

**D. Shade trees.**

[Amended 8-9-2017 by Ord. No. 2017-20]

(1) In each nonexempt development application, the developer shall plant between the sidewalk and right-of-way line proper shade and/or decorative trees of a type, size and in a location approved by municipal agency at a maximum distance of 50 feet between trees. The minimum distance between such trees planted shall be 40 feet. Planting sites shall be indicated on the development plan. The total number of shade trees required for each nonexempt development application shall be one tree per each 50 feet of lot frontage on a public right-of-way with any fractional requirements rounded up. For example, a development application with 51 feet of lot frontage requires two shade trees. This requirement can be met through any combination of existing shade trees, new shade trees, or through the posting of a fee of \$500 per tree into the Red Bank Shade Tree Trust Fund, <sup>[1]</sup> as approved by the municipal agency. Any required postings into the Shade Tree Trust Fund shall be made prior to the issuance of a development permit. All nonexempt development applications shall be forwarded to the Borough Shade Tree Committee for its review and recommendation to the municipal agency.

<sup>[1]</sup> *Editor's Note: See § 665-4.*

(2) All trees planted in accordance with the provisions of this section shall be placed in a proper manner and in a good grade of topsoil and within the area of the tree well at the point where the tree is planted. In the event that any individual person or group of individual persons desire to plant a tree or trees in a tree well or within the jurisdiction of the Borough Department of Public Utilities, such person or persons may do so, provided that they conform to the provisions of this chapter, and further provided that permission of the Shade Tree Committee or the Director of the Department of Public Utilities or his/her designee is obtained.

(3) All shade trees to be hereafter planted in accordance with this chapter shall be nursery grown, or of substantially uniform size and shape, and shall have straight trunks. Ornamental trees need not have straight trunks, but must conform in all other respects with the provisions for trees and tree plantings outlined in this chapter.

(4) All trees planted pursuant to this chapter shall be planted in a dormant state or at other times only subject to the approval of the Shade Tree Committee or the Director of the Department of Public Utilities or his/her designee.

(5) Subsequent or replacement plants shall conform to the type of existing trees in a given area, provided that if any deviation is anticipated, it must be done only with the permission of the Shade Tree Committee or the Director of the Department of Public Utilities or his/her designee.

(6) A hole in which a tree is to be planted shall be in each case 1/3 larger in width and in depth than the existing root ball of the particular tree to be planted. The hole for a tree to be planted shall contain proper amounts of topsoil and peat moss, but no chemical fertilizer shall be added until the tree has been planted for one year.

(7) All shade trees shall be planted in accordance with the landscaping requirements of the Standard Specifications.