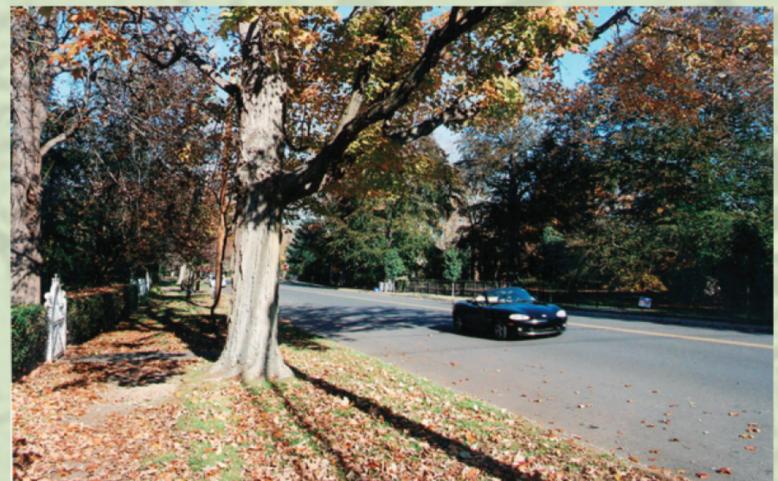


Town of Fairfield

Community Forest Management Plan



Fairfield Tree Warden
and Forestry Committee

Fairfield, Connecticut
December 2014



“Forestry has this in it,
That it gives even more to the future than it does to the present.
It is typical of what we are all anxious to do;
typical of the kind of life that looks more to what we shall leave for our children in the way of
resources... than what we should use up and enjoy ourselves.”

Arthur Hadley, President
Yale University, 1907

TOWN OF FAIRFIELD
COMMUNITY FOREST MANAGEMENT PLAN
Recommendations
for Preserving, Enhancing, and Maintaining
Public Trees and the Community Forest



Prepared By:

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December 2014

This document was prepared as part of the Town of Fairfield's Community Forest Management Program assisted by a Community Forestry Grant from the U.S. Forest Service's America the Beautiful Program provided through the Division of Forestry of the Connecticut Department of Energy and Environmental Protection.

Foreword

This document presents the “Town of Fairfield Community Forest Management Plan” (the Plan) prepared by the Fairfield Tree Warden and Forestry Committee. The Tree Warden is an officer of the Town of Fairfield with powers and duties established in the Connecticut General Statutes and Town Code for the care and control of public trees—the trees located on Town properties and right-of-ways. Collectively, the public trees are known as the “community forest” and the “urban forest.” As estimated by the Tree Warden, there are 50,000 to 75,000 trees in the public right-of-ways of Town roads and over-hanging the right-of-ways, and more than 100,000 additional trees on other Town properties.

The Tree Warden functions through the Town’s Department of Public Works (DPW) which provides the equipment and personnel necessary to carry out the Tree Warden’s duties and implement the Town’s Community Forest Management Program. The purpose of that program is to preserve, enhance, and maintain the public trees, with highest priority assigned to avoiding threats to public safety that may be caused by trees, including trees that may be identified by the Tree Warden as “hazardous trees.”

Established by the Town’s Board of Selectmen, the Forestry Committee is a committee of volunteers whose mission is to promote stewardship of Town-owned and privately owned trees and otherwise assist the Tree Warden.

The Plan, presented in five chapters, contains recommendations for preserving, enhancing, and maintaining the Town’s public trees and community forest. Plan recommendations, while nonbinding, emphasize continued implementation of the DPW’s existing Community Forest Management Program, along with public outreach and educational initiatives concerning the benefits of trees and opportunities for personal stewardship actions to preserve, enhance, and maintain public and privately owned trees.

Chapter One of the Plan includes an overview of the Plan and its benefits. Chapter Two provides a summary description of the Town’s community forest and Community Forest Management Program, along with a review of the institutional framework for community forest management and some key issues and planning considerations affecting public trees and the community forest. Chapter Three proposes a Town Vision for Community Forest Management consisting of nine broad goals based on the concept of perpetual stewardship whereby all citizens, governmental officials, agencies, and organizations with an interest or authority pertaining to public trees and community forest will think of themselves as having responsibilities for the care of those trees and forest. In Chapter Four, a five-year implementation program is proposed, setting forth specific action items for advancing the Town Vision. Those items include: 1) research and planning projects and initiatives such as an annual tree inventory; 2) public outreach and education projects and initiatives; 3) community forest maintenance and enhancement projects and initiatives undertaken by the DPW; and 4) administrative projects and initiatives, including enhancement of the Town’s existing data base of information concerning public trees and the community forest. Chapter Five describes authorities and opportunities of each involved agency and organization for advancing the Town Vision.

Acknowledgments

Many persons contributed to preparation of the Community Forest Management Plan. The Plan was prepared at the direction of the Fairfield Tree Warden assisted by the Fairfield Forestry Committee.

Tree Warden

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Fairfield Forestry Committee

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Many Town agency representatives contributed their time and knowledge to the planning process: Mark Barnhart, Community and Economic Development Director; Scott Bartlett, Public Works Superintendent; Cyril Clancy, Information Technology Department; Geoff Cornwall, Public Works Garage Manager; Mary Carroll-Mirylees, Human Resources Director; Roxanne D'Abrosia, Human Resources Department; Joe Devonchuk, Planning Director; Ken Flatto, former First Selectman; David Fryer, Board of Education Manager of Buildings and Grounds; Lt. Dan Gombos, Fairfield Police Department; Ed Jones, Open Space Manager; Juliana Harris, Geographic Information System Specialist; George Kacegowyz, Public Works Highway Supervisor; Eileen Kenelly, Assistant Town Attorney; Don Leslie, Director of Information Technology; Jerry Lombardo, Parks and Recreation Director; Joseph Michelango, Director of Public Works; Ed Terifay, Public Works Sewer Inspector; Richard White, former Director of Public Works.

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From the Division of Forestry of the Connecticut Department of Energy and Environmental Protection (DEEP), State Urban Forester Chris Donnelly and Rachel Holmes provided vital assistance throughout the planning process

Geoffrey Steadman, planning consultant to the Tree Warden and Forestry Committee, prepared all interim and final Plan documents at the direction of the Tree Warden and committee. Photos in the Plan document are by Mr. Steadman, Mr. Placko, and members of the Forestry Committee.

Appreciation is extended to all citizens and property owners, including tree inventory volunteers, who expressed and demonstrated their commitment to environmental stewardship and continue to support efforts to preserve, enhance, and maintain the community forest.

The Tree Warden and Forestry Committee wish to thank First Selectman Michael Tetreau and Selectmen Kevin Kiley and Cristin McCarthy Vahey for their strong leadership and support for preparing and achieving Fairfield's Town Vision for Community Forest Management.

The Town of Fairfield Community Forest Management Plan was prepared as part of the Town's Community Forest Management Program implemented through the Fairfield Department of Public Works. Funding assistance was provided by a Community Forestry Grant from the U.S. Forest Service's America the Beautiful Program through the DEEP Division of Forestry.

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1

Introduction and Plan Overview

This first chapter of the “Town of Fairfield Community Forest Management Plan” (the Plan) provides an overview of the Plan’s purpose, how it was developed, and how it will be implemented to achieve a Town Vision for Community Forest Management. That vision is based on the concept of perpetual stewardship involving all citizens, governmental officials, agencies, and organizations with an interest or authority pertaining to public trees and the community forest.



TOWN OF FAIRFIELD
COMMUNITY FOREST MANAGEMENT PLAN
DECEMBER 2014

Introduction

This “Town of Fairfield Community Forest Management Plan” (the Plan) contains recommendations prepared by the Fairfield Tree Warden and Forestry Committee to preserve, enhance, and maintain the Town of Fairfield’s public trees. Collectively called the “community forest” and the “urban forest,” the public trees are the trees on Town properties and right-of-ways¹ and are subject to the jurisdiction and authority of the Tree Warden.

Appointed by the Town’s Board of Selectmen pursuant to Sec. 23-58 of the Connecticut General Statutes, Fairfield’s Tree Warden is responsible for the care and control of public trees, including shrubs, roots, limbs, and parts of trees. Powers and duties of the Tree Warden are set forth in Sec. 23-59 of the General Statutes (see Appendix C of the Plan). Section 9.18 of the Town Charter (see Appendix D) calls for the Tree Warden to be a Town officer with the powers and duties set forth in the General Statutes.



Photo 1-1: The community forest includes public trees in the right-of-ways along Town roads.

¹ For the purpose of the Community Forest Management Plan, Town right-of-ways include all of the area within the limits of any Town road, including the road surface and the Town-owned space outside of the road surface that allows for the placement of sidewalks, utilities, and trees.

The Tree Warden functions through the Town's Department of Public Works (DPW) which provides personnel and equipment necessary for carrying out the Tree Warden's responsibilities and otherwise implementing the Town's Community Forest Management Program. The purpose of this Town program is to preserve, enhance, and maintain the public trees. Highest priority is assigned to avoiding and reducing threats to public safety that may be caused by trees or parts of trees that, in the judgment of the Tree Warden, pose a potential or immediate hazard to persons or property. Those trees are known as "hazardous trees."

The Plan is a non-binding guidance document intended to provide a framework for decisions and initiatives of the Tree Warden and the numerous agencies, organizations, residents, and others, including the Fairfield Forestry Committee, who make decisions and pursue initiatives affecting the community forest. The Forestry Committee, established in 2006 by the Town's First Selectman, is a committee of volunteers whose mission is to promote stewardship of Town-owned trees and otherwise assist the Tree Warden with implementation of the Community Forest Management Program and Plan.

The Planning Process

Fairfield has long recognized its responsibility as a steward of its public trees, establishing the office of the Tree Warden in the 1940s. The Town's legislative body—the Representative Town Meeting (RTM)—then passed Fairfield's first tree ordinance in 1950. Also around that time, the Town Plan and Zoning Commission started to require developers to plant trees along their new streets. In 1983, Fairfield was the first town in Connecticut to be recognized by the national Arbor Day Foundation as a "Tree City USA."² That recognition was given as a result of the Town's demonstrated commitment and success in managing its public trees and has now been received by the Town every year for the past 23 years. Other awards include the Outstanding Urban Forest Community award presented to the Town by the Connecticut Urban Forest Council in 2011. Since the early 1950s, the Town has conducted an annual tree planting project whereby trees are planted in the public right-of-ways along Town streets at the request of the owners of property adjoining the right-of-ways, with the cost shared by the Town and the property owners.

Fairfield's Community Forest Management Program to preserve, enhance, and maintain public trees and the community forest is implemented through the Town's Department of Public Works, utilizes the authorities of the Tree Warden, and assigns highest priority to avoiding and reducing threats to public safety posed by hazardous trees. As an illustration of the program's scope, during Town fiscal year 2009-2010 more than 1,600 trees were pruned, more than 500 trees removed, 175 trees were planted, and storm damage to more than 700 trees was addressed. This work was conducted by both DPW crews and contractor crews retained by the DPW.

In 2006, the volunteer Fairfield Forestry Committee was established by the Town's First Selectman to promote stewardship of Town-owned trees and assist the Tree Warden with implementation of the

² To qualify as a Tree City USA community, a town or city must meet four standards established by the Arbor Day Foundation and the National Association of State Foresters by having: 1) a municipal tree board or department; 2) a municipal ordinance for tree care; 3) a community forestry program with an annual budget of at least \$2 per capita; and 4) an Arbor Day observance and proclamation.

Community Forest Management Program. Among the recent forest management initiatives undertaken at the direction of the Tree Warden with assistance from the committee are establishment of the Town's commemorative tree planting program whereby residents may purchase trees from the Town (those trees are then planted by the Town) to commemorate people and events, and the planning and commencement of a Town-wide tree inventory using a random sample method and with volunteer assistance from the community.

Recognizing the need to sustain and adapt community forest management initiatives in response to changing circumstances, the Tree Warden in 2009 applied for and received a Community Forestry grant from the U.S. Forest Service's America the Beautiful Program to help prepare a Town Community Forest Management Plan.³ The grant was provided to the Town through the Connecticut Department of Energy and Environmental Protection's Division of Forestry. The Town provided matching planning and technical services through the contributions of the Tree Warden and Forestry Committee.



Photo 1-2: The trees on the Town Hall green are part of the community forest.

³ The America the Beautiful Program was initiated by the U.S. Forest Service in 1990 to provide for the planting and care of trees in cities and towns throughout the country. Matching funds for urban forestry projects are provided to eligible nonprofit organizations and municipalities on a competitive basis. The program is designed to encourage citizen involvement in creating and supporting long-term and sustained urban and community forestry programs. In Connecticut, the America the Beautiful grants are available through the Connecticut Department of Environmental Protection's Division of Forestry.

The planning process had three principal goals: 1) to increase understanding of the Town's community forest and the institutional framework for managing public trees and the community forest; 2) to prepare a long-range Town Vision for Community Forest Management and other recommendations to help guide decisions and initiatives of the Tree Warden and the numerous agencies, organizations, residents, and others who make decisions and pursue initiatives affecting public trees and the community forest; and 3) to clarify the roles and responsibilities of each involved agency and organization for advancing the Town Vision and otherwise implementing the Community Forest Management Plan.

Information considered in the planning process was obtained from several main sources: 1) relevant reports, studies, maps, photographs, and other documents obtained from agencies and organizations with an interest in the community forest; 2) personal interviews with representatives of the agencies and organizations with interests and authorities affecting Fairfield's public trees and the community forest; 3) input from the Tree Warden and Forestry Committee members during the committee's regularly scheduled meetings held throughout the planning process; and 4) visual inspections of public trees and the community forest conducted with the Tree Warden and Forestry Committee members during the planning process.

Town agencies with roles and responsibilities for community forest management (see Chapter Two) participated in the planning process and reviewed a draft Plan prepared by the Tree Warden and Forestry Committee. Agency comments were incorporated into this ensuing Plan document herein presented to summarize the results of the community forest planning process. The Plan was prepared in accordance with, and as an extension of, the Tree Warden's statutory responsibility for the care and control of the public trees and community forest. The Plan is organized in five chapters. A summary description of the community forest, Community Forest Management Program, institutional framework for community forest management, and key issues and planning considerations affecting public trees and the community forest are included in Chapter Two.

Chapters Three, Four, and Five include the recommendations of the Plan, beginning with the recommended goals and strategies in Chapter Three which establish the Town Vision for Community Forest Management.

Implementing the Community Forest Management Plan

The recommended Town Vision will not be achieved without an effective implementation strategy. It is recognized by the Tree Warden and Forestry Committee that such a strategy must be pursued as an ongoing process that will continue to evolve over time. The implementation strategy recommended in Chapters Four and Five of the Plan is intended to provide guidance for that process.

Plan implementation will proceed with recognition that the Plan is not a formal municipal plan requiring adoption or approval by the Town's legislative body—the Representative Town Meeting. Instead, the Plan is a non-binding guidance document, intended to be implemented through cooperative, voluntary actions by the agencies, organizations, and citizens with interests and authorities concerning public trees and the community forest.

As a recommended first step for implementation, the Town agencies with roles and responsibilities for community forest management should endorse the recommended Town Vision for Community Forest Management and to the extent possible incorporate its goals and objectives into their programs and decisions affecting public trees and the community forest.

The implementation strategy calls for a five-year program, included in Chapter Four of the Plan, which sets forth specific action items for advancing the Town Vision, including: 1) research and planning projects and initiatives such as an annual tree inventory in accordance with a random sample method; 2) public outreach and education projects and initiatives; 3) community forest maintenance and enhancement projects and initiatives undertaken by the Department of Public Works through Its Tree Division; and 4) administrative projects and initiatives, including enhancement of the Town's existing data base of information for the Community Forest Management Program.

Chapter Five of the Plan clarifies the roles and responsibilities of each involved agency and organization for advancing the Town Vision for Community Forest Management and otherwise implementing the Plan.



Photo 1-3: Public trees are susceptible to a number of threats.

Benefits of the Community Forest Management Plan

The Community Forest Management Plan will be used by the Fairfield Tree Warden as the Tree Warden pursues his or her mission for the care and control of public trees, and provides leadership for implementation of the Town's Community Forest Management Program. A number of benefits are anticipated as the Plan is implemented. Among those benefits, the Plan will help to:

- 1. Formally establish a long-range Town Vision for Community Forest Management that will help guide the actions of the current Tree Warden, future Tree Wardens, and the Town agencies with roles and authorities affecting public trees and the community forest;*
- 2. Encourage personal stewardship actions by residents and business owners for the preservation, maintenance, and enhancement of all trees, including public trees and the community forest and private trees;*
- 3. Encourage coordination among the different Town agencies with roles and authorities affecting public trees and the community forest;*
- 4. Provide a basis for requests by the Tree Warden and Forestry Committee for additional grants of funds that may be available from state and federal programs and other sources to help advance the Community Forest Management Program and Plan;*
- 5. Encourage the provision of additional information concerning the Town's Community Forest Management Program, the importance of trees, and other forest management topics for the benefit of Town residents, agencies, and officials;*
- 6. Provide additional opportunities for residents to express comments and recommendations regarding the Community Forest Management Program; and*
- 7. Encourage special public events and programs to promote increased participation in the Community Forest Management Program and strengthen public support for the program.*

Cost of Plan Implementation

The Community Forest Management Plan commits no Town agency or any organization to any new expenditures of public or private funds. A principal consideration addressed by the Tree Warden and Forestry Committee in the planning process concerns the costs that may be associated with Plan implementation. The Tree Warden and Forestry Committee recognize how budgetary constraints at all levels of government may affect the Community Forest Management Program. They also recognize that continued public support for the program may be jeopardized if implementation of the Plan required increased tax burdens on Town residents and business owners.

As a result of these economic issues, the Plan was prepared as a guidance document supporting continued and significant public outreach and education initiatives pursued through already existing programs, including programs involving the Forestry Committee. While some of the Plan's implementation recommendations may require future expenditure of funds in addition to the operating budget of the Department of Public Works, the Tree Warden and committee will seek funding for those initiatives through federal, state, and private grant programs, including programs previously utilized for community forest management in the Town. The Plan provides a basis for implementing beneficial projects as funds may become available, including funds from available grant programs and allocated through the duly established Town budget.

An Ongoing Process in the Public Interest

Efforts to preserve, enhance, and maintain Fairfield's community forest through implementation of the Community Forest Management Plan will be pursued as an ongoing process that will continue to evolve in response to changing conditions and circumstances. As the Tree Warden and Forestry Committee work to advance the Town Vision for Community Forest Management and otherwise implement the Plan, it is recognized that the Plan does not identify every issue that is likely to affect public trees and the community forest in the future, nor does it provide a definitive answer to every possible problem. The Plan provides a guideline to be followed by the Tree Warden, Forestry Committee, and others as they pursue their duties and responsibilities affecting public trees and the community forest. This guideline is flexible and will require modification over time as conditions change and responses to sometimes complicated forest management issues continue to evolve.

The status of the Plan should be reviewed on a regular basis to evaluate its effectiveness and determine the need for any amendments. Preparation of an annual Plan addendum is recommended to present any new information developed by the Tree Warden and Forestry Committee and to include new recommendations as may be needed to address changing conditions and circumstances. A more comprehensive amendment of the Plan should be considered following completion of the initial five-year implementation period.

2

Managing the Community Forest

This chapter provides background information pertinent to preparing and implementing the Community Forest Management Plan (the Plan). Included is a summary description of Fairfield’s community forest, also called the “urban forest,” consisting of the public trees located on the Town’s properties and right-of-ways.

Also included in this chapter is a review of the institutional framework for managing the community forest in the public interest. In addition to the Fairfield Tree Warden and Forestry Committee, a number of Town, state, and federal agencies have authorities affecting the community forest. Town residents and neighborhood groups as well as private organizations and businesses also have relevant interests and responsibilities.

The chapter concludes with a discussion of community forest management issues and planning considerations to be addressed through the Plan.



Fairfield's Community Forest

Located in southwestern Connecticut in Fairfield County, the Town of Fairfield is a community with a number of well-defined neighborhoods and several important commercial areas, including a significant urban corridor along the Post Road (U.S. Route 1). The Town, with a total land area of about 30.2 square miles, is characterized in large part by the exceptional natural character of its interior landscapes which include several prominent water courses, and by its coastal area on Long Island Sound. Outside of the commercial areas, much of Fairfield is a pattern of well-kept homes, tree-lined roads, and forested areas. Significant man-made features include four major transportation routes—the Post Road, Merritt Parkway (Rt. 15), the Connecticut Thruway (I-95), and Metro-North Railroad—used by several hundred thousand people who pass through the Town each day. The Town is bounded on the west by the Town of Westport, on the east by the City of Bridgeport and Town of Trumbull, on the north by the towns of Easton and Weston, and on the south by Long Island Sound. (See Map 1.) In 2010, the Town's population was reported to be 59,404 by the U.S. Census Bureau.

Fairfield has long recognized its responsibility as a steward of its community forest, including the trees in the right-of-ways along Town roads, in Town parks and open spaces, on the grounds of public buildings, and on other Town properties.

There are over 270 miles of Town roads in Fairfield. The width of the right-of-ways varies but a typical right-of-way is 50 feet wide, allowing for a normal roadway width of 30 feet and 10 feet on either side for placement of utilities, sidewalks, and public trees. Along some Town roads, there may be as much as 20 feet of right-of-way on both sides of the road surface. Pending results of a more precise inventory, the Tree Warden has estimated there are 50,000 to 75,000 trees in the public right-of-ways and over-hanging the right-of-ways from more than 20,000 abutting properties.



Photo 2-1: Volunteers organized by the Forestry Committee assist with annual tree inventories.

It is also estimated that more than 100,000 additional public trees grow on other Town properties, including: 60 open space areas with a total of about 1,200 acres; seven public beach areas; 16 school properties with a total of about 280 acres; 31 properties classified as playgrounds, parks, and fields with more than 250 acres; two golf courses encompassing over 200 acres; two marinas with associated upland areas; the Town Hall complex covering about 14 acres; and other Town grounds such as the police station, five fire department facilities, two libraries, sewer pumping stations, and three Town greens, including the Town Hall Green, Sherman Green, and Greenfield Hill Green. In addition, the Tree Warden oversees the maintenance, typically undertaken by volunteers, of about 200 vegetated “islands” (known as “adopt-a-spot” areas) found at road intersections throughout the Town.

The Town’s community forest is made up of a wide variety of tree species, including many species of hardwoods, also called broadleaf trees, which are mostly deciduous (leafless for part of the year) and have net-veined leaves. A number of evergreen conifer species, or softwoods, with narrow, needle-like or scale-like leaves and which bear exposed seeds, usually in cones, are also found in the community forest.

In 2012, the Tree Warden identified 49 different species and groups of closely related species (those groups are called “genera”) in the community forest. The most prevalent trees are species of maples, followed by dogwood, birch, cherry, oak, pine, hemlock, locust, spruce, sassafras, and beech species. Information regarding the type and condition of the varied tree species along Town roads is developed through tree inventories conducted by volunteers supervised by the Tree Warden and Forestry Committee.

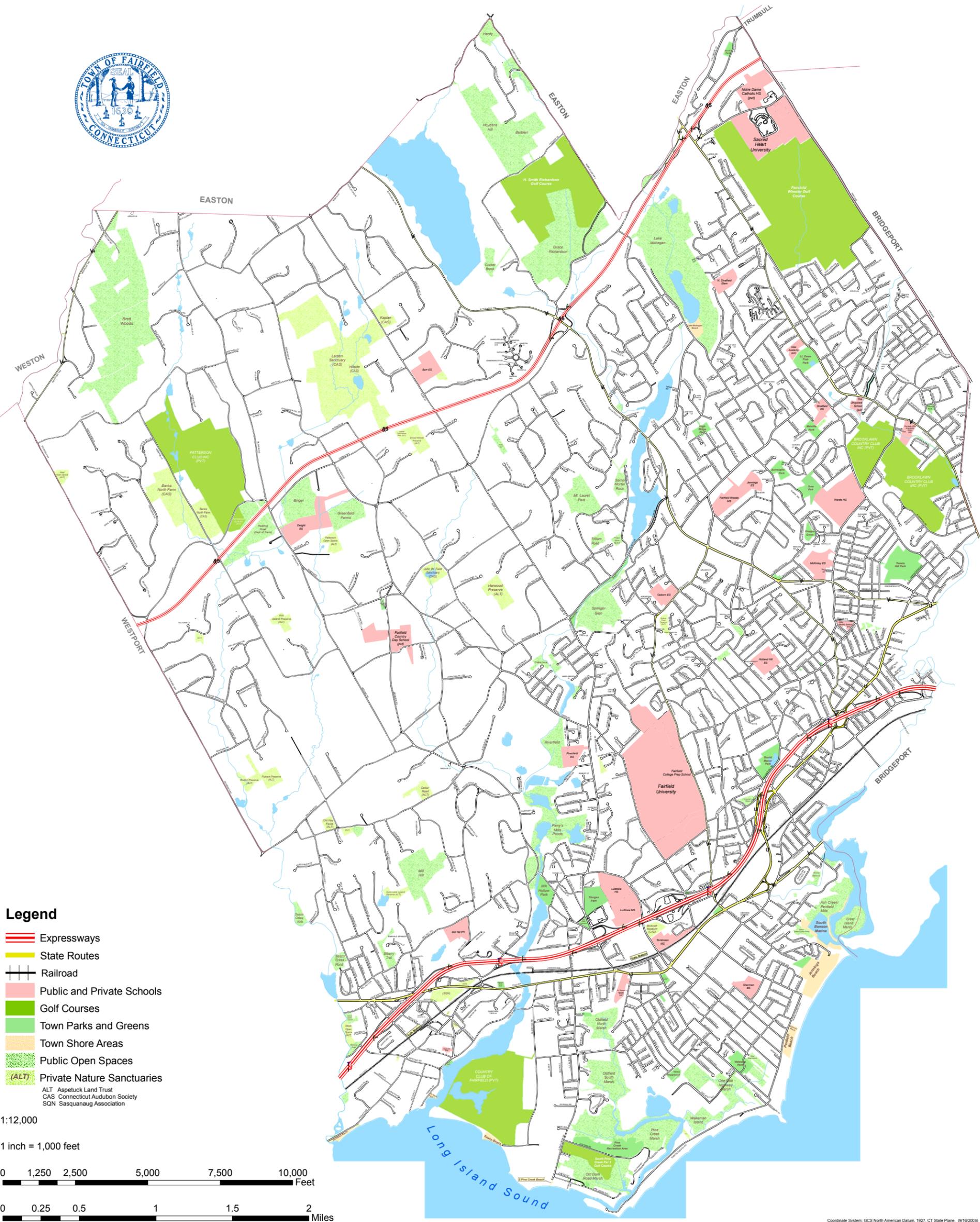
Fairfield’s community forest provides many Town-wide, neighborhood, and personal benefits recognized by Town officials, agencies, and citizens. In addition to their scenic values, trees provide a number of other natural values, including habitat for songbirds and other wildlife. They absorb pollution, provide cooling shade, and by holding soil in place they reduce erosion and allow storm water to filter into the ground. The trees also have substantial economic impacts as their presence can increase the value of residential and commercial properties. More subtle benefits are also possible as some research has shown that trees can help reduce stress and increase the sense of well-being in everyday life.

Trees are also a significant part of Fairfield’s history and sense of community. The historic Greenfield Hill Green and Burr Homestead property, for example, are commonly associated with Copper beech trees; the Norway spruce in front of Old Town Hall is considered the tallest public tree in Connecticut lighted every holiday season; and dogwood trees, first transplanted along Town roads in the late 1700s, are celebrated during the Town’s annual Dogwood Festival. Some trees, especially large or old for their species, or with significant historical connections, have been identified and recognized by the Tree Warden, Forestry Committee, and State of Connecticut as “notable trees.” In 2012, the state inventory of notable trees maintained by the Connecticut College Arboretum lists 22 notable trees of statewide significance in the Town.

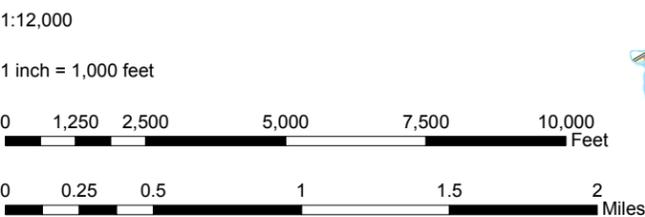
Town of Fairfield Community Forest Management Plan

Office of the Tree Warden
December 2014

Map



- Legend**
- Expressways
 - State Routes
 - Railroad
 - Public and Private Schools
 - Golf Courses
 - Town Parks and Greens
 - Town Shore Areas
 - Public Open Spaces
 - Private Nature Sanctuaries
- ALT Aspetuck Land Trust
CAS Connecticut Audubon Society
SQN Sasquaug Association



Coordinate System: GCS North American Datum, 1927, CT State Plane. (8/10/2008)

Also in 2012, a special project known as the American Chestnut Restoration Project to plant 100 American Chestnut trees on Town open space areas was initiated through a partnership involving the Fairfield Garden Club, Connecticut Agricultural Experiment Station, Tree Warden, Department of Public Works, Conservation Commission, and Forestry Committee.

The Institutional Framework for Managing the Community Forest

A number of agencies and officials at the Town, state, and federal levels of government have authorities and responsibilities pertaining to community forest management in Fairfield.¹ Several Town and state laws, regulations, and ordinances influence community forest management, including: Sec. 23-58 through Sec. 23-65 of the Connecticut General Statutes concerning the appointment, powers, and duties of the Tree Warden; Public Acts 13-298 and 14-151 concerning vegetation management by utility companies; and various sections of the Fairfield Town Code, including sections 91-6 through 91-9 requiring that a permit be obtained from the Tree Warden prior to planting, removing, or pruning any tree within the limits of any public street in the Town. Also, Sec. 9.18 of the Town Charter provides for appointment of the Tree Warden pursuant to the General Statutes.



Photo 2-2: Trees on Town open space areas are part of the community forest.

¹ For the purpose of the Community Forest Management Plan, the term “management” is used to refer to planning, regulatory, maintenance, and other actions to preserve, enhance, and maintain the Town’s public trees and community forest.

In addition to the Tree Warden and the Department of Public Works (DPW) and Forestry Committee, the Representative Town Meeting (RTM), Board of Selectmen, Parks and Recreation Commission and Department, Town Plan and Zoning (TPZ) Commission and Department, Conservation Commission and Department, Police Department, Board of Education (BOE), Risk Management Department, Information Technology (IT) Department, Department of Community and Economic Development, and Office of the Town Attorney have significant interests and responsibilities affecting public trees and the community forest.

On the state level, the Connecticut Department of Energy and Environmental Protection (DEEP) and Connecticut Department of Transportation (ConnDOT) are two agencies with community forest management-related programs and authorities. On the federal level, the U.S. Forest Service in the Department of Agriculture is a potential source of information and other assistance.

Private organizations and businesses, including electric and telephone utility companies, as well as Town citizens and neighborhood groups also have interests and responsibilities affecting the community forest.

Tree Warden

In accordance with Sec. 23-58 of the Connecticut General Statutes and Sec. 9.18 of the Town Charter, Fairfield's Board of Selectmen is required to appoint the Town's Tree Warden for the purpose of carrying out specified powers and duties set forth in Sec. 23-59 of the General Statutes. The Tree Warden, whose term of appointment is for a period of one year and until a qualified successor is appointed, is a Town official responsible for the care and control of all trees and shrubs within the limits of any public road or grounds in the Town, with the exception of the trees along state highways. The Tree Warden is also responsible for any part of any private tree that overhangs the limits of any public road or grounds and which may pose a threat to public safety. Trees along the approximately 50 miles of state highways in Fairfield—including the Post Road, Stratfield Road (Rt. 59), Black Rock Turnpike and Tunxis Hill Road (Rt. 58), North Benson and Stillson roads (Rt. 135), the Merritt Parkway, and the Connecticut Thruway—are subject to the authority of the Connecticut Commissioner of Transportation. As requested by the Town from time to time, the Commissioner of Transportation may authorize the Town to conduct tree maintenance along some of the state highways passing through the Town.

Sec. 23-59 of the General Statutes does not provide tree wardens with authority over trees in public parks or other grounds under the jurisdiction of local park commissioners unless those commissioners specifically request that the tree warden take responsibility for those trees. In Fairfield, the Town's Parks and Recreation Commission historically has requested that the Tree Warden assume responsibility for the care and control of trees on Town park and recreation areas.

Under Sec. 23-59 through 23-65 of the General Statutes, the Fairfield Tree Warden is authorized to carry out the following powers and duties.

1. *To expend funds appropriated for the setting out, care, and maintenance of the public trees;*

2. *To enforce all laws and ordinances for the preservation of the public trees and roadside beauty;*
3. *To remove or cause to be removed all illegally erected signs or advertisements placed upon the public trees;*
4. *To prescribe (recommend) regulations for approval by the Board of Selectmen for the care and preservation of public trees, including a reasonable fine for violations of the regulations;*
5. *To immediately remove or prune any public tree or shrub that he or she determines constitutes an immediate public hazard;*
6. *To make decisions for the removal or pruning of any public tree or shrub that he or she determines does not constitute an immediate public hazard, following completion of a specified public notice, hearing, and appeals process; and*
7. *To remove, with the approval of the Board of Selectmen, any public trees or other plants that are particularly obnoxious as hosts of insect or fungus pests.*

The Tree Warden also has an important role in the Town's development review process and participates with other Town agencies in the interagency code review meetings convened by the Town Plan and Zoning Department. In this regard, the Tree Warden provides advisory comments concerning the tree-related impacts of private development proposals and some Town development proposals as well. In addition, applicants for Town building permits are informed by the Building Department that if a tree would be affected by the proposed work, the Tree Warden must be consulted.



Photo 2-3: The values of trees are celebrated at annual Arbor Day events.

The Tree Warden will have a significant and continuing role during implementation of the United Illuminating (UI) Company’s multi-year Enhanced Tree Trimming (ETT) Plan. That plan, approved by the state’s Public Utility Regulatory Authority (PURA), provides for trimming or removal of tall-growing tree species within an eight-foot Utility Protection Zone (UPZ) on either side of a power line where necessary to secure the reliability of utility services. Permission from the Tree Warden is required for removal of all public trees and trees overhanging Town right-of-ways and other Town properties. The Tree Warden’s decisions in this regard may be appealed to PURA by UI. In addition, the owners of private properties adjoining the right-of-ways may submit written objections to the Tree Warden regarding proposed ETT work.

The Tree Warden also oversees implementation of the Town’s Commemorative Tree Program whereby residents purchase trees from the Town to commemorate persons and events, and those trees are then planted by the Town.

Described below, the powers and duties of the Tree Warden are implemented through the Town’s Department of Public Works which provides the personnel and equipment needed to preserve, enhance, and maintain the public trees. Historically, a Town DPW employee has been appointed to the position of Tree Warden, an arrangement that has provided for efficient application of the Tree Warden’s state-authorized powers and duties in coordination with use of the personnel and equipment available through the DPW.



Photo 2-4: The Town maintains a variety of trees in the right-of-ways along Town roads.

Department of Public Works

The mission of the Department of Public Works—administered by the Town’s Director of Public Works—is to protect Fairfield’s investment in its infrastructure and provide services to enhance the quality of life for Town residents. In this regard, the DPW coordinates and directs the Town’s building inspection, building maintenance, engineering, highway, parks, solid waste, and water pollution control activities and helps to carry out the objectives of the various Town commissions and boards responsible for those activities. Utilizing the state-enabled authority of the Tree Warden who is a DPW employee, the DPW implements the Town’s Community Forest Management Program to preserve, enhance, and maintain public trees. This program is conducted through the DPW’s Tree Division headed by the employee who is appointed by the Board of Selectmen to act as the Town’s Tree Warden.

Equipment currently maintained and deployed by the DPW for implementation of the Community Forest Management Program includes two bucket trucks with 60-foot extensions for aerial work, three wood chippers, a truck for containing and hauling wood chips, along with saws and other tools. Full-time and seasonal personnel who may be assigned to the program receive appropriate training, including training for chain saw operations, aerial operations utilizing the bucket trucks, and work in proximity to electrical lines. (Work on a tree or limb that rests on or is otherwise in contact with an electrical line cannot be undertaken by the DPW and instead must be undertaken by the electrical utility company.) During the winter months, two full crews are generally assigned to tree work; in the summer, when demand is higher for other DPW services such as road repair, one full crew is assigned to tree work. Throughout the course of the year, DPW personnel normally assigned to other DPW divisions may be assigned to the Tree Division as needed.

The DPW hires outside contractors when necessary to assist with management of public trees. Each year, contractors bid to provide tree trimming, removal, and planting services as needed.

In addition to personnel and equipment for tree pruning, planting, care, and removal, the DPW provides other services to help implement the Community Forest Management Program, including surveying and geographic information system (GIS) services through the department’s Engineering Division. Surveying services, for example, are applied to accurately identify the location and extent of Town right-of-ways. The Engineering Division is the official source of information on the location of the right-of-ways. GIS services are utilized to map and identify right-of-ways and record information concerning individual trees when appropriate. In addition, the department’s Sewer Division responsible for the sewer pipes that run along a number of Town right-of-ways, coordinates its functions with the Tree Warden to avoid conflicts between public trees and the sewer lines. Those conflicts may arise, for example, when new trees are planted; when sewer lines are repaired; and when tree roots sometimes affect the sewer lines.



Photo 2-5: Town crews prune or remove public trees as needed to maintain public safety.

Fairfield Forestry Committee

Established in 2006 by the Town's First Selectman to assist the Tree Warden, the Fairfield Forestry Committee consists of volunteer members appointed by the Tree Warden. The mission of the Forestry Committee is to: a) promote awareness, appreciation, and stewardship of the environmental, economic, and cultural values of trees in the Town of Fairfield; and b) provide assistance to the Tree Warden for development and implementation of Town initiatives to preserve, enhance, maintain and otherwise manage Town-owned trees in the public interest, consistent with the Town's Community Forest Management Plan. The Committee pursues its mission by:

1. *Providing information concerning the Town's Community Forest Management Program, the importance of trees, and other forest management topics to the general public, Town agencies and officials, and others;*
2. *Organizing and conducting special public events and programs to encourage participation in the Town's community forest management program and strengthen public support for the program;*
3. *Providing opportunities for citizens to express comments and recommendations regarding the Town's community forest management program;*
4. *Conducting studies and investigations at the direction of the Tree Warden for the purpose of providing information to support and advance the Town's community forest management program;*

5. *Providing advisory assistance to the Tree Warden for preparing, amending, and implementing the Town's Community Forest Management Plan;*
6. *Pursuing grants and other sources of funds to advance the Town's community forest management program; and*
7. *Encouraging and supporting the participation of residents and neighborhood groups for implementing the Community Forest Management Plan.*

Since its formation, the Forestry Committee has promoted the concept of environmental stewardship whereby all residents, officials, agencies, and organizations with an interest or authority pertaining to public as well as private trees would consider themselves as stewards responsible for care of those trees. That care would be for the purpose of ensuring that the natural, cultural, and economic values of trees are sustained for the benefit of future generations.

The Forestry Committee established the "Community Forest Page" on the Town web site (see www.fairfieldct.org) to provide information concerning the Town's Community Forest Management Program. In addition, the Committee assists the Tree Warden with administration of the Town's commemorative tree program and with public outreach initiatives and tree inventories.



Photo 2-6: Trees on Fairfield's Town greens are part of the community forest.

Other Town Agencies

Other Town of Fairfield agencies also have significant roles and responsibilities for community forest management.

1. **Representative Town Meeting:** As the Town's legislative body, the RTM enacts all ordinances and approves the Town budget, including the Department of Public Works' budget needed to implement the Community Forest Management Program.
2. **Board of Selectmen and First Selectman:** Responsible for the administration of Town affairs, the Board appoints the Tree Warden, authorizes the Tree Warden to remove certain public trees, and provides leadership and support for achievement of the Town's goals for managing the community forest. The First Selectman, the Town's chief administrative officer and highest elected official, also provides vital leadership for the Town's management of the community forest.
3. **Parks and Recreation Commission and Department:** This Town department manages Town park and recreation areas and Town greens, including playgrounds, playing fields, golf courses, marinas, and beaches. It utilizes DPW personnel and equipment for maintaining its facilities, and historically has requested that the Tree Warden assume responsibility for the care and control of trees on the Town park and recreation areas.
4. **Town Plan and Zoning Commission and Department:** The TPZ Commission and Department implements municipal authorities concerning planning and regulation of land use in the Town; is responsible for preparing, adopting, amending, and implementing zoning and subdivision regulations and the Town's master plan of land use known as the Plan of Conservation and Development; coordinates the Town's development review process; and may require developers to plant trees as a condition of development and subdivision approval. In 2014, the TPCZ Commission adopted amendments (prepared by the Fairfield Forestry Committee) to the Fairfield zoning and subdivision regulations to advance goals of the Community Forest Management Plan.
5. **Conservation Commission and Department:** The Conservation Commission and Department have responsibilities concerning the development, management, and supervision of the Town's extensive system of open space lands for the purpose of conserving natural resources, providing outdoor recreation opportunities, and protecting the Town's character. Trees on these Town lands are part of the Town's community forest.
6. **Police Department:** Responsible for law enforcement, public safety, and emergency dispatch, the Police Department provides a variety of emergency response and management services during emergency situations involving hazardous trees along Town roads, as well as traffic control services during normal work on Town trees. The Police Department also notifies the Tree Warden of any tree-related circumstances and conditions observed by patrol officers requiring the Tree Warden's attention.

7. **Board of Education:** The BOE maintains public school properties (some of which are used as sites for Arbor Day² events). The BOE's maintenance department can conduct some tree maintenance and planting operations on those properties but requires assistance from the Tree Warden and DPW for others.
8. **Human Resources Department:** Among its responsibilities, this department reviews and processes claims concerning damage caused by public trees.
9. **Information Technology Department:** The IT Department assists the Tree Warden and DPW with determining the equipment and methods needed to develop and maintain the Town's data base of information concerning public trees and the community forest.
10. **Department of Community and Economic Development:** This Town department manages several federal and state economic assistance grants provided to the Town that may provide opportunities for street tree plantings to enhance economic and community development projects.



Photo 2-7: Public trees contribute significantly to the quality of life in the Town.

² Arbor Day is a day specifically designated for the purpose of recognizing and celebrating the value of trees, and is used by many communities as an occasion to plant and hold special events to increase public awareness of that value. In Connecticut, the state's General Statutes designate the last Friday of April as Arbor Day.

- 11. Office of the Town Attorney:** The Town Attorney provides advice to the Tree Warden regarding interpretation of applicable laws, regulations, and ordinances, including requirements for public hearings concerning removal of “posted” trees.

State and Federal Agencies

State and federal agencies with roles and responsibilities affecting the Community Forest Management Program include:

- 1. Connecticut Department of Energy and Environmental Protection:** The DEEP’s Division of Forestry implements the state’s Urban Forestry Program to provide technical assistance to municipalities and tree wardens for improving the condition of urban forests throughout the state, and administers community forest planning and management grants to municipalities through the federal America the Beautiful Grant Program, including the grant provided to the Town of Fairfield used to prepare the Community Forest Management Plan. The DEEP’s Public Utilities Regulatory Authority (formerly the Department of Public Utilities Control), in addition to regulating utility rates and services, must approve utility company maintenance plans, including tree pruning plans, and is the only agency that can over-rule a decision of a tree warden.
- 2. Connecticut Department of Transportation:** ConnDOT maintains, through its Bureau of Highways maintenance office, the vegetation in the right-of-ways of all state highways; notifies the Tree Warden of the removal of any substantial tree from a state right-of-way in the Town (except individual trees that may be removed from the Merritt Parkway right-of-way); conducts regular reconnaissance of the state right-of-ways to identify any tree maintenance issues; and may issue, upon application by the Tree Warden, an “encroachment permit” to the Town which enables the Town to conduct tree maintenance work within some state right-of-ways.
- 3. Connecticut Agricultural Experiment Station:** This state agency provides information and guidance useful for community forest management purposes in the course of pursuing its mission for scientific research, including information concerning the natural values of trees and the identification of pests and diseases affecting trees; provides guidance for special projects and initiatives, including the American Chestnut restoration project conducted in coordination with the Fairfield Garden Club, Tree Warden, DPW, and Conservation Commission in 2014.
- 4. U.S. Department of Agriculture’s U.S. Forest Service:** The U.S. Forest Service contributes to community forest management by providing: a) information that may be helpful for community forest management decisions, including scientific information concerning the natural values of trees; b) funds through the America the Beautiful Program and other grant programs that may be used for community forest management purposes; and c) computer software such as the “i-Tree” programs which allow municipalities to conduct inventories of public trees, quantify the values of both individual trees and the community forest, and set priorities for management initiatives.



Photo 2-8: With permission from the Connecticut Department of Transportation, the Town may conduct tree maintenance work in the state right-of-way along the Post Road.

Private Companies and Business Owners

In addition to governmental agencies, private companies and business owners have significant interests concerning the Town's public trees and community forest.

- 1. United Illuminating Company (UI):** This utility company provides almost all of the electrical service in the Town³. UI is the custodian (owner) of about 50% of the utility poles in the Town; is responsible for maintenance of the electrical lines which generally follow the Town right-of-ways; employs contractors to conduct regular pruning (and removal as necessary) of both public and private trees affecting the electrical lines; and participates with the Town in emergency management, preparedness, and response efforts associated with storm events. In accordance with Public Acts 13-298 and 14-151 concerning vegetation management by utility companies, UI has developed a multi-year Enhanced Tree Trimming Plan approved by the state's Public Utility Regulatory Authority. This ETT Plan provides for trimming or removal of tall-growing tree species within the eight-foot Utility Protection Zone on

³ The Connecticut Light and Power Company (CL&P) owns utility poles and provides electrical service along one road in the Town, near the Town's western boundary.

either side of a power line where necessary to secure the reliability of utility services. Utility companies must provide notice to all property owners abutting the public right-of-way 15 days prior to the start of any vegetation management that is to occur within the UPZ, with the exception of trees that pose an imminent threat. Abutting property owners who object to the proposed tree work must send their objection in writing to UI and the Tree Warden within 10 days of receiving the notice. The Tree Warden must make a decision within 15 days that may be appealed to PURA by the property owner or utility.

2. **AT&T, Inc.:** AT&T provides telephone service throughout the Town, owns about 50% of the utility poles in the Town, and may remove hazardous trees affecting the transmission lines. The company conducts no other regular tree maintenance and has a cooperative agreement with UI to share expenses for storm damage and response.
3. **Private contractors:** Private contractors conduct regular maintenance and emergency response tree work for the utility companies; provide contracted services to the Fairfield Department of Public Works for implementation of the Town's Community Forest Management Program; and may request permission from the Tree Warden to work on a Town tree at the request of a nearby property owner. In addition, private contractors will be retained by the United Illuminating Company for assistance in implementing UI's Enhanced Tree Trimming Plan.
4. **Commercial property owners:** Owners of businesses adjoining public right-of-ways benefit from, and are otherwise affected by, the public trees in those right-of-ways.

Conservation Organizations and Educational Institutions

Several conservation organizations and educational institutions are interested in community forest management and may contribute to implementation of the Town's Community Forest Management Program and Community Forest Management Plan.

1. **Arbor Day Foundation:** As a national, nonprofit conservation and education organization, the Arbor Day Foundation implements its mission to inspire people to plant, nurture, and celebrate trees. The foundation conducts a number of programs to advance that mission, including the Tree City USA program, conducted in collaboration with the U.S. Forest Service and the National Association of State Foresters to recognize towns throughout the United States with sustainable urban forestry programs, including the Town of Fairfield.
2. **Connecticut Tree Protective Association, Inc.:** This nonprofit association made up largely of tree care professionals pursues its mission to promote the protection and care of trees in Connecticut and encourage the ongoing improvement of tree care practices. The association may contribute to community forest management through a variety of initiatives to exchange information, educate the public, pursue research, and recommend legislation.

3. **Connecticut Urban Forest Council:** This statewide organization is composed of representatives from Connecticut environmental organizations, state agencies, universities, research institutions, corporations, professional associations, and citizen groups. Its mission is to provide advice, assistance, education, information, and support to community forestry professionals, government leaders, and volunteers.
4. **Connecticut Colleges and Universities:** Several colleges and universities have programs supportive of community forest management, including: Connecticut College supporting the Connecticut College Arboretum which provides valuable scientific and public education functions concerning the value of trees and maintaining the Connecticut Notable Tree Project to collect and distribute information about Connecticut's largest and most historic trees; the University of Connecticut whose Center of Land Use Education and Research (CLEAR) program provides assistance to municipalities for land use planning and natural resources management using remote sensing and Geographic Information System technologies, and whose Cooperative Extension System's Forestry Program provides education for elected and appointed officials, professional resource managers, volunteers, and private landowners concerning the care of trees; and the local Fairfield University and Sacred Heart University whose biology departments and other scientific resources may provide assistance for the Community Forest Management Program.
5. **Tree Warden's Association of Connecticut, Inc.:** This nonprofit organization is dedicated to educating tree wardens and others about the roles and responsibilities of Connecticut tree wardens. Pursuant to Sec. 23-59a of the Connecticut General Statutes, the association provides required coursework for tree wardens. Tree wardens are required to successfully complete that coursework, approved by the Connecticut Commissioner of Energy and Environmental Protection, to be eligible for reappointment.



Photo 2-9: Trees on school grounds are part of the community forest.

- 6. Town public and private schools:** Students can provide information and assistance for implementing the Community Forest Management Program, including volunteer assistance for conducting tree inventories and surveying the attitudes and concerns of Town residents.

Town Residents and Civic Groups

In addition to the interests of governmental agencies, private organizations, and businesses, other important interests concerning public trees and the community forest are held by Town residents and private groups.

- 1. Town residents:** All residents, including owners of land adjoining Town roads, have significant interests with regard to the Town's Community Forest Management Program and the public trees providing environmental and other benefits that enhance property values and contribute to the quality of life in the Town. Property owners identify potentially hazardous tree conditions and make requests to the Tree Warden for maintenance of public trees near their properties. In addition, owners of properties adjoining Town right-of-ways subject to the United Illuminating Company's Enhanced Tree Trimming Plan may object to UI's proposed tree work in writing to UI and the Tree Warden. The Tree Warden must make a decision within 15 days that may be appealed to the Public Utility Regulatory Authority by the property owner or UI. The objection and appeal process is set forth in Public Act 13-298.



Photo 2-10: Public trees enhance recreational experiences on Town properties.

2. **Neighborhood associations and civic groups:** Town neighborhood associations and civic groups are concerned with the quality of life in the neighborhoods of the Town and also interested in the public trees. They can provide information to residents concerning the community forest and assistance with the development of neighborhood tree-planting plans for consideration by the Tree Warden. Citizens, neighborhood associations, and civic groups, including the Fairfield Garden Club and several other garden clubs in the Town, can also provide volunteer assistance for advancing the Community Forest Management Plan, including assistance for conducting tree inventories and special projects such as the American Chestnut Restoration Project.

Community Forest Management Issues and Planning Considerations

Public trees are susceptible to a number of threats, including disease, storms, neglect, poor planning, and inadequate care. Their premature demise is often expected and they must be actively managed to maintain their health and values and to safeguard the public, particularly along the right-of-ways shared by cars, utilities, and pedestrians.

Issues and planning considerations affecting public trees and the community forest in Fairfield were identified and reviewed by the Tree Warden and Forestry Committee in the course of the planning process to prepare the Community Forest Management Plan. The Tree Warden and committee recognize that the identified issues and considerations require continued and ongoing attention by the Town to not only maintain public safety but also to preserve and enhance the ecological, economic, and cultural values and benefits of public trees and the community forest.

For the purpose of discussion, the identified forest management-related issues and planning considerations were reviewed by the Tree Warden and Forestry Committee with respect to the following inter-related themes.

1. **Public health, safety, and welfare, recognized as the highest priority of the Tree Warden’s mission and the Town’s Community Forest Management Program:** Maintaining the health, safety, and welfare of everyone who may be affected by public trees—including persons driving and walking along Town right-of-ways, living near the right-of-ways, and visiting Town properties—requires ongoing assessment of risks to persons and property from hazardous trees, identification and removal of hazardous trees, and effective preparedness and response measures to deal with emergency situations caused by storms and other events. The ability of the Town to successfully undertake these initiatives through its Community Forest Management Program requires proper administration, coordination, equipment, training, and funding. A significant consideration is that the condition of public trees and the community forest is subject to change without notice. As a result, it is not always possible to identify and correct all potentially hazardous conditions prior to the occurrence of a hazardous situation.

In the aftermath of several severe storms that caused major disruptions to utility services in 2011 and 2012, including Tropical Storm Irene and “Superstorm” Sandy, the Connecticut General Assembly passed Public Acts 13-298 and 14-151 concerning vegetation management by utility companies. The legislation allows the companies to perform vegetation management within an eight-foot Utility Protection Zone on either side of a power line where necessary to secure the reliability of utility services. In Fairfield, the United Illuminating Company provides almost all of the electrical service and has developed a plan for Enhanced Tree Trimming, approved by the state’s Public Utility Regulatory Authority, providing for trimming or removal of tall-growing tree species within the UPZ. Implementation of the multi-year ETT plan is expected to have a significant impact on the community forest in Fairfield. Effective oversight and management of the plan is needed to secure the reliability of utility services without significant diminishment of the environmental, economic, and cultural values of the community forest. Also, there is currently no plan or requirement for beneficial use of the trees removed to implement this program or for recovery of any value from the wood material.

- 2. Tree care and maintenance assets, including well-trained full-time and seasonal personnel and appropriate, well-maintained equipment:** These Town assets, supplemented as necessary with contracted services from private companies, are necessary to enable the Tree Warden and Department of Public Works to provide the day-to-day level of community forest management services needed to maintain the public trees and meet the expectations of Town residents. Continued beneficial provision and application of these assets requires adequate funding through the Town’s budgetary process and effective administration by the Tree Warden and Department of Public Works.
- 3. Environmental values, including the ecological, scenic, and cultural values of public trees and the community forest:** The importance of protecting and enhancing these values through implementation of the Community Forest Management Program is recognized by the Tree Warden and other Town officials. It is also recognized that regular care and maintenance actions are needed to maintain and enhance the ecological health and environmental values of public trees and the community forest. Those actions include, but are not limited to, measures to control invasive species, pests, and disease, along with actions to avoid adverse impacts on root systems and branches that may be caused by vehicles and equipment operating on Town properties. The environmental values of public trees are affected by such conditions as the diversity of tree species, ages, heights, and the extent of canopy cover. As a result, accurate information concerning these conditions is needed for planning the most effective program for community forest management.
- 4. Public interest, awareness, and participation:** The Tree Warden and Forestry Committee recognize that continued successful implementation of the Town’s Community Forest Management Program and Community Forest Management Plan requires continued public support and awareness. To achieve and maintain public support and awareness, it is recognized that continued attention must be given to developing and applying educational initiatives and other outreach efforts directed toward Town residents and business owners. These efforts can be designed to increase awareness of, among other things: 1) the natural and economic val-

ues of public trees and the community forest; 2) existing and potential threats to public trees and the community forest; 3) the Community Forest Management Program and Plan; and 4) the need and opportunities for personal stewardship actions to preserve and enhance the community forest. In addition, continued outreach efforts are needed to ensure that all Town residents are aware that no tree may be planted in or removed from a Town right-of-way without a permit from the Tree Warden.

- 5. Administration and coordination:** A number of institutional considerations affect the Community Forest Management Program and implementation of the Community Forest Management Plan. The extensive institutional framework for community forest management, summarized previously, includes a number of laws, regulations, ordinances, and programs, as well as agencies and private organizations with significant interests and authorities concerning the community forest. In addition, Town residents, property owners, and business owners have important rights and interests regarding the community forest and are part of the institutional framework. As a result, a basic planning issue concerns how to achieve and maintain the most effective coordination and cooperation among different agencies, organizations, and interests for the purpose of preserving and enhancing the community forest. An important consideration is the location of the Town right-of-ways. Right-of-way widths vary throughout the Town. As a result, sometimes it is difficult to discern the boundaries between Town property and private property, and therefore between Town and private responsibilities for tree care. Accurate identification of the right-of-way boundaries is necessary for effective implementation of the Community Forest Management Program and may sometimes require that a survey be conducted by the Town's Survey Department. Another administration-related issue concerns how to ensure that the state-authorized powers and duties of the Tree Warden continue to be applied in a manner most beneficial to the Town.
- 6. Economic considerations:** Economic considerations are inherent in many aspects of the Town's Community Forest Management Program. A principal consideration addressed by the Tree Warden and Forestry Committee in the process of preparing the Plan concerns the costs that may be associated with implementing the plan and how funds may be obtained to pay for future implementation initiatives, including funds that may be obtained through governmental and private grant programs. The Tree Warden and committee recognize how budgetary constraints affect the programs of all Town agencies. As a result of these funding issues, the Plan has been prepared as a guidance document setting forth recommended initiatives that will be pursued through the Town's already existing Community Forest Management Program, Department of Public Works budget, and available grant programs, while providing for continued public outreach and education initiatives that will be pursued through the voluntary contributions of the Fairfield Forestry Committee.

3

The Town Vision For Community Forest Management

The Town of Fairfield Community Forest Management Plan (the Plan) establishes nine goals for managing public trees and the community forest. These Town goals and their accompanying strategies for implementation establish Fairfield’s Town Vision for Community Forest Management. The purpose of the Vision is to provide a guiding framework for decisions and initiatives by the Tree Warden, Forestry Committee, and other agencies and organizations with authorities and responsibilities affecting public trees and the community forest. At the same time, those decisions and initiatives of the Town agencies serve to advance the Vision.

Implementation of the Community Forest Vision is based in large part on the concept of perpetual stewardship whereby agencies, organizations, governmental officials, and Town residents with an interest or authority pertaining to public trees and the community forest recognize their responsibilities for care of the community forest in the public interest. That care—or stewardship—is for the purpose of ensuring that the natural, cultural, and economic values of the public trees and the community forest are sustained for the future.



The Town Vision for Community Forest Management



Photo 3-1: Town community forest management crews remove or prune trees determined to pose an immediate or potential hazard affecting public safety.

The following goals and strategies are intended to establish a long-range vision for preserving, enhancing, and maintaining the Town of Fairfield’s public trees¹ and otherwise guiding the operation of the Town’s Community Forest Management Program. Town-owned trees, located on Town properties and right-of-ways, constitute the “community forest” for the purpose of the Community Forest Management Program and the Town’s Community Forest Management Plan.

The goals and strategies establish a guiding framework for decisions and actions by the Fairfield Tree Warden and Forestry Committee, and should be considered by other agencies with interests directly or indirectly affecting the community forest. The first two goals concerning 1) public health, safety, and welfare and 2) active, ongoing management of the community forest by the Town of Fairfield are presented as the priority goals of the Community Forest Management Program and the Plan. Goals three through nine are numbered for reference purposes, not to denote priority, and are considered “supporting goals” for the purpose of the Plan.

¹ For the purpose of these goals and strategies, Fairfield’s public trees—collectively known as the community forest—include trees, shrubs, roots, limbs, and parts of trees subject to the authority of the Fairfield Tree Warden pursuant to Sec. 23-59 of the Connecticut General Statutes.

Figure 3-1: Summary of Community Forest Goals

PRIORITY GOALS:

GOAL 1: PUBLIC HEALTH, SAFETY, AND WELFARE

GOAL 2: ACTIVE, ONGOING MANAGEMENT OF THE COMMUNITY FOREST
BY THE TOWN OF FAIRFIELD

SUPPORTING GOALS:

GOAL 3: NATURAL RESOURCE CONSERVATION AND ENHANCEMENT

GOAL 4: RECREATIONAL BENEFITS FROM THE COMMUNITY FOREST

GOAL 5: ECONOMIC BENEFITS FROM THE COMMUNITY FOREST

GOAL 6: CULTURAL ENRICHMENT THROUGH FOREST MANAGEMENT

GOAL 7: ENVIRONMENTAL STEWARDSHIP

GOAL 8: PUBLIC INTEREST, SUPPORT, AND PARTICIPATION

GOAL 9: EFFECTIVE RESPONSE TO CHANGING CONDITIONS

GOAL 1: PUBLIC HEALTH, SAFETY, AND WELFARE.

The first priority of the Town's Community Forest Management Program and Community Forest Management Plan should be to manage Town-owned trees and shrubs in a manner to provide for the continued health, safety, and welfare of all persons who use Town roads, right-of-ways, and properties, and who otherwise experience the community forest. In those instances where community forest management goals for public health, safety, and welfare, environmental conservation and enhancement, and recreational and economic benefits may conflict, the public's health, safety, and welfare should receive priority.

STRATEGIES:

- 1.1 Assess Risks:** Utilize available resources, including Town funds, equipment, and personnel, to conduct an effective program to identify hazardous and potentially hazardous Town-owned trees, including roots, limbs, and parts of trees. Recognize that the condition of individual trees and the community forest is subject to change without notice and that it may not be feasible to identify and correct all potentially hazardous conditions prior to the occurrence of a hazardous situation.
- 1.2 Respond to Information and Requests from Town Residents:** Respond to information and requests provided by Town residents in a timely and effective manner, consistent with available resources and environmental conditions, to assess risks and correct

hazardous and potentially hazardous situations involving Town-owned trees and shrubs. Prioritize residents' information and requests for the purpose of effectively utilizing available resources to protect public health, safety, and welfare. Maintain a suitable data base to support and facilitate effective consideration of, and response to, information and requests provided by Town residents; update and improve the data base as necessary.

- 1.3 Correct Hazardous and “Obnoxious” Conditions:** Pursuant to Section 23-59 of the Connecticut General Statutes, remove or prune trees, roots, limbs, or parts of trees that pose an immediate or potential hazard affecting public safety. Achieve necessary removal or pruning in a timely and effective manner in accordance with existing conditions and available resources. Conduct necessary removal or pruning in accordance with procedures set forth in Sec. 23-59 of the General Statutes, including procedures for posting required notices and holding required public hearings. Pursuant to Sec. 23-59 of the General Statutes, remove, with the approval of the Board of Selectmen, any trees or other plants that are particularly “obnoxious” as hosts of insects or fungus pests (see 3.4 below).
- 1.4 Encourage Beneficial Trimming by Utility Companies:** Maintain effective coordination and Town oversight to ensure beneficial pruning and tree removal by utility companies, including work to implement Enhanced Tree Trimming plans, as needed to retain power line reliability while maintaining the environmental benefits of Town-owned and privately owned trees.
- 1.5 Respond to Tree-Related Emergencies:** Effectively prepare for and respond to tree-related emergency situations caused by storms and other events, including situations affecting public safety, electric and other utility services, and use of Town right-of-ways and other properties. Prepare and implement plans and procedures to guide the coordinated and effective application of community forest management assets (including Town and contractor personnel and equipment) in emergency situations. Conduct post-event assessments of the effectiveness of emergency response actions and adjust preparedness plans and procedures as needed to help maintain and improve emergency response capabilities.

GOAL 2: ACTIVE, ONGOING MANAGEMENT OF THE COMMUNITY FOREST BY THE TOWN OF FAIRFIELD.

Town-owned trees and shrubs should be preserved, enhanced, maintained, and otherwise managed in the public interest, for the benefit of all Town residents and the general public. Appropriate authorities provided by Town and state laws, ordinances, and regulations, including Sections 23-58 through 23-65 of the Connecticut General Statutes and Sections 91-5 through 91-9 of the Fairfield Code, should be utilized to maintain an effective Town program and plan for community forest management that will serve the needs and expectations of the citizens of the Town.



Photo 3-2: The Fairfield Forestry Committee pursues a number of initiatives, including public outreach projects, to assist the Tree Warden with implementation of the Community Forest Management Plan.

STRATEGIES:

2.1 Apply Tree Warden Authorities: Maintain an ongoing and effective role for the Fairfield Tree Warden, appointed by the Board of Selectmen pursuant to Sec. 23-58 of the General Statutes and the Town Charter, as the principal authority responsible for: a) care and control of all Town-owned trees and shrubs; b) implementation of the Town's Community Forest Management Plan; and c) all other relevant purposes, powers, and duties as authorized by the General Statutes, Fairfield Town Charter, and Fairfield Town Code. In accordance with Section 23-59 of the General Statutes, the authority of the Tree Warden should be applied to such limbs, roots, or parts of trees and shrubs as extend or overhang the limits of all Town roads and properties.

2.2 Obtain Assistance from the Fairfield Forestry Committee: Maintain an ongoing and effective role for the Fairfield Forestry Committee, established by the Board of Selectmen and appointed by the Tree Warden, for assisting the Tree Warden with implementation of the Community Forest Management Plan and carrying out other advisory purposes and duties as may be directed by the Tree Warden and Selectmen.

- 2.3 Implement Community Forest Management Program:** Maintain an ongoing and effective Town program within the Town’s Department of Public Works, with direction provided through a collaborative effort utilizing the authorities, duties, and responsibilities of the Tree Warden and Director of Public Works, to implement the Community Forest Management Plan and otherwise preserve, enhance, and maintain Town-owned trees and shrubs in the public interest.
- 2.3.1 Maintain Forest Management Capabilities and Assets: Maintain Town capabilities and assets, including budget, equipment, and trained full-time and seasonal personnel, needed to effectively carry out the Community Forest Management Program and otherwise implement the Plan; ensure that at least one Town employee assigned to the Community Forest Management Program maintains “arborist” or “municipal specialist” certification from the International Society of Arboriculture (ISA); supplement Town equipment and personnel, as needed, with professionally licensed and Tree Care Industry Association-accredited contractor services subject to the supervision and direction of the Tree Warden.
- 2.3.2 Avoid Conflicts with Private Land Owners: Maintain effective communication with the owners of properties adjoining Town right-of-ways to avoid conflicts with those owners when managing public trees; ensure that no trees may be planted in or removed from the right-of-ways without a permit from the Tree Warden.
- 2.3.3 Adhere to Code of Ethics of the Society of Municipal Arborists (SMA): Implement the Community Forest Management Program in accordance with the highest standards of integrity and honesty to inspire public trust and confidence, and otherwise adhere to the SMA Code of Ethics.
- 2.4 Apply Tree Care Maintenance and Safety Standards:** Apply, for the purpose of conducting the Community Forest Management Program and implementing the Community Forest Management Plan, the tree care standards set forth by the American National Standards Institute, Inc. (ANSI) as: a) the ANSI A300 performance standards for care and maintenance of trees, shrubs, and other woody plants; and b) the ANSI Z133.1 Standard “Pruning, Trimming, Repairing, Maintaining and Removing Trees and Cutting Brush-Safety Requirements.” Apply guidance provided by the International Society of Arboriculture (ISA) to aid in the interpretation and implementation of the ANSI standards.
- 2.5 Allocate Sufficient Funds for Community Forest Management:** Allocate sufficient funds to be expended by the Tree Warden specifically for community forest management purposes and implementation of the Community Forest Management Plan, including funds to be used for removal, planting, trimming, spraying, care, and preservation of Town-owned trees and shrubs, including ornamental and shade trees.

- 2.5.1 Obtain Funds from Town Operating Budget: Annually propose, establish, and expend, in accordance with Sec. 23-60 of the General Statutes, a Town operating budget for community forest management purposes, including normal activities of the Department of Public Works and Tree Warden to conduct the Community Forest Management Program, including funds for procurement of equipment and supplies needed to implement the Program. Consider submitting requests for additional funds through the Town budget process as necessary to implement special projects and initiatives consistent with the Plan.
 - 2.5.2 Obtain Funds from Other Sources: Pursue funds for community forest management purposes available through gifts, fees, and other sources, including governmental and private grant programs and fines collected for violations of Town ordinances and regulations for the care and preservation of Town-owned trees and shrubs.
 - 2.5.3 Maintain Community Forest Accounts: Maintain Town Community Forest Accounts, subject to oversight by the Tree Warden, to receive all gifts, grants, fees, funds, revenues, and fines that are dedicated for community forest management purposes and not appropriated through the Town's budgetary process. Expend funds from the Community Forest Accounts only for purposes directly associated with preservation, enhancement, and maintenance of the community forest and implementation of the Plan, including training of full-time and seasonal personnel subject to the supervision and direction of the Tree Warden.
- 2.6 Apply Laws, Ordinances, and Regulations**: Effectively apply all relevant Town and state laws, ordinances, and regulations, amended as necessary, to conduct the Community Forest Management Program and implement the Community Forest Management Plan, and to generally preserve, enhance, and maintain the Town's public trees and community forest in the public interest, including the Town ordinances and regulations concerning tree protection, land use, recreation, and conservation. Effectively utilize Town land-use regulations to advance the community forest vision. In accordance with Sec. 23-59 of the General Statutes, propose, for consideration by the Board of Selectmen and Representative Town Meeting, such regulations and ordinances as the Tree Warden may recommend for the care and preservation of Town-owned trees and shrubs, including provisions for imposing reasonable fines for violations of such regulations and ordinances.

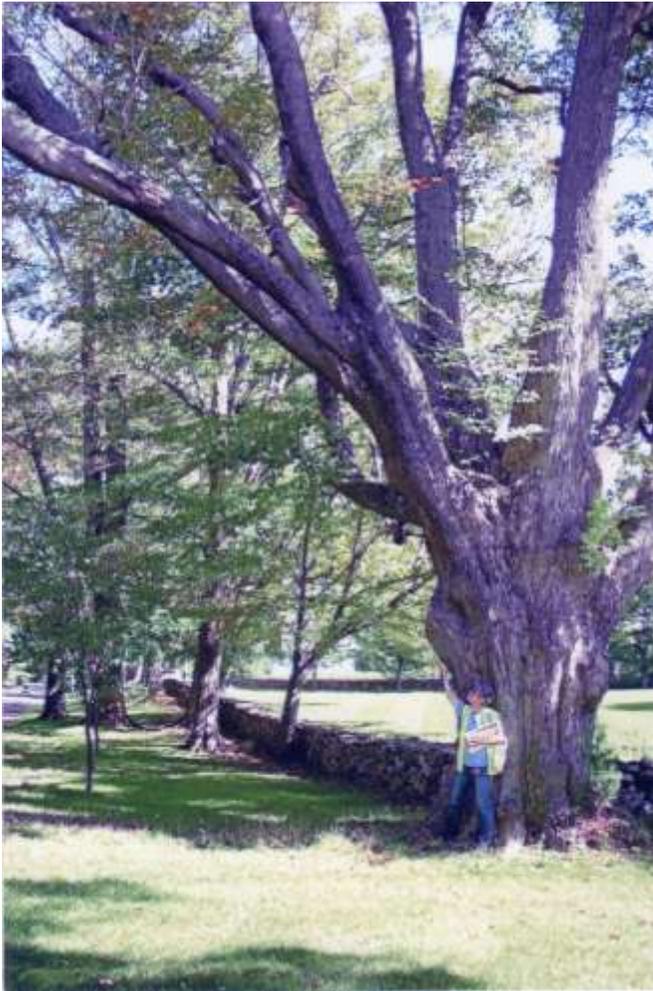


Photo 3-3: Volunteers assist with the inventory of public trees and community forest

2.7 Utilize Volunteers: Maintain an effective base of volunteer assistance and support, properly supervised by the Tree Warden, for implementing aspects of the Community Forest Management Plan, including assistance and support provided by Town residents, neighborhood groups, business owners, and students.

2.8 Obtain Private Sector Support: Encourage private sector assistance and support through funding donations and other assistance for implementing the Community Forest Management Program and Community Forest Management Plan, including assistance and support from business owners and private organizations.

2.9 Provide Public Information: Provide the general public with information and educational materials concerning community forest resources, the Town's Community Forest Management Program and Community Forest Management Plan, and other relevant topics of interest. (See Goal 8.)

2.10 Conduct Studies and Surveys: Conduct investigations and surveys, including, but not limited to, volunteer-based inventories of the number, type, and condition of public trees, to provide useful information to support the Community Forest Management Program, Community Forest Management Plan, and science-based decisions for community forest management. Pursue information concerning: a) public interests and attitudes concerning the community forest; and b) the number, species, size, location, diversity, and condition of Town-owned trees and shrubs. Pursue investigations of community forest resources for the purpose of increasing educational and scientific use of the community forest.

2.11 Achieve Coordination Among Involved Agencies and Organizations: For the purpose of carrying out an effective Community Forest Management Program, including effectively responding to tree-related emergency situations, achieve and maintain optimum coordination among all Town, state, federal, and private agencies and organizations with roles and authorities concerning management of Town-owned trees and shrubs, including the Fairfield Department of Public Works, Conservation Commission and Department, Board of Ed-

ucation, Parks and Recreation Commission and Department, Police Department, Town Plan and Zoning Commission and Department, Department of Community and Economic Development, Connecticut Department of Transportation, Connecticut Department of Energy and Environmental Protection, U.S. Department of Agriculture Forestry Service, utility companies, and not-for-profit organizations.

2.12 Manage Wood Waste: Properly utilize, dispose of, or otherwise manage logs, stumps, brush, leaves, and other wood waste generated in the course of conducting the Community Forest Management Program. Encourage and support recycling and beneficial use of all wood waste to the maximum extent practical.

GOAL 3: NATURAL RESOURCE CONSERVATION AND ENHANCEMENT.

The environmental quality, aesthetic character, and ecological functions associated with Town-owned trees and the community forest, including functions related to wildlife habitat, water and air quality, scenic quality, and climate, should be conserved and enhanced. Town-owned trees, shrubs, and the community forest should be managed through proper pruning, planting, and other best management practices to achieve and maintain not only the health of individual trees and shrubs but also an ecologically healthy community forest.



Photo 3-4: Public trees contribute to the quality of life in the diverse neighborhoods of the Town.

STRATEGIES:

- 3.1 Maintain Forest Diversity:** Manage Town-owned trees, shrubs, and the community forest to encourage, achieve, and maintain the most ecologically healthy diversity of species, ages, and sizes, with consideration of Town-wide and neighborhood conditions and needs, including the conditions and needs in each of the 11 established planning areas of the Town identified in the Town Plan of Conservation and Development.
- 3.2 Determine and Achieve Optimum Forest Canopy:** Determine, achieve, and maintain an optimum Town-wide and neighborhood canopy cover of Town-owned and privately owned trees, with consideration of the 11 established planning areas of the Town identified in the Town Plan of Conservation and Development. Pursue the most desirable canopy cover for the purpose of enhancing scenic quality, maintaining Town character, expanding the environmental benefits of trees, and providing other public benefits. Effectively apply the Town's zoning, subdivision, and other land-use regulations to help achieve desirable canopy cover.
- 3.3 Control Invasive Plant Species:** Design and implement long-term, environmentally sound, and cost-effective initiatives to eliminate and/or effectively control non-native and invasive trees and shrubs adversely affecting Town-owned trees, shrubs, and the community forest.
- 3.4 Control Pests and Disease:** Design and implement long-term, environmentally sound, and cost-effective initiatives to eliminate and/or effectively control insect and fungus pests and diseases adversely affecting Town-owned trees and the community forest. Pursuant to Sec. 23-59 of the General Statutes, remove, with the approval of the Board of Selectmen, any trees or other plants that are particularly "obnoxious" as hosts of insects or fungus pests (see 1.3 above).
- 3.5 Conduct Tree Planting Program:** Conduct an annual Town program, coordinated by the Tree Warden, to plant trees and shrubs on Town properties and in Town right-of-ways for the purpose of enhancing scenic quality, maintaining Town character, expanding the environmental benefits of trees, and providing other public benefits. Prepare tree planting plans in accordance with neighborhood conditions and needs and with input from neighborhood residents.



Photo 3-5: Trees and shrubs on all Town-owned properties are part of the community forest.

3.6 Avoid Adverse Impacts by Town Vehicles and Equipment: Recognize potential adverse impacts on the ecological health and environmental values of public trees that may be caused by the operation of Town vehicles and equipment on Town properties. Operate Town vehicles and equipment in a manner that avoid adverse impacts, including impacts on root systems and branches.

GOAL 4: RECREATIONAL BENEFITS FROM THE COMMUNITY FOREST.

Town-owned trees and shrubs located on park, open space, school grounds, right-of-ways, and other properties used by the public for recreational purposes should be managed to enhance public recreational use and enjoyment of those properties, recognizing that healthy trees and a healthy community forest enhance public enjoyment of Town properties and the natural environment for both active and passive recreational activities.

STRATEGIES:

4.1 Enhance Town Park and Recreation Areas: Maintain, in accordance with a written agreement prepared pursuant to Sec. 23-59 of the Connecticut General Statutes, effective coordination and cooperation between the Tree Warden and Parks and Recreation Commission for the purpose of utilizing the Tree Warden’s authority to effectively manage Town-owned trees and shrubs on Town park and recreation properties managed by the Parks and Recreation Commission.

- 4.2 Enhance Open Space and Conservation Areas:** Maintain effective coordination and cooperation between the Tree Warden and Conservation Commission and Department for the purpose of utilizing the Tree Warden's authority to effectively manage Town-owned trees and shrubs on Town open space and conservation properties managed by the Conservation Commission and Department.
- 4.3 Enhance School Properties:** Maintain effective coordination and cooperation between the Tree Warden and Board of Education for the purpose of utilizing the Tree Warden's authority to effectively manage Town-owned trees and shrubs on school properties managed by the Board of Education that provide opportunities for public recreational use and enjoyment.
- 4.4 Enhance Town Right-of-Ways:** Manage public trees along Town roads with recognition of how the natural quality and condition associated with those trees contributes to an enjoyable environment for walking, running, and biking activities.

GOAL 5: ECONOMIC BENEFITS FROM THE COMMUNITY FOREST.

Economic benefits and values provided by Town-owned trees, shrubs, and the community forest, including benefits accruing to property values in residential neighborhoods and benefits associated with the ecological functions provided by the community forest, should be recognized, enhanced, and preserved.

STRATEGIES:

- 5.1 Recognize Beneficial Impacts on Property Values:** Preserve, enhance, and maintain Town-owned trees and shrubs, including trees and shrubs in Town right-of-ways, with recognition that the good health and appearance of Town-owned trees and the community forest enhances: a) the quality of life in the neighborhoods of the Town; and b) the economic values of properties in those neighborhoods.
- 5.2 Maintain Ecosystem Services:** Recognize that the environmental benefits of Town-owned trees and shrubs, including the benefits of shade and erosion control, have an economic value to be preserved, enhanced, and maintained in the public interest.

GOAL 6: CULTURAL ENRICHMENT THROUGH MANAGEMENT OF THE COMMUNITY FOREST.

Town-owned trees and shrubs and the community forest should be managed in a manner that serves to preserve and promote the Town's natural and traditional character, heritage, and quality of life.

STRATEGIES:

- 6.1 Consider Notable Trees:** Identify Town-owned trees with special significance, including trees of notable age, size, or historic significance, and consider that significance when making decisions concerning maintenance, removal, or replacement of those trees.
- 6.2 Maintain “Tree City USA” Recognition:** Continue to meet the standards established by the National Arbor Day Foundation and the National Association of State Foresters in order for the Town of Fairfield to qualify for annual Tree City USA recognition and receipt of the annual Tree City USA Growth Award, including the standards for Town maintenance of: a) a tree board or department; b) a tree care ordinance; c) a community forestry program with an annual budget of at least \$2 per Town resident; and d) an Arbor Day observance and proclamation.

GOAL 7: ENVIRONMENTAL STEWARDSHIP.

Informed and effective preservation, enhancement, and maintenance of all Town-owned and privately owned trees in the Town of Fairfield should be encouraged and supported. The Community Forest Management Program and Community Forest Management Plan should be implemented in a manner to advance the concept of perpetual stewardship whereby residents, agencies, organizations, and governmental officials with an interest or authority pertaining to the community forest will act as stewards with responsibilities for care of the community forest. That care would be for the purpose of ensuring that the natural, cultural, and economic values of Town-owned trees, shrubs, and the community forest are sustained for the future.

STRATEGIES:

- 7.1 Provide Information to the Public:** Provide relevant information and educational materials to Town residents, officials, and property owners, including information concerning tree care and the natural and economic values of trees.
- 7.2 Participate in the Development Review Process:** Encourage effective management of private trees and Town-owned trees and shrubs through the Town’s land use review process as it is coordinated by the Town Plan and Zoning Department, as that process and the development proposals subject to that process may affect Town-owned properties and public right-of-ways.
- 7.3 Encourage Care of Private Trees:** Encourage the owners of privately owned trees, including trees that may affect Town properties and right-of-ways, to effectively prune and otherwise maintain those trees for the purpose of: a) preserving and enhancing the trees’ environmental, cultural, and economic benefits; and b) reducing the risk of damage to persons and property that may be caused by hazardous trees.

GOAL 8: PUBLIC INTEREST, SUPPORT, AND PARTICIPATION.

Public awareness and appreciation of the significant environmental, cultural, economic, and scenic benefits provided by Town-owned trees and shrubs and the community forest should be achieved and maintained, along with awareness and appreciation of the importance of those resources and values to the Town character and quality of life in the Town of Fairfield. Public support for the Town's goals to manage Town-owned trees, shrubs, and the community forest and to implement the Town's Community Forest Management Program and Community Forest Management Plan should be achieved and maintained.

STRATEGIES:

- 8.1 Consider Public Comments:** Provide opportunities for expression of public comments and interests concerning the preservation, enhancement, and maintenance of Town-owned trees and the community forest and implementation of the Community Forest Management Plan.
- 8.2 Provide Public Information:** Provide beneficial information and educational materials concerning the community forest, its resources and values, and the Plan to Town residents, business owners, municipal employees, commercial and utility company tree workers, and others as appropriate.
- 8.3 Encourage Volunteer Participation:** Provide appropriate opportunities for properly supervised volunteers to participate in community forest management initiatives and otherwise assist with implementation of the Plan, subject to direction from the Tree Warden.
- 8.4 Maintain Commemorative Tree Program:** Maintain a program to encourage the planting of trees on Town land by providing citizens and organizations with the opportunity to donate trees for the purpose of recognizing and honoring persons, events, and accomplishments.
- 8.5 Participate in Special Events:** Design, conduct, and participate in special events and programs, including annual Arbor Day and Earth Day events, to provide beneficial information and educational materials to the public concerning the community forest, its resources and values, and the Plan.

GOAL 9: EFFECTIVE RESPONSE TO CHANGING CONDITIONS.

Conditions affecting the community forest, Community Forest Management Program, and Community Forest Management Plan should be reviewed regularly, and applicable Town plans and requirements should be revised as needed to respond effectively to changing conditions affecting the community forest and the Plan.

STRATEGIES:

- 9.1 Monitor Changes:** Identify physical and institutional changes affecting community forest management, including, but not limited to, changes in the species and condition of Town-owned trees, changes caused by the growth of non-native species, and changes to relevant laws, regulations, and ordinances; identify changes in the course of conducting studies and surveys to provide useful information for the Community Forest Management Program, the Plan, and science-based decisions for community forest management. (See 2.10.)
- 9.2 Conduct Post-Event Assessments:** Assess the effectiveness of the Community Forest Management Program in responding to the effects of storms and other natural as well as human-caused events on public trees and the community forest.
- 9.3 Review and Amend Plans, Requirements and Organizational Structures:** Review the status of the Community Forest Management Plan and other plans, laws, regulations, and ordinances affecting the community forest to evaluate the effectiveness of those plans and requirements and to determine the need for any amendments; prepare future amendments through a collaborative process with input from affected stakeholders; evaluate organizational structures and mission statements of the agencies and organizations with community forest-related responsibilities to ensure continued implementation of the Community Forest Management Program and the Plan.



Photo 3-6: Along with public trees, utility poles and lines are located in the right-of-ways along Town streets.

4

Five-Year Program For Plan Implementation

This chapter of the Community Forest Management Plan (the Plan) outlines a number of projects for preserving, enhancing, and maintaining the Town's community forest resources and otherwise implementing the proposed Town Vision for Community Forest Management set forth in Chapter Three. The recommended actions begin with distribution and endorsement of the Plan and Town Vision and include establishment of a five-year implementation program. Recommended implementation projects and initiatives are categorized according to: 1) research and planning; 2) public outreach and education; 3) community forest maintenance and enhancement; and 4) administration.

The Tree Warden, with assistance from the Fairfield Forestry Committee, will have a major role for advancing each of the recommended projects and initiatives listed in Table 3-1.

Targeted time periods for implementation, also shown in Table 3-1, are presented to show how some of the projects and initiatives will be ongoing throughout the five-year implementation period, and others are typically pursued during a particular season of the year. The targeted time periods are flexible recommendations to be adjusted as necessary, taking into consideration the availability of funds and other resources needed to undertake the identified projects and initiatives, and recognizing that the condition of public trees and the community forest is subject to change without notice.



Distribution and Endorsement of the Plan and Vision

Distribution of the Community Forest Management Plan, including the Town Vision for Community Forest Management, to Town agencies with responsibilities and authorities for preserving, enhancing, and maintaining public trees, including the Board of Selectmen, is the recommended first priority for implementing the Plan. In addition to posting the Plan and vision statement on the Town web site and providing copies of the vision in Town Hall and other public locations where it can be reviewed by Town residents, the Forestry Committee should utilize other means for presenting and distributing the Plan and vision to the public. The vision statement should be presented utilizing concise messages suitable for publication and public discovery on the Town web site as well as within a summary brochure and/or other documents suitable for mass distribution, including distribution at special events and meetings of community groups. Newspaper and other media also should be used to distribute information concerning the Plan and vision statement.

The Tree Warden and Forestry Committee should consider all comments provided by the interested Town agencies, and amend the recommended vision statement accordingly. To the extent possible in accordance with their agency responsibilities and procedures, the interested agencies should provide appropriate written statements of endorsement of the vision statement.

The Town Vision for Community Forest Management, amended as necessary, along with statements of endorsement from affected agencies, should be presented by the Tree Warden and Forestry Committee to the Board of Selectmen along with a suggested resolution for consideration as an instrument for endorsement. The Tree Warden and Forestry Committee should request that the Selectmen endorse the Plan and vision statement as a non-binding guidance document during an appropriate event organized for that purpose.



Photo 4-1: Trees of appropriate sizes and species are selected for planting along Town roads.

Research and Planning Projects and Initiatives

The recommended research and planning projects and initiatives are intended to continue to develop data and information needed to: a) increase understanding of the Town's community forest resources; and b) help support decisions concerning the preservation, maintenance, and enhancement of the Town's public trees and community forest. These projects and initiatives are intended to focus on informed planning, effective application of Town and state laws and regulations that affect the community forest, and ongoing pursuit of available funds to implement the proposed five-year program for preserving, enhancing, and maintaining the community forest.

- 1. Tree Survey:** For the purpose of developing information concerning the health, character, and benefits of public trees and the community urban forest and the importance of the Community Forest Management Program, an annual project to assess the condition of Town-owned street trees is recommended. This project should be supervised by the Tree Warden and conducted with the aid of the Forestry Committee, volunteers, and the Office of the State Forester in the Connecticut Department of Energy and Environmental Protection (DEEP). The project should be conducted in accordance with a random sample method and with consideration of the general condition of street trees in each of the 11 established planning areas of the Town identified in the *Town of Fairfield Plan of Conservation and Development* (POCD). Each year to the extent possible during the five-year Plan implementation period, Town trees in different randomly generated street segments should be assessed. Each year, the length of the street segments assessed should be planned to equal about five percent of the total length of all Town streets. Information developed through the tree survey should be properly recorded in an appropriate computerized data base, utilizing the Town's geographic information system, and otherwise presented in a suitable form to Town officials and the general public. For each tree identified in the inventory, information concerning species, size, location, and general condition (dead/dying, poor, fair, and good, for example) should be recorded.

The three main elements of the tree survey should include: a) design of the random sample with assistance from the Office of the State Forester; b) survey of tree conditions utilizing volunteers; and c) assessment of the inventory findings. The Tree Warden, Forestry Committee, and Office of the State Forester should work in coordination to provide appropriate training and other assistance for the volunteers participating in this project.

While the tree survey program is recommended for implementation as an annual program, it is recognized that Town and volunteer resources may not be sufficient to enable it to be conducted each year.

- 2. Plan of Conservation and Development Recommendations:** A document containing proposed amendments to the *Town of Fairfield Plan of Conservation and Development* should be prepared for the purpose of incorporating appropriate elements of the Community Forest Management Plan for incorporation into the POCD. The completed document should be prepared by the Tree Warden and Forestry Committee following consultation with

the Town Plan and Zoning Department, recognizing that Section 7- of the Connecticut General Statutes requires a municipality's POCD to be updated every ten years.

3. **Pursuit of Implementation Grants:** Town, state, federal, and private sources of funds available for implementing the Town Vision for Community Forest Management should be pursued throughout the five-year Plan implementation period. During the third quarter of each year, special attention should be given to the federal America the Beautiful Grant Program available through the Division of Forestry of the Connecticut DEEP. Applications for grant funds to support Plan implementation projects and initiatives, including grants available through the America the Beautiful grant program, should be prepared and submitted by the Tree Warden when appropriate, with assistance from the Forestry Committee.
4. **Community Forest Management Plan Review:** Recognizing that the Plan cannot identify all matters and issues affecting preservation, enhancement, and maintenance of public trees and the community forest, an annual addendum to the Plan may be prepared to: a) summarize the status of Plan implementation; b) modify the Plan's provisions and recommendations to address changing conditions and circumstances; and c) present new information, including information developed through the annual tree inventory. A more comprehensive amendment of the Plan should be considered at the end of the five-year implementation period.
4. **Feasibility Evaluation for Tree Value Recovery:** This project would implement the proposal by the Tree Warden and Forestry Committee submitted to the U.S. Forest Service (USFS) in 2014. Pending availability of funding from the USFS or other sources, this project would evaluate the feasibility of developing a municipal program for beneficial use of roadside trees removed to maintain public safety and utility service reliability. Economic value recovered through the processing and sale of wood material for such uses as fire wood, lumber products, and special craft purposes could accrue to the Town's community forest management program. The evaluation method and findings should enable the Board of Selectmen and Representative Town Meeting to make informed decisions for establishing a Tree Value Recovery Program and be applicable to other communities considering the feasibility of such programs. In addition to the Tree Warden and Forestry Committee, project partners may include the Department of Public Works, DEEP Division of Forestry, University of Connecticut Department of Extension, and United Illuminating Company.

Public Outreach and Education Projects and Initiatives

Recommended public outreach and education measures and initiatives are intended to maintain and increase public interest, support, and participation for advancing the forest management goals and objectives. Through the projects and initiatives described below, the Tree Warden and Forestry Committee should continue to provide information to Town residents and business owners and to elected officials concerning a variety of forest management-related topics.

1. **Web-Based Information Program:** Information concerning public trees and the community forest should be presented on the Town web site, including information concerning: the Community Forest Management Program and Plan; the commemorative tree program; annual tree inventory; management of non-native plant species; the environmental, cultural, and economic benefits of trees; the Town's tree planting program; and other topics of interest. The web-based information program should be continuous and ongoing throughout the five-year Plan implementation period.
2. **Special Events and Programs:** Special events and programs to provide information to both the general public and targeted groups, including neighborhood groups, should be designed and conducted, including, for example: programs concerning tree identification and proper tree care; lectures by invited experts concerning community forest management topics; guided neighborhood tours to discuss community forest resources; and art and photo exhibits and contests concerning public trees and the community forest. Established events, including the annual Earth Day, Arbor Day, and Dogwood Festivals, should also be utilized to provide information to the public concerning community forest-related topics. In addition, exhibits concerning public trees and the community forest may be designed and then displayed at the Old Town Hall, John J. Sullivan Independence Hall, the Fairfield Museum, Town Libraries, and other public facilities.
3. **Other Media Initiatives:** Local newspapers and other available media, including social media, should be utilized to provide information to Town residents and targeted groups concerning the Community Forest Management Program and the Plan. These media initiatives should be continuous and ongoing throughout the five-year implementation period.
4. **Surveys of Town Residents:** Information concerning public attitudes and awareness of community forest-related topics may be assembled by means of surveys, questionnaires, and personal interviews. Consideration may be given to utilizing neighborhood organizations to assemble information useful for implementing the Community Forest Management Program and the Plan.
5. **Forestry Committee Meetings:** The Forestry Committee should continue to meet on a regular basis throughout the five-year implementation period to review the status of the Plan, consider new and/or modified initiatives for advancing the Town Vision for Community Forest Management, and otherwise assist the Tree Warden. Meetings may be scheduled on a monthly basis with more frequent special meetings depending on the status of ongoing community forest management initiatives and the Tree Warden's needs for assistance from the Committee. Town residents, business owners, and others who may have community forest-related questions, concerns, or suggestions may be provided an opportunity to express their views during all of the Committee's regularly scheduled meetings.
6. **Outdoor Exhibit Panels:** Low-profile, wayside exhibit panels presenting images and text concerning the community forest may be prepared and installed at locations in the Town where public visibility of the panels will be high. Design of the panels should include design

of a unique Community Forest Management Program symbol that will be displayed on the panels and used consistently in other public outreach and education initiatives to advance the Community Forest Management Program and the Plan. Consideration should be given to preparation and installation of interpretive panels for display on the Town grounds encompassing the Old Town Hall and John J. Sullivan Independence Hall, Sherman Green, and at Town open space areas.

Community Forest Maintenance and Enhancement Projects and Initiatives

Recommended community forest maintenance and enhancement projects and initiatives include the day-to-day operations and projects of the Tree Warden, acting through the Town's Department of Public Works and with DPW personnel and equipment, including full-time and seasonal personnel supplemented as needed with private contractors retained by the Town.



Photo 4-2: The Town's tree-planting program is normally conducted in the spring and/or fall of the year.

- 1. Planting:** The Town's tree planting program should normally be conducted in the spring and/or fall of each year for the purpose of replacing public trees removed at the direction of the Tree Warden and to help achieve the most ecologically healthy diversity of species, ages, and sizes. The tree planting program should also include trees planted for commemorative purposes in accordance with the Town's Commemorative Tree Program. Implementation of the tree planting program should be pursued with consideration of neighborhood needs and considerations, including needs and considerations identified through the annual tree inventory, surveys of Town residents, and other means. Neighborhood associations may be encouraged to prepare planting plans for review and approval by the Tree Warden. Appropriate information concerning each tree, including species, location, and date planted, should be rec-

orded in the Community Forest Management Program's computerized data base, utilizing the Town's geographic information system.

2. **Removal:** Removal of dead, dying, damaged, and hazardous trees and limbs should take place throughout the year, as necessary. Removal of non-native and invasive trees and shrubs that, in the judgment of the Tree Warden, are adversely affecting the natural, cultural, and/or economic values of the community forest may also take place throughout the year. The bulk of non-hazardous tree removal will normally take place during the winter months with proper disposal and beneficial reuse of logs, stumps, and other wood waste normally undertaken in the spring. Efforts to identify potentially hazardous conditions, including large trees with significant dead wood and structural defects, will take place throughout the year, recognizing that the condition of individual trees and the community forest is subject to change without notice and it may not be possible to identify and correct all potentially hazardous conditions prior to the actual occurrence of a hazardous situation.



Photo 4-3: The Community Forest Management Program identifies planting locations for new public trees that will replace public trees removed to maintain public safety.

3. **Tree Care:** Basic tree care activities, including tree evaluations, integrated pest management (IPM), mulching, watering, and pruning, should take place throughout the year in accordance with best management practices for the care and maintenance of trees, shrubs, and other woody plants. Tree care activities should be conducted, to the extent practicable, in ac-

cordance with a predetermined maintenance schedule. Normally, tree evaluations will be conducted during all months of the year; mulching, IPM, and efforts to mitigate disease will take place in the spring; and watering will be carried out in the spring, summer, and fall. Pruning activities will include: hazardous tree pruning to maintain public safety; “crown-cleaning” or reduction to foster tree health; dead wood clearing; crown restoration following storm events; and vista pruning to remove branches obstructing views of signs and roads. While pruning may take place throughout the year, pruning to remove live vegetation to foster tree health should normally be limited to the dormant periods of the year when the trees are not actively growing, and should avoid late fall when fungi that may affect tree health are especially active.

Administrative Projects and Initiatives

Recommended administrative projects and initiatives are intended to provide support for the day-to-day operations and projects of the Tree Warden, acting through the Town’s Department of Public Works, and to continue to enhance implementation of the Town’s Community Forest Management Program.

- 1. Training of Full-Time Personnel:** Training of full-time DPW personnel should include: training concerning the safe and effective operation of tools and equipment for community forest management under all expected conditions; training for the identification of hazardous trees; appropriate training to provide assistance in emergency situations; and training for work in proximity to electric transmission lines. This training will normally be conducted during the winter months at the direction of the Tree Warden, and may include attendance at seminars and workshops for this purpose.
- 2. Training of Part-Time Personnel:** Training of part-time DPW personnel, commensurate with the tasks assigned to them, should normally be conducted during the period April through June of each year at the direction of the Tree Warden.
- 3. Communications Management:** Communications management initiatives should focus on maintaining and enhancing the most effective and efficient communications among all officials, agencies, organizations, and residents involved with the Community Forest Management Program and should be ongoing throughout the year. Emphasis should be given to maintaining and enhancing communications between the Tree Warden and: 1) Town residents transmitting any requests, complaints, and information to the Tree Warden’s office; 2) private contractors retained by the Town to provide assistance for implementing the Community Forest Management Program; and 3) all agencies and officials of the Town and others with roles and responsibilities for implementing the Community Forest Management Program. Efforts to maintain and enhance communications should include development and utilization of effective and efficient record-keeping and data entry and storage procedures.
- 4. Data Base Program Modifications and Data Input:** Efforts to maintain and enhance the data base for the Community Forest Management Program should be ongoing throughout the year. Computerized to the extent practical, the data base should serve as a

source of information on existing and historical conditions concerning public trees and should be used by the Tree Warden to help organize and coordinate work efforts and otherwise make decisions affecting the community forest. The data base should allow the Tree Warden to track the removal of public trees and identify opportunities for planting new trees. Enhancement of the data base should begin with review of the existing computer programs currently used by the Town for managing information concerning the community forest. The most appropriate software programs should then be designed and/or purchased and applied to enable the most effective storage and use of information concerning the location, species, condition, and history of street trees in the Town, including information obtained through the annual tree inventory. To the extent practical, the data base should be organized and maintained in such a manner that information can be easily obtained with regard to: 1) any individual tree entered in the data base; 2) public trees identified within each of the 11 neighborhood planning districts of the Town identified in the Town Plan of Conservation and Development; and 3) all public trees entered in the data base.

5. **Land-Use Regulatory Evaluation:** Town land-use officials should be encouraged to conduct municipal land-use evaluations from time to time for the purpose of identifying opportunities for updating and modifying existing zoning, subdivision, and other land-use regulations and processes to help achieve a desirable forest canopy and otherwise advance the community forest vision.

Table 4-1:

Outline of Five-Year Planning and Management Program

| FOREST MANAGEMENT PLAN IMPLEMENTATION ACTIONS | 2015 | | | | 2016 | | | | 2017 | | | | 2018 | | | | 2019 | | | |
|---|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| | 1st QTR | 2nd QTR | 3rd QTR | 4th QTR | 1st QTR | 2nd QTR | 3rd QTR | 4th QTR | 1st QTR | 2nd QTR | 3rd QTR | 4th QTR | 1st QTR | 2nd QTR | 3rd QTR | 4th QTR | 1st QTR | 2nd QTR | 3rd QTR | 4th QTR |
| RESEARCH AND PLANNING PROJECTS AND INITIATIVES | | | | | | | | | | | | | | | | | | | | |
| Annual Tree Survey | | | | | | | | | | | | | | | | | | | | |
| Design Random Sample | ■ | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | | |
| Conduct Tree Survey | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | |
| Assess Tree Survey Findings | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | |
| Conservation and Development Plan Amendment | ■ | ■ | | | | | | | | | | | | | | | | | | |
| Pursuit of Implementation Grants | ■ | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | | |
| Forest Management Plan Review | | | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | |
| Feasibility Evaluation for Tree Value Recovery | | ■ | ■ | ■ | ■ | | | | | | | | | | | | | | | |
| PUBLIC OUTREACH AND EDUCATION PROJECTS AND INITIATIVES | | | | | | | | | | | | | | | | | | | | |
| Web-based Information Program | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Special Events and Programs ¹ | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | | | ■ |
| Newspaper and Other Media Initiatives | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Surveys of Town Residents | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | | | ■ |
| Forestry Committee Meetings | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * | * |
| Outdoor Exhibit Panels | | ■ | ■ | | | | | | | | | | | | | | | | | |
| COMMUNITY FOREST MAINTENANCE AND ENHANCEMENT PROJECTS AND INITIATIVES | | | | | | | | | | | | | | | | | | | | |
| Planting ² | | ■ | | ■ | | ■ | | ■ | | ■ | | ■ | | ■ | | ■ | | ■ | | ■ |
| Removal ³ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Tree Care | | | | | | | | | | | | | | | | | | | | |
| Tree Evaluation ⁴ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Integrated Pest Management (IPM) ⁵ | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | | | ■ |
| Mulching | | | | ■ | | | | ■ | | | | ■ | | | | ■ | | | | ■ |
| Watering | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | | ■ | ■ | | |
| Pruning | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| ADMINISTRATIVE PROJECTS AND INITIATIVES | | | | | | | | | | | | | | | | | | | | |
| Training of Full-Time Personnel ⁶ | | | ■ | | | | ■ | | | | ■ | | | ■ | | | ■ | | | ■ |
| Training of Part-Time Personnel ⁷ | | | | ■ | | | ■ | | | | ■ | | | ■ | | | ■ | | | ■ |
| Communications Management | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Database Program Modifications and Data Input ⁸ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Land-Use Regulatory Evaluation | | | | ■ | | | ■ | | | | ■ | | | ■ | | | ■ | | | ■ |
| ¹ Training of full time personnel will normally occur during winter months. ² Training of seasonal or part time personnel will normally occur during the period April-June. ³ Including modification of existing data management programs and/or development of new programs ⁴ Including Earth Day, Arbor Day, and Dogwood Festival events ⁵ Tree planting will normally occur during the spring and fall. ⁶ Tree Removal will occur throughout the year with the bulk of removal activities normally occurring during winter ⁷ Efforts to identify potentially hazardous conditions will take place throughout the year, recognizing that the condition of individual trees and the community forest is subject to change without notice and may not be possible to identify and correct all potentially hazardous conditions prior to the occurrence of a hazardous situation. ⁸ IMP activities will normally occur during the spring. | | | | | | | | | | | | | | | | | | | | |

5

Authorities and Opportunities For Plan Implementation

This chapter describes authorities and recommends opportunities for implementing the Town goals, strategies, projects, and initiatives for community forest management presented in chapters three and four of the Community Forest Management Plan (the Plan).

The Plan recommends that implementation should be pursued through an ongoing process that will continue to evolve in response to changing conditions and circumstances. In addition, it is intended that the implementation process will involve the coordinated actions of all agencies and organizations with programs and authorities affecting public trees and the community forest, utilizing the existing programs and authorities without changing them in any significant way.

Presented in this chapter are the existing authorities that may be applied for Plan implementation along with recommended opportunities for doing so. These authorities and opportunities are presented with respect to: 1) the Representative Town Meeting (RTM); 2) the Board of Selectmen; 3) the Tree Warden; 4) Town agencies; 5) the Fairfield Forestry Committee; 6) state and federal agencies; 7) private organizations and businesses; and 8) Town citizens and neighborhood groups. Authorities and recommended opportunities are summarized as Figure 5-1.

Plan recommendations are advisory and do not modify any existing authorities or programs of the agencies and organizations involved with Plan implementation.



**Figure 5-1:
Summary of Authorities and Recommended
Opportunities for Plan Implementation**

REPRESENTATIVE TOWN MEETING

1. Adoption of new and amended Town ordinances
2. Final approval of the Town's capital and operating budget

BOARD OF SELECTMEN

1. Appointment of the Tree Warden
2. Review of the proposed capital and operating budgets of Town departments
3. Authorization of the Forestry Committee as an advisory Town committee
4. Consideration of requests by the Tree Warden to remove infested or diseased trees
5. Consideration of regulations prescribed (proposed) by the Tree Warden
6. Provision of leadership and direction for Town community forest initiatives
7. Receipt, review, and endorsement of the Community Forest Management Plan

TREE WARDEN

1. Application of authorities set forth in Sec. 23-59 of the Connecticut General Statutes for the care and control of all trees and shrubs in whole or part within the limits of any public road or grounds in the Town
 - a) Application of authorities within Town right-of-ways
 - b) Application of authorities within limits of state highways (with permission of Connecticut Commissioner of Transportation)
 - c) Application of authorities in Town park and recreation areas (with permission of Parks and Recreation Commission)
 - d) Application of authorities concerning private trees overhanging Town properties

Figure 5-1: (Continued)

- e) Expenditures of funds
- f) Enforcement of legal requirements
- g) Removal of illegal signs
- h) Proposal of regulations
- i) Immediate removal or pruning of hazardous trees
- j) Removal or pruning of other trees for public safety purposes
- k) Removal of infested and diseased trees
- 2. Participation in the Town's planning and development process
 - a) Provision of comments to building permit applicants
 - b) Participation in Town planning and development initiatives
- 3. Management of Department of Public Works Tree Division
- 4. Appointment of the members of the Forestry Committee
- 5. Planning and implementation of public outreach and education initiatives
- 6. Management and oversight of the Town's Commemorative Tree Program
- 7. Ongoing coordination and communication with governmental agencies and private organizations
- 8. Ongoing examination of the effectiveness of the Community Forest Management Program and the Plan
- 9. Pursuit of grants for community forest management
- 10. Management of public tree surveys and inventories

Figure 5-1: (Continued)RESPONSIBILITIES OF TOWN OF FAIRFIELD AGENCIES

- Department of Public Works
- Park and Recreation Commission and Department
- Town Plan and Zoning Commission and Department
 - Conservation Commission and Department
 - Police Department
 - Board of Education
 - Risk Management Department
 - Information Technology Department
- Department of Community and Economic Development
 - Office of the Town Attorney

RESPONSIBILITIES OF THE FAIRFIELD FORESTRY COMMITTEE

1. Promotion of the concept of environmental stewardship
2. Provision of information to the general public, Town agencies and officials, and others.
 - a) Maintenance of community forest web page
 - b) Organization of special public events and programs
3. Encouragement and support for public participation
 - a) Consideration of public comments
 - b) Encouragement of public participation
4. Planning and implementation of studies and investigations
5. Provision of advisory assistance to the Tree Warden
6. Pursuit of grants and other sources of funds

Figure 5-1: (Continued)

7. Provision of assistance for administration of the Town's commemorative tree program

STATE AND FEDERAL AGENCIES

- Connecticut Department of Energy and Environmental Protection
 - Connecticut Department of Transportation
 - U.S. Department of Agriculture, U.S. Forest Service

UTILITY COMPANIES AND PRIVATE CONTRACTORS

1. Effective on-going maintenance of transmission lines nearby public trees
 2. Effective emergency management
3. Adoption and application of the highest professional standards for safe and effective tree care

TOWN RESIDENTS AND CIVIC-MINDED GROUPS

1. Increased personal awareness of community forest resources and values
2. Communication with the Tree Warden, Forestry Committee, and Town officials
 3. Participation in special events
4. Planning and implementation of special projects to enhance the community forest
 5. Provision of voluntary assistance for advancing the Plan



Photo 5-1: Fairfield's community forest enhances residential neighborhoods and Town recreation areas and provides many environmental benefits.

Representative Town Meeting

It is a recommendation of the Plan that the 50-member Representative Town Meeting should apply its legislative duties and authorities in a manner to help implement the Community Forest Management Program and Community Forest Management Plan. The RTM may pursue opportunities to help advance the Program and Plan through its following major duties and authorities.

1. **Adoption of new and amended Town ordinances**, including any ordinances affecting care and maintenance of public trees and the community forest such as set forth in the existing Sections 91-6 through 91-9 of the Town Code.
2. **Final approval of the Town's capital and operating budget** approved by the Town Board of Finance, including the budget of the Department of Public Works (DPW) needed to implement the Town's Community Forest Management Program.

Board of Selectmen

Powers and authorities of the three-member Board of Selectmen, including the First Selectman, may continue to be applied in a way that serves to implement the Community Forest Management Program and the Plan. As the Town's Chief Executive Officer, the First Selectman is responsible for directing the administration of all Town departments and officers, including the Department of Public Works and the Tree Warden. Opportunities for the Board of Selectmen to assist with implemen-

tation of the Community Forest Management Program and the Plan may be pursued through the Board's following duties and authorities.

1. **Appointment of the Tree Warden** pursuant to Sec. 23-58 of the Connecticut General Statutes as the official of the Town with specific authorities set forth in the General Statutes and Town Code for care and control of public trees and shrubs, recognizing that the Tree Warden shall serve for a term of one year and until a successor has been appointed and qualified. It is a recommendation of the Plan that the position of Tree Warden should continue to be a position conferred by the Selectmen upon a qualified employee of the DPW.
2. **Review of the proposed capital and operating budgets of Town departments**, including the budget of the DPW needed to implement the Community Forest Management Program, and provision of recommendations in connection with such budgets to the Town Board of Finance.
3. **Authorization of the Forestry Committee as an advisory Town committee** charged by the Selectmen to work at the direction of the Tree Warden to provide assistance to the Tree Warden for implementation of the Community Forest Management Program and the Plan.
4. **Consideration of requests by the Tree Warden** made pursuant to Sec. 23-59 of the General Statutes for the Selectmen's approval to remove any public trees or other plants within the Tree Warden's jurisdiction "that are particularly obnoxious as hosts of insect or fungus pests"; issuance of appropriate approvals to the Tree Warden.
5. **Consideration of regulations prescribed (proposed) by the Tree Warden** pursuant to Sec. 23-59 of the General Statutes for the care and preservation of public trees subject to the Tree Warden's jurisdiction, including proposed fines for the violation of such regulations; approval of such regulations as may be appropriate following a public hearing.
6. **Provision of leadership and direction for the Town's community forest initiatives** to preserve, enhance, and maintain public trees and the community forest, and to encourage an active, ongoing Town role for the care and control of public trees, consistent with the General Statutes, Town Code and Charter, and applicable Town plans and provisions, including the Community Forest Management Plan.
7. **Receipt, review, and endorsement of the Community Forest Management Plan** as a non-regulatory guidance document concerning the Town's care and control of public trees and the community forest.



Photo 5-2: In northern Fairfield, the forested landscape is less densely developed than in the southern part of Town.

Tree Warden

The most direct responsibilities for advancing the Town's Community Forest Management Program should continue to be carried out by the Tree Warden pursuant to the authorities set forth in the General Statutes, Town Charter, and Town Code for care and control of all trees and shrubs within the Tree Warden's jurisdiction. It is a recommendation of the Plan that the Tree Warden should continue to contribute to implementation of the Community Forest Management Program and Community Forest Management Plan through the following authorized powers and duties.

1. **Application of the authorities set forth in Sec. 23-59 of the Connecticut General Statutes for the care and control of all trees and shrubs in whole or part within the limits of any public road or grounds in the Town,** except those trees and shrubs along state highways under the control of the Connecticut Commissioner of Transportation, and those on Town grounds under the control of the Town Parks and Recreation Commission, unless specifically delegated authority to do so by, respectively, the Commissioner and Commission (see nos. 1(b) and 1(c) below). (Sec. 23-59 of the Connecticut General Statutes is included in Appendix C of the Community Forest Management Plan.)
 - (a) Application of authorities within Town right-of-ways: Application of authorities for the care and control of trees and shrubs within the limits of Town roads, including application of requirements for posting notices and hearing public comments regarding the proposed removal or pruning of trees and shrubs in the right-of-ways, including removal or pruning by utility companies as needed to maintain utility service reliability

- (b) Application of authorities within limits of state highways: Application of authorities for the care and control of trees and shrubs within the limits of State of Connecticut highways passing through the Town, to the extent authorized to do so by the terms and conditions of “encroachment permits” that may be issued to the Town by the Connecticut Commissioner of Transportation at the request of the Tree Warden.
- (c) Application of authorities in Town park and recreation areas: Application of authorities for the care and control of trees and shrubs in Town park and recreation areas under the jurisdiction of the Town Parks and Recreation Commission, to the extent specifically requested to do so by the Commission.
- (d) Application of authorities concerning private trees overhanging Town properties: Application of authorities for the care and control of any part of any private tree overhanging the limits of any public road or grounds subject to the Tree Warden’s jurisdiction and which, in the Tree Warden’s judgment, may pose a threat to public safety.
- (e) Expenditure of funds: Expenditure of funds appropriated for the setting out, care, and maintenance of the trees and shrubs subject to the Tree Warden’s jurisdiction, including funds allocated through the Town’s budgetary process and other sources, including gifts, fees, governmental and private grants, and fines for violations of Town regulations and ordinances for care and preservation of Town-owned trees and shrubs.
- (f) Enforcement of legal requirements: Enforcement of all provisions of law for the preservation of the public trees and roadside beauty, including applicable General Statutes, Town ordinances, and regulations approved by the Board of Selectmen pursuant to Sec. 23-59 of the General Statutes.
- (g) Removal of illegal signs: Removal of any illegally erected signs or advertisements placed upon poles, trees, or other objects within the limits of any public roads or grounds subject to the jurisdiction of the Tree Warden.
- (h) Proposal of regulations: Proposal of regulations for approval by the Board of Selectmen for the care and preservation of public trees, including regulations concerning imposition of a reasonable fine for violations of the regulations.
- (i) Immediate removal or pruning of hazardous trees: Immediate removal or pruning of any public tree or shrub subject to the Tree Warden’s jurisdiction when it is determined by the Tree Warden that the tree or shrub constitutes an immediate public hazard.
- (j) Removal or pruning of other trees for public safety purposes: Removal or pruning, in the interest of public safety, of any public tree or shrub subject to the jurisdiction of the Tree Warden that is determined by the Tree Warden to not constitute an immediate public hazard, with such removal or pruning to occur following completion of the public notice, hearing, and appeals process specified in Sec. 23-59 of the General Statutes.

- (k) Removal of infested and diseased trees: Removal, following receipt of approval from the Board of Selectmen, of any public trees or other plants that are particularly obnoxious as hosts of insect or fungus pests.
2. Participation in the Town's land-use planning and development process with representatives of other Town agencies, including participation in the interagency code review meetings convened by the Town Plan and Zoning Department, and provision of advisory comments concerning the tree-related impacts of the proposals considered in the development review process.
- (a) Provision of comments to building permit applicants: Provision of advisory comments to applicants for Town building permits when contacted by the applicants as required by the Town's Building Department in those instances where a tree or trees would be affected by the proposed building project.
- (b) Participation in Town planning and development initiatives: Advisory participation in Town-supported planning and development initiatives, including provision of advice and information to Town agencies initiating a planning or development action potentially affecting public trees and the community forest.



Photo 5-3: The Connecticut Thruway, Metro-North Railroad, and the Post Road pass through the center of Fairfield.

3. **Management of the Department of Public Works Tree Division**, including management of full-time and seasonal personnel to preserve, enhance, and maintain public trees and shrubs. It is a recommendation of the Plan that the position of Tree Warden should continue to be a position conferred by the Board of Selectmen upon an employee of the Town DPW, an arrangement intended to provide for efficient application of the Tree Warden's state-authorized powers and duties in coordination with use of the personnel and equipment available through the DPW.
4. **Appointment of the members of the Forestry Committee** established by the Board of Selectmen to assist the Tree Warden with implementation of the Community Forest Management Program and the Plan.
5. **Planning and implementation of public outreach and education initiatives** to increase public awareness of community forest resources and the Community Forest Management Program and the Plan, and to develop and maintain support for the program and Plan, including: provision of information concerning laws and regulations, the Plan, and other community forest-related topics to Town residents, officials, and agencies; assistance for planning and conducting special community events such as Arbor Day and Earth Day events to increase public awareness of community forest resources; and appropriate efforts, including submittal of all necessary documentation, to ensure continued annual designation of the Town of Fairfield as a Tree City USA.
6. **Management and oversight of the Town's Commemorative Tree Program**, with assistance from the Forestry Committee, whereby residents may purchase trees from the Town to commemorate persons and events and those trees are then planted by the Town in locations approved by the Tree Warden.
7. **Ongoing coordination and communication with governmental agencies and private organizations** to address matters concerning implementation of the Community Forest Management Program and the Plan, including the Board of Selectmen, other Town agencies, state agencies, and private utility companies; preparation and submittal of applications to the Department of Transportation, as needed, for encroachment permits authorizing pruning and other tree maintenance activities in state right-of-ways.
8. **Ongoing examination of the effectiveness of the Community Forest Management Program and the Plan** and preparation, in consultation with the Forestry Committee, of recommendations for amendments to the program and Plan as may be needed.
9. **Pursuit of grants for community forest management**, including grants available through governmental and private sources such as the America the Beautiful grant program available through the Connecticut Department of Energy and Environmental Protection's Division of Forestry.

10. **Management of public tree surveys and inventories**, conducted with volunteer assistance from the Forestry Committee and others to provide information, useful for community forest management purposes, regarding the condition, location, and species of public trees in Town right-of-ways.



Photo 5-4: Residential development in the southern part of Town, enhanced by public trees and the community forest, is more dense than in the north.

Town of Fairfield Agencies

The Community Forest Management Plan does not alter existing authorities of Town agencies with responsibilities and programs affecting public trees and the community forest. It is a recommendation of the Plan that all Town agencies with forest management-related responsibilities should carry out those responsibilities, to the extent feasible, in a manner consistent with the goals and recommendations set forth in the Plan, and in a manner that serves to advance the community forest vision set forth in the Plan.

Listed below are Town agencies that may contribute to Plan implementation, along with a summary of their recommended opportunities for advancing the vision through their existing powers and duties.

- **Department of Public Works:** The DPW should continue to: 1) apply the state-enabled authority of the Tree Warden in the course of implementing the Town’s Community Forest Management Program through the DPW’s Tree Division; 2) maintain and deploy suitable equipment for program implementation, including bucket trucks, wood chippers, a vehicle for containing and hauling wood chips, and saws and other tools; and 3) employ, train, assign, and supervise full-time and seasonal personnel for program implementation, including DPW personnel who are normally assigned to other department divisions and may be assigned to the Tree Division as needed; 4) enhance DPW capabilities to manage public trees with outside contractors selected through a competitive bidding process; 5) provide surveying and geographic information system (GIS) services through the DPW Engineering Division to help implement the Community Forest Management Program, including surveying services to accurately identify the location and extent of Town right-of-ways, and GIS services to map and identify right-of-ways and record information concerning individual trees when appropriate; 6) utilize the Engineering Division as the official source of information on the location of Town right-of-ways; and 7) coordinate decisions by the department’s Sewer Division with the Tree Warden to avoid conflicts between public trees and the sewer lines, including conflicts that may arise when new trees are planted; when sewer lines are repaired; and when tree roots sometimes affect the sewer lines.

- **Parks and Recreation Commission and Department:** The Parks and Recreation Commission and Department should continue to: 1) manage the Town’s park and recreation areas, including playgrounds, parks, playing fields, golf courses, marinas, and beaches, utilizing DPW personnel and equipment for facility and grounds maintenance, including maintenance of trees and shrubs; and 2) request that the Tree Warden assume responsibility for the care and control of trees on the Town park and recreation areas.

- **Town Plan and Zoning Commission and Department:** The Town Plan and Zoning Commission and Department should continue to: 1) apply municipal authorities concerning the planning and regulation of land use in the Town in a manner that serves to advance the Town’s community forest vision, including authorities for preparing, adopting, amending, and implementing zoning and subdivision regulations and the Town’s Plan of Conservation and Development; and 2) coordinate the Town’s development review process to encourage and require, as appropriate, that developers plant trees as a condition of development and subdivision approval.

- **Conservation Commission and Department:** The Conservation Commission and Department should continue to advance the Town’s community forest vision through: 1) development, management, and supervision of the Town’s open space and conservation areas, including those areas’ community forest resources, for the purpose of conserving and enhancing natural resources, providing outdoor recreation opportunities, and protecting the Town’s character; and 2) assignment and management of the Town conservation crew for maintaining and enhancing the open space and conservation areas and those areas’ community forest resources.

- **Police Department:** Through its law enforcement, public safety, and emergency dispatch services, the Police Department should continue to: 1) provide emergency response and management services during emergency situations involving hazardous trees along Town roads, as well as traffic control services during normal work on Town trees; and 2) notify the Tree Warden of any tree-related circumstances and conditions observed by patrol officers requiring the Tree Warden's attention.
- **Board of Education:** To help advance the Town's community forest vision, the Board of Education should continue to: 1) authorize use of public school properties for special events, including Arbor Day and Earth Day events; 2) utilize the Board's maintenance department to conduct appropriate tree maintenance and planting operations on school properties; and 3) utilize assistance from the Tree Warden and DPW for tree operations when necessary.
- **Human Resources Department:** The Human Resources Department should continue to: 1) evaluate and process claims of property damage caused by public trees; and 2) provide advice to the Tree Warden to reduce the potential risk that may be associated with the Tree Warden's decisions and activities involving public trees.
- **Information Technology Department:** The Information Technology Department should continue to provide assistance to the Tree Warden and DPW for determining the equipment and methods needed to develop and maintain the Town's data base of information concerning public trees and the community forest.
- **Department of Community and Economic Development:** The Department of Community and Economic Development should continue to manage federal and state economic assistance grants provided to the Town in a manner that will provide opportunities for street tree plantings to enhance economic and community development projects.
- **Office of the Town Attorney:** The Office of the Town Attorney should continue to provide advice to the Tree Warden regarding interpretation of applicable laws, regulations, and ordinances affecting management of public trees and the community forest, including requirements for hearing public comments concerning posted tree removal.

Fairfield Forestry Committee

The Forestry Committee, consisting of volunteer members appointed by the Tree Warden, should continue to pursue a mission of promoting stewardship of Town-owned trees while assisting the Tree Warden with implementation of the Town's Community Forest Management Program and Community Forest Management Plan. The Committee should pursue its mission through the following activities.

1. **Promotion of the concept of environmental stewardship**, whereby all residents, officials, agencies, and organizations with an interest or authority pertaining to public as well as private trees would consider themselves as stewards responsible for the care of those trees, thereby

helping to ensure that the natural, cultural, and economic values of trees are sustained for the benefit of future generations.

2. **Provision of information to the general public, Town agencies and officials, and others** concerning the Town’s Community Forest Management Program and the Plan, the importance of trees, and other forest management topics.
 - (a) **Maintenance of community forest web page:** Maintenance and enhancement of the “Community Forest Page” on the Town web site to include information concerning the Town’s Community Forest Management Program and the Plan.
 - (b) **Organization of special public events and programs:** Organization and implementation of special public events and programs to encourage participation in the Community Forest Management Program and strengthen public support for the program and the Plan, including public presentations by knowledgeable persons on topics of interest, and exhibits and programs during annual Arbor Day, Earth Day, and similar events.
3. **Encouragement and support for public participation,** including participation of residents and neighborhood groups for implementing the Plan.



Photo 5-5: Forested landscape of northern Fairfield, looking east.

- (a) Consideration of public comments: Provision of opportunities for citizens to express comments regarding the Community Forest Management Program and the Plan during committee meetings and special events; development of appropriate recommendations and other initiatives in response to citizen comments.
 - (b) Encouragement of public participation: Encouragement of public participation in programs that increase awareness of public trees and the community forest and provide information useful for decision-making.
4. **Planning and implementation of studies and investigations** at the direction of the Tree Warden for the purpose of providing information to support and advance the Community Forest Management Program and the Plan, including assistance for organizing and conducting public tree surveys and inventories to provide information, useful for community forest management purposes, regarding the condition, location, and species of public trees in Town right-of-ways.



Photo 5-6: Fairfield coastal area on Long Island Sound, looking east.

5. **Provision of advisory assistance to the Tree Warden**, including assistance for preparing, amending, and implementing the Plan; organizing and conducting special events and programs; and pursuing other initiatives to advance the Town's community forest vision.
6. **Pursuit of grants and other sources of funds**, in coordination with the Tree Warden, to advance the Community Forest Management Program and the Plan, including, but not limited to, funds available through the federal America the Beautiful Grant Program.

7. **Provision of assistance for administration of the Town’s Commemorative Tree Program and Tree Planting Program**, including assistance to the Tree Warden with receipt of, and response to, public requests for commemorative trees and street trees, maintenance of a public exhibit/record of commemorative tree dedications, and maintenance of the Community Forest Management Program data base.

State and Federal Agencies

The Community Forest Management Plan does not alter the existing authorities and programs of State of Connecticut agencies and federal agencies with responsibilities and programs affecting public trees and the community forest. It is the vision of the Plan that all state and federal agencies with forest management-related responsibilities will apply their existing authorities and programs, to the extent feasible, to help advance the goals and recommendations set forth in the Plan.

State and federal agencies that may contribute to implementation of the Plan include the agencies listed below, along with a summary of their recommended opportunities for contributing.

- **Connecticut Department of Energy and Environmental Protection (DEEP):** The DEEP, through its Division of Forestry, should continue to: 1) provide advice and technical assistance to the Town and Tree Warden for improving the condition of public trees and the community forest; and 2) administer the allocation and use of community forest planning and management grants available to the Town through the federal America the Beautiful Grant Program. In addition, the DEEP’s Public Utilities Regulatory Authority (PURA), formerly the Department of Public Utility Control, should continue to review and act on utility company maintenance plans, including tree pruning plans, affecting public trees and the community forest in the Town.
- **Connecticut Department of Transportation (ConnDOT):** ConnDOT, through its Bureau of Highways maintenance office, should continue to: 1) manage vegetation in the right-of-ways of state highways passing through the Town; 2) provide notification to the Tree Warden of the removal of any substantial tree from a state right-of-way in the Town (excepting individual trees that may be removed from the Merritt Parkway right-of-way); 3) conduct regular reconnaissance of the state right-of-ways to identify any tree maintenance issues; and 4) issue “encroachment permits” to the Town to enable the Town to conduct tree maintenance work within some state right-of-ways.
- **U.S. Department of Agriculture, U.S. Forest Service:** The U.S. Forest Service should continue to provide: 1) information that may be helpful for community forest management decisions; and 2) funds to be passed through the Connecticut DEEP Division of Forestry to help implement the Town’s Community Forest Management Program and the Plan through the America the Beautiful Program.



Photo 5-7: The community forest contributes significantly to Fairfield's quality of life

Utility Companies and Private Contractors

Utility companies (including the United Illuminating Company which provides almost all of the electrical service in the Town and owns about 50% of the utility poles in the Town; the AT&T Company which provides telephone service throughout the Town and owns the remaining 50% of the utility poles; and the Connecticut Light and Power Company which provides electrical service along only one road in the Town) may help advance the community forest vision through the following actions.

Private contractors, including contractors who conduct regular maintenance and emergency tree work for the utility companies, and contractors who provide services to the Department of Public Works for implementation of the Community Forest Management Program, may also help advance the community forest vision through these recommended actions.

1. **Effective on-going maintenance of transmission lines nearby public trees**, including effective planning for utilization of contractors to identify hazardous trees and conduct regular pruning (and removal as necessary) of both public and private trees affecting the lines.
2. **Effective emergency management**, including emergency preparedness and response activities associated with storm events, including planning and coordination with the Tree Warden, Department of Public Works, and other agencies for emergency preparedness and response activities associated with storm events and other events affecting transmission lines and public trees.

- Adoption and application of the highest professional standards for safe and effective tree care**, including the tree care standards set forth by the American National Standards Institute, Inc. (ANSI) as: a) the ANSI A300 performance standards for care and maintenance of trees, shrubs, and other woody plants; and b) the ANSI Z133.1 Standard “Pruning, Trimming, Repairing, Maintaining and Removing Trees and Cutting Brush-Safety Requirements.”



Photo 5-8: Trees and shrubs on all Town properties are part of the community forest.

Town Residents and Civic-Minded Groups

Town residents and civic groups, including neighborhood associations, garden clubs, and other organizations, may also contribute to implementation of the Community Forest Management Plan through a number of voluntary initiatives. The Plan recognizes the contribution that good citizenship can make to advance the Plan, and encourages all residents and civic groups to embrace the concept of environmental stewardship, thereby helping to ensure that the natural, cultural, and economic values of trees are sustained for the benefit of future generations. Residents and civic groups may demonstrate their interest and support for advancing effective management of the community forest vision and otherwise contribute to implementation of the Plan through the following activities.

- Continuing to increase personal awareness of community forest resources and values**, including recognition of the community forest as a public trust resource that contributes to the quality of life in the Town, enhances property values, and sometimes affects public safety and utility service, especially during storm events. Expression of this recognition should serve as a

constant reminder to public officials of their responsibility to manage the community forest for the benefit of future generations.

2. **Communication with the Tree Warden, Forestry Committee, and Town officials**, including communication to: identify potentially hazardous trees and otherwise transmit concerns related to the quality and character of public trees and the community forest; transmit requests for tree maintenance; identify potentially hazardous conditions affecting public trees; and propose neighborhood tree-planting plans for consideration by the Tree Warden; and encouragement of effective Town stewardship of the community forest for the use and benefit of future generations.
3. **Participation in special events**, including events organized by the Forestry Committee to increase awareness of: the environmental and other benefits provided by the community forest; and opportunities for personal stewardship actions to maintain and enhance community forest resources.
4. **Planning and implementation of special projects to enhance the community forest**, including tree planting projects in coordination with the Tree Warden, Forestry Committee, and Town agencies.
5. **Provision of voluntary assistance for advancing the Plan**, including assistance for conducting tree inventories, and participation in the Town's tree planting program to place and care for new trees in the Town right-of-ways when and where it is appropriate to do so.

Appendices

■ **APPENDIX A:**
GLOSSARY OF TERMS

■ **APPENDIX B:**
SELECTED REFERENCES

■ **APPENDIX C:**
CONNECTICUT GENERAL STATUTES CHAPTER 451

■ **APPENDIX D:**
APPLICABLE SECTIONS OF THE FAIRFIELD CHARTER AND CODE

■ **APPENDIX E:**
APPROVED 2014 AMENDMENTS TO THE FAIRFIELD ZONING AND SUBDIVISION
REGULATIONS TO ADVANCE COMMUNITY FOREST MANAGEMENT GOALS



TOWN OF FAIRFIELD
COMMUNITY FOREST MANAGEMENT PLAN
DECEMBER 2014

Appendix A: Glossary of Terms¹

Angiosperm: The group of vascular flowering plants that includes hardwoods, bamboos, and palms but not softwoods.

America the Beautiful Program: A program of the U.S. Forest Service which provides matching funds for urban forestry projects to eligible nonprofit organizations and municipalities; in Connecticut, America the Beautiful grants are provided through the Department of Energy and Environmental Protection's Division of Forestry.

Arbor Day: A holiday that originated in Nebraska in 1872 which is now an international event dedicated to recognizing the importance of trees; in Connecticut, Arbor Day occurs on the last Friday of April, as stipulated by state statute, and is an occasion to plant and honor trees and hold ceremonies celebrating their natural values.

Arboretum: A place where trees are grown primarily for scientific and educational purposes.

Arboriculture: Work conducted for the purpose of improving the condition of fruit, shade, or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities, or other methods of improving tree conditions, or protecting trees from damage from insects or diseases, or curing these conditions by spraying or other methods.

Arborist: A person who is qualified to perform arboriculture and, in Connecticut, is licensed by the Connecticut Commissioner of Energy and Environmental Protection.

Broadleaf: A tree with leaves that are flat and thin, and generally shed annually.

Bark: The outer covering of the trunk and branches of a tree, usually corky, papery, or leathery.

Best Management Practices (BMPs): Methods, including regulatory and arboricultural methods, determined to be the most effective, practical means of planting, maintaining, and enhancing public trees and the community forest.

Bud: A young and undeveloped leaf, flower, or shoot, usually covered by small, specially modified leaves called scales.

¹ The definitions of terms contained in this Glossary are for the purpose of the Town of Fairfield Community Forest Management Plan. In some instances, the meaning and use of the terms include herein may differ in local, state, and federal laws, ordinances, and regulations. Sources of definitions include, but are not limited to: *National Audubon Society Field Guide to North American Trees*; Arbor Day Foundation "Glossary of Tree Terms;" the Society of American Foresters' "The Dictionary of *Forestry*;" and *Greening Connecticut Cities and Towns*.

Canopy: The cover of leaves and branches formed by the crowns of all the individual trees in a forest, with its density ordinarily expressed as the percentage of the ground that would be completely shaded by the forest if the sun were directly overhead.

Canopy Cover: The proportion of ground or water covered by a vertical projection of the outermost perimeter of the natural spread of foliage or plants, including small openings within the canopy.

Carrying Capacity: A term that may be used generally to refer to the level of use or extent of modification that environmental or man-made resources may bear before unacceptable resource deterioration or degradation occurs; the maximum number or biomass of organisms of a given species that can be sustained or survive on a long-term basis within an ecosystem.

Commemorative Tree Program: The program in the Town of Fairfield administered by the Tree Warden and Forestry Committee whereby citizens may donate trees, which are then planted by the Town, to honor and recognize persons, special events, and accomplishments.

Community Forest: The trees in the developed areas of the state and its municipalities, including along roads and highways, in parks and recreation areas, and in residential and commercial areas, as distinguished from an original forest that has not been significantly disturbed or influenced by human activity; sometimes called the urban forest.

Community Forest Management Program: The program of the Town of Fairfield, implemented through the Town's Department of Public Works, to manage public trees, enhance environmental quality and public safety, and otherwise protect and nourish the Town's community forest resources.

Community Forest Management Plan: The non-regulatory guidance document prepared by the Fairfield Tree Warden and Forestry Committee which sets forth recommendations for preserving, enhancing, and maintaining the Town's public trees and community forest.

Community Forest Resources: The trees, shrubs, plants, wildlife, and other living resources associated with public trees and the community forest and which provide ecological, economic, cultural, and scenic values for the Town and its citizens.

Community Forestry: The art, science, and technology of managing trees and forest resources in an around urban communities for the purpose of maintaining and enhancing the ecological, cultural, economic, and scenic values of trees; sometimes called urban forestry.

Compound Leaf: A leaf whose blade is divided into three or more smaller leaflets.

Cone: A conical fruit consisting of seed-bearing, over-lapping scales around a central axis.

Conifer: A cone-bearing tree of the Pine family, usually evergreen.

Connecticut Department of Energy and Environmental Protection: The principal state agency responsible for management of the state's natural resources and whose Division of Forestry administers programs, including funding and technical assistance programs, to assist municipalities and citizens preserve, enhance, and maintain the urban forests in the state.

Crown: The upper part of a tree, including the branches with their foliage; the mass of branches, twigs, and leaves at the top of a tree, which gives the tree its form or shape; the part of a tree or woody plant bearing live branches and foliage.

Cultural Resources: Natural and man-made resources, including community forest resources, related to open space, natural beauty, scientific study, outdoor education, archaeological and historic sites, and recreation.

Cultural Resource Values: The benefits provided by public trees and the community forest relative to enhanced open space, natural beauty, scientific study, outdoor education, historical interests, and recreation).

Cumulative Impacts: The impacts on environmental or man-made resources that result from the incremental impact of an action when added to other past, present, and reasonably foreseeable actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Deciduous: Shedding leaves seasonally, and leafless for part of the year; of perennial plants that are normally more or less leafless for some time during the year.

Diameter at Breast Height (DBH): The diameter of the stem of a tree measured at breast height (4.5 feet) from the ground.

Diversity: An index of the richness and ecological health of the community forest, often expressed with respect to the variety and relative abundance of tree species found in a particular area or region; also called biodiversity.

Drip Line: The line extending vertically from the exterior edge of a tree's live crown to the ground.

Ecology: The relationship of living things to one another and their environment, or the study of such relationships.

Ecosystem: The interacting system consisting of a biologic community and its nonliving environment, each influencing the properties of the other and both necessary for the maintenance of life.

Enhanced Tree-Trimming Plan: A plan prepared by a utility company, authorized by the General Statutes and approved by the state's Public Utilities Regulatory Authority, to perform vegetation management within an eight-foot Utility Protection Zone on either side of a power line where necessary to secure the reliability of utility services.

Evergreen: Trees with needles or leaves that remain alive and on the tree through the winter and into the next growing season.

Erosion: The wearing away of land surface by flowing water, wind, ice, or other geological processes.

Flower: The reproductive organ (a modified shoot) of an Angiosperm; the part of a seed plant that normally bears reproductive organs especially when some or all of its parts are conspicuous or brightly colored.

Forest: An ecosystem characterized by a more or less dense and extensive tree cover, often consisting of stands varying in characteristics such as species composition, structure, age class, and associated processes, and commonly including meadows, streams, fish, and wildlife, and including forests of special kinds such as urban forests, industrial forests, nonindustrial private forests, plantations, public forests, protection forests, as well as parks and wilderness.

Forestry: The profession embracing the science, art, and practice of creating, managing, using, and conserving forests and associated resources for human benefit and in a sustainable manner to meet desired goals, needs, and values.

Forestry Committee: The volunteer committee, established by the Fairfield Board of Selectmen, whose members are appointed by the Tree Warden and whose mission is to promote stewardship of Town owned and privately owned trees and otherwise assist the Tree Warden with implementation of the Town's Community Forest Management Program and Plan.

Fruit: The seed-bearing organ of a flowering plant.

Genus: A group of closely related species.

Geographic Information System: A computerized data base of land use and other types of information referenced to a location, and which enables statistical analysis, comparison, and display of large quantities of data for planning purposes.

Habitat: The place where a human, animal, plant, or microorganism population lives, and the living and nonliving characteristics, conditions, and surroundings of that place.

Hardwood: Trees with dense, strong wood that is relatively non-absorbent of water; the wood of an Angiospermous tree as distinguished from that of a coniferous tree.

Hazard Tree Inspection: Close observation of trees that have been identified as a potential risk, for failure that could cause injury to a person or damage to property.

Hazardous Tree: A tree whose physical condition would allow its trunk, limbs, or branches to endanger pedestrians or the traveling public on public or private property.

Indigenous: Native to a specified area or region, not introduced.

Integrated Pest Management (IPM): The management of destructive agents, including insects, at tolerable levels, by the planned use of a variety of preventive, suppressive, or regulatory tactics and strategies that are ecologically and economically efficient and socially acceptable.

Invasive Species: Non-native species of plants, animals, and other organisms that have been introduced to an ecosystem and which are alien to that ecosystem and whose introduction causes or is likely to cause harm to the environment or human health.

Leader: The highest terminal shoot of a plant.

Leaf: An organ of a vascular plant, typically a thin, flattened organ borne above ground and specialized for photosynthesis.

Leaflet: One of the leaf-like subdivisions of a compound leaf.

Mitigation: An action to lessen the severity of impact of another action, either natural or human, and which may also refer to actions designed to lessen the adverse impacts of proposed development activities on natural and cultural resources, including community forest resources.

Monitoring: Periodic or continuous surveillance or testing to determine the level of compliance with regulatory requirements or the effects of resource management treatments, or for another special purpose such as to identify conditions requiring resource management attention.

Monoculture: A stand of a single species, generally even-aged, which can lead to the quicker spread of diseases when susceptible to a pathogen.

Mulch: Any loose covering on the surface of the soil whether natural, such as litter, or deliberately applied organic residues like cut grass, straw, foliage, bark, or sawdust, or artificial materials like cellophane, glass-wool, metal foil, paper, plastic, or fiber, used mainly to conserve moisture and check weed growth.

Native: A species that is inherent and original to a geographic area; indigenous.

Native Plants: Plants that are adapted to the local soil and rainfall conditions and require minimal watering, fertilizer, and pesticide application.

Natural Resource Values: The qualities of or functions served by natural resources (such as wetlands, floodplains, and forest resources) which include but are not limited to: a) water resources values (including natural moderation of floods and water quality maintenance); b) living resources values (fish, wildlife, and plant habitat); and c) cultural resources values (open space, natural beauty, scientific study, outdoor education, archaeological and historic sites, and recreation).

Notable Tree: An exceptionally large, historic, or otherwise uncommon tree, including a tree listed in the database maintained by the Connecticut Notable Trees Project sponsored by the Connecticut Botanical Society, The Connecticut College Arboretum, and the Connecticut Urban Forest Council.

Ornamental Tree: A tree used to enhance a landscape setting, including roadway setting, by virtue of its flowers, texture, form, shape, or other aesthetic characteristics.

Overstory: That portion of a tree, in a forest of more than one story, forming the upper or uppermost canopy layer.

Passive Recreational Use: Recreational activities, such as hiking, walking, picnicking, canoeing, and fishing, generally not requiring facilities and organization for participation and/or having little significant impact on the natural environment.

Pest: An organism that is undesirable or detrimental to the interests of humans.

Photosynthesis: The manufacture of organic compounds, particularly carbohydrates, in the chlorophyll cells of plants from carbon dioxide, water, and enzymes in the presence of light as the energy source, and involving the release of oxygen and water vapor.

Plan of Conservation and Development: In Connecticut, the municipal plan of land use that includes the municipality's goals and policies to guide the future growth and development of the municipality and conservation of the municipality's environmental quality and natural resources.

Plant: A living organism including familiar organisms such as flowering plants, conifers, ferns, mosses, and green algae that obtain most of their energy from sunlight via photosynthesis using chlorophyll contained in chloroplasts, which gives them their green color.

Posted Notice: A notice attached to a tree determined by the Tree Warden to require removal or trimming, and which provides the name, address, and phone number of the Tree Warden in the event that someone wishes to object to the posted removal or trimming.

Pruning: The removal, close to the branch collar or flush with the stem, of side branches (live or dead) and multiple leaders from a standing tree for the purpose of improving the condition of the tree, including its health and/or esthetic value.

Public Trees: Trees, shrubs, roots, limbs, and other parts of trees owned by the Town of Fairfield, including the trees in the right-of-ways along Town roads, in Town parks and open space areas, on the grounds of public buildings, and on other Town properties, and subject to the authority of the Tree Warden pursuant to Sec. 23-59 of the Connecticut General Statutes.

Resource Management: Initiatives to guide the beneficial use and conservation of natural resources, including community forest resources, through a combination of long-range planning, effective regulation, and non-regulatory measures.

Right-of-Way: A path or thoroughfare that one may lawfully use; a strip of land that is managed specifically for access or the construction and maintenance of electric, telephone, water, other domestic utilities, streets, roads, and highways.

Root: The organ of a tree that typically lies below the surface of the ground and which functions to absorb water and mineral minerals dissolved in the water, anchor and support the tree, store food and nutrients, and conveys nutrients to the trunk.

Root Collar: The location on a plant where the primary vascular anatomy changes from that of a stem to that of a root.

Root Zone: Area of land which encompasses all of a plant's roots, and which can cover three times the distance measured between the tree trunk to the drip line.

Runoff: That part of precipitation, snow melt, or irrigation water that runs off the land into streams or other surface water and can carry pollutants from the air and land into the receiving body of water.

Shade Tree: Any tree grown specifically for its shade; usually a large tree with a spreading canopy.

Shrub: A woody plant, smaller than a tree, with several stems or trunks arising from a single base; a bush.

Softwood: Generally, the timber of conifers.

Species: A kind or group of plants or animals, composed of populations of individuals that interbreed and produce similar offspring.

Stem: The principal axis of a plant from which buds and shoots develop.

Stewardship: The care and management of natural and man-made land and water resources, including community forest resources, in a manner to ensure that the natural, cultural, and economic benefits of those resources are sustained for the benefit of future generations.

Storm Water: Water consisting of precipitation runoff or snowmelt.

Stormwater Runoff: The rainwater, melting snow, and associated material draining into storm drains and water bodies.

Street Trees: Trees planted along public streets and located on Town-owned properties or right-of-ways.

Stress: Any force or condition that prevents a tree from reaching its full health potential, including biological, chemical, environmental, mechanical, and physiological conditions, and including stress due to insects and disease.

Sustainability: The capacity of forests, ranging from stands to larger eco-regions, to maintain their health, productivity, diversity, and overall integrity, in the long run, while subject to human activity and use.

Town Vision for Community Forest Management: A guiding framework, set forth in the Fairfield Community Forest Management Plan, consisting of recommended goals and objectives for preserving, enhancing, and maintaining the Town of Fairfield's public trees and otherwise guiding the operation of the Town's Community Forest Management Program.

Tree: A woody perennial plant, typically large and with a well-defined stem or stems carrying a more or less definite crown, sometimes defined as attaining a minimum diameter of 5 inches and a minimum height of 15 feet at maturity, with no branches within 3 feet of the ground.

Tree City USA: A designation awarded by the national Arbor Day Foundation to recognize to municipalities throughout the United States that have established sustainable urban forestry programs.

Tree Inventory: A survey of public trees supervised by the Tree Warden with assistance from the Forestry Committee and utilizing volunteers, conducted for the purpose of developing information concerning species, size, location, and condition of the public trees in the Town of Fairfield.

Tree Warden: A Town officer, appointed by the Fairfield Board of Selectmen pursuant to Sec. 23-58 of the Connecticut General Statutes, whose powers and duties are set forth in Sec. 23-59 of the General Statutes and who is responsible for the care and control of public trees in the Town.

Trunk: The major woody stem of a tree.

Understory: All forest vegetation growing under an overstory.

Urban Forest: The trees in the developed areas of the state, including along roads and highways, in parks and recreation areas, and in residential and commercial areas, as distinguished from an original forest that has not been significantly disturbed or influenced by human activity; sometimes called the community forest.

Urban Forestry: The art, science, and technology of managing trees and forest resources in an around urban communities for the purpose of maintaining and enhancing the ecological, cultural, economic, and scenic values of trees; sometimes called community forestry.

Utility: An organization that owns and/or operates and controls the distribution and/or transmission of electric power or communications through electrical conductors or other communications media

Utility Protection Zone (UPZ): The zone within eight feet on either side of a power line where a utility company is authorized by the General Statutes to perform vegetation management as necessary to secure the reliability of utility services.

Weed: Any plant that grows where it is not wanted.

Wood: A community of trees growing more or less closely together, of smaller extent than a forest; also the material produced in the stems and branches of trees and other woody plants.

Appendix B: Selected References

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WebSites

Arbor Day Foundation
<http://www.arborday.org/>

Connecticut Agricultural Experiment Station
<http://www.ct.gov/caes/>

Connecticut Department of Energy and Environmental Protection
<http://www.ct.gov/dep/>

From DEEP Home Page, Go To:

1. Natural Resources
2. Forestry
- 2(a) Urban Forestry

Connecticut Forest and Park Association
<http://www.ctwoodlands.org/>

Connecticut College Arboretum
<http://arboretum.conncoll.edu/>

Connecticut Tree Protective Association
<http://ctpa.org/>

Connecticut Urban Forest Council

<http://cturbanforestcouncil.org/>

National Association of State Foresters

<http://www.stateforesters.org/>

New England Society of American Foresters

<http://www.nesaf.org/>

Society of American Foresters

<http://www.safnet.org/>

Society of Municipal Arborists

<http://www.urban-forestry.com/>

Tree Care Industry Association

<http://www.treecareindustry.org/>

Town of Fairfield

<http://www.fairfieldct.org/>

From Town of Fairfield Home Page, Go To:

Fairfield Forestry Committee

United Illuminating Company

<https://www.uinet.com>

From UI Home Page, Go To:

Protecting Your Service: UI's Vegetation Program

University of Connecticut Center for Land Use and Education (CLEAR)

<http://clear.uconn.edu/>

University of Connecticut Cooperative Extension System Forestry Program

<http://www.canr.uconn.edu/ces/forest/>

University of Connecticut Map and Geographic Information Center (MAGIC)

<http://magic.lib.uconn.edu/>

U.S. Forest Service

<http://www.fs.fed.us/>

Appendix C:
Connecticut General Statutes
Chapter 451*
Public Shade Trees
And Tree Protection Examining Board

*See Sec. 21a-9 for definition of "certificate", "license", and "registration".

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Sec. 23-58. Tree wardens; appointment; compensation; supervision. The selectmen of each town, except those having cities with coextensive boundaries within their limits, which cities have an officer with similar duties to those of a tree warden who in fact assumes control of all the territory embraced within their limits, and the warden or burgesses of each borough shall, within thirty days of their election, appoint a town or borough tree warden, as the case may be. Such tree wardens shall be appointed for the term of one year and until their successors are appointed and have qualified. Any tree warden may appoint such number of deputy tree wardens as he deems expedient and he may, at any time, remove them from office. A town or borough tree warden and his deputies shall receive for their services such reasonable compensation, from the town or borough, as the town or borough may determine or, in default of such determination, as the selectmen or borough warden prescribes.

History: 1965 act deleted provisions requiring report to state park and forest commission upon selection of tree warden by selectmen or burgesses or, alternatively, requiring report to town or borough if commission makes appointment upon town or borough's failure to do so, deleted provisions re compensation of tree wardens, their supervision by the commission, etc.

Law applied to city whose limits are not coterminous with those of town. 85 C. 133. A tree warden is a public officer; but if he does manual labor on trees at a separate charge, he does not then act as a public officer and if injured, comes under the workmen's compensation act. 102 C. 572.

Sec. 23-59. Powers and duties of wardens. The town or borough tree warden shall have the care and control of all trees and shrubs in whole or in part within the limits of any public road or grounds and within the limits of his town or borough, except those along state highways under the control of the Commissioner of Transportation and except those in public parks or grounds which are under the jurisdiction of park commissioners, and of these the tree warden shall take the care and control if so requested in writing by the park commissioners. Such care and control shall extend to such limbs, roots or parts of trees and shrubs as extend or overhang the limits of any such public road or grounds. The tree warden shall expend all funds appropriated for the setting out, care and maintenance of such trees and shrubs. The tree warden shall enforce all provisions of law for the preservation of such trees and shrubs and of roadside beauty. The tree warden shall remove or cause to be removed all illegally erected signs or advertisements, placed upon poles, trees or other objects within any public road or place under the tree warden's jurisdiction. The tree warden may prescribe such regulations for the care and preservation of such trees and shrubs as the tree warden deems expedient and may provide therein for a reasonable fine for the violation of such regulations; and such regulations, when approved by the selectmen or borough warden and posted on a public signpost in the town or borough, if any, or at some other exterior place near the office of the town or borough clerk, shall have the force and effect of town or borough ordinances. Whenever, in the opinion of the tree warden, the public safety demands the removal or pruning of any tree or shrub under the tree warden's control, the tree warden may cause such tree or shrub to be removed or pruned at the expense of the town or borough and the selectmen or borough warden shall order paid to the person performing such work such reasonable compensation therefor as may be determined and approved in writing by the tree warden. Unless the condition of such tree or shrub constitutes an immediate public hazard, the tree warden shall, at least ten days before such removal or pruning, post thereon a suitable notice stating the tree warden's intention to remove or prune such tree or shrub. If any person, firm or corporation objects to such removal or pruning, such person, firm or corporation may appeal to the tree warden in writing, who shall hold a public hearing at some suitable time and place after giving reasonable notice of such hearing to all persons known to be interested therein and posting a notice thereof on such tree or shrub. Within three days after such hearing, the tree warden shall render a decision granting or denying the application, and the party aggrieved by such decision may, within ten days, appeal therefrom to the superior court for the judicial district within which such town or borough is located. The tree warden may, with the approval of the selectmen or borough warden, remove any trees or other plants within the limits of public highways or grounds under the tree warden's jurisdiction that are particularly obnoxious as hosts of insect or fungus pests.

(1949 Rev., S. 3497; 1957, P.A. 13, S. 83; February, 1965, P.A. 614, S. 3; 1969, P.A. 768, S. 250; P.A. 76-436, S. 463, 681; P.A. 78-280, S. 1, 127; P.A. 84-146, S. 15; P.A. 85-216; P.A. 00-106, S. 2.)

History: 1965 act deleted provision that cost of hearing "shall be taxed ... as provided in section 13-12" and required that appeals be made to court of common pleas rather than to state park and forest commission; 1969 act replaced state highway commissioner with commissioner of transportation; P.A. 76-436 replaced court of common pleas with superior court and added reference to judicial districts; P.A. 78-280 deleted reference to counties; P.A. 84-146 included a reference to posting of notice on a place other than a signpost; P.A. 85-216 increased the maximum fine from \$20 to \$90; P.A. 00-106 changed fine for violation of regulations from maximum of \$90 "in any one case" to a "reasonable" fine, increased from five to ten the number of days the tree warden must post intent to remove or prune a tree or shrub, and made technical changes.

Tree warden doing this work himself, for pay, comes under workman's compensation act. 102 C. 573. Exclusive control in warden over trees within highway, or parts thereof even though trees themselves stand on private grounds. 128 C. 674.

Cited. 26 CA 599. Court's jury instruction regarding tree warden statute was correct in law. 68 CA 284. In view of Supreme Court decision and statutes vesting exclusive control in town tree wardens over trees located in whole or in part in public roadways, court correctly held that owners of private, adjoining land were not liable to plaintiffs injured by falling tree, despite the fact that private landowners unintentionally created the condition that caused the tree to decay and fall, upon facts that demonstrated private landowners gave town timely notification of the decay before tree fell. 97 CA 31.

Exclusive control of all trees standing in whole or in part within limits of a highway is vested in town or borough tree wardens even though trees stand on private grounds. 17 CS 108.

Sec. 23-60. Appropriations. Public trees; removal. Each town, city or borough may appropriate annually a suitable sum to be expended by the town tree warden, borough tree warden, city forester or other similar officer, in the planting, trimming, spraying, care and preservation of shrubs or ornamental or shade trees within the limits of any public highway or grounds under his control and, at the discretion of the tree warden or other similar officer and with the written consent of the owner thereof, upon land adjoining such highway or grounds, if not more than ten feet therefrom, for the purpose of shading or ornamenting such highway or grounds. All shrubs and trees planted under the provisions of this section shall be deemed public shrubs and trees and shall be under the care and control of the tree warden, city forester or other similar officer and may be removed only upon a written permit from him.

(1949 Rev., S. 3498.)

Sec. 23-61. Tree experts to be licensed. Section 23-61 is repealed.

(1949 Rev., S. 3499; 1963, P.A. 527, S. 10; 1967, P.A. 587, S. 7.)

Sec. 23-61a. Definitions. Tree Protection Examining Board. Regulations. (a) As used in sections 23-61a to 23-61f, inclusive, "arboriculture" means any work done for hire to improve the condition of fruit, shade or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods of improving tree conditions, or protecting trees from damage from insects or diseases or curing these conditions by spraying or any other method; "arborist" means one who is qualified to perform arboriculture and is licensed by the Commissioner of Environmental Protection as provided in section 23-61b; "board" means the State Tree Protection Examining Board established under subsection (b); "fungicide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any fungus; "fungus" means any non-chlorophyll-bearing thallophyte; that is, any non-

chlorophyll-bearing plant of a lower order than mosses and liverworts; for example, rusts, smuts, mildews, molds and yeast, except those on or in any living human or other vertebrate animal; "herbicide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any weed; "insect" means any of the numerous small invertebrate animals generally having the body more or less obviously segmented, for the most part belonging to the class insecta, comprising six-legged, usually winged forms, as for example, beetles, bugs, bees, flies and to other allied classes of arthropods whose members are wingless and usually have more than six legs, as for example, spiders, mites, ticks, centipedes and wood lice; "insecticide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating insects; "plant regulator" means any substance or mixture of substances determined to be a plant regulator under chapter 441; "pesticide" means any substance or mixture of substances determined to be a pesticide under said chapter; "weed" means any plant which grows where not wanted.

(b) There shall be in the Department of Environmental Protection a State Tree Protection Examining Board which shall consist of the plant pathologist and forester of the Connecticut Agricultural Experiment Station, who shall serve as ex-officio members, and five electors of the state, three of whom shall be public members, and two of whom shall be licensed, practicing arborists to be appointed by the Governor. Any vacancy in the appointed membership of the board shall be filled by the Governor for the unexpired portion of the term.

(c) The board shall have a seal and, in any proceeding in court, a certificate under such seal shall be bona fide evidence of any proceeding or action by or before the board stated in such certificate. A majority of members acting as a board shall constitute a quorum for the transaction of business.

(d) Repealed by P.A. 82-419, S. 46, 47.

(e) The Commissioner of Environmental Protection, with the advice and assistance of the board, may adopt such regulations as are necessary for the purpose of giving examinations, issuing and renewing licenses, inspection of work or revocation of licenses.

(1967, P.A. 587, S. 1, 2, 3(k); P.A. 73-540, S. 22, 28; P.A. 77-206, S. 1-3; 77-614, S. 216, 610; P.A. 82-419, S. 46, 47; P.A. 98-229, S. 1.)

History: P.A. 73-540 defined "fungicide", "fungus", "herbicide", "insect", "insecticide", "plant regulator", "pesticide" and "weed"; P.A. 77-206 made definition formerly applicable to "custom tree work" applicable to "arboriculture" and defined "arborist"; P.A. 77-614 placed tree protection examining board within the department of consumer protection, changed membership by replacing entomologist and commissioner of agriculture with two additional electors and specifying that three shall be public members and deleted appointment provisions concerning initial members in Subsec. (b), deleted provision for election of chairman, vice-chairman and secretary-treasurer and for appointment of deputies to act for ex-officio members in examination of applicants and inspection of field work in Subsec. (c), deleted provision requiring board of control of Connecticut Experiment Station to perform fiscal duties of examining board and to provide clerical assistance in Subsec. (d) and transferred regulatory power for board to commissioner of consumer protection in Subsec. (e), effective January 1, 1979; P.A. 82-419 repealed Subsec. (d) which had specified that members receive reimbursement for expenses but no compensation as such; P.A. 98-229 amended Subsec. (a) to provide for licensure of arborists by the Commissioner of Environmental Protection, amended Subsec. (b) to assign the State Tree Protection Examining Board to the Department of Environmental Protection and amended Subsec. (e) to authorize the Commissioner of Environmental Protection to adopt regulations under this section.

See title 2c re termination under "Sunset Law".

See Sec. 4-9a for definition of "public member".

See Secs. 21a-6 to 21a-10, inclusive, re control, powers and duties of boards within Department of Consumer Protection.

Sec. 23-61b. Licensing for arboriculture; examination; fees; renewal; suspension; revocation. Nonresidents. Records. Pesticides. (a) No person shall advertise, solicit or contract to do arboriculture within this state at any time without a license issued in accordance with the provisions of this section, except that any person may improve or protect any tree on such person's own premises or on the property of such person's employer without securing such a license provided such activity does not violate the provisions of chapter 441, subsection (a) of section 23-61a or this section. Application for such license shall be made to the Commissioner of Environmental Protection and shall contain such information regarding the applicant's qualifications and proposed operations and other relevant matters as the commissioner may require and shall be accompanied by a fee of fifty dollars which shall not be returnable.

(b) The commissioner shall require the applicant to show upon examination that the applicant possesses adequate knowledge concerning the proper methods of arboriculture and the dangers involved and the precautions to be taken in connection with these operations, together with knowledge concerning the proper use and application of pesticides and the danger involved and precautions to be taken in connection with their application. If the applicant is other than an individual, the applicant shall designate an officer, member or technician of the organization to take the examination, which designee shall be subject to approval of the commissioner except that any person who uses pesticides in arboriculture shall be licensed to do arboriculture or shall be a licensed commercial applicator under chapter 441. If the extent of the applicant's operations warrant, the commissioner may require more than one such member or technician to be examined. If the commissioner finds the applicant qualified, the commissioner shall issue a license to perform arboriculture within this state. A license shall be valid for a period of five years. If the commissioner finds that the applicant is not qualified, or if the commissioner refuses to issue a license for any other reason, the commissioner shall so inform the applicant in writing, giving reasons for such refusal.

(c) The commissioner may issue a license without examination to any nonresident who is licensed in another state under a law that provides substantially similar qualifications for licensure and which grants similar privileges of licensure without examination to residents of this state licensed under the provisions of this section.

(d) Each licensee shall pay a license renewal fee of one hundred ninety dollars for each renewal. All examination and license renewal fees shall be deposited as provided in section 4-32, and any expenses incurred by the commissioner in making examinations, issuing certificates, inspecting tree work or performing any duties of the commissioner shall be charged against appropriations of the General Fund.

(e) Each licensee shall maintain and, upon request, furnish such records concerning licensed activities as the commissioner may require.

(f) The commissioner may suspend for not more than ten days and, after notice and hearing as provided in any regulations established by the commissioner, may suspend for additional periods, or the commissioner may revoke, any license issued under this section if the commissioner finds that the licensee is no longer qualified or has violated any provision of section 23-61a or this section, or any regulation adopted thereunder.

(g) The Commissioner of Environmental Protection, in consultation with the board, shall establish standards for examining applicants and reexamining applicators with respect to the proper use and application of pesticides and agricultural methods. Such standards shall provide that in order to be certified, an individual shall be competent with respect to the use and handling of pesticides or the use and handling of the pesticide or class of pesticides covered by such individual's application or certification and in the proper and safe application of recognized arboricultural methods.

(h) Any licensed arborist shall be considered to be a certified applicator under section 22a-54 with respect to the use of pesticides.

(1967, P.A. 587, S. 3(a)-(g), 4; P.A. 73-540, S. 23, 28; P.A. 75-551, S. 7; P.A. 77-206, S. 4-7; 77-529, S. 27; 77-614, S. 217, 218, 610; P.A. 81-361, S. 37, 39; P.A. 89-251, S. 158, 203; P.A. 94-36, S. 5, 42; P.A. 98-229, S. 2; P.A. 02-89, S. 67; June Sp. Sess. P.A. 09-3, S. 437.)

History: P.A. 73-540 allowed persons to improve or protect trees on their own or their employers' property if activity does not violate Connecticut Pesticide Control Act in Subsec. (a), required that persons using fungicides or pesticides in custom tree work have appropriate license under Subsec. (b) and added Subsecs. (g) and (h) re standards for examining applicants and re correlation between license as custom tree worker and certified applicator; P.A. 75-551 clarified nature of standards to be established in Subsec. (g) with emphasis on competence; P.A. 77-206 substituted "arboriculture" and "arborist" for references to custom tree work and workers, prohibited advertising and soliciting arboriculture work without license in Subsec. (a), required renewal every five years rather than annually after first renewal in Subsec. (b) and increased renewal fee from \$4 to \$20 in Subsec. (d) in keeping with changed period of validity; P.A. 77-529 referred to certification rather than licensing in Subsec. (g) and distinguished clearly between examination of first time applicants and reexamination of applicators; P.A. 77-614 specified that inquiry to be made by consumer protection department in Subsec. (f) and made hearing subject to commissioner's regulations, deleting provision requiring ten days' notice of hearing and transferred power to establish examination standards from board to commissioner, retaining board as consultant in Subsec. (g), effective January 1, 1979; P.A. 81-361 provided that the department is to issue licenses upon the authorization of the board and that times for renewal of licenses shall be designated by the department instead of the board; P.A. 89-251 increased the application fee from \$10 to \$20 and increased the renewal fee from \$20 to \$40; (Revisor's note: In 1993 an obsolete reference in Subsec. (a) to repealed Sec. 23-61c was deleted editorially by the Revisors); P.A. 94-36 amended Subsec. (b) to delete reference to five-year renewal period, effective January 1, 1995; P.A. 98-229 provided for licensing by the Commissioner of Environmental Protection and increased the application fee to \$25, amended Subsec. (b) to increase the term of licensure to five years, amended Subsec. (d) to increase the renewal fee to \$150, amended Subsec. (g) to authorize the Commissioner to establish standards for agricultural methods under this section and made technical changes; P.A. 02-89 amended Subsec. (a) to delete reference to Sec. 23-61d, reflecting repeal of said section by the same public act, and make technical changes for purposes of gender neutrality, amended Subsec. (b) to make technical changes for purposes of gender neutrality and amended Subsec. (f) to replace reference to "sections 23-61a to 23-61d, inclusive" with "section 23-61a or this section", reflecting repeal of Sec. 23-61d by the same public act, and make technical changes for purposes of gender neutrality; June Sp. Sess. P.A. 09-3 amended Subsec. (a) by increasing fee from \$25 to \$50 and amended Subsec. (d) by increasing fee from \$150 to \$190.

See Sec. 21a-10(b) re staggered schedule for license renewals.

Sec. 23-61c. Privilege of licensee to take examination without fee for commercial applicators of pesticides. Section 23-61c is repealed.

(1967, P.A. 587, S. 3(h), (i); P.A. 73-540, S. 24, 28; P.A. 77-206, S. 8, 9; P.A. 82-158, S. 5, 6.)

Sec. 23-61d. Validity of custom tree worker licenses held by licensees on July 1, 1977. Section 23-61d is repealed, effective October 1, 2002.

(1967, P.A. 587, S. 3(j); P.A. 73-540, S. 25, 28; P.A. 77-206, S. 10; P.A. 02-89, S. 90.)

Sec. 23-61e. Appeals. Any person aggrieved by an order or finding of the commissioner may appeal therefrom in accordance with the provisions of section 4-183.

(1967, P.A. 587, S. 5; P.A. 76-436, S. 464, 681; P.A. 77-603, S. 104, 125; 77-614, S. 219, 610; P.A. 78-303, S. 135, 136; P.A. 98-229, S. 8.)

History: P.A. 76-436 replaced court of common pleas with superior court in Subsec. (a), effective July 1, 1978; P.A. 77-603 and 77-614 replaced previous detailed appeal provisions with requirement that appeals be made in accordance with Sec. 4-183; P.A. 78-303 made technical changes; P.A. 98-229 authorized appeals of actions of the Commissioner of Environmental Protection, deleting reference to "board".

Sec. 23-61f. Penalties. (a) Any person who violates any provision of subsection (b), (c) or (d) of section 23-61b or of any regulation issued under subsection (e) of section 23-61a shall be fined not more than two hundred dollars.

(b) Any person who violates any provision of chapter 441 or section 23-61a or 23-61b shall be considered under the jurisdiction of the Commissioner of Environmental Protection.

(c) Any person who violates any provision of subsection (a) of section 23-61b shall be assessed a civil penalty of not less than one thousand dollars but not more than two thousand five hundred dollars for each day such violation continues. The Attorney General, upon complaint of the commissioner, shall institute a civil action in the superior court for the judicial district of Hartford to recover such penalty. Any such action shall have precedence in the order of trial as provided in section 52-191.

(1967, P.A. 587, S. 6; 1971, P.A. 872, S. 432; P.A. 73-540, S. 26, 28; P.A. 88-230, S. 1, 12; P.A. 90-98, S. 1, 2; P.A. 93-142, S. 4, 7, 8; P.A. 95-220, S. 4-6; P.A. 98-229, S. 3; P.A. 02-89, S. 68; P.A. 03-278, S. 84.)

History: 1971 act placed violators under jurisdiction of environmental protection commissioner rather than that of commissioner of agriculture and natural resources and pesticide control board; P.A. 73-540 substituted "Connecticut Pesticide Control Act" for reference to Secs. 19-300k to 19-300t and reiterated transfer of jurisdiction; (Revisor's note: In 1993 obsolete reference in Subsec. (a) to repealed Sec. 23-61c was deleted editorially by the Revisors); P.A. 98-229 amended Subsecs. (a) and (b) to assign jurisdiction over arboriculture violations to the Commissioner of Environmental Protection and added Subsec. (c) re civil penalties for such violations (Revisor's note: P.A. 88-230, 90-98, 93-142 and 95-220 authorized substitution of "judicial district of Hartford" for "judicial district of Hartford-New Britain" in public and special acts of the 1998 regular and special sessions of the General Assembly, effective September 1, 1998); P.A. 02-89 amended Subsecs. (a) and (c) to delete references to Sec. 23-61d and amended Subsec. (b) to replace reference to "sections 23-61a to 23-61d, inclusive" with "section 23-61a", reflecting repeal of Sec. 23-61d by the same public act; P.A. 03-278 made a technical change in Subsec. (b), effective July 9, 2003.

Secs. 23-62 to 23-64. Tree Protection Examining Board; license. Officers; regulations; seal; revocation of licenses. Examination and renewal fees; compensation of board. Sections 23-62 to 23-64, inclusive, are repealed.

(1949 Rev., S. 3500-3502; 1959, P.A. 616, S. 77; 1967, P.A. 587, S. 7.)

Sec. 23-65. Posting or distributing advertisements. Removing, pruning, injuring or defacing certain trees or shrubs. Restoration. Damages. Regulations. Permit for cutting or removal.

(a) Any person, firm or corporation which affixes to a telegraph, telephone, electric light or power pole, or to a tree, shrub, rock or other natural object in any public way or grounds, a playbill, picture, notice, advertisement or other similar thing, or cuts, paints or marks such tree, shrub, rock or other natural object, except for the purpose of protecting it or the public and under a written permit from the town tree warden, the borough tree warden, city forester or Commissioner of Transportation, as the case may be, or, without the consent of the tree warden or of the officer with similar duties, uses climbing spurs for the purpose of climbing any ornamental or shade tree within the limits of any public highway or grounds, shall be fined not more than fifty dollars for each offense.

(b) Any person, firm or corporation, other than a tree warden or deputy tree warden, who removes, prunes, injures or defaces any shrub or ornamental or shade tree, within the limits of a public way or grounds, without the legal right or written permission of the town tree warden, the borough tree warden, the city forester, the Commissioner of Transportation, the Department of Public Utility Control or other authority having jurisdiction, may be ordered by the court in any action brought by the property owner or the authority having jurisdiction affected thereby to restore the land to its condition as it existed prior to such violation or shall award the landowner the costs of such restoration, including reasonable management costs necessary to achieve such restoration, reasonable attorney's fees and costs and such injunctive or equitable relief as the court deems appropriate. In addition, the court may award damages of up to five times the cost of restoration or statutory damages of up to five thousand dollars. In determining the amount of the award, the court shall consider the willfulness of the violation, the extent of damage done to natural resources, if any, the appraised value of the shrub or ornamental or shade tree, any economic gain realized by the violator and any other relevant factors. The appraised value shall be determined by the town tree warden, the borough tree warden, the city forester, the Commissioner of Transportation, the Department of Public Utility Control or other authority having jurisdiction and shall be determined in accordance with regulations adopted by the Commissioner of Environmental Protection. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to develop guidelines for such plant appraisal. The regulations may incorporate by reference the latest revision of The Guide for Plant Appraisal, as published by the International Society of Arboriculture, Urbana, Illinois. Until such time as regulations are adopted, appraisals may be made in accordance with said Guide for Plant Appraisal.

(c) Any person, firm or corporation which deposits or throws any advertisement within the limits of any public way or grounds, or upon private premises or property, unless the same is left at the door of the residence or place of business of the occupant of such premises or property, or deposits or throws any refuse paper, camp or picnic refuse, junk or other material within the limits of any public way or grounds, except at a place designated for that purpose by the

authority having supervision and control of such public way or grounds, or upon private premises or property without permission of the owner thereof, or affixes to or maintains upon any tree, rock or other natural object within the limits of a public way or grounds any paper or advertisement other than notices posted in accordance with the provisions of the statutes, or affixes to or maintains, upon the property of another without his consent, any word, letter, character or device intended to advertise the sale of any article, shall be fined not more than fifty dollars or imprisoned not more than six months or both for each offense.

(d) The removal, pruning or wilful injury of any shrub or ornamental or shade tree, or the use of climbing spurs upon any ornamental or shade tree without the consent of the tree warden or of the officer with similar duties or the affixing of any playbill, picture, notice, advertisement or other similar thing concerning the business or affairs of any person, firm or corporation, to a pole, shrub, tree, rock or other natural object, within the limits of any public way or grounds in violation of the provisions of this section by an agent or employee of such person, firm or corporation, shall be deemed to be the act of such person, firm or corporation, and such person, or any member of such firm or any officer of such corporation, as the case may be, shall be subject to the penalty herein provided, unless such act is shown to have been done without his knowledge or consent.

(e) The affixing of each individual playbill, picture, notice, advertisement or other similar thing to a pole, shrub, tree, rock or other natural object, or the wilful removing, pruning, injuring or defacing of each shrub or tree, or the throwing of each individual advertisement or lot of refuse paper or other material within the limits of any public way or grounds or on private premises, shall constitute a separate violation of the provisions of this section. Nothing in this section shall affect the authority of a tree warden, either by himself or by a person receiving a written permit from him, to remove, prune or otherwise deal with a shrub or tree under his jurisdiction.

(f) Any person, firm or corporation, other than a tree warden or his deputy, who desires the cutting or removal, in whole or in part, of any tree or shrub or part thereof within the limits of any public road or grounds, may apply in writing to the town tree warden, the borough tree warden or the Commissioner of Transportation or other authority having jurisdiction thereof for a permit so to do. Upon receipt of such permit, but not before, he may proceed with such cutting or removal. Before granting or denying such permit, such authority may hold a public hearing as provided in section 23-59, and when the applicant is a public utility corporation, the party aggrieved by such decision may, within ten days, appeal therefrom to the Department of Public Utility Control, which shall have the power to review, confirm, change or set aside the decision appealed from and its decision shall be final. This shall be in addition to the powers granted to it under section 16-234, provided, if an application for such permit has been made to either a tree warden or the Commissioner of Transportation or other authority and denied by him, an application for a permit for the same relief shall not be made to any other such authority. Upon any approval of such a permit by the Commissioner of Transportation, he shall notify the tree warden for the town in which the tree is located. Upon any approval of such a permit by the Commissioner of Transportation, the permittee shall notify the tree warden for the town in which the tree is located prior to cutting any such tree.

(1949 Rev., S. 3503; February, 1965, P.A. 614, S. 4, 5; 1969, P.A. 768, S. 251, 252, 253; P.A. 75-486, S. 56, 69; P.A. 77-614, S. 162, 610; P.A. 80-482, S. 179, 180, 348; P.A. 98-209, S. 17; 98-228, S. 8; P.A. 00-106, S. 1; P.A. 06-89, S. 3.)

History: 1965 act deleted reference to jurisdiction of state park and forest commission in Subsec. (b) and rephrased provisions re appeals to public utilities commission to delete reference equating that commission's powers to those of the state park and forest commission in Subsec. (f); 1969 act substituted commissioner of transportation for highway commissioner in Subsecs. (a), (b) and (f); P.A. 75-486 replaced public utilities commission with public utilities control authority in Subsecs. (b) and (f); P.A. 77-614 replaced the authority with division of public utility control within the department of business regulation, effective January 1, 1979; P.A. 80-482 made division an independent department and deleted references to abolished department of business regulation; P.A. 98-209 added a provision requiring notice by the Commissioner of Transportation to the tree warden for certain tree-cutting approved by the Commissioner; P.A. 98-228 added provision requiring permittee cutting trees with approval of Commissioner of Transportation to notify tree warden; P.A. 00-106 amended Subsec. (b) to replace penalty of \$100 with penalty based on the appraised value of the tree or shrub, exclude a person with a "legal right" from the prohibitions, add provisions re determination of appraised value, require regulations re guidelines for such determination and make technical changes for the purposes of gender neutrality; P.A. 06-89 amended Subsec. (b) to delete provision re fine of not more than appraised value of shrub or tree and add provisions re court ordered restoration, reasonable restoration management costs, attorney's fees and costs, injunctive or equitable relief, damages up to five times cost of restoration or statutory damages of up to \$5,000 and criteria for court to consider when determining damages award.

See Sec. 52-560a re encroachment on open space land.

Cited. 82 C. 394. Cited. 128 C. 674.

In view of Supreme Court decision and statutes vesting exclusive control in town tree wardens over trees located in whole or in part in public roadways, court correctly held that owners of private, adjoining land were not liable to plaintiffs injured by falling tree, despite the fact that private landowners unintentionally created the condition that caused the tree to decay and fall, upon facts that demonstrated private landowners gave town timely notification of the decay before tree fell. 97 CA 31.

Cited. 17 CS 108. See note to section 23-59.

Legislative intent was to vest exclusive control in tree warden of all trees standing within limits of highway and of any parts of trees extending within these limits. 3 Conn. Cir. Ct. 503.

Subsec. (b):

Selectmen cannot authorize such injury to a tree on the highway. 66 C. 569.

"[A]ppraised value" relates only to imposition of a fine and not to proper measure of damages for unlawful cutting of trees and shrubs. 75 CA 781.

Secs. 23-65a to 23-65e. **Reserved for future use.**

Appendix D:

Applicable Sections of the Fairfield Charter and Code

From the Town Charter:

[HISTORY: Adopted by ballot of the Town of Fairfield 11-7-2006, effective 11-27-2006. This enactment supersedes the former Charter adopted by the Representative Town Meeting 11-4-1997, effective 11-24-1997. Amendments noted where applicable.]

§ 9.18. Tree Warden.

The Tree Warden shall be appointed by the Board of Selectmen and shall have a term of one year. The Tree Warden shall have the powers and duties conferred by ordinance and on tree wardens generally by Chapter 451 of the General Statutes (C.G.S. § 23-58 et seq.).

From the Town Code:

[From Chapter 91: Streets and Sidewalks]

Article I: General Provisions

§ 91-5. Removal of hazardous vegetation.

Every owner or possessor of land or a sidewalk within the right-of-way of the Town adjoining any street, road, highway or other public property shall cut or mow all bushes, hedges, weeds, thistles and briars growing on the street, road, highway or other public property and the land adjoining the street, road, highway or other public property, upon direction of the Director of Public Works whenever he finds that the existence of the bushes, hedges, weeds, thistles or briars constitute a traffic or fire hazard or a public nuisance. If the owner fails to comply within 10 days after receiving notice from the director of Public Works, the Director of Public Works may perform such work and charge the owner for doing so. Such charge, if unpaid, shall be a lien upon said property upon the filing of a certificate of lien, which certificate shall be recorded in the Town Clerk's Office within 60 days after such work is completed.

Article II. Planting, Removing or Pruning Trees and Shrubs:

§ 91-6. Permit required.

No person shall plant, remove or prune any tree or shrub within the limits of any public street in the Town without first obtaining a written permit from the Town Tree Warden.

§ 91-7. Application; fee.

Application for a tree planting, removal or pruning permit shall be made, in writing, upon forms provided by the Tree Warden. The application shall set forth the size, species, type and location

or proposed location of such tree or shrub, together with such further information as the Tree Warden may require. In passing upon such application, the Tree Warden shall consider the effect of the proposed planting, removal or pruning upon the present and future use, safety, maintenance and improvement of the public streets and, on the basis of such consideration, shall grant or deny the application. The Tree Warden may establish, from time to time, a reasonable fee for such application.

§ 91-8. Authority of Tree Warden to set conditions.

In issuing any permit under this Article II, the Tree Warden may set forth such conditions and limitations as he may think necessary or desirable; and the permittee shall observe such conditions and limitations as may be set forth by the Tree Warden.

§ 91-9. Effect of planting or removal without a permit.

If any person shall plant or remove a tree or shrub without a permit or in violation of the conditions and limitations of any such permit issued under this Article II, the Tree Warden may order the person planting or removing such tree or shrub or the owner of the property on which such planting or removing occurred to remove or replace the same at his own expense. If the person so ordered to remove such tree or shrub shall fail to do so within a period of 30 days after such order, the Tree Warden may cause the same to be removed or replaced and charge the expense thereof to the person to whom such order was given.

Appendix E:
Approved 2014 Amendments¹
To the Fairfield Zoning and Subdivision Regulations
To Advance Community Forest Management Goals

Approved By:
Fairfield Town Plan and Zoning Commission
on July 8, 2014

Prepared By:
Fairfield Forestry Committee

APPROVED AMENDMENTS TO THE ZONING REGULATIONS

SECTION 2.0 GENERAL PROVISIONS

2.17 Public Trees

Planting or removal of any tree or shrub on any Town of Fairfield property or right-of-way requires a permit from the Town Tree Warden pursuant to Section 23-59 of the Connecticut General Statutes.

SECTION 25.0 SPECIAL PERMITS IN DESIGNED DISTRICTS

25.1 General

The Commission may grant a Special Permit, hereinafter called “S P”, for the establishment of a S P use in any designed District, as authorized by General Statutes, Section 8-2, in accordance with the following S P Regulations which are in addition to (1) the other requirements applicable in the District in which the S P is to be issued; and (2) applicable special standards for Special Exception uses under Section 27.0 of the Zoning Regulations.

25.2 Application

Written application for such Special Permit shall be submitted to the Commission accompanied by the following:

¹ Approved additions to the existing regulations are shown in **bold type**; deletions are shown ~~struck-out~~ in brackets ([]).’

- 25.2.1 A written statement in quadruplicate describing the proposed use, setting forth the Zoning District, the area of the site, the Assessor's Map and Parcel number, name and address of the applicant and owner, and the name and address of each party owning a legal or beneficial interest in the applicant and owner, except in the case of a publicly held corporation, which shall be identified by name and address only;
- 25.2.2 Site Plan in quadruplicate, which means a plan drawing or drawings prepared by a professional engineer, surveyor, or landscape architect licensed to practice in the State of Connecticut, drawn to a scale of not less than sixty (60) feet to the inch (e.g., two hundred (200) feet to the inch is less than one hundred (100) feet to the inch), showing all the following information, both existing and proposed, as applicable to the particular application:
 - 25.2.2.1 property lines having exact distances, angles or bearings delineating the land to be used under the application;
 - 25.2.2.2 existing contour lines on the premises and proposed contour lines resulting from the proposed use, including an area within fifty (50) feet of the premises, shown on a map drawn to a scale not less than sixty (60) feet to the inch and with a contour interval not to exceed two (2) feet;
 - 25.2.2.3 buildings, structures, signs and outdoor illumination facilities;
 - 25.2.2.4 streets, driveways, sidewalks and off-street parking and loading spaces;
 - 25.2.2.5 rivers and their tributaries, streams, lakes, ponds, reservoirs, watercourses, tidal wetlands, inland fresh water wetlands;
 - 25.2.2.6 storm drainage and sewage disposal;
 - 25.2.2.7 a zone legend describing all data pertaining to applicable design requirements;
 - 25.2.2.8 [~~landscaping, including trees and/or shrubs, lawns, other landscape features and natural terrain not to be disturbed.~~]

a landscape plan, presented on plan drawings and/or in narrative form as appropriate, providing the following information:

- a. Location and description of existing vegetation;**
- b. Location and description of existing and significant natural features, including but not limited to boulders, rock outcroppings and aquatic resources, and plans to incorporate these features into the proposed site design;**

- c. **Location and spacing of proposed new plant materials, including types of materials identified by botanical and common names (invasive or potentially invasive plants listed by the Connecticut Invasive Plants Council pursuant to Sec. 22a-381b of the Connecticut General Statutes are prohibited);**
- d. **A list and description of plant materials to be used, including trunk diameter and height at installation and at maturity, diameter of shade canopy at maturity, and a planting schedule for all plant materials;**
- e. **Proposed treatment of ground surfaces;**
- f. **Methods of protecting landscaping from any significant adverse impacts that may be caused by vehicles;**
- g. **Location and description of trees of notable size, rarity or aesthetic value, including species and diameter at breast height, and plans to protect and preserve such trees during and after construction. A tree of notable size means any tree with a diameter greater than sixteen (16) inches measured at breast height, or any tree of a species normally described as small or understory with a diameter greater than six (6) inches at breast height. Breast height means fifty four (54) inches above ground level.**

SECTION 28.0 REGULATIONS FOR OFF-STREET PARKING AND LOADING

28.11.3 Shade Trees

Shade trees, **defined as single-trunked deciduous trees which by virtue of their natural shape provide at maturity a minimum shade canopy of 30 feet in diameter**, shall be provided in parking lots with twenty (20) or more parking spaces. This requirement may apply to parking lots with fewer than twenty (20) parking spaces at the Commission's discretion. At least one tree for every ten (10) spaces shall be provided equally distributed throughout the parking area. Such trees **when planted shall be a minimum of two and one-half (2 1/2) [one and three quarters (1 3/4)] inch caliper [or larger] measured six (6) inches above the root flare; [five feet above the ground and] shall have a minimum height of ten (10) feet; and shall provide at least six (6) feet of vertical distance between the lowest branch and grade level. Such [such] trees shall be selected, planted and maintained according to standards set forth by the American National Standards Institute, Inc. (ANSI) [so as to have a clearance of at least six (6) feet from the lowest branch.] and shall be subject to approval and oversight by the Town of Fairfield Department of Public Works and Town Tree Warden. Invasive or potentially invasive plants listed by the Connecticut Invasive Plants Council pursuant to Sec. 22a-381b of the Connecticut General Statutes are prohibited. [All trees shall be located in a curbed landscape island with minimum dimensions of nine (9) feet on**

~~each side.~~ Notwithstanding the provisions of Section 28.4, parking spaces may be reduced in length by four and one-half (4 1/2) feet to accommodate tree planting ~~[islands]~~ provided that no more than two parking spaces are so reduced for each tree provided. The trees required in this section shall be deep rooted, so as not to disturb the surrounding pavement and shall be permanently maintained and replaced when diseased, damaged or destroyed. The requirements of this section shall be in addition to the landscaping requirements of Section 25.7.6.

APPROVED AMENDMENTS TO THE SUBDIVISION REGULATIONS

3.0 IMPROVEMENTS

- 3.9 Street Trees: Trees shall be planted on both sides of any street. Trees shall be spaced, dependent on species, approximately thirty (30) to fifty (50) feet apart, subject to variation made necessary by driveways, street corners and walks, and shall be located a minimum of **eight (8)** ~~[three (3)]~~ feet from the edge of the pavement **or as otherwise recommended by the Tree Warden.** Trees to be planted shall be a **minimum of two and one-half (2 1/2)** ~~[one and three quarters (1 3/4)]~~ inch caliper ~~[or larger]~~ measured **six (6) inches above the root flare** ~~[five feet above the ground]~~ and shall be **of a height that is suitable and appropriate for the location.** ~~[have a minimum height of ten (10) feet.]~~ The kind of tree and the manner and conditions for planting shall be **in accordance with standards set forth by the American National Standards Institute, Inc. (ANSI). Invasive or potentially invasive plants listed by the Connecticut Invasive Plants Council pursuant to Sec. 22a-381b of the Connecticut General Statutes are prohibited. Planting of street trees shall be subject to [the] approval and oversight by [of] the Town of Fairfield Department of Public Works and Town Tree Warden. Street trees [and] shall not include evergreens trees, low-branching trees, trees which are disease-bearing, [of] cause damage to [sewers] utilities or [trees which] create a traffic hazard, or trees that will otherwise cause, or be likely to cause, harm to the natural environment or human health. Planting or removal of any tree or shrub on any Town of Fairfield property or right-of-way shall require a permit from the Town Tree Warden pursuant to Section 23-59 of the Connecticut General Statutes. [Trees proposed to be removed along public rights of way shall require a permit from the Town Tree Warden, as per State Statute, Section 23-59 and Town Code 91-5.] Where **street** ~~[the]~~ trees may interfere with utility poles and wires, the **Town Tree Warden** ~~[Department of Public Works]~~ may permit the location of required trees within the front ten (10) feet of the proposed lots. Existing trees along the proposed street which conform to these requirements may be substituted for new trees.**

Zoning and Subdivision Regulation Amendments Motion was made by Mr. Kennelly, seconded by Ms. Jacobson and the members present unanimously VOTED TO APPROVE the Application of the Fairfield Forestry Committee to amend Sections 2.17, 25.2.2.8 and 28.11.3 of the Zoning Regulations and Section 3.9 of the Subdivision Regulations as follows:

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