



Zoning Permit No: \_\_\_\_\_

**TREE REMOVAL PERMIT**  
Per "Chapter 368: Trees" of Code of the Township of Montville  
**TOWNSHIP OF MONTVILLE**

*Questions?*

Contact Anthony Petrillo, Assistant Zoning officer at [apetrillo@montvillenj.org](mailto:apetrillo@montvillenj.org) (973) 331-3320 fax (973) 334-0180

-----**APPLICANT TO FILL OUT**-----

**SECTION 1: Applicant Information** Date Submitted: \_\_\_\_\_

Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Property Location Address: \_\_\_\_\_ Pine Brook \_\_ / Montville \_\_ / Towaco \_\_

Property Owner's Name: \_\_\_\_\_

Tel # \_\_\_\_\_ Fax # \_\_\_\_\_ E-mail \_\_\_\_\_

Contact Name of Tree Removal Company (if known) \_\_\_\_\_

Tel # \_\_\_\_\_ Fax # \_\_\_\_\_ E-mail \_\_\_\_\_

**SECTION 2: Fees** Requesting Permit for - Make check payable to "Montville Township":

Fees for removal of live protected trees are as follows: **(SEE ATTACHED DESCRIPTION & EXEMPTIONS)**

- a) 1-10 Submit a fee of \$20 per tree
- b) 11-20 Submit a fee of \$30 per tree
- c) 21 or greater Submit a fee of \$35 per tree
- d) Dead tree **\*\*no permit or fee for dead trees - Certification from tree company is required**
- e) Exempt tree **\*\*no permit or fee for exempt trees (See SECTION 6 and select exemption)**

Total # of Trees: \_\_\_\_\_ Total Fee: \_\_\_\_\_

**SECTION 3: Submission Requirements**

- ( ) Copy of survey or tax map marking the location and caliper of all trees to be removed and distance from driveways, property lines, and structures.
- ( ) If more than five (5) trees are to be removed, a Tree Preservation and Replacement Plan depicting all trees to be removed on a surveyed drawing must be supplied. **(SEE ATTACHED FOR DESCRIPTION OF PLAN)**

**SECTION 4: Signature**

**CERTIFICATION:** I hereby certify that the information submitted herein is correct and accurately describes the tree removal requested:

**PROPERTY OWNER'S SIGNATURE** \_\_\_\_\_

-----**Municipal Staff Use Only**-----

( ) Approved ( ) Denied – See explanation **(SEE ATTACHED FOR APPEAL INFORMATION)**

Attachments include: ( ) photos ( ) survey ( ) other \_\_\_\_\_

Approved / Denied by: \_\_\_\_\_ Executed On: \_\_\_\_\_  
Anthony Petrillo, Assistant Zoning Officer

Zoning - Original ( ) Applicant Copy ( )

Amount Paid \_\_\_\_\_ Cash \_\_\_ Check \_\_\_ Receipt No. \_\_\_\_\_

## TREE REMOVAL PERMIT - WORKSHEET

### **SECTION 5: Tree Removal Calculation for Live Protected Trees**

\*Please indicate the number of protected trees to be removed on the property:

#### **PRIVATE PROTECTED TREES**

# \_\_\_\_\_ A tree with a DBH (Diameter at Breast Height) of six inches or more located on any lot within twenty feet of road right-of-way (including an approved private street/common driveway or other access easement)

# \_\_\_\_\_ A tree with a DBH of eight inches or more located within ten feet of any other lot line (not along a road right-of-way)

# \_\_\_\_\_ A tree with a DBH of twelve inches or more located elsewhere on the lot.

#### **PUBLIC PROTECTED TREES**

# \_\_\_\_\_ A DBH of six inches or more located within a Township right-of-way

# \_\_\_\_\_ A DBH of six inches or more and located on any lot within twenty feet of a road right-of-way

# \_\_\_\_\_ A DBH of eight inches or more located on any lot within ten feet of any other lot line (not along a road right-of-way)

# \_\_\_\_\_ A DBH of twelve inches or more located elsewhere on the lot

### **SECTION 6: EXEMPT TREES**

\*Please fill out this section if applicable and indicate if any of the situations apply to your property

\_\_\_\_\_ The removal or clearing is on property subject to an approved woodland management program pursuant to the Farmland Assessment Act of 1964, Editor's Note: See N.J.S.A. 54:4-23.1 et seq. or on property used as a garden center or tree nursery, or any trees located in commercial orchards;

\_\_\_\_\_ Clearing of trees is required in connection with construction of a new dwelling, the construction or reconstruction of an approved septic system, or the construction or reconstruction of an approved driveway and the trees are located within the critical footprint area;

\_\_\_\_\_ The removal or clearing is on property located within the air safety zone established pursuant to the New Jersey Air Safety and Zoning Act of 1983; Editor's Note: See N.J.S.A. 6:1-80 et seq.

\_\_\_\_\_ A public or protected tree is in such condition to pose imminent danger to the public health, safety, and welfare or to existing structures;

\_\_\_\_\_ A public or protected tree is diseased, dead or dying as a result of natural causes, such as storms; provided, however, that:

(1)The person desiring the removal or clearing is the owner of the property on which the public or protected tree is located; and

(2)Said person either provides prior notification of the proposed removal or clearing to the Enforcement Officer and the Enforcement Officer verifies the diseased, dead or dying condition or provides the Enforcement Officer with a certificate from a qualified forester or landscape architect that the tree was diseased, dead or dying as a result of natural causes, and its removal therefore was appropriate.

\_\_\_\_\_ The tree is growing on property actively operated as a farm under the state's Right to Farm Act, Editor's Note: See N.J.S.A. 4:1C-1 et seq. which is removed to create fields for crops and pastures, or to construct a farm building;

\_\_\_\_\_ The trees to be removed are in accordance with a subdivision or site plan finally approved by the Township Planning Board or the Zoning Board of Adjustment or, if on Township-owned property, is pursuant to a site development plan submitted to the Township Planning Board for comment;

\_\_\_\_\_ The tree is in a public road right-of-way or sight easement and is required

## **TREE REMOVAL PERMIT - INFORMATION**

### **DESCRIPTION OF PROTECTED TREE**

A **PROTECTED TREE** per Chapter 368: Trees of the Montville Township Ordinance Code is:

- a) A private protected tree, which means any tree with a DBH (Diameter at Breast Height) of six inches or more located on any lot within twenty feet of a road right-of-way (including an approved private street/common driveway or other access easement) or a tree with a DBH of eight inches or more located within ten feet of any other lot line (not along a road right-of-way) or a tree with a DBH of twelve inches or more located elsewhere on the lot.
- b) A public protected tree, which means any tree located on lands owned by the Township or any land upon which easements are imposed for the benefits of the Township or upon which other ownership control may be exerted by the Township, including rights-of-way, parks, public areas and easements for drainage, sewer, water and other public utilities, with:
  - i. A DBH of six inches or more located within a Township right-of-way, or
  - ii. A DBH of six inches or more and located on any lot within twenty feet of a road right-of-way, or
  - iii. A DBH of eight inches or more located on any lot within ten feet of any other lot line (not along a road right-of-way), or
  - iv. A DBH of twelve inches or more located elsewhere on the lot

### **DESCRIPTION OF "TREE PRESERVATION AND REPLACEMENT PLAN"**

Includes:

- Location of existing and proposed improvements including structures, driveways, etc.
- Location of easements, wetlands, flood plain, and streams
- Existing contours and proposed grading, if any
- Proposed preservation and protection measures of trees to remain including the location of replacement trees, including replacement schedule indicating species, quantities and size in accordance with the standards set forth in the Montville Township Ordinance.
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\*\*Unless otherwise determined by Enforcement Officer, the replacement shall be a one-to-one ratio

### **APPEALING A DENIAL**

#### **§ 368-20. Appeal of Enforcement Officer's decision.**

An applicant aggrieved by a condition attached to a permit or the denial of a permit application by the Enforcement Officer, or any person subject to a determination of the Enforcement Officer aggrieved thereby, may appeal to the Permit Appeals Board. An appeal shall be taken by filing a written statement with the Township Clerk and Enforcement Officer, which statement shall fully set forth the matter under appeal and the grounds for the appeal. The Permit Appeals Board shall then set a time and place for hearing the appeal, notify the applicant, conduct the hearing and affirm, modify or reverse the matter appealed.

The Permit Appeals Board shall have the right, however, to refuse to hear or decide any appeal which has not been filed within 14 days after the applicant had notice of the matter as to which the appeal has been taken. The decision of the Permit Appeals Board on such a matter shall be final and conclusive as a municipal action.