



Department of Public Works | 860.584.6125

## MEMORANDUM

DATE: May 9, 2022

TO: Mayor Jeffrey Caggiano  
Board of Public Works

FROM: Raymond A. Rogozinski, P.E., Director of Public Works

RE: **DPW DRAFT POLICY – 19.9 Managing / Protecting City Trees**

Please find attached a proposed draft policy associated with the Department's Management and Protection of City Trees. The majority of the sections/items contained within the draft policy have been previously reported to the Board of Public Works, however the following proposed sections are new or should be highlighted based on public concerns/comments:

1. Section 3bi1 – Determination of City Tree: The DPW currently utilizes the Engineering Division's surveyor to determine if a tree is located on City property and is therefore classified as a City tree. Although the Engineering Division staff is not a licensed surveyor the work is being performed by Thomas Court who has been performing tree surveys for approximately 15 years and is highly skilled. However, DPW anticipates Mr. Court's retirement on July 1, 2022. DPW will be filling the vacant position, however changes to the existing job description are anticipated, therefore the Department is proposing as part of the proposed draft policy to determine City tree ownership by either a review of existing mapping (if available) or based on measurements from the roadway centerline. Please note that the new proposed policy will be consistent with the existing practice of several towns/cities in the region.
2. Section 3h – Healthy Trees / Sanitary Sewer Lateral Roots. The existing DPW policy consists of not cutting healthy trees even when their root clog private sanitary sewer laterals. This policy is in place to reduce sanitary sewer inflow and infiltration. Although tree roots from City trees due clog sanitary sewer laterals it is the City's position that it is a result of the condition of the lateral not the tree. Tree roots enter the lateral due to cracks in the lateral. Although tree roots due increase the size of the cracks the roots gain entry into the lateral via existing cracks (faulty lateral). Since it is the goal of the City to eliminate infiltration and inflow and the removal of the tree does not eliminate the water infiltration the tree is only cut by the Department if it is way of replacing the lateral and the property owner has indicated/demonstrated a commitment to replace the sanitary sewer lateral. With that said, please find attached recent correspondence submitted to the City expressing concern with the Department's existing policy.

Please feel free to contact me with any questions / concerns at 860-584-6113.

# CITY OF BRISTOL – PUBLIC WORKS

## ***19.9 MANAGING / PROTECTING CITY TREES***

### **1. Policy Name**

19.9 Managing and Protecting City Trees

### **2. Policy Statement**

The City of Bristol Department of Public Works is responsible to maintain trees located within the City's street right of way and City properties maintained by the Department of Public Works or under the authority of the Director of Public Works or Tree Warden in accordance with the City Charter and Ct State Statue Sec 23-59.

In accordance with this policy and CT State Statue Sec 23-59 it is the City's objective to maintain and protect healthy trees for the benefit of City residents and to mitigate the risk trees pose to property and persons.

### **3. Policy**

- a. Maintain and protect healthy trees
- b. Evaluate trees when complaints are received that may pose a risk to property or persons. The City does not have or maintain a survey of City trees indicating location, size, type or condition.
  - i. Upon receipt of a complaint the Tree Warden or his designee shall inspect tree to confirm that it is a City Tree and determine the condition/risk of failure of said tree.
    1. Determination of City owned tree shall be based on location as determined by available mapping or a measurement from the pavement centerline to the edge of the right way (typically 50 ft.). The property owner shall reserve the right to obtain the services of a licensed survey to determine/confirm ownership of the tree. Tree location is based on the location 3 ft. above average surrounding grade.
    2. Tree evaluation performed by the City shall be based on a visual inspection from the ground to evaluate risk of failure. The property owner shall reserve the right to submit a report from a Licensed Arborist in the State of Connecticut. A report from the tree cutting service is insufficient. In addition, the Department of Public Works may also may procure the services of a Licensed Arborist to perform an additional evaluation.
- c. Trees that pose an immediate hazard shall be removed/cut by the City. All other trees scheduled for removal shall be posted for a period of 10 days in accordance with Ct State Statue 23-59. Once posted the City shall conduct a hearing in accordance with State Statue if a protect / concern is received by the public. In accordance with CT State Statue decision of the Tree Warden are final and appeal is through the CT State Superior Court.
- d. As indicated in Section 3c, tree that are not classified as an immediate hazard shall be posted. The requirement to post trees by the Department of Public Works Tree Warden shall extend to trees removed by the DPW on property under the control of the Park

Department, Board of Education or Cemetery property. Said posting shall direct communication to the DPW Tree Warden.

- e. Trees located on private property are the responsibility of the property owner not the City of Bristol. Private trees that are determined by the Tree Warden to pose an extreme eminent hazard in conjunction with the City's Building Official and/or Fire Chief shall be removed at the private property owner's expense. If necessary to eliminate hazard, the City shall remove/cut the tree and lien the private property to recoup cost in accordance with City property maintenance ordinance/regulations.
- f. Trees where a portion of the tree is located on private property and public property (street right of way) are defined as shared ownership. Since the objective of the Department is to limit City risk, trees that are classified as shared ownership that pose a risk to the public are removed/cut or trimmed to remove the hazard at City expense. Care is taken during tree trimming as to not unbalance the tree, therefore trimming on the City portion of the tree often results in the removal of the entire tree. For large trees that are primarily located on private property and do not pose a risk to the public – but do pose a risk to private property – the Department's shall notify the private property owners that the City is not responsible for removing the hazard (cutting/trimming trees).
- g. Reference in this policy to tree removed by the City in general consist of work performed directly by the Department of Public Works Street Division, however there are times due to either work load, hazard (electrical), location, or the need of specialized equipment that requires work to be performed by a private vender (tree company) procured in accordance with City purchasing requirements.
- h. In order to ensure that healthy trees within the City right of way are not removed property owners are not permitted to remove City trees without obtaining authorization from the Tree Warden. This extends to property owners claiming damage to their sanitary sewer lateral associated with roots from City trees. Under these circumstances, DPW allows the tree to be removal if it is necessary to replace or repair the sanitary sewer lateral. DPW does not allow tree removal if the sanitary sewer lateral is of sufficient distance from the tree that replacement of the lateral will not damage the tree. Although the City understands that tree roots from a City tree can and do clog sanitary sewer laterals, the primary focus of the City's Water & Sewer Department is to reduce inflow and infiltration, therefore property owners are required to repair/replace sanitary laterals to prevent roots from entering the pipe. Removing the tree does not solve the issue of a failed/damaged pipe.
- i. Removal of a City Tree shall include the stump. The Department of Public Works shall grind the stump to approximately 4 inches below the ground surface unless otherwise directed by the Director of Public Works. The disturbed area shall be loamed and seeded.
- j. Tree removal by the Department of Public Works shall include the removal of all brush and branches. Wood that can be used as firewood shall may be left on the property in question and/or along the roadway for residents to take/use. Said wood shall be removed after a period of two weeks.
- k. Wood debris / wood chips shall be disposed of at the Department of Public Works transfer station for disposal or the Department may provide wood chips to residents/non-profits if requested. Said wood chip shall consist of full truck loads and shall be approved by either the Director of Public Works or Board of Public Chair based on the Departments operational needs.

1. The Department of Public Works does not perform tree trimming to reshape trees and does not support trimming of branches that will unbalance a tree canopy. In general the Department's tree trimming shall be limited to the removal of dead wood.

**4. Responsible Division and effective date**

Public Works Director of Public Works/ Tree Warden and the Departments Streets Division

**5. Approval authority:**

Board of Public Works

**6. Approval Date:**

June 16, 2022

**7. Effective Date:**

July 1, 2022

## Lindsey Rivers

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**From:** Raymond Rogozinski  
**Sent:** Friday, April 29, 2022 2:39 PM  
**To:** Mayor'sOffice  
**Cc:** Robert Longo  
**Subject:** RE: Sanitary sewer lateral - tree  
**Attachments:** MEMO\_BPW Trees Sanitary Sewer Laterals.pdf

As the tree warden I would acknowledge that the City can survive the loss of one tree, however as a policy healthy trees should not be cut down.

The primary issue is that the tree roots are in a lateral as a function of a damaged/leaking lateral. If the lateral did not have a break in it the tree roots would not find their way into and block the lateral. If we cut the tree the roots typically continue to grow "fighting for life" and will still block the lateral until it is replaced. If the resident is agreeable to replacing the lateral and the tree is in the way of excavation DPW would cut down the tree. We get 3-4 of these type of issue a years.

Available to discuss.

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**From:** Mayor'sOffice  
**Sent:** Friday, April 29, 2022 2:29 PM  
**To:** Raymond Rogozinski <RaymondRogozinski@bristolct.gov>  
**Subject:** FW: Sanitary sewer lateral - tree

Hi Ray,

In the complaint email the owner states the City of Bristol said it was the City's trees?

I'm not trying to question you? I guess if it was me I would have just had them cut down.

IDK

TY,

Kirsten

**Kirsten Girouard**  
Office of the Mayor  
Executive Administrator  
111 North Main St.  
Bristol, Ct. 06010  
860-584-6250

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**From:** Raymond Rogozinski  
**Sent:** Friday, April 29, 2022 1:56 PM  
**To:** Mayor'sOffice <[MayorsOffice@bristolct.gov](mailto:MayorsOffice@bristolct.gov)>; Jeffrey Caggiano <[jeffcaggiano@bristolct.gov](mailto:jeffcaggiano@bristolct.gov)>  
**Cc:** Robert Longo <[RobertLongo@bristolct.gov](mailto:RobertLongo@bristolct.gov)>  
**Subject:** Sanitary sewer lateral - tree

Please see attached. Information provided to resident in response to initial request.

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**From:** Mayor'sOffice  
**Sent:** Friday, April 29, 2022 1:50 PM  
**To:** Jeffrey Caggiano <[jeffcaggiano@bristolct.gov](mailto:jeffcaggiano@bristolct.gov)>; Raymond Rogozinski <[RaymondRogozinski@bristolct.gov](mailto:RaymondRogozinski@bristolct.gov)>  
**Subject:** FW:

He has an excellent point?

**Kirsten Girouard**  
Office of the Mayor  
Executive Administrator  
111 North Main St.  
Bristol, Ct. 06010  
860-584-6250

**From:** Brian Williams [<mailto:bwill2184@gmail.com>]  
**Sent:** Friday, April 29, 2022 12:53 PM  
**To:** Mayor'sOffice <[MayorsOffice@bristolct.gov](mailto:MayorsOffice@bristolct.gov)>  
**Subject:**

Good morning Mayor Caggiano,

My house is located @ 15 Garden Terrace. I'm contacting you concerning an issue that has been troubling our household for some time now.

A couple years back, we were having problems with our house's sewage drainage system. The system "backed-up" a couple times resulting in pretty significant damage to the basement of our house. Come to find out, the large trees in the front of our property compromised the drainage system through root infiltration. The trees are located within two feet of the street. I appealed to the town around two years back to see what, if anything, we could do. Someone from the town came to review the trees and confirmed that they are, in-fact, the town's trees. After receiving that info, we appealed to get permission to cut the trees down, at our expense, and we were denied permission. We were denied without reason. Obviously, this was pretty upsetting. We spent \$5000 to fix our drainage pipe, and the company strongly recommended we cut the trees down due to the high possibility that the roots would go after our pipes again.

We are a humble family of four, grew up in Bristol, and we do our very best to be upstanding members of this lovely town. It was hard enough coming-up with the money to pay for the pipe excavation/repair, and it would be downright financially debilitating if this expense were to arise a second time. It's just frustrating that we gave a very rational reason for the town to cut down the trees, i.e., the future possibility of root infiltration, and we were still denied.

If your office can revisit this issue, we would greatly appreciate it.

Thanks again for your attention to this email and have a wonderful weekend.

Respectfully,

Brian Williams – Homeowner



Public Works | 860-584-6125

## Memorandum

Date: September 8, 2020

To: Mayor Zoppo-Sassu  
Board of Public Works

CC: Robert Longo, Director of Water/WPC  
Wyland Dale Clift, Corporation Counsel

From: Raymond A Rogozinski, P.E., Public Works Director

**Re: Removal of City Trees Clogging Private Sanitary Sewer Laterals/ Trees on Private Property**

The Department of Public Works has received requests from property owners to remove City trees in locations where the tree roots are clogging their sanitary sewer lateral. In response to these request property owners are advised that if tree roots are getting into their sanitary sewer lateral the lateral should be replaced. Tree roots migration into sanitary sewer laterals is indicative of a leaking sanitary lateral that is a source of infiltration and in need of replacement/repair.

Property owners are directed to contact the WPC/Water Department regarding required permits. The DPW advises the property owners that the DPW will remove the City tree if the tree is in the way of work required to replace the sanitary sewer lateral otherwise the tree will not be remove if it is healthy.

The DPW has also received a number of complaints associated with private trees. The typical concern consist of a property owner indicating that an adjacent property owner has a hazardous tree that is a risk of falling and damaging their property. As tree warden my authority to remove trees is limited to City property (not under the control of another department such as DOE, Park or Water/WPC) and City roadway right of ways. The City does not have the right or authority to remove private trees.

When DPW receives complaints associated with private trees, property owners are advised of the City tree warden authority & limitations. I do, at times, schedule on-site visits to inspect the private trees and if I determined that the tree poses an extreme hazard I will issue a letter to the property owner in question. One issue, is that all trees pose a risk and even an apparent healthy tree can cause damage either by falling or from a broken limbs.

Please feel free to contact me with any questions/concerns at 860-584-6113.