

GUIDELINES FOR ENFORCEMENT OF COVENANT INVOLVING CUTTING OF TREES OVER TEN INCHES IN DIAMETER

Covenant Section 3(h): No live trees having trunks larger than ten inches in diameter shall be cut without permission of the Architectural Control Committee.

The Architectural Control Committee will consider “live tree” to mean a tree other than an obviously dead tree, a tree that the ACC agrees is dying or that a certified Arborist states (in writing) is dying. A dead or dying tree requires no permission for removal.

A tree of less than ten inches in diameter, measured at breast height, may be cut or removed without permission from the ACC. Likewise, limbs may be removed from live trees without ACC action. However, it is strongly recommended that NO SPIKES be used to climb a tree for the purpose of removing limbs (spike wounds injure trees and provide entry for pests and disease).

The ACC will grant permission to cut a live tree wherever the lot owner provides an adequate reason for doing so. Adequate reasons include the following or similar reasons: to remove a tree that is recommended to be removed by a certified Arborist due to disease, infestation or other problem; to provide for an approved new or expanded structure or driveway on the property; to prevent potential damage to an existing structure or adjacent property (leaning tree, tree with major branches overhanging structure, hollow tree, tree causing root damage to structure, etc.); to provide for air circulation around the house to prevent mold; to carry out a landscaping plan prepared by a professional Landscape Architect or other landscaping plan approved by the ACC; to provide direct sunlight to a garden, pond or swimming pool; to remove a tree that is in obvious decline (usually major loss of leaves); to remove a tree that is interfering with the growth of an adjacent more desirable tree; to remove a tree struck by lightning or loosened from the ground; or to comply with “firewise” criteria.

Because the objective of this Covenant is to preserve trees as part of the essential character of Occoquan Forest, approval action by the ACC may be accompanied by a requirement to plant a replacement tree (or trees) in an appropriate location(s) on the property.

Homeowners are strongly encouraged to obtain the advice of an Arborist certified by the International Society of Arboriculture (ISA). Persons whose primary business is to cut down trees frequently are not licensed Arborists. Go to the ISA website to obtain information and contacts for local certified Arborists (www.isa-arbor.com).

If a property is determined by the ACC to be in violation of this Section, the ACC will provide a written report to the Board of Directors describing the violation and recommending that corrective action be taken up with the homeowner.

Adopted 9-13-12.