



Town of Chesapeake Beach Tree Board

The Chesapeake Beach Tree Board has come to a decision on Case 2024-01. The property owner removed an estimated 62 trees from the property located at 3090 Cox Road, Chesapeake Beach without permits as required by Chapter 263 of the Town Code.

The decision is that property owner violated sections 263-8(A) and 263-8(B) of the code. Trees removed with a size over the threshold designated in the ordinance are subject to fines.

The total applicable fine is \$14,000.00 as follows:

Section 263-8(A)(2)

| Size | Fine     |              |                 |
|------|----------|--------------|-----------------|
|      | Per Tree | Circ >50'    | Total           |
| 60   | \$ 300   | \$ 500       | \$ 800          |
| 68   | \$ 300   | \$ 900       | \$ 1,000        |
| 82   | \$ 300   | \$ 1,600     | \$ 1,000        |
| 83   | \$ 300   | \$ 1,650     | \$ 1,000        |
| 119  | \$ 300   | \$ 3,450     | \$ 1,000        |
|      |          | <b>Total</b> | <b>\$ 4,800</b> |

Section 263-8(C)

| Size          | Fine     |              |                  |
|---------------|----------|--------------|------------------|
|               | Per Tree | Circ >50'    | Total            |
| 60            | \$ 200   | \$ 1,000     | \$ 1,200         |
| 68            | \$ 200   | \$ 1,800     | \$ 2,000         |
| 82            | \$ 200   | \$ 3,200     | \$ 2,000         |
| 83            | \$ 200   | \$ 3,300     | \$ 2,000         |
| 119           | \$ 200   | \$ 6,900     | \$ 2,000         |
|               |          | <b>Total</b> | <b>\$ 9,200</b>  |
| <b>Total:</b> |          |              | <b>\$ 14,000</b> |

However, the fine will be reduced to \$5,000.00 upon completion of an approved mitigation plan. This plan will include the replanting of 30 trees and 10 shrubs selected from the



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Calvert County Native Plant List (Exhibit A). The property owner shall submit a site plan to the Town Administrator no later than July 31, 2024.

Upon approval of the plan by the town, the property owner shall complete the plantings no later than October 31, 2024. The plan may include offsite plantings if necessary and approved by the Town. The property owner shall carry a bond in the amount of 125% of the total fine to be held by the town for a period of three years, to assure compliance with this decision and the viability of the plantings. The Town shall execute on this bond if the Owner is not in compliance with this decision.

*Sue Alexander*

Sue Alexander

Chair of the Town of Chesapeake Beach Tree Board

*3/28/24*

Date

## CALVERT COUNTY NATIVE PLANT LIST

| Canopy Trees (Generally $\geq 35$ ft. tall at maturity) Planting Stock: 2-in. caliper in size spaced 20-40 ft. on center |                                |                          |
|--|--------------------------------|--------------------------|
| Common Name  | Species                        | Notes                    |
| Box Elder  | <i>Acer negundo</i>            |                          |
| Red Maple  | <i>Acer rubrum</i>             |                          |
| Silver Maple   | <i>Acer saccharinum</i>        |                          |
| River Birch  | <i>Betula nigra</i>            |                          |
| Bitternut Hickory  | <i>Carya cordiformis</i>       |                          |
| Pignut Hickory   | <i>Carya glabra</i>            |                          |
| Shagbark Hickory   | <i>Carya ovata</i>             |                          |
| Mockernut Hickory  | <i>Carya tomentosa</i>         |                          |
| Common Hackberry   | <i>Celtis occidentalis</i>     |                          |
| Atlantic White Cedar   | <i>Chamaecyparis thyoides</i>  | Evergreen                |
| Common Persimmon   | <i>Diospyros virginiana</i>    |                          |
| American Beech   | <i>Fagus grandifolia</i>       |                          |
| Black Walnut   | <i>Juglans nigra</i>           |                          |
| Eastern Red Cedar  | <i>Juniperus virginiana</i>    | Evergreen                |
| Sweet Gum  | <i>Liquidambar styraciflua</i> |                          |
| Tulip Poplar   | <i>Liriodendron tulipifera</i> |                          |
| Red Mulberry   | <i>Morus rubra</i>             |                          |
| Black Gum  | <i>Nyssa sylvatica</i>         | Salt Tolerant            |
| Shortleaf Pine   | <i>Pinus echinata</i>          | Evergreen                |
| Pitch Pine   | <i>Pinus rigida</i>            | Evergreen; Salt Tolerant |
| Pond Pine  | <i>Pinus serotina</i>          | Evergreen                |
| Loblolly Pine  | <i>Pinus taeda</i>             | Evergreen                |
| Virginia Pine  | <i>Pinus virginiana</i>        | Evergreen                |
| American Sycamore  | <i>Platanus occidentalis</i>   |                          |
| Black Cherry   | <i>Prunus serotina</i>         | Salt Tolerant            |
| White Oak  | <i>Quercus alba</i>            | Salt Tolerant            |
| Swamp White Oak  | <i>Quercus bicolor</i>         | Salt Tolerant            |
| Scarlet Oak  | <i>Quercus coccinea</i>        | Salt Tolerant            |
| Southern Red Oak   | <i>Quercus falcata</i>         |                          |
| Blackjack Oak  | <i>Quercus marilandica</i>     |                          |
| Swamp Chestnut Oak   | <i>Quercus michauxii</i>       |                          |
| Chinquapin Oak   | <i>Quercus muehlenbergii</i>   |                          |
| Water Oak  | <i>Quercus nigra</i>           |                          |
| Pin Oak  | <i>Quercus palustris</i>       | Salt Tolerant            |
| Willow Oak   | <i>Quercus phellos</i>         |                          |
| Chestnut Oak   | <i>Quercus prinus</i>          |                          |
| Northern Red Oak   | <i>Quercus rubra</i>           | Salt Tolerant            |
| Post Oak   | <i>Quercus stellata</i>        | Salt Tolerant            |
| Black Oak  | <i>Quercus velutina</i>        | Salt Tolerant            |
| Black Locust   | <i>Robinia pseudoacacia</i>    |                          |
| Bald Cypress   | <i>Taxodium distichum</i>      | Salt Tolerant            |
| American Basswood  | <i>Tilia americana</i>         |                          |
| American Elm   | <i>Ulmus americana</i>         |                          |

## CAL VERT COUNTY NATIVE PLANTS LIST (cont.)

| <b>Understory Trees</b> (Generally $\leq$ 35 ft. tall at maturity) Planting Stock: 1 to 2-in. caliper in size spaced 15-20 ft. on center |                               |                               |
|--|-------------------------------|-------------------------------|
| <b>Common Name</b>   | <b>Species</b>                | <b>Notes</b>                  |
| Downy Serviceberry   | <i>Amelanchier arborea</i>    | Salt Tolerant                 |
| Shadbush Serviceberry  | <i>Amelanchier canadensis</i> | Salt Tolerant                 |
| Paw-Paw  | <i>Asimina triloba</i>        |                               |
| American Hornbeam  | <i>Carpinus caroliniana</i>   |                               |
| Chinquapin   | <i>Castanea pumila</i>        |                               |
| Eastern Redbud   | <i>Cercis canadensis</i>      |                               |
| White Fringetree   | <i>Chionanthus virginicus</i> |                               |
| White Flowering Dogwood  | <i>Cornus florida</i>         |                               |
| Cockspur Hawthorn  | <i>Crataegus crus-galli</i>   |                               |
| Washington Hawthorn  | <i>Crataegus phaenopyrum</i>  |                               |
| Southern Thorn   | <i>Crataegus viridis</i>      |                               |
| American Holly   | <i>Ilex opaca</i>             | Evergreen                     |
| Sweet Crabapple  | <i>Malus coronaria</i>        |                               |
| Sweetbay Magnolia  | <i>Magnolia virginiana</i>    | Semi-evergreen; Salt Tolerant |
| Ironwood   | <i>Ostrya virginiana</i>      |                               |
| American Wild Plum   | <i>Prunus americana</i>       |                               |
| Black Willow   | <i>Salix nigra</i>            | Salt Tolerant                 |
| Sassafras  | <i>Sassafras albidum</i>      |                               |

| <b>Large Shrubs</b> (Generally $\geq$ 6 ft. tall at maturity) Planting Stock: 1-3 gallon container and 2-4 ft. height spaced 6-12 ft. on center |                                  |                          |
|---|----------------------------------|--------------------------|
| <b>Common Name</b>  | <b>Species</b>                   | <b>Notes</b>             |
| Smooth Alder  | <i>Alnus serrulata</i>           |                          |
| Devil's Walking Stick   | <i>Aralia spinosa</i>            |                          |
| High-tide Bush  | <i>Baccharis halimifolia</i>     | Salt Tolerant            |
| Buttonbush  | <i>Cephalanthus occidentalis</i> | Salt Tolerant            |
| Sweet Pepperbush  | <i>Clethra alnifolia</i>         | Salt Tolerant            |
| Silky Dogwood   | <i>Cornus amomum</i>             |                          |
| Red-osier Dogwood   | <i>Cornus sericea</i>            | Salt Tolerant            |
| Witch Hazel   | <i>Hamamelis virginiana</i>      |                          |
| Inkberry  | <i>Ilex glabra</i>               | Evergreen; Salt Tolerant |
| Smooth Winterberry  | <i>Ilex laevigata</i>            |                          |
| Winterberry   | <i>Ilex verticillata</i>         | Salt Tolerant            |
| Virginia Sweetspire   | <i>Itea virginica</i>            |                          |
| Mountain Laurel   | <i>Kalmia latifolia</i>          |                          |
| Fetterbush  | <i>Leucothoe racemosa</i>        |                          |
| Spicebush   | <i>Lindera benzoin</i>           | Salt Tolerant            |
| Male-berry  | <i>Lyonia ligustrina</i>         |                          |

|                    |                              |                               |
|--------------------|------------------------------|-------------------------------|
| Southern Bayberry  | <i>Morella caroliniensis</i> | Evergreen; Salt Tolerant      |
| Wax Myrtle         | <i>Morella cerifera</i>      | Evergreen; Salt Tolerant      |
| Northern Bayberry  | <i>Morella pensylvanica</i>  | Semi-evergreen; Salt Tolerant |
| Shining Sumac      | <i>Rhus copallina</i>        | Salt Tolerant                 |
| Sweet Sumac        | <i>Rhus glabra</i>           | Salt Tolerant                 |
| Staghorn Sumac     | <i>Rhus hirta</i>            | Salt Tolerant                 |
| Prairie Willow     | <i>Salix humilis</i>         | Salt Tolerant                 |
| Common Elderberry  | <i>Sambucus canadensis</i>   | Salt Tolerant                 |
| Highbush Blueberry | <i>Vaccinium corymbosum</i>  | Salt Tolerant                 |
| Deerberry          | <i>Vaccinium stamineum</i>   |                               |
| Southern Arrowwood | <i>Viburnum dentatum</i>     | Salt Tolerant                 |
| Witherod           | <i>Viburnum cassinoides</i>  |                               |
| Naked Witherod     | <i>Viburnum nudum</i>        |                               |
| Black Haw          | <i>Viburnum prunifolium</i>  |                               |

| <b>Small Shrubs</b> ( $\leq 6$ ft. tall at maturity) Planting Stock: 1-3 gallon container and 2-3 ft. height spaced 4-10 ft. on center |                                     |               |
|--|-------------------------------------|---------------|
| <b>Common Name</b>   | <b>Species</b>                      |               |
| American Beautyberry   | <i>Callicarpa americana</i>         |               |
| New Jersey Tea   | <i>Ceanothus americanus</i>         |               |
| Sweet Fern   | <i>Comptonia peregrina</i>          |               |
| Black Huckleberry  | <i>Gaylussacia baccata</i>          | Salt Tolerant |
| Dangleberry  | <i>Gaylussacia frondosa</i>         |               |
| Dense St. John's Wort  | <i>Hypericum densiflorum</i>        | Salt Tolerant |
| Marsh Elder  | <i>Iva frutescens</i>               | Salt Tolerant |
| Sheep Laurel   | <i>Kalmia angustifolia</i>          |               |
| Stagger-bush   | <i>Lyonia mariana</i>               |               |
| Black Chokeberry   | <i>Photinia melancocarpa</i>        | Salt Tolerant |
| Red Chokeberry   | <i>Photinia pyrifolia</i>           | Salt Tolerant |
| Beach Plum   | <i>Prunus maritima</i>              | Salt Tolerant |
| Coast Azalea   | <i>Rhododendron atlanticum</i>      |               |
| Sweet Azalea   | <i>Rhododendron canescens</i>       |               |
| Pinxterbloom   | <i>Rhododendron periclymenoides</i> |               |
| Swamp Azalea   | <i>Rhododendron viscosum</i>        |               |
| Pasture Rose   | <i>Rosa carolina</i>                | Salt Tolerant |
| Swamp Rose   | <i>Rosa palustris</i>               | Salt Tolerant |
| Steeplebush  | <i>Spiraea tomentosa</i>            |               |
| Early Lowbush Blueberry  | <i>Vaccinium vacillans</i>          | Salt Tolerant |
| Maple-leaved Arrowwood   | <i>Viburnum acerifolium</i>         |               |

Note: **Salt Tolerance** refers to plants that tolerate partly salty water spray with a salinity range between 10-20 ppt or parts of salt per thousand part of water but no tidal inundation. Fresh water is 0 ppt and full seawater is 32 ppt.