

**To: All Wesley Place Residents**

**From: Wesley Place Housing Association Board of Directors**

**Re: WPHA POLICY for requests to remove trees on common or personal property**

**Date: November 8, 2021**

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Trees, whether on common grounds or personal property, are a shared resource of this community, and are managed by Wesley Place Homeowner's Association (WPHA), as specified in our Rules and Regulations (see Article VII of the WPHA Declaration of Covenants, Conditions, and Restrictions). Unlike other types of neighborhoods, Planned Unit Developments (PUDs) like Wesley Place have the right to manage trees and other landscaping features throughout the neighborhood to maintain a harmonious and appealing character. This is similar to the Board's approval process for any changes to the exterior appearance of individual residences, and is intended to enable the Board the authority to maintain a consistent look in the neighborhood, and preserve its attractiveness to current and future residents.

Wesley Place is well known for its mature vegetation, particularly its trees, which are often cited by new homeowners as one of the reasons the neighborhood appealed to them. The WPHA Board of Directors has sought to preserve that quality by maintaining, to the extent possible, as many mature trees as possible in its community.

However, it is recognized that trees have finite lives, and can become diseased, rotted, struck by lightning, etc. and in such cases may pose a threat to residents or their homes. The Board recognizes that such trees must be taken down and removed to protect property and residents. When possible, replacement trees of an appropriate size and species are planted to maintain the look of our treed neighborhood in the future.

The following POLICY for addressing requests to remove trees, either on private or common property was voted by the Board at the November, 2021 Board Meeting to be adopted by WPHA, beginning immediately:

## **POLICY FOR ADDRESSING TREE REMOVAL REQUESTS:**

Any requests for tree removal **MUST** be submitted to the Architectural Control Committee (ACC) for approval. Although each such request is unique, the general criteria for approving these requests include the following:

- 1. The tree is diseased or damaged, is in imminent danger of falling and causing damage to nearby property, and/or is a hazard to people walking underneath or near it.**
- 2. The placement of the tree is too close to a structure, and the growth of the tree or its roots has caused, or is likely in the future to damage the property.**

*Note that natural, falling debris from a tree (e.g., acorns or other seeds, leaves, small branches, etc.) or personal opinion regarding the aesthetic quality of the tree is generally not sufficient justification for tree removal.*

In most cases, unless the cause is obvious, the property owner will be required to provide to the Board a statement from one or more licensed professionals clearly indicating the hazard the tree poses (e.g., an ISA-certified arborist's statement regarding the health of a tree, a structural engineer's statement that damage has occurred, or is likely to occur specifically as a result of the tree's growth, etc.). Such statements, along with any substantiating evidence (e.g., pictures, diagrams, etc.) should be submitted along with the request to remove the tree.

Before the decision is made to permanently remove a tree, other solutions that would allow the tree to remain in place must be considered and found not to be feasible, e.g., root barriers to prevent roots from encroaching on, and causing damage to a patio.

For tree removal requests on private property, the homeowner is responsible for obtaining the professional opinion, removing the tree (once approved), and planting one or more replacement trees, with the species, size, and location of the replacement trees approved by WPHA. This agreement will be documented during the approval process.

In rare cases involving extenuating circumstances, WPHA will agree to a resident's request to remove a tree, either on common or personal property, that shows no obvious signs of being problematic or meeting the above criteria. This would typically be done at the requesting homeowner's expense.