

BOROUGH OF MOUNTAIN LAKES SETBACK TREE MANAGEMENT PLAN

RULES REGARDING TREE PROTECTION

The **Setback Tree ordinance** requires the protection of all live trees eight inches or greater in diameter (trees measured 4 ½ feet above the ground) within the setback areas on all privately owned property within the Borough. The purpose of this ordinance is to protect the tree canopy, which is identified as one of the major characteristics of the Borough. The setback tree ordinance encompasses requests for permission to remove trees, as well as required tree protection during construction.

What is the setback area?

For the majority of residential properties, the **setback area** requiring protection is measured from your property line and includes 40 feet on any street side and 25 feet on any non-street side of your property depending on what Zone your property is in (see the Borough Zoning Map and Bulk Requirements, which provide the setbacks of all Zones in the Borough.)

Tree protection is required during construction. A Setback Tree Management Plan is **required** for any construction project at your residence in order to protect the health of all trees to be retained. The Plan creates a protection zone, keeping all trees and their root systems within the area undisturbed during construction. It must be approved prior to construction permitting or application approval by the Planning Board or Zoning Board of Adjustment, and must be signed off prior to receiving final construction approvals.

Components of Your Setback Tree Management Plan

The Setback Tree Management Plan requires a survey or drawing identifying the location of all trees 8" or greater in diameter to be protected by approved fencing material.

- Fencing must be a minimum height of 4 feet around the tree at a distance no closer than one foot per inch of tree diameter measured 4.5 feet above the ground. For example, the fencing for a 10-inch diameter tree will be installed in a circle around the tree 10 feet from the trunk.
- Fencing may be installed encompassing more than one tree as long as the proper distance from each tree is maintained.
- The fence must remain intact for the duration of the construction project.
- No equipment may be operated, and no construction materials may be placed within the protected zone.
- A weather-resistant sign must be affixed to the fence clearly identifying it as a Tree Protection Zone.
- Underground utility lines will be routed making as little disturbance to the tree protection zone as possible.
- Specific corridor(s) for site access, and the driveway or parking areas must be designated.

Permit Procedure: A Setback Tree Management Plan must be submitted to the Construction Official or Planning/Zoning secretary, including a survey or drawing to scale indicating setback lines and the location of all trees over 8" in diameter, with the corresponding protection fencing. Locations of any trenching, and material or equipment storage must be marked. Upon submittal of an application, a Shade Tree Commission representative will schedule a meeting with you to review your drawing and affected trees, and answer any questions you may have. Information regarding the application will be submitted to the Borough Manager for approval. The Borough Manager may request clarification prior to signing off. **No work may begin prior to plan approval by the Borough Manager. No Certificate of Occupancy will be issued prior to final inspection.**

Please refer to **Borough Code Chapter 102-33 through 102-37** for more detailed information about the requirements of the Setback Tree Management Plan. If you have questions, please contact the Borough Manager.

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PLEASE PRINT:

Owner _____ Date _____

Property Address _____ Phone# _____

Acting Agent/Address(if different from owner) _____
Phone# _____

Detailed description of construction project: _____

Describe location of utility trenches, port-a-johns, dumpsters, construction materials and equipment storage areas:

Requirement: Construction of a fence of a minimum height of 4 feet around the entire Tree Protection Zone perimeter at a distance of 1 foot per inch of tree diameter.

- **Attach a survey or drawing to scale showing setback lines & location of all trees 8" or more in diameter.**
- **Show location of fencing and indicate measurement of distance from tree trunks.**
- **Show location of any trenches and storage areas described above.**

Signature of applicant _____ Date _____

DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE

INITIAL SITE VISIT WITH HOMEOWNER – By _____ Date _____

Additional Requirements to Proposed Plan:

____ Placement of geotextile fabric under a 6 –12" depth of wood chips _____ feet beyond the fenced area in all directions to minimize soil compaction from operation of equipment.

____ Deep root fertilize tree before and after construction.

____ Other: _____

PERMIT ACTION (check one)

____ Approved (based on review of all requirements)

____ Denied – Reason _____

Signature of Borough Manager _____ Date _____

____ Final Inspection for Certificate of Occupancy _____ Date _____

Signature of Borough Manager _____ Date _____