



Town of Sudbury

Planning & Community Development

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SCENIC ROADS

Application for Approval under M.G.L. Chapter 40, Section 15C and Sudbury Bylaws Article VIII(B)

Applicant: _____

Applicant's Address: _____

Applicant's Phone #: _____

Email Address: _____

Date of Application: _____

Location of Tree/Stone Wall Removal: _____

List all trees to be removed:

<u>Size</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>	<u>Is Tree Diseased/Dead</u>
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Proposed Changes to Site:

Is replacement proposed?: Yes No

Names/Addresses of abutters within 100 feet of proposed action (taken from most recent Assessor's lists):

Please attach list

If other than a Town agency, please submit \$100 fee for advertising and administrative expenses.

Scenic Roads Application Criteria:

In the absence of contrary meaning established through legislative or judicial action pursuant to M.G.L. Ch. 40, Sec. 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.