

**TOWNSHIP OF CEDAR GROVE
ESSEX COUNTY NEW JERSEY**

AGENDA ITEM #3(a)

MARCH 4, 2024

PASSED ORDINANCE NO. 24-926

**AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX,
STATE OF NEW JERSEY, AMENDING CHAPTER 246 OF THE CODE OF THE
TOWNSHIP CONCERNING TREE REMOVAL AND PROTECTION.**

This chapter shall be known as the "Tree Removal and Protection Ordinance of the Township of Cedar Grove."

§ 246-2 Findings and purpose.

The Township Council of the Township of Cedar Grove finds: that the preservation, protection and planting of trees aids in the stabilization of soil by the prevention of erosion and sedimentation; reduces stormwater runoff and the potential damage it may create; aids in the removal of pollutants from the air and assists in the generation of oxygen; provides a buffer and screen against noise and pollution; provides protection against severe weather; aids in the control of drainage and restoration of denuded soil subsequent to construction or grading; provides a haven for birds and other wildlife and otherwise enhances the environment; protects and increases property values; conserves and enhances Township's physical and aesthetic appearance; and generally protects the public health and safety as well as the general welfare.

§ 246-3 Definitions.

The following definitions shall apply to this chapter: For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

APPLICANT

Any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.

CRITICAL ROOT RADIUS (CRR)

The zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

HAZARD TREE

A tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. Hazard Trees are to be confirmed by a Township Representative.

1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

MAJOR TREE

~~A deciduous tree with a mature height of at least 50 feet which shall be of a caliper of at least 2 1/2 inches measured 4 1/2 feet above the ground when planted (e.g., red Norway, silver or sugar maple; sweetgum; London plane tree; American sycamore; white, red or pin oak; American elm; yellow or white poplar; or copper beech).~~

MINOR TREE

~~An evergreen tree, ornamental tree or other small tree at least six feet in height at time of planting (e.g. birch, dogwood, Japanese maple, cherry, crabapple, magnolia, Bradford pear, willow, cedar, spruce, pine, fir or hemlock).~~

PERSON

~~The owner of a parcel of real estate or any other individual, group, company, firm, corporation, partnership, association, society or other legal entity.~~

Any individual, resident, corporation, utility, company, partnership, firm, or association.

PLANTING STRIP

The part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

RESIDENT

An individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

SPECIES

For purposes of this chapter, the common name of the tree.

STREET TREE

A tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

STRUCTURE

A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

TREE

A woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

TREE CALIPER

The diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

TREE REMOVAL

To kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

§ 246-4 Permit required.

[Amended 12-18-2006 by Ord. No. 06-664]

No person shall cut down or remove any tree of a caliper of four inches or greater measured at a height of 4 1/2 feet above the ground without a tree removal permit, except that a person may remove two trees within a ~~twenty-four-month~~ five (5) year period without applying for a tree removal permit pursuant to this chapter.

§ 246-5 Application procedure.

- A. Application for a tree removal permit shall be made by submission of the following:
1. An original and two copies of an application on forms provided by the Township containing the following information: the name and address of the applicant; the street address and tax lot and block of the property in question; and the number of trees to be removed. The Township Manager, or his

designee, may require the submission of additional information that will assist in the processing of the tree removal permit.

[Amended 12-18-2006 by Ord. No. 06-664]

2. An original and two copies of a tree removal plan consisting of a map drawn to scale showing the location of all trees to be removed, the species of such trees and their caliper. In the event that the application is for the removal of more than five trees, the tree removal plan must be prepared, signed and sealed by a licensed professional engineer or land surveyor, and must show the location of all existing and proposed structures on the property, together with the distance, up to 15 feet, that the trees proposed to be removed are located from such structures and from property lines.
3. An original and two copies of a tree mitigation plan, if mitigation is required pursuant to § **246-7D** hereof, consisting of a map drawn to scale showing the location of all trees to be planted, the species of such trees and their caliper or size as required.
4. An original and two copies of a separate list of the trees to be removed identifying each tree on the tree removal plan by species and caliper, and stating the condition of each tree as "dead" or "good," and further explaining why removal is justified under the standards of this chapter.

[Amended 12-18-2006 by Ord. No. 06-664]

5. The application fee pursuant to § **246-6**.
 - B. The applicant shall place a one-inch-wide red, yellow or blue ribbon around the trunk of each tree to be removed at a height of 4 1/2 feet above the ground so that the proposed tree removal may be inspected in the field.

§ 246-6 Fees.

[Amended 12-18-2006 by Ord. No. 06-664]

The fee for a tree removal permit shall be \$20 per tree to be removed, with a minimum fee of \$100.

§ 246-7 Standards for application review.

The following standards for review of applications shall apply:

- A. Permitted removal. No tree shall be permitted to be removed unless the tree is:
 1. Located within the building footprint of a proposed principal building.
 2. Located between the curblines of a proposed roadway approved pursuant to Chapter **234**, Subdivision of Land.

3. Located within the roadway right-of-way but outside the curblineline of a proposed roadway approved pursuant to Chapter **234**, Subdivision of Land, subject to the provisions of Subsection **D(8)** of this section.
4. Dead or poses a safety hazard.
5. Located within 15 feet of any building.
6. Located within the area of a proposed driveway, walkway, utility line, accessory building or any other structure.
7. Located in a front yard area proposed to be landscaped.
8. Located in a recreation area which shall not exceed an area of land equal to 50% of the rear yard of a lot on which a building is proposed or measured within the first 80 feet from the rear building line, less areas in the side yards and rear yard where trees are to be removed pursuant to other provisions of this subsection.^[1]

[1]

Editor's Note: Former Subsection A(9), regarding being permitted to be removed in a site plan, was repealed 12-18-2006 by Ord. No. 06-664.

- B. Conflict with other laws. Notwithstanding anything in this chapter to the contrary, no tree removal shall be permitted where prohibited by Chapter **268**, Zoning (e.g., buffer zones and crestline provisions), or any other municipal, state or federal statute, ordinance or regulation.
- C. Hardship appeal. In the event that an applicant believes the standards set forth in Subsection **A** above constitute a hardship which prohibits a reasonable use of all or substantially all of the property in question, an applicant may seek relief from the governing body of the Township of Cedar Grove. In the event that such relief is sought, the applicant shall submit an additional eight copies of the documents required to be submitted, together with 11 copies of a written statement as to the reasons for the claimed hardship. In addition, the applicant shall submit a fee for the hearing of the matter in the amount of \$300. The governing body, upon submission of a complete application to the Township Clerk, shall schedule a public hearing in connection with the requested relief. The applicant shall cause to be published in an official newspaper of the municipality a notice setting forth the time, date and place of the hearing to be so held, together with a brief statement of the relief requested. Such notice must be published within 10 days prior to the date of the hearing. Additionally, the applicant shall cause to be served upon all property owners within 200 feet of the property in question a similar notice by certified mail, return receipt requested, or by personal service. Proof of publication and service of notice shall be required to be submitted prior to the hearing. At the hearing, the applicant shall present witnesses under oath, and any other interested parties may do the same. All witnesses shall be subject to

cross-examination. The decision of the governing body shall be binding upon the municipal official in charge of enforcement and administration of this chapter.

D. Mitigation. Mitigation for tree removal shall be required as follows:

1. ~~No mitigation shall be required in connection with tree removal conducted pursuant to a permit issued under Subsection A(1) and (2) of this section.~~

[Amended 12-18-2006 by Ord. No. 06-664]

2. Mitigation shall be required pursuant to Subsection D(4) of this section in the event of tree removal pursuant to Subsection A(5) through (8) of this section.
3. In the event of tree removal pursuant to Subsection A(4), no mitigation shall be required if the tree has been planted for at least five years, there has been no damage to the tree by construction or otherwise by any person, and there has been no soil-moving within 15 feet of such tree within such five years; otherwise, mitigation shall be required pursuant to Subsection D(4) of this section.
4. For each tree for which mitigation is required, pursuant to Subsection D(2) and (3) above, the following shall apply:

[Amended 12-18-2006 by Ord. No. 06-664]

~~a) For each tree removed pursuant to the standards of this chapter of a caliper of four inches to no more than six inches, the applicant shall plant a major or minor tree as defined in this chapter on the property in question, or in the event that the applicant asserts the planting would be inappropriate and the Township arborist agrees, the applicant may in lieu of such planting provide to the municipality a payment equal to the cost of such planting as determined by the Township arborist pursuant to § 246-7(D)(5)(a).~~

~~b) For each tree removed pursuant to the standards of this chapter of a caliper of more than six inches, the applicant shall plant a major tree as defined in this chapter on the property in question, or in the event that the applicant asserts the planting would be inappropriate and the Township arborist agrees, the applicant may in lieu of such planting provide to the municipality a payment equal to the cost of such planting as determined by the Township arborist pursuant to § 246-7(D)(5)(a).~~

a) Replacement Tree(s) shall be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree

Replacement Criteria in the table below:

b) Replacement Tree(s) shall be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;

- c) Replacement Tree(s) shall be protected from deer by means of deer fence netting.
- d) Replacement Tree(s) shall be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
- e) Replacement Tree(s) shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.
- f) In the event that the applicant asserts the planting would be inappropriate and the Township arborist, or designated representative, agrees, the applicant may in lieu of such planting provide to the municipality a payment equal to the cost of such planting as determined by the Township pursuant to § 246-7(D)(5)(a).

Tree Replacement Requirements Table:

| <u>Category</u> | <u>Tree Removed (DBH)</u> | <u>Tree Replacement Criteria (See Appendix A)</u> | <u>Application Fee</u> | <u>Tree Replacement Fee Per Tree in Lieu of Replacement</u> |
|-----------------|------------------------------|---|------------------------|---|
| <u>1</u> | <u>DBH of 4" to 12.99"</u> | <u>Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed</u> | <u>\$20 per tree</u> | <u>\$350.00</u> |
| <u>2</u> | <u>DBH of 13" to 22.99"</u> | <u>Replant 2 trees with minimum tree calipers of 1.5" for each tree removed</u> | <u>\$20 per tree</u> | <u>\$700.00</u> |
| <u>3</u> | <u>DBH of 23" to 32.99"</u> | <u>Replant 3 trees with minimum tree calipers of 1.5" for each tree removed</u> | <u>\$20 per tree</u> | <u>\$1,050.00</u> |
| <u>4</u> | <u>DBH of 33" or greater</u> | <u>Replant 4 trees with minimum tree calipers of 1.5" for each tree removed</u> | <u>\$20 per tree</u> | <u>\$1,400.00</u> |

- 5. Monies collected by the Township pursuant to § 246-7(D)(4)(d) shall be collected and expended pursuant to following the procedures.
 - a) ~~The Township arborist, who shall be a trained forester or a certified tree expert, shall determine and maintain a schedule setting forth the replacement costs for major or minor trees required to be planted pursuant to § 246-7(D)(4) ("Mitigation Fee Schedule"). The Mitigation Fee Schedule shall set forth the data and information used by the Township arborist to determine the replacement costs in the Mitigation Fee Schedule.~~

- a) For Applicant's replanting trees, Applicant shall utilize the Tree Replacement Fee to calculate the total escrow to be held for a period of two (2) years to ensure replanted trees survive.
 - b) In lieu of providing a replacement tree, a contribution shall be paid to the Tree Fund as described above.
 - c) Funds remitted to the Township pursuant to § 246-7(D)(4) shall be deposited and maintained in a separately designated bank account ("Tree Fund").
 - d) Monies in the Tree Fund may only be expended for the planting of shade and/or ornamental trees in any public street, public park or public right-of-way at locations on the Tree Planting Schedule defined in § 246-7(D)(5)(e).
 - e) Each December, the Township shall publish an inventory of trees located on public streets, public parks and public rights-of-way ("tree inventory"). The Township arborist shall be required to maintain and update the tree inventory.
 - f) In conjunction with the publication of the tree inventory, the Township shall publish a schedule of trees on the tree inventory to be replaced or new tree plantings to be made on public streets, public parks or public rights-of-way in the ensuing twelve months ("tree planting schedule"). The Township shall then notice and hold public hearings on the tree planting schedule.
 - g) Trees purchased with monies in the tree fund shall be planted at locations on the tree planting schedule nearest to the site(s) that generated the remittance of monies pursuant to § 246-7(D)(4).
- ~~6. In the event that it is unknown or in question in any given instance as to whether mitigation should be determined on the basis of a minor tree or major tree, mitigation shall be required on the basis of a major tree.~~
7. In the event that it is unknown how many trees were removed from any given site, and removal took place without a tree permit issued pursuant to this or the predecessor Chapter **246**, adopted August 5, 1963, as may have been amended, the number of trees requiring mitigation shall be computed by assuming trees over six inches in caliper existed 30 feet on center and plotting the maximum number of those trees as circles of a fifteen-foot radius without having the circles overlap or extend beyond the property lines or drip lines of existing trees.
 8. In connection with tree removal pursuant to Subsection **A(3)** of this section, it shall be required that the applicant plant ~~major~~ trees, on center a distance of 30 feet, as street trees between the curblines and the edge of the right-of-way in a

location determined by the Township Engineer and the official administering this chapter.

9. Mitigation in any instance is not to be considered a penalty, but rather an implementation of the purposes of this chapter. Mitigation shall not be a substitute for, but shall be in addition to any penalty imposed for violation of the provisions of this chapter.

§ 246-8 Performance bond.

[Amended 12-18-2006 by Ord. No. 06-664]

Except in the event of tree removal pursuant to an approved subdivision or site plan where a performance bond to assure tree planting was posted, as a precondition to the issuance of a permit where mitigation is required, the applicant shall post a cash bond to assure mitigation in an amount equal to the amount determined by the Township arborist for each ~~minor and major~~ tree to be planted pursuant to § 246-7(D)(4). The bond shall be returned to the applicant upon completion of the required mitigation.

§ 246-9 Protection of existing trees.

- A. In connection with any construction, subsequent to tree clearing but prior to the issuance of a building permit or start of construction, snow fencing or other protective barrier acceptable to the official charged with the administration and enforcement of this chapter shall be placed around trees that are not to be removed. The protective barriers shall be placed at least 10 feet from the trunk of any tree and shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits or construction materials shall be placed within any area so protected by barriers. Any landscaping activities subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor.
- B. No person shall:
 1. Cut down or remove any tree except as permitted by this chapter or allow or cause such cutting or removal.
 2. Cause or allow any willful damage, injury or disfigurement of any tree growing within the Township. For purposes of this subsection, the actions of any person shall be deemed willful if the damage, injury or disfigurement of any tree is caused as the result of but not limited to the following: cutting, gashing or slitting of any tree; the pouring of any liquid or other material on any tree; or on the nearby ground; the construction or placement of any nonporous material on the ground around any tree so as to cut off air, light or water from the roots; or placement or removal of any soil from within 10 feet of any tree.

3. Store or pile building material or debris or place construction equipment within 10 feet of any tree.
- C. In the event that any tree to be saved in connection with construction as set forth above or any tree planted in mitigation shall die within two years after planting, it shall be replaced by the applicant or the property owner within six months.

§ 246-10 Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption including photos or statements from NJ licensed tree expert as per N.J.S.A. 45:15C-11 or New Jersey arborist.:

- A. Residents who remove less than two (2) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no replacement requirement.

§ 246-11 Duties of owner.

It shall be the duty of the owner of any lands in the Township of Cedar Grove to:

- A. Maintain and keep living trees in the road right-of-way or trees which threaten the road right-of-way of any road in the Township in a manner so as to keep the right-of-way

safe to preserve the public health, safety and general welfare and to remove dead or dying trees and/or branches.

- B. Existing trees and shrubbery shall be maintained so as not to interfere with the sight distance from any property and to keep the right-of-way safe to preserve the public health, safety and general welfare.
- C. Should there become a Hazard Tree within the Township Right-of-Way, the owner of the property shall be required to provide a contribution for the removal of the tree by the Township in an amount not to exceed one-half the cost of removal of said hazard tree.

§ 246-10 **11 Administration and enforcement.**

[Amended 3-5-2007 by Ord. No. 07-669]

This chapter shall be administered and enforced by the Township Manager or his designee. The Township arborist, who shall assist in the enforcement of this chapter as set forth herein, shall be selected through a fair and open process pursuant to N.J.S.A. 19:44A-20.3 et seq. After the selection of the Township arborist, the Township shall enter into a contract with the arborist, which shall set forth the fees charged by the arborist for providing services to the Township. The Township's contract with the arborist shall be published with the publication of the tree inventory and tree planting schedule as provided herein.

§ 246-11-~~12~~ **12 Appeals.**

[Amended 3-5-2007 by Ord. No. 07-669]

Any person aggrieved by the decision of the official charged with the administration and enforcement of this chapter shall have the right, within 10 days of the issuance of any decision by such official, to appeal to the Township Council, which shall take action as it deems necessary in the matter. In the event of such an appeal, the procedures set forth with reference to applications based on hardship contained in § **246-7C** of this chapter shall apply.

§ 246-12 ~~13~~ **13 Violations and penalties.**

[Amended 10-23-2006 by Ord. No. 06-656]

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 90 days, or both, and each tree removed or damaged in violation of this chapter shall be deemed a separate offense.

§ **246-14 Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Appendix A

Preferred list of Replacement tree Species and Planting Standards for the Township of Cedar Grove

| <u>Scientific Name</u> | <u>Common Name</u> |
|--|-----------------------------|
| <u>*Acer negundo</u> | <u>Box elder</u> |
| <u>*Betula nigra</u> | <u>River birch</u> |
| <u>*Carpinus caroliniana</u> | <u>American Hornbeam</u> |
| <u>*Cercis Canadensis</u> | <u>Eastern Redbud</u> |
| <u>*Cornus alternifolia Alternate-leaf</u> | <u>Dogwood</u> |
| <u>*Diospyros virginiana</u> | <u>Persimmon</u> |
| <u>*Dirca palustris</u> | <u>Leatherwood</u> |
| <u>*Fagus grandifolia</u> | <u>American Beech</u> |
| <u>*Gleditsia triacanthos</u> | <u>Honeylocust</u> |
| <u>*Ilex opaca</u> | <u>American Holly</u> |
| <u>*Juniperus virginiana</u> | <u>Red Cedar</u> |
| <u>*Liquidambar styraciflua</u> | <u>Sweet Gum</u> |
| <u>*Magnolia virginiana</u> | <u>Sweetbay Magnolia</u> |
| <u>*Nyssa sylvatica</u> | <u>Black Gum</u> |
| <u>*Pinus spp.</u> | <u>Pine</u> |
| <u>*Quercus spp.</u> | <u>Oak</u> |
| <u>Acer nigrum</u> | <u>Black Maple</u> |
| <u>Acer rubrum</u> | <u>Red Maple</u> |
| <u>Acer saccharinum</u> | <u>Silver Maple</u> |
| <u>Betula alleghaniensis</u> | <u>Yellow Birch</u> |
| <u>Betula lenta</u> | <u>Sweet Birch</u> |
| <u>Betula populifolia</u> | <u>Gray Birch</u> |
| <u>Carya alba</u> | <u>Mockernut Hickory</u> |
| <u>Carya glabra</u> | <u>Pignut Hickory</u> |
| <u>Carya ovalis</u> | <u>Red Hickory</u> |
| <u>Carya ovata</u> | <u>Shagbark Hickory</u> |
| <u>Castanea dentata</u> | <u>American Chestnut</u> |
| <u>Chamaecyparis thyoides</u> | <u>Atlantic White Cedar</u> |
| <u>Diospyros virginiana</u> | <u>Common Persimmon</u> |
| <u>Fraxinus americana</u> | <u>White Ash</u> |
| <u>Fraxinus nigra</u> | <u>Black Ash</u> |
| <u>Juglans nigra</u> | <u>Black Walnut</u> |
| <u>Juniperus virginiana</u> | <u>Eastern Redcedar</u> |
| <u>Larix laricina</u> | <u>Tamarack</u> |
| <u>Liriodendron tulipifera</u> | <u>Tuliptree</u> |

| | |
|------------------------------|---------------------------|
| <u>Pinus echinata</u> | <u>Shortleaf Pine</u> |
| <u>Pinus rigida</u> | <u>Pitch Pine</u> |
| <u>Platanus occidentalis</u> | <u>American Sycamore</u> |
| <u>Populus deltoides</u> | <u>Eastern Cottonwood</u> |
| <u>Populus grandidentata</u> | <u>Bigtooth Aspen</u> |
| <u>Populus heterophylla</u> | <u>Swamp Cottonwood</u> |
| <u>Quercus alba</u> | <u>White Oak</u> |
| <u>Quercus bicolor</u> | <u>Swamp White Oak</u> |
| <u>Quercus coccinea</u> | <u>Scarlet Oak</u> |
| <u>Quercus palustris</u> | <u>Pin Oak</u> |
| <u>Quercus prinus</u> | <u>Chestnut Oak</u> |
| <u>Quercus rubra</u> | <u>Northern Red Oak</u> |
| <u>Quercus stellata</u> | <u>Post Oak</u> |
| <u>Robinia pseudoacacia</u> | <u>Black Locust</u> |
| <u>Tilia americana</u> | <u>American Basswood</u> |
| <u>Tsuga canadensis</u> | <u>Eastern Hemlock</u> |
| <u>Ulmus rubra</u> | <u>Slippery Elm</u> |

*Deer Resistant

Trees shall only be permitted to be planted from May to mid-October. To best protect the tree please water regularly the first year and during droughts for the first 3 years. Also, mulch is great to keep the ground moist but too much can kill your tree. Keep the mulch well away from the trunk, create a “volcano of mulch” rather than a mountain. Young trees shall be protected from deer by means of protective netting/fencing.

Trees not listed above required authorization from a Township Official before planting. Trees & Plants on the DO NOT PLANT LIST by the New Jersey Invasive Species Strike Team are not permitted to be planted within the Township.

www.fohvos.info/invasive-species-strike-team/info-center/

Underline denotes addition. Strikeout denotes deletions.

INTRODUCED BY: Councilman Maceri

SECONDED BY: Councilman Zazzali

| ROLL CALL VOTE | | | | |
|-----------------------|------------|-----------|----------------|---------------|
| COUNCILMEMBER | YES | NO | ABSTAIN | ABSENT |
| Maceri | X | | | |
| Mega | X | | | |
| Zazzali | X | | | |
| Skabich | X | | | |
| Peterson | | | | X |

TOWNSHIP OF CEDAR GROVE

ENGINEERING DEPARTMENT

340 LITTLE FALLS ROAD, CEDAR GROVE, NJ 07009 PHONE 973-239-1410

TREE REMOVAL PERMIT

Applicant

Company Name: _____ Contact Name: _____ Cell Phone #: _____

Address: _____ Email: _____

Emergency Contact: _____ Emergency Contact Cell Phone #: _____

Owner (If other than Applicant)

Company Name: _____ Contact # _____ Email: _____

Description of Proposed Work: _____

Project Location: _____ Block: _____ Lot: _____

Name of Contractor: _____

Contractors NJ License: _____

Applicant must call 973-239-1410 ext. 280 when removal and replanting, if required, is completed.

APPLICANT SHALL CONSPICUOUSLY MARK EACH TREE TO BE REMOVED/DESTROYED WITH A MATERIAL WHICH CAN BE WRAPPED AROUND THE TRUNK OF EACH TREE, SUCH AS A RIBBON OR STRING
ADD ADDITIONAL SHEETS AS REQUIRED

| TREE NO. | SPECIES | DBH | REMOVAL LOCATION | REASON FOR REMOVAL | PRIVATE | PUBLIC | HISTORIC ZONE | NJDEP PROTECTED WETLANDS |
|----------|---------|-----|------------------|--------------------|---------|--------|---------------|--------------------------|
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APPLICANT CERTIFICATION IN LIEU OF OATH:

The applicant agrees to comply with the Township Code and all relevant laws of the State of New Jersey. The applicant assumes full responsibility for this compliance and agrees to indemnify and save harmless the Township of Cedar Grove, its officers and employees against all suits and costs of every name and description and from all damages and injuries that may occur as a result of this excavation. I hereby certify that I am the agent of, or owner of record and I am authorized to make this application:

Printed Name: _____

Signature: _____ **DATE:** _____

TREE REPLACEMENT SCHEDULE / IN LIEU OF REPLACEMENT FEE(S)

| Live Regulated Tree(s) Removed/Destroyed (DBH) | Quantity of Removals | Required Replacement Tree(s) | Replacement Trees | Tree Replacement Fee in Lieu of Replacement |
|--|----------------------|------------------------------|-------------------|---|
| DBH of 4" to 12.99" | | x One (1) = | | \$350.00 |
| DBH of 13" to 22.99" | | x Two (2) = | | \$700.00 |
| DBH of 23" to 32.99" | | x Three (3) = | | \$1,050.00 |
| DBH of 33" or greater | | x Four (4) = | | \$1,400.00 |
| Total Replacements: | | | | |

| OFFICIAL USE ONLY | |
|---|---------|
| Number of Trees to be removed: | |
| Reason: | |
| Tree Replacement Fee in Lieu of Replacement: | |
| Tree Replacement Fee To Be Held In Escrow for Two (2) Years for Replanting: | |
| Cash | Check # |
| Approved | |
| Denied | |
| Notes: | |
| I have reviewed this Application for compliance with the Cedar Grove Tree Ordinance (Chapter 246) | |
| | |
| Zoning Officer | Date |