

TO: All Residents, Arborists, Landscapers, and Contractors

FROM: Thomas Doty, Township Forester

DATE: August 13, 2015

SUBJECT: Summary of Millburn Township's Tree Removal Ordinance & Application Procedures



A PERMIT IS NOT REQUIRED FOR:

The removal of trees which are less than ten (10") inches in diameter measured at a point of four (4) feet above the ground.

The removal of dead or diseased trees, partially or completely fallen trees by acts of nature, or which endanger public safety upon certification by the Township Forester or a New Jersey Certified Tree Expert.

**A SEPARATE TREE REMOVAL PERMIT SHALL BE REQUIRED FOR EACH TREE.**

A PERMIT IS REQUIRED IN THE FOLLOWING SITUATIONS:

1. PRIVATE RESIDENCES

- ❖ Removal of more than **two (2)** trees within a twelve (12) month period.
- ❖ If the trees proposed for removal constitute more than fifty (50) percent of the trees on the property.
- ❖ **Removal of trees eighteen (18") in diameter** or fifty-seven (57") inches in circumference at four (4) feet above the ground.
- ❖ Permits are issued at no cost to single family or two family dwelling applicants occupied by the owner.

2. ALL OTHER PROPERTIES (Business, Commercial, Vacant Lots, Churches, Private Schools, etc.)

- ❖ Permits are required for all tree removals.

Permit fees are as follows:

\$50 for the first tree removal permit and \$20 for each additional tree removal permit.

3. GRADE ALTERATIONS WITHIN DRIP-LINE OF EXISTING TREES ON BOTH RESIDENTIAL AND ALL OTHER PROPERTIES

- ❖ The operation of heavy equipment, or soil removal, regrading or temporary soil deposition within the drip-line of any existing tree **is prohibited** in the Township without a permit.

IF A PERMIT IS REQUIRED, THE FOLLOWING INFORMATION APPLIES:

- ❖ An application must be filed with the Township Forester and a site inspection must be made prior to tree removal or grading changes.
- ❖ A Tree Restoration Plan shall be submitted along with a survey or other documentation accurately setting forth the location of trees proposed for removal, preservation, planting (see page 11 & 12 tree planting requirements), or grading changes, evidence of ownership of the property thereof must accompany the application. The diameter and species of trees affected shall be indicated on the survey or documentation, proposed location, species and size of replacement trees. All trees proposed for removal shall be plainly marked with ribbon or visible material by the applicant prior to the inspection. **Mark or stake out** pertinent structures (i.e. driveway, underground utilities, home, pool, drywells, etc.)
- ❖ The Forester has twenty (20) days to approve or deny any proposed tree removal or grading application.

- ❖ Appeals of the Forester's decision can be made to the Township Committee within ten (10) days of the Forester's decision, in writing.
- ❖ Tree removal permits are effective for only three (3) months from date of issue.
- ❖ **All adjacent property owners** whose property is **within twenty (20) feet** of the trees proposed for removal shall be notified by certified mail or personal service a minimum of ten (10) days prior to the proposed tree removal and proof of notification must be supplied with the application.
- ❖ No signs or wires are to be attached to trees being preserved.
- ❖ The Forester may impose conditions on the issuance of a permit, such as:
- ❖ Replanting of trees, shrubs or ground cover to provide a buffer, reduce soil erosion, or serve other beneficial purposes within a specific time period.

OR

- a. Remedial Tree Care to preserve individual trees on the site which may be affected by the proposed removal, construction or grade change. Remedial Tree Care may include, but is not specifically limited to:
- b. Hydro-chemical deep root feeding and mycorrhizal inoculation.
- c. Vertical mulching and/or core aeration around the tree drip line area.
- d. Periodic watering.
- e. Construction of an approved tree well and/or soil aeration system.
- f. Application of insect and disease treatment and/or preventive solutions.
- g. Soil compaction reduction methods for equipment in the dripline area.

These conditions must be implemented within a specific time frame.

#### **VIOLATIONS OF TREE REMOVAL ORDINANCE:**

- ❖ Any person violating the Tree Removal Ordinance shall be subject to a fine not exceeding \$2,000 (nor less the \$100.00) per tree, and/or imprisonment for a period not to exceed ninety (90) days.
- ❖ Each tree cut or removed in violation of this ordinance shall be considered a separate violation.

For further information on the Millburn Township Ordinance, Chapter XI Preservation of Trees, please see the Township's web page @ [www.twp.millburn.nj.us](http://www.twp.millburn.nj.us) or contact:

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