

*Village of Rhinebeck, NY
Monday, November 4, 2019*

Chapter 106. Trees

§ 106-5. Protection of trees in development projects.

- A. Each application submitted to the Planning Board for site plan approval, special permit approval and/or subdivision of property within the Village shall be accompanied by a description of all tree removal which is contemplated in conjunction with the project prepared by the applicant. In particular, the description shall include:
- (1) An identification of all heritage trees on the property as may have been identified by the Commission in its inventory;
 - (2) A description of all trees having a dbh of 24 inches or greater;
 - (3) All trees which are locally important or rare in the area;
 - (4) All trees having a notable local or regional historical significance;
 - (5) All trees having a high ecological value; and
 - (6) All trees having important aesthetic or ecological functions.
- B. This description shall be referred by the Planning Board to the Tree Commission upon receipt of a complete application from the applicant. The referral shall also include the complete application, including all site plans, landscape plans, maps, surveys and subdivision plats.
- C. The Commission shall, within 30 days after its receipt of the referral, make a recommendation to the Planning Board of conditions to be imposed in the Planning Board's approval of the project in the form of a tree preservation plan to preserve, maintain or protect the trees on the property. The Commission may also make recommendations concerning the landscaping and screening plans and the protection of trees during construction for each project referred to it.
- D. The Planning Board shall not act on the application until 30 days have expired from the receipt of the referral by the Commission or until it has received a recommendation from the Commission, whichever is earlier.
- E. The Planning Board shall consider, and incorporate where appropriate, the recommendations of the Commission in a tree preservation plan for the project or in conditions of approval to be adhered to by the developer in the development of the property. The Plan shall, in the discretion of the Planning Board:
- (1) Identify and show the location, type, size and health of trees within the development site;
 - (2) State the ultimate disposition and type, size and location of any trees to be planted; and
 - (3) Set forth measures for protection of trees to be saved before, during and after construction.