

VILLAGE OF BARRINGTON HILLS

Plan Commission NOTICE OF MEETING



Wednesday, April 13, 2016 ~ 7:30 P.M.
Village Hall ~ 112 Algonquin Road

AGENDA

1. Call to Order & Roll Call
2. Public Comments
3. [Vote] [Minutes February 8, 2016](#)
4. [Tree Preservation Ordinance Review](#)
5. Trustee's Report
6. Adjournment

Chairman: Kenneth Bosworth

NOTICE AS POSTED

VILLAGE OF BARRINGTON HILLS

Plan Commission Special Meeting Minutes

Monday, February 8, 2016 ~ 7:30 pm
112 Algonquin Road, Barrington Hills, IL

The Special Meeting of the Village of Barrington Hills Plan Commission was called to order by Chairman Bosworth at 7:39 pm

Members Present

Kenneth Bosworth
Lou Anne Majewski
Kelly Mazeski
Julie Joyce
Arnold Cernik
Curt Crouse

Member Absent

Pamela Cools
John Gigerich
Kim Van Fossan

PUBLIC COMMENTS: None

PREVIOUS MINUTES:

Chairman Bosworth asked for a motion for approval of the November 9, 2015 minutes. Commissioner Mazeski motioned to approve the minutes. Commissioner Joyce seconded. All present said aye.

NATIVE TREE PRESERVATION, CITIZENS FOR CONSERVATION:

Meredith Tucker of Citizens For Conservation made an interesting and informative presentation about native trees and their importance to the ecosystem of Barrington Hills. She felt that the list of trees on the Tree Preservation Ordinance was terrific with the exception of the Red Maple (*Acer rubrum*) that has become invasive from overuse. Some the reasons that local and native trees are best for the environment include:

- adapted over time to our climate
- adapted to our soil
- adapted to our hydrology
- have adapted to resist diseases
- provide wildlife habitats and sustenance for local insects who in turn provide food for our birds
- do not require much maintenance, never need fertilizer, pesticides, nor routine watering after 1-2 years

Meredith commented that the finest native tree in our area is the Burr Oak which grows in clay and supports over 500 species of butterflies. Another native is the Black Oak which grows in sand. We have two native evergreen, the Arbor vitae and the White Pine. Native water loving trees are the Willow and the River Birch. The Hackberry is a native that is tough as nails and the Linden or Basswood (bee tree) perfumes the entire neighborhood in spring. It is especially fast growing. Spicebush is another native that is deer resistant.

Meredith broached the subject of 'cultivars' which is a variety of plant manufactured by horticulturists by cross breeding until they have a new plant which they then clone. These clones provide fewer ecosystems services. Many times the birds will not eat the berries of a cultivar or the insects cannot feed on them dying off and leaving birds to starve. Meredith recognized that it is hard to buy native

trees and bushes. Nurseries react to consumers who demand beautiful trees that aren't messy and do not recognize the important role native trees play.

Meredith concluded by taking questions and offering suggestions for non-chemical treatment for diseases and to repel deer.

She also mentioned that the CFC have a plant dale where native trees, bushes, and other plants may be purchased. She asked us to consider restricting cultivars and also make homeowners aware of native bushes and other native plants.

TREE PRESERVATION ORDINANCE REVIEW:

Robert Kosin introduced Amy Olsen, Landscape Architect, who offered her perspectives with tree preservation ordinances in other municipalities. The Barrington Hills Tree Preservation Ordinance has been in effect for 9 years and in that time other municipalities have adopted similar ordinances. Ms. Olsen described planting standards and explained that tree roots extend out 3-4x the tree height and that in our clay soil roots are shallow. Anchoring roots which keep the tree in the ground can be accidentally cut during construction causing the tree to die or to alter topple.

Ms. Olsen had some suggestions for our tree ordinance including providing a list of 'nuisance trees' and encouraging more natives and less non-native trees, perhaps using a percentage of native and cultivars for replacement trees. She also described the success of a performance bond or escrow account for homeowners that need to comply with tree replacement ordinances.

Ms. Olsen cited as references documents available from the Morton Arboretum.

Robert Kosin presented the proposed amendment to the Tree Preservation Ordinance that was the result of working with Chuck Stewart, the Village Forester, and Commissioner Joyce. Chuck Stewart presented the highlights of the amendment and compared them to the existing ordinance. It was proposed to include more references to performance standards to forestry practices which included additional tables. The definition section of the amendment included specific professional organizations who establish such standards. There were also organizational revisions proposed to the format of the Ordinance. In terms of implementation the amendment contained a fee process that in certain circumstances could be paid in lieu of planting. Discussion occurred about the merit of this 'exception to planting' as well as the use of escrow accounts and the circumstances for their use. Further research on this topic was requested. The Commission asked for a red line copy between the proposed amendment and the existing ordinance to be available at the next meeting.

MUNICIPAL PROPERTY USAGE REVIEW:

No new information was available for consideration by the Plan Commission

TRUSTEE'S REPORT:

On behalf of Trustee Michelle Maison, information was presented that the levy as adopted was less than that of the previous year because of the state of Illinois pursuing centralized dispatching and efficiencies to insurance premiums.

ADJOURNMENT:

Commissioner Cernik motioned to adjourn at 9:25 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: April 12, 2016
Re: Tree Preservation Ordinance - Amendment

Attached is the original Ordinance as well as a "red line" version of the deletions [strikeouts] and additions [underline] of the proposed amendment to the Tree Preservation Ordinance 4-6-1 as presented to the Commission on Monday, February 8, 2016.

The penalty provision 4-6-6(A) 1 references the general penalty provision in the Village Code, Section 1-4-1 which it and the entire Village Code can be found at the following url

www.sterlingcodifiers.com/codebook/index.php?book_id=442

Separately, the research on escrow agreements or performance bonds will be forward for your information. Likewise please have available the Northern Illinois Tree Species List from The Morton Arbor to consider the subject of planned diversity.

Further consideration of the attached and subject matter will be presented at the next meeting of the Plan Commission is Wed April 13th.

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.

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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

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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.

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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
REDLINE VERSION

Village of Barrington Hills

Tree Preservation Ordinance

4-6-1: INTENT AND PURPOSE:

4-6-2: DEFINITIONS:

4-6-3: ADMINISTRATION AND ENFORCEMENT:

4-6-4: GENERAL REQUIREMENTS:

4-6-5: CONSTRUCTION STANDARDS:

4-6-6: REPLACEMENT: [amended and formerly numbered 4-6-5]

4-6-7: APPEALS: [amended and formerly numbered 4-6-4]

4-6-8: TABLES [amended and added Tables C and D]

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, ~~and~~ preventing storm water runoff and topsoil erosion. It is also the intent of this Chapter to assist, promote and educate ~~our~~ 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 ~~such~~ Heritage Trees may be removed and replaced, whether as a result of building construction or as a result of only 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.~~

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~~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.

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 in a Woodland will be considered Heritage Trees.

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~~ standard 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 (TRP) was sought and obtained.

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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 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 plan 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~~ prepared by or endorsed by a Certified Arborist or endorsed by such, Certified Forester may be accepted by ~~either or both of the village's zoning board of appeals or board of trustees~~ Plan Commission and shall, at a minimum, include the ~~intent through sound~~ forest 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.

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(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 construction when a building permit is required by the provisions of this Title.

a. ~~The TPP 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~~ of a tree survey of all Heritage Trees overlaid directly upon the site plan indicating the location, species, dbh, and condition rating and dbh of all heritage trees found in Table B of this chapter.

The survey shall distinguish among the Heritage 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~~ shall be individually depicted on the TPP.

b. The building officer in consultation with the Village Arborist may permit the ~~application~~ 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 survey~~ The TPP shall include a maintenance plan for all Heritage Trees, consistent with sound 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 conclusion of construction or activity and 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 tree removal permit ("TRP") ~~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~~ 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

ε. reports or studies, if any, indicating that the trees should be removed.

3. Application Review: Upon receipt of a completed application including the TPP 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.

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Tree Preservation Ordinance

(E) Granting A TRP:

4-6-4 GENERAL REQUIREMENTS:

~~1-~~ (A) The building officer shall grant a TRP only if:

~~a-~~ 1. All reasonable efforts have been undertaken in the architectural layout and design of the proposed construction or other activity to preserve woodland; ~~or 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-~~ 2. The removal of the Heritage Trees is consistent with sound forestry practice or will result in the enhancement of the Woodland; ~~enhancement; and~~

~~c-~~ 3. The transplanting of the Woodlands is not feasible.

~~2-~~ (B) As a condition to granting a TRP, the applicant ~~may~~ shall be required to replace the Heritage Trees that will be destroyed ~~and other~~ in accordance with Section 4-6-6 with those trees ~~of the species identified in table A of this chapter. Replacement trees shall conform to the minimum~~ be acquired and planted in conformance with Table C of this Chapter. ~~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-~~ (C) 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.

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4. (D) 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 in consultation with the Village Arborist.

(E) In the event the completion of the planting 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 extend the date of completion by six (6) months.

(F) Tree Protection:

4-6-5: CONSTRUCTION STANDARDS:

~~1. (A) During construction, the TPP must shall 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, including 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 Heritage 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 the Lake County Development Ordinance found in Section 4-2-10 of this Title.~~

~~3. (B) No attachments or wires other than those of a protective or nondamaging nature shall be attached to any heritage tree(s) during construction.~~

~~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.~~

Heritage Trees in a TPP that are destroyed or receive major damage during construction as determined by the building officer in consultation with the Village Arborist, must shall 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 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.

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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: 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 this 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. 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.

2. These The replacement tree or trees required by this Section 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 be of 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 Heritage Tree. Replacement tree or 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 of such trees which die within three (3) planting seasons shall be promptly replaced upon written notice from the village 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 or trees 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 any a plan review, action taken, or 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~~

Village of Barrington Hills

Tree Preservation Ordinance

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

Species		Diameter at Breast Height (dbh)
<i>Common Name</i>	<i>Scientific Name</i>	
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

ANSI ASC A300 (tree care)

ANSI Z133 (safety, arboricultural operations)

ANSI Z60.1 (nursery stock)

American Standard for Nursery Stock 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

International Society of Arboriculture 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

University of Illinois Extension, Plant Clinic web.extension.illinois.edu/plantclinic

TABLE D PICTURES AND ILLUSTRATIONS

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