



# Sidewalks & Street Trees

## DUMONT SHADE TREES – A BRIEF HISTORY

Dumont was a sleepy farming hamlet until 1883 when the West Shore Railroad arrived. In 1894, Dumont Clarke became the first Mayor. Developers enticed potential buyers from NYC, resulting in a population of 634 in 1900. One 1906 brochure describes: "Dumont is not a treeless farm... Its streets are shaded by stately trees, and its houses present an air of comfort and refinement..." Camp Merritt opened in 1917, with the Monument circle and the dogwoods planted in Memorial Park are reminders of the million soldiers who deployed here. In 1951 a short movie "MY TOWN DUMONT" described: "We are a commuting people, departing by bus or train... In the cool of the evenings we return...The air is pure, clear, crisp – where birds carol in melodious notes of welcome to a town sedate, calm, quiet and clean. A delightful place of shaded streets lined with pleasant, homey homes and gardens most attractively informal... Travel where you may, you will find no place more attractive in its simplicity than my town."

Dumont currently boasts a population over 16,000. Street Tree plantings have become mature and many have outgrown the space allotted to them. In 2006 a small group of concerned citizens banded together to bring the benefits of the *NJ Community Forestry Assistance Act* to Dumont. In 2007, Mayor Matthew McHale appointed the first Dumont Shade Tree Commission. In 2008, the Council passed the first Dumont Shade Tree Ordinance.

### 2008 SHADE TREE ORDINANCE (PUBLIC LANDS) SUMMARY OF KEY SECTIONS ABOUT SIDEWALKS AND STREET TREES:

Sidewalk care, maintenance and replacement is the responsibility of the Property Owner.

Borough Tree: Any Tree which is situated in or along any public property, park, field, public right of way, easement or encumbrance. Tree situation is evidenced by 50% or more of the root collar or base of the trunk at the entry point to the ground being upon Borough land, regardless of the location of the crown, roots, tilt of the trunk, or other part of the Tree in relation to the property line.

Right Of Way ("ROW"): The public property in the Borough of Dumont, which excludes private property, and is the jurisdiction of the Borough, and is inclusive of all land in and along any Street up to the private property lines as shown on the Tax Map.

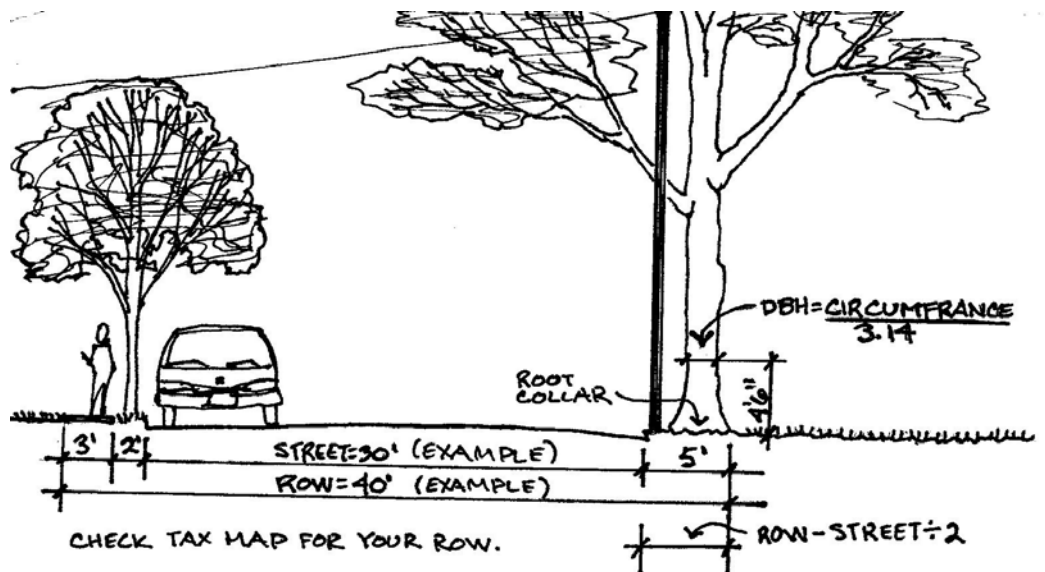
Diameter Breast Height (or "DBH"): The diameter of a Tree measured at a point on the Tree 4'-6" from ground level.

Overgrown Tree: A Tree that has exceeded a confined space as evidenced by less than 15%

percent of the DBH as clearance between the root collar at ground level and a confining border such as a curb or sidewalk. (Example: A Tree with 20" DBH would require 3" between the root collar where it enters the ground and the sidewalk or curb).

Construction. All Persons who shall conduct, or cause to be conducted, any erection, repair, alteration, construction, or other similar act near any Tree, shall use best efforts to protect and preserve the Trees in and about the area of such conduct.

Violations: The new Ordinance includes a list of violations ranging from unauthorized removal of a Borough Tree to vandalism to bad practices such as adding dirt or mulch in excess of 6" (this rots the tree at it's base). Cutting of tree roots is prohibited because it makes the tree unstable. For a list of the violations see the website or the Violation Fact Sheet.

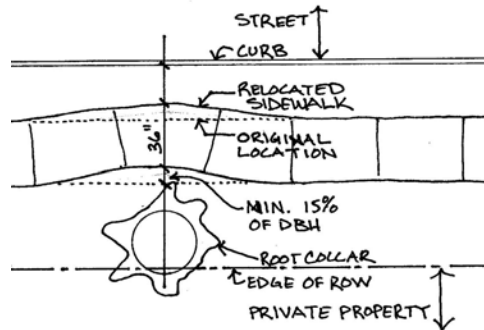


Sidewalk Repairs and Replacements. Property Owners are responsible for the maintenance of sidewalks at all times. In the event that sidewalk work for repair or replacement becomes necessary for any reason, the Property Owner must obtain a Permit from the Department of Buildings. The Permit process shall include a review by the DSTC of any Borough Tree(s) within the ROW.

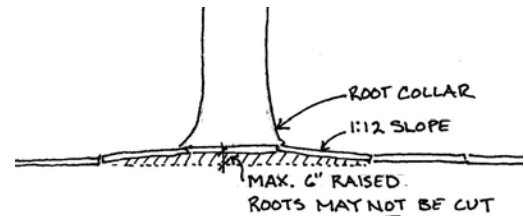
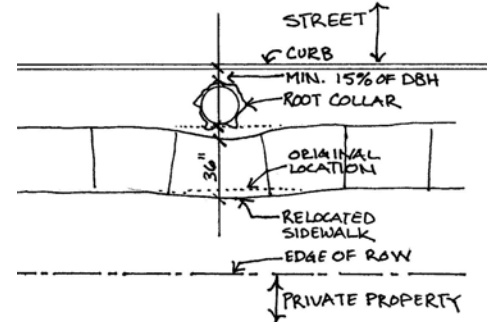
In the event that repair or replacement of the sidewalk, in like and kind, would destabilize the Borough Tree(s) and cause it (them) to become a Hazard Tree(s) according to USDA Forestry guidelines (*See Website*), then the Property Owner must remove and replace the Borough Tree(s), on a one for one basis, at the Property Owner's expense unless the Property Owner meets both of the following two requirements of Proof:

a. Proof that one, or a combination of, the following options cannot be done to avoid creating a Hazard Tree condition:

- i. Re-route the sidewalk, within the ROW, with a minimum sidewalk width of three (3') feet and a clear distance of at least twenty-five (25%) percent of DBH from the edge of the new sidewalk to the point where the root collar enters the soil, AND/OR,



- ii. Re-grade soils and the sidewalk, but the new sidewalk slope shall not exceed 1:12 ratio, or current ADA handicapped accessibility standards, and the soil height shall not be increased more than 6", AND/OR
- iii. Use alternate materials, but such materials shall have a warranty period of at least ten (10) years.



b. Proof that the Borough Tree(s) meet the definition of an Overgrown Tree.

The Property Owner must provide such proof along with any notice to the DSTC that the Borough Tree(s) requires removal at Borough expense.

The replacement Tree(s) must comply with the Planting Requirements of the Ordinance.

Sidewalk Work - Permit Process: Contact the Building Department at Borough Hall for the Permit Application.

Appeals: A property Owner may appeal decisions. For details of the appeal procedure, see the website or Appeals Fact Sheet.

Adopt-A-Tree Program: If the DSTC or the Borough deems that a new Tree or replacement Tree shall be planted, then the Borough may plant within the ROW as determined by the DSTC. Property Owners shall be given the opportunity to participate in the Adopt-a-Tree Program, which shall be reviewed periodically by the DSTC and shall, at a minimum meet the following criteria:

- a. The Property Owner may select a tree from the appropriate DSTC approved list.
- b. The Property Owner shall water the Tree after planting once a day for a week, once a week for a month and once a month for a year. Approved DSTC guidelines for watering shall be followed.
- c. The Borough of Dumont shall maintain the tree.

Voluntary Planting and Maintenance Expenses Private Property Owners may apply to the Commission to voluntarily plant or maintain a Tree or Trees in the ROW abutting the Private Property. Permission shall be granted, provided the planting complies with this ordinance and other policies as approved by the Commission under an "Adopt-a-Tree Program". Voluntary plantings or maintenance costs may be borne by the Property Owner at one point in time, but this event does not obligate the Property Owner to bear future costs of maintenance or removal

