

BURKE CENTRE CONSERVANCY
ADMINISTRATIVE AND POLICY RESOLUTION NO. 6C-8
BURKE CENTRE CONSERVANCY TREE MAINTENANCE POLICY
Amended January 19, 2021

WHEREAS, as set forth in Article IV, Section 1 of the Declaration of Covenants and Restrictions, the Burke Centre Conservancy was established to preserve and protect the physical environment of the community; and

WHEREAS, Article VI, Section 8 of the Burke Centre Conservancy By-Laws empowers the Board of Trustees to promulgate and enforce rules and regulations governing the operation and use of the common area; and

WHEREAS, the Board of Trustees has determined that a policy resolution is necessary to address various issues concerning the care and maintenance of trees on the Properties within the Conservancy; and

NOW THEREFORE, BE IT RESOLVED THAT the following text be adopted as the Burke Centre Conservancy tree policy, and included in the Rules and Regulations of the Conservancy; and

BE IT FURTHER RESOLVED THAT this resolution shall supersede all previously published Burke Centre Conservancy policies, rules and guidelines relative to trees within the community.

I. General

The Conservancy recognizes that trees constitute a valuable aspect of our natural resources and therefore promotes a policy of tree conservation whenever possible. To that end, the removal of healthy trees from the properties is subject to review by the Burke Centre Conservancy Open Space Committee and/or the Architectural Review Board.

In furtherance of Conservancy tree conservation efforts, it is the policy of Burke Centre to grant easements through forest areas only as a last resort if alternative routes through non-forested areas cannot be accomplished.

This policy sets forth the general maintenance responsibilities for trees on the Properties within the Burke Centre Conservancy, however it cannot anticipate every situation that may occur involving trees, and in those cases, this policy shall serve as a guide for decisions made by the Conservancy Staff, or its governing bodies with respect to tree issues.

II. Property Categories

The Burke Centre Tree Maintenance Policy establishes the rules for managing and conserving the tree population on the Properties, and sets forth the level of expected care for trees according to the following property categories:

A. **Conservancy Managed Areas** - refers to common areas owned or leased by the Conservancy that are managed by performing routine maintenance of trees and landscaped areas located thereon. Conservancy managed areas include the land in and around certain amenities such as ponds, trails, large landscaped grass areas, community centers, tot lots, swimming pools, multi-purpose basketball courts, ball fields, sand volley ball courts and tennis courts. *See Exhibit I (a) for example. For management and maintenance responsibilities, see Section III, A, below.*

B. **Conservancy Natural Areas** – refers to common area owned or leased by the Conservancy where routine maintenance to trees and landscape features is generally not performed except in cases where a known hazard exists and must be remediated. Conservancy natural areas include forested areas, tree preserve areas, Resource Protection Areas (RPA's), and other areas that do not receive routine landscape maintenance. *See Exhibit I (b) for example. For management and maintenance responsibilities, see Section III, B, below.*

C. **Conservancy Buffer Areas** – refers to common area owned or leased by the Conservancy and consists of the first fifteen (15) feet into a Conservancy Natural Area, which is adjacent to Conservancy or Cluster managed Areas or Private Property. *See Exhibit I (c) for example. For management and maintenance responsibilities, see Section III, C, below.*

D. **Cluster Managed Areas** - refers to common areas owned or leased by the Conservancy that are designated as cluster common area in the Governing Documents, and are managed by performing routine maintenance of trees and landscaped areas located thereon. *See Exhibit I (d) for example. For management and maintenance responsibilities, see Section III, D, below.*

E. **Cluster Natural Areas** - refers to common areas owned or leased by the Conservancy that are designated as cluster common area in the governing documents, and where routine maintenance to trees and landscape features is generally not performed except in cases where a known hazard exists and must be remediated. *See Exhibit I (e) for example. For management and maintenance responsibilities, see Section III, E, below.*

F. **Cluster Buffer Areas** – refers to common areas owned or leased by the Conservancy that are designated as cluster common area in the Governing Documents and consists of the first fifteen (15) feet into a Cluster Natural Area, which is adjacent to Conservancy or Cluster managed Areas or Private Property. *See Exhibit I (f) for example. For management and maintenance responsibilities, see Section III, F, below.*

G. **Private Property** – refers to all property not owned, leased or maintained by the Conservancy including all residential lots, commercial lots, and condominium and cooperative clusters subject to the Declaration of Covenants, Conditions and Restrictions of the Burke Centre Conservancy. *See Exhibit I (g) for example. For management and maintenance responsibilities, see Section III, G, below.*

III. Tree Management and Maintenance Responsibilities by Property Category

A. Conservancy Managed Areas

1. Tree Evaluation and Inventory

The Conservancy, at its expense, will conduct a tree inventory and assessment with identification numbers and GPS mapping for significant trees in the area. Each tree will be visually evaluated for size, species, diameter, condition rating, and general problems. Subsequent inspections will be conducted at a time and interval as deemed appropriate and determined by the Board of Trustees.

2. Tree Pruning

The Conservancy, at its expense, will perform hazard pruning to remove dead and/or hazardous limbs as identified in item one above, or as determined necessary during the course of subsequent inspections performed by Conservancy Staff or consultants.

The Conservancy will not remove limbs from trees extending over private property.

3. Tree Removal

The Conservancy, at its expense, will remove trees that are dead and/or in imminent danger of falling. Trees that present a safety, environmental or aesthetic concern may be removed in the sole discretion of the Conservancy.

4. Stump Grinding

The Conservancy, at its expense, will grind to grade the stumps of uprooted or cut trees and restore the area to the condition of the surrounding ground.

5. Tree Debris Removal

The Conservancy, at its expense, will remove tree debris from fallen or cut trees. Tree debris may be chipped into natural or buffer areas, or removed from the site.

6. Tree Replacement

The Conservancy may, in its sole discretion, replace trees that have fallen or been removed.

7. Other

Vines - Invasive vines growing on trees in Conservancy Managed Areas will be cut near the base of the tree to deter the further growth of the vine, and removed from the tree if practicable at Conservancy expense.

Trail Maintenance - The Conservancy will, at its expense, undertake trail maintenance which will include the trimming of tree limbs and other vegetation to allow a minimum clearance from the surface of the trail to a height of ten feet. Significant tree debris will be cleared to within five (5) feet on both sides of the trail.

Poison Ivy - Poison ivy within three (3) feet of a trail and within ten (10) feet of the tot lots and other recreation sites will be treated as required at Conservancy expense.

Acts of God – The Conservancy is responsible for the removal of trees and debris from its property that have fallen from other properties due to an Act of God.

B. Conservancy Natural Areas

1. Tree Evaluation and Inventory

No tree evaluation or inventory will be conducted in these areas unless deemed appropriate and authorized by the Board of Trustees.

2. Tree Pruning

Tree pruning is generally not performed except in cases where a known hazard exists and must be remediated.

The Conservancy will not remove limbs from trees extending over Private Property.

3. Tree Removal

It is the policy of the Conservancy to allow dead or leaning trees not likely to cause a safety or environmental concern to fall and naturally decay in Conservancy Natural Areas. Trees that present a safety, environmental or aesthetic concern may be removed in the sole discretion of the Conservancy, at its expense.

4. Stump Grinding

It is the policy of the Conservancy not to grind or remove stumps in Conservancy Natural Areas.

5. Tree Debris Removal

It is the policy of the Conservancy not to remove limbs or tree debris from Conservancy Natural Areas. Tree debris may be chipped into natural or buffer areas, or removed from the site if such debris presents a hazard to property or the environment in the sole discretion of the Conservancy.

6. Tree Replacement

The Conservancy may, in its sole discretion, replace trees that have fallen or been removed.

7. Other

Vines - The Conservancy will generally not remove invasive vines growing on trees in Conservancy Natural Areas unless the vines present a hazard to property or the environment in the sole discretion of the Conservancy.

Trail Maintenance - The Conservancy will, at its expense, undertake trail maintenance which will include the trimming of tree limbs and other vegetation to allow a minimum clearance from the surface of the trail to a height of ten feet. Significant tree debris will be cleared to within five (5) feet on both sides of the trail.

Poison Ivy - Poison ivy within three (3) feet of a trail and within ten (10) feet of the tot lots and other recreation sites will be treated as required at Conservancy expense.

Acts of God – The Conservancy is responsible for the removal of trees and debris from its property that have fallen from other properties due to an Act of God.

C. Conservancy Buffer Areas

1. Tree Evaluation and Inventory

No tree evaluation or inventory will be conducted in these areas unless deemed appropriate and authorized by the Board of Trustees.

2. Tree Pruning

Tree pruning is generally not performed except in cases where a known hazard exists and must be remediated.

The Conservancy will not remove limbs from trees extending over Private Property.

3. Tree Removal

The Conservancy, at its expense, will remove trees that are dead and/or in imminent danger of falling. Trees that present a safety, environmental or aesthetic concern may be removed in the sole discretion of the Conservancy at its expense.

4. Stump Grinding

It is the policy of the Conservancy not to grind or remove stumps in Conservancy Buffer Areas. Stumps will be cut to ground level at Conservancy expense.

5. Tree Debris Removal

The Conservancy, at its expense, will remove tree debris from fallen or cut trees in Conservancy Buffer Areas. Tree debris may be chipped into natural or buffer areas, or removed from the site.

6. Tree Replacement

The Conservancy may, in its sole discretion, replace trees that have fallen or been removed.

7. Other

Vines - Invasive vines growing on trees in Conservancy Buffer Areas will be cut near the base of the tree to deter the further growth of the vine at Conservancy expense.

Trail Maintenance - The Conservancy will, at its expense, undertake trail maintenance which will include the trimming of tree limbs and other vegetation to allow a minimum clearance from

the surface of the trail to a height of ten feet. Significant tree debris will be cleared to within five (5) feet on both sides of the trail.

Poison Ivy - Poison ivy within three (3) feet of a trail and within ten (10) feet of the tot lots and other recreation sites will be treated as required at Conservancy expense.

Acts of God – The Conservancy is responsible for the removal of trees and debris from its property that have fallen from other properties due to an Act of God.

D. Cluster Managed Areas

1. Tree Evaluation and Inventory

The Conservancy, at its expense, will conduct a tree inventory and assessment with identification numbers and GPS mapping for significant trees in the area. Each tree will be visually evaluated for size, species, diameter, condition rating, and general problems. Subsequent inspections will be conducted at a time and interval as deemed appropriate and determined by the Board of Trustees.

2. Tree Pruning

The Conservancy, at its expense, will perform hazard pruning to remove dead and/or hazardous limbs as identified in item one above, or as determined necessary during the course of subsequent inspections performed by Conservancy Staff or consultants.

Low level pruning (up to fifteen feet), if necessary, will be performed at cluster expense, and included in the cluster landscape contract services, if any.

Developmental pruning, crown thinning and other pruning desired by the cluster may be performed at cluster expense through coordination with Conservancy Staff.

The Conservancy will not remove limbs from trees extending over private property.

3. Tree Removal

The Conservancy, at its expense, will remove trees that are dead and/or in imminent danger of falling. Trees that present a safety, environmental or aesthetic concern may be removed in the sole discretion of the Conservancy at its expense.

The Cluster, at its expense, may arrange and pay for routine removal/addition/replacement of trees in Cluster Managed Areas, and gain ARB approval for these changes. Routine removal

includes volitional removal of trees for aesthetic reasons and does not include removal of dead or dangerously leaning trees, which can be removed without ARB approval based on safety concerns by the Conservancy at its expense.

The Cluster must submit requests for volitional tree removal/additions to the Open Space Committee for their recommendations prior to submitting the requests to the ARB.

4. Stump Grinding

The Conservancy, at its expense, will cut to grade the stumps of uprooted or cut trees. The Cluster, at its expense, may grind the stump and restore the area to the condition of the surrounding ground.

5. Tree Debris Removal

The Conservancy, at its expense, will remove tree debris from fallen or cut trees. Tree debris may be chipped into natural or buffer areas, or removed from the site.

6. Tree Replacement

The Cluster may request approval for replacement trees through the Open Space Committee and the Architectural Review Board. Tree replacement shall be at Cluster Expense.

7. Other

Vines - Invasive vines growing on trees in Cluster Managed Areas will be cut near the base of the tree to deter the further growth of the vine, and removed from the tree if practicable at Conservancy expense.

Trail Maintenance - The Conservancy will, at its expense, undertake trail maintenance which will include the trimming of tree limbs and other vegetation to allow a minimum clearance from the surface of the trail to a height of ten feet. Significant tree debris will be cleared to within five (5) feet on both sides of the trail.

Poison Ivy - Poison ivy within three (3) feet of a trail and within ten (10) feet of the tot lots and other recreation sites will be treated as required at Conservancy expense.

Acts of God – The Conservancy is responsible for the removal of trees and debris from its property that have fallen from other properties due to an Act of God.

E. Cluster Natural Areas

1. Tree Evaluation and Inventory

No tree evaluation or inventory will be conducted in these areas unless deemed appropriate and authorized by the Board of Trustees.

2. Tree Pruning

Tree pruning is generally not performed except in cases where a known hazard exists and must be remediated.

The Conservancy will not remove limbs from trees extending over Private Property.

3. Tree Removal

It is the policy of the Conservancy to allow dead or leaning trees not likely to cause a safety or environmental concern to fall and naturally decay in Cluster Natural Areas. Trees that present a safety, environmental or aesthetic concern may be removed in the sole discretion of the Conservancy at its expense.

The Cluster, at its expense, may arrange and pay for routine removal/addition/replacement of trees in Cluster Natural Areas, and gain ARB approval for these changes. Routine removal includes volitional removal of trees for aesthetic reasons.

The Cluster must submit requests for volitional tree removal/additions to the Open Space Committee for their recommendations prior to submitting the requests to the ARB.

4. Stump Grinding

It is the policy of the Conservancy not to grind or remove stumps in Cluster Natural Areas.

5. Tree Debris Removal

It is the policy of the Conservancy not to remove limbs or tree debris from Cluster Natural Areas. Tree debris may be chipped into natural or buffer areas, or removed from the site if such debris present a hazard to property or the environment in the sole discretion of the Conservancy.

6. Tree Replacement

The Cluster may request approval for replacement trees through the Open Space Committee

and the Architectural Review Board. Tree replacement shall be at Cluster Expense.

7. Other

Vines - The Conservancy will generally not remove invasive vines growing on trees in Cluster Natural Areas unless the vines present a hazard to property or the environment in the sole discretion of the Conservancy.

Trail Maintenance - The Conservancy will, at its expense, undertake trail maintenance which will include the trimming of tree limbs and other vegetation to allow a minimum clearance from the surface of the trail to a height of ten feet. Significant tree debris will be cleared to within five (5) feet on both sides of the trail.

Poison Ivy - Poison ivy within three (3) feet of a trail and within ten (10) feet of the tot lots and other recreation sites will be treated as required at Conservancy expense.

Acts of God – The Conservancy is responsible for the removal of trees and debris from its property that have fallen from other properties due to an Act of God.

F. Cluster Buffer Areas

1. Tree Evaluation and Inventory

The Conservancy, at its expense, will conduct a tree inventory and assessment with identification numbers and GPS mapping for trees in the area deemed capable of significant property damage if toppled. Each tree will be visually evaluated for size, species, diameter, condition rating, and general problems. Subsequent inspections will be conducted at a time and interval as deemed appropriate and determined by the Board of Trustees.

2. Tree Pruning

Tree pruning is generally not performed except in cases where a known hazard exists and must be remediated.

The Conservancy will not remove limbs from trees extending over Private Property.

3. Tree Removal

The Conservancy, at its expense, will remove trees that are dead and/or in imminent danger of falling. Trees that present a safety, environmental or aesthetic concern may be removed in the sole discretion of the Conservancy at its expense.

The Cluster, at its expense, may arrange and pay for routine removal/addition/replacement of trees in Cluster Buffer Areas, and gain ARB approval for these changes. Routine removal includes volitional removal of trees for aesthetic reasons.

The Cluster must submit requests for volitional tree removal/additions to the Open Space Committee for their recommendations prior to submitting the requests to the ARB.

4. Stump Grinding

It is the policy of the Conservancy not to grind or remove stumps in Cluster Buffer Areas, however stumps will be cut to ground level at Conservancy expense.

5. Tree Debris Removal

The Conservancy, at its expense, will remove tree debris from fallen or cut trees in Cluster Buffer Areas. Tree debris may be chipped into natural or buffer areas, or removed from the site.

6. Tree Replacement

The Cluster may request approval for replacement trees through the Open Space Committee and the Architectural Review Board. Tree replacement shall be at Cluster Expense.

7. Other

Vines - Invasive vines growing on trees in Cluster Buffer Areas will be cut near the base of the tree to deter the further growth of the vine at Conservancy expense.

Trail Maintenance - The Conservancy will, at its expense, undertake trail maintenance which will include the trimming of tree limbs and other vegetation to allow a minimum clearance from the surface of the trail to a height of ten feet. Significant tree debris will be cleared to within five (5) feet on both sides of the trail.

Poison Ivy - Poison ivy within three (3) feet of a trail and within ten (10) feet of the tot lots and other recreation sites will be treated as required at Conservancy expense.

Acts of God – The Conservancy is responsible for the removal of trees and debris from its property that have fallen from other properties due to an Act of God.

G. Private Property

Residential Lots

1. Tree Evaluation and Inventory

No tree evaluation or inventory will be conducted on residential lots.

2. Tree Pruning

Owners or their authorized agents may prune any tree branches that may damage their structures.

The Conservancy will not remove limbs from trees located on property owned or leased by the Conservancy which extend over Private Property.

Owners or their authorized agents may prune limbs that extend from their property over sidewalks or pathways to a minimum height of 7 feet.

Owners or their authorized agents have the right to prune or remove limbs that extend over their property lines at their cost. Pruning or removal must be accomplished in a manner which will not jeopardize the health of the tree. If excessive pruning or removal is done, resulting in permanent disfigurement or death of the tree, the owner may be held liable for replacement of the tree.

Owners or their authorized agents may not trim beyond their property line unless granted written permission by the property owner or the Conservancy, whichever is applicable.

3. Tree Removal

Owners may not remove trees outside their property lines.

An approved ARB application is required for the removal of any standing tree, dead or alive, that measures four (4) inches in diameter, twelve (12) inches above grade, and more than ten (10) feet from the main dwelling, garage or deck.

Trees on private property that pose an imminent hazard to persons or property may be removed prior to the approval of their ARB application. Hazard trees are those that are uprooted, leaning or have large limbs that are splintered and could fall without warning. Photos of the tree hazard shall be taken before removal and submitted with the ARB application.

Any tree on private property which is located within fifteen feet (15) of the foundation of the main dwelling, including any attached garage or deck, when measured at the base of the tree

trunk may be removed without prior approval.

4. Stump Grinding

Trees removed from residential and commercial lots shall be cut at, or ground down to, grade level.

5. Tree Debris Removal

Owners must properly dispose of their tree debris. The dumping of any tree debris on Conservancy owned or leased property is strictly prohibited.

6. Tree Replacement

Owners may replace trees as they deem appropriate, however trees planted that are intended to form a screen or serve as a fence must request approval through the Architectural Review Board. Tree replacement shall be at owner expense.

7. Other

Duty to Report - Owners shall make the Conservancy aware of any tree or limb that is in danger of falling on private property.

Acts of God - Owners are responsible for the removal of trees and debris from their property that have fallen from other properties due to an Act of God.

Commercial Lots

1. Tree Evaluation and Inventory

No tree evaluation or inventory will be conducted on commercial lots.

2. Tree Pruning

Owners or their authorized agents may prune any tree branches that may damage their structures.

The Conservancy will not remove limbs from trees located on property owned or leased by the Conservancy which extend over Private Property.

Owners or their authorized agents may prune limbs that extend from their property over sidewalks or pathways to a minimum height of 7 feet.

Owners or their authorized agents have the right to prune or remove limbs that extend over their property lines at their cost. Pruning or removal must be accomplished in a manner which will not jeopardize the health of the tree. If excessive pruning or removal is done, resulting in permanent disfigurement or death of the tree, the owner may be held liable for replacement of the tree.

Owners or their authorized agents may not trim beyond their property line unless granted written permission by the property owner or the Conservancy, whichever is applicable.

3. Tree Removal

Owners or their authorized agents may not remove trees outside their property lines.

An approved ARB application is required for the removal of any standing tree, dead or alive, that measures four (4) inches in diameter, twelve (12) inches above grade, and more than ten (10) feet from the main dwelling, garage or deck.

Trees on private property that pose an imminent hazard to persons or property may be removed prior to the approval of their ARB application. Hazard trees are those that are uprooted, leaning or have large limbs that are splintered and could fall without warning. Photos of the tree hazard shall be taken before removal and submitted with the ARB application.

Any tree on private property which is located within ten feet (10) of the foundation of the main dwelling, including any attached garage or deck, when measured at the base of the tree trunk may be removed without prior approval.

4. Stump Grinding

Trees removed from commercial lots shall be cut at, or ground down to, grade level.

5. Tree Debris Removal

Owners or their authorized agents must properly dispose of their tree debris. The dumping of any tree debris on Conservancy owned or leased property is strictly prohibited.

6. Tree Replacement

Owners or their authorized agents may replace trees as they deem appropriate, however trees planted that are intended to form a screen or serve as a fence must request approval through the Architectural Review Board. Tree replacement shall be at owner expense.

7. Other

Duty to Report - Owners or their authorized agents shall make the Conservancy aware of any tree or limb that is in danger of falling on private property.

Acts of God - Owners or their authorized agents are responsible for the removal of trees and debris from their property that have fallen from other properties due to an Act of God.

Condominium and Cooperative Clusters

1. Tree Evaluation and Inventory

The Conservancy, at its expense, will conduct a tree inventory and assessment with identification numbers and GPS mapping for significant trees in private condominium and cooperative clusters. Each tree will be visually evaluated for size, species, diameter, condition rating, and general problems.

Subsequent inspections may be conducted at a time and interval as deemed appropriate and determined by the Board governing each condominium or cooperative cluster at their own expense.

2. Tree Pruning

Condominium and cooperative clusters, or their authorized agents, agents may prune any tree branches that may damage structures under their control.

The Conservancy will not remove limbs from trees located on property owned or leased by the Conservancy which extend over property controlled by condominium and cooperative clusters.

Condominium and Cooperative Clusters, or their authorized agents, may prune limbs that extend from their property over sidewalks or pathways to a minimum height of 7 feet.

Condominium and cooperative clusters, or their authorized agents, have the right to prune or remove limbs that extend over the property line, onto their property. Pruning or removal must be accomplished in a manner which will not jeopardize the health of the tree. If excessive pruning or removal is done, resulting in permanent disfigurement or death of the tree, the condominium or cooperative may be held liable for replacement of the tree.

Condominium and cooperative clusters, or their authorized agents, may not trim beyond their property line unless granted written permission by the property owner or the Conservancy, whichever is applicable.

3. Tree Removal

Condominium and cooperative clusters may not remove trees outside their property lines.

An approved ARB application is required for the removal of any standing tree, dead or alive, that measures four (4) inches in diameter, twelve (12) inches above grade, and more than ten (10) feet from the main dwelling, garage or deck.

Trees on condominium and cooperative property that pose an imminent hazard to persons or property may be removed prior to the approval of their ARB application. Hazard trees are those that are uprooted, leaning or have large limbs that are splintered and could fall without warning. Photos of the tree hazard shall be taken before removal and submitted with the ARB application.

Any tree on private property which is located within ten feet (10) of the foundation of the main dwelling, including any attached garage or deck, when measured at the base of the tree trunk may be removed without prior approval.

4. Stump Grinding

Trees removed from condominium and cooperative clusters shall be cut at, or ground down to, grade level.

5. Tree Debris Removal

Condominium and cooperative clusters must properly dispose of their tree debris. The dumping of any tree debris on Conservancy owned or leased property, or on condominium or cooperative property is strictly prohibited.

6. Tree Replacement

Condominium and cooperative clusters may replace trees as they deem appropriate, however trees planted that are intended to form a screen or serve as a fence must request approval through the Architectural Review Board. Tree replacement shall be at condominium or cooperative cluster expense.

7. Other

Duty to Report – Condominium and cooperative clusters shall make the Conservancy aware of any tree or limb that is in danger of falling from Conservancy or cluster areas onto their property.

Acts of God – Condominium and cooperative clusters are responsible for the removal of trees and debris from their property that have fallen from other properties due to an Act of God.

ARB applications - Condominium and cooperative associations may submit an annual plan for tree maintenance detailing all work that would be conducted during the year. Any work that is not included on the annual plan must be submitted as an individual request.

IV. Governance Role in Conservancy Tree Maintenance Policy

A. Fairfax County

Fairfax County recognizes Burke Centre Conservancy as a private property, however County regulations applicable to tree conservation apply to designated right-of-ways, utility and access easements, and Resource protection Areas (RPA's) located within the Conservancy including those located on private property. The Conservancy Tree Maintenance Policy therefore recognizes applicable Fairfax County regulatory requirements for the RPA's and easements located within the Burke Centre Conservancy. RPA's located within the Conservancy are depicted in Exhibit 2.

B. Burke Centre Conservancy Board of Trustees (BoT)

The BoT is responsible for making policies that govern the care and use of the Properties including policies that concern tree conservation and management. The BoT shall approve or deny all requests concerning trees that impact its properties excepting those delegated to Conservancy Staff from time to time in its sole discretion.

The BoT, through Conservancy Staff, will:

Make the cluster committee and Open Space Committee aware of any major problems in cluster open space.

Assess whether a tree issue, identified by an owner/resident or cluster, requires Conservancy action.

Refer residents/homeowners to the Open Space Committee to discuss tree related issues.

Refer requests to the Open Space Committee for the volitional removal/addition of trees on cluster or Conservancy open space.

At Conservancy expense, arrange for the replacement of removed trees in Conservancy Managed Areas when deemed appropriate.

C. Burke Centre Conservancy Cluster Committees

The Cluster Committee must submit any requests for modification to the open space (either cluster or Conservancy open space) to the Open Space Committee for consideration and recommendation at its monthly meeting.

D. Burke Centre Conservancy Architectural Review Board (ARB)

The ARB shall provide a structured approval/disapproval process regarding Homeowner tree removal or the addition of trees in Cluster or Conservancy property. Decisions on Cluster or Conservancy property may be based upon recommendations from the Open Space Committee.

E. Burke Centre Conservancy Open Space Committee (OSC)

The OSC will hear the recommendations and/or complaints of residents, owners, and cluster representatives regarding the management of trees in Cluster or Conservancy open space.

The OSC will make recommendations to the ARB regarding the removal or addition of trees on Cluster or Conservancy open space.

The OSC will recommend tree policy changes to the Board of Trustees.

F. Condominium and Cooperative Governing Bodies

Condominium and cooperative governing bodies or their authorized agents are generally responsible for tree management on their properties in accordance with this policy.

Condominium and cooperative governing bodies shall submit necessary applications to the Conservancy Architectural Review Board for tree removal or replacement as called for in this policy.

IN WITNESS WHEREOF, for the purpose of recording the revised Burke Centre Conservancy Tree Maintenance Policy as duly adopted by the Board of Trustees on January 19, 2021, we, the undersigned, have executed this Policy this ____ day of _____, 2021.

BURKE CENTRE CONSERVANCY

By: _____
Marc Flaster, President

ATTEST:

Lee Schmidt, Secretary