

Dear Neighbor,

Thank you for contacting us about your tree-related concern. As a non-profit Land Trust, we protect our land primarily in its natural, open and scenic condition while allowing for public enjoyment. We understand that sometimes this approach might result in a tree situation that appears unsightly or dangerous to a neighbor. We may on occasion try to help solve a problem if we can to be a good neighbor. However, such efforts are at our discretion.

It may help for you and the Land Trust to have a common understanding of Connecticut tree law. This law applies to every landowner, not just land trusts, so this information should be helpful to you with your other neighbors.

Long-standing Connecticut law says that trees are a natural condition. When a tree falls of its own accord or during a storm, it is considered an 'Act of God'. As a result, the legal rule is that the owner of the land on which a tree falls is responsible for taking care of removing the tree or handling any damage that may occur. An exception to this rule is if a landowner takes an action that causes a tree to fall, then they may be responsible for the results.

Landowners may remove or prune the portions of trees which may extend from other properties onto or over their land. So, if a tree is on or over your land, you may prune it up to your boundary. Whether the tree is growing, damaged, dead, or fell from a neighbor's property, you can choose what you want to do with it (your homeowners insurance may be helpful in repairing any damage). More importantly, landowners are not required to remove or prune trees on their land, especially on open space.

I hope this helps answer questions about who is responsible for tree conditions. If you still feel uncomfortable with a tree situation on our land, please reach out to us again so we can discuss possible options.

Sincerely,