

Tree Removal Permits

Overview

When is a tree removal permit required?

A tree removal permit is required for any of the following activities:

- The removal, transplanting or destruction of any tree within a woodland area.
- Land clearing or removal of understory vegetation within a woodland area.
- The removal, transplanting or destruction of any regulated tree outside of a woodland area.

Are there any activities that are exempt from permit requirements?

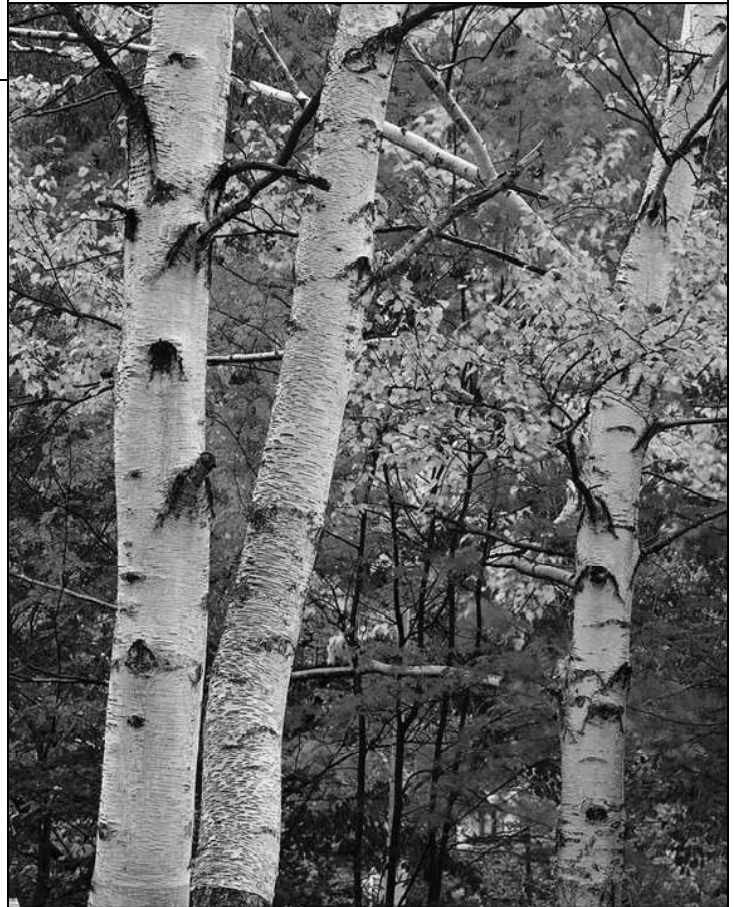
The following activities are allowed without a tree removal permit unless otherwise prohibited by law:

- Removal, transplanting or destruction of trees located on a site which is two (2) acres or less upon which there is an occupied residence.
- Removal, transplanting or destruction of trees located on a site which is greater than two (2) acres upon which there is an occupied residence to construct a fence, deck, pool, or accessory building, provided all other necessary permits have been issued.
- Removal of dead or damaged trees where the death or damage resulted from an accident or non-human cause.
- Trimming, maintenance, or care of trees in accordance with Township standards.
- Removal, transplanting or destruction of trees occurring during a farm operation.
- Removal, transplanting or destruction of trees occurring during the operation of a licensed commercial nursery or tree farm.
- Removal, transplanting or destruction of trees by a governmental agency, public utility or their agent to perform maintenance or repair of roads, public utilities, structures and facilities.

What is a regulated tree?

The Shelby Township Tree and Woodland Preservation Ordinance regulates trees located within woodland areas and trees of a certain size that are located outside of woodland areas.

When located outside of woodland areas, regulated trees are those that are seven (7) inches or greater in diameter measured at 4.5 feet above the existing grade (A.E.G.).



Refer to the Shelby Township Tree and Woodland Preservation Ordinance for a complete description of exceptions to tree removal permit requirements. Special conditions may apply.

Tree Removal Permits

Single Family Lots — Administrative Approval

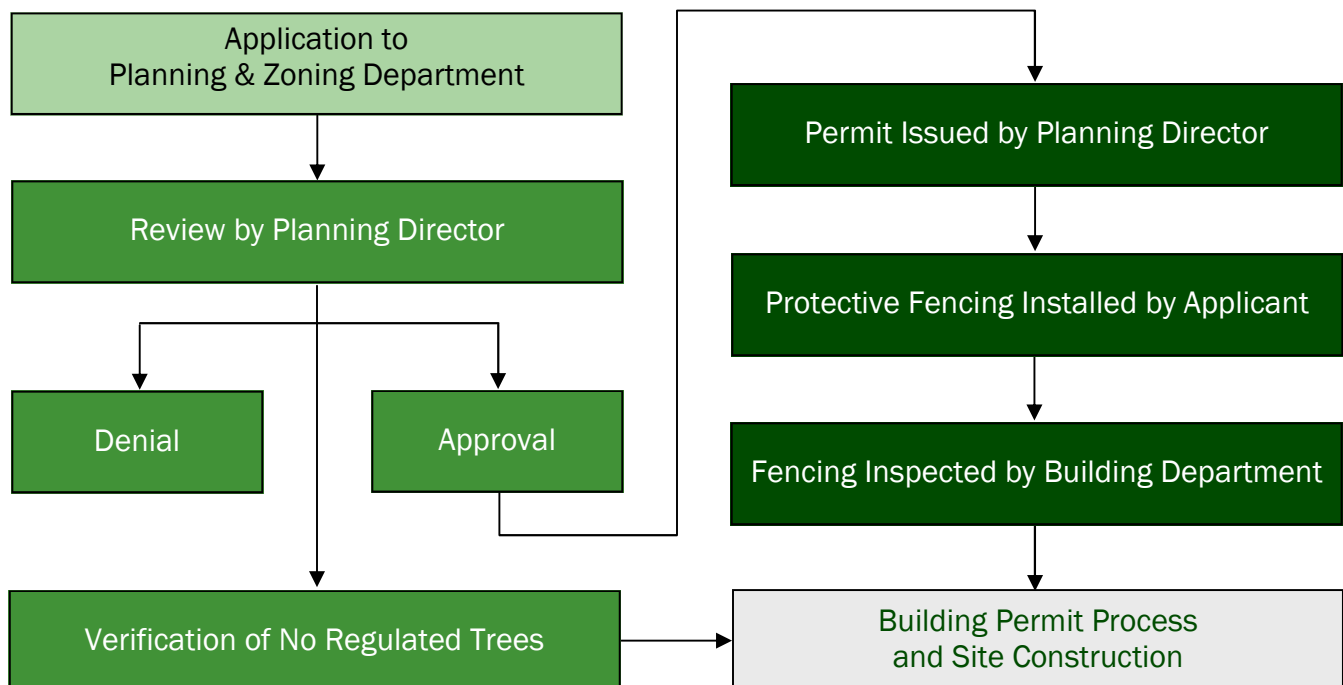
What is required for a tree removal permit for a single family lot?

- One (1) completed Application Form with original signatures of the legal owner and applicant.
 - One (1) completed Applicant Information Form with one (1) readable copy of both sides of the applicant's driver's license attached (fax copies will not be accepted).
 - One (1) original notarized Affidavit of Ownership and supporting ownership documentation.
 - Review fee.
- One of the following:
 - One (1) original notarized Affidavit of No Regulated Trees and two (2) copies of a plot plan.
 - OR -
 - Two (2) copies of a tree inventory or sketch plan illustrating the size, type and location of all trees, and identifying all trees proposed for removal or transplant.

What is the process for tree removal permits for single family lots?

Applications for tree removal permits are required for all new residences on vacant single family lots and for any activity that requires a building permit on an occupied single family lot (see exemptions on page TR1). Subdivisions and other single family residential developments with previously approved tree removal permits and tree preservation plans must comply with such plans.

Tree removal permit applications for single family lots are reviewed and approved administratively by the Planning Director.



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Development Projects — Township Board Approval

What is the process for tree removal permits for development projects?

Tree permits are processed as part of the site plan and subdivision plat review process; a separate application is not required.

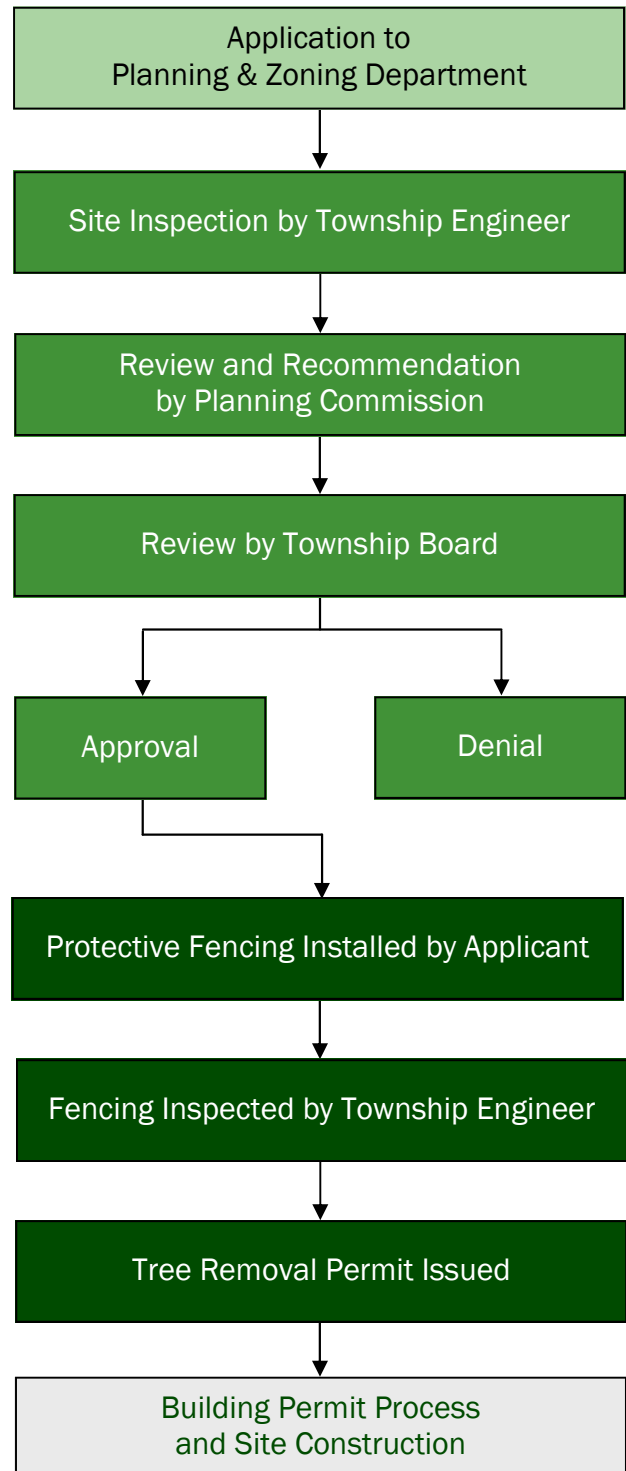
Tree permits are approved by the Township Board upon recommendation by the Planning Commission and after final site plan approval.

What is required for a tree removal permit for a development project?

The following material must be submitted with a complete site plan or subdivision plat application package (refer to Site Plan and Subdivision Procedures for required number of copies):

- One of the following:
 - Original notarized Affidavit of No Regulated Trees.
 - OR -
 - Tree inventory containing all information required by the Shelby Township Tree and Woodland Preservation Ordinance.
 - OR -
 - Sketch plan and written request for waiver of tree inventory requirement.

Refer to the Shelby Township Tree and Woodland Preservation Ordinance for complete definitions, standards, and requirements regarding tree removal permits.



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Common Questions

What type of protective fencing is required?

Protective fencing shall consist of either 1) orange construction fencing, or 2) soil erosion fencing with the top of the wooden stakes painted orange to distinguish this fencing from soil erosion fencing.

Fencing must be maintained throughout the entire construction process. The installation of protective fencing will be inspected by either the Building Department or the Township Engineer.

Can I seek a variance from the Tree and Woodland Preservation Ordinance?

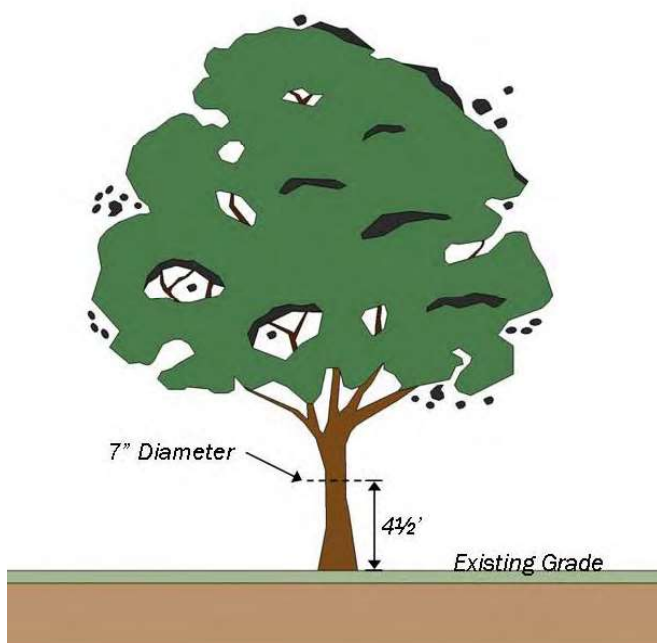
Yes. The Zoning Board of Appeals may grant variances from the provisions of the Ordinance when undue hardship may result from strict compliance.

Refer to the Tree and Woodland Preservation Ordinance for variance review standards and the Zoning Board of Appeals Procedures for application requirements.

How do I know if a tree is regulated?

The Shelby Township Tree and Woodland Preservation Ordinance regulates trees located within woodland areas. **Refer to the Ordinance for complete definition of a woodland.**

When located outside of woodland areas, regulated trees are those that are seven (7) inches or greater in diameter measured at 4.5 feet above the existing grade (A.E.G.).



What are the penalties for violation?

Violation of the Shelby Township Tree and Woodland Preservation Ordinance is a misdemeanor and punishable according to State Law.

Is there an appeal process?

Any person aggrieved by the grant or denial of a tree removal permit may request an appeal of the decision to the Township Board at the next regularly scheduled Township Board meeting following the original action.

The Township Board may act on the appeal at the meeting where it is brought. The Board shall act on the appeal no later than the next regularly scheduled Township Board meeting following the appeal.

Who do I contact if I have more questions?

Contact the Shelby Township Planning and Zoning Department at:

Phone: (586) 726-7243

Email: planning@shelbytwp.org

Address: 52700 Van Dyke

Shelby Township, MI 48316