



2023–2027

Community Forestry Management Plan

Borough of Fair Lawn

Bergen County, NJ

2023 – 2027 COMMUNITY FORESTRY MANAGEMENT PLAN

Borough of Fair Lawn Bergen County New Jersey

Mayor & Council

Kurt Peluso, *Mayor*
Kris Krause, *Deputy Mayor*
Cristina Cutrone, *Deputy Mayor of Community Affairs*
Gail Rottenstrich, *Shade Tree Advisory Committee Liaison*
Josh Reinitz, *Councilmember*

Borough Manager

Jim Van Kruiningen

Department of Public Works

Christopher Hoitsma, *Superintendent*

Shade Tree Advisory Committee

Jim Vanderbeck, *Chairperson*
Jane Spindel, *Co-Chair*
Councilmember Gail Rottenstrich, *Council Liaison*
Erlisa F. Levin
Fred Levitan
Andrea Piazza
Steve Taylor





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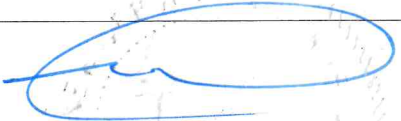
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Municipal Information

Municipal / County Information Form

MUNICIPALITY	Borough of Fair Lawn																																														
COUNTY	Bergen																																														
ADDRESS	8-01 Fair Lawn Avenue Fair Lawn, NJ 07410																																														
CONTACT	Jim Van Kruiningen, Borough Manager																																														
PHONE	(201) 794-5310																																														
FAX & EMAIL	jvankruiningen@fairlawn.org																																														
ORGANIZATION	Borough Manager's Office																																														
MAYOR'S SIGNATURE	 																																														
DATE SUBMITTED	February 2023																																														
TIME PERIOD	January 2023– December 2027																																														
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** I Certify that this Community Forestry Management Plan was developed specifically and exclusively for the Borough of Fair Lawn.*

Official Use Only Certification

The above named municipality has made formal application to the New Jersey Forest Service. I am pleased to advise you that after our review, the NJ Forest Service has concluded that this plan meets the standards set forth by the State and the NJ Community Forestry Council and is approved for the period covered.

Signed:

State Forester

Approved Date



SCOPE

This Community Forestry Management Plan outlines the programs, policies, and procedures by which the Borough of Fair Lawn’s public shade tree resources will continue to be managed during the period of January 2023 through December 2027.

The Borough recognizes that healthy shade trees are a critical asset to its community, and appreciates the value and benefits trees offer in improving the quality of life in Fair Lawn. It also acknowledges its responsibility to properly maintain and replace those trees when they are inevitably lost to maximize and perpetuate these benefits.

This five-year plan builds upon the successes realized, and it addresses the challenges faced in implementing the Borough’s previous five-year plans since 2000. A brief gap separates the previous Community Forestry Management Plan and this plan, though the goals, objectives, and procedures of the 2011 – 2015 plan were seamlessly continued through 2022.

It is expected that implementation of this plan’s goals and objectives will stimulate residents’ appreciation for Fair Lawn’s collective urban forest and the voluntary planting, protection, and care of trees on private property for the benefit of the entire community.

MISSION STATEMENT

To protect shade tree assets, enhance the quality of life for Fair Lawn residents, and foster a better environment by planting and maintaining safe, healthy, and sustainable shade trees, improve species diversity, and promote proper tree care and stewardship in the community.

OVERALL PROGRAM GOALS

The New Jersey Community Forestry Council has identified fifteen Community Stewardship Incentive Program (CSIP) practices that comprise a complete and comprehensive community forestry program.

Within each of the plan elements that follow, existing programs, policies, and procedures are described, intermediate and element-specific goals are established, and CSIP-based objectives for the 2023 – 2027 management period are set.

Systematic fulfillment of these CSIP-specific goals and objectives will continue to advance Fair Lawn’s Shade Tree Program toward its overall program goals, which are established as follows:

1. Develop and perpetuate beneficial and sustainable shade tree resources.
2. Maximize the benefits that trees provide to the Borough and its residents.
3. Maximize long-term stability and sustainability in the community forest.
4. Optimize the balance between tree health, maintenance costs, and budgetary constraints.
5. Minimize the risk of trees to public safety.
6. Minimize conflicts between trees and infrastructure.
7. Maintain public interest, appreciation, and support for public shade tree programs.
8. Encourage the planting and proper care of trees on private property.
9. Increase total, Borough-wide tree canopy cover to 25% of land area by 2043.
10. Meet all eligibility requirements of the New Jersey Shade Tree & Community Forestry Assistance Act.

**TREE HAZARDS
& LIABILITY**

Public trees are a valuable asset that contribute significantly to the quality of life in Fair Lawn.

The Borough recognizes, however, that the benefits of trees also carry significant costs. As with all municipal assets—perhaps even more so—trees require maintenance, and as they mature, eventually require replacement. Despite active tree management, it is inevitable that potentially hazardous conditions will emerge. The Borough acknowledges that not all such hazardous conditions can or will be predicted.

Nevertheless, experience has shown that comprehensive and proactive community forestry programs that strive to prevent, anticipate, and correct such problems will cost-effectively maximize the benefits of trees while minimizing the threat to public safety and exposure to liability. All elements of this plan are designed to optimize the balance between tree benefits and risks.

Comprehensive and proactive management will reduce the probability of hazards, but unpredictable events will still occur. The Borough's resources are limited, and it may not be able to meet every need of the tree population immediately.

The intent of this plan is to direct available resources toward the greatest needs and systematically develop and maintain a healthy community forest with a commensurate reduction in threats to public safety.

Public safety must be a primary consideration in the development and implementation of all community forestry plans and programs. This plan provides a means of identifying and systematically addressing existing tree hazards. Further, it provides a means of reducing the potential for future hazards and liability through responsible planting and preventative maintenance.



SHADE TREE PROGRAM REVIEW

The Borough of Fair Lawn had its first five-year Community Forestry Management Plan prepared and approved by the New Jersey Community Forestry Council in 2000. Subsequent five-year plans were prepared and approved in 2006 and 2011.

The Borough utilized these plans to effectively guide its Shade Tree program for over 15 years. During that period, management was necessarily focused more on abating an abundance of potential hazard risks due to overwhelming numbers of dead and deteriorating street trees and widespread tree and sidewalk conflicts. This resulted from a large, even-aged population of trees reaching the end of their useful service life within a relatively short period of time.

Although Borough intends to restore its public tree population to its former beauty, the cost of addressing a constant stream of deteriorating trees and the potential risk they pose has continually outpaced the resources available for replanting and proactively maintaining new trees. As a result, the Borough's street tree population is roughly 50 percent of what it was 20 – 30 years ago, and tree cover on private property appears similarly reduced. The need for proactive and effective reforestation is clear, and the livability of Fair Lawn in the face of climate change depends on it.

Fair Lawn's last Community Forestry Management Plan expired in 2015 and an update was not submitted for approval due, in large part, to unfamiliarity with the program requirements among new personnel. Nevertheless, since 2015, the Borough has continued to work toward relevant goals and followed relevant guidelines established in the previous plan, such as Tree Hazard Management, Tree Maintenance, Tree Waste Recycling, Tree & Sidewalk Conflicts, and, to the extent that resources permitted, Tree Planting.

The Borough has prepared this Community Forestry Management Plan for the 2023 – 2027 period with the primary five-year goal of stemming the ongoing net loss of tree canopy on both public and private lands and beginning an enduring multi-year process of reforestation.

CURRENT PUBLIC TREE ASSESSMENT

Fair Lawn lacks a comprehensive inventory of publicly managed tree stock on its municipal roadways and properties. It also lacks any qualitative measurement of the level of tree stocking on privately-owned lands within the Borough.

At the time the Borough's first five-year Community Forestry Management Plan was prepared in 2000, the following was established regarding the publicly owned street tree population, based on available records and the general impressions of Borough officials:

1. The street tree population contained approximately 8,000 trees.
2. Predominant species included Norway maple, red maple, pin oak, London planetree, and Callery pear.
3. While much of the original tree plantings that remained were mature or over-mature in age, there were a significant number of young trees resulting from recent large-scale removal and replacement efforts.
4. Certain widespread problems—primarily the decline and death of Norway maples and sidewalk damage caused by root growth—had become a burden to the Borough and adjacent property owners. A majority of the Department of Public Works Shade Tree Division resources were spent

on tree removal and addressing hazardous conditions, rather than planting and programmed maintenance.

5. The Borough's public tree population had a net decline of approximately 100 – 200 trees per year over a several year period, even with replacement planting efforts.

Subsequent five-year Community Forestry Management plans documented that the Borough removed 4,728 public trees from 2000 – 2010, twice the 2,374 trees it planted during the same time period. Over the past five years, annual tree removals have continued to significantly outpace replanting, and the Borough has begun work to remove nearly 700 ash trees infested with, or vulnerable to, emerald ash borer. As a result, it is estimated that Fair Lawn has lost nearly 50% of its public tree stock in the 22 years since 2000.

Likewise, there appears to be a significant reduction in the level of tree canopy on private properties across much of the Borough, though this is based on simple observation versus quantitative measurement.

Recent tree plantings by the Borough have primarily been with small and medium size species, such as eastern redbud, Japanese tree lilac, hedge maple, and Schubert cherry. A limited number of plantings with larger species have included Japanese zelkova, red maple, ginkgo, and hackberry.

Focus on smaller species has been to reduce problematic conflicts with overhead wires and sidewalks, as well as to appease property owners concerned about the potential risks of large trees. While small species should be planted where above- and/or below-ground space is too limited for large species, small species do not produce the same level of tree canopy, nor do they provide the same level of environmental services, as large species.

**TREE
CANOPY
COVER**

Statistics derived from the Multi-Resolution Land Characteristics Consortium's (MRLC) 2016 National Land Cover Database (NLCD), as accessed via the NJ Forest Adapt website in September 2022, indicate that Fair Lawn's public and private urban forest canopy collectively covered an estimated 19.9% of its total land area. According to this source, canopy coverage averaged 22% in areas classified as urban land use types, and total impervious surface cover averaged 46.1% of the Borough.

It is not clear to what extent losses to normal attrition, storm damage, and tree removal, and gains from new tree planting and the growth of existing trees may have changed the current canopy level since the data was collected in 2016. It is widely believed, however, that tree canopy cover has been significantly reduced, and that impervious ground cover has significantly increased over the past 20 – 30 years.

Tentatively, the Borough has established the goal of increasing total, Boroughwide tree canopy cover to 25% over the next 20 years. It is unclear, however, whether sufficient land area for planting and supporting long-term tree growth is available to realize this goal. Likewise, it is possible that sufficient land exists for a more optimistic goal, especially when considering opportunities on privately owned land. As such, the Borough has set a detailed tree canopy analysis as one of its objectives for the current five-year management period and will adjust its goal accordingly.

**RELATION TO
THE BOROUGH
MASTER PLAN**

All aspects of this Community Forestry Management Plan are consistent, compatible, and supportive of the goals, objectives, and general intent of the Borough's *Master Plan* (2014).

Specifically, goals and objectives of the Master Plan to which this Community Forestry Management Plan directly or indirectly relate include:

- *To preserve the existing single-family residential character of the Borough and maintain the scale and streetscapes of residential neighborhoods...*

- *To promote aesthetic improvement in the major commercial and industrial areas.*
- *To promote sustainability in land use planning throughout the Borough.*
- *To decrease storm-related runoff and damages from flooding and increase the capacity of floodplains through the reduction of impervious coverage in floodplains...*
- *To continue the acquisition of open space.*
- *To increase air, water, and soil quality.*
- *To provide adequate and appropriate community facilities and services in order to maintain the quality of life for existing and future Borough residents.*
- *To improve the walkability of neighborhoods and streets...*
- *To promote water conservations and quality...*

Throughout the Master Plan, there are countless mentions and specific recommendations for utilizing trees toward improving neighborhood aesthetics, improving community livability, combatting the local effects of climate change, and reducing stormwater impacts. The Master Plan specifically indicates passage of *Land Development, Trees* ordinance (Section 125-45; 2007), which regulates the removal and requires the replacement of certain trees on private land, as a means of helping increase Boroughwide tree canopy to reduce urban heat island affect, improve aesthetics and property values, and provide carbon offsets and wildlife habitat.

All programs outlined in this Community Forestry Management Plan will be developed and implemented in a manner that will continue to satisfy or support the goals, objectives, and general intent of the Borough’s Master Plan.

**RELATION TO
THE BOROUGH’S
STORMWATER
MANAGEMENT
PLAN**

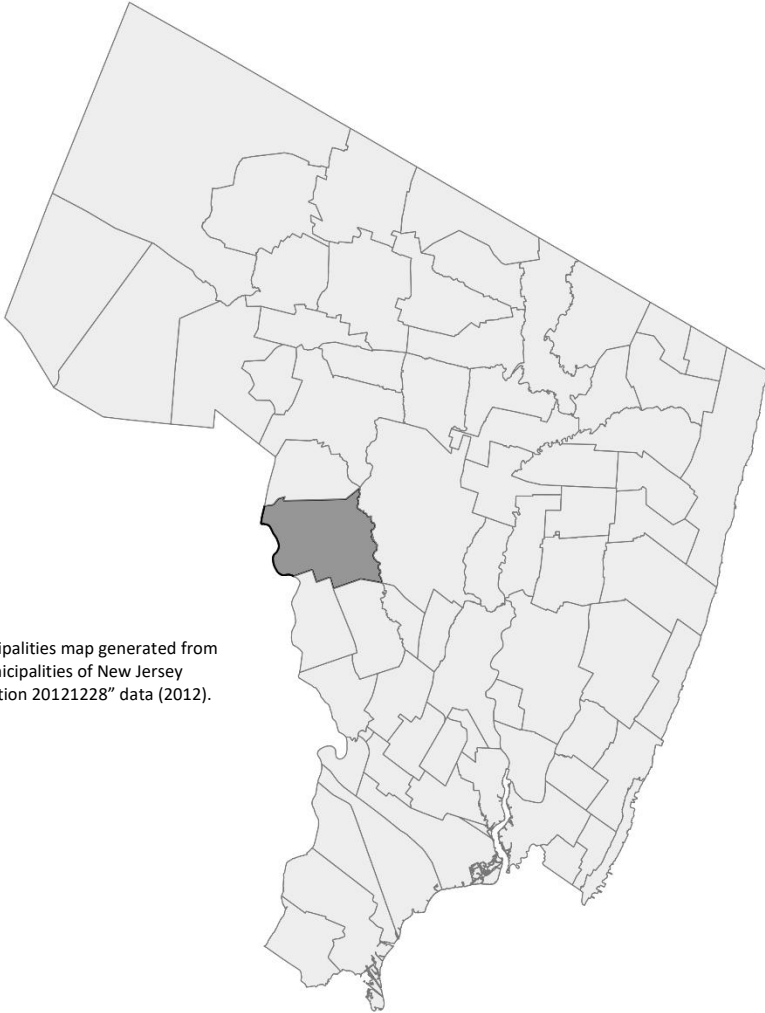
The *Borough of Fair Lawn Municipal Stormwater Management Plan* (revised 2020) establishes policies and provides specific requirements and recommendations to reduce flooding and flood damage, reduce soil erosion, minimize non-point contamination of local water bodies, minimize pollutants in stormwater runoff, and maintain groundwater recharge in accordance with State regulations.

Section 125-53 of the Borough Code, *Land Development, Stormwater Management* contains specific requirements designed to promote non-structural and low-impact techniques for stormwater management.

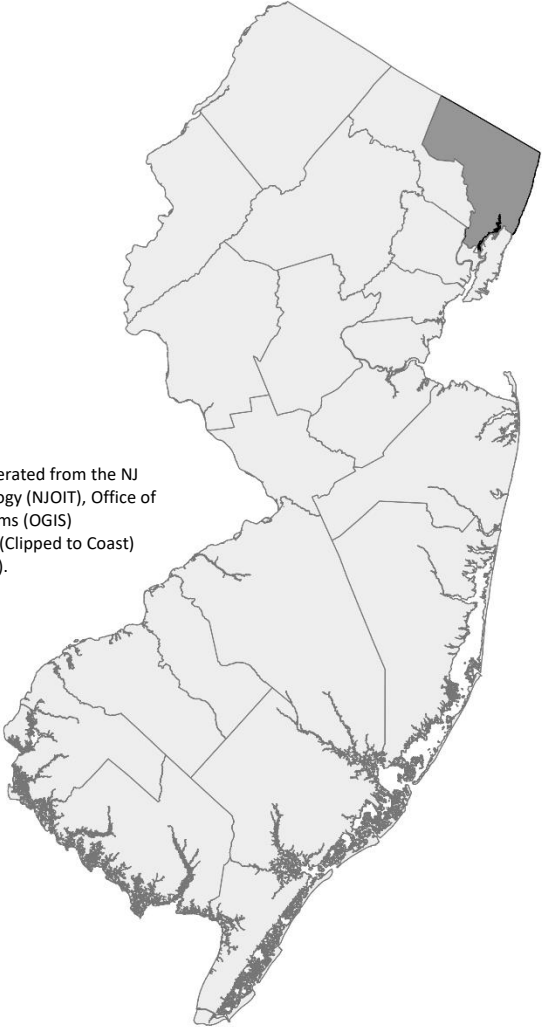
Trees and other vegetation are a key component of the hydrologic cycle, stabilize and reduce the erosion of soils, improve percolation of surface water into the ground, and absorb pollutants. As such, implementation of this Community Forestry Management Plan will contribute significantly to several goals and objectives of the Municipal Stormwater Management Plan.

Increased levels of tree canopy and vegetative cover are directly correlated to improved water quality and reduced risk of flooding. As such, in addition to its municipal efforts, the Borough encourages private property owners to preserve, plant, and maintain trees, shrubs, and other vegetation on their property to further reduce impervious groundcover, ensure efficient natural drainage, reduce the risk and severity of flooding, and minimize the runoff of silt, nutrients, and pollutant laden stormwater into local water networks. The planting of low-maintenance landscapes that minimize pesticide usage is strongly recommended.

FAIR LAWN, NJ: BERGEN COUNTY + BOROUGH LOCATION



Bergen County municipalities map generated from the NJOIT, OGIS "Municipalities of New Jersey (Clipped to Coast) Edition 20121228" data (2012).



New Jersey counties map generated from the NJ Office of Information Technology (NJOIT), Office of Geographic Information Systems (OGIS) "Municipalities of New Jersey (Clipped to Coast) Edition 20121228" data (2012).



FAIR LAWN, NJ: AERIAL IMAGERY

Natural color aerial image of Fair Lawn, NJ.

2020 - 1 ft leaf off orthoimagery courtesy of the New Jersey Office of Information Technology, NJ Office of GIS (NJOGIS).



FAIR LAWN, NJ: ROADS

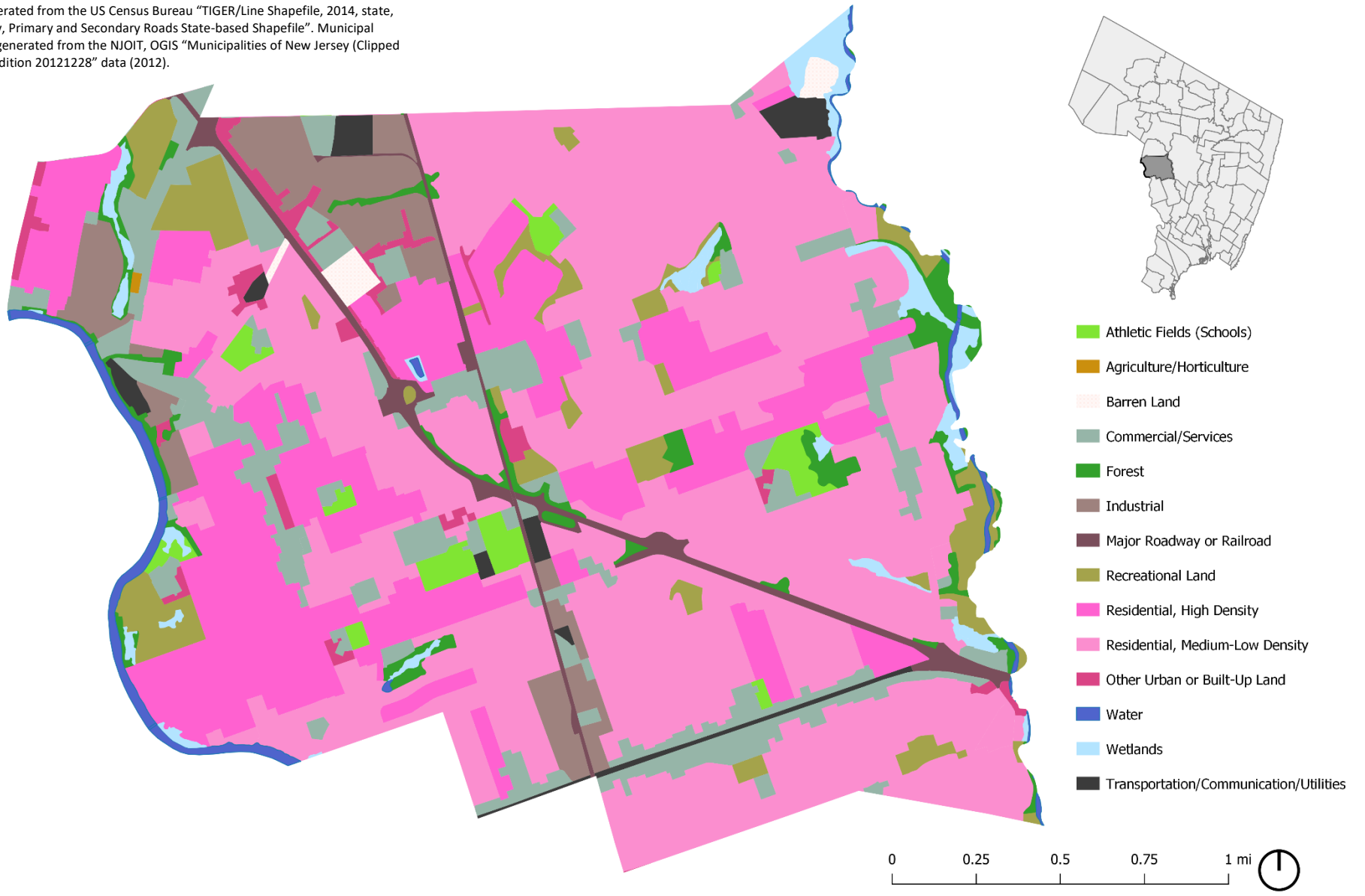
Roads map generated from the US Census Bureau "TIGER/Line Shapefile, 2014, state, New Jersey, Primary and Secondary Roads State-based Shapefile". Municipal boundary generated from the NJOIT, OGIS "Municipalities of New Jersey (Clipped to Coast) Edition 20121228" data (2012).



FAIR LAWN, NJ: LAND USE / LAND COVER

Land use/land cover map generated from the NJOIT, OGIS "Land Use/Land Cover 2015 Update" data.

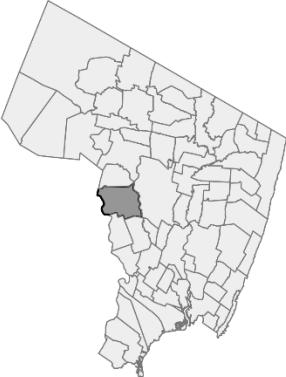
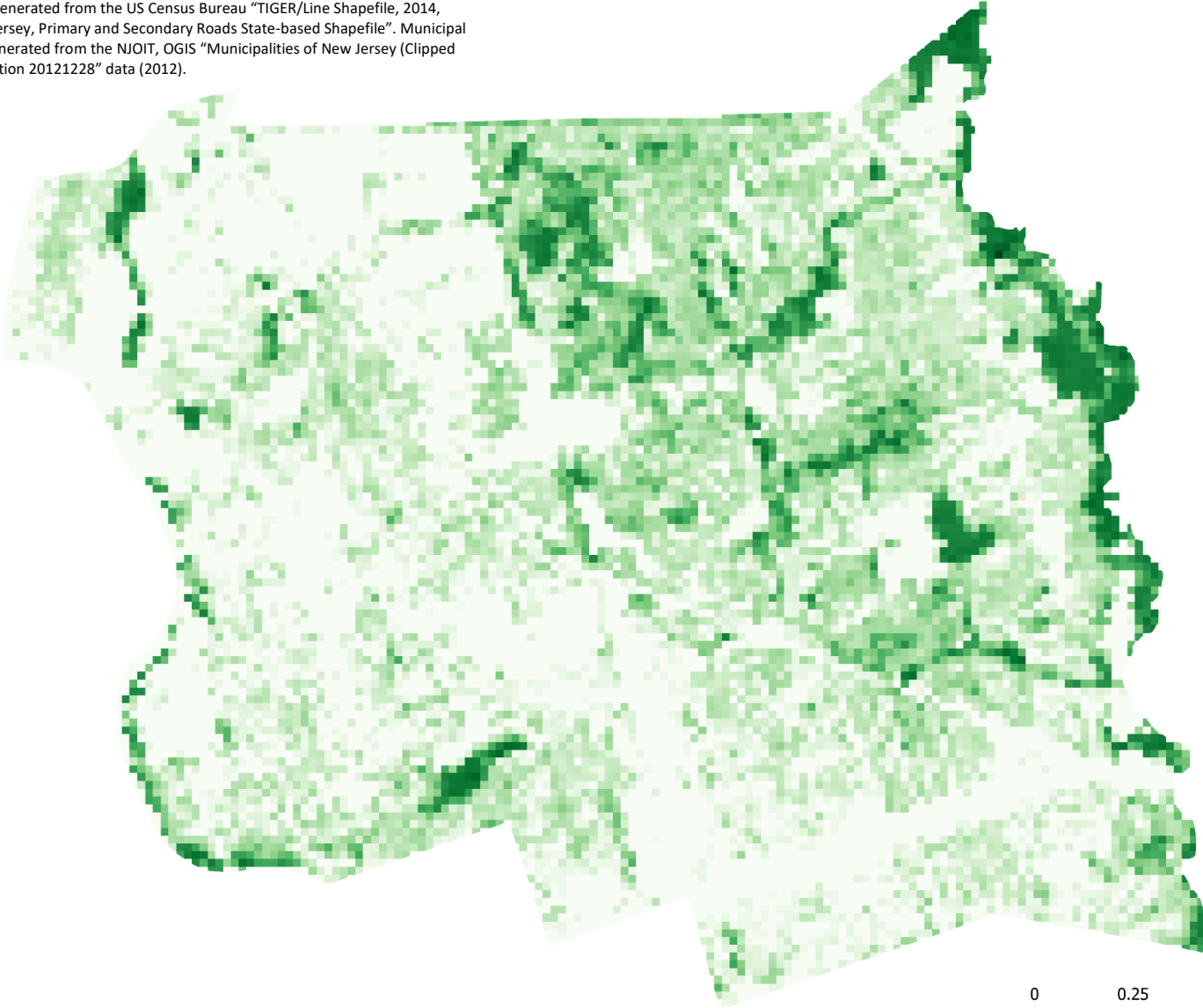
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FAIR LAWN, NJ: TREE CANOPY COVER

Percent canopy cover map generated from the National Land Cover Database (NLCD) Multi-Resolution Land Characteristics (MRLC) Consortium data (2016).

Roads map generated from the US Census Bureau "TIGER/Line Shapefile, 2014, state, New Jersey, Primary and Secondary Roads State-based Shapefile". Municipal boundary generated from the NJOIT, OGIS "Municipalities of New Jersey (Clipped to Coast) Edition 20121228" data (2012).



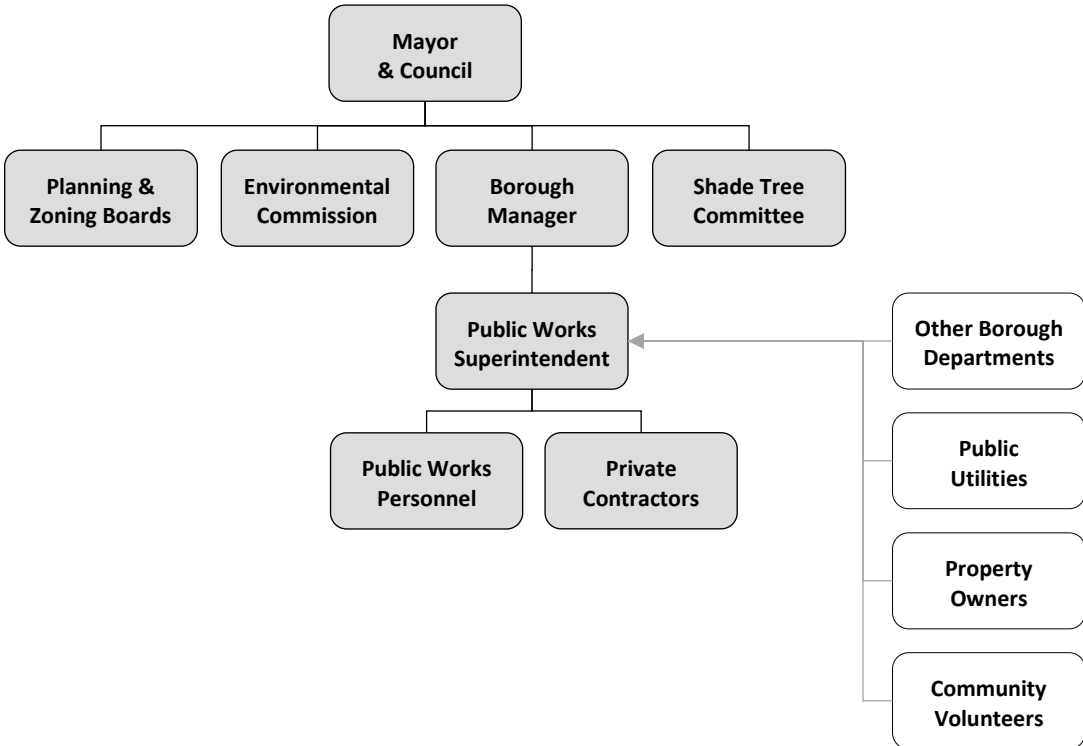
Percent Canopy Cover

- 0%
- 1% - 49%
- 50% - 99%
- 100%



SHADE TREE PROGRAM STRUCTURE

The Department of Public Works is primarily responsible for the management of public trees in the Borough of Fair Lawn. In day-to-day practice, administration of the Shade Tree Program is a cooperative effort between the Mayor and Council, the Borough Manager, the Department of Public Works, the Shade Tree Advisory Committee, and other Borough commissions, boards, and departments, as follows:



SHADE TREE PROGRAM RESPONSIBILITIES

1. **Mayor & Council**
 - a) The Mayor and Council is responsible for appointing members to the Borough’s various boards and commissions.
 - b) The Borough Council has ultimate authority over the policies, procedures, and programs of the Shade Tree Program and are responsible for approving its budget.
2. **Planning & Zoning Boards**
 - a) The Planning Board is responsible for providing for and guiding the orderly growth and development of the community by developing the Borough Master Plan and administering rules and regulations regarding the subdivision of land.
 - b) The Zoning Board is responsible for considering and determining the validity of land use variances based on its interpretation of the Borough’s Master Plan and Zoning Ordinance.

3. *Shade Tree Advisory Committee*

- a) The Shade Tree Advisory Committee is a group of resident volunteers responsible for advising the Borough Council, the Borough Manager, and the Superintendent of Public Works regarding the preservation of shade trees within the Borough.
- b) Specific statutory responsibilities of the Shade Tree Advisory Committee include:
 - i) Advising the Superintendent of Public Works regarding the planting of trees on public land in the Borough.
 - ii) Reviewing and making recommendations regarding permit applications for the removal of trees on private land in the Borough pursuant to Section 125-45 of the Borough Code.
 - iii) Reviewing and commenting on major and minor subdivision and site plan applications before the Planning Board.
 - iv) Advising the Borough Council on the qualification and protection of landmark trees.
- c) Other responsibilities of the Shade Tree Advisory Committee include:
 - i) Continuing to develop, maintain, and promote the Fair Lawn Arboretum with the assistance of the Garden Committee.
 - ii) Reviewing and assisting in the updating of applicable ordinances, this Community Forestry Management Plan, and associated policies.
 - iii) Developing and implementing various public education, awareness, and outreach programs for promoting the planting and proper care of shade trees and urban forest resources in the community.

4. *Borough Manager*

- a) The Borough Manager serves as the chief administrative official of the Borough.
- b) The Borough Manager ensures that the Borough follows all applicable laws, policies, and procedures in the procurement of personnel, resources, and contractors.

5. *Environmental Commission*

- a) The Environmental Commission is a group of seven regular and two alternate members appointed by the Mayor who are residents of the Borough and serve on a volunteer basis.
- b) The Environmental Commission is charged with protection, development, and use of natural resources located within the Borough.
- c) Specific powers of the Environmental Commission include:
 - i) Conducting research into the use and possible use of the open land areas of the Borough.
 - ii) Advertising, preparing, printing, and distributing books, news releases, maps, charts, plans and pamphlets deemed necessary for its purposes.
 - iii) Keeping an index of all publicly and privately owned open areas to obtain information on the proper use of such areas and recommending to the Planning Board plans and programs for inclusion in the Municipal Master Plan and the development and use of such areas.
 - iv) Studying and making recommendations for open space preservation, water resource management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources, and protection of flora and fauna.
 - v) Seeking grants and accepting gifts in the name of the Borough of Fair Lawn, to be used in furtherance of its purposes.

- vi) Subject to the approval of the Mayor and Council, acquiring property, both real and personal, in the name of the Borough of Fair Lawn, by gift, purchase, grant, bequest, devise or lease for any of its purposes.

6. Department of Public Works

- a) The Superintendent of Public Works is primarily responsible for the planting, care, and protection of publicly owned trees in the Borough of Fair Lawn with the advice of the Shade Tree Advisory Committee.
- b) Department of Public Works personnel are responsible for completing various tree planting and maintenance work safely and efficiently under the direction of the Superintendent.

7. Tree Maintenance & Planting Contractors

- a) Private contractors are routinely hired by the Borough to complete tree planting, maintenance, and removal tasks.
- b) Contractors are, within the terms of their agreement, responsible for:
 - i) Completing all work to the specifications of the Superintendent of Public Works in an efficient and safe manner.
 - ii) Following all current and accepted arboricultural standards and practices and abiding by all current and applicable safety standards relating to tree care operations.
 - iii) Reporting any tree-related hazards or other problems immediately to the Borough.

8. Other Borough Departments, Boards & Commissions

- a) Other Borough departments and boards assist the Shade Tree Program to the extent that they administer and implement Borough ordinances, policies, and procedures that directly or indirectly relate to the protection and management of public trees.

9. Public Utilities

- a) Public utilities are responsible for minimizing conflicts between trees and their facilities.
- b) Specifically, public utilities and their contractors are responsible for:
 - i) Abiding by all applicable ordinances.
 - ii) Keeping the Borough informed of their work plans and schedules.
 - iii) Exercising reasonable diligence in the installation and maintenance of their facilities so as to avoid damage to public and private trees.
 - iv) Not removing any tree without prior approval of the Borough or its owner.
 - v) Following all current and accepted arboricultural standards and practices.
 - vi) Assisting Borough personnel and contractors in completing tree removal and maintenance work around their facilities, where necessary.

10. Property Owners

- a) Private property owners assist the Shade Tree Program to the extent that they:
 - i) Notify the Borough of problems and service requests for public trees (*see Tree Service Request Procedures below*).
 - ii) Are asked to irrigate and protect new trees planted adjacent to their properties.
 - iii) Are required to maintain and repair Borough sidewalks in a manner that prevents damage to Borough trees.
 - iv) Are encouraged to plant and properly care for trees on private property.

**CURRENT
ORDINANCES
& RESOLUTIONS**

11. Community Volunteers

- a) Members of the Shade Tree Advisory Committee, Environmental Commission, Green Team, and other related boards and committees are residents of the Borough and serve on a volunteer basis.

The following portions of the Code of the Borough of Fair Lawn authorize or relate to Fair Lawn's Shade Tree Program:

1. Chapter 2, Article XIV, Department of Public Works, which establishes the powers and duties of the Department of Public Works.
2. Chapter 226 of the Borough Code, *Trees*, which provides for the planting, care, and protection of publicly owned trees in the Borough (*see Appendix*).
3. Chapter 125, Article 4, Section 45 of the Borough Code, *Land Development, Trees*, which regulates the removal of trees on privately owned properties in the Borough (*see Appendix*).

**TREE
SERVICE
REQUEST
PROCEDURES**

Requests for the pruning, removal, planting, or other treatment of public trees are typically initiated by adjacent property owners, but may also be generated internally by Borough personnel and other sources, and are processed in the following manner:

1. Service requests and complaints relating to public trees are received by or forwarded to the Department of Public Works office.
2. The requester is provided information regarding Borough policies and procedures and the anticipated response time.
3. All shade trees are inspected by Department of Public Works personnel to determine the validity of the complaint or request, the nature of the work necessary, and the urgency with which corrective work must be completed.
4. A work order is created for any pruning, removal, or other work necessary and is prioritized and scheduled for completion by the Department of Public Works or a Borough contractor, as appropriate.
5. Requests requiring emergency response are completed immediately. All other requests are completed in order of priority as time and resources permit.
6. Records of inspections and completed work are maintained by the Department of Public Works.

**2023 – 2027
OBJECTIVES**

1. Ongoing Administrative Programs

- a) *2023 – 2027*
 - i) Continue implementing all administrative programs, policies, and procedures already in effect.



Budget & Resources

OVERVIEW

The following is a summary of the resources available to Fair Lawn’s Shade Tree Program on a per-year average over the past five years.

Objectives contained within this Plan may require resources beyond those currently available. The Borough’s ability to fully satisfy these objectives may be dependent upon its ability to secure additional funding through external sources and grant programs.

2011 – 2022 GRANTS RECEIVED

Since its last five-year Community Forestry Management Plan was approved in 2011, the Borough of Fair Lawn received the following grants to assist its Shade Tree Program:

1. A Green Communities Challenge Grant from the NJ Forest Service in the amount of \$3,000.00, which was used to help fund preparation of this Community Forestry Management Plan.

EMPLOYEE SALARY & WAGES

Superintendent of Public Works
Department of Public Works personnel
Other Borough personnel

Subtotal (total salary and benefits prorated by percent of time dedicated to the Shade Tree Program)

\$284,000.00

OPERATIONS

Contracted tree pruning, removal, and stump grinding
Contracted arborist
Materials and supplies
Training & professional development
Memberships & subscriptions
Other miscellaneous operating expenses

Subtotal

\$260,000.00

BOROUGH EQUIPMENT

(1) 65-foot Bucket truck
(2) Chippers
(1) Front-end loader
(1) Dump truck
(2) Pickup trucks
(1) Stump grinder
Various chainsaws and related small tools

Subtotal (estimated annual value based on value amortized over 5 – 15-year service life, plus annual maintenance, etc. and prorated by percent of time used by the Shade Tree Program)

\$40,480.00

TREE PLANTING	Contracted tree supply and planting	
	<i>Subtotal</i>	<i>\$55,000.00</i>
TREE WASTE RECYCLING	Leaf disposal at commercial recycling facility	
	Wood and woodchip disposal at commercial recycling facility	
	<i>Subtotal</i>	<i>\$280,000.00</i>
VOLUNTEER SERVICES	Shade Tree Advisory Commission members	
	Environmental Commission members	
	Other community volunteers	
	<i>Subtotal (1,556 hours per year average @ \$29.95)</i>	<i>\$46,602.20</i>
<hr/>		
TOTALS	<i>Borough Resources</i>	<i>\$919,480.00</i>
	<i>Value of Volunteer Services</i>	<i>\$46,602.20</i>



Training & Professional Development

TRAINING & PROFESSIONAL DEVELOPMENT GOALS

1. Provide individuals serving Fair Lawn's Shade Tree Program with sufficient knowledge to make technically sound and effective management decisions.
2. Ensure that tree inspections and evaluations follow accepted standard procedures and that the results are objective, accurate, and consistent.
3. Ensure that programs are implemented using the latest technical information and industry accepted standard practices.
4. Maintain continuity in the overall level of knowledge and expertise within the Shade Tree Program as individuals leave the Program and new ones join.
5. Maximize the number of capable individuals available to assist in monitoring the Borough's public tree population.
6. Satisfy the requirements of the New Jersey Shade Tree & Community Forestry Assistance Act's Training Skills & Accreditation Program without interruption, making the Borough eligible for its benefits.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. ***Training Provisions & Funding***
 - a) Training and professional development opportunities in arboriculture and urban forestry continue to be made available to volunteers and employees serving the Borough's Shade Tree Program.
 - b) These opportunities include CORE training and continuing education as required under the New Jersey Shade Tree & Community Forestry Assistance Act.
 - c) The cost of training is funded by the operating budget of the attendee's respective commission or department.
2. ***NJ Community Forestry's Training Skills & Accreditation Program***
 - a) At the time this Plan was prepared, the following had satisfied the CORE Training requirements of the New Jersey Shade Tree & Community Forestry Assistance Act:
 - i) (4) Borough employees
 - ii) (0) elected officials
 - iii) (1) Shade Tree Program volunteer
 - a) At the time this plan was prepared, the Borough met the New Jersey Shade Tree & Community Forestry Assistance Act training requirements for CORE training.
 - b) In the past, Department of Public Works personnel and members of the Shade Tree Advisory Committee typically met the Borough's NJ Community Forestry's annual continuing education requirements by attending programs offered through the Rutgers NJAES Office of Continuing Professional Education, the New Jersey Shade Tree Federation, and various other organizations.
 - c) Past training covered a range of relevant topics, including:
 - i) Tree Hazard Identification.
 - ii) Chainsaw safety.
 - iii) Electrical Hazard Awareness.

- iv) Aerial Rescue for Tree Workers.

**CURRENT
TRAINING
NEEDS**

The Borough has evaluated its existing programs and personnel and identified the following areas in which training is currently needed or should be considered.

1. NJ Community Forestry CORE Training for additional Borough employees and Shade Tree Advisory Committee members.
2. Ongoing tree hazard identification and evaluation for Department of Public Works personnel and Shade Tree Advisory Committee members and with emphasis on detecting and evaluating the extent of wood decay and root injury from sidewalk repair.
3. Young tree structural pruning in accordance with ANSI A300 Standards for encouraging the development of structurally sound and non-conflicting branch structure in young trees for Department of Public Works personnel and Shade Tree Advisory Committee members.
4. Planting site analysis and tree species selection training for Department of Public Works personnel and Shade Tree Advisory Committee members to help ensure “right tree, right place” in all future plantings.
5. Alternative, tree-friendly methods for mitigating existing tree and sidewalk conflicts.

**2023 – 2027
OBJECTIVES**

1. ***Ongoing Training Programs***

a) *2023 – 2027*

- i) Continue implementing the existing programs, policies, and procedures listed above consistently and in a manner that maximizes the number of individuals who increase their level of expertise.
- ii) Attend training programs, in addition to the following objectives, that address the Current Training Needs listed above as appropriate programs become available.

2. ***NJ Community Forestry's Training Skills & Accreditation Program***

a) *January – March, Annually*

- i) Review training needs versus upcoming training opportunities.
- ii) Ensure that the Borough will accumulate the necessary continuing education credits as required under the New Jersey Shade Tree & Community Forestry Assistance Act by the end of each year.
- iii) Schedule NJ Community Forestry CORE Training for additional individuals, as necessary, to maintain compliance with New Jersey Shade Tree & Community Forestry Assistance Act requirements.

b) *January – December 2023*

- i) Obtain NJ Community Forestry CORE Training for at least two Department of Public Works employees and at least one Shade Tree Program volunteer.

3. ***Tree Hazard Evaluation Training***

a) *January – December 2023*

- i) Train at least one Shade Tree Advisory Committee member and at least one Department of Public Works employee to advance his or her skills in identifying and evaluating the severity of potential tree hazards using the latest information and techniques through an advanced level seminar. This training should include methods for detecting and evaluating the extent of internal decay.

4. *Planting Site Analysis & Species Selection Training*

a) *January – December 2024*

- i) Train at least one Department of Public Works employee and at least one Shade Tree Advisory Committee member in pre-planting site analysis, species selection and tree placement. Critical issues to be covered include:
- Evaluating soil structure and drainage.
 - Recognizing potential root zone and aboveground restrictions and conflicts.
 - Selecting species whose site requirements and growth characteristics suit the existing site conditions.
 - Selecting an appropriate mix of species that will maximize long-term health and stability in the tree population while minimizing maintenance demands.

5. *Young Tree Structural Pruning Training*

a) *January – December 2025*

- i) Train at least two Department of Public Works employees and at least two Shade Tree Advisory Committee members in specialized shade tree pruning techniques at an in-depth, hands-on program that emphasizes developmental pruning for young trees in accordance with ANSI A300 standards to promote the development of a structurally sound trunk and crown form, minimize conflicts with roads and utilities, and minimize the need for severe pruning as the trees mature.

6. *Tree & Sidewalk Conflict Training*

a) *January – December 2026*

- i) Train the Shade Tree Advisory Committee in practical methods for correcting existing tree and sidewalk conflicts including alternative methods that have proven effective elsewhere by:
- Attending a training workshop that includes real-time, hands-on examples of various sidewalk repair techniques in progress, if such a program becomes available or,
 - Arranging to visit and observe examples of such work at a neighboring municipality that has had prior success in mitigating tree and sidewalk conflicts.

7. *Tree Planting Techniques Training*

a) *January – December 2027*

- i) Train at least two Department of Public Works employees and at least two Shade Tree Advisory Committee members in street tree planting techniques via an in-depth, hands-on program that emphasizes proper tree movement, proper hole preparation, planting at appropriate root collar depth, burlap and wire basket removal, backfilling, and follow-up watering and maintenance. The training should demonstrate current industry best practices and accepted standards and should be performed by a NJ Licensed Tree Expert or other experienced tree care professional.



Public Education, Awareness, & Outreach

PUBLIC EDUCATION, AWARENESS, & OUTREACH GOALS

1. Increase and maintain public interest and support for Fair Lawn’s Shade Tree Program.
2. Encourage the public’s assistance in promoting and implementing various programs, protecting trees, and beautifying the Borough.
3. Encourage the planting, protection, and proper care of trees on private property for the benefit of the entire community.
4. Educate citizens in the value of environmental stewardship.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. **Arboretum Day**
 - a) In lieu of Arbor Day, the Borough celebrates Arboretum Day every May to generate public interest in the Fair Lawn Arboretum & Bird Sanctuary and the overall Shade Tree Program.
 - b) Annual celebrations include hosting environmentally oriented vendors, tree planting, tree tours, tree giveaways, an outdoor green fair, and library book reading. The event is typically attended by hundreds of residents.
2. **Tree City USA & Other Awards**
 - a) The Borough is not currently designated as a Tree City USA by the National Arbor Day Foundation.
3. **Education & Outreach Programs**
 - a) The Green Team has conducted a door hanger campaign advertising trees through a QR code sign-up.
 - b) A Landmark Tree Program has been implemented to identify and protect specimen trees. Two trees have so far been designated.
 - c) The Borough has partnered with private organizations, such as Columbia Savings and Brookfield, to implement tree plantings via donated trees.
 - d) Educational programs and exhibits are routinely implemented at the Fair Lawn Public Library. These have included displays in the entry-level display case and online presentations.
 - e) The Borough has held an annual Community Fall Tree Planting event for the past few years.
 - f) Information is made available in the Arboretum Kiosk for visitors to learn more about trees and Fair Lawn’s Shade Tree Program.
 - g) The Shade Tree Advisory Committee has also presented information to the Borough Council in order to garner necessary support for the Shade Tree Program.

2023 – 2027 OBJECTIVES

1. **Ongoing Public Education, Awareness, & Outreach Programs**
 - a) *2023 – 2027*
 - i) Continue all existing public education, awareness, and outreach programs, as appropriate.

2. Annual Arboretum Day Programs

a) January – April, Annually

- i)** Continue to organize and conduct annual Arboretum Day celebrations.
 - Continue to seek assistance from the Board of Education as well as local civic groups, local businesses, and others to help spread the workload and maximize exposure and attendance at the programs.
 - Vary the activities and target audience each year to help increase interest and support for the Borough’s Shade Tree Program, awareness of the benefits of trees, and active environmental stewardship.

3. Tree City USA

a) October – December, Annually

- i)** Submit the annual application for designation as a Tree City USA through the National Arbor Day Foundation.
- ii)** Prepare and submit the application for Tree City USA Growth Awards when eligibility requirements have been met.
- iii)** Advertise the designation in public relations materials (road signs, plaques, truck decals, stationary logo, etc.) throughout the Borough.

4. Press Releases & Educational Materials

a) January – March 2023

- i)** Establish a subcommittee within the Shade Tree Advisory Committee that will be responsible for consistently issuing at least four articles per year that are dedicated to educational and general interest subjects, in addition to ongoing program announcements.

b) 2023 – 2027

- i)** Ensure that information on the Shade Tree Division and Shade Tree Advisory Committee webpages is kept current and complete, and that educational content provided is refreshed regularly.
- ii)** The purpose of this campaign will be to help increase public awareness, interest, and support for the Shade Tree Program and tree planting and preservation in general.
- iii)** Articles and announcements will be posted on the Shade Tree Advisory Committee webpage, the Mayor’s newsletter, and other outlets to be determined, as well as distributed in hardcopy at Borough buildings and community events.
- iv)** These articles may be available reprints of articles from external sources, such as the International Society of Arboriculture, the National Arbor Foundation, the NJ Community Forestry Program, etc., or produced in-house.
- v)** Applicable subjects include:
 - The environmental, social, and economic benefits of trees to the community.
 - Calls for volunteers.
 - Shade Tree Program services, policies, and property owner requirements.
 - Shade Tree Program awards (e.g., grants received, Tree City USA, etc.).
 - Shade Tree Program events and projects (e.g., Arbor Day programs, adoption of this Community Forestry Management Plan, training completed, planting and pruning projects, etc.).
 - General tree maintenance tips for private homeowners (e.g., species selection, proper pruning and other maintenance techniques, how to select a professional tree maintenance firm, etc.).
 - Selecting and planting trees on private property.
 - Issues with planting exotic invasive species and species to avoid planting.

- Proper mulching practices and avoiding root collar damage.
- Timely tree health concerns (emerald ash borer, summer shedding of bark on London plan and sycamore, Asian Longhorn beetle, bacterial leaf scorch, hemlock woolly adelgid, etc.) and recommendations for treatment.
- Measures for protecting trees during construction.
- The hazards of cutting roots during sidewalk repair and alternative methods to consider.
- Causes and remedies for root intrusion into sewers.



TREE INVENTORY & ASSESSMENT GOALS

1. Provide accurate and updatable baseline information necessary for making sound management decisions and upon which proactive short- and long-term management programs can be based.
2. Provide a system for accessing and utilizing inventory data that improves the efficiency and effectiveness of day-to-day tree management activities.
3. Track management activities and evaluate their long-term impact on the tree population and progress toward the overall goals and objectives of the Shade Tree Program.
4. Maintain records of maintenance for individual trees, where appropriate.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. ***Current Tree Inventory & Assessment***
 - a) The Borough currently lacks a detailed inventory and assessment of its tree resource.
 - b) A current estimation of Fair Lawn's publicly owned tree population is provided on page 4.

2023 – 2027 OBJECTIVES

1. ***Ongoing Tree Inventory Programs***
 - a) *2023 – 2027*
 - i) Continue utilizing existing known information about the street tree population to facilitate day-to-day operations, evaluate the state of the Borough's tree resource, and direct efforts toward the Overall Program Goals.
2. ***Tree Canopy + Land Cover Analysis***
 - a) *January – March 2024*
 - i) Using current aerial imagery, appropriate GIS software, and the USDA Forest Service's *i-Tree* software suite, where appropriate, measure and characterize the extent of Fair Lawn's current overall tree canopy cover, including both public and private lands.
 - ii) Assess the total size, relative percentage, and configuration of land in Fair Lawn in various pervious and impervious land cover types.
 - iii) Using available analysis tools, estimate the atmospheric benefits and ecological benefits provided by tree cover with regard to the removal of carbon and other pollutants.
 - iv) To the extent feasible, complete "what if" analyses to estimate the potential increases in ecological services associated with efforts to increase Borough-wide canopy cover and identify where additional canopy cover is likely to have the greatest impact.
3. ***Street Tree Inventory & Assessment***
 - a) *July – September 2024*
 - i) Develop plans to conduct an inventory and assessment of Fair Lawn's street tree resource. In developing these plans, consideration must be given to:
 - Sources of funding for completing the inventory including existing budgets, grants, "creative" sources, such as packaging the tree inventory with a bond issue for a sidewalk repair or a tree hazard mitigation program, etc. The Borough's ability to satisfy this objective will be dependent upon its ability to obtain additional funding.

- The level of inventory that is necessary and appropriate: (a) a complete, updatable, computerized inventory of every individual tree and available planting site, versus (b) a less expensive, but non-updateable sample-based inventory that includes surveys in areas with need to identify and record individual trees that are dead and/or require priority maintenance.
 - Whether to complete the entire Borough at once, or in phases over multiple years.
 - Whether to complete the inventory with in-house employees and volunteers, a contracted consultant or a combination of the two.
 - The data parameters to be collected and the evaluation criteria to be used.
 - If a complete, computerized inventory is selected, who will maintain and update the computerized data and how it will be used.
- b) *October – December 2024*
- i) If a sample-based inventory plus maintenance survey is selected, develop the appropriate sampling scheme and observation methods for the Borough overall, and identify specific streets or areas where more detailed maintenance surveys will be conducted.
 - ii) If a complete, computerized inventory is selected, investigate software systems for storing and using the inventory data. Primary considerations in selecting a system will be its ability to:
 - Store and handle records for a sufficient number of trees and their maintenance histories.
 - Integrate the tree inventory with a system for recording, prioritizing and scheduling service requests and maintaining records of the work completed.
 - Produce a variety of data summaries at any time in the future so that effective management decisions can be based on current and sound information and so that progress toward the Overall Program Goals of this Plan can be routinely monitored and evaluated.
 - Track, analyze, and report on miscellaneous items such as sidewalk damage, the success of sidewalk damage prevention techniques, the difference in long-term maintenance needs and costs between various species and cultivars, etc.
 - Improve the overall efficiency and effectiveness of the Shade Tree Program.
- c) *January – March 2025*
- i) Develop procedures and criteria for collecting data in a manner that is appropriate for the type of inventory selected. In addition to the standard parameters (tree location, species, diameter, condition, etc.), the inventory should also include:
 - Identification of existing tree hazards and prioritized pruning and removal needs.
 - An inventory of vacant planting sites.
 - An inventory of damaged sidewalks and curbs.
 - ii) Mobilize a force of in-house employees and volunteers or hire a consultant to complete data collection (depending upon the plans developed in #1a above). This task will also require the preparation of procedures, data collection forms, training, etc. if in-house employees and volunteers are used.
- d) *April – June 2025*
- i) If a computerized inventory is selected, purchase, install, and setup the selected computer system and software and train the appropriate people to use it.
- e) *July – December 2025*
- i) Complete field data collection. Adjust the timing of this task if employees and volunteers are used versus a hired consultant.
 - ii) Complete data entry concurrently, if applicable.

4. Tree Inventory & Assessment Report & Utilization

a) January – March 2026

- i)** If a sample-based inventory plus maintenance survey is selected, complete the necessary statistical calculations to derive estimated totals for the appropriate population summary measures.
- ii)** Produce appropriate charts and reports that summarize and document the current state of the tree population. Use this report as a baseline to which future reports can be compared and upon which the impact of management activities can be evaluated.
- iii)** Organize work lists for high priority trees identified via the maintenance survey and begin seeking funding to complete the work within an appropriate timeframe.
- iv)** Begin integrating the inventory findings into ongoing planning decisions and daily management activities.
- v)** Begin completing all maintenance work identified during the inventory in order of priority, based on potentially hazardous conditions noted.



TREE HAZARD MANAGEMENT GOALS

1. Minimize the risk of trees to public safety.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. ***Tree Hazard Identification***

- a) Hazardous tree conditions are generally identified via:
 - i) Service requests from adjacent property owners.
 - ii) Ongoing observations by Department of Public Works personnel, Shade Tree Advisory Committee members, and other Borough employees in the course of their daily activities.
 - iii) Observations by contractors performing tree work for the Borough.

2. ***Tree Hazard Abatement Procedures***

- a) Department of Public Works personnel evaluate the condition of Borough-owned trees in question and determine needs for pruning, removal or other treatments to correct the hazards identified.
- b) Work orders and contract lists are created, prioritized and scheduled for completion immediately, when time and available resources permit, or at the appropriate time in the future, based upon the degree of hazard potential.

3. ***Record-Keeping***

- a) Records of inspections are maintained by the Department of Public Works.

2023 – 2027 OBJECTIVES

1. ***Ongoing Tree Hazard Management Programs***

- a) *2023 – 2027*
 - i) Continue to implement all existing tree hazard management programs, policies, and procedures.
 - ii) Continue to address hazard abatement needs as they are identified in order of priority.

2. ***Tree Hazard Evaluation Training***

- a) *See Training & Professional Development, Objective #3.*



TREE PLANTING GOALS

1. Increase and perpetuate the Borough's public tree population at maximum practical stocking (the total number of shade trees that is appropriate and which the Borough can effectively manage, given available resources).
2. Optimize and maintain tree species and age diversity to provide long-term stability in the public tree population.
3. Minimize conflicts between trees and sidewalks, utilities, and other public and private fixtures.
4. Improve aesthetic appeal, seasonal variation, and physical benefits to adjacent properties and the Borough overall.
5. Increase tree canopy.
6. Prioritize planting of native trees.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. ***Planting Jurisdiction***
 - a) The Borough currently plants trees:
 - i) In Borough rights-of-way
 - ii) In County rights-of-way
 - iii) On Borough-owned properties
 - iv) In Borough parks
2. ***Planting vs. Removal Ratio***
 - a) On average from 2000 through 2010, the Borough removed twice as many public trees as it planted each year (430 removed versus 216 planted per year). From 2011 through the present, the Borough, on average, removed 200 trees and planted 100 public trees per year.
 - b) As a result of this planting versus removal ratio over an extended period of time, stocking of the Borough's public tree resource has been reduced to approximately 50% of what it was in 2000. Further, the quantity of trees lost coupled with the difference in size between those removed and those planted, and similar losses on private lands, have dramatically reduced Boroughwide tree canopy cover and the subsequent tangible and intangible environmental service benefits provided.
3. ***Planting Location & Tree Placement***
 - a) Planting locations are identified and verified by the Department of Public Works with the advice of the Shade Tree Advisory Committee via:
 - i) Vacancies created by the removal of dead, dying, or potentially hazardous trees.
 - ii) Requests for street trees by adjacent property owners.
 - b) Tree placement is determined and marked prior to planting by the Department of Public Works. Trees are placed:
 - i) Within the right-of-way in the case of street trees.
 - ii) In a manner that will minimize future conflicts with above and below-ground utilities, structures, hardscape fixtures, and traffic. Where appropriate and feasible, street trees

are placed within the right-of-way on the private property side of the sidewalk to reduce conflicts.

- iii) In a manner that is appropriate for the design and intended use of the area.

4. Species Selection

- a) Species are selected by the Department of Public Works with the advice of the Shade Tree Advisory Committee.
- b) Species are selected with consideration to:
 - i) Existing soil conditions, available growing space, and above- and below-ground restrictions at each site.
 - ii) Increasing species diversity in the street tree population and prioritizing planting of native trees where appropriate.
 - iii) Insect and disease resistance.
 - iv) Availability of species and cultivars.
- c) Large growing species provide significantly greater environmental service benefits over a significantly longer period of time than small ornamental species, and there is an urgent need to restore tree canopy cover across the Borough. Therefore, it is the Borough's policy to plant large species wherever above- and below-ground space permits. Smaller, ornamental species are only used where there is insufficient space for large species and/or where conflicts with overhead wires, sidewalks, and other infrastructure are likely.

5. Tree Supply & Installation

- a) All trees planted each year are furnished and planted by private contractors hired and directed by the Department of Public Works, with the advice of the Shade Tree Advisory Committee.
- b) Contractors are required to provide a 1-year replacement guarantee on trees they furnish and install.

6. Post-Planting Care

- a) Post-planting maintenance for new street trees includes:
 - i) Watering and protection by adjacent property owners in accordance with instructions provided by the Shade Tree Advisory Committee.
 - ii) Removal of stakes after one year by adjacent property owners or Department of Public Works personnel.
 - iii) Replacement of trees that do not survive planting.

2023 – 2027 OBJECTIVES

1. Ongoing Tree Planting Programs

- a) *2023 – 2027*
 - i) Continue implementing all existing tree planting programs where appropriate and with changes dictated by the following objectives.

2. Annual Tree Planting Program Funding

- a) *2023 – 2027*
 - i) Develop and begin implementing plans for significantly increasing the rate of new tree planting to help stem the rate of annual tree canopy loss and begin restoring canopy lost over the past 20 – 30 years.
 - ii) Support annual budget requests with lists of tree planting requests from Borough residents, lists of vacant planting sites otherwise identified, tracking changes in overall

tree stocking and canopy cover levels, and the benefits of trees in reducing the local impacts of climate change, reducing energy consumption, and improving air quality.

b) *October – December, annually*

- i)** Investigate the availability of New Jersey Community Forestry *Community Stewardship Incentive Program* (CSIP) grants, as well as other community development, transportation, and similar grant programs, for funding Borough tree planting projects.
- ii)** When available, apply for grant funding to supplement the Borough’s existing tree planting budgets.

c) *January – June 2024*

- i)** Evaluate the feasibility of establishing an Adopt-A-Tree program and/or Memorial Tree Planting program through which residents may contribute money toward the planting of public trees adjacent to their property or elsewhere in the Borough.
- ii)** Evaluate the feasibility of establishing a program that encourages and assists homeowners in planting shade trees on their property with the justification that trees are community assets providing benefits that extend beyond the property on which they are growing. Assistance can be in the form of directly contributing to the cost or coordinating a nursery supplier and contractor that will offer bulk discount pricing for Fair Lawn residents.

d) *July – December 2024, and continuously thereafter*

- i)** If deemed feasible and desirable, establish the Adopt-A-Tree, Memorial Tree, and/or Tree Planting Assistance program(s) with consideration to:
 - How contributions will be accepted by the Borough and how the money will be held and spent.
 - Publicly recognizing those that contribute.
 - What percentage of the donations will be used for maintenance of the trees planted.
 - Addressing any potential legal issues associated with Borough involvement in planting trees on private properties (maintenance and liability releases, etc.).
 - Advertising the program(s) to ensure sufficient participation to keep the program(s) self-sufficient.
- ii)** Once established, advertise and implement the Adopt-A-Tree, Memorial Tree, and/or Tree Planting Assistance programs on a continuous basis.



TREE MAINTENANCE GOALS

1. Improve and maintain the long-term health and structural condition of the Borough's public tree population.
2. Maximize the service life of existing trees.
3. Minimize the risk of trees to public safety.
4. Respond promptly and effectively to citizen complaints and service requests.
5. Maximize the benefits that trees provide to the community relative to the cost of maintaining them.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. ***In-House Crews***
 - a) The Borough currently maintains one part-time crew within the Department of Public Works for completing tree maintenance and removal work.
 - b) This crew occasionally perform limited tree pruning and removal work, primarily storm clean-up, crown-raising and small tree removals.
 - c) Department of Public Works personnel currently complete approximately:
 - i) Less than 5% of all tree removal work
 - ii) Less than 5% of all tree pruning work
 - iii) Less than 5% of all stump removal work
 - iv) As-needed emergency tree work based on the type of equipment and level of skill required.
 - d) The Department of Public Works is currently equipped with the following for tree maintenance:
 - i) (1) 65-foot Bucket truck
 - ii) (2) Chippers
 - iii) (1) Front-end loader
 - iv) (1) Dump truck
 - v) (2) Pickup trucks
 - vi) (1) Stump grinder
 - vii) Various chainsaws and related small tools
2. ***Private Contractors***
 - a) Private tree maintenance firms are routinely hired by the Department of Public Works to complete approximately 95% of the Borough's tree pruning, tree removal, and stump grinding work.
 - b) Local tree maintenance contractors are also available to complete most emergency tree work.
3. ***Inter-Local & Mutual Assistance Agreements***
 - a) Fair Lawn currently does not currently have formal agreements with neighboring municipalities for the sharing of tree-related equipment and personnel.

4. Systematic Maintenance Programs

- a) The Borough currently does not have programs in place for systematically pruning and maintaining trees on a routine cycle. Nearly all available resources are dedicated toward addressing high priority concerns as they emerge.

5. Work Identification, Prioritization, Scheduling & Record-Keeping

- a) Currently, tree maintenance needs are identified via:
 - i) Service requests from adjacent property owners.
 - ii) Ongoing observations by Department of Public Works personnel and other Borough employees in the course of their daily activities.
 - iii) Observations by contractors performing tree work for the Borough.
- b) All work needs are scheduled and completed in order of priority.
- c) Records of tree maintenance work completed are maintained by the Department of Public Works.

6. Tree Removal

- a) It is the Borough's policy to not remove live public trees unless they pose a threat to public safety.
- b) From 2000 through 2010, the Borough removed an average of 430 dead, dying, structurally unsound, or otherwise undesirable public trees per year. From 2011 through 2022, the Borough removed an average of 200 public trees per year.

7. Plant Health Care & Specialty Treatments

- a) Specialty treatments, such as insect and disease controls and cabling and bracing, are generally not completed on public trees.

8. Sidewalk Maintenance

- a) Over the past 20 years, the Borough has experienced, and continues to experience, widespread issues with damage to sidewalks from tree root growth. These conflicts are primarily a result of limited soil space available for curbside street trees and the relatively large size trees in the even-aged population.
- b) Individual property owners are responsible for maintaining public sidewalks and curbs adjacent to their property, even when damaged by the growth of Borough trees. When repairing sidewalks, property owners are required to:
 - i) Obtain required permits from the Building Department.
 - ii) Receive written approval or a permit prior to any root pruning from the Department of Public Works in accordance with Borough Code.
 - iii) Complete, or have their contractors complete, any necessary modifications and limited root pruning at their expense, with the prior review and approval of the Department of Public Works.
- c) The Borough selects species and places street trees in a manner that will help minimize future conflicts between trees and sidewalks.

**2023 – 2027
OBJECTIVES**

1. Ongoing Tree Maintenance Programs

- a) *2023 – 2027*
 - i) Continue implementing all existing tree maintenance programs, policies, and procedures on a regular basis.

2. Priority Ash Tree Removal

a) April – June 2023

- i) Identify the location and evaluate the current condition of all existing Borough-owned ash trees with regard to emerald ash borer infestation. For all trees found to be infested, rank the relative urgency with which they should be removed based on the level of health and structural degradation and potential risks to life and property.
- ii) If necessary to supplement existing budgets, seek available grant funding to help ensure the necessary tree removals are completed in a timely fashion.

b) July – September 2023

- i) Complete the removal of all Borough-owned ash trees determined to require high priority removal.

c) January – June 2024

- i) Complete the removal of all remaining Borough-owned ash trees found to be infested with emerald ash borer.

3. Structural Pruning for Young Trees

a) July – December 2025

- i) Develop a project to provide pruning to improve the structure of trees planted in recent years. Such pruning is a cost-effective way to ensure the development of good form and sound structure as trees mature, minimize future pruning needs, and minimize the development of potentially hazardous structural defects.
- ii) Development of this project will require:
 - Scouting, identifying, and prioritizing the trees to be pruned. Generally, trees 3" – 6" in diameter will be targeted with priority given to trees in higher use areas and/or which exhibit the greatest need.
 - Developing technically sound pruning objectives and specifications in accordance with the ANSI A300 Pruning Standard for "Structural" / "Young Tree Pruning."
 - If appropriate, developing specifications for correcting root collar disorders such as girdling roots, deep planting, etc.
 - Ensuring that the appropriate Department of Public Works employees and contractors, as appropriate, have received the necessary training to successfully complete this specialized objective.

b) January – December 2026

- i) Complete the Structural Pruning project for recently planted trees.

c) January – December 2027

- i) Complete additional rounds of structural pruning for young trees that have fully established from transplanting.



TREE WASTE RECYCLING GOALS

1. Minimize the cost of tree waste disposal to the Borough.
2. Provide beneficial recycled products for use on Borough properties and by Borough residents.
3. Generate income that can be used to subsidize various shade tree programs.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. **Recycling Facilities**
 - a) The Borough currently does not own and operate facilities for processing and recycling vegetative waste.
 - b) Downes Tree Service operates a wood recycling facility within the Borough. Some material is freely available to the Borough and its residents.
2. **Material Processing, Use & Distribution**
 - a) *Leaves*
 - i) The Borough currently retains a private contractor to provide leaf pick-up service for property owners. Collected leaves are bagged and taken to the firm's recycling facility where they are composted for use in various soil amendment products.
 - b) *Wood Chips*
 - i) Wood chips generated by Borough crews are delivered to a local recycling facility for processing into landscape mulch and other waste wood products.
 - ii) Wood chips generated by private contractors working for the Borough are removed and recycled by the contractor.
 - c) *Bulk Wood*
 - i) Bulk wood is typically not generated by Department of Public Works crews because in-house work is typically limited to smaller, chippable size limbs and logs.
 - ii) Bulk wood generated by private contractors is removed and recycled by the contractor.
3. **Recycling Income**
 - a) Currently, the Borough does not generate income through its tree waste recycling program.

2023 – 2027 OBJECTIVES

1. **Ongoing Tree Waste Recycling Programs**
 - a) 2023 – 2027
 - i) Continue implementing all existing tree waste recycling programs, policies, and procedures.



TREE CARE DISASTER PLAN GOALS

1. Minimize the risk of catastrophic tree damage caused by weather, disease, and other forces.
2. Enable the Borough to respond to tree-related emergencies promptly and efficiently.
3. Provide the Borough with a viable plan and resources to repair or replace widespread tree damage or losses.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. *Tree Emergency & Disaster Threats*

- a) Severe weather is currently considered to be the most serious threat to the Borough's urban forest. In recent years, severe storms have caused significant damage to both publicly and privately owned trees in Fair Lawn and throughout northern New Jersey.
- b) In addition to the threat to the trees themselves, the widespread structural failures of trees pose a serious threat to electrical service, communications, and the Borough's ability to provide critical emergency services.
- a) The risk of widespread tree damage and losses to biotic threats is currently considered moderate, but manageable, through increased species diversity and cultivar selection. Currently, there is particular concern regarding:
 - i) Emerald ash borer, which is now present throughout New Jersey and has been confirmed in Bergen County.
 - ii) Bacterial leaf scorch and its apparent spread throughout New Jersey, though it has not yet been identified in Fair Lawn.
 - iii) Oak wilt and its spread in neighboring New York and Pennsylvania.

2. *Wildfire Protection*

- a) Wildfire is not considered to be a significant threat to public tree resources in the Borough of Fair Lawn at this time.

3. *Existing Emergency & Disaster Plans*

- a) The Borough's State-mandated Emergency Operations Plan outlines procedures for vital services and cooperative efforts between all Borough departments and neighboring communities during an emergency or disaster.
- b) The Borough currently lacks a formal plan specific to the repair and replacement of widespread tree damage and losses beyond initial emergency response efforts. Experience has shown, however, that technically sound and responsible planting, preventive maintenance, and hazard identification and abatement efforts described elsewhere in this Plan will, over the long term, help reduce the Borough's vulnerability to catastrophic losses.

4. *Emergency Response*

- a) The Department of Public Works, in cooperation with the Office of Emergency Management, local utilities, and contractors, is responsible for clearing trees and debris to open roadways and permit restoration of electrical service and communications.
- b) The Department of Public Works and Borough contractors are on 24-hour call to respond to tree-related emergencies.

**2023 – 2027
OBJECTIVES**

1. *Ongoing Programs*

a) 2023 – 2027

- i) Continue implementing existing programs, policies, and procedures.**
- ii) Implement or expand technically sound and responsible planting, preventive maintenance and hazard identification and abatement programs, as detailed elsewhere in the Plan, to reduce the risk of future tree failures.**



PLAN PREPARATION & EVALUATION GOALS

1. Continue to follow a well-defined, consistent, and efficient course of action toward the Overall Program Goals.
2. Continually evaluate the success of past programs and activities and make effective adjustments to address changing needs and conditions.
3. Remain in compliance with and eligible for the benefits of the New Jersey Shade Tree & Community Forestry Assistance Act.

EXISTING PROGRAMS, POLICIES, & PROCEDURES

1. Preparation of this fourth five-year Community Forestry Management Plan was the cooperative effort of the Borough of Fair Lawn and their consulting arborist.
2. Goals and objectives contained in this Community Forestry Management Plan are based on the Borough's implementation of its 2000 – 2015 Plans and ongoing review and evaluation of its progress.
3. Preparation of this Plan was made possible through a Green Communities Challenge Grant from the New Jersey Forest Service and the in-kind services of Borough volunteers and employees.

2023 – 2027 OBJECTIVES

1. **Annual Program Evaluation**
 - a) *December, Annually*
 - i) Evaluate the success of the year's activities and accomplishments relative to the goals and objectives contained within this Plan.
 - ii) Adjust programs and procedures, as necessary, based upon the evaluation.
 - iii) Prepare and submit the Annual Accomplishment Report to the New Jersey Forest Service in accordance with the requirements of the New Jersey Shade Tree & Community Forestry Assistance Act.
2. **Five-Year Plan Evaluation**
 - a) *January – March 2027*
 - i) Evaluate the success of all objectives completed to date.
 - ii) Evaluate progress toward the overall goals of the Shade Tree Program.
 - iii) Begin formulating new objectives and adjustments to existing policies, programs and procedures, if necessary to address changing needs, for the 2028 – 2032 management period.
3. **2028 – 2032 Management Plan Development**
 - a) *April – September 2027*
 - i) Finalize new objectives and adjustments to existing programs, policies, and procedures for the 2028 – 2032 management period.
 - ii) Prepare and submit a Community Forestry Management Plan for the 2028 – 2032 management period.
 - b) *October – December 2027*
 - i) Obtain Plan approval from the New Jersey Community Forestry Council.



Summary of 2023 – 2027 Objectives

Objectives / Tasks	2023	2024	2025	2026	2027
PROGRAM ADMINISTRATION					
1. <i>Ongoing Administrative Programs</i>					
<input type="checkbox"/> Continue all existing administrative programs, policies, and procedures already in effect (p.15, #1.a.i)					
TRAINING & PROFESSIONAL DEVELOPMENT					
1. <i>Ongoing Training Programs</i>					
<input type="checkbox"/> Continue all existing training programs on a regular basis and maximize the number of individuals that increase their level of practical knowledge; Attend training programs in addition to the following objectives that address current training needs as appropriate programs become available (p.19, #1.a.i-ii)					
2. <i>NJ Community Forestry Training Skills & Accreditation Program</i>					
<input type="checkbox"/> Review training needs and schedule training, as necessary, to accumulate sufficient CEU's and maintain Approved Status; Schedule individuals for CORE Training, as necessary (p.19, #2.a.i-iii)					
<input type="checkbox"/> Obtain NJ Community Forestry CORE Training for at least 2 Department of Public Works employees and at least 1 Shade Tree Program volunteer (p.19, #2.b.i)					
3. <i>Tree Hazard Evaluation Training</i>					
<input type="checkbox"/> Train at least 2 Department of Public Works employees and at least 1 Shade Tree Advisory Committee member in identifying and evaluating the severity of potential tree hazards, including determining the extent of internal wood decay, using the latest information and techniques via an advanced level seminar (p.19, #3.a.i)					
4. <i>Planting Site Analysis & Species Selection Training</i>					
<input type="checkbox"/> Train at least 1 Department of Public Works employee and at least 1 Shade Tree Advisory Committee member in pre-planting site analysis, species selection, and tree placement, included soil structure evaluation, site conflicts, and species-site matching (p.20, #4.a.i)					
5. <i>Young Tree Structural Pruning Training</i>					
<input type="checkbox"/> Train at least 2 Department of Public Works employees, at least 2 Shade Tree Committee Advisory members, and local contractors in pruning young trees to promote the development of a structurally sound trunk and crown form, minimize conflicts and minimize the need for severe pruning in the future via a hands-on program (p.20, #5.a.i)					

Objectives / Tasks	2023	2024	2025	2026	2027
TRAINING & PROFESSIONAL DEVELOPMENT, cont'd					
<p>6. <i>Tree & Sidewalk Conflict Training</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Train Shade Tree Advisory Committee members in practical methods for correcting tree-sidewalk conflicts via attending a hands-on workshop with real-time examples or by observing examples at a neighboring municipality with a successful tree-sidewalk conflict mitigation program (p.20, #6.a.i) 					
<p>7. <i>Tree Planting Techniques Training</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Train at least 2 Department of Public Works employees and at least 2 Shade Tree Advisory Committee members in street tree planting techniques via an in-depth, hands-on program that emphasizes proper tree movement, hole preparation, appropriate root collar depth, and follow-up maintenance and is taught by a qualified professional (p.20, #7.a.i) 					
PUBLIC EDUCATION, AWARENESS & OUTREACH					
<p>1. <i>Ongoing Public Education, Awareness & Outreach Programs</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Continue all existing public education, awareness, and outreach programs on a regular basis (p.21, #1.a.i) 					
<p>2. <i>Arboretum Day Programs</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Continue to plan, organize, and conduct annual Arboretum Day celebrations; Continue to seek assistance from the Board of Education, local civic groups, local businesses, and others; Vary the activities and target audience each year to widen interest and support for the Borough's Shade Tree Program (p.22, #2.a.i) 					
<p>3. <i>Tree City USA</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Prepare and submit the annual application for designation as a Tree City USA; Prepare and submit applications for Tree City USA Growth Awards when eligibility requirements are met; Continually advertise the designation by displaying the program's promotional materials (p.22, #3.a.i-iii) 					
<p>4. <i>Press Releases & Educational Materials</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Establish a subcommittee responsible for releasing at least 4 articles per year (p.22, #4.a.i) <input type="checkbox"/> Ensure that information on the Shade Tree Division and Shade Tree Advisory Committee webpages is current and educational articles, announcements, and other information is routinely published to The Mayor's Newsletter and webpages to generate public interest, awareness, and support for the Shade Tree Program (p.22, #4.b.i-v) 					

Objectives / Tasks	2023	2024	2025	2026	2027
TREE INVENTORY & ASSESSMENT					
1. <i>Ongoing Tree Inventory + Assessment Programs</i>					
<input type="checkbox"/> Continue using known information about the street tree population to facilitate day-to-day operations, evaluate the state of the street tree resource, and direct efforts to the Overall Program Goals (p.24, #1.a.i)					
2. <i>Tree Canopy + Land Cover Analysis</i>					
<input type="checkbox"/> Use aerial imagery, GIS software, and the USDA Forest Service's <i>i-Tree</i> software to assess the Borough's impervious and pervious land cover and current tree canopy, and determine where additional canopy will have the greatest impact (p.24, #2.a.i-iv)					
3. <i>Street Tree Inventory & Assessment</i>					
<input type="checkbox"/> Develop plans to complete a full, partial, or sample street tree inventory as appropriate; Obtain necessary funding (p.24, #3.a.i)					
<input type="checkbox"/> Develop sampling schemes, decide on software systems, and designated personnel to update the inventory, as appropriate for the type of assessment selected (p.25, #3.b.i-ii)					
<input type="checkbox"/> Develop procedures and criteria for collecting data; Mobilize a force of in-house volunteers or hire a consultant to complete data collection operations (p.25, #3.c.i-ii)					
<input type="checkbox"/> If a computerized inventory is selection, purchase, install, and setup the selected inventory data system. (p.25, #3.d.i)					
<input type="checkbox"/> Complete field data collection and data entry, if applicable (p.25, #3.e.i-ii)					
4. <i>Tree Inventory & Assessment Report & Utilization</i>					
<input type="checkbox"/> If utilizing a sample inventory, derive estimated population totals for appropriate summary measures; Produce appropriate charts and reports that summarize the street tree population; Organize work lists for maintenance; Integrate findings into long-term urban forestry planning; Conduct priority maintenance activities (p.26, #4.a.i-v)					
TREE HAZARD MANAGEMENT					
1. <i>Ongoing Tree Hazard Management Programs</i>					
<input type="checkbox"/> Continue all existing tree hazard management programs; Complete all priority maintenance work identified by the recent street tree inventory; Continue to address hazard abatement needs as they are identified in priority order (p.27, #1.a.i-ii)					
2. <i>Tree Hazard Evaluation Training</i>					
<input type="checkbox"/> See <i>Training & Professional Development, Objective #3</i>					
TREE PLANTING					
1. <i>Ongoing Tree Planting Programs</i>					
<input type="checkbox"/> Continue all existing tree planting programs (p.29, #1.a.i)					

Objectives / Tasks	2023	2024	2025	2026	2027
<p>TREE PLANTING, cont'd</p>					
<p>2. <i>Annual Tree Planting Program Funding</i></p> <ul style="list-style-type: none"> <li data-bbox="266 310 821 478"> <input type="checkbox"/> Continually stress the critical importance of consistent annual tree planting to increase and perpetuate the Borough's tree population and canopy cover; Support annual budget requests with street tree inventory data, planting requests from residents, and other documentation (p.29, #2.a.i-ii) <li data-bbox="266 506 789 646"> <input type="checkbox"/> Investigate the availability of New Jersey Community Forestry <i>Community Stewardship Incentive program</i> (CSIP) grants, as well as others that may be available; Apply for them to supplement Borough funding (p.30, #2.b.i-ii) <li data-bbox="266 653 816 758"> <input type="checkbox"/> Evaluate the feasibility of establishing an Adopt-A-Tree or Memorial Tree Program and a program that encourages and assists homeowners in planting shade trees on their property (p.30, #2.c.i-ii) <li data-bbox="266 764 781 848"> <input type="checkbox"/> If deemed feasible and desirable, establish the abovementioned programs; Advertise programs and implement them on a continuous basis (p.30, #2.d.i-ii) 					
<p>TREE MAINTENANCE</p>					
<p>1. <i>Ongoing Tree Maintenance Programs</i></p> <ul style="list-style-type: none"> <li data-bbox="266 1018 813 1073"> <input type="checkbox"/> Continue all existing tree maintenance programs, policies and procedures on a regular basis (p.32, #1.a.i) <p>2. <i>Priority Ash Tree Removal</i></p> <ul style="list-style-type: none"> <li data-bbox="266 1129 824 1241"> <input type="checkbox"/> Identify the location and assess the condition of all existing Borough-owned ash trees with regard to emerald ash borer infestation; Prioritize removal of trees based on condition (p.33, #2.a.i-ii) <li data-bbox="266 1247 800 1302"> <input type="checkbox"/> Complete the removal of all Borough-owned ash trees determined to require high-priority removal (p.33, #2.b.i) <li data-bbox="266 1308 824 1392"> <input type="checkbox"/> Complete the removal of all remaining Borough-owned ash trees found to be infested with emerald ash borer (p.33, #2.c.i) <p>3. <i>Structural Pruning for Young Trees</i></p> <ul style="list-style-type: none"> <li data-bbox="266 1444 824 1556"> <input type="checkbox"/> Develop a project to provide pruning to improve the structure of trees planted in recent years to cost-effectively ensure development of a strong form as trees mature (p.33, #3.a.i-ii) <li data-bbox="266 1562 824 1617"> <input type="checkbox"/> Complete the structural pruning project for recently planted trees (p.33, #3.b.i) <li data-bbox="266 1623 824 1707"> <input type="checkbox"/> Complete additional rounds of structural pruning for young trees that have fully established from transplanting (p.33, #3.c.i) 					
<p>TREE WASTE RECYCLING</p>					
<p>1. <i>Ongoing Tree Waste Recycling Programs</i></p> <ul style="list-style-type: none"> <li data-bbox="266 1864 764 1919"> <input type="checkbox"/> Continue all existing tree waste recycling programs, policies and procedures (p.34, #1.a.i) 					

Objectives / Tasks	2023	2024	2025	2026	2027
<p>TREE CARE DISASTER PLAN</p> <p>1. <i>Ongoing Programs</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Continue all existing programs, policies and procedures; Reduce risks via other elements of this Plan (p.36, #1.a.i-ii) 					
<p>PLAN PREPARATION & EVALUATION</p> <p>1. <i>Annual Program Evaluation</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Evaluate the prior year's accomplishments, identify objectives not yet completed, and adjust programs, as necessary; Prepare and submit an <i>Annual Accomplishment Report</i> to NJFS (p.37, #1.a.i-iii) <p>2. <i>Five-Year Evaluation</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Evaluate the Community Forestry Program's accomplishments during the current 5-year management period; Evaluate progress toward the overall goals of the Program; Begin formulating new objectives and program adjustments (p.37, #2.a.i-iii) <p>3. <i>2028 – 2032 Management Plan Development</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Finalize new objectives and program adjustments and prepare and submit a Community Forestry Management Plan for the 2028 – 2032 management period (p.37, #3.a.i-ii) <input type="checkbox"/> Obtain State approval of the 2028 – 2032 Community Forestry Management Plan (p.37, #3.b.i) 	■	■	■	■	■



PRIMARY ORDINANCES

1. Chapter 226 of the Borough Code, *Trees*, which provides for the planting, care, and protection of publicly owned trees in the Borough.
2. Chapter 125, Article 4, Section 45 of the Borough Code, *Land Development, Trees*, which regulates the removal of trees on privately owned properties in the Borough.

Chapter 226: Trees

[HISTORY: Adopted by the Council of the Borough of Fair Lawn 7-27-1982 as Ch. XIX of the 1981 Revised General Ordinances. Amendments noted where applicable.]

GENERAL REFERENCES

Schedule of Fees — See Ch. 94, Art. VI.

Land development — See Ch. 125.

Property maintenance — See Ch. 170.

§ 226-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CALIBER

When used in determining the measurement of all trees, that diameter as measured 12 inches above the natural grade the tree had been most recently growing.

§ 226-2 Harming shrubs and trees prohibited.

No person shall do or cause to be done any of the following acts upon public highways, public parks, public rights-of-way or other public places within the borough without the written permission of the Borough Manager:

- A. Cut, trim, break or climb with spikes, destroy the roots or in anyway injure or spray with any chemical or remove any living tree or shrub or injure or misuse any structure or device places to support such trees or shrubs.

§ 226-3 Planting of street trees and shade trees.

- A. There shall be planted upon every public right-of-way street trees or shade trees of at least 1 1/2 inches in diameter, placed at a minimum of 35 feet apart nor more than 50 feet apart on the right-of-way or street line so as not to interfere with the utilities and sidewalks. The kind of tree to be planted shall be decided by the Superintendent of Public Works and the Borough Manager.
- B. The tree shall be planted by the borough. Before a building permit is issued by the Building Department of the borough, every applicant shall be required to deposit the sum, as set from time to time by resolution of the Borough Council,[1] per tree to cover the cost of the purchase and the planting of the aforesaid trees. This section shall not be construed to require the planting of trees where it is determined by the Superintendent of Public Works and Borough Manager that trees complying with the minimum requirements already exist nor shall it be construed to relieve a subdivider of providing the installation of trees as required by the land subdivision ordinance.

[1] Editor's Note: See Ch. 94, Fees, Art. VI, Schedule of Fees.

§ 226-4 Replacement of trees.

- A. Where trees have been insufficiently spaced in the original planting, less than 35 feet on center, no new tree need replace such tree at the option of the Superintendent of Public Works.

- B. Where trees have died due to disease or other cause, replacement and replacement species shall be at the option of the Superintendent of Public Works.

- C. When an entire street has been cleared of trees for any reason, the selection of tree species or variety shall be at the option of the Superintendent of Public Works.

Chapter 125, Article IV, Section 45: Land Development, Trees

[Amended 11-27-2007 by Ord. No. 2096-2007]

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

ACCESSORY BUILDING

A building or structure the use of which is incidental to that of the main building and which is located on the same property.

BUFFER AREA

The area along the side yard or rear yard of any lot within three feet of the property line.

CALIPER

The diameter of a tree trunk measured in inches.

DIAMETER OF POINT OF MEASUREMENT (DPM)

The diameter of a tree measured 4 1/2 feet (forestry method) above the ground level on the downhill side for existing trees. Trees utilized in the replacement of existing trees or proposed as part of a landscape plan shall be measured 12 inches above ground level for trees with a four-inch caliper or less.

DRIP LINE

An imaginary line on the ground beneath a tree, the location determined by extending a vertical line from the outermost branches of a tree to the ground.

LANDMARK TREE

Any tree designated and identified as such by the Council pursuant to the standards set forth in § 125-45N.

MATURE TREE

A deciduous tree with a mature height of at least 50 feet which should be a caliper of at least 12 inches measured at six inches above the ground level when planted (e.g., red, Norway, silver or sugar maple; sweet gum; London plane; American sycamore; white, red or pin oak; American elm; copper beech; or other mature tree approved by the Borough) or any of a group of conifer trees with a caliper of six inches or greater at the time of removal (e.g., cedar, cypress, arborvitae, cryptomeria, dawn redwood, fir, spruce, larch or pine).

MINOR TREE

A coniferous tree, ornamental tree or other small tree at least five feet in height at time of planting (e.g., birch, dogwood, Japanese maple, cherry, crabapple, magnolia, or any of a group of conifers such as cedar, cypress, arborvitae, cryptomeria, dawn redwood, fir, spruce, larch or pine) or other minor tree approved by the Borough.

PERSON

The owner of a parcel of real estate or any other individual, group, company, firm, corporation, partnership, association, society or other legal entity.

PRINCIPAL BUILDING

The main building constructed for occupancy or use on the property.

PUBLIC TREE

Any tree located on lands owned or controlled by the Borough or by any other governmental body, or located within a public right-of-way.

PUBLIC UTILITY

Any public utility regulated by the Board of Regulatory Commissioners as defined pursuant to N.J.S.A. 48:2-1.

SHADE TREE ADVISORY COMMITTEE

The Committee established by resolution of the Borough Council for the purpose of advising the Council and Supervisor concerning the preservation of shade trees within the Borough.

SHRUB

A low, usually several-stemmed woody plant.

SPECIES

The common name of the tree.

STRUCTURE

A combination of materials forming a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

SUPERVISOR

Collectively, the Borough Manager and Superintendent of the Department of Public Works.

TREE

Any deciduous or coniferous species of woody plant that reaches a mature height of 12 feet or more and has a minimum DPM of six inches or greater at maturity.

[Amended 10-28-2008 by Ord. No. 2126-2008]

- B. Regulation of public trees. The regulation of public trees shall be exercised by the Supervisor, who shall have the power to:
- (1) Control the planting, care and protection of such trees.
 - (2) Regulate the use of the ground surrounding such trees as far as may be necessary to ensure their proper growth, care and protection.
 - (3) Require the removal of such trees or parts thereof which are deemed to be dangerous to public safety, electric power, gas lines, waterlines or other public improvements, or which harbor a disease or infestation readily communicable to neighboring healthy trees, or for any reason in the exercise of a reasonable discretion and within the purpose of this section.
 - (4) Require, at the property owners' expense, the placement of protective devices around public trees so as to effectively prevent injury to such trees during the erection, razing, removal or alteration of any structure or during the excavation or alteration of any existing grade.
 - (5) Recommend landmark trees pursuant to § 125-45N.
 - (6) Require the removal of, or remove, dead trees.
 - (7) Prune such trees according to accepted technical methods used by qualified arborists, including measures to prevent the spread of disease.

- (8) Maintain a tree inventory of planted, removed and pruned trees.
- C. Regulations relating to planting trees or shrubs on public land by private citizens. No person shall plant a tree or shrub on public rights-of-way unless such planting is authorized by the Supervisor, after consultation with the Shade Tree Advisory Committee, in accordance with the following standards and procedures. The Supervisor shall promulgate the following:
- (1) An approved list of trees that will be permitted by type and minimum size.
 - (2) Planting specifications.
 - (3) Procedure and fee schedules to defray the cost of administrative review and provide for the posting of maintenance guaranties. No such procedures shall supersede, however, the provisions of maintenance guaranties, set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., with respect to the development of land.
 - (4) An application procedure that will permit expeditious review and approval/disapproval.
- D. Tree topping of public trees prohibited. It shall be unlawful for any person to top a Public Tree. "Topping" is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.
- E. Other prohibitions. No person shall:
- (1) Except as otherwise permitted, plant or permit the planting of any bush, vine, hedge, shrub or other plant life, except trees and grass within the sidewalk area of any street.
 - (2) Plant any shade or ornamental tree in the sidewalk area of any street without first having secured the approval of the Supervisor as to the type of tree and the location of such planting.
 - (3) Plant or permit to be planted any poplar or willow tree within 50 feet of any street line or sanitary or storm sewer.
 - (4) Fasten any electric wire or wires upon any shade tree on any public street.
 - (5) Climb any tree on any public streets or places by the use of spurs or other instruments which perforate or injure the bark of such tree.
 - (6) Destroy, mutilate or injure any such tree.
 - (7) Attach any sign by nailing, stapling or use of other hardware which penetrates the bark of any tree located within public rights-of-way.
 - (8) Affix a mailbox to any tree located within public rights-of-way.
 - (9) Remove or cut down any shade tree located upon any of the public streets or places without a permit therefore issued by the Zoning Officer with approval of the Supervisor.
 - (10) Trim or remove any tree located within a public right-of-way or easement or publicly owned or controlled property unless such activity is being conducted by the Borough or any public utility.
- F. Prohibited activities on private property.

- (1) No person shall cut down or remove any tree of a caliper of four inches or greater (measured at a height of 4 1/2 feet above the ground) or engage in any site clearing without a tree removal permit issued by the Zoning Officer, with approval of the Supervisor, except as otherwise provided herein below.
- (2) No person shall remove any tree for the construction or contemplated construction of any building, building addition, driveway, recreation area, patio or anything else for which a construction or zoning permit is required until a tree removal permit has been obtained from the Zoning Officer, with approval of the Supervisor, except on a lot where a development application has been approved prior to the effective date of this section and which approval contemplated the tree removal, and except as otherwise provided herein below.
- (3) No person shall remove any tree designated as a landmark tree pursuant to the standards set forth herein without the prior approval of the Council.
- (4) Prior to the removal of any tree of a caliper of four inches or greater, measured at a height of 4 1/2 feet above the ground, that is located within a buffer area as defined herein, the property owner or any other person must first obtain a tree removal permit from the Zoning Officer, with approval of the Supervisor, and satisfy the tree mitigation requirements contained herein.

G. Exceptions to requirement of tree removal permit.

- (1) Notwithstanding the restrictions contained in the above § **125-45F(1), (2) and (4)**, the following activities shall be permitted subject to a fourteen-day prior notice to the Zoning Officer for review and confirmation of exemption:
 - (a) In consultation with the Supervisor, the removal of not more than three trees with a minimum caliper of four inches per lot within a twelve-month period, said lot being delineated on the Tax Assessment Map of the Borough.
 - (b) The removal of trees in accordance with any development application or soil movement permit approved by the Planning Board or Zoning Board, so long as the approval includes mitigation by replanting consistent with § **125-45J(4)** hereof, and further provided that said development application or soil movement permit has been submitted by the Planning Board or Zoning Board to the Shade Tree Advisory Committee for the Committee's review and recommendation of such development application.
 - (c) The removal of trees which are diseased, dead, partially or completely fallen by acts of nature or which endanger public safety on private property.
 - (d) The removal of trees necessary to construct any structure for which a permit has been issued by the Construction Official, so long as the approval includes mitigation by replanting consistent with § **125-45J(4)** hereof.
- (2) In the case of an emergency, notice shall be given as reasonably as possible prior to the removal of any tree, but not later than 48 hours after said removal.

H. Application procedure.

- (1) Approved development application. Application for a tree removal permit for site clearing or other tree removal purposes pursuant to an approved development application shall be made by submission of the following:
 - (a) An original and two copies of an application on forms provided by the Borough containing the following information: name and address of the property owner; the street address and tax lot and block of the property in question; the number of trees to be removed; and such other information as may be required.

- (b) An original and two copies of a tree removal plan consisting of a survey showing the location of all trees on the property of a caliper of four inches or greater, and the location of all trees to be removed, the species of such trees, and their caliper, together with the distance, up to 15 feet, that trees proposed to be removed are located from such structures and from property lines.
- (c) An original and two copies of a tree mitigation plan, if mitigation is required pursuant to § **125-45J(4)** hereof, consisting of a survey showing the location of all trees to be planted, the species of such trees and their caliper or size as required.
- (d) An original and two copies of a separate list of the trees to be removed identifying each tree on the tree removal plan by species and caliper, and stating the condition of each tree as dead, poor, or good, and further explaining why removal is felt justified under the standards of this section.
- (e) The property owner shall place a one-inch-wide red ribbon around the trunk of each tree to be removed at a height of 4 1/2 feet above the ground so that the proposed tree removal may be inspected in the field.

(2) Building or zoning permit without development application. Application for a tree removal permit for tree removal purposes shall be made by submission of the following:

- (a) An application on forms provided by the Borough containing the following information: name and address of the property owner; the street address and tax lot and block of the property in question; the number of trees to be removed; and such other information as may be required.
- (b) A plan consisting of a survey showing the location of all trees on the property of a caliper of four inches or greater, and the location of all trees to be removed, the species of such trees, and their caliper. The plan must show the location of any building, building addition, foundation, driveway, recreation area or any site condition that warrants the proposed tree removal.
- (c) The property owner shall place a one-inch-wide red ribbon around the trunk of each tree to be removed at a height of 4 1/2 feet above the ground so that the proposed tree removal may be inspected in the field.

(3) Tree removal within buffer area. Application for a tree removal permit for purposes pursuant to § **125-45F(4)** hereinabove shall be made by submission of the following:

- (a) An application on forms provided by the Borough containing the following information: name and address of the property owner; the street address and tax lot and block of the property in question; the number of trees to be removed; and such other information as may be required.
- (b) A plan consisting of a survey showing the location of all trees within the buffer area of a caliper of four inches or greater, and the location of all trees to be removed, the species and caliper of such trees, and the reason for removing each tree. The plan must show the locations of any buildings, driveways, or other permanent structures.
- (c) The property owner shall place a one-inch-wide red ribbon around the trunk of each tree to be removed at a height of 4 1/2 feet above the ground so that the proposed tree removal may be inspected in the field.

I. Fees. The fee for a tree removal permit shall be as provided in § **94-12I**.
[Amended 1-29-2013 by Ord. No. 2261-2013]

J. Standards for application review. The following standards for review of applications shall apply:

- (1) Permitted removal. No tree of a caliper of four inches or greater (measured at a height of 4 1/2 feet above the ground shall be permitted to be removed unless the tree is:
 - (a) Located within the building footprint of a new construction of a proposed principal building;
 - (b) Located between the curblines of a proposed roadway;
 - (c) Located within the proposed roadway right-of-way but outside the curbline of a proposed roadway;
 - (d) Dead or poses a safety hazard, subject to mitigation as hereinafter provided;
 - (e) Located within 15 feet of any building, subject to mitigation as hereinafter provided;
 - (f) Located within the area of the proposed driveway, walkway, utility line, accessory building, or any other structure subject to mitigation as hereinafter provided; or
 - (g) Specifically permitted to be removed pursuant to an approved development application;
- (2) Conflict with other laws. Notwithstanding anything in this section to the contrary, no tree removal shall be permitted where prohibited by any other municipal, state, or federal statute, ordinance or regulation.
- (3) Hardship appeal.
 - (a) Administrative appeal. In the event that a property owner believes the standards set forth in Subsection **J(1)** and **(2)** above constitute a hardship which prohibits a reasonable use of all or substantially all of the property in question, an applicant may seek relief from the Supervisor, in consultation with the Shade Tree Advisory Committee and consulting arborist, if any. The appellant shall submit a written statement as to the reasons for the claimed hardship together with such other information as shall be required by the Supervisor to reach an informed decision. Appellant shall have the option of presenting its appeal by way of oral argument. The Supervisor shall expedite a review and determination within 30 days of appellant's submission of all required documentation.
 - (b) Appeal to Borough Council. Appellant shall have further recourse to a review by the Borough Council. In the event that such relief is sought, the appellant shall submit an additional 10 copies of the documents required to be submitted together with 10 copies of a written statement as to the reasons for the claimed hardship. In addition, the appellant shall submit a fee for the hearing of the matter in the amount of \$100, which fee shall be refunded to the appellant if the hardship is granted by the Council. The Council, upon submission of a complete application to the Borough Clerk, shall schedule a public hearing in connection with the requested relief. The appellant shall cause to be published in an official newspaper of the Borough a notice setting forth the time, date and place of the hearing to be so held together with a brief statement of the relief requested. Such notice must be published within 10 days prior to the date of the hearing. Additionally, the appellant shall cause to be served upon all property owners within 100 feet of the property in question a similar notice by certified mail, return receipt requested, or by personal service. Proof of publication and service of notice shall be required to be submitted to the Borough Clerk prior to the hearing. At the hearing the appellant may present witnesses under oath and any other interested parties may do the same. All witnesses shall be subject to cross-examination. The decision of the Council shall be binding upon the municipal official in charge of enforcement and administration of this section.
- (4) Mitigation. Mitigation for tree removal shall be required as follows:
 - (a) No mitigation shall be required in connection with tree removal conducted pursuant to a permit issued under this § **125-45J(1)(a), (b), and (c)**.

- (b) Mitigation shall be required in connection with tree removal pursuant to § **125-45J(1)(e)** and **(f)**.
- (c) In connection with tree removal pursuant to § **125-45J(1)(d)**, no mitigation shall be required if the tree has been planted for at least five years; there has been no damage to the tree by construction or otherwise by any person; and there has been no soil moving within 15 feet of such tree within five years. Otherwise, mitigation shall be required.
- (d) For each tree for which mitigation is required, the following shall apply:

[1] Mitigation shall require the property owner to plant a mature or minor tree as hereinafter set forth:

Caliper of Tree Removed (inches)	Number Required for Mitigation	Type Removed
4 to no more than 12	No mitigation if less than 3 trees removed	
4 to no more than 12	1 (for every 3 trees removed)	Mature
12 to no more than 18	1	Mature
18 to no more than 30	2	Mature
30 or greater	3	Mature

[2] The caliper of trees with multiple trunks shall be calculated by multiplying the caliper of the larger trunk by 1.5 times.

[3] Upon the approval of the Zoning Officer, after consultation and consent from the Supervisor, the property owner may exercise the option of planting two minor trees for each mature tree required pursuant to the mitigation requirements.

- (e) In the event that tree removal occurs in violation of the permit procedures of this section and without being excused by the provisions of § **125-45J(4)**, mitigation shall be required at a rate two times the number of trees required by Subsection **J(4)(d)** hereinabove.
- (f) In the event that it is unknown or in question in any given instance as to whether mitigation should be determined on the basis of a minor tree or a mature tree, mitigation shall be required on the basis of a mature tree.
- (g) In the event that it is unknown how many trees were removed from any given site, and removal took place without a tree removal permit issued pursuant to this section, the number of trees requiring mitigation shall be computed by assuming trees over six inches in caliper existed 30 feet on center and plotting the maximum number of those trees as circles of a fifteen-foot radius without having the circles overlap or extend beyond the property lines or drip lines of existing trees.

- (h) In connection with tree removal pursuant to Subsection **J(4)(d)[1]** of this subsection, it shall be required that the property owner plant mature trees on center a distance of 30 feet as street trees between the curbline and the edge of the right-of-way in a location determined by the Supervisor.
- (i) Mitigation in any instance is not to be considered a penalty, rather an implementation of the purposes of this section. Mitigation shall not be a substitute for, but shall be in addition to, any penalty imposed for violation of the provisions of this section.
- (j) Upon the approval of the Council, the mitigation requirements required pursuant to this Subsection **J(4)** may be satisfied by the property owner by donating the tree to be removed to the Borough of Fair Lawn to be removed and planted elsewhere in the Borough of Fair Lawn at the expense of the property owner. The Superintendent of the Department of Public Works shall inspect any such trees and submit a recommendation to the Council whether to accept or not accept such donation.

K. Performance bond.

- (1) As a precondition to the issuance of a permit where mitigation is required, the property owner shall post a cash bond to assure mitigation, in an amount equal to the amount set forth in the resolution adopted by the Borough Council, pursuant to § **125-45J(4)(d)** for each minor and mature tree to be planted. Upon the satisfactory completion of the required mitigation, the Borough shall return 80% of the cash bond to the property owner. The remaining 20% of the cash bond shall be retained by the Borough for a period of 12 months to assure survival of the tree or trees planted by the property owner in satisfaction of the mitigation requirements, after which the remaining cash bond shall be returned to the property owner upon the recommendation of the Zoning Officer and Supervisor and the approval of the Council. The property owner shall contact the Supervisor within 48 hours of the completion of the planting of the trees required for mitigation to schedule a date and time for an inspection in order for the Borough to determine whether the required mitigation has been completed satisfactorily.
- (2) Notwithstanding the above, the property owner shall forfeit the cash bond amount if the property owner fails to complete the planting of the trees within the time of completion set forth in § **125-45L**. Prior to the forfeiture of any cash bond monies, the Supervisor shall cause a written notice to be served upon the property owner who posted the cash bond. Service of the notice shall be made in person or by certified mail return receipt requested. Upon service of any notice pursuant to this subsection, the property owner shall have 10 days, or such further time as the Council shall agree, in writing, to plant the trees that have not been planted or the property owner shall forfeit any cash bond amounts posted by the property owner. Any monies forfeited by the property owner shall be used by the Department of Public Works to plant trees elsewhere in the municipality.

- L. Time of completion. Any tree required to be planted by a property owner shall be planted within six months after the completion of the project for which the permit was issued, the issuance of a certificate of occupancy or the issuance of a certificate of approval, whichever shall be sooner. The property owner may submit a written request to the Superintendent of the Department of Public Works for an extension of time of up to an additional three months due to unforeseen circumstances or weather conditions, which request shall not be unreasonably denied. Any request for an extension of time greater than three months must be submitted in writing to the Council for consideration.

M. Protection of existing trees.

- (1) In connection with any construction, subsequent to tree clearing but prior to the issuance of a building permit or start of construction, snow fencing or other protective barrier acceptable to the Construction Official shall be placed around trees that are not to be removed. No equipment, including construction vehicles, chemicals, soil deposits or construction materials, shall be placed within any area so protected by barriers.

- (2) No person shall:
 - (a) Cut down or remove any tree except as permitted by this section or allow or cause such cutting or removal.
 - (b) Cause or allow any willful damage, injury or disfigurement of any tree growing within the property in question. For purposes of this subsection, the actions of any person shall be deemed willful if the damage, injury or disfigurement of any tree is caused as the result but not limited to the following: cutting, gashing or slitting on any tree; the pouring of any liquid or other material on any tree or on the nearby ground; the construction or placement of any nonporous material on the ground around any tree so as to cut off air, light or water from the roots; or placement or removal of any soil within 10 feet of any tree.
 - (c) Store or pile building materials or debris or place construction equipment within 10 feet of any tree.
- (3) In the event that any tree to be saved in connection with construction as set forth above or any tree planted in mitigation shall die within two years after planting, it shall be replaced by the property owners within six months.

N. Protection of landmark trees.

- (1) Upon the recommendation of the Supervisor and Shade Tree Advisory Committee, the Council may determine whether any tree qualifies as a landmark tree. A tree may qualify as a landmark tree if it meets one or more of the following criteria:
 - (a) The tree species is rare or is a native tree within the Borough.
 - (b) The tree is more than 100 years old.
 - (c) The tree is of an abnormal height or has an abnormal trunk diameter or drip line for a tree of its species.
 - (d) The location, shade value, fragrance, erosion control, aesthetic features, or scenic enhancement of such tree is of special importance to the Borough of Fair Lawn.
 - (e) The tree is a rare ornamental or flowering tree.
- (2) All trees designated as landmark trees by the Council shall be shown on an official Borough map with appropriate code marks signifying each tree's designation, number, species, age, size and other distinguishing characteristics for ready reference and periodic monitoring.
- (3) If the owner or owners of the property on which a landmark tree is located consents thereto, the Borough may identify such tree as a landmark tree by the placement of a suitable marker thereon.
- (4) If and when any landmark tree is removed, the Supervisor shall arrange for the necessary changes to be made to the official landmark tree inventory records and Borough map.
- (5) No person shall cut down or remove any landmark tree, whether such tree is located on public or private property, without first obtaining the approval of the Council and a permit issued pursuant to this section.
- (6) For each landmark tree removed pursuant to Subsection **N(5)** hereinabove, mitigation shall be required and the property owner shall plant a mature tree, as defined in this section, on the property in question at a replacement rate of two mature trees for each landmark tree removed. In the event the property owner asserts the planting of trees on the property in question would be inappropriate and the Council agrees, the property owner may, in lieu of planting trees, provide to the Borough a sum of \$500 for each tree required to be planted to be used by the Borough, at its sole discretion, for the purpose of planting trees elsewhere in the Borough of Fair Lawn.

- O. Administration and enforcement. This section shall be administered and enforced by the Zoning Officer in consultation with the Supervisor or his designee.
- P. Appeals. Any person aggrieved by the decision of the Zoning Officer shall have the right within 10 days of the issuance of any decision by such official to appeal to the Borough Council which shall take action as it deems appropriate in the matter. In the event of such an appeal, the procedures set forth with reference to applications based on hardship contained in § **125-45J(3)** shall apply.
- Q. Violations and penalties.
- (1) An individual, corporation, association or other entity violating any provision of this subsection shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 per offense or imprisonment for a term not in excess of 90 days, or both. The court may also impose an appropriate term of community service and order restitution in an amount equal to the cost of planting trees as part of a mitigation plan, as set forth in this section.
 - (2) In the event that the property owner does not pay any restitution so ordered and does not replace the trees that were cut, destroyed or injured in violation of this section, the Borough may, after proper notice to the property owner, perform such replacement of the tree or trees as is deemed appropriate, charging the reasonable cost of same to the property owner. The cost shall become a lien on the property and shall be filed by the Borough with the appropriate recording or municipal officer to reflect the nature and amount of the lien. Notice to the property owner may be sending a letter certified mail, return receipt requested, and regular mail to the property owner's last known address, by posting said notice on the property or by sending such notice to such other known individuals or entities or agents of the property owner or who have an interest in the property. In the event the property is in foreclosure, notice may also be sent to the mortgagee.