

Parkland Encroachment Policy

Approved by THA Board January, 2011

Updated March, 2019

Definition: Parkland encroachment is defined as any situation where an individual homeowner has created, or allowed to be created, a private use of the THA-owned Common Area parkland that is not consistent with the Parkland Use Policy. Encroachment specifically includes, but is not limited to, dumping in the Common Area parkland, private development on the Common Area parkland, and propagation of invasive species of plantings from individual lots into the Common Area parkland. Specifically:

- a. Dumping includes creating leaf piles, brush piles, or grass clipping piles in the parkland. It also includes discarding of any non-natural materials (e.g., bricks, cans, flower pots, etc.) or garden residue in the parkland.
- b. Development includes addition of structures, fences, furniture, play equipment, or signs in the parkland. Development also includes creation of access paths from individual lots into the parkland, except those that consist solely of a footpath of natural understory. Development also includes placement of personal compost bins or woodpiles on parkland. Finally, development also includes clearing of the natural forested landscape, with or without the addition of non-native or non-forest plantings, except in those areas of access from public streets so as to not be obtrusive from front yards of adjacent lots
- c. Propagation of Invasive Species most commonly includes English ivy growing onto parkland from adjacent lots. It also includes bamboo, which is particularly damaging and hard to eradicate, pachysandra, vinca, and a few other species of non-native plants.

Policy: Encroachment into the Common Area parkland from individual lots is not allowed. Any instances of new encroachment, of any type, must be reversed. Existing encroachment shall be remediated at a pace consistent with the guidelines below and shall be done in cooperation with the current homeowners involved. Note that remediation of existing encroachment of English ivy is not being pursued at this time.

Implementation and Authority: The Parkland Committee is responsible for implementing this policy, which shall be applied consistently throughout Truro. A homeowner may appeal the implementation of this policy to the THA Board, whose ruling on the matter is final. If the homeowner does not cooperate with the remediation, any costs incurred by the THA in remediating the encroachment may be assessed against the homeowner.

Remediation Guidelines: Homeowners will be individually notified of the cases of encroachment observed at the property boundary with the parkland and specific remedial action and timing will be requested. Encroachment that is damaging to the parkland ecosystem or is easily resolved shall be requested to be done in a shorter time, with the requested timing consistent throughout Truro for each type of encroachment.

Remediation shall consist of:

- a. Removal of any non-naturally occurring materials dumped in the parkland.
- b. Removal or redistribution of any naturally occurring materials (e.g., leaves and branches) dumped in the parkland in a manner so not to harm the parkland's ecology
- c. Removal of any development and allow or encourage natural processes to recur.
- d. Control of invasive species other than English ivy at the property boundary.
- e. Because of the widespread occurrence of English ivy within the parkland including near its periphery, remediation of existing English ivy is not practical at this time and will not be pursued at this time.