

HVPOA Policy  
Removal of Trees and Shrubs from Lots (March 16, 2014)

Extracted from HVPOA Covenants:

*Clearing of Lots shall not exceed forty percent (40%) of natural tree cover, and any trees larger than 8" in diameter at a height of 6' may be cut only by express written approval of the Declarant or subsequent Owners Association, once established hereunder. Clearing of trees is permitted for the purpose of building a home and appurtenant structures and any required septic systems, subject to conditions or limitations as stated elsewhere herein.*

*Setback lines shall be a seventy-five foot **visual screen of natural vegetation**. Exceptions may be permitted due to Lot shape or terrain and shall require express written approval of the Declarant or subsequent Owners Association. All buildings and above-ground improvements shall be screened from sight from subdivision roads and adjoining Lot(s) by a visual screen of natural vegetation.*

From Visual Screening & Setback Policy:

***"Natural vegetation"** as stated in the covenants is interpreted to mean existing vegetation in an undisturbed state. If the existing vegetation within the buffer zone is cleared or otherwise disturbed during construction (e.g. driveway construction), then it should be replaced with native plants, whenever possible. Replanting native vegetation fosters a harmonious blending of the human and natural environments and helps to restore the ecosystem. While native species are preferred, the exact selection of plant types will be generally left to the owner's discretion.*

*Therefore in our view the term "visual screen" does not mean that a structure must necessarily be completely invisible from subdivision roads and adjoining lots.. Such an interpretation could be impossible or at least very difficult to achieve. Rather, there should be a 75-foot set-back area of natural vegetation, to maintain an attractive setting, one in harmony with the natural setting of the area, as described in the "General Character and Purpose" section of the Covenants.*

Policy for Removal of Trees and Shrubs

• **Non-Native tree or shrub:**

Owners may remove ANY non-native tree or shrub from any area of their property – examples include:

- *Euonymus alatus*, also known as "winged spindle", "winged euonymus" or "burning bush"
- *Ailanthus altissima*, also known as "tree of heaven"
- *Paulownia tomentosa*, also known as the "princess tree"
- *Acer platanoides*, also known as "Norway maple"
- *Ilex crenata*, also known as "Japanese holly" or "box-leaved holly"
- *Berberis thunbergii* also known as "Japanese barberry", "Thunberg's barberry" or "red barberry"
- *Acer palmatum*, also known as "Japanese Maple" or "Smooth Japanese Maple"

• **Native tree removal** (with exception of Virginia pine (*Pinus virginiana*) & White Pine (*Pinus strobus*) see below\*) after initial construction clearing for structures, septic system, well, driveway, and utility lines:

- Within 75-foot (or other HVPOA-approved) setback area:
  - Lot owners may remove any dead or dying tree
  - Lot owners must obtain Environmental Control Committee (ECC) review and Board approval to remove any healthy, native tree or shrub
- Outside 75-foot (or other HVPOA-approved) setback area:

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- Lot owners may remove any dead or dying tree
  - Lot owners may remove any living tree if less than 8" diameter at 6-feet high, as long as the removal does not violate the HVPOA covenant clause: *Clearing of Lots shall not exceed forty percent (40%) of natural tree cover.*
  - Lot owners must obtain ECC review and Board approval to remove any healthy, native tree greater than 8" diameter at 6-feet high
- **\*Virginia Pine (*Pinus virginiana*) & White Pine (*Pinus strobus*)**
    - Pine trees in many parts of Horizons Village are beginning to fall as the hardwood forest takes over. This presents risks to structures and roadways. Pine trees are also highly flammable and present particular fire hazards around structures and roads.
    - Therefore, lot owners may remove Virginia Pine or White Pine from anywhere on their lots as long as the removal does not violate the HVPOA covenant clause: *Clearing of Lots shall not exceed forty percent (40%) of natural tree cover.*
    - Lot owners of a lot that is primarily pine, who think it is in the community's best interest to remove more than the allowed 40% of tree cover, may request an exception to this policy from the ECC and the Board.