

Frequently Asked Questions

Below are questions we have been receiving regarding the City Tree Preservation Ordinance. If you have a question that is not addressed below, or elsewhere on this page please contact us at urbanforestry@newtonma.gov. We plan to update these questions as we receive more.

How do I apply for a Tree Permit?

All types of Tree Permits are applied for through the City's online permitting portal. The link to the Tree Specific applications can be found here. <https://newtonma.portal.opengov.com/categories/1089>

Do I need a permit to remove a tree from my property?

Yes. In nearly all cases the removal of trees from private property requires a Tree Permit. The only exception to the need for a permit is if the tree to be removed is under 6 inches in trunk diameter. Please also be aware that the removal of any type or size vegetation in wetland areas may require separate permitting as well.

I am planning to do construction on my property do I need Tree Permit?

Yes. You will need to complete the Tree Permit Application - Construction.

Is a Tree Permit required the demolition of a building?

Yes. You will need to complete the Tree Permit Application - Construction.

I would like to remove trees from my property, which is a single family lot but am not planning to do any construction do I need a Tree Permit?

Yes. You will need to apply for a permit. If the tree or trees you wish to removed are between 6 inches in trunk diameter and 39 inches in trunk diameter you will complete a Tree Permit Application - Exemption Form. If the tree or trees you wish to remove are 40 inches in trunk diameter and larger you will need to complete Tree Permit Application - Non-Construction.

I am NOT doing any construction on my property and plan to remove a tree or trees greater than 39 inches in trunk diameter. Will this tree require replacement?

Trees greater than 39 inches in diameter require replacement under most circumstances. The only circumstance a tree this large does not require replacement is if it has been determined by a Certified Arborist that the tree is a high or extreme risk utilizing industry accepted evaluation forms.

Trees were removed from a property recently. Did this property have permission to remove these trees?

The removal of all trees on private property in the City requires a permit from the Tree Warden/City Forester. To find out if a specific property was issued a tree permit please go to the City's online permit portal <https://newtonma.viewpointcloud.com/search>. From here you can search an address for many different permits, including tree permits. If you can not find the permit information or believe trees were removed without a permit please email urbanforestry@newtonma.gov

There is construction activity taking place on the lot next to my property and I am afraid the work will damage trees on my property. Is this allowed?

City ordinance requires that trees be protected during construction. Specifically all construction activity within the Tree Save Area must have a protection plan created by a certified arborist. The Tree Save Area is the area within a radius around the tree trunk of 1.5 feet for every inch of trunk diameter or the drip line edge whichever is greater. If construction is taking place that you feel is harming trees on your property please email urbanforestry@newtonma.gov to report your concerns.

What is the Trunk diameter of a tree and how do I measure it?

The trunk diameter of a tree is often referred to as DBH. DBH is the diameter of a tree trunk measured 4.5 feet above grade. Please see [https://www.portland.gov/trees/tree-care-and-resources/how-measure-tree#:~:text=Diameter%20at%20Breast%20Height%20\(DBH,the%20circumference%20of%20a%20tree.](https://www.portland.gov/trees/tree-care-and-resources/how-measure-tree#:~:text=Diameter%20at%20Breast%20Height%20(DBH,the%20circumference%20of%20a%20tree.)

Where do I find the ISA Basic Tree Risk Form referenced in the Tree Permit Application - Construction and Tree Permit Application - Non-Construction?

The form can be downloaded here https://www.isa-arbor.com/education/resources/BasicTreeRiskAssessmentForm_Fillable_FirstEdition.pdf

What is the replacement requirement for trees removed?

The replacement requirement for trees removed as part of construction work or trees that are not considered exempt can be found here <https://www.newtonma.gov/home/showdocument?id=117200&t=638445489487443110>.

I am opting to make a payment in lieu of planting replacement trees. What is the cost of this payment

The payment amount for trees removed and not replaced varies depending on the size of the tree removed. Price information can be found here <https://www.newtonma.gov/home/showdocument?id=117200&t=638445489487443110>

What is an Exempt Lot?

There are no Exempt lots in the City. With the exception of land owned by the State and the Federal Governments all land is subject to the City's Tree Ordinances. Prior to March 1, 2024 some lots in the City were considered an Exempt Lot. On March 1, 2024 an update to the Tree Preservation Ordinance was enacted that removed the Exempt Lot provision. The revised language did create Exempt Trees in very specific and limited

What is an Exempt Tree?

A Protected Tree that a permit applicant seeks to remove that is less and 40" (and greater than 5") in trunk diameter and is located on a single- or two-family residential occupied lot where no exterior construction is presently underway or planned to take place during the 24 months from the date of the permit application.

What is an Occupied Lot?

legally occupied and lived in and used as a residence by a person or persons. The dwelling must have a functioning, legally permitted, permanent water service, permanent sanitary service, and permanent electrical service.

What is the Tree Save Area

The Tree Save Area is the area within a radius around the tree trunk of 1.5 feet for every inch of trunk diameter or the drip line edge whichever is greater.

I have heard that a tree on my neighbor's property creates a restricted use area on my property. Is this true?

NO. The City's Tree Ordinance does not prohibit construction on private land. Where work is being done within the Tree Save Area of any Protected Tree, regardless of whether it is on the applicant's property or an abutting lot, a Tree Protection Plan must be submitted with the Tree Permit Application. For this Tree Protection Plan, a certified arborist is to be consulted to provide strategies to minimize the impact to trees that follows industry standards. Using these standards, the arborist will evaluate the impact of the work on surrounding trees and will propose measures to protect those trees during construction or tree removal activity.

Does the City of Newton Tree Warden have sole discretion regarding how my property can be used?

NO. The Tree Warden's role is to review the Tree Permit application and ensure the applicant meets the requirements of City Ordinance. The Tree Warden has no jurisdiction over property use or building construction.

Will my property become unbuildable because of the Tree Ordinance or at the discretion of the Tree Warden?

NO. The Tree Ordinance does not prohibit construction, does not prohibit tree removal, and does not allow the Tree Warden to tell you what you can and cannot construct on your property.

Why am I required to ask an arborist to complete a tree risk assessment?

Risk assessment is NOT required every time exterior work is to take place or every time a tree permit application is filed. It is only required if you believe a tree does not require replacement because an arborist feels the tree has an increased likelihood of failing. In this instance, a qualified certified arborist is to complete a basic risk assessment form following industry standards. For a qualified and experienced arborist, the basis risk assessment is a straightforward process.