

As I understand our task, Wilton Selectman Josh Cole asked the Tree Committee to consider revising Wilton's Tree Ordinance to give the Tree Warden (1) the authority to identify hazardous trees on private property that could potentially damage utility lines, and (2) require the homeowner to remove them.

Observations:

1. As per CT General Statutes Chapter 451 Section 23-59, all Tree Wardens have the authority to (a) identify hazardous trees on private property "within the limits of any public road (except State roads)," and (b) order them removed or pruned. HOWEVER, their removal is at the expense of the town, NOT the homeowner.
2. Wilton's Tree Ordinance clearly acknowledges this authority granted to its Tree Warden. Accordingly, Wilton's Tree Warden can order any tree on private property removed if its tree branches hang dangerously over a power line or otherwise creates a hazardous situation by virtue of its proximity to the roadside. The Town just has to pay to remove the tree.
3. Greenwich has a different situation. In addition to their Tree Ordinance, they've also adopted a Nuisance Ordinance as permitted under CT General Statutes Title 7, Municipalities 7-148. In their Tree Ordinance they have a clause pertaining to "hazardous trees, shrubs and woody vegetation." This clause (a) gives their Tree Warden the authority to order the removal of a tree that he deems hazardous and (b) enables the cost of the tree removal to be billed to the homeowner.

(BTW, the Greenwich document we've been working off of is NOT their Tree Ordinance. Rather it's the Greenwich Arboricultural Specifications and Policy Manual that the Tree Warden is required to prepare. We need one of these for Wilton, but more on that later.)

4. Wilton could do the same thing as Greenwich and adopt a Nuisance Ordinance, giving the Town the ability to make the homeowner pay for the removal of a hazardous tree on their property. (Note: A Nuisance Ordinance would be completely different from Wilton's "Blight" regulations that Wayne found.) If you want to read Greenwich's Nuisance Ordinance, you can find it in the middle of the Greenwich Arboricultural Specifications and Policy Manual that we were working off of during our last three special Tree Committee meetings.
5. The Tree Committee needs to decide if that's what we want to recommend. Personally, I don't think that would go over well in this community. Greenwich is very affluent, and most people there wouldn't balk at paying \$2,000 to remove a tree that may or may not fall down and take out a power line. Wilton is very different. Most folks here in Wilton probably can't afford that. But that's just my opinion.

6. After taking a good hard look at Wilton's Tree Ordinance, I've done a 360. It's actually not that bad. The problem is that Wilton doesn't have an "Arboricultural Specifications and Policy Manual." That needs to change. Greenwich's manual is very comprehensive and sets forth very clearly what the town regulations are as they pertain to trees, shrubs and woody vegetation. It says what you can and can't do, and who's responsible for what. I've taken a stab at drafting such a manual for Wilton based on what Greenwich has – see attached. Most of it follows Greenwich's manual fairly closely (although I've made changes to make it relevant for Wilton). The text highlighted in yellow is new language based on our discussions over the past three weeks. There's more that I debated whether to add (you'll see it at the very end), but I wanted to talk to you about it first.