



MANDATORY TREE PLANTING PLAN (MTPP)

LAW AND COMMENTARY

“220-9B. Mandatory Tree Planting Plan (MTPP):

- “A Statement of Purpose: The purpose of this section is to screen and mitigate the view of proposed residential structures and additions from the street and adjoining properties by requiring a mandatory tree planting plan (“MTPP”) as outlined below.
- (1) If the total Gross Floor Area on a Lot in a single family residential district will exceed 3,500 square feet, then a MTPP must be submitted to and approved by the Village before any Building Permit for construction of additional floor area on the Lot can be issued.
 - (a) If the Gross Floor Area on the Lot will be greater than 3,500 square feet but less than 5,000 square feet, then the MTPP shall be submitted to the Building Department for review and approval.
 - (b) If the Gross Floor Area on the Lot will be equal to or greater than 5,000 square feet, then the MTPP shall be submitted to the Planning Board for review and approval. ***Please refer to Planning Board calendar for submission and meeting dates and Master Fee Schedule for fees. Applications to be submitted to Village Clerk.***
 - (2) Definition:
 - (a) **Required Tree** – a 2½” caliper shade tree, a 3½” caliper or 10’ tall flowering tree, or an 8’ tall evergreen tree, measured per current edition of the American Nursery and Landscape Association (ANLA) Standards. ***Provide schedule indicating species, location, size, caliper, quantity.***
 - (3) A Building Permit for construction of any additional floor area on a Lot on which the principal and accessory structures will have a Gross Floor Area of greater than 3,500 square feet after that construction shall not be issued prior to receipt of approval for the MTPP.

- (4) The MTPP shall be prepared by a registered Landscape Architect, a registered Architect, or a Professional Engineer with a minimum of 5 years of applicable experience. *Separate drawing to include title block, site plan, notes and details, property lines, adjacent public roadways, proposed structure, drives and any other impervious features, existing trees to remain greater than 4" caliper, overhead and underground utility lines, natural features such as wetlands, ponds, streams, rock outcropping, slopes etc., location of neighboring residences, north arrow, scale, seal and signature of a licensed design professional.*
- (5) Every MTPP shall meet the following minimum standards:
- (a) In the case of any free-standing new construction when the total Gross Floor Area on the Lot exceeds 3,500 square feet after the new construction, one Required Tree shall be planted for each 100 square feet of Gross Floor Area or part thereof exceeding 3,500 square feet; PROVIDED, however, that even if Gross Floor Area on the Lot is less than 3,800 square feet, a minimum of three Required Trees shall be planted if the total Gross Floor Area on the Lot exceeds 3,500 square feet.
 - (b) In the case of any addition when the total Gross Floor Area on the Lot exceeds 3,500 square feet after the addition, one Required Tree shall be planted for each 100 square feet of Gross Floor Area or part thereof in the lesser of either (i) the addition or (ii) the total Gross Floor Area on the Lot minus 3,500 square feet, PROVIDED, however, that even if the square feet of Gross Floor Area in the addition is less than 300 square feet, a minimum of three Required Trees shall be planted if the total Gross Floor Area on the Lot exceeds 3,500 square feet after the addition.
 - (c) Required Trees shall generally consist of 33% evergreens.
 - (d) Required Trees shall be selected and located so as to soften and/or mitigate the view of a proposed structure from adjoining streets and properties. *Provide narrative on plan.*
- (6) The approving authority shall take into consideration existing vegetation, terrain, and other physical features of the Lot when reviewing the MTPP for proper placement and size of proposed Required Trees. The approving authority may also consider a MTPP using alternative sizes, mixes, and numbers of Required Trees based on the Lot and surrounding property's particular conditions, but unless the approving authority finds that fewer trees will achieve the purposes of this section, no MTPP using such alternative(s) may be approved unless it is comparable in value to a MTPP calculated for the Lot using Required Trees. *Alternate tree selections require submission of cost estimates.*
- (7) All plantings shall have a minimum one year guarantee from issuance of Certificate of Occupancy. Any planting which the approving authority determines to be diseased, dead, or dying before or during the guarantee year shall be replaced during the next planting season after such determination is made. *Note to be placed on plan indicating guarantee.*

Notes in italics by David J. Turiano P.E. Building Inspector

10/1/2007