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March 23, 2015

Connecticut General Assembly
Judiciary Committee
300 Capitol Avenue
Hartford, CT 06106

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EXECUTIVE DIRECTOR

JoAnn Messina

**Re: Amend HB 5602, A Property Owner's Liability
for the Expenses of Removing a Fallen Tree or Limb**

Dear Chairmen Coleman and Tong and Committee members:

The Greenwich Tree Conservancy, an over 500 member non-profit organization created to preserve and enhance tree and forest resources in our community, does not support **HB 5602** in its present form. We urge you to amend the bill as follows:

- **Diseased should be replaced with hazardous as defined in the statute (16-234).** A diseased tree is not necessarily a hazardous tree.
- **Due process or a right of appeal should be included.** A property owner should be able to hire an arborist for a second opinion and if the opinions do not agree an opportunity for resolution should exist.
- **The notice should have a time limitation.** There is no time limitation placed on the arborist's assessment so a new owner of the property could be unknowingly liable.

We believe that a tree owner may be intimidated into removing a healthy, structurally sound tree that provides environmental benefits to the community if these concerns are not addressed. **We urge you to amend the bill to be consistent with existing state statutes governing vegetative management and due process.**

Sincerely,

JoAnn Messina, Executive Director