

**Preston Falls Villas**  
**Book of Resolutions Part 1., Item e.**  
**Tree Removal and Tree Pruning**  
**Approved: 05/06/2015**  
**Revised: 05/23/2016**  
**Revised: 04/18/2020**

**1. Purpose of the Resolution**

The BOD has responsibility to maintain trees in the Common and Private Areas of the Community including removal, pruning, and replacement where warranted, Article VIII, Exterior Maintenance, Covenants, Conditions, and Restrictions for Preston Falls Villas, Amendment 2 (2012).

The purpose of this Resolution is to define those conditions and circumstances that govern the removal of trees that will be removed at the expense of the HOA or Homeowners. This Resolution also provides basis for replacement of the tree with a new plant and outlines tree pruning practices.

Due to the budget considerations and potential consequences of the tree removal process this activity is conducted by Members of the BOD.

Note: The term “Tree (s)” in this document can include large shrubs such as Leyland Cypress, and/or Wax Myrtles, if within the judgment of the BOD, ACC, or Landscape Committee; it is more practical for our tree service to remove the plant than our Lawnservice. Large shrubs such as Nellie Stevens may be removed by the HOA at the request of Homeowners and stumps ground to accommodate updating landscaping. The HOA shares in the cost of plant removal/replacement because removing Nellie Stevens reduces pruning workload. If the plant is healthy, it is up to the Homeowner to replace, otherwise it will be replaced per Section 6 below.

**2. Basis for Tree Removal**

The following conditions are required to warrant the removal of a tree by the HOA:

1. The tree is damaged with cankers or disease that structurally weakens it making it a liability.
2. It is a species that that has demonstrated weakness and has destructive consequential damages, such as the Bradford Pear.
3. Its roots are aggressive invading sewer lines, upsetting air conditioners, clogging foundation drains, breaking walks, walls, and threatening foundations, i.e. River Birch.
4. The tree is dead or dying.

Request from homeowners typically deal with nuisance issues where the BOD reviews on a case by case basis. Approval can require use of the ARF and neighbor approval.

**3. Establishing Priority for Tree Removal**

Priority 1 - the tree is an eminent threat:

- To the health and/or safety of members of the Community.
- To their property or access to their property.
- Either condition would warrant an emergency call out for the tree service.
- The roots of the tree are visibly destroying property.

These conditions would warrant action at the time of the next scheduled tree removal service.

Priority 2 - Trees that exhibit potential for damaging property, but; roots are not yet engaging structures, etc. are noted as “Priority 2” trees and are maintained on the “Tree Removal List” for future review and removal.

#### **4. Process for Identifying the Problem Trees**

Members of the BOD perform community rounds multiple times each year to identify and document the conditions of trees in the Common Use Areas and on Private Property. Any trees that appear to be a potential threat to safety of Homeowners and/or structures are prioritized according to #3 above and noted on the Tree Removal List.

Note: Homeowners may request a tree be evaluated by the HOA for inclusion in the Tree Removal List. With BOD approval, Homeowners may pay to have trees removed from Private Property and in certain cases, Common Use Areas. This may require use of an ARF.

#### **5. Engagement of our Tree Service**

The development of the Tree Removal List is an iterative process that occurs over several months, as the findings of the BOD community rounds identify many issues created by aggressive trees. Once the list is approved by the BOD, it is reviewed with our tree service to determine if the workload warrants contracting for a “full day of service” (for more cost effective rates) versus contracting the work on an individual tree basis. If the work is close to a “full day” our list is reviewed to ensure that extra work is available.

#### **6. Tree Replacement**

The following rules apply to tree replacement following Tree Removal by the HOA:

1. Trees are replaced by the HOA if the Homeowner requests a replacement, the Landscape Committee supports the replacement, and the BOD approves the funding .
2. The BOD can award up to \$200 per replacement for individual trees or \$100 each for subsequent trees in a row or hedge after removal of the first tree. Homeowners will have up to three months to identify a species for tree replacement. After three months without making a decision, the reward will be forfeited.
3. Homeowners must agree to water the replacement until the plant can thrive under natural conditions.
4. Trees/shrubs removed by the Homeowner for driveway replacement or other projects conducted under an ARF are not replaced by the HOA. Under the terms of the ARF, a Landscape Plan, detailing the replacement plants/trees, must be presented and approved by the ACC or Landscape Committee.

5. Homeowners may use the HOA tree service for tree removal at their own expense. This may require a fully executed ARF to properly approve the removal of the tree including neighbors' approval that has full view of the tree.
6. Reference the "Book of resolutions Part 1, Item I, Charter for the Landscape Committee" for additional information on tree and plant replacement.

## **7. Tree Pruning**

The following conditions apply to the decision to prune a tree:

- a) Tree limbs are damaged by storm activity and need removal for safety
- b) The specie of the tree is self-destructive and requires maintenance pruning (e.g. Bradford Pear)
- c) The crown of the tree needs reshaping to clear roofs, etc.
- d) Branches need to be removed to clear access to drives, decks, etc.