

TOWNSHIP OF WALL
TREE REMOVAL

- 400B 15.a It shall be unlawful for any person not explicitly exempted by this Section to remove or injure any live tree, the trunk of which exceeds three (3) inches in diameter measured at a point two (2) feet above the ground, in any zone, without first obtaining a permit to do so from a Municipal Agency or designee thereof, as part of an application for development. A tree removal permit application unrelated to a development application shall be presented to the Planning Board.
- 400B 15b The following shall be exempt from the requirements of this subsection:
- (1) Any homeowner who wishes to remove trees from the lot on which he resides or on which he intends to construct a dwelling in which he will reside and for which he has valid zoning and building permits. This exemption shall not apply to trees in a public right-of-way.
 - (2) Any tree or shrub growing on property actually being used as a nursery, garden center, tree farm or orchard.
 - (3) Any tree removal in compliance with the Farmland Assessment Law for agricultural use. The agricultural use must be for a minimum of three (3) years.
 - (4) Trees directed to be removed by municipal, county, or state authority pursuant to the law.
 - (5) Any dead, diseased or damaged tree or any tree that endangers life or property.
 - (6) Any public utility company may prune trees to obtain the normal line clearance for overhead utility wires, provided such pruning does not endanger or adversely affect the appearance of said trees.
- 400B 15.c No zoning or building permit shall be issued until a written plan of tree removal has been approved by the hearing agency or designee thereof. The applicant shall submit such a plan showing all proposed tree removal in relation to the survey stakes marking each lot, use and structure requiring such removals. In addition the plan shall contain the following information:
- (1) Tax map, lot and block number.
 - (2) Area of tract.
 - (3) Owner's name and address
 - (4) Map of locations and surrounding properties showing wooded areas and any wetlands, if applicable.
 - (5) The location of all shrub and tree lines, the location, species and diameter (DBH) of all single standing trees and specimen trees and the clearing limits for all trees to be removed.
 - (6) The method of delineating tree clearing limits. Acceptable methods are the painting bright white markings visible from a distance of 25 feet at a minimum height of eight (8) feet above grade on trees at the outside

limit of the tree clearing limits, the use of bright orange plastic tape extending from tree to tree at a minimum height of eight (8) feet above grade at the outside limit of the tree clearing limits or other method acceptable to the Approving Authority.

- (7) The location of all existing and proposed buildings, roads, driveways, parking lots, staging areas, recreation areas, gardens and septic systems.
- (8) Grading plan.
- (9) Existing trees which may be salvaged from the clearing area and relocated.
- (10) Provision for removal of excess stumps and branches from the property. No burying of this material is permitted.
- (11) Measures to be taken to insure the survival of the trees during and after construction, suggested trimming and maintenance prior to construction.
- (12) Where a project is to be developed in phases, the plan shall denote the phase limits in relation to all proposed tree removal.

400B 15.d In determining whether or not a permit should be granted, the agency or its designee shall consider:

- (1) The condition of the trees or shrubs with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
- (2) The necessity of removing the trees or shrubs in order to construct the proposed improvements to allow reasonable economic use of the property.
- (3) The effect of the removal on erosion, soil moisture retention and flow of surface waters.
- (4) The number and density of trees in the area and the effect of tree removal on property values of the neighborhood and on other existing vegetation.
- (5) If their presence would cause hardship, or endanger persons or property, or substantially interfere with a permitted use of a property.
- (6) The necessity to clear areas to be occupied by buildings, driveways, or recreation areas and within a distance of fifteen (15) feet around the perimeter of such buildings depending on the tree species and conditions to be reasonably determined by the Planning Board.
- (7) If the removal of trees is to be performed in a selective manner consistent with the public interest, thinning of a heavily wooded area where some trees are removed and others remain may be permitted.

400B 15e No paving of any impervious nature should be placed within the drip line of a tree. No material, machinery or temporary soil deposits shall be placed within six (6) feet of any existing tree trunk or stem. Any regrading shall require, where necessary, that all trees remaining shall be welled in.

400B 15.f Trees may be removed in driveways and within ten (10) feet of each side of the driveway. Alignment of driveways shall be planned to save as many trees and

shrubs as practical.

- 400B 15.g If no area other than a wooded area or area with trees and shrubs can be found to accommodate the building foundation, sewerage system, disposal field or well, meeting the approval of the appropriate inspector, necessary tree removal shall be permitted.
- 400B 15.h Where more than three inches of fill is required around trees, the trees must be protected by an air well six (6) feet in diameter or as needed around the trunk to prevent the intrusion of soil. Tile pipe must radiate like spokes from the well to provide oxygen to the roots. The top of the well must extend six (6) inches above the graded level.
- 400B 15.i Tree barriers shall be erected with fencing or roping prior to the use of heavy equipment on the property, and removed only after the threat of damage from heavy equipment is gone.
- 400B 15.j All tree removal permit applications shall be forwarded to the Environmental Advisory Committee for review and comment. Comments regarding a particular permit application shall be forwarded to the Land Use Officer, the municipal agency and the applicant.
- 400B 15.k An application for approval of a tree removal plan shall be accompanied by a filing fee in the amount set forth in this Chapter.