

**CLEARING OR REMOVAL OF VEGETATION FOR ACTIVITIES OTHER THAN
TIMBER HARVESTING IN THE TOWN OF ACTON**

Within a Resource Protection District adjacent to a great pond, there shall be no cutting of vegetation within the strip of land extending seventy-five feet (75') horizontal distance, inland from the normal high water line, except to remove safety hazards. Elsewhere, in any Resource Protection District the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that District.

Except in areas as described above and except to allow for the development of permitted uses, within a strip of land extending one hundred feet (100'), horizontal distance, inland from the normal high water line of a great pond or river, and seventy-five feet (75'), horizontal distance, from any other water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

- a. There shall be no cleared opening greater than two hundred fifty square feet (250 sq. ft.) in the forest canopy (or other existing woody vegetation if a forested canopy is not present), as measured from the outer limits of the tree or shrub crown. However, a footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed, provided that a cleared line of sight to the water through the buffer strip is not created.
- b. Selective cutting of trees within the buffer strip is allowed, provided that the applicant submits to the CEO a plan for selective cutting in accordance with this section of the Ordinance, and that a well-distributed stand of trees and other vegetation is maintained. For the purposes of section, a "well-distributed stand of trees and other vegetation" adjacent to a great pond or a river or a stream flowing to a great pond, shall be defined as maintaining a rating score of twelve (12) or more in each ~~any~~ twenty-five foot (25') by twenty-five foot (25') square, six hundred twenty-five square feet (625 sq. ft.) area as determined by the following rating system:

Tree at 4 1/2 feet above Ground Level (inches)	Points
2-4 inches	1
4-12 inches	2
12 inches	4

Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees and other vegetation" is defined as maintaining a minimum rating score of eight (8) per twenty-five (25) foot square area.

NOTE:For the purposes of section b, "other natural vegetation" is defined as retaining existing vegetation under three feet (3') in height and other ground cover, and retaining at least three (3) saplings less than two inches (2") in diameter at four and one-half feet (4 1/2") above ground level for each twenty five foot (25' by 25') rectangular area. If three (3) saplings do not exist, no woody stems less than two inches (2") in diameter can be removed until three (3) saplings have been recruited into the plot.

Notwithstanding the above provisions of this section, no more than forty percent (40%) of the total volume of trees four inches (4") or more in diameter, measured at four and one-half feet (4-1/2') above ground level, may be removed in any ten (10) year period.

- c. To protect water quality and wildlife habitat, existing vegetation under three feet (3') in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses as described in Paragraphs 2 and 2a above.
- d. Pruning of tree branches on the bottom one-third (1/3) of the tree is allowed.
- e. To maintain a buffer strip of vegetation when the removal of storm damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native trees species unless existing new tree growth is present.

NOTE: This does not apply to those portions of public recreational facilities adjacent to public swimming areas as long as cleared areas are limited to the minimum area necessary.

At distances greater than one hundred (100) feet, horizontal distance, from a great pond or river, and seventy-five feet (75'), horizontal distance, from the normal high water line of any other water body, tributary stream, or the upland edge of a wetland, , there shall be allowed on any lot, in any ten (10) year period, selective cutting of not more than forty percent (40%) of the volume of trees four inches (4") or more in diameters, measured four and one-half feet (4-1/2") above the ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty percent (40%) calculation. For the purposes of these standards, volume may be considered to be equivalent to basal area.

In no event shall cleared openings for any purpose, including, but not limited to, principal and accessory structures, driveways, lawns, and sewage disposal areas, exceed in the aggregate, twenty-five percent (25%) of the lot area within the Shoreland District or ten thousand square feet (10,000 sq. ft.), whichever is greater, including land previously cleared.

Legally existing non-conforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance.

Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of this section.