

Warsaw Township Road Obstruction tree-removal request letter

Resident of Warsaw township every year in the spring we schedule a road trip. Warsaw town ship supervisors have the responsibility to inspect 39 miles of road and over 80 miles of ditch and culverts.

While trees are generally loved for their beauty, shade and contribution to fresh air, there are times when a tree may need to be removed. Trees can interfere with power lines, road way obstructions and have dead branches and trunks that pose a danger. Whatever the reason given for tree removal, it is not usually legal to cut down someone's tree without permission. This permission from an individual owner of the tree that owns the property. Writing a tree-removal request letter is the first step towards having a tree removed.

Warsaw Townships roads are 66' wide with 24' of Road surface and 21' of brome grass covered ditch right-of-way on each side. Most ditches are designed with 12' inside slope, a 4' bottom and a 5' outside slope. (1:3 to 1:4 slope.) Center of the road is crowed to the shoulders so that rain and melt water runs to the ditches draining the road surface. This is the best erosion control practice (The crown of a road should be 2%)

Warsaw Township covers the liability for all township road in the township. meaning there is a duty of care the township owes to the people using the roads. failing to perform proper care will subject the township to breaching the duty of care. A subjective breach is a knowing breach; where a person is aware of the danger or unreasonable risk to another. An objective breach is one in which a person does not know of the danger or risk but a reasonable person in the same situation would have recognized it.

Trees in the ditch are one of the discussions on our road trip. We have to determine whether the trees need to be trimmed back for a two or three year fix or should the tree be removed entirely for the long term solution these are all decisions that affect the budget. Tree's in the ditch are a problem for drifting snow across the road. A shortage of space to wing out the snow to prolong drifting on the road. overhanging limbs cracking windshields and denting equipment. If a vehicle leaves the roadway and strikes into a tree that is growing in the right-of-way, the township is held liable for negligence.

In Light of our current situation we would ask your permission to trim or remove the tree or trees obstructing the roadway.

Sincerely

Warsaw Township Supervisors