

TOWN OF FREEDOM
HEALTHY TREE REMOVAL APPLICATION ON SHOREFRONT LOTS

The State of NH and the Town of Freedom have strict rules to protect the water quality that is critical to both the enjoyment of water resources and maintaining the tax base of the town. Shorefront property owners may cut trees on their property if they comply with State and Town rules listed on pages 7-8 of this application.

If your plan is to cut four (4) or fewer trees in any segment, the Zoning Officer may issue a permit IF SEGMENT POINTS AFTER CUTTING exceed 100 points.

If your plan is to cut trees that would result in the fewer than 100 points in any segment, the Zoning Officer will deny your application and you may go to the Zoning Board of Adjustment (ZBA) for a variance. The ZBA will not accept an application for a project that has not been denied by the Zoning Officer.

Please note: The Town of Freedom’s regulations are stricter than the minimum standards which the State of NH has adopted. It is the owner’s responsibility to understand and comply with all State and Town regulations.

Fee: \$75.00* Ck #: _____ (payable to Town of Freedom)

*Plus the cost of notifying abutters by Certified Mail at \$15.00 each, minimum of \$50.00.

1. Owner Information

Owner _____ Date: _____

Permanent Address: _____ Phone # _____

E-mail Address: _____ Cell# _____

2. Property Information

Property Address: _____ Phone: _____

Map# _____ Lot# _____ Lot Size (acres) _____ Zoning District _____

You can find the first 3 items on your tax bill. Check zoning district with Zoning Officer.

Is the property 10 acres or more? _____ Yes No

Is there any wet area on this plot? Yes No __ Where? _____

3. Current Property Use—check all that apply

Residential (existing home) _____ Accessory buildings only _____ Raw Land _____ Other _____

Specify _____

4. Present and Proposed Tree Coverage

Describe the planned tree cutting _____

_____ Proposed start date _____

5. Other requirements for this application

- If you receive a permit, take pictures before and after cutting so you can show tree locations prior to cutting.
- There is a 30-day appeal period from the date of issuance of any permit. Any tree removal before that 30-days is at your own risk.
- If stumps are removed, fill in with pervious material, new trees, or natural vegetation. Protect the water body during and following removal.
- Within five (5) days of issuing an approval, the Zoning Officer shall mail notice of the approval to all abutters. The property owner or his authorized agent shall provide a complete list of abutters and pay the cost of noticing abutters of the decision by certified mail.
- The fee for notification is \$8.00 per abutter. Check made payable to "Town of Freedom".

5. Plot Plan Requirements

Creating the plot plan is a two-step process:

1. Orient your drawing so the road is at the bottom of the diagram.
2. Draw the shape/outline of your lot on the grid on the next page.
3. Mark the boundary distances in feet. If you have a surveyed plot plan, please use that data. If not, go to <https://townoffreedom.net/tax-maps/> to select your tax map, then find your lot number for the data.
Lot road frontage: _____ Left boundary: _____ Right boundary: _____ Rear boundary: _____
4. Fill out the Tree Inventory form on page 4 showing the detail of existing trees according to the methodology in Section 703 of the Zoning Ordinance.
5. Plot the tree inventory on the plot plan using the specified shapes. Measure distances from trees to boundaries or other objects on the plan for reference purposes.

SIGNATURES

The undersigned owner hereby requests a permit for the above use, to be issued based on the representations contained herein. Permit is void in the event of misrepresentation and/or not being in compliance with the Zoning Ordinance, site plan review, subdivision regulations (if applicable) and other applicable state and town laws and regulations.

I will allow access to your property for inspection regarding this proposed work.

This application must be submitted by and signed by all owners of the property listed on this application.

Signature _____ Date _____

Print name _____

Property owner

Signature _____ Date _____

Print name _____

Property owner

Signature _____ Date _____

Print name _____

Property owner

This application must meet the terms of Sections 2301 through section 2307 of the Freedom Zoning Ordinance.

If you are using an agent for this application, provide the information below:

Designation of Agent

I designate the person listed below as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made based on such representations.

Agent _____ Telephone # _____

Address _____

Owner's signature _____

Owner's signature _____

Owner's signature _____

Zoning Officer Decision

The Zoning Officer is required to deny an application under Section 2303, if:

- The application is for a use that requires a special exception
- The application requires a variance

The ZBA is the only body that can grant either of the above.

Approved _____ Date _____ Zoning Officer _____

Denied _____ Date _____ Zoning Officer _____

Reason for denial _____

If the Zoning Officer denies the application, the applicant may appeal this decision to the Zoning Board of Adjustment. Please use the Zoning Board Application found on the town’s website, www.townoffreedom.net.

ZBA Tips:

- Application and Appointment of Agent Form must be completed and signed by all owners of the property.
- Abutter letters go directly to ZBA at PO Box 227, Freedom, NH 03836
- The applicant is responsible to fulfill all requirements from the ZBA and provide the necessary information. The applicant is responsible for reading the regulations. The Zoning Officer’s role is to help the applicant complete the application if the applicant requests help.
- To be considered by the ZBA, an application must be significantly different from a previous application which the ZBA has previously denied.
- If the ZBA approves the special exception or variance, the application will come back to the Zoning Officer for action. The Zoning Officer will determine that the applicant has met all conditions imposed by the ZBA and sign below.
- The ZBA approval can be appealed within 30 days of the decision.

Approval below signifies that the applicant has submitted proof that they have met all conditions listed by the Zoning Board of Adjustment.

Approved _____ Date _____ Zoning Officer _____

Per ZBA decision dated: _____

Freedom Zoning Ordinance Tree Cutting Provisions

304.6.5.1 Tree Cutting: Any cutting or clearing of trees within seventy-five (75) feet of the reference line in the shorefront district shall require a special exception from the Zoning Board of Adjustment. and shall be subject to the provisions of Article 7 Shoreland Protection, section 703.

304.6.5.2 Permits granted by the Zoning Officer

304.6.5.2.1 A shorefront resident who wishes to remove four or fewer trees in a segment, may apply to the Zoning Officer for approval of the cutting plan as described above, which follows the same standards and methodology as listed above, as long as the resulting points still meet the 100-point requirement.

304.6.5.2.2 The Zoning Officer's approval will be effective thirty (30) days after his decision is made.

305.6.5.2.3 Within five (5) days of issuing an approval, the Zoning Officer shall mail notice of the approval to all abutters. The property owner or his authorized agent shall provide a complete list of abutters and pay the costs of noticing abutters of the decision by certified mail.

Section 703 Minimum Shoreland Protection Standards

The Legislature of the State of NH has found that the shorelands of the state are among its most valuable and fragile natural resources and their protection is essential to maintain the integrity of public waters. The intent of this provision of the Town of Freedom's Zoning Ordinance is to protect Freedom's water bodies via the Town's authority under RSA 674:16. The waterfront buffer shall be those protected shorelands within 75 feet of the reference line. The purpose of this buffer is to protect the quality of public waters while allowing homeowner discretion regarding water access, safety, viewscape maintenance, and lot design.

Within the waterfront buffer all the following prohibitions and limitations shall apply:

703.1 No chemicals, including pesticides or herbicides of any kind, shall be applied to ground, turf, or established vegetation except if applied by horticultural professionals who have a pesticide application license issued by the department of agriculture or as allowed under special permit issued by the division of pesticide control under rules adopted by the pesticide control board under RSA 541-A, or fertilizers of any kind except those specified in RSA 483-B:9, II(d).

703.2 Rocks and stumps and their root systems shall be left intact in the ground unless removal is specifically approved by the ZBA pursuant to RSA 482- A or RSA 483-B:11, II or unless rocks are removed to improve runoff control or the planting in the waterfront buffer, and stumps that are removed are replaced with pervious surfaces, new trees, or other woody vegetation.

703.3 No natural ground cover shall be removed except as necessary for a foot path to water and access ways or for normal maintenance, to protect the waterfront buffer, cutting those portions that have grown over 3 feet in height for the purpose of providing a view, to provide access to natural areas or shoreline.

703.4 Starting from the northerly or easterly boundary of the property, and working along the shoreline, the waterfront buffer shall be divided into segments 50 foot (along the shore) by 75 foot (parallel to the property line). Owners of land within the waterfront buffer shall measure, calculate, and maintain the tree, sapling, shrub, and groundcover point score in each of these segments in accordance with the methods and standards described in subparagraphs i through viii.

i. Tree and sapling diameters shall be measured at 4 1/2 feet above the ground for existing trees and saplings, or by caliper at a height consistent with established nursery industry standards when nursery stock is to be used, and are scored as follows:

Diameter or Caliper--	Score 1 to 3 inches--	1 point
	Greater than 3 and including 6 inches--	5 points
	Greater than 6 and including 12 inches--	10 points
	Greater than 12 inches--	15 points

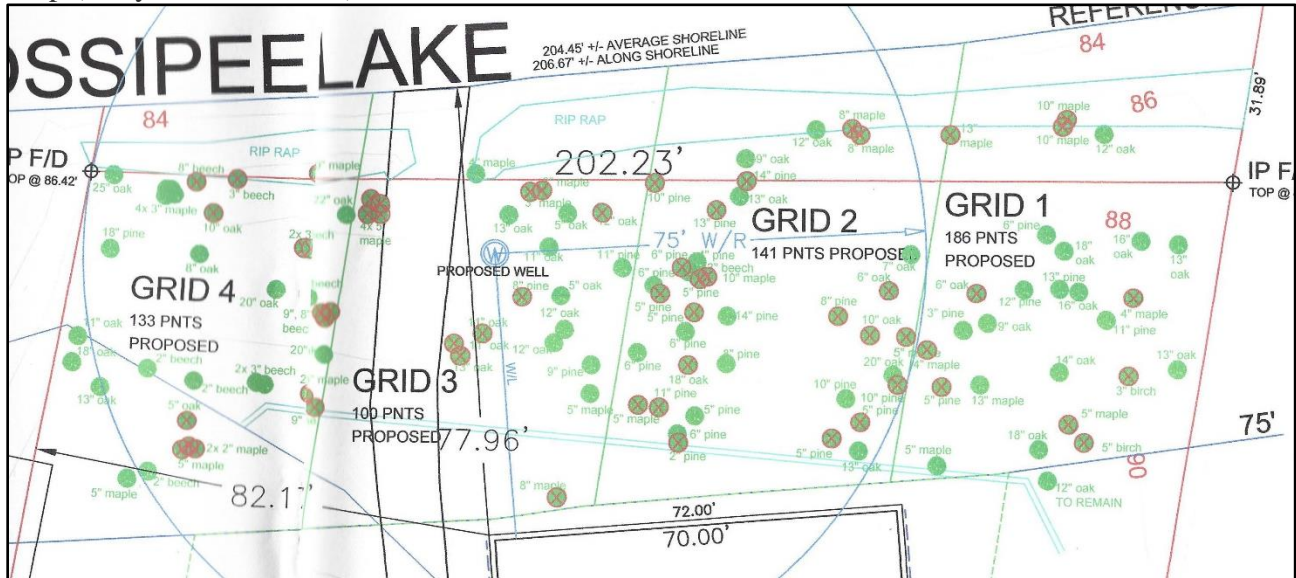
- ii. For the purpose of planting under RSA 483-B:9, V(g)(3), shrubs and groundcover plants shall be scored as follows:

Four square feet of shrub area	1 point.
Ground cover, not including mowed lawn	1 point for every 50 square feet.

 Shrub and groundcover shall count for at least 15 points and not more than 25 points in each full segment.
- iii. Dead, diseased, or unsafe trees or saplings shall not be included in scoring.
- iv. If the total tree and sapling score in any 75 foot by 50-foot segment exceeds 100 points, then trees, saplings, and shrubs over 3 feet in height may be removed as long as the sum of the scores for the remaining trees and saplings in that segment does not total less than 100 points. If for any reason there is insufficient area for a full segment, or the segment contains areas incapable of supporting trees and saplings, such as areas of rock, ledge, or beaches, the point score requirement for the remaining vegetation in that partial segment shall be reduced proportionally to that required of a full segment. Vegetation shall not be removed from any segment which fails to meet the minimum point score for that segment. Owners are encouraged to take efforts to plan the maintenance of their waterfront buffer areas including the planting of additional non- invasive vegetation to increase point scores within segments, thus providing sufficient points to allow the future removal of vegetation as may become necessary while still meeting the requirements of this paragraph.
- v. Owners of lots and holders of easements on lots that were legally developed prior to July 1, 2008 may maintain but not enlarge cleared areas, including but not limited to existing lawns, gardens, landscaped areas, beaches, and rights-of-way for public utilities, public transportation, and public access, and may repair existing utility structures within the waterfront buffer. Conversion to or planting of cleared areas with non-invasive species of ground cover, shrubs, saplings, and trees is encouraged but shall not be required unless it is necessary to meet the requirements of Section 704 relating to impervious surfaces.
- vi. Normal trimming, pruning, and thinning of branches to the extent necessary to maintain the health of the planted area as well to protect structures, maintain clearances, and provide views is permitted provided such activity does not endanger the health of the plant.
- vii. When necessary for the completion of construction activities permitted in accordance with RSA 483-B:6, a temporary 12-foot-wide access path shall be allowed. On those properties accessible only by water, this access path may be maintained provided it is stabilized with a surface that will infiltrate stormwater. On other properties the access path shall be completely restored and replanted with vegetation upon completion of construction except as allowed under subparagraph vii.
- viii. A permanent 6-foot-wide foot path as well as access to any docks, beaches, structures, existing open areas, and the water body, configured in a manner that will not concentrate storm water runoff or contribute to erosion, are allowed.

Example of Tree Inventory and Plot Plan

This shows a lot on Ossipee Lake with four grids or quadrants 50 feet wide along the lake and 75 feet deep (away from the shore). The table for Grid 3 is below.



Quadrant 3			
Tree	Diameter	Points	Legend
M(able) 1	5	5	C
M2	5	5	C
M3	5	5	C
M4	5	5	C
M5	4	5	P
M6	3	1	C
M7	3	1	C
O(ak) 1	13	15	P
O2	5	5	P
O3	12	10	C
O4	11	10	P
O5	5	5	P
O6	12	10	P
O7	12	10	P
O8	11	10	C
O9	11	10	C
O10	13	15	P
P(ine) 1	11	10	P
P2	8	10	C
P3	9	10	P
M8	5	5	P
M9	8	10	C
Total all trees		172	
Total to remain		100	