, unless the addition of excess soil or fill is required in order to comply with the Lake County Watershed Development Ordinance found in Section 4-2-10 of this Title.

3. Heritage Trees in a TPP that are destroyed or receive major damage as determined by the building officer in consultation with the Village Arborist shall be required to be replaced by Heritage Trees of equal dbh in the aggregate, in accordance with Section 4-6-6, with those tree species identified in Table A of this chapter. Replacement trees shall be acquired and planted conformance with Table C of this chapter.

#### 4-6-6: REPLACEMENT:

##### (A) Replacement in Kind:

1. In the event that a person shall remove, damage or destroy a woodland without having secured a TRP, in addition to the general penalty provided in Section 1-4-1 of the Village Code, he shall plant, when seasonally appropriate, a replacement tree or trees on the site within ninety (90) days of written notice from the village. The failure to plant the replacement trees shall constitute a violation of this chapter and each day that the replacement tree is not planted shall constitute a separate offense.

2. The replacement tree required by this Section shall be a species listed in section 4-6-6, table A of this chapter and shall be minimum three inch (3") dbh trees with the aggregate plantings equaling the dbh of the damaged or destroyed Heritage Tree. Replacement trees shall be acquired and planted in conformance with Table C of this Chapter.

3. Replacement trees required by this Section shall be maintained alive and healthy on the site. Any such tree(s) which die within three (3) years of planting shall be replaced by the applicant at the next optimum growing season, as found in conformance with Table C of this Chapter.

(B) Contribution in-lieu of Replacement:

In order to satisfy some or all of the tree replacement requirements for a TRP, a fee in lieu of the equal value of the replacement tree(s) may be paid to a governmental or non-profit natural resources management entity for a program involving the restoration, establishment, enhancement, or preservation of Heritage Trees.

4-6-7: APPEALS:

Any person aggrieved by a plan review, action taken, or order issued, other than a stop work order issued pursuant to subsection 4-1-7(C) of this title, may appeal to the Barrington Hills Plan Commission in accordance with the notice and appeal provisions of subsection 4-3-4(D) of this title, upon payment of a filing fee of one hundred dollars (\$100.00).

4-6-8: TABLES:

TABLE A HERITAGE TREES

<b>Species</b>		<b>Diameter at Breast Height (dbh)</b>
<b><i>Common Name</i></b>	<b><i>Scientific Name</i></b>	
Oak (all species)	Quercus spp.	10 inches or greater
Hickory (all species)	Carya spp.	8 inches or greater
Ironwood	Ostrya virginiana	6 inches or greater
Wild Black Cherry	Prunus serotina	8 inches or greater
Hackberry	Celtis occidentalis	8 inches or greater
Black Walnut	Juglans nigra	8 inches or greater
Basswood/Linden	Tilia americana	10 inches or greater
Sugar Maple	Acer saccharum	10 inches or greater

**FOR SPECIES VARIETY FOR SAVING AND PLANTING**

Additional upland species to consider

Butternut

Blue Beech

Catalpa

Pawpaw

Ohio Buckeye

Additional low land species to consider

American sycamore

Red Maple

River birch

TABLE B CONDITION RATING

<u>Rating</u>	<u>Description</u>	<u>General Criteria</u>
1	Excellent	The tree is typical of the species, has less than 10 percent deadwood in the crown that is attributable to normal causes, has no other observed problems, and requires no remedial action.
2	Good	The tree is typical of the species and/or has less than 20 percent deadwood in the crown, only 1 or 2 minor problems that are easily corrected with normal care.
3	Fair	The tree is typical of the species and/or has less than 30 percent deadwood in the crown, 1 or 2 minor problems that are not imminently lethal to the tree and no significant decay or structural problems, but the tree must have remedial care above normal care in order to minimize the impact of future stress and to ensure continued health.
4	Fair to poor	The tree is not typical of the species and/or has significant problems such as 30 to 50 percent deadwood in the crown, serious decay or structural defect, insects, disease or other problems that can be imminently lethal to the tree or create a hazardous tree if not corrected in a short period of time or if the tree is subjected to additional stress.
5	Poor	The tree is not typical of the species and/or has over 50 percent deadwood in the crown, major decay or structural problems, is hazardous or is severely involved with insects, disease, or other problems that even if aggressively corrected would not result in the long term survival of the tree.
6	Dead	Less than 10 percent of the tree shows signs of life.

## TABLE C STANDARDS

This Table lists the standards and organizations that are referenced in various sections of this ordinance. The standards are listed herein by the promulgating agency of the standard, the standard title and the effective date. The section or sections of the Ordinance that references the standard shall be specified as found in Table C.

American National Standards Institute (ANSI) [www.ansi.org](http://www.ansi.org)

ANSI ASC A300 (tree care)

ANSI Z133 (safety, arboricultural operations)

ANSI Z60.1 (nursery stock)

American Standard for Nursery Stock [www.americanhort.org](http://www.americanhort.org)

IDNR, Div. Forest Research, "Urban and Community Forestry Program Tree Planting Standards" 1999 Springfield, Illinois

Illinois Landscape Contractors Association [www.ilca.net](http://www.ilca.net)

International Society of Arboriculture [www.isa-arbor.com](http://www.isa-arbor.com)

NRCS, "Illinois Urban Manual Tree and Shrub Planting" August, 1994

NRCS, "Tree Protection" April, 2000

Society of American Foresters [www.safnet.org](http://www.safnet.org)

University of Illinois Extension, Plant Clinic [web.extension.illinois.edu/plantclinic](http://web.extension.illinois.edu/plantclinic)

## TABLE D PICTURES AND ILLUSTRATIONS

###