

TREE REMOVAL APPLICATION / PERMIT

BOROUGH OF LITTLE FERRY
215-217 Liberty Street
Little Ferry, NJ 07643
201-641-9234

Tree Removal Permit # _____

Application Date: _____

1. HOMEOWNER / AGENT: (Please complete entire section)

Block: _____ **Lot(s):** _____ **# of Trees to be Removed:** _____

Site Address: _____

Site Owner: _____ **Site Owner's Daytime Phone #:** _____

Reason for Removal: _____

PERSON / CONTRACTOR DOING TREE REMOVAL WORK

Agent's Daytime Phone # _____

Agent's Address: _____

Any construction currently ongoing on site / Open Permit(s)? _____

Are you before the Planning Board/Zoning for review of future construction? _____

Previous Tree Permit# _____, **Date:** _____, **and # of Trees Approved:** _____

HOMEOWNER/AGENT SIGNATURE: _____ **DATE:** _____

PRINTED NAME: _____

2. PLEASE DRAW A SKETCH OR ATTACH A SITE PLAN OF TREES TO BE REMOVED.

TREES MUST BE TAGGED PRIOR TO INSPECTION DATE

In your sketch please include the road your house is on, your house, and the driveway in relation to the tree(s).

Detail of proposed work. Include tree species or type, diameter measured at 4 ½ feet up the trunk from the base of the tree, and how many trees to be removed:

3. Fee: \$10.00 per tree – (waived for owner occupied single & two-family homeowners for removal of one (1) tree only)

FOR OFFICIAL USE ONLY

of approved trees: _____ **Alive:** _____ **Dead:** _____ **Storm Damaged:** _____

Approval Signature Site Inspection: _____ **Date:** _____

Printed Name / Title: _____

Reason for Denial: _____

Check# _____ **Receipt #** _____

PERMIT EXPIRES 90 DAYS FROM APPLICATION DATE

*Borough of Little Ferry, NJ
Tuesday, May 17, 2022*

Chapter 27. Environmental Regulations

§ 27-3. TREES.

[Added 10-10-2017 by Ord. No. 1486-19-17]

§ 27-3.1. Purpose.

It is the purpose of this section to prevent environmental degradation; to preserve existing natural resources; to control the indiscriminate and excessive cutting and destruction of trees; to prevent the destruction of the aesthetic character of established neighborhoods within the Borough; and to provide for the replacement of trees when removed.

§ 27-3.2. Regulated Trees.

As used in this section, the word "tree" shall mean any woody plant having a diameter greater than eight inches as measured at a height of four feet from existing grade (i.e., at its base).

§ 27-3.3. Prohibited Activities.

It shall be unlawful to remove, destroy or substantially alter in such a way as to impair or endanger the life of any tree without first obtaining a tree removal permit.

§ 27-3.4. Permitted Activities.

The cutting, pruning or trimming of trees in a manner which is not harmful to the health of the tree and which will not endanger the tree's continued vitality is permitted.

§ 27-3.5. Permit Application Requirements; Fee.

Except as provided in Subsections 27-3.7 and 27-3.8 herein, all applications for a tree removal permit shall be filed with the Borough's Construction Official, who shall maintain an index of all such applicants. Applicants shall be required to submit the following information: name and address; tax block and lot; description of the property; purpose for the proposed tree removal; tree species, size and condition; a sketch, indicating the location of the tree(s) proposed for removal in relation to all structures on the property; and a filing fee in the amount of \$10 per tree to be removed. The filing fee (not the application) is hereby waived for all owner-occupied single- and two-family homeowners in the event that only one tree is being removed.

§ 27-3.6. Criteria for Tree Removal and Permit Procedure.

- a. Upon the filing of an application for a tree removal permit under Subsection **27-3.5** herein, and prior to the issuance of a tree removal permit, the Borough's Construction Official shall inspect the property which is the subject of the application, and in particular the tree(s) to be removed. The Construction Official shall issue a tree removal permit, provided one or more of the following criteria are met:
 1. A determination by a licensed tree expert or licensed tree care operator that the tree is dead, diseased or in danger of falling;
 2. The tree interferes with necessary utility service;
 3. The tree creates an unsafe condition or poses a threat to public health and safety;
 4. The tree conflicts with other municipal ordinances or regulations.^[1]
- [1] *Editor's Note: Former Subsection 27-3.6b, which permitted owners of single-family and two-family residences to remove one tree each three years, and which immediately followed this subsection, was repealed 9-10-2019 by Ord. No. 1524-14-19.*

§ 27-3.7. Requirements and Permit Procedure for Site Plan and Subdivision Applications.

- a. Upon application for site plan/subdivision approval which would cause the removal or destruction of any tree, an applicant shall be required to submit the following:
 1. A simple drawing showing the location of all trees on the property and any other existing or proposed structures;
 2. Identification of all trees to be retained and/or removed, including their species, size and condition.
- b. For any site plan or subdivision application requiring Planning Board or Zoning Board of Adjustment approval that also involves an application for a tree removal permit, the application shall be submitted to the Borough's Construction Official, who will have the responsibility for approving any tree removal and who shall advise the Borough's Planning Board or Zoning Board in writing of any such approval. The Construction Official shall be responsible for issuing the tree removal permit.
- c. All applicants for a tree removal permit under this section shall comply with the requirements set forth in Subsection **27-3.9** herein.

§ 27-3.8. Requirements and Permit Procedures for Other Development Applications.

- a. Upon application for a building permit which would cause the removal or destruction of any tree, an applicant shall be required to submit an application to the Borough's Construction Official for a tree removal permit, together with a simple drawing showing the location of the trees to be removed, and indicating their species, size and condition. The Construction Official shall be responsible for issuing the tree removal permit, provided the application complies with the requirements set forth in Subsection **27-3.6** herein.
- b. For any development application that requires an application for a tree removal permit and also requires variance approval from the Zoning Board of Adjustment (but does not also involve an application for site plan or subdivision approval), the application shall be submitted to the Borough's Construction Official, who will have the responsibility for approving any tree removal and who shall advise the Borough's Zoning Board in writing of any such approval. The

Construction Official shall be responsible for issuing the tree removal permit, provided the application complies with the requirements set forth in Subsection **27-3.6** herein.

§ 27-3.9. Requirements for Tree Replacement and/or Mitigation.

In connection with any trees to be removed under Subsections **27-3.7** and **27-3.8** herein to accommodate buildings, driveways, parking areas, lawn and recreation areas, etc., the following replacement/mitigation standards shall apply:

- a. For every one tree removed, one replacement tree shall be provided on site;
- b. Replacement trees shall be minimum 2 1/2 inches' caliper nursery-grade stock and of the same species of the tree to be removed or, alternatively, a species that is native to the area;
- c. Where on-site replacement is not feasible, the applicant shall be required to pay a fee to the Municipal Tree Replacement Fund in an amount equal to \$250 per tree to be removed.

§ 27-3.10. Violations and Penalties.

Any person who removes one or more trees without a permit shall be subject to a fine up to \$2,000 or a jail term not to exceed 90 days, or both. Each tree removed without a permit shall be considered a separate violation.

§ 27-3.11. Severability.

The terms of this section are hereby declared to be severable; should any part, portion or provision be deemed invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

§ 27-3.12. When Effective.

This section shall take effect immediately upon final passage and publication according to law.