



# Town of Sudbury

## Planning & Community Development

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### SCENIC ROAD APPLICATION

for Approval under MGL Chapter 40, Section 15C; MGL Chapter 87, Section 3; and  
Sudbury General Bylaw Article VIII(B) – Scenic Roads

Please Check All that Apply

Tree Removal

Stone Wall Alteration

#### APPLICANT INFORMATION

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

#### OWNER INFORMATION (if different from above)

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Property Address of Tree/Stone Wall Alteration/Removal: \_\_\_\_\_

Assessor's Map # \_\_\_\_\_ Parcel # \_\_\_\_\_

Description of Proposed Changes to Site:

#### List All Trees to be Removed:

<u>Size (Diameter)</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>
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Have Trees been deemed Diseased or Dead by the Tree Warden or an Arborist?      Yes      No

Are Replacements Proposed?    Yes        No        If no, why?

Length of Stone Wall to be Removed:

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Town of Sudbury Tree Warden Contact Information: [cemetery@sudbury.ma.us](mailto:cemetery@sudbury.ma.us) | 978-440-5421

**Submission Items:**

- Completed Application Form
- \$100.00 Application Fee as a check made payable to the “Town of Sudbury”
- Supporting Materials:
  - Site Plan of property identifying the location of the project
  - Photographs of trees or stone walls to be altered/removed
  - Three (3) sets of hard copies of all materials along with a single PDF containing all of the application materials

**Please Note:**

A public hearing will generally be scheduled within four (4) weeks from the time of receipt of completed application material

### **Scenic Roads Application Criteria:**

In the absence of contrary meaning established through legislative or judicial action pursuant to MGL Chapter 40, Section 15C, these terms contained in that statute and herein shall be construed as follows:

“Road” shall mean the entire right of way of a vehicular traveled way plus its necessary appurtenances including bridge structures, drainage systems, retaining walls, traffic control devices, and sidewalks, but not intersecting streets or driveways. The right of way includes the area on and within the boundaries of the public way. If the boundaries are not officially known, any affected tree or stone wall shall be presumed to be within the public right of way until shown otherwise.

“Cutting or removal of trees” shall mean the destruction of one or more trees having a trunk diameter of four (4) inches or more measured one (1) foot from the ground, trimming of major branches or trimming of roots sufficient in the Tree Warden's opinion to cause eventual destruction of a tree. Not included in this definition is the routine or emergency maintenance which removes only permanently diseased or damaged limbs, trunks, or roots, and dead whole trees.

“Repair, maintenance, reconstruction, or paving work” shall mean any work done within the right of way by any person or agency, public or private. Construction of new driveways or alterations of existing ones is included to the extent such work takes place within the right-of-way. Roadside clearing of trees to provide for vehicle clearance or for improvement to line-of-sight shall also be included in this definition. Construction or alteration of water, sewer, electric, telephone, cable TV or other utilities within the right-of-way is also included.

“Tearing down or destruction of stone walls” shall mean the temporary or permanent destruction of more than ten (10) linear feet of stone wall involving more than one (1) cubic foot of wall material per linear foot. Temporary removal of stone walls, to be followed by replacement of the disturbed portion of the wall within a reasonable period of time, not to exceed 90 days, at the same location with the same materials and according to the original character, shall be subject to informal filing and review procedures, set forth under Sudbury Bylaws Article VIII (B) Section 3.6.