



THE COMMISSIONERS OF ST. MICHAELS

SETTLED 1670-1680

300 MILL STREET

TELEPHONE 410 745 9535

INCORPORATED 1804

P.O. Box 206

ST. MICHAELS, MD 21663

FACSIMILE 410 745 3463

TREE MANAGEMENT APPLICATION

PROPERTY INFORMATION

Note: Properties located in the Critical Area are required to replace trees or provide a fee-in-lieu equivalent.

Property Address: _____ Critical Areal Classification _____

Owner of Property _____

Address: _____

Phone Number: _____ Fax Number _____ Email _____

Other Contact: _____

CONTRACTOR INFORMATION

Note: All work performed by contractor in the Critical Area is required to have an MHIC Number

Company Name: _____ MHIC # _____

Address: _____

Phone Number: _____ Fax Number _____ Email _____

Contact: _____

PROPOSED WORK

Please mark the one (1) of the following. Trees to be removed are required to be tagged or marked unless visibly apparent

☐

The tree is dead, dying, or diseased such that 50% of the crown is visibly dead.

The tree is damaged or injured to the extent that it is likely to die or become diseased.

☐

The removal of the tree will enhance the health of the remaining trees and is consistent with good forestry practices.

☐

The removal of the tree is to alleviate or mitigate a hazard to the property, persons, or any structure located on the property.

Number of trees removed _____ Tree Species _____

Diameter of tree(s), measured at 4.5 feet above ground level _____

MITIGATION

Where proposed tree is located in the Critical Area, a 1 to 1 ratio is required. Please see Tree Replacement & Mitigation Table for reference to number of replacement trees and fees in lieu of planting.

Number of replacement trees (minimum Native species, 2-inch caliper) _____

Location(s) _____

Authorization

I certify these statements to be true and accurate and that any trees to be removed are located on my property. I hereby grant the Town of St. Michaels officials permission to enter my property for inspections of this Tree Management Application.

Owner / Owner Authorized Representative Signature _____ Date _____

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§340-15 Intensely developed areas (IDA)

(6) When the cutting or clearing of trees in forests and developed woodland areas are associated with current or planned development activities, the following shall be required:

(a) INDIVIDUAL TREES REMOVED SHALL BE IN ACCORDANCE WITH THE TREE REPLACEMENT AND MITIGATION TABLE IN §340-182;

~~(a)~~ (b) Participation in programs established by the Town for the enhancement of forest and developed woodland resources, such as programs for urban forestry that involve street tree plantings, gardens, landscaping and open land buffer plantings;

~~(b)~~ (c) Development activities shall be designed and implemented to minimize the destruction of forest and woodland vegetation; and

~~(c)~~ (d) Development activities shall address the protection of existing forests and developed woodlands identified as habitat protection areas in this chapter.

§340-172 Scope.

A. All practices requiring TREE REMOVAL, landscaping, buffering, and vegetation/forest protection shall meet the appropriate provisions of this article. The provisions of this article are considered minimum standards. The Town recognizes that due to the peculiarities of any given site and development proposal, the inflexible application of these landscape improvement standards may result in impractical or unnecessary site improvements that contribute little value toward enhancing the appearance of the development. Therefore, the Town (through the Planning Commission or Zoning Inspector) may permit deviations from the presumptive requirements of this article when the applicant can demonstrate that the proposed land planning, site planning, architectural or landscape architectural design solutions offer the appropriate "appearance" desired for development and growth in the Town. For projects requiring overlay zoning designations, variances or special exceptions, the Planning Commission may require additional landscape improvements.

§ 340-182 TREE REMOVAL

A. INDIVIDUAL TREES REMOVED ON PRIVATE PROPERTY SHALL REQUIRE A PERMIT AND BE REPLACED IN ACCORDANCE WITH THE TREE REPLACEMENT AND MITIGATION TABLE, UNLESS

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OTHERWISE SPECIFIED BY ARTICLE IV OF THE ZONING ORDINANCE (CHESAPEAKE BAY CRITICAL AREA OVERLAY DISTRICTS), OR OTHER CRITICAL AREA COMMISSION MITIGATION REGULATIONS, IN WHICH CASE THOSE REQUIREMENTS ARE TO BE APPLIED.

B. REPLACEMENT TREES SHALL BE MARYLAND NATIVE SPECIES MEASURING AT LEAST FOUR-AND-ONE HALF FEET (4.5') IN HEIGHT WITH A MINIMUM CALIPER OF ONE-AND-ONE HALF INCH (1.5") DIAMETER BREAST HEIGHT (DBH).

C. REPLACEMENT TREES SHALL BE PLANTED ON-SITE IF POSSIBLE; HOWEVER, THE APPLICANT MAY BE PERMITTED TO REPLACE TREES BY PLANTING OFF-SITE IN THE TOWN OF ST. MICHAELS WITH SUCH PROPERTY OWNER AUTHORIZATION OR ALTERNATIVELY MAY PAY A FEE IN LIEU OF PLANTING AS NOTED IN THE TREE REPLACEMENT AND MITIGATION TABLE. (SPECIMEN TREES ARE AT LEAST 30" IN DIAMETER AND A GOOD EXAMPLE OF A SPECIES DUE TO ITS SIZE, SHAPE OR AGE).

D. THE TOWN ADMINISTRATOR MAY AUTHORIZE THE USE OF SUCH TREE MITIGATION FUNDS FOR TREE PLANTING PROJECTS THROUGHOUT THE TOWN, FOR FUNDING INDIVIDUAL TREE PLANTING REQUESTS IN CASE OF HARDSHIP, AND FOR EXCEPTIONS TO THESE REQUIREMENTS FOR PROJECTS WITH SIGNIFICANT PUBLIC BENEFIT.

E. ANY PLANTING CONTRACTORS EMPLOYED FOR THIS RELATED WORK IS REQUIRED TO BE A LICENSED TREE EXPERT BY THE STATE OF MARYLAND WITH ASSOCIATED LIABILITY AND PROPERTY DAMAGE INSURANCE. REMOVAL OF DEAD OR DISEASED TREES REQUIRES MITIGATION ONLY AT A 1:1 RATIO REGARDLESS OF THE SIZE OF THE TREE BEING REMOVED. REPLACEMENT TREES SHALL COMPLY WITH SIZE REQUIREMENTS IN SECTION "B" ABOVE.

TREE REPLACEMENT AND MITIGATION TABLE

<u>SIZE OF THE TREE REMOVED MEASURED AT DIAMETER OF BREAST HEIGHT (DBH) AT 4.5'</u>	<u>NUMBER OF TREES REQUIRED FOR REPLACEMENT OF EACH TREE REMOVED – (SEE "B" ABOVE FOR PLANTING SIZE REQUIREMENT)</u>	<u>FEE IN LIEU OF PLANTING – ALL PROPERTY EXCEPT RESIDENTIAL</u>	<u>FEE IN LIEU OF PLANTING – RESIDENTIAL PROPERTY ONLY</u>
<u>LESS THAN 10 INCHES</u>	<u>ONE TREE</u>	<u>\$250.00</u>	<u>\$125</u>
<u>> 10 AND < 16 INCHES</u>	<u>TWO TREES</u>	<u>\$500.00</u>	<u>\$250</u>
<u>> 16 AND < 20 INCHES</u>	<u>THREE TREES</u>	<u>\$1,000.00</u>	<u>\$500</u>
<u>> 20 AND < 30 INCHES</u>	<u>FOUR TREES</u>	<u>\$1,500.00</u>	<u>\$750</u>

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<u>ABOVE 30 INCHES</u> <u>(SPECIMEN)</u>	<u>SIX TREES</u>	<u>\$2,000.00</u>	<u>\$2000</u>
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AND BE IT FURTHER ORDAINED AND ENACTED, that this Ordinance shall take effect twenty (20) days from the date of its enactment, having been read at two (2) meetings of The Commissioners of St. Michaels and having been passed by a yea and nay vote of The Commissioners of St. Michaels.

HAVING BEEN READ for the second time and passed by a yea and nay vote of The Commissioners of St. Michaels at a Public Meeting of the Commissioners of St. Michaels held on this **12th day of July, 2023** at a public hearing in St. Michaels, Maryland.

BREIMHURST	<u>yea</u>
DuPONT	<u>yea</u>
HARROD	<u>yea</u>
MERCIER	<u>yea</u>
WHITTINGTON	<u>yea</u>

I HEREBY CERTIFY that the above Ordinance No. 540 was passed by a yea and nay vote of The Commissioners of St. Michaels on this **12th day of July, 2023**.

ATTEST

THE COMMISSIONERS OF ST. MICHAELS


Vickie Sharp, Town Clerk

By:  (SEAL)
David Breimhurst, President