

Township of Washington
(Bergen County)

TREE REMOVAL PERMIT APPLICATION PURSUANT TO §212-3.1 OF TOWNSHIP CODE
(Revised August 2018)

NOTE: Applications for the removal of more than three (3) trees must be submitted to the Planning Board for approval.

PLEASE REMEMBER TO CALL 811 BEFORE YOU DIG

1. TREE PARTICULARS: Identify Property Where Tree is Located

Street Address: _____ Block: _____ Lot: _____

Attach documents to establish tree(s) is/are situated on above property, including at least a color photographs with the subject tree(s) identified with an "X".

Are any of the trees heritage trees as defined in §212-3.1?

Please check box:

Yes No

If you checked "No" please answer questions below.

Single Trunk Multi Trunk

If Single Trunk, indicate circumference of the tree measured four feet above ground level: _____ inches

If Multi-Trunk, indicate combined circumference of the two largest trunks of the tree measured four feet above ground level: _____ inches

Is the tree height 35 feet or more?

Yes No

If the circumference is more than 38" for a single trunk tree or 60" for a multi-trunk tree OR the height is 35 feet or more, the tree is a heritage tree, in which case, the applicant must submit a letter from a licensed arborist in support of the application establishing one of the following:

- the tree is dead;
- the tree is diseased;
- the tree has partially or completely fallen due to acts of nature;
- the tree endangers public safety.

2. TREE OWNER INFORMATION

Name: _____ Phone: _____

Email: _____

The undersigned property owner hereby certifies that all of the information provided on this application and attached thereto are true.

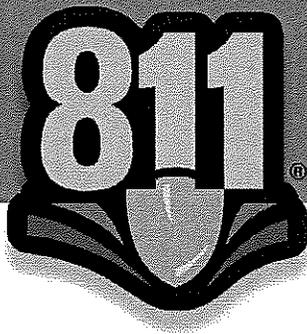
Signature of Property Owner

Date

A \$25.00 Application Fee must accompany all applications. Please make checks payable to "Township of Washington"

Please see reverse side

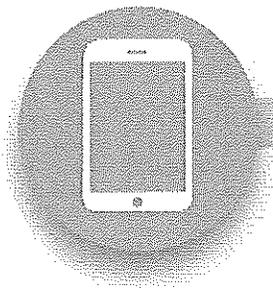
THE 811 PROCESS



FOR HOMEOWNERS

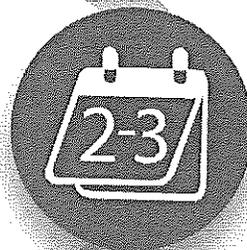
1 NOTIFY

Notify your local one-call center by calling 811 or making an online request 2-3 days before work begins. Click here for information about your local one-call center and online service availability. The one-call center will transmit information to affected utility operators.



2 WAIT

Wait 2-3 days (varies by state; please [click here](#) for state law information) for affected utility operators to respond to your request. On average, between 7-8 utility operators are notified for each request.



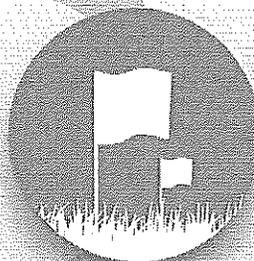
3 CONFIRM

Confirm that all affected utility operators have responded to your request by comparing the marks to the list of utilities the one-call center notified. State laws vary on the process for confirmation; please check with your local one-call center for more information.



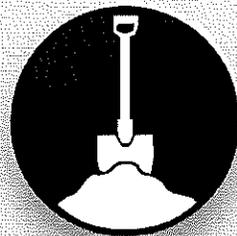
4 RESPECT

Respect the marks. The marks provided by the affected utility operators are your guide for the duration of your project. If you are unable to maintain the marks during your project, or the project will continue past your request's expiration date (varies by state), please call 811 to ask for a re-mark.



5 DIG CAREFULLY

Dig carefully. If you can't avoid digging near the marks (within 18-24 inches on all sides, depending on state law), consider moving your project to another part of your yard. If you must dig near the marks or use machinery of any kind, please [click here](#) to read "The 811 Process for Contractors."



For projects that include planting a tree, installing a mailbox or building a deck, among others.

*Township of Washington, NJ
Thursday, January 17, 2019*

Chapter 465. Trees

[HISTORY: Adopted by the Township Council of the Township of Washington 3-27-2006 by Ord. No. 06-4 (Ch. 212 of the 1985 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Fees — See Ch. 212.

Land development — See Ch. 540.

§ 465-1. Definitions.

As used in this chapter the following terms shall have the meaning set forth below:

APPLICANT

Any person, firm, corporation or entity seeking issuance of a tree removal permit under any of the procedures outlined in this chapter.

[Added 6-10-2013 by Ord. No. 13-14]

HERITAGE TREE

Any of the following:

- A. Any single-trunk tree with a circumference of 38 inches or more, measured four feet above ground level.
- B. Any multi-trunk tree of which the two largest have a total circumference of 60 inches or more measured four feet above ground level.
- C. Any tree 35 feet or more in height.

REPLANTED TREE

Any deciduous or evergreen woody plant of the diameter/caliper required in this section, planted for the purpose of replacing trees cut, removed or destroyed.

TREE

Any live, woody plant having a diameter or width equal to or greater than six inches and/or a circumference greater than 19 inches measured at the natural ground level. If a plant has multiple stems, then the aggregate of the stem diameters and/or the aggregate of the circumferences shall be used in determining whether the plant is a tree.

TREE REMOVAL PERMIT

Permit for removal of tree(s) as requested by applicant.

[Added 6-10-2013 by Ord. No. 13-14]

TREE REMOVAL PERMIT APPLICATION

Application required for consideration of tree removal permit.

[Added 6-10-2013 by Ord. No. 13-14]

§ 465-2. Prohibited activities.

No person, corporation, association or entity of any kind shall do or cause to be done by others, either purposely, carelessly or negligently, any of the following acts upon privately owned property within the Township of Washington:

- A. Cut, destroy or injure any tree.
- B. Place or maintain upon the ground any substance which will impede free access of air and water to the tree's living components.
- C. The cutting, trimming or maintenance of trees in a manner which is harmful to the health of the tree.
[Amended 7-15-2013 by Ord. No. 13-17]

§ 465-3. Permitted activities.

Notwithstanding the restrictions contained in the above section, the following activities shall be permitted:

- A. The removal of not more than three nonheritage trees on any approved or existing building lot, as shown on the current tax assessment maps of the Township, within a twelve-month period.
- B. The removal of trees in accordance with a site plan or subdivision plan approved by the Planning Board; in conjunction with development or soil movement permit approved by the Planning Board; in conjunction with development or soil movement applications, so long as the approval includes a requirement that the applicant replace two trees, meeting the replacement tree standard in § 465-7B for each tree removed.
- C. The cutting, trimming or maintenance of trees in a manner which is not harmful to the health of the tree.
- D. The removal of trees which are diseased, dead, partially or completely fallen by acts of nature or which endanger public safety.
- E. The removal of trees necessary to construct any structure for which a permit has been issued by the Construction Code Official, so long as the approval includes a requirement that the applicant replace at least 25% of the trees removed.
- F. Activities involving tree trimming or removal located within a public right-of-way or easements, or publicly owned or controlled property, so long as the Township of Washington is in responsible charge of the activities.

§ 465-4. Permit required for tree removal.

[Added 6-10-2013 by Ord. No. 13-14]

- A. No activity under § 465-3A or D shall be permitted without the issuance of a tree removal permit, issued by the Building Department upon the affirmative

recommendation of the Business Administrator after review of an applicant's tree removal permit application.

- B. Tree removal permit applications shall be submitted to the Business Administrator, and shall contain all information required by the application form. If removal of a tree is being requested under § 465-3D, the tree removal permit application shall be accompanied by a letter from a licensed arborist verifying that any tree to be removed qualifies under said section. If the Business Administrator is satisfied with the information in the tree removal permit application, and with the letter from a licensed arborist if same is required hereunder, the Business Administrator shall direct the Building Department to issue the tree removal permit upon payment by the applicant of a tree removal permit fee as set forth in Chapter 212, Fees, to the Building Department. If the Business Administrator is not satisfied with the information in the tree removal permit application, or with the letter from a licensed arborist, if same is required hereunder, the Business Administrator shall be authorized, at the sole cost of the applicant, to initiate a physical inspection of the subject tree(s) and property on which same is located, performed by the Township Engineer, the Department of Municipal Facilities, a licensed arborist and/or other professionals, and have a written opinion issued addressing the issues of concern identified by the Business Administrator. Thereafter, the Business Administrator shall make a determination as to whether or not the tree removal permit shall be issued, and shall thereupon either direct the Building Department to issue the tree removal permit or deny issuance thereof.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- C. If a tree removal permit is not issued under the procedure set forth herein, the applicant may file an application with the Planning Board, not associated with any subdivision or site plan application, which shall include the following requirements:

[Amended 7-15-2013 by Ord. No. 13-17]

- (1) The applicant shall be required to pay an application fee in the amount set forth in Chapter 212, Fees.

[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- (2) The applicant shall be required to post an escrow in the amount of \$500 with the Township.

- D. In the event that the Business Administrator initiates an inspection or involvement of the Township Engineer, the Department of Municipal Facilities, a licensed arborist and/or other professionals, the applicant shall be required to post an escrow with the Township, the amount of which shall be an estimate developed by the Business Administrator to cover the cost of such inspection or involvement. The actual cost of such inspection or involvement shall be the responsibility of the applicant.

- E. Upon receipt of the costs in connection with the denial or issuance of a tree removal permit, same shall be memorialized in a certification by the Business Administrator. The applicant shall pay such costs to the Township. If, upon no more than two attempts to obtain said costs (by sending an invoice to the applicant by certified and regular mail), said costs shall forthwith become a lien upon the lands identified in the tree permit application and shall be added to and become and form part of the taxes next to be assessed and levied upon the lands, the same to bear interest at the same rate as other taxes and shall be collected and enforced by the same officer and in the same manner as taxes.

§ 465-5. Exceptions.

The following exceptions shall apply:

- A. The Planning Board or Zoning Board of Adjustment may waive the replacement planting requirements either in number, specie or replacement size.
- B. Upon application to the Planning Board, the granting of exceptions from the requirements of this section as may be reasonable and within the purposes and intent of this section if the literal enforcement of one or more provisions is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question; the form of application will be the same provisions as that of the Site Plan Review Ordinance.^[1]

[1] *Editor's Note: See also Ch. 540, Art. XV, Site Plan Review.*

§ 465-6. Criteria for consideration of tree removal and replanting.

- A. The Planning Board or Zoning Board may consult with the Township Engineer or any professional; as provided in the Municipal Land Use Law for guidance in considering land use, development, soil movement or exception applications.
- B. Replanted trees shall be at least 2 1/2 inches in diameter/caliper, measured at breast or chest height, and must be nursery stock; balled in burlap and staked upon planting per Township standards provided by the Township Engineer.
- C. The location of replanted trees shall be determined by the following schedule of preference when at all possible:
 - (1) In the location where the trees are removed.
 - (2) Within the building lot containing the removed trees.
 - (3) Within the development site approved by the Planning Board/Zoning Board or within the public right-of-way fronting or bounding the site.
 - (4) Elsewhere in the Township within the public property, but as near as possible to the building lot where the trees are removed.

§ 465-7. Violations and penalties; replacement schedule.

- A. Any person, corporation, association or entity of any kind violating any provision of this chapter shall, upon conviction thereof, be punishable by a fine not exceeding \$3,000 per offense. The cutting, destruction or removal of each tree shall constitute a separate offense.
- B. If trees are cut, destroyed or removed for any reason in conjunction with any land use, development or soil movement activity in excess of the specified number of trees which were approved for removal by the Planning Board or Zoning Board or Construction

Official, restitution shall be made by the applicant in accordance with the following schedule.

Diameter of Tree Removed (Inches)	Number of 2 1/2-inch Caliper Trees To Be Provided
6 to 15	6
16 to 24	10
25 to 36	15
37 and over	20

C. Any offense will be subject to fine and replacement.

§ 465-8. Enforcement agencies.

Each of the following agencies shall have full authority to enforce the provisions of this chapter, including but not limited to, the power to make inspections, the issuance of summonses, the issuance of cease and desist notices, the serving of summonses and notices, the prosecution of violators of this chapter in Municipal Court, and the prosecution of violations in any court of competent jurisdiction: Chief Building Inspector, Zoning Officer, Superintendent of Department of Municipal Facilities, Township Engineer, and Police Department.