

ZONING

240 Attachment 4

Township of Byram

Appendix A Forest Determination

For purposes of this Article XV, the determination of whether a wooded area constitutes a forest, shall rely upon the Highlands Council procedures set forth herein, as adapted from NJDEP Preservation Area Rules (at N.J.A.C. 7:38-3.9). These standards shall apply to the entirety of the Highlands Area whether inclusive solely of Preservation Area, Planning Area, or any combination of the two.

- A. The applicant shall identify on a site plan all forest in existence on the lot as of August 10, 2004, as well as those forest areas that have subsequently developed. An upland forest area shall be determined in accordance with the following method:
 1. The limit of the forest shall be identified using aerial photographs obtained from the NJDEP, free of charge, at www.state.nj.us/dep/gis/; and
 2. If the aerial photograph contains areas of sporadic coverage that have not been identified as forest by the applicant, the applicant shall lay a one-half acre grid system over the photograph. A standard 142 square foot grid block shall be used, as provided by the NJDEP at its website. Any grid block containing 33% or greater forest cover shall be considered as forest, unless the applicant demonstrates otherwise using the procedure established in B., below.
 3. If the applicant has an approved forest management plan identifying forest on a site, the limits of the forest indicated in the plan may be submitted as an additional resource, but shall not be used in lieu of aerial photographs.
- B. Alternatively, a forest determination may be made based upon the size and density of trees on the subject property, in accordance with the following method:
 1. Select two twenty-five-foot by twenty-five-foot plots in every acre of the site potentially containing a forest.
 - a) The plots shall be located in the portion of each acre having the highest density of trees as determined by a visual inspection.
 - b) If the tree size and density are very uniform over some or the entirety of the site, one plot may be selected in the area of uniformity. However, the point total from the one plot shall be doubled to determine the total point value for the sampled acre pursuant to B.5., below.
 2. In each plot, measure the diameter of each tree at four and one-half feet above ground (diameter at breast height, dbh).

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3. Score each tree as follows:

<u>Diameter of Tree (dbh)</u>	<u>Points</u>
1 inch to 3 inches	2
Between 3 and 7 inches	4
7 inches to 12 inches	6
Greater than 12 inches	8

4. Add together the scores for all of the trees in each plot.
5. If the total score for both plots is equal to or greater than 16, the sampled acre is regulated as a forest. For example, if the two twenty-five-foot by twenty-five-foot plots contain a total of three trees which are two inches in diameter, two trees which are six inches in diameter, and one tree which is 15 inches in diameter, the score for the sampled area would be: $(3 \times 2) + (2 \times 4) + (1 \times 8) = 22$, and the sampled acre is considered a forest.
6. If a sampled acre is a forest, the applicant shall assume that a half-acre of ground surrounding all sides of the sampled acre is also forest except for the surrounding areas that are sampled by the applicant and score under 16. In that case, a sufficient number of plots in the surrounding area shall be sampled by the applicant to delineate the forest portion of the surrounding area.
7. The applicant shall submit the results of field sampling data provided in B.1 through B.6 above. The outer perimeter of all sample plots shall be flagged in the field and their locations shown on a plan.
8. For a newly planted or regenerating forest, an area shall be considered forest if there are 408 seedlings or saplings per sampled acre, that is, the total number of seedlings or saplings in the two sample plots is 12 or more. For the purposes of this section, a tree will be considered a seedling or sapling if it has a caliper (diameter) of less than one inch.
9. Agricultural and/or horticultural uses such as orchards, tree farms and nurseries are not considered forest under this section.
- C. The limit of the forest shall be the outermost edge of the canopy of the forest area identified in A. through B., above.