



Tree Protection Law of the Town of Ossining

Adopted July 11, 1995 (L.L. 5-1995)

Amended September 14, 2010 (L.L. 2-2010)



Town of Ossining Building Department



Applicability

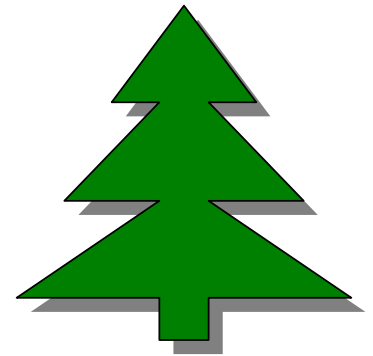


- The Law Applies To All Commercial and Residential Properties in the Town.
- Exempt From The Law Are Town Owned Properties.



When Do I Need A Permit

- A. When a tree is larger than 3 inches in Diameter at Breast Height (DBH) in a Regulated Buffer Zone.
- B. Inside or Outside of a Regulated Buffer Zone:
 - A. Removal of an Ornamental Tree with a DBH of 3 Inches or Greater.
 - B. Removal of a Significant Tree.
 - C. Removal of any Tree With a DBH of 6 inches or Greater.
 - D. Removal of any Tree With a DBH of 6 inches or Greater in a Common Open Space (e.g. Condominiums).
 - E. Clear Cutting of Trees (removal of more than 10 trees with a DBH of 6 inches or greater on a property in a 12 month period).
 - F. Removal of ANY Tree in a Wetlands or Wetlands Buffer Area.



What is a Regulated Buffer Zone?

- **REGULATED BUFFER ZONE** Any area of vegetative screening, as established by an approved site plan, special permit, conditional use permit or subdivision plat or as measured from each perimeter property line of a residential property towards the interior of such property as follows:

Zoning District	Width of Regulated Buffer Zone (feet)
• R-40 One-Family Residence	10
• R-35 One-Family Residence-Office	10
• R-30 One-Family Residence	10
• R-20 One-Family Residence	5
• R-20A One-Family Residence	5
• R-15 One-Family Residence	5
• R-15X One-Family Residence-Office	5
• R-10 One-Family Residence	3
• R-7.5 One-Family Residence	3
• R-5 One-Family Residence	3



What Is An Ornamental Tree?

- **ORNAMENTAL TREE** A tree grown for its aesthetic characteristics, with highly visible and decorative flowers, foliage, color, fruit and/or bark.



Town of Ossining Building Department

Who Is A Recognized Tree Expert?

- A forester listed on the New York State Department of Environmental Conservation's approved forester list, a landscape architect licensed in the State of New York, an arborist certified with the National Arborists Association or a similarly qualified individual.



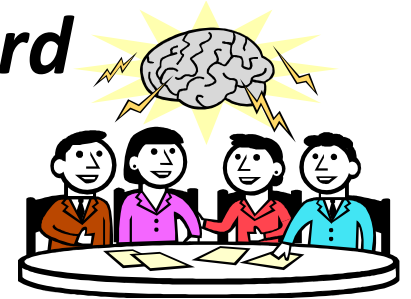
When Do I **NOT** Need A Tree Removal Permit?

- [A.](#) Removal of any tree not regulated in accordance with § [183-5](#), Regulated activities; tree removal permit required, of this chapter.
- [B.](#) Removal of any tree under an actual or ongoing emergency condition when such immediate tree removal has been determined as being necessary for the protection and preservation of life or property and there is no time to wait for the granting of a tree removal permit.
- [C.](#) Forest management activities on properties under § 480-a of the Real Property Tax Law.
- [D.](#) Removal of any tree that has been found to be dead, dying, insect-infested or otherwise hazardous **as determined in writing on business letterhead of a recognized tree expert.**
- [E.](#) Tree pruning that does not damage the basic nature of the tree and *which does not reduce the size of the tree by more than 1/4.*

Who Issues A Tree Permit?

- Any Property with a Site Plan such as Commercial Properties, Condominiums and Subdivided Residential Properties...

Town of Ossining Planning Board



All Other Properties, Residential or Commercial...

Town of Ossining Building Department



Town of Ossining Building Department



How Do I Obtain A Tree Removal Permit?

- Applications can be obtained:
 - At the Building Department Office.
 - Online at www.townofossining.com in the Building Department area of the website.
 - Building Department Can Mail You an Application.
 - Building Department can Fax you an Application.



Town of Ossining Building Department



What Is Needed To Obtain the Permit?

- A completed application.
- Copy of the property survey showing the location of the tree(s) to be removed.
- Copy of the Tree Experts' report showing the necessity for tree removal.
- Copy of the property owners insurance showing General Liability coverage.
- Copy of the Contractors' Westchester County Home Improvement License.
- Copy of the Contractors' Workers Compensation Insurance and General Liability Insurance.
- Payment of a \$50.00 Application Fee.



I Submitted My Application – What Happens Next???



- The Building Department reviews the application and associated documents. If all is in order the Building Inspector makes an inspection of the property to determine if any other conditions are present or need attention.
- When all requirements and inspections are met, the Building Inspector will issue the Tree Removal Permit. Note - there may be conditions associated with the Permit if needed.



- If the Planning Board is the Approval Authority as part of a Site Plan application, they will conduct the review, inspection and issuance of the Tree Removal Permit as part of the Site Plan approval.



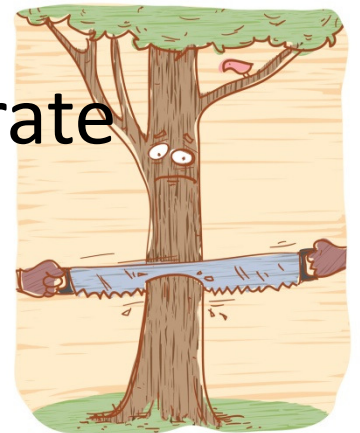
What If The Tree(s) Is On A Right Of Way, Or Easement On My Property?

- Easements and Rights of Way grant access through your property by Government Entities, Utilities, and Other Property Owners. The property is still owned by you and unless there is a legal contract to the contrary, the property owner is responsible for maintaining the property, including tree removal.



What If I Don't Get A Permit and Cut Trees Down?

- A violation of any part of the tree protection ordinance carries penalties...
- 1st Offense – A fine not to exceed \$1,000.
- 2nd and Subsequent Offenses – A fine not to exceed \$2,000 or a term of imprisonment of not more than 15 days, or both.
- Each tree removed constitutes a separate offense.



Contact Information

- Please contact the Town of Ossining Building Department BEFORE you cut down any trees on your property to help determine if you need a Tree Removal Permit.

Town of Ossining Building Department
John Paul Rodrigues Operations Center
101 Rt. 9A

Ossining, NY 10562

914-762-8419 914-944-0195 Fax

Email: bldgdept@townofossining.com

