

## Village of Mamaroneck Tree Law Frequently Asked Questions

### **Does this law mean I can't take down any of my own trees without a permit?**

No. Permits are needed only if you plan to remove a tree that is at least 8 inches diameter, measured 4 ½ feet above the ground. If your tree is in or near a wetlands area, the diameter must be greater than 3 inches at 4 ½ feet.

### **But what about a tree that's dangerous, dead or diseased?**

The Village Manager or other qualified Village employee can approve emergency removal without waiting for a permit.

### **How do I get a permit?**

Permit applications are available online at <https://www.village.mamaroneck.ny.us/building-department/files/tree-application>. You may complete it online and submit with electronic payment of the fee, or you may print it out and send it with your payment to:

Village of Mamaroneck Clerk Treasurer  
123 Mamaroneck Ave.  
Mamaroneck, NY 10543

You may also pick up a printed form at the Clerk Treasurer's office at 123 Mamaroneck Ave.

### **How much is does a permit cost?**

\$25

### **A tree just fell on my house. I can't wait for someone to come and say I can remove it.**

A tree that's part of an ongoing emergency may be removed right away. Within three business days, you need to send in documentation of the emergency and a permit application. Photographs of the fallen tree and damage are fine.

### **There's a large tree growing right next to my garage. I'm afraid the tree will fall on it in a storm.**

You will be given a permit to remove it if it's within 10 feet of a building.

### **I think my tree is dangerous but the Village disagrees. What can I do?**

You may hire a certified arborist from a list on the Village website to get an outside opinion. You'll be responsible for paying for the arborist.

### **I want to do some construction that involves removing some trees. Do I need Planning Board approval for my site plan?**

The Building Department will let you know when you apply for building and tree permits whether the Planning Board needs to approve your plans.

**The Planning Board approved taking out some trees as part of my site plan.**

**Do I still need a separate permit?**

No.

**I hear I have to plant more trees when I take out a protected one. I don't have space for a lot more trees.**

If your property is less than 14,500 square feet, roughly a third of an acre, you only need to replant one tree. Larger properties may need to plant more trees, depending on the size of the tree that came out. The full replacement table is in the Village code at *318-8 G (1) (a)*.

**Does it matter what kind of tree I plant as a replacement?**

The new tree must be a non-invasive species that will mature to a similar height and size as the one you took out. There's a list of species recommended by the Village on our website at <https://www.village.mamaroneck.ny.us/>, but you don't have to limit yourself to this list.

**Do I have to put the new tree in the same spot where the old one was growing?**

No.

**One of my trees was blown over in a storm. Do I need to plant a new one?**

No.

**I damaged a tree pretty badly doing some construction. Do I have to replace it?**

Yes.

**I like open space and I want to take out three or four large trees. Is that okay?**

You may receive permits to remove up to three protected trees within 36 months. If it's a wetlands area, the limit is two protected trees within 24 months. The replanting requirements still apply, however.

**I planted a replacement tree last year but it died. Now what?**

Replacement trees that don't survive for two calendar years need to be replaced again.

**The Village says branches from my tree are blocking the sidewalk space. Can they make me prune it?**

Yes.

**What happens if I don't do the pruning?**

When the Village sent the notice about pruning, it also said that the Village may enter your property to do the pruning if you don't comply. You will be billed for this work.

**What's the fine if I just go ahead and take out a tree without a permit?**

The fine for removing one or two protected trees is \$1,050 to \$5,000. It's \$1,500 to \$7,500 for each additional tree that you take out. Also, your building, demolition, and excavation permits will be suspended and you won't receive a Certificate of Occupancy until the violation has been resolved.

**Why aren't the fines higher for clear cutting?**

The Village was looking for a balance between discouraging clear cutting and being unduly harsh to homeowners. But that \$1,500 to \$7,500 for each additional tree adds up.