

INSTRUCTIONS FOR PERMIT APPLICATION FOR TREE WORK

PERMITS ARE ONLY REQUIRED FOR THE FOLLOWING ACTIVITIES

CHECK APPROPRIATE BOXES ON APPLICATION FORM

A. Grading and Clearing permits.

(a) activity resulting in the movement of earth or **stripping of vegetative cover** from earth with an area in excess of 300 cubic yards;

(b) **paving a parking lot for five or more cars** where two (2) or more existing trees of twelve inches or greater caliper are proposed to be removed; or

(c) grading or clearing on any undeveloped lot in which **six or more trees of twelve inches or greater caliper are proposed to be removed.**

B. Removal or Disturbance of a Heritage Tree.

(a) removing or disturbing a Heritage tree (36" caliper or greater)

(b) pruning more than twenty percent (20%) percent of the branches of a Heritage tree within a 12 month period.

(c) performing any work within the tree protection zone of any Heritage tree.

NETHER PROVIDENCE TOWNSHIP
214 SYKES LANE
WALLINGFORD, PA 19086
OFFICE (610) 566-4516 FAX (610) 892-2890

APPLICATION FOR PERMIT FOR TREE WORK

Name of Owner: _____ Phone No.: _____

Address of Owner: _____

Site Location: _____

Check One (See attached descriptions): Grading and Clearing Heritage Tree

Is a Site Plan showing location of trees of 12" caliper within work area attached? Yes No

Is a Site Plan showing location of trees of 6" caliper to be removed attached? Yes No

Contractor's Name: Write Exempt if homeowner or tenant is doing the work:

Name of Contractor Contractor's Phone Number, Daytime

Contractor's Address

Type Activity (Check off the boxes that pertain to this project)

- Stripping of Vegetation Paving for 5 or more vehicles Removing 6 or more trees of 12' caliper
 Heritage Tree work

Description of Activity: _____

Site Address: _____

Engineer's Name (If applicable) Engineer's Phone Number

Instructions:

- 1) A site showing activity and trees affected must accompany this application and be in accordance with the attached regulations.
- 2) The plan must show the following information.
 - a) The size of the lot.
 - b) The location of regulated activity.
 - c) Trees to be affected (as regulated in the attached regulations)
- 3) Copy of signed contract executed by homeowner and contractor must be submitted.
- 4) A permit fee is assessed based upon the contract cost (minimum Fee is \$10.00).
- 5) The Contractor must be licensed to perform work in Nether Providence Township.
- 6) If subcontractors are being used submit a list of their names and addresses.
- 7) The applicant --contractor/ homeowner/ tenant-- is responsible for the accuracy of the information contained in this application and the plot plan. If the permit is issued based on incorrect information, the Township may rescind the permit. All expenses incurred as a result of a misrepresentation are borne by the applicant.
- 8) All inspections require a minimum of 48 hours notice

**NETHER PROVIDENCE TOWNSHIP
WORKERS' COMPENSATION INSURANCE COVERAGE PER PA ACT 44 OF 1993**

THE APPLICANT (PROPERTY OWNER/TENANT/CONTRACTOR) IS: (Check one)

- Contractor and sole proprietor without employees. Exempt *
- Contractor and a corporation with only "Executive Employees" qualified under Section 104 of Act 44. Exempt *
- Contractor and exempt on religious grounds qualified under Section 304.2 of Act 44. Exempt *
- Property owner/tenant. Exempt *
- Required under Act 44 to have Workers' Compensation Insurance. Give us a Certificate of Insurance listing Nether Providence Township as a policy certificate holder.

Print Name of Applicant: _____

Name of Workers' Compensation Carrier. Complete if not Exempt _____

Federal/State I.D. No. (Complete if not Exempt): _____

All subcontractors working on this job must provide their own workers' compensation coverage and complete this form. If the applicant has checked off an exempt box the applicant must not employ anyone to work on this project. Violation(s) of the PA Worker's Compensation Act or the terms of this permit will subject the applicant to a stop work order and other fines and penalties provided by law.

My signature as the applicant for this permit constitutes my verification that the statements contained herein are true; that the building plans, specifications, and materials conform to the Code of the Township of Nether Providence; and that the structure and/or activity will be completed in accordance with the building plans and specifications submitted with this permit application.

Signature of Applicant Print Name

Date: _____ Name of Company (if Applicable): _____

* Must get notarized by a notary public if filing an exemption under PA Act 44 (Workers' Compensation Insurance).

Sworn and subscribed to before me this _____ day of _____.

Seal

Signature of Notary: _____

For Office Use

Contract Site Plan Liability Insurance Workers Comp Contractor Licensed Subcontractors Licensed

Permit Fee: \$ _____

Fee Paid: Cash _____ Check _____ Date Paid: _____

Township Reviewer's Initials: _____ Approved or Disapproved

Comments:

§ 71-4 License Requirements for Tree Work.

A. License Required. A contractor license is required for all arborists, tree surgeons or landscape companies to perform any tree work in Nether Providence Township on public or private land. Such work shall include but not be limited to felling, pruning, tree removal, stump grinding, etc., to the end that only responsible and qualified persons shall be permitted to engage in such activity in Nether Providence Township.

B. Insurance required. In order to apply for a license to perform tree work in Nether Providence Township an applicant shall be required to demonstrate possession of liability insurance covering the activities involved in minimum amounts of \$300,000.00 for bodily injury or death and \$100,000.00 for property damage. In addition they shall demonstrate proof of up to date workers compensation coverage.

C. Application. Application for license shall be made on a form provided by the Township and shall include name and address of the business, partnership or corporation, and the name of the individual to be licensed, along with any additional information which the Township may require. One member of the business, partnership or corporation shall be sufficient for the issuance of a license.

§ 71-5. Permits Are Required For The Following Activities.

A. Grading and Clearing permits.

1. No person shall undertake any of the following activities without first applying for and obtaining a grading and clearance permit from the Township:

(a) activity resulting in the movement of earth or stripping of vegetative cover from earth with an area in excess of 300 cubic yards;

(b) paving a parking lot of five or more cars where two (2) or more existing trees of twelve inches or greater caliper are proposed to be removed; or

(c) grading or clearing on any undeveloped lot in which six or more trees of twelve inches or greater caliper are proposed to be removed.

2. An application for a grading and clearing permit shall be made in writing to the Township Manager upon forms furnished by the Township,

together with such filing fee as may be established by resolution of the Board of Commissioners from time-to-time.

3. As part of the application for a grading and clearing permit the applicant shall submit a plan showing:

(a) The size, species and location of all trees with a caliper of twelve inches or greater which are in the proposed area of disturbance.

(b) All trees to be removed are to be designated with an X.

(c) Approximate location of trees on adjoining properties that are located within 10 feet of the property line (said locations can be approximated from the subject property or via existing aerial photographic data). A planting plan shall also be required illustrating the size, species and location of trees to be planted in compliance with the tree replacement formula. The plan shall include a chart summarizing sizes of trees to be removed and trees to be planted.

(d) The location of protective tree fence around trees to remain, including a detail of such.

4. Additionally, the following measures must be addressed by the applicant and inspected by the Township Engineer prior to the start of work.

(a) Protective tree fence must be installed and maintained until the work is complete and not removed until directed by the Township; No soil stockpiling, storage of building materials or equipment operation shall be permitted within the tree protection zone or within fifteen (15) feet from any remaining trees, whichever is greater.

(b) All trees to be removed within the area of disturbance must be clearly marked at the base of each tree with visible marking.

(c) The cost of such inspections will be covered by the applicants permit fee as charged by the Township.

(d) Protective tree fence must be installed by the applicant and inspected by the Township Engineer upon issuance of a grading or clearing permit.

5. The Shade Tree Commission shall recommend for approval or disapproval each grading or clearing permit application before them and provide a written basis for its findings. If approved, the Township Manager may issue a grading or clearing permit. If a grading or clearing permit application is not acted upon within 30 days, it shall be considered to be approved by the Shade Tree Commission.

6. The grading or clearing permit shall be effective for such length of time as the Shade Tree Commission shall in each case determine, which length of

time shall be indicated on the permit, and such permit may be revoked at any time by the Township Manager upon proof satisfactory to the Township Manager that the terms upon which the permit was issued have been violated.

7. The Shade Tree Commission can, in its discretion as a condition of a permit, require the applicant to file a bond or to deposit security satisfactory to it to guarantee compliance with the terms and conditions upon which the permit is issued.

B. Removal or Disturbance of a Heritage Tree.

1. No person shall undertake any of the following activities without first applying for and obtaining a Heritage tree removal/disturbance permit from the Township:

(a) removing or disturbing a Heritage tree;

(b) pruning more than twenty percent (20%) percent of the branches of a Heritage tree within a 12 month period.

(c) performing any work within the tree protection zone of any Heritage tree.

2. An application for a Heritage tree removal permit shall be made in writing to the Township Manager upon forms furnished by the Township, together with such filing fee as may be established by resolution of the Board of Commissioners from time-to-time.

3. The application for a Heritage tree removal permit shall be accompanied by a plan illustrating the size, species and location of the Heritage tree which is proposed to be removed and the size, species and location of new trees to be planted in compliance with the tree replacement formula. In the case of the disturbance of a Heritage tree due to construction or grading activities, a tree protection plan shall be prepared by a certified arborist or landscape architect which shall address issues related to protective fencing and protective techniques to minimize impacts associated with grading, excavation, demolition, and construction.

4. All Heritage trees remaining on site shall be protected from disturbance by proposed construction or clearing of area trees.

5. The Shade Tree Commission may recommend for approval or disapproval each Heritage tree permit application and provide a written basis for its findings. It shall have the authority to require that a Heritage tree be replaced in compliance with the tree replacement formula or that the owner pay the monetary equivalent into the Township's Shade Tree Fund. In

determining whether there is good cause to approve a permit application, the Shade Tree Committee shall give consideration to the following:

- (a) The condition of the tree or trees with respect to disease, danger of falling, proximity to existing or proposed structures and interference with utility services;*
- (b) The necessity to remove the tree or trees in order to construct proposed improvements to the property;*
- (c) The topography of the land and the effect of the removal of the tree on erosion, soil retention and diversion or increased flow of surface waters;*
- (d) The long-term value of the species under consideration, particularly life-span and growth rate;*
- (e) The ecological value of the tree or group of trees, such as food, nesting, habitat, protection and shade for wildlife or other plant species;*
- (f) The number, size, species and location of existing trees in the area and the effect the removal would have upon shade, privacy impact and scenic beauty.*
- (g) The availability of reasonable and feasible alternatives that would allow for the preservation of the tree(s).*

6. If approved, the Township shall issue a Heritage tree removal permit, subject to such conditions as the Shade Tree Commission may impose. If a Heritage tree removal application is not acted upon within 30 days, it shall be considered to be approved by the Shade Tree Commission.

7. The Heritage tree removal permit shall be effective for such a length of time as the Shade Tree Commission shall in each case determine, length of time shall be indicated on the permit, and such permit may be revoked at any time by the Township Manager upon proof satisfactory to the Township Manager that the terms upon which the permit has been issued have been violated.

C. Appeals Hearing. *Any person aggrieved by a denial of a permit notice, determination, refusal, act or failure to act issued, taken or omitted under this § 71-5 shall have the right to a hearing to be held by the Board of Commissioners. A notice of appeal must be filed within 30 days following the date of the denial or other action so appealed. In all cases, the aggrieved party shall be given personal notice by regular mail of the date, time and place of the meeting at which their appeal will be heard.*