

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: _____

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AMENDING CHAPTER 96 OF THE CODE OF THE TOWNSHIP OF MONROE
SPECIFICALLY ARTICLE I ENTITLED, "SHADE TREES AND SHRUBBERY; AND
ARTICLE II ENTITLED, "LANDSCAPING"

BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, that the Code of the Township of Monroe, Chapter 96 entitled, "Shade Trees and Shrubbery; Landscaping" shall be amended and supplemented as hereinbelow set forth:

SECTION 1.

ARTICLE I
Shade Trees and Shrubbery

§ 96-1. **Definitions.**

§ 96-2. **Powers of Shade Tree Commission.**

§ 96-3. **Permit required; fee.**

§ 96-4. **Prohibited acts.**

§ 96-5. **Additional prohibitions.**

§ 96-6. **Enforcement.**

§ 96-7. **Violations and penalties.**

ARTICLE II **Landscaping**

§ 96-8. **Title.**

§ 96-9. **Intent and purpose.**

§ 96-10. **Definitions.**

§ 96-11. **Requirements and standards for nonresidential development.**

§ 96-12. **Planting procedure.**

§ 96-13. **Recommended plantings.**

§ 96-14. **(Reserved)**

[**HISTORY:** Adopted by the Council of the Township-of Monroe: Article I, 11-5-75 as Ord. No. 278; Article II, 2-6-84 as Ord. No. 384. Amendments noted where applicable.]

GENERAL REFERENCES

Shade Tree Commission - See Ch. 3, § 3-84.

Administration and enforcement of development regulations - See Ch. 30.

SECTION 2.

ARTICLE I **Shade Trees and Shrubbery**
[Adopted 11-5-75 as Ord. No. 2781]

§ 96-1. **Definitions.**

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

PERSON — Every person, firm, association, partnership and corporation.

PLANT CONSTRUCTION — As applied to public utility companies, poles, manholes and appurtenant facilities of such companies installed in a street.

PUBLIC UTILITY COMPANY — Refers to a public utility as defined in the Revised Statutes of the State of New Jersey (N.J.R.S. 48:2-13) and includes the Monroe Utilities Authority.

SHADE TREE COMMISSION — The Shade Tree Commission of the Township of Monroe.

STREET:

- A. Any public street.
- B. Municipal parks and parkways.
- C. County roads.
- D. State highways.

TREE - Trees and shrubs.

§ 96-2. Powers of Shade Tree Commission.

The Shade Tree Commission, as created under § 3-84 of this Code, shall serve without compensation and have the following powers:

- A. To exercise full and exclusive control over the regulation, planting and care of shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public places, streets and parks of the ~~T~~Township, exclusive of county highways, unless the proper county authority gives assent thereto, including the planting, trimming, spraying, care and protection thereof.
- B. To regulate and control the use of the ground surrounding same as far as may be necessary for their proper growth, care and protection.
- C. To move or require the removal of any tree or part thereof dangerous to public safety.
- D. To make, alter, amend and repeal, in the manner prescribed for the passage, alteration, amendment and repeal of ordinances by the governing body of the municipality, any and all ordinances necessary or proper for carrying out the provisions hereof.
- E. To administer treatment to or remove any tree situate upon private property which is believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the municipality and enter upon private property for that purpose, with the consent of the owner thereof, provided that the suspected condition is first confirmed by certificate issued by or on behalf of the Department of Agriculture.
- F. To review for approval landscaping plans for park areas, garden apartments, industrial ~~sites~~ and commercial ~~districts and sites, and planned developments referred to it by the Township Planning Board and~~ recommend the type of plantings, shrubbery or trees and the placement thereof in said areas.
- G. To encourage arboriculture.
- H. To waive the requirements of this ~~e~~Chapter upon a showing of undue hardship or for other just cause.
[Added 3-6-89 by Ord. No. 3-89-7]

§ 96-3. Permit required; fee.

- A. No person shall cut, saw or otherwise remove any living tree upon any public street, highway or parkway or in any park, or on any commercial site or industrial site within the Township of Monroe without first obtaining a permit from the Shade Tree Commission, Monroe Township Administrator, Municipal ~~Building Complex, 1630 Perrineville Road, Jamesburg 1 Municipal Plaza, Monroe Township,~~ New Jersey 08831 - 1900. [Amended 9-6-95 by Ord. No. 0-9-95-044]
- B. Application forms. [Amended 3-6-89 by Ord. No. 3-89-7]34
 - (1) A permit shall be required for any tree located within the ~~T~~Township right-of-way or ~~with~~in any planned development within the ~~T~~Township boundaries.
 - (2) No person shall obtain a permit from the Shade Tree Commission without submitting the appropriate application and receiving the Commission's approval of such application. There shall be four (4) types of applications:
 - (a) Application for site plan review.
 - (b) Application for tree removal.
 - (c) Application for replacement of trees.
 - (d) Application for planting trees.

(3) Requirements and procedures for submission of applications:

- (a) An application, complete with the appropriate fee, shall be submitted no later than seven (7) calendar days prior to the regularly scheduled Shade Tree Commission meeting at which the application is to be considered.
- (b) All applications, fees and other communications shall be submitted to the Monroe Township Shade Tree Commission, c/o Monroe Township Land Use Administrator, Monroe Township Municipal Complex, ~~Perrineville Road, Jamesburg-1~~ **Municipal Plaza, Monroe Township**, New Jersey 08831-1900.
- (c) An applicant shall submit a revised application setting forth any changes in the original application. A revised application shall be accompanied by the appropriate fee. All revisions are subject to the review and approval of the Monroe Township Shade Tree Commission.
- (d) Each applicant for site plan review shall enclose six (6) copies of the proposed site plan appended thereto.

(4) Application fees shall be as follows:

- (a) ~~Initial Application: ten dollars (\$10.)~~ **Twenty-five dollars (\$25.)** ~~per tree affected by the proposed revisions plus~~
 - (1) ~~After the first five trees, fifteen dollars (\$15.) per tree to be removed, up to a maximum of six hundred dollars (\$600) for each acre, or part thereof, to be cleared.~~
 - (2) There is no additional application fee for site plan review by the Shade Tree Commission, replacement or planting of trees. Applicants remain subject to the tree replacement obligations contained in Chapters 97 and 108.
- (b) ~~Revised application: ten dollars (\$10.) per tree~~

C. Required permits: utility operations; exceptions.

- (1) The Shade Tree Commission may grant to public utility companies a blanket permit for tree pruning for line clearance and for the installation and the maintenance of subsurface and aboveground plant construction if there is interference with or endangerment to street trees.
- (2) Public utility companies may, during periods of emergency, without a specific prior permit:
 - (a) Install temporary attachments to trees.
 - (b) Make emergency subsurface repairs.
 - (c) Exercise care to minimize damage to trees during periods of emergency.
- (3) Each public utility company shall exercise reasonable diligence in the maintenance of its plant construction so as to avoid damage to trees under the jurisdiction of the Monroe Township Shade Tree Commission.

D. This Article shall not apply to the Township of Monroe.

E. Inspections. [Added 3-6-89 by Ord. No. 3-89-7]

- (1) Inspection fees. Prior to commencing any work under a permit granted by the Shade Tree Commission, the developer shall pay to the Township Clerk, by cash or certified check made payable to the Treasurer of the Township of Monroe, the following inspection charge fee.1
- (2) The Township Engineer shall perform an on-site inspection during or upon completion of the planting, removal or replacing of trees within the ~~€~~Township right-of-way or upon receipt of a request for release from a performance guaranty.
- (3) The Township Engineer shall perform a final inspection within sixty (60) days prior to the release of any maintenance guaranty.
- (4) The Shade Tree Commission shall, upon accepting the work performed pursuant to a permit, and upon receipt of as-built landscaping plans, certify to the Township Engineer its approval of the release of a performance or maintenance guaranty. There shall be no release of any maintenance bond unless the tree or trees covered by said bond live a minimum of one (1) year; provided, however, that it shall be within the discretion of the Township Engineer to release the maintenance bonds if the developer plants replacements for the dead trees pursuant to the recommendations of the Commission, and further provided that the developer has made a good faith effort to comply with the provisions of this ~~e~~Chapter as certified by the Township Engineer, and provided that eighty percent (80%) to ninety percent (90%) of all replanted trees have survived at least one (1) year; provided, further, that no maintenance bond shall be released until all stakes and ties have been removed in accordance with § 96-121 of this ~~e~~Chapter.

- (5) The Township Engineer and/or Township ~~Administrative Officer of~~ Land Use ~~Administrator~~ shall notify the Shade Tree Commission at least forty-five (45) days prior to the release and/ or expiration of any section of any performance and/or maintenance bond pertaining to shade trees planted within the ~~€~~Township right-of-way.

§ 96-4. Prohibited acts.

No person shall do or cause to be done any of the following acts affecting the trees, plants, shrubbery or other ornamental flora planted or growing naturally within the highway or public places under the jurisdiction of the ~~€~~Township, unless a written permit is first obtained from the Shade Tree Commission.

- A. Cut, trim, break, disturb the roots of or spray with chemicals any living tree or shrub; or injure, misuse or remove any structure or device to support or protect any tree or shrub.
- B. Plant or remove any living tree or shrub, or climb with spikes any living tree or shrub on -
~~€~~Township land.
- C. Fasten any rope, wire, electric attachments, sign or other device to a tree or shrub, or to any guard about such tree or shrub.
- D. Close or obstruct any open space provided about the base of a tree or shrub or add fertilizer to the roots of such tree or shrub.
- E. Pile any building material, or make any mortar or cement within six (6) feet of a tree or shrub.
- F. Change the grade of the soil within the limits of the lateral spread of the branches of any such tree.
- G. Place or maintain or cause to be placed or maintained upon the ground on any street, or place any stone, cement or other substance, which shall impede the tree access of air and water to the roots of any tree or shrub in any street or place.
- H. Lay any sidewalk along, or open, construct, curb or pave any street or do any like act so as to interfere with or do injury to any highway shade tree without the consent of the Shade Tree Commission.

§ 96-5. Additional prohibitions.

No person shall:

- A. Place salt, brine, oil, gas, sewage water or other substances injurious to plant growth in any public highway or place in such a manner as to injure any tree or shrub growing thereon.
- B. Build any fire or station any tar kettle, road roller or other engine in any public highway in such a manner that the heat vapors or fumes therefrom may injure any tree or shrub growing thereon on ~~€~~Township lands or rights-of-way.
- C. Do any excavating within six (6) feet of any tree or shrub in any public highway or place without the permission of the Shade Tree Commission.
- D. Cut roots when necessary of more than one (1) inch in diameter without first protecting such roots under advice from the Shade Tree Commission.

§ 96-6. Enforcement.

The provisions of this Article shall be administered and enforced by the Shade Tree Commission. If any person shall continue to violate any of the provisions of this Article after being duly notified of such violation, or shall neglect or refuse to comply with any lawful order of the Shade Tree Commission, the failure to comply with a second or each of any subsequent notifications or orders shall be construed as an additional violation of this Article, and each additional offense shall subject the offending party upon conviction to the same penalty as provided for the first offense.

§ 96-7. Violations and penalties.

~~Any person violating any of the provisions of this Article shall, upon conviction thereof, pay a fine not exceeding five hundred dollars (\$500.) or be imprisoned in the county jail for a term not exceeding ninety (90) days, or both.~~

Any person, firm, partnership, association or other legal entity violating or causing to be violated any of the provisions of this Article, shall be subject to a fine of not less than two hundred fifty dollars (\$250) and not more than two thousand dollars (\$2,000) and shall replace each tree destroyed or removed in violation of this Article with nursery grown tree(s) of the same species having a caliper of not less than two (2) inches. Each tree destroyed or removed in violation of this Article shall be considered a separate offense.

SECTION 3.

ARTICLE II Landscaping [Adopted 2-6-84 as Ord. No. 3-84]

§ 96-8. Title.

This Article shall be known and may be cited as the "Landscape Ordinance of the Township of Monroe."

§ 96-9. Intent and purpose.

- A. The intent of this Article is to ensure harmonious planting throughout the Township of Monroe by clarifying what the ~~€~~Township deems to be adequate planting and to enable developers to plan projects which aesthetically enhance the community with a minimum amount of expense. To ensure that principles of good landscaping and design are adhered to and implemented, each site plan submitted for approval shall provide for:
- (1) The preservation of desirable existing trees and shrubs.
 - (2) The preservation, insofar as possible, of natural rock outcroppings and natural topographic features.
 - (3) Adequate planting density.
 - (4) A variety of plant species to provide, interest throughout the year with color and texture of foliage, bark, flowers and fruit that are displayed at various seasons.
 - (5) Proper selection and diversification of plant species to minimize the possibility of damage due to insects and disease.
 - (6) Plant species which are suitable for use in Monroe Township soil conditions.
 - (7) Proper plant sizes at the time of installation to ensure a successful planting.
- B. By adhering to these parameters, the developer and the ~~€~~Township can be assured that the project will be an asset to the community.

§ 96-10. Definitions.

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

BERM — A mound of soil on a site used as a view obstruction or to vary the grade pattern, either natural or manmade.

BUFFER — An area within a property or site generally adjacent to and parallel with the property line, either consisting of natural vegetation or created by the use of trees, shrubs, fences and berms, designed to continuously limit view of the site from adjacent sites or properties.

CALIPER — The diameter of a tree trunk measured, in inches, twelve (12) inches above ground level for trees over four (4) inches in diameter and six (6) inches above ground level for trees up to four (4) inches in diameter.

DECIDUOUS — Plants that drop their leaves before becoming dormant in winter.

DEVELOPER — The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

EVERGREENS — Plants that retain their leaves throughout the year, also known as "conifers."

GROUND COVER — Low-growing plants of sod that in time form a dense mat covering the area in which they are planted, preventing the growth of unwanted plants while holding the soil in place. Examples are species of rose, ajuga, cotoneaster, euonymus, ivy, juniper, honeysuckle, pachysandra, vinca and sod.

LANDSCAPE — The total area to a site or property, excluding the area occupied by building(s) and structures within the site and with adjacent property by the use of existing or alterations to the existing topography, trees, shrubs, groundcovers and/or mulches.

MULCH — Any covering placed on soil to conserve moisture, eliminate weed growth, protect plants from extremes of heat and cold and hold soil in place, or aid in establishing plant cover for land.

MUNICIPAL AGENCY — The Planning Board, the Zoning Board of Adjustment or the Township Council, when acting pursuant to this ~~€~~Chapter, and any agency which is created by or responsible to the ~~€~~Township.

SCREEN — A structure or plantings providing a continuous view obstruction within the site or property, consisting of fencing, berms and evergreen trees and shrubs.

SHRUBS — Any plant(s), deciduous or evergreen, generally multistemmed, classified and sold by height or spread, measured in inches or feet.

TOWNSHIP — The Township of Monroe.

§ 96-11. Requirements and standards for nonresidential development.

Any site development planting requirements regarding nonresidential structures shall be required to conform to the following standards and requirements:

- A. Off-street parking. Any parking area of five (5) or more spaces within or abutting a residential district shall have a solid and continuous planting at least six (6) feet in height to screen the parking area, eliminate glare of automobile headlights and reduce noise. A landscape screen shall consist of evergreen trees and/or evergreen shrubs. For example:
 - (1) Evergreen and semi-evergreen shrubs planted at a maximum of four-foot center spacing, which shall be maintained at a minimum height of six (6) feet at maturity. A few examples of plants in this category are: Pfitzer's juniper (*Juniperus chinensis pfitzeriana*), dense yew (*Taxus cuspidata densiformis*), a Japanese andromeda (*Pieris japonica*) and inkberry holly (*Ilex glabra*).
 - (2) Broadleaf evergreen shrubs planted at a maximum three-foot center spacing, which shall be maintained at a minimum height of six (6) feet at maturity. A few examples of plants in this category are: franchet cotoneaster (*Cotoneaster franchet*), and leatherleaf viburnum (*Viburnum rhytidophyllum*).
 - (3) Columnar evergreen trees planted at a maximum three-foot center spacing. A few examples of plants in this category are: columnar Chinese juniper (*Juniperus chinensis columnaris*), dark American arborvitae (*Thuja occidentalis nigra*) and keteleeri juniper (*Juniperus chinensis keteleeri*).
 - (4) Pyramidal evergreen trees planted at a maximum ten-foot center spacing. A few examples of plants in this category are: Austrian pine (*Pinus nigra*), Canadian hemlock (*Tsuga canadensis*) and Norway spruce (*Picea excelsa*).
- B. Off-street parking additional requirements. Off-street parking areas which provide for twenty (20) or more vehicles shall have a minimum of ten percent (10%) of the area reserved for landscaping. This area shall be reasonably distributed within and/or surrounding the parking area and shall be planted with a minimum of one (1) shade or ornamental tree for every ten (10) parking spaces. Landscaped areas shall include suitable ground cover to discourage the growth of weeds. The base of each tree shall be left free of pavement for a diameter of not less than six (6) feet. Permanent curbing shall be provided where necessary to protect landscaped areas from motor vehicles. Trees that are planted shall receive the following credit toward landscaped area requirements:
 - (1) Large trees, for example, red oak (*Quercus borealis*), tulip poplar (*Liriodendron tulipifera*) and green ash (*Fraxinus lanceolata*): credit of two hundred (200) square feet.
 - (2) Medium trees, for example, red maple (*Acer rubrum*), European white birch (*Betula alba*), and Bradford callery pear (*Pyrus calleryana bradford*): credit of one hundred fifty (150) square feet.
 - (3) Small trees and evergreen trees, for example, flowering dogwood (*Cor^pus florida*), Kwanzan cherry (*Prunus serrulata kwanzan*) and white pine (*Pinus strobus*): credit of one hundred (100) square feet.
- C. Off-street loading. Any off-street loading area within or abutting a residential district shall be provided with a fence, wall or evergreen planting which will screen loading vehicles. Varieties of plants recommended for screening off- street parking can also be used for screening off-street loading areas.
- D. Multiple-family and townhouse. Landscaping shall include street trees, open space planting and foundation shrubs.
 - (1) Street trees shall be planted according to the specifications described in the section entitled "Single-Family and/or Two-Family Dwelling Subdivision."
 - (2) A minimum of ten percent (10%) of the site plan shall be reserved for the planting of trees and shrubs which shall be reasonably distributed throughout the area and shall include suitable shrubbery in a planting bed in the front and on the sides of the building(s). This requirement is in addition to any buffer planting which may be necessary to screen the development from adjacent single-family detached homes.

- (3) Areas for the collection of garbage and trash shall be screened in accordance with the regulations for off-street loading with a height sufficient to obscure the collection containers; minimum height shall be four (4) feet on three (3) sides.

E. Planned industrial district.

- (1) The area surrounding each building shall be suitably and attractively planted; this includes foundation planting, street trees, open space planting, parking lot planting, and screening of outdoor storage areas.
- (2) Street trees shall be planted according to the specifications in the section entitled "Single-Family and/or Two-Family Dwelling Subdivision."²
- (3) A minimum lot area equivalent to one-third (1/3) the gross ground floor area of the building shall be reserved for foundation, open space and parking lot plantings; this landscaping shall be reasonably distributed around the building(s). This requirement is in addition to buffer and street tree requirements.
- (4) Any outdoor storage shall be enclosed by a dense, evergreen planting, a wall or a fence. This screen shall be of greater height than materials stored inside the screen and shall be in harmony with the building and surroundings. Evergreen plantings previously mentioned in the off-street parking section are suitable.

F. Shopping center. Landscaping shall include buffer plantings, parking lot plantings and street trees.

- (1) A solid and continuous landscape buffer shall ~~bi-~~ be planted and maintained so as to screen the parking area and eliminate headlight glare throughout the year. The landscaped screen shall consist of shade trees, ornamental trees, evergreen trees and/or suitable shrubs.
- (2) Parking lot planting shall follow the specifications of Subsection A, Off-street parking. All loading areas shall be screened by a dense planting, solid wall or fence designed in harmony with the shopping center. The screen shall be of greater height than any vehicles in the loading area.

§ 96-12. Planting procedure.

A. Inspection of site.

- (1) Contractors shall visit the work site so as to familiarize themselves with existing conditions, i.e., existing soil, drainage, topography, buildings, towers, poles and overhead and underground power lines and conduits.
- (2) If, during inspection, a contractor finds any condition at variance with the plans or specifications, he shall notify the Shade Tree Commission.

B. Consultation. It is the responsibility of the contractor to notify and consult with the Monroe Township Shade Tree Commission representatives prior to installation of any planting, for the purpose of comprehension of specifications, plant material, planting details and planting schedule.

C. Selection of plant material.

- (1) It is required that all trees and shrubs shall conform to the American Standard for Nursery Stock, as published by the American Association of Nurserymen. They shall be nursery grown, balled and burlapped, or container grown, unless specified. No plant shall have a man-made ball. Bare-root shrubs or shade trees may be used where specifically permitted on approved plans.
- (2) All plant material and sizes shall be specified on the landscaping plan. No substitutes shall be made without specific permission of the Monroe Township Shade Tree Commission.
- (3) All plants shall have a growth habit normal for species and variety, unless otherwise specified, and shall be healthy, vigorous and free of insects, disease and mechanical injury. For inspection purposes, plants shall be measured prior to pruning, with branches in normal position. **[Amended 3-6-89 by Ord. No. 3-89-7]**

D. Soil. Topsoil used in planting pits and for backfilling for trees and shrubs shall be fertile agricultural soil capable of sustaining vigorous plant growth and shall have a pH of five point five (5.5) to six point five (6.5). It shall have uniform composition, be free from large stones, wood and other foreign objects and shall not contain substances toxic to plant growth. Planting pit and backfilling material shall not be used unless it meets this requirement. Poor or sandy soils may be used if supplemented by a minimum of fifty percent (50%) by volume of peat moss.

E. Planting season. **[Amended 9-6-95 by Ord. No. 0-9-95-044]**

- (1) Planting shall normally be undertaken when the soil is free of frost and friable, unless otherwise specified. No planting shall be done during abnormally hot weather. The time of planting, however, shall be agreed upon at the conference between the Monroe Township Shade Tree Commission and the contractor, and a specific schedule shall be set up.

- (2) Trees should not be planted in the "Fall Planting Season" unless they have been dug at the proper time — nor should they be placed in the "Fall Planting Season" if they are on the "Fall Planting Hazard List", according to the American Nurseryman's Association standards.

F. Plant installation.

- (1) The diameter of all plant pits shall be at least one and two-thirds (1 2/3) greater than the ball diameter. Topsoil meeting the requirements of Subsection D above shall be provided at a minimum depth of six (6) inches below the ball or root system. The pit for bareroot trees and shrubs must be at least six (6) inches deeper than existing roots and twelve (12) inches wider.
- (2) Plants shall be planted at exactly the same depth as previously grown. All soil in the planting pits shall be firmed to prevent air pockets and settling.
- (3) After balled and burlapped plants are set at the proper level in the holes, all cord and burlap shall be untied from the trunk base. For drumlaced plants, retie the ball by tightening the top cinch cord. All plants shall be backfilled with topsoil which meets the requirements of Subsection D above. All plants shall be thoroughly watered in at the time of planting to prevent air pockets and settling.
- (4) After materials are planted, all damaged branches shall be removed by pruning. All nursery tags shall also be removed.
- (5) All elastic material, burlap, string or containers shall be removed at time of planting.
- (6) At the time of planting, trees and shrubs shall be pruned using generally accepted horticultural methods.

G. Caliper. Caliper indicates the diameter of a tree trunk measured, in inches, six (6) inches above ground level for trees up to four (4) inches in diameter and measured twelve (12) inches above ground level for trees over four (4) inches in diameter. Ball and burlap indicates that the tree should not be planted bare-rooted.

H. Mulching.

- (1) A four-inch minimum layer of mulch shall be applied around each individual tree.
- (2) A "mulch" shall be considered any material, organic or inorganic, of a granular nature that is not readily subject to movement by wind or water.
- (3) Wood chips, partially rotted or nitrogen-enriched, may be used. New wood chips are not acceptable because of the bacteria drawing available nitrogen from the soil, thus preventing its use by the plants it is intended to protect.

I. Staking. All stakes and ties shall be removed not less than twelve (12) months nor more than eighteen (18) months from time of planting. No portion of any maintenance bond shall be released until the applicant has removed all stakes and ties. [**Amended 3-6-89 by Ord. No. 3-89-7**]

J. Wrapping.

- (1) Each tree shall be wrapped with an expandable paper or cloth treated to last at least one (1) year. Wrapping is to be applied spirally with a fifty-percent overlap being secured at the base and the top with suitable cord, as well as in the middle.
 - (a) This wrap shall extend from the ground level up the trunk to the first branches.
 - (b) This wrap is to prevent sun scald and shall be attached or fastened at each end with a material that will permit tree growth without girdling.
- (2) The person preparing the landscape plan shall coordinate said plan for plantings in the public right-of-way with all utility companies and agencies, public and private, to make certain that plantings will not impair the use of said public right-of-way for the installation, operation and maintenance of utility facilities.

K. Maintenance. Maintenance of planted material shall be the responsibility of the developer during the performance and maintenance bond guaranty periods. Maintenance shall include watering, setting plants, and any other work necessary to assume survival and normal growth.

L. Placement.

- (1) Trees shall be planted on the lawn side of a sidewalk unless otherwise specified by the Commission. Trees shall be guaranteed until at least one (1) year following planting to assure that new growth appears and that the tree is healthy. The contractor may then request that the Monroe Township Shade Tree Commission recommend to the Township Council that he be released from that portion of his performance bond. [**Amended 3-6-89 by Ord. No. 3-89-7**]

- (2) Intersections. If a house is located on a corner:
 - (a) Plantings shall be no closer than twenty-five (25) feet nor in a radius of ten (10) feet from the corner setback.
 - (b) Any hedges in this area should be cut back to no more than thirty (30) inches tall.
- (3) No tree shall be planted closer than five (5) feet from any utility line. [Added 3-6-89 by

Ord. No. 3-89-7]

- M. Planning and Zoning Board approvals. All Planning and Zoning Board approvals for all major subdivisions, including commercial sites, are subject to prior approval by the Shade Tree Commission. [Added 3-6-89 by Ord. No. 3-89-7]
- N. Spacing. The spacing of trees planted within the ~~€~~Township right-of-way or Shade Tree Easement area shall average fifty (50) feet. No two (2) trees shall be planted more than sixty (60) nor less than forty (40) feet apart. [Added 3-6-89 by Ord. No. 3-89-7]
- O. Notice. Developers shall notify all homeowners in writing that they will be planting trees to fulfill their performance bond requirements twenty (20) days prior to beginning to plant so that residents can mark sprinkler systems and can recommend placement of the newly planted trees within the guidelines set forth in subsection N of this section. [Added 9-6-95 by Ord. No. 0-9-95-044]

§ 96-13. Recommended plantings. [Amended 3-6-89 by Ord. No. 3-89-7; 9-6-95 by Ord. No. 0-9-95-044; 6-7-00 by Ord. No. 6-2000-019]

The following recommendations may be revised from time to time by the Conservation Officer, in consultation with the Township Arborist and/or the Shade Tree Commission. Developers must obtain a copy of the current recommendations from the Conservation Officer before planting.

A. Group A - Trees to be planted in street lawns greater than four (4) feet (48 inches) wide:

Botanical Name	Common Name
Fagus grandifolia	American Beech
Ulmus americana	American Elm cultivars
Tilia Americana cvs.	American Linden cultivars
Taxodium distichum	Baldcypress
Nyssa sylvatica	Black Gum
Celtis occidentalis	Common Hackberry
Metasequoia glyptostroboides	Dawn Redwood
Quercus robur cvs.	English Oak cultivar
Fagus sylvatica cvs.	European Beech cultivars
Ginkgo biloba	Ginkgo
Aesculus hippocastanum cvs.	Horsechestnut cultivar
Zelkova serrata	Japanese Zelkova
Cercidiphyllum japonicum	Katsuratree
Gymnocladus dioicus	Kentucky Coffeetree
Ulmus parvifolia	Lacebark Elm
Tilia cordata cvs.	Littleleaf Linden cultivars
Platanus x acerifolia	London Planetree
Celtis x occidentalis 'Magnifica'	Magnifica Hackberry
Quercus rubra	Northern Red Oak
Quercus palustris	Pin Oak
Acer pseudoplatanos	Planetree maple
Acer rubrum cvs.	Red Maple cultivars
Betula nigra cvs.	River Birch cultivars
Quercus acutissima	Sawtooth Oak
Quercus coccinea	Scarlet Oak
Sophora japonica	Scholartree
Quercus imbricaria	Shingle Oak
Acer saccharum cvs.	Sugar Maple cultivars
Quercus bicolor	Swamp White Oak
Liquidambar styraciflua	Sweetgum
Gleditsia triacanthos inermis cvs.	Thornless Honey Locust cultivars
Liriodendron tulipifera	Tuliptree
Salix babylonica	Weeping Willow
Quercus alba	White Oak
Quercus phellos	Willow Oak

Botanical Name	Common Name
<i>Fraxinus americana</i> Autumn Purple	Ash, Autumn Purple
<i>Fraxinus americana</i> Greenspire	Ash, Greenspire Upright American
<i>Fraxinus lanceolata</i> Newport	Ash, Newport
<i>Fraxinus lanceolata</i> Patmore	Ash, Patmore
<i>Fraxinus americana</i> Rosehill	Ash, Rosehill
<i>Fraxinus lanceolata</i> Summit	Ash, Summit
<i>Fagus, sylvatica</i>	Beech, European
<i>Fagus, sylvatica asplenifolia</i>	Beech, Fernleaf
<i>Fagus, sylvatica fastigiata</i>	Beech, Pyramidal
<i>Gymnocladus dioica</i>	Coffeetree, Kentucky
<i>Magnolia acuminata</i>	Cucumber Tree
<i>Taxodium distichum</i>	Cypress, Bald
<i>Ulmus americana delaware</i>	Elm, Delaware American
<i>Ulmus hollandica Groenveldt</i>	Elm, Groenveldt
<i>Ginkgo biloba</i> Magyar	Ginkgo, Magyar Upright
<i>Ginkgo biloba</i> Princeton Sentry	Ginkgo, Princeton Sentry
<i>Celtis occidentalis</i>	Hackberry
<i>Gleditsia triac inermis</i> Continenta	Honeylocust, Continental
<i>Gleditsia triac inermis</i> Shademaster	Honeylocust, Shademaster Thornless
<i>Gleditsia triac inermis</i> Skyline	Honeylocust, Skyline
<i>Cercidiphyllum japonicum</i>	Katsura Tree
<i>Tilia euchlora</i>	Linden, Crimean
<i>Tilia cordata</i> Greenspire	Linden, Greenspire Littleleaf
<i>Tilia tomentosa</i> Green Mountain	Linden, Green Mountain Silver
<i>Tilia americana</i> Redmond	Liden, Redmond
<i>Gleditsia triac inermis</i> Sunburst	Locust, Sunburst
<i>Acer platanoides</i> Crimson King	Maple, Crimson King
<i>Acer platanoides</i> Emerald Queen	Maple, Emerald Queen
<i>Acer platanoides columnare</i>	Maple, Columnar Norway
<i>Acer platanoides</i> Schwedleri	Maple, Schwedler Norway
<i>Acer platanoides</i> Summershade	Maple, Summershade Norway
<i>Acer pseudoplatanus</i>	Maple, Planetree
<i>Acer rubrum</i>	Maple, red
<i>Acer rubrum</i> col. Armstrong	Maple, Armstrong Red
<i>Acer rubrum</i> col. Bowhall	Maple, Bowhall Red
<i>Acer rubrum</i> October Glory	Maple, October Glory Red
<i>Acer rubrum</i> Red Sunset	Maple, Red Sunset Red
<i>Acer saccharum</i>	Maple, Sugar
<i>Acer saccharum</i> Bonfire	Maple, Bonfire Sugar
<i>Acer saccharum</i> columnare	Maple, Columnare Sugar
<i>Acer saccharum</i> Green Mountain	Maple, Green Mountain Sugar
<i>Acer saccharum</i> columnare Goldspire	Maple, Goldspire Sugar
<i>Acer saccharum</i> Monumentale	Maple, Sentry Sugar
<i>Quercus borealis</i>	Oak, Northern Red
<i>Quercus palustris</i>	Oak, Pin
<i>Quercus robur fastigiata</i>	Oak, Pyramidal English
<i>Quercus acutissima</i>	Oak, Sawtooth
<i>Quercus coccinea</i>	Oak, Scarlet
<i>Quercus inbricaria</i>	Oak, Shingle
<i>Quercus alba</i>	Oak, White
<i>Quercus phellos</i>	Oak, Willow
<i>Platanus acerifolia</i> Bloodgood	Plane Tree, Bloodgood London
<i>Metasequoia glyptostroboides</i>	Redwood, Dawn
<i>Eucommia ulmoides</i>	Rubber Tree, Hardy
<i>Sophora japonica</i> Princeton Upright	Scholartree, Princeton Upright
<i>Sophora japonica</i> Regent	Scholartree, Regent
<i>Nyssa sylvatica</i>	Sourgum or Black Tupelo
<i>Liquidambar styraciflua</i>	Sweetgum
<i>Liriodendron tulipifera</i>	Tuliptree
<i>Zelkova serrata</i> Green Vase	Zelkova, Green Vase
<i>Zelkova serrata</i> Village Green	Zelkova, Village Green

~~C. Group C – Trees to be planted in Street lawns less than thirty (30) inches wide:~~

B. Group B - Trees to be planted in street lawns greater than two and one half (2 ½) to Four (4) feet wide

Botanical Name	Common Name
Ilex opaca	American Holly
Carpinus caroliniana	American Hornbeam
Prunus maackii	Amur Chokeberry
Betula platyphylla	Asian White Birch
Pyrus calleryana cvs.	Callery Pear cultivars
Acer platanoides 'Crimson King'	Crimson King Maple
Carpinus betulus cvs.	European Hornbeam cultivars
Koelreuteria paniculata	Goldenraintree
Betula populifolia	Gray Birch
Acer campestre	Hedge Maple
Ostrya virginiana	Hophornbeam
Stewartia koreana	Korean Stewartia
Cornus kousa chinensis	Kousa Dogwood
Prunus serrulata	Kwanzan Cherry
Acer platanoides	Norway Maple
Aesculus pavia	Red Buckeye
Cercis Canadensis	Redbud
Prunus sargentii cvs.	Sargent Cherry cultivars
Magnolia x soulangiana	Saucer Magnolia
Tilia tomentosa	Silver Linden
Halesia carolina cvs.	Silverbell cultivars
Oxydendrum arboretum	Sourwood
Acer buergerianum	Trident Maple
Crataegus phaenopyrum cvs.	Washington Hawthorn
Cladrastis kentukea	Yellowwood

Botanical Name	Common Name
Sorbus thuringiaca fastigiata	Ash, Columnar, Oakleaf Mountain
Sorbus alnifolia	Ash, Korean Mountain
Betula platyphylla japonica	Birch, Asian White
Betula alba laciniata	Birch, Cutleaf Weeping White
Betula alba fastigiata	Birch, Pyramidal European
Betula nigra	Birch, River
Prunus maackii	Chokeberry, Amur
Prunus sobhirtella Autumnalis	Cherry, Autumn Flowering
Prunus sargentii columnaris	Cherry, Columnar Sargent
Prunus serrulata Kwanzan	Cherry Kwanzan
Prunus yedoensis	Cherry, Yoshino
Phellodendron amurense	Corktree, Amur
Ilex opaca	Holly, American
Ostrya virginiana	Hophornbeam, American³⁴⁹⁴
Carpinus betulus fastigiata	Hornbeam, Pyramidal European
Pyrus calleryana Bradford	Pear, Bradford Callery
Pyrus calleryana Capital	Pear, Capital
Pyrus calleryana Redspire	Pear, Redspire
Pyrus calleryana Whitehouse	Pear, Whitehouse
Corylus colurna	Turkish Filbert
Cladrastis lutea	Yellowwood

C. Group C – Trees to be planted in street lawns less than thirty (30) inches wide:

Botanical Name	Common Name
Amelanchier laevis cvs.	Allegheny Serviceberry cultivars
Acer ginnala	Amur Maple
Cornus mas	Cornelian Cherry
Malus cvs.	Crabapple cultivars
Lagerstroemia indica cvs.	Crepe Myrtle cultivars
Amelanchier arborea	Downy Serviceberry
Crataegus laevigata cvs.	English Hawthorn cultivars
Prunus x cvs.	Flowering Cherry cultivars
Cornus florida cvs.	Flowering Dogwood cultivars
Laburnum x watereri	Goldenchain tree
Prunus subhirtella cvs.	Higan Cherry cultivars

Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac
Acer palmatum cvs.	Japanese Maple cultivars
Acer griseum	Paperbark Maple
Prunus cerasifera	Purpleleaf Plum
Amelanchier canadensis cvs.	Shadblow cultivars
Malus baccata	Siberian Crabapple
Magnolia stellata	Star Magnolia
Magnolia virginiana	Sweetbay Magnolia
Malus hupehensis	Tea Crabapple
Crataegus viridis 'Winter King'	Winter King Hawthorn

Botanical Name	Common Name
Prunus accolade	Cherry, Accolade Flowering
Prunus serrulata Amanogawa	Cherry, Amanogawa
Cornus mas	Cherry, Cornelian
Malus theifera (hupehensis)	Crab, Tea
Malus baccata columnaris	Crabapple, Columnar Siberian
Malus Van Eseltine	Crabapple, Van Eseltine
Cornus kousa	Dogwood, Kousa
Cornus florida	Dogwood, White Flowering
Koelreuteria paniculata	Golden Rain Tree
Crataegus oxyacantha Superba	Hawthorn, Crimson Cloud
Crataegus Lavalley	Hawthorn, Lavalley
Crataegus cordata Tree Form	Hawthorn, Washington
Crataegus viridis Water King	Hawthorn, Winter King
Syringa amurensis japonica Ivory Silk	Ivory Silk Tree Lilac
Syringa amurensis japonica	Japanese Tree Lilac
Acer ginnala Flame	Maple, Amur
Acer campestre	Maple, Hedge
Acer Palmatum	Maple, Japanese
Prunus cerasifera Newport	Plum, Newport Purpleleaf
Cercis Canadensis	Redbud, American
Amelanchier Cumulus	Shadblow, Cumulus
Amelanchier canadensis Robin Hill Pink	Shadblow, Pink
Halesia Carolina	Silverbell, Carolina
Oxydendrum arboretum	Sourwood

SECTION 4. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 6. This Ordinance shall take effect upon final passage and publication as provided by law subject to a copy being filed with the Middlesex County Planning Board.

GERALD W. TAMBURRO, Council President

NOTICE

Notice is hereby given that the foregoing Ordinance has been introduced and passed on first reading at a meeting of the Monroe Township Council held on December 9, 2015. Said Ordinance will again be read and considered for final passage at a meeting of the Monroe Township Council to be held on December 28, 2015 at 7:00 p.m. at the Municipal Complex, 1 Municipal Plaza, Monroe Twp., NJ 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to its consideration for final passage.

SHARON DOERFLER, Township Clerk

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Section 3-19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.

RICHARD PUCCI, Mayor

Date Signed _____