



## TOWNSHIP OF HOPEWELL

201 Washington Crossing Pennington Road  
Titusville, New Jersey 08560-1410  
Phone 609.737.0605 Ext 6640

### **TREE REMOVAL PERMIT ATTACHMENT (§12-4)**

Date of Application: \_\_\_\_\_

Work Site Location / Street Address: \_\_\_\_\_

Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

#### **A. Tree Removal Calculation.**

1. Calculate the total DBH of trees to be removed:

(Example: a combined total of 150 inches of DBH equals 15 trees of 10 inches DBH; 5 trees of 30 inches DBH; 10 trees of 15 DBH; etc.)

<i>Tree Diameter at Breast Height (DBH) <sup>1</sup></i>	<i>Number of Trees to be removed at specified DBH</i>	<i>Total DBH of removal for specified tree size</i>
<b>Total DBH to be removed</b>		

<sup>1</sup> DBH is measured as the diameter of the tree 4.5 feet above the ground. Trees measuring less than 10" DBH are not required to be counted towards the removal total.

2. Add Total DBH of trees removed on the property within past 10 years from date of application to the total DBH removal currently proposed: \_\_\_\_\_

**If the grand total is less than 150 inches of tree DBH within a 10 year period, a tree removal permit, fee, tree removal plan and tree replacement plan are not required.**

- B. **Fee.** If a tree removal permit is required, the required fee shall be paid upon application to the Administrative Officer.

1. *Application Fees:* Twenty-five (\$75.00) dollars for each tax lot.

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<b>FOR TOWNSHIP USE ONLY:</b>		
	<b>Date Received:</b>	<b>Initials:</b>
<b>Application Fee:</b>	[     ] Lots x \$75 / lot	<b>Total Applic. Fee:</b>
	[     ]	

- C. If a tree removal permit is required, a **Tree Removal and Replacement Plan** shall be submitted and shall contain the minimum information: (See §12-4 of the Township Ordinance for Complete Requirements)
1. ☐ A certification from the lot owner that the applicant is specifically authorized to make the application for tree removal.
  2. ☐ The shape and dimensions of the lot or parcel, including a north arrow, the location of all existing and proposed easements, existing and proposed infrastructure, roadways and buildings, if any.
  3. ☐ The location of trees 10" DBH and greater to be removed.
  4. ☐ The location of any State record and specimen trees to be removed. The applicant shall provide documentation demonstrating that all reasonable efforts have been made to preserve State record and specimen trees, including, but not limited to, if feasible, relocation of existing and proposed infrastructure, roadways and buildings. Removal of State record trees or specimen trees requires approval of the Hopewell Township Committee. Replacement requirements for any State record tree or specimen tree approved to be removed shall be established by the governing body.
  5. ☐ Tree preservation limits including limits of all tree protection with appropriate construction details. There shall be no wires or attachments to trees being protected. Protection is required for any soil disturbance within the drip line of any tree not being removed. No materials of any kind shall be stored and no construction machinery shall be placed within the drip line of any tree to be protected, and shall be so noted on the plan.
  6. ☐ Tree replacement plan. A tree replacement plan may be integrated with landscape plans submitted for other separate land use approvals. Replacement trees shall be planted on the same tax lot as the trees to be removed.
    - a. ☐ Trees planted within other existing natural stands of trees on-site may be spaced five feet to 20 feet on center.
    - b. ☐ Tree replacement species shall be indigenous to the area and site.
    - c. ☐ Street trees, (i.e., deciduous trees planted within 10 feet of a street right-of-way), shall comply with the planting requirements at Township Code Section 14-1. If these trees are to be used as replacement trees, they shall be indigenous / native species. The following species from the list at §14-2.1 are native:
      - Red Maple *Acer Rubrum* - native
      - Scarlet Oak *Quercus coccinea* - native
      - Pin Oak *Quercus palustris* - native
      - \*Willow Oak *Quercus phellos* - native
      - Sugar Maple *Acer saccharum* - native
      - \*Sweetgum *Liquidambar styraciflua* - native
      - \*Sourgum or black gum *Nyssa sylvatica* – native\*Spring Planting Only.
    - d. ☐ All proposed replacement tree species shall be selected from Trees for New Jersey Streets as published by the New Jersey Shade Tree Federation; Street Tree Factsheets, a publication of the Municipal Tree Restoration Program; and the adopted Hopewell Township Community Forestry Plan (see attached list).
    - e. ☐ Tree replacement materials shall be provided in accordance with the standards set forth in ANSI Z60.1, American Standard for Nursery Stock.
    - f. ☐ Unless otherwise set forth in this section, tree replacement shall follow the guidelines set forth in the "New Jersey No Net Loss Reforestation Act," P.L. 1993, c.106 (c:13:1L-14.2).
  7. ☐ Soils disturbed during tree replacement shall be stabilized in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.

**D. Tree Replacement Requirements.**

1. The number and size of replacement trees for each tree ten inches in DBH or larger that is to be removed beyond a combined total of 150 inches DBH shall be as follows:

<i>Diameter of Removed Trees at Breast Height in Inches</i>	<i>Number of Replacement Trees for Each Tree Removed</i>	<i>Caliper of Replacement Trees</i>
10" up to 16"	2	2 – 2 1/2"
Greater than 16"up to 23"	2	3"
Greater than 23"up to 30"	4	3 1/2 – 4"
Greater than 30"	5	3 1/2 – 4"

2. Credits for tree replacement shall be given on a one-to-one basis when one of the following conditions are proposed on the tree replacement plan:
  - a. Preservation of stands of ten or more trees with a DBH of six inches or greater within the limit of the disturbance line. Credit will only be given for native trees located within the stand.
  - b. Preservation of one acre or more of on-site areas having stands of trees with a DBH of six inches or greater which are to be left in natural condition. Preservation shall be provided by a deed of conservation easement from the lot owner to Hopewell Township which deed shall be filed with the Mercer County Clerk's Office by the applicant as a condition of the tree removal permit after approval by the Township Committee. This credit excludes all previous dedicated easements.
  - c. All replacement trees shall be maintained in healthy condition for no less than two years from the date of planting.
  - d. When the site in question cannot physically accommodate the total replacement amount of trees required by this section, as certified by the applicant and verified by the Administrative Officer, tree replacement may be accomplished by a contribution of the monetary value of non-replaced trees to the Township Tree Escrow Fund in an amount as set forth below and in Chapter X, Fees and Permits. Payment shall be a condition of the tree removal permit.

<i>Diameter of Removed Trees at Breast Height in Inches</i>	<i>Tree Escrow Fund Contribution (Value for Each Tree to Be Removed and Not Replaced)</i>
10" up to 16"	\$480.00
Greater than 16"up to 23"	\$840.00
Greater than 23"up to 30"	\$1,680.00
Greater than 30"	\$2,100.00

**E. Term of Permit.**

Approved tree removal permits shall be valid for a period not to exceed 12 calendar months from the date of issuance by the Administrative Officer and shall be conditioned upon payment of all permit and inspection fees. An extension may be granted by the Township Administrator for a period not to exceed three months for good cause shown. All work not completed within the term of permit or term of extension shall be the subject of a new application and the payment of new fees.

**F. Display of Permit and Right of Entry.**

1. The tree removal permit shall be prominently displayed on the site continuously while trees are being removed or replaced or work done as authorized by the tree removal permit and for ten days thereafter.
2. All persons cutting or removing trees, if other than the applicant, shall carry with him/her authorization from the owner and applicant authorizing such person to cut or remove trees.
3. In the event that trees are being cut or removed in accordance with a forest management plan or a soil conservation plan, a copy of said plans shall be in the possession of the person cutting or removing such trees, if not the owner of the lot.
4. As a condition for the issuance of the permit, the applicant shall agree in writing to the entry onto his/her premises by the Administrative Officer or his designee as necessary to inspect the site in review of the application for a tree removal permit and to inspect the permitted tree removal work to effectuate the

provisions of this chapter. Failure to allow such entry shall constitute a violation of the permit and this chapter.

**G. Tree Protection During Construction.**

1. Prior to any tree removal, protection shall be installed. Tree protection shall remain until tree removal is complete.
2. When the tree protection area is adjacent to street rights-of-way and utility easements, the location of said street rights of-way and utility easements shall be identified during construction.
3. Any trees damaged during construction must be inspected and treated if required in accordance with written guidance from a tree expert. If the damage is unable to be treated as certified by the tree expert the damaged tree shall be removed and replaced in accordance with Section 12-4 of the Township Code.

**H. Guarantees.**

1. *Performance Guarantee.* When a tree replacement plan is proposed as part of residential construction, compliance with the tree replacement plan shall be required prior to release of the final certificate of occupancy. When a tree replacement plan is part of non-residential construction or new utility construction a performance bond guaranteeing compliance with the tree replacement plan shall be provided to the Township. The performance guarantee shall be in a form and in an amount prescribed by the Municipal Land Use Law.
2. *Maintenance Guarantee.* When a tree replacement plan is proposed as part of residential construction, the two year maintenance obligation shall be required as a performance condition of the final certificate of occupancy. When a tree replacement plan is part of non-residential construction or new utility construction, a two year maintenance bond in the amount of 15 percent of the performance bond shall be provided to the township. The maintenance guarantee shall be in a form and in an amount prescribed by the Municipal Land Use Law.

**I. Violations and Penalties.**

1. Any person, firm, partnership, corporation, association or other legal entity violating any of the provisions of this section shall, upon conviction of such violation be punished by a fine of up to two thousand (\$2,000.00) dollars for each violation, in the discretion of the Judge before whom conviction may be had. Each illegally removed tree shall be considered a separate violation. Each violation of any of the provisions of this section and each day the same is violated shall be defined and taken to be a separate and distinct offense. In addition, the court may order restitution (fine and/or appraised value, whichever is greater) and/or replacement of the tree illegally removed.
2. In addition to other remedies, the Tree Specialist or other authorized official may institute any appropriate legal action to prevent a continuing violation of the terms of this section.

## **CHAPTER XIV ENVIRONMENTAL COMMISSION REGULATIONS** (Currently in Draft Form. 5/29/2015)

### **14-1 SPECIFICATIONS FOR PLANTING WOODY PLANTS (TREES & SHRUBS) IN DEVELOPMENTS AND SUBDIVISIONS.**

Shade trees shall be of a type and size and in such location as shall be approved by and be planted under the supervision and direction of the Environmental Commission of the township. Shade trees shall be placed not more than 50 feet apart along streets in all developments and subdivisions (five feet to 15 feet within the right-of-way lines) five to ten feet outside the street right-of way line and shall not interfere with utilities. No shade trees shall be planted within 50 feet of intersecting street right-of-way lines. The planning board shall grant a waiver to the above only if there are trees growing along such streets or on abutting property near the street which are in compliance with or exceed the requirements of this chapter. The developer or subdivider shall submit shade tree layout plans to the Environmental Commission for approval and recommendations to the Hopewell Township Planning Board. Trees shall conform to the regulations set forth in Chapter XIV of the Revised General Ordinances of the Township of Hopewell Environmental Commission Regulations” and shall be of the species or variety required by the Planning Board.

(Ord. #7/15/74)

### **14-2 APPROVED SPECIES AND VARIETIES.**

#### **14-2.1 Listing**

The following are approved species and varieties:

\*Spring Planting Only

\*\* Denotes Evergreen

#### **LATIN**

#### **COMMON NAME**

##### ***Evergreen trees***

*Chamaecyparis thyoides*

Atlantic White Cedar

*Ilex opaca*

American Holly

*Juniperus virginiana*

Eastern Red Cedar

*Pinus echinata*

Shortleaf Pine

*Pinus strobus*

Eastern White Pine

*Pinus rigida*

Pitch Pine

*Pinus taeda*

Loblolly Pine

*Pinus virginiana*

Virginia Pine

*Tsuga canadensis*\*\*

Eastern Hemlock

##### ***Large deciduous trees***

*Acer rubrum*

Red Maple

*Acer saccharinum*

Silver Maple

*Acer saccharum*

Sugar Maple

*Betula lenta*

Black or Sweet Birch

*Betula nigra*

River Birch

*Betula populifolia*

Gray Birch

*Carpinus caroliniana*

American Hornbeam (Ironwood; Musclewood)

*Carya cordiformis*

Bitternut Hickory



### Large Deciduous Trees (Cont'd)

#### LATIN NAME

#### COMMON NAME

<i>Carya glabra</i>	Pignut Hickory
<i>Carya ovata</i>	Shagbark Hickory
<i>Celtis occidentalis</i>	Hackberry
<i>Diospyros virginiana</i>	Persimmon
<i>Fagus grandiflora</i>	American Beech
<i>Fraxinus americana</i>	White Ash
<i>Fraxinus pennsylvanica</i>	Green Ash
<i>Gleditsia triacanthus</i>	Honey locust
<i>Juglens nigra</i>	Black Walnut
<i>Liriodendron tulipifera</i>	Tulip Poplar
<i>Liquidambar styraciflua</i>	*Sweetgum
<i>Morus rubra</i>	Red Mulberry
<i>Nyssa sylvatica</i>	*Sourgum or Blackgum
<i>Plantanus occidentalis</i>	American sycamore
<i>Populus deltoides</i>	Eastern Cottonwood
<i>Populus grandidentata</i>	Large-tooth Aspen
<i>Populus tremuoides</i>	Quaking or Trembling Aspen
<i>Prunus serotina</i>	Black Cherry
<i>Quercus alba</i>	White Oak
<i>Quercus bicolor</i>	Swamp White Oak
<i>Quercus coccinea</i>	Scarlet Oak
<i>Quercus falcata</i>	Southern Red Oak
<i>Quercus palustris</i>	Pin Oak
<i>Quercus phellos</i>	Willow Oak
<i>Quercus prinus</i>	Chestnut Oak
<i>Quercus rubra</i>	Northern Red Oak
<i>Quercus velutina</i>	Black Oak
<i>Salix nigra</i>	Black Willow
<i>Sassafras albidum</i>	Common Sassafras
<i>Taxodium distichum</i>	Bald Cypress
<i>Tilia americana</i>	American Basswood
<i>Ulmus americana</i>	American Elm
<i>Ulmus rubra</i> (sometimes <i>U. fulva</i> )	Slippery elm



**Understory (small) trees***Acer ginnala**Cercis canadensis**Cornus florida**A. melanochrysa* spp.*Chionanthus virginicus**Magnolia virginiana**Prunus americana**Prunus serotina**Prunus virginiana**Sassafras albidum*

Amur maple

Redbud (many attractive cultivars available)

Flowering dogwood (many attractive cultivars available)

Serviceberry

Fringetree

Sweetbay Magnolia

Wild Plum

Black Cherry

Chokecherry

Common Sassafras**Shrubs [\*\*denotes EVERGREEN]***Alnus rugosa**Alnus serrulata**Aronia arbutifolia**Aronia melanocarpa**Asimina triloba**Baccharis halimifolia**Cephalanthus occidentalis**Clethra alnifolia**Cornus amomum**Cornus racemosa**Cornus sericea**Corylus americana**Crataegus crus-galli**Crataegus uniflora**Gaylussacia baccata**Gaylussacia frondosa**Hamamelis virginiana**Ilex glabra* \*\**Ilex verticillata**Itea virginica**Iva frutescens**Kalmia latifolia* \*\**Leucothoe racemosa* \*\**Lindera benzoin**Myrica cerifera* \*\**Myrica pensylvanica* \*\**Physocarpus opulifolius**Prunus maritima**Rhododendron atlanticum**Rhododendron periclymenoides**Rhododendron viscosum*

Speckled Alder

Smooth Alder

Red Chokeberry

Black Chokeberry

Paw Paw

Groundsel Tree or Sea Myrtle

Buttonbush

Sweet Pepperbush

Silky Dogwood

Gray Dogwood

Red-osier Dogwood

American Hazelnut

Cockspur Hawthorn

Dwarf Hawthorn

Black Huckleberry

Dangleberry

Witchhazel

Inkberry Holly

Winterberry

Virginia Sweetspire

Marsh Elder

Mountain laurel

Fetterbush or Sweet Bells

Spicebush

Wax Myrtle or Southern Bayberry

Northern Bayberry

Common Ninebark

Beach Plum

Dwarf Azalea

Pink Azalea

Swamp Azalea



## SHRUBS (CONT'D)

<i>Rhus aromatica</i>	Fragrant Sumac
<i>Rhus copalina</i>	Dwarf-winged Sumac
<i>Rhus glabra</i>	Smooth Sumac
<i>Rhus typhina</i>	Staghorn Sumac
<i>Rosa palustris</i>	Swamp Rose
<i>Salix sericea</i>	Silky Willow
<i>Sambucus canadensis</i>	Common Elder or Elderberry
<i>Taxus canadensis**</i>	Yew
<i>Tsuga canadensis**</i>	Eastern Hemlock [can be sheared to maintain hedge]
<i>Vaccinium corymbosum</i>	Highbush Blueberry
<i>Vaccinium pallidum</i>	Lowbush Blueberry
<i>Vaccinium stamineum</i>	Squaw Huckleberry
<i>Viburnum acerifolium</i>	Mapleleaf Viburnum
<i>Viburnum dentatum</i>	Arrowwood
<i>Viburnum lentago</i>	Nannyberry
<i>Viburnum nudum</i>	Possumhaw Viburnum
<i>Viburnum prunifolium</i>	Black Haw
<i>Viburnum trilobum</i>	Cranberry Bush

\*Spring Planting Only.

(Ord. #7/15/74)

### **14-2.2 PERCENTAGE OF SPECIES TO BE USED.**

Not more than 20 percent of any one species shall be planted in any subdivision except that subdivisions requiring less than ten trees shall not be subject to this section of the specifications. (Ord. #7/15/74)

### **14-3 NURSERY STOCK.**

Plant species shall conform to those indicated on the drawings, plant list, and the publication *Hortus Third*. All landscape nursery stock shall conform to the American Standard for Nursery Stock as published by the American Association of Nurserymen, Inc. All trees shall be grown under climatic conditions similar to the job site for a period of not less than two (2) years immediately prior to this project and have a caliper ranging from two to two and one half inches.

No substitutions shall be permitted in either kind or grade without written authorization from the project supervisor. (Ord. #7/15/74)

### **14-4 QUALITY.**

Plants shall have the habit of growth that is normal for the species or cultivar and shall be sound, healthy, vigorous, free from insects, plant diseases and injuries or damage of any nature. All plants shall be of the grades specified, neither larger nor smaller, without written authorization from the project supervisor. No plants shall be pruned, clipped or trimmed prior to delivery without written authorization from the project supervisor. All landscape stock must be nursery grown.

All plants shall have been root pruned at the nursery at least once during the three-year period immediately preceding transplanting and at least one year prior to transplanting. All plants must be State Inspected and a copy of the 'Certificate of Inspections' issued by the State Department of Agriculture at the point of origin must accompany shipments from each source. (Ord. #7/15/74)





#### **14-6 PLANTING.**

Unless otherwise specified within these specifications, all work shall conform to accepted horticultural practices as ultimately determined by the project supervisor. Plants shall be protected upon arrival to the site by being thoroughly watered and properly maintained until properly planted and watered. Unplanted stock shall be 'healed-in' a bed of material approved by the project supervisor upon delivery to the site unless they will be planted within four (4) hours after delivery. At all times workmanlike methods customary in good horticultural practices shall be exercised. The contractor shall protect all existing features on the site including underground utilities, structures, and existing trees.

All trees shall be planted in pits that are a minimum of two (2') feet larger in diameter than their ball of earth or their spread of roots. The depth of the pits shall be equal to the depth of the root ball after proper planting. The tree shall be centered in the hole and then back filled one-half the depth of the soil ball with topsoil. The backfill shall be lightly but thoroughly tamped and well watered. The remainder of the hole is then to be back-filled with approved topsoil to a depth that after settling will assure the tree will be at the same level it was previously growing at in the nursery. The tree will be well watered again before mulch is placed over the surface of the root ball.

Plants must be protected from deer damage. Plants shall be thoroughly watered after planting. The project supervisor will notify the contractor if water suitable for irrigation is available on the site. If water is unavailable on the site, it is the responsibility of the contractor to furnish it at the time of planting. (Ord. #7/15/74)

#### **14-7 TIME OF PLANTING**

Prior to commencement of planting, the contractor shall contact the project supervisor to establish a schedule of planting trees. Trees will be planted from March 1 through June 30 or September 1 through November 30. (Ord. #7/15/74)

#### **14-8 MULCHING.**

Uniformly shredded hardwood mulch supplied by the contractor shall be free of debris and shall be placed by the contractor around all plantings at the time of planting to a depth of three (3") inches. Care shall be exercised to keep mulch three (3") inches away from the bases of all plantings. After the mulching operation has been approved by the project supervisor, the mulch shall be thoroughly watered. (Ord. #7/15/74)

#### **14-9 GUYING AND STAKING.**

The installation of tree stakes and supporting materials will be done to those trees that the project supervisor deems necessary. Stakes shall be made of wood, of the length and size required to restrict excessive movement by the tree, as ultimately determined by the project supervisor. Tie materials shall be plastic chain lock or flat, woven webbing designed specifically for staking trees. Trees shall not be wrapped. (Ord. #7/15/74)



#### **14-10 CLEAN UP.**

During the course of operations, the Contractor shall remove from the property at their expense all excess waste materials. The contractor at their expense will restore any damaged lawn areas or planting areas to their original condition, if such damage is the result of the contractor's operations. (Ord. #7/15/74)

#### **14-11 PLANTING GUARANTEE.**

Trees shall be guaranteed for one year for fall planted and 13 months for spring planted trees from date of acceptance by the Environmental Commission. The trees are to be alive and in a satisfactory growing condition as determined by the Environmental Commission at the end of the guarantee period.

Replacement will be made according to these same specifications and during the normal planting period. Replacements shall be subject to the same guarantee and replacement as the original material. The replacements shall be made within 60 days following written demand from the Environmental Commission.

In case of any questions regarding the conditions and satisfactory establishment of a rejected plant, the contractor may, if approved by the commission, allow such a plant to remain through another growing season at which time the rejected plant, if found to be dead, or in an unhealthy or badly impaired condition, shall be replaced.

Trees proven to be dead or unhealthy through vandalism or physical damage other than deer damage shall be voided by the contractor's guarantee of replacement. (Ord. #7/15/74)

#### **14-12 ACCEPTANCE.**

The Environmental Commission shall have the right before, during and after planting to reject all or part of the trees in the development or subdivision, if, in the commission's opinion, it is in the best interest of the township to do so. In the event that the developer or subdivider shall dispute such rejection, the matter shall be referred to the planning board for action. (Ord. #7/15/74)

