

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK

NOTICE OF PUBLIC HEARING REGARDING ADOPTION OF A TREE
ORDINANCE

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on November 1, 2021 at 7:05p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to consider adoption of a Tree Ordinance.

The local ordinance is for preservation, maintenance, care removal and disposal of trees and shrubs on lands and rights-of-way owned or maintained by the Town. The Ordinance is to enhance the Town's natural environment through tree protection and sustainable tree planting for the benefit of Clifton Park's current residents and for those of the generations to come.

Copies of the proposed Tree Ordinance are available at www.cliftonpark.org/government/legal-notices.html and are available for review in the Town Clerk's office during normal business hours.

Teresa Brobston, Clifton Park Town Clerk

Clifton Park Tree Ordinance

Section 1. Purpose

The intent of this Ordinance is to preserve, protect, and enhance the Town of Clifton Park's natural environment through tree protection and sustainable tree planting. The Town Board shall delegate responsibility for the management of the Town's community forest to the Tree Committee, for the benefit of Clifton Park's current residents and for those of the generations to come.

Section 2: Motivation

The presence of trees, shrubs and related vegetation in populated areas correlates with the health and well-being of community residents. Trees mitigate noise pollution, remove carbon dioxide in the air, prevent soil erosion, and add charm and beauty to their surroundings. Trees provide critical protection and a natural habitat for precious wildlife as well as contribute to biodiversity of the environment.

Section 3: Establishment of a Tree Committee

- A. The Town Board shall create an advisory body known as the Clifton Park Tree Committee. This committee shall consist of between seven (7) and fifteen (15) members, all of whom are residents of the Town. A Town Board member shall serve as chairperson and an ex-officio member of this body. The Tree Committee shall endeavor to recruit at least one (1) member who is professionally educated or experienced in a field such as horticulture, botany, forestry, or related area. In addition, a Technical Adviser (non-voting) member may serve by virtue of his/her special expertise.
- B. The members shall be appointed by the Town Board and will serve two-year terms. Members may be reappointed every two (2) years. If a committee member does not serve a full term, the chairperson will appoint a successor.
- C. Meetings of the Tree Committee shall be held at least once per month at a time and day convenient for members. Minutes of all meetings shall be maintained and available to the community.
- D. Members of the Tree Committee shall serve without compensation.

Section 4. Duties and Responsibilities

The charge of this committee includes but is not limited to:

- A. The Tree Committee shall serve as an advisory body to the Town Board and other town boards and committees. The Tree Committee shall oversee the development of a written plan, updated as necessary, for the planting, caring, preserving, pruning, removal, or disposal of trees and shrubs along town streets, in parks and preserves, and other public areas. When requested by the Town Board, the Tree Committee will investigate, research, and present findings and recommendations regarding any matter within the framework of its purpose.
- B. The Tree Committee shall help build and maintain an inventory of the location of trees on Town property; determine areas where trees could thrive but are absent; and research and develop an official list of street tree species to be planted on Town property.
- C. The Tree Committee shall sponsor educational events, provide support for tree inventory surveys, and serve as a resource for residents on the planting, care, and pruning of trees on private land.
- D. The Tree Committee shall educate the community about laws and legislation pertaining to the protection of trees.

Section 5. Preservation of Trees

The Tree Committee will strive to stay informed about proposed residential, commercial, and other new developments in Town and may request to visit the property to identify any “heritage” trees that have exceptional historical, cultural, or aesthetic value and to note any other rare, endangered, or protected plants. The Tree Committee will work with the Town to attempt to maintain any tree identified as heritage.

Section 6. Tree Planting, Maintenance and Removal

The Tree Committee will advise and support the Town on tree planting, maintenance, and removal on municipal property and rights-of-way.

Section 7: Tree Protection

The Tree Committee will support Town efforts to address and help prevent threats to trees, such as diseases and pest infestations.

Section 8: Nuisance Trees

The Tree Committee will report any identified nuisance trees that could pose a threat to free passage of pedestrians or vehicles on roads within the Town of Clifton Park.

Section 9: Definitions

Heritage Trees: Trees that have been formally recognized by the Town of Clifton Park as unique or irreplaceable. Criteria for heritage tree designation may include age, rarity, size, and/or aesthetic, botanical, cultural, ecological, social, historical, or horticultural significance.

Nuisance: Any thing or act that annoys or disturbs unreasonably, hurts a person's use of their property, or violates the public health, safety, and welfare.

Park: Includes land designated as a park pursuant to New York State statutes as well as areas such as playgrounds, pools, or other recreational facilities within the Town of Clifton Park.

Planting: The placing of a tree or shrub into soil that will encourage growth and maximum health and vigor.

Preserve: To keep a tree or shrub from harm, damage or danger; to protect and save a tree or shrub.

Prune/Pruning: To remove dead or living parts from a tree or shrub to increase health, vigor, and maintain a desired shape or size or form.

Public Areas/Places: Includes all grounds and/or property, including public streets and rights-of-way, owned, leased, or controlled by the Town of Clifton Park for public use.

Removal: To take away and remove a tree or shrub, including the stump, to below ground level.

Shrub: A woody plant with more than one main stem emerging from the ground.

Spray/Spraying: The application of any pesticide, fertilizer, or other substance to a tree or shrub.

Street Tree: Any tree or shrub planted or growing within the right-of-way of a public street.

Town: The Town of Clifton Park, New York.

Tree: A woody plant with a single central axis (trunk) emerging from ground and acquiring a minimum height of ten (10) feet at maturity.

Trim/Trimming: To remove parts of a shrub to maintain a desired shape or size.