

BFCA Tree Removal Procedures

History

The Covenants, Article II, Section 13 A, states that no living tree with a diameter of 6" or more, measured three feet from the ground may be cut down or have its roots damaged. The ACC, acting on that requirement, found it almost impossible to approve tree removal requests. It then fell to the Board of Directors to consider the tree removal as a variance request. As the Blairstone Forest Community trees have matured since our founding, more management of our forest lands has become critical. In 2015 the Board took over the tree removal application process.

In the Event of an Emergency

Notify any member of the Board. Call a tree removal expert and have the job done. In an emergency, no procedural issue should prevent a homeowner from protecting his/her life and property.

The Rules

The Board has approved the rules listed here for removing trees.

1. Please print our Tree Removal Request Form from the website.
2. Call any tree removal company to ask for an estimate. It is critical that the person signing our tree removal form be International Society of Arboriculture (I.S.A. certified). I.S.A. certification meets all state and local requirements for the definition of an expert arborist.
3. If the arborist approves the tree removal, that person must complete and sign the Tree Removal Form, including providing his/her I.S.A. certification number. It would be prudent to get a written estimate at this time.
4. Submit the removal request to the Board.
5. The Board will promptly reply. The Board will check to confirm that the person signing the form is I.S.A. certified. If he/she is, the Board will approve the removal(s) if the expert marks that the tree poses an unacceptable risk to persons or property. If it is some other reason, the Board will take that into consideration.
6. If the request is approved the homeowner may then contact a tree removal company and proceed with the removal. The work does not have to be done by the company of the I.S.A. arborist signing our tree removal form. Following the Stan Rosenthal "Recommendations" below may save one considerable grief and thousands of dollars in liability costs in the event of an accident.

The Penalty

Removing a live tree with a diameter of 6" or greater without the written variance approved by the Board is specified in the Covenants, Article II, Section 13 B. The homeowner is subject to a penalty assessment of \$150 for each inch of circumference, not diameter, of the tree removed. Article II, Section 13 C states that that measurement is to be taken three feet from the ground. (We are aware that arborists today measure diameter, rather than circumference. They measure at 4.5' up from the ground and refer to DBH, diameter at breast height. We are limited by the Covenants. The Board will use an I.S.A. certified arborist to make that determination if there is a dispute.

Recommendations

The following are summarized, and at times quoted directly, from a paper titled "How to Hire a Tree Service" written by then Leon County Agricultural Extension Office arborist, Stan Rosenthal.

1. When selecting a tree cutting company, be it for removal or pruning, ask for and verify ISA certification of its arborist.

One can search for that information at

<http://www.treesaregood.org/findtreeservices/FindTreeCareService.aspx> .

2. Verify that the company you are dealing with is licensed and insured. Ask for up-to-date proof of their Personal and Property Damage Liability Insurance and Worker's Compensation Insurance. "A good company will have certificates of insurance issued directly to you from their insurance carrier with you listed as the certificate holder. To determine if a business has worker's compensation, contact the insurance carrier listed on the policy you have been shown or the Florida Department of Financial Services." This is their contact information.

Florida Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0300 or 1-877-693-5236 or 850-413-1609. Their website is

<http://www.myfloridacfo.com/wc/employer/index.html> .

"A business may have been issued an exemption from worker's compensation. A wallet size card will bear the seal of the State of Florida, have an authorization signature, and will list the business name, address, the exempted individual, and an effective date. Note, having this exemption means that the homeowner may not be protected from claims if a worker is injured on your property."

"Get two or more free estimates of the work you want done. If you need professional advice on what should be done, a consultation fee may be appropriate. Remember, quality of work may be more important than price. Ask them to prioritize what tasks are most important to accomplish your goals (such as which

trees are most hazardous or which trees are most expensive) so that you can conform your plan to your budget. Ask for a complete written estimate of all services recommended before you sign a contract. This should be on a formal estimate sheet (which may be electronic) with complete details of all work intended to be performed. This should include tasks such as disposal of debris" (Homeowners may want to consider leaving a snag, a 10'-15' "stump" that serves as a bird perch, home, and pantry. That is done on common land.), "cleaning work area, removal of wood or if they will cut and stack firewood. Finally, you should have a clear understanding in writing as to how your property, driveways and lawns, will be protected from potential damage which may be the result of felling trees and use of heavy equipment." Ask about the use of plywood pads to protect ground surfaces. Ask about stump grinding. "This process generally leaves the homeowner with a large quantity of wood chips which may need to be removed. Also, if you plan to re-sod this area, you must remove the woodchips from the hole and backfill with soil prior to re-sodding. The party that is responsible for this should be decided upon in advance." "Always have a signed (which may be electronic) contract stipulating the scope of work, total dollar amount, and completion date of work to be performed. As with any document, read the contract carefully before signing. You should receive a legible copy. This will help protect against possible future disagreements over what services were suggested and agreed to. "You might want to ask you neighbors who have had work done about who they used and how happy they were with the services provided.