



Medford City Council
Medford, Massachusetts

Committee of the Whole, July 14, 2026

City Council

Isaac B. "Zac" Bears
Anna Callahan
Emily Lazzaro
Matt Leming
Liz Mullane
George A. Scarpelli
Justin Tseng

This meeting will take place at 6:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Zoom Link:

<https://us06web.zoom.us/j/81065411078?pwd=uVZeNutyReGtOH4hBtDUq1XrVC9qR5.1>

Call-in Number: +13052241968,,81065411078#,,,,*992661#

Live: Channel 22 (Comcast), Channel 43 (Verizon), [YouTube](#), and medfordtv.org.

To submit written comments, please email ccmembers@medford-ma.gov.

CALL TO ORDER & ROLL CALL

ACTION AND DISCUSSION ITEMS

19-070 - Offered by Councilor Callahan

Public Tree Ordinance

Adjournment

Public Tree Preservation, Protection, and Replacement Ordinance

Chapter 86, Article III, of the City of Medford Ordinances is hereby amended as follows:

Section 86-91 hereby deleted in its entirety and the following new sections are hereby adopted:

Sec. 86-91 - Intent and Purpose

This ordinance is enacted ~~or~~for the purpose of preserving and protecting both Public Shade Trees and trees otherwise located on public property as set forth herein.

The State Legislature has granted municipalities the right and responsibility to protect the health, safety, and welfare of their residents through the creation and enactment of regulations. Zoning powers further allow municipalities to "regulate the use of land, buildings and structures to the full extent of independent constitutional powers of cities and towns to protect the health, safety and general welfare of their present and future inhabitants," according to MGL Chapter 40A.

~~A mature tree canopy maintains the natural beauty of Medford for all to enjoy today and in future generations, and~~ protects the community in critically important ways. It reduces: energy consumption ~~and~~, ambient summertime temperatures, air pollution, flooding, and soil erosion. It provides privacy, absorbs noise, and boosts mental health. It supports wildlife and increases resilience to climate change. It also maintains the natural beauty of Medford for all to enjoy today and for future generations. Protecting the City's tree canopy is thus an essential community function and public purpose. This protection requires the City to manage its urban forest.

To achieve this purpose, ~~this ordinance outlines the procedures that the Tree Warden will use to regulate the removal and replacement of public trees in certain circumstances. This ordinance also establishes a Tree Fund to supplement the City budget for public tree maintenance, tree planting, stump removal, and site preparation for tree-planting site preparation as well as a fund for City residents to petition to fund private tree maintenance on public land.~~

Commented [1]:

There are very real impacts to DPW contained in this proposed ordinance. I do not believe it could be implemented successfully with existing DPW resources and structure. I recommend that the ordinance be evaluated against current human and monetary resources and include an assessment of projected FTE's required for a successful implementation of this Ordinance. My gut tells me somewhere between 2 and 3 FTEs. That information can be used to initiate a strategy to arrive at the required support to make the implementation of this successful. Its not there yet.

Commented [2]:

The Tree Warden is defined and bound by the requirements of MGL Ch. 87 already. This Ordinance must be consistent with that body of law, and the practices associated with compliance.

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The tree fund(s) will need to be revisited after consultation with the City's finance department and we have a better sense of what monies are coming in and out. Also, the City may not be able to use public funds for private trees absence a public purpose.

Ultimately, the tree fund(s) may be addressed through this ordinance but it also may be addressed elsewhere, for example, an amendment to the City's existing revolving account ordinance.

Sec. 86-92 UrbanCommunity Forestry Management Plan

The City shall maintain and periodically update the ~~a Community Forestry Management Plan or~~ Urban ForestTree Management Plan to guide the preservation, maintenance, removal, replacement, and planting of Public Trees.

The Tree Warden and relevant City departments shall consider and substantially follow the goals, priorities, and best practices identified in the Plan when making decisions regarding public tree management, tree replacement, species selection, stump removal, and planting priorities.

The Plan shall promote the long-term health, diversity, resilience, and equitable distribution of the City's urban forest.

Sec. 86-932 - Definitions

Caliper: Diameter of a tree trunk (in inches) measured ~~six~~12 inches above the ground for trees up to and including ~~four-inch~~eight inches in diameter, ~~and 12 inches above the ground for~~. For larger trees, the diameter is measured 24 inches above the ground.

Certified Arborist: A professional arborist possessing current certification issued by the International Society of Arboriculture (I.S.A.) and/or the Massachusetts Arborist Association (M.A.A.).

UrbanCommunity Forestry Management Plan: Plan to identify the City's goals and priorities for managing its public trees; to describe the ~~current~~ status of the City's urban forest resources and its management program; and to document the methods, resources, and personnel that will be used to achieve these goals over the next five years.

Construction: Any activity ~~which that~~ affects trees, tree root zones, or is within the drip line and that requires a building permit or trench permit, including driveways, retaining walls, solar installation where trees are removed, site work on foundations, underground utilities, excavation, grading, and paving construction or alteration of a structure or structures where the drip zone of a tree would be affected. ~~Work that is entirely interior is excluded.~~

Demolition: Any act of pulling down, destroying, removing or razing a building; or altering or disturbing the landscape, removing trees, soils or supporting vegetation; or commencing ~~the~~such work with the intent of completion.

DBH ("Diameter at Breast Height"): The tree diameter (in inches) measured at 4.5 feet above the ground. For multi-stemmed trees, the size is determined by measuring all the trunks, and then adding the total diameter of the largest trunk to one-half the diameter of a tree (or, for multipleeach additional trunk trees, the aggregate diameters.

Drip Line: The area directly under the tree at the outer circumference of the multiple trunks) in the same plot of land measured 4 1/2 feet tree branches, where most of the rainwater shed from

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This section, in particular, will need to be reviewed, clarified and revised after consideration of the general comments contained herein.

Additionally, where terms are defined herein, I recommend they be used consistently throughout.

You may want to define Public Shade Tree using the definition found in c. 87.

I have also suggested some deletions/amendments that seem likely.

~~the existing grade at the base of the tree.~~ tree canopy drips to the ground. The Critical Root Zone (CRZ) lies within the drip line.

Drip Line: ~~A vertical line running through the outermost portion of the crown of a tree and extending to the ground.~~

Hazardous Trees: ~~Trees~~Any tree that ~~have~~has been deemed by the Tree Warden to be dead, injured, ~~unduly and unusually~~ dangerous, where the hazard cannot be eliminated by pruning; Any tree that is likely to cause disease or infestation in other trees; is in imminent danger of falling; is dangerously close to existing structures; is causing disruption of public utility service; is causing drainage or passage problems upon rights-of-way that cannot be remediated by other means; or that poses an unavoidable threat to pedestrian or vehicular safety that cannot be eliminated by pruning.

Landmark Tree: Any healthy tree may be designated as a Landmark Tree if it meets one of more of the following criteria: a) a tree that is documented to be 50 years old or older; b) is 24 inches in diameter or more at breast height; c) represents a rare species; d) is associated with a historical event or person, unusual feature, or scenic enhancement. All Landmark Trees are Protected Trees except those listed as invasive species on the Massachusetts Invasive Plants list.

Landscape Design Plan: ~~A written description and scale drawing of the future site that includes the locations of plantings, structures, hardscape, greenscape, and topography, and indicating~~indicates the future canopy.

Medford Tree Committee: The Committee established to promote the planting and protection of trees in Medford.

Person: Any Medford resident, property owner, ~~person,~~ firm, partnership, association, corporation, company or organization of any kind including public or private utility and municipal department.

Protected Tree: All public trees as defined in this section– except those listed as invasive species on the Massachusetts Invasive Plants list.

Public Tree: All trees within a public way–, public park or its boundaries, or leased land being used as a public facility are Public Trees. When the tree's ownership or rights are material to the issue, and the boundaries of the public way cannot be ascertained by records or monuments, the Tree Warden shall determine if the tree in question is a public tree. Any tree within the public right-of-way except for state highways that, as determined by the Tree Warden, has any portion of the stem between six inches and 4 1/2 feet above grade actively growing into the public right-of-way. (See G.L.c.87 s.1)

Significant Tree: Any Protected Tree which is seventy five (75) years or older as determined by an arborist, or 30" or more in DBH.

Tree Fund: An account established pursuant to this ordinance for the deposit of payments for mitigating tree removal in lieu of tree replanting. This fund may only be expended as a means of promoting a healthy tree canopy and will be applied to the cost of site preparation, tree replanting, and new tree maintenance.

Tree Removal: Removal or destruction by saws, or other mechanical, ~~chemical or physical~~ means of a living tree, or any act (a) that has caused a significant or protected tree to die within the previous 12 months or (b) is likely to cause significant decline or death within a three-year period.

Tree Removal Permit: Permit issued by the Tree Warden for removal of public trees based on appropriate ~~application~~ hearing process.

Tree Removal Permit Applicant: The person or entity that is seeking to remove a protected tree or trees.

Tree Removal Permit Application: Process and forms to be used by those seeking to remove a protected tree.

Tree Fund: An account established pursuant to this ordinance for the deposit of contributions in lieu of tree replanting.

Tree Save Zone: The area surrounding all Protected Trees to the drip line, sufficiently large to ensure the health of the Protected Tree(s), including their trunks, crowns, and root systems.

Tree Warden: As defined in G.L. c.87 s.2 and Medford Rev. Ords. 1974, ch. 26, § 2 ~~with the legal authority to act pursuant to G.L. c. 87 et seq.,~~ the Tree Warden is the City employee responsible for the management of the City's public trees.

Urban Forest: All of the Protected Trees in the city City and the lands that support those trees.

Sec. 86-943 ~~Tree Removal Permit Jurisdiction, Process and~~ Applicability.

These provisions shall apply to the activities related to trees on public land.

Sec.

86-954 Tree Permit

1. A Public Tree may not be trimmed, pruned, or removed by any person other than the Tree Warden or ~~their~~ designee until and unless the Tree Warden issues a written permit after a public hearing consistent with G.L. 87, §§3-5 ~~Removal of a Public Tree must include stump removal within 30 days of tree removal.~~ If a public tree has fallen on a house resulting in damage to windows, puncturing roofs or similar significant

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See my prior note about this.

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If you want to make changes to or add anything regarding the Tree Warden, I recommend you revise the existing section.

damage requiring immediate action, the homeowner may proceed to have the tree taken down after notifying the Tree Warden, and no permit is necessary.

2. Application~~Sec. 86-95 City Tree Removal and Replacement: Hearing Process,~~

A. Approval Criteria

B. Protection of Significant Trees

Mitigation/Tree Replacement—Replacement of trees should be made with native trees and within the year whenever possible. The city will maintain an updated inventory of all public trees, removals and stumps. When the City removes a tree from the sidewalk strip, it must replace the tree within the next planting cycle unless the following procedures are followed: a) If a tree is cut down by the city and is not to be replaced in the next planting cycle, the City must hold a hearing and invite interested parties, tree groups, and residents within the city block to attend. The hearing must provide the opportunity for Medford community members to contest the decision not to replace the tree in a timely manner. b) The decision must be announced on the City's website for one month prior to a hearing. c) If the intention is not to replace the tree at all, one month prior to the hearing, the City must inform members of each residence within the city block, in writing, of the intention not to replace the tree, and the reason why the city seeks to reduce the tree canopy in their neighborhood. The city should plant with native trees wherever possible. Removal of a Public Tree must include stump removal within 60 days of tree removal. If removal of the stump within 60 days is not possible, the City must inform residents of the date of removal.

Sec. 86-96 Tree Planting

3. The Urban Community Forestry Management~~ster~~ Plan will indicate priorities for the planting of trees throughout the city~~City~~ to promote an equitable and adequate~~adequate~~ diverse urban tree canopy—that provides adequate shade for all its neighborhoods.

C. Prohibited Activities

4. Emergencies

Sec. 86-94~~97~~ Recordkeeping and Public notification

The City will maintain an updated inventory of all public trees, tree removals and stumps. The Tree Warden shall keep a publicly available electronic record of removal requests, which shall include the species and size of tree(s) to be removed, the reason for the removal, ~~photographs of the tree(s) documenting the reason for removal,~~ the date, the contractor(s) involved, and the name and address of the person who requests removal. The City will maintain, and make publicly available in electronic form, an inventory of trees that includes tree and stump removals and new planting. If a tree is removed from the sidewalk strip, the Tree Committee, ~~tree advocacy groups~~ and residents within a block of the site must be informed of the intent to remove the tree and the plan for stump removal and replacement.

Sec. 86-98. Protection of Landmark Trees

The City shall make extra efforts to preserve Landmark trees, including treating diseased trees where feasible, enhancing pruning schedules and regular monitoring of the tree. A Landmark Tree shall not be cut down or removed without a permit.

Sec. 86-99 - Enforcement and Penalties

- A. **Citizen removal of a public tree:** Any person or entity damaging or removing a Public Tree without authority will be fined and the fines will be deposited in the Tree Fund. Enforcement shall be by the Tree Warden or the Tree Warden's designee, or the police. Citizens may report damage or removal of public trees to the Tree Warden.
- B. **Penalties:** Any person who violates any section of this ordinance or violates any stipulation of a permit issued pursuant to this ordinance, shall be fined and the fine shall consist of the cost of compensating the City for the cost of replacing the canopy that was lost. This compensation shall be calculated by measuring the canopy cover using recent aerial photography such as Google Maps coverage or aerial photography, determining the number of young trees that would have the equivalent canopy coverage. The fine shall be the sum of the cost of preparing the site, planting those young trees at the current contract rate, and salaries and costs for staff time for selecting, watering and monitoring those trees. ~~Sec. 86-95 — Severability~~