

Town of North Hempstead

Department of Building Safety, Inspection & Enforcement

210 Plandome Road, Manhasset, NY 11030-2326 • Tel. 516-869-6311 • Fax 516-869-7662

www.northhempsteadny.gov

REQUIREMENTS FOR A TREE REMOVAL PERMIT

(Pursuant to Chapter 2 or Chapter 20A §20A-5.2 of the Town Code)

The following items must be submitted with your tree removal permit application:

1. Application in duplicate, with ownership statement notarized on both copies
2. Both owners' affirmation forms notarized.
3. Survey of property showing location of tree(s) to be removed.
4. Name, address, and updated certificates of insurances and license of the contractor (see attached insurance requirements sheet). We need a copy of (1) the contractor's Nassau county Home Improvement license, and separate specific forms for (2) liability, (3) disability and (4) worker's compensation. All insurances must name the Town of North Hempstead at the above address as the additional insured. Please read the attached sheet for additional insurance information.
5. Permit fee :
\$25 - one to two trees
\$50 - three to five trees
\$10 - each additional tree

NOTE:

TREES MUST NOT BE CUT DOWN UNTIL A PERMIT HAS BEEN ISSUED. NO APPLICATIONS WILL BE ACCEPTED W/O THE REQUIRED INSURANCE AND LICENSE ATTACHED TO THE APPLICATION

- **FOR ALL PROPERTIES**

TREE REMOVAL PERMITS ARE REQUIRED FOR TREE(S) ONLY IN THE FRONT YARD OF YOUR HOME AND IF THE TREE IS OVER 6" IN DIAMETER AS MEASURED AT A HEIGHT OF 4 ½ FEET ABOVE THE BASE OF THE TRUNK. HOME OWNERS ON A CORNER LOT ARE CONSIDERED TO HAVE 2 FRONT YARDS.

TREE REMOVALS IN CONJUNCTION WITH OR WITHIN 6 MONTHS OF ANY BUILDING PERMIT ARE NEEDED IN ALL CASES, REGARDLESS OF THE LOCATION OF THE TREE ON YOUR PROPERTY.

****Additional information such as a letter from an arborist or photographs may be required by the building inspector for a sick or dying tree to support your application.*

Tree replacement requirements (see attached) can be discussed with your inspector after an application has been processed.

- Any tree on a property that is designated as a landmark or located in a historic landmark district must also be approved for removal by the Historic Landmarks Preservation Commission

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TREE REPLACEMENT POLICY

§ 20A-9. Replacement of trees in front yard of private property. [Added 4-2-2002 by L.L. No. 5-2002EN]

Each tree removed of a diameter of 10 inches or greater is subject to the tree replacement guidelines enumerated in this section:

- A. Fifty percent of the total tree(s) diameter removed must be replaced.
- B. The tree(s) to be planted in replacement shall be located in the front yard of the same parcel from which the tree(s) is proposed to be removed.
- C. The proposed location(s) of the new tree(s) shall be approved by the Building Commissioner.
- D. The tree(s) to be planted in replacement shall be from a similar size class or from a larger size class. Size classes are enumerated in the Tree Standards and Specifications to be promulgated by the Building Commissioner.
- E. If the Building Commissioner determines that the front yard of the site does not allow for the planting of the required number of trees, the Building Commissioner shall require the applicant to plant the maximum number of trees possible, with the remaining trees to be replaced with shrubbery, provided the plant selection has met his prior approval, as a condition of a tree removal permit. If the site does not permit the planting of shrubs, the Building Commissioner shall require the applicant to pay an additional fee to the Commissioner of Buildings in an amount determined by the applicant and confirmed by the Commissioner to be equal to the estimated cost of the required number of trees and/or shrubs.
- F. All required plantings shall occur between April 1 and December 1 and 90 days after the tree removal.
- G. If plantings cannot occur within 90 days of the removal due to the above planting time restrictions specified in § 20A-9F, the Commissioner of Buildings may require the applicant to deposit a performance bond or a cash deposit in the form of a certified check with the Commissioner of Buildings in an amount which shall be determined by the applicant and confirmed by the Commissioner to be equal to the estimated cost of planting the required number of trees and/or shrubs and, if applicable, stabilizing the site. The term of said deposit or performance bond shall not exceed a period of six months, and the deposit or bond shall not be released until the plantings have been satisfactorily completed in accordance with the approved tree removal permit.
 - (1) In the event of a default, such bond or cash deposit shall be forfeited to the Town Parks Department for additional plantings in Town parks, and the applicant shall be found to be in violation of the conditions of the tree removal permit. The Commissioner of Buildings shall determine the remedy of the violation; however, in no circumstances shall such forfeiture of the bond serve as a remedy of the violation.
 - (2) Upon satisfactory completion of the contemplated work in accordance with the application and this chapter, such bond or cash deposit shall be released by the Commissioner of Buildings. Satisfactory completion of the work shall be evidenced by the Commissioner of Buildings.

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TREE REMOVAL PERMIT

(pursuant to Chapter 2, §2-9.T or Chapter 20A, §20A-5.2 of the Town Code)

Date: _____

Zone: _____

Location of Permit Activity:

Section: _____ Block: _____ Lot(s): _____

Address: _____

Name and Address of Owner: [check one: individual ____ partnership ____ corporation ____]

Telephone #: _____ Cell #: _____

E-mail: _____ Fax #: _____

Provide the following information for all trees proposed for removal. You may provide photographs and/or arborist's letter to support your request for a tree removal permit in addition to any other requirements. A building inspector will visit your property prior to the approval of your permit. Photographs and letters may be required dependent upon the inspector's findings.

- Diameter of tree(s) to be removed: (measured at 4 ½ feet above the base of the trunk)
- Is the tree diseased?
- Is the tree in danger of falling?
- Is the tree a danger to adjacent structures?
- Will the tree be removed in connection with Building permits?
 - (If yes – follow the provisions of Chapter 2 of the Town Code)

Tree #	Diameter (1/2 circumf.) (in)	Diseased? Yes or No	Falling? Yes or No	Danger to structure? Yes or No	Assoc w/ constr? Yes or No	Inspector's comments / replacement requirement
1						
2						
3						
4						
5						
6						
7						

Reason(s) for the tree(s) to be removed:

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I hereby state that the above statements are true to the best of my knowledge.

Signature of Applicant: _____ Date: _____

Name and Address of Applicant: _____

Telephone #: _____ Cell #: _____

E-mail: _____ Fax #: _____

STATE OF NEW YORK }
COUNTY OF NASSAU }

_____, being duly sworn deposes and says that he/she is the owner ^{print name of owner}
of the property heretofore described and that he/she has an agreement with _____ to cut down tree(s),
and that all statements are true to the best of his/her knowledge and belief.

Owner's Signature _____

Sworn to before me this _____ day of _____ 20____

Notary Public

Recommended for approval by Inspector _____ Signature _____ Date _____

Approved by _____ Signature _____ Date _____

Removal of _____ trees as per survey / site plan attached. Unless otherwise noted replacement shall be a total of 50% of the total diameter of the trees removed as per section 2-9.T(5) or 20A-5.2.

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APPLICATION No. _____

(For Official Use Only)

OWNER'S AFFIRMATION FORM

***** PLEASE READ CAREFULLY *****

[Required for submission with ALL Building Permit Applications.]

I (we) hereby certify that:

1. I (we) agree to permit the Building/Plumbing Inspector and any officer or employee of the Town of North Hempstead (Inspector) to enter upon the premises in the discharge of their duties with this application.
2. Approved plans and a copy of the approved permit shall remain on the premises at all times until a Certificate of Occupancy / Completion / Approval / Existing Use is issued. These plans will be made available to the Inspector upon request. Should these plans not be available when the Inspector requests such plans, the inspector may stop work until the plans are made available.
3. Owner or his representative shall be responsible to arrange for all required inspections.
4. The Inspector shall be given a minimum **forty-eight (48) hours notice** to make the required inspection and no work shall continue without written authorization until such inspection has been completed and approved.
5. Owner or his representative shall be responsible for the presence of the appropriate to arrange for the required inspection as directed by the Building Inspector.
6. Permit shall expire three (3) months from the date of issuance unless construction is in progress. No work is to be started until permit has been received and posted by the owner / applicant. Commencement of any work prior to the receipt and posting of the permit will result in the assessment of quadruple fee penalties pursuant to §2-28 C(15) of the Code of the Town of North Hempstead
7. Work shall be permitted between the hours of 7:30 AM and 6:00 PM, Monday through Friday only.
8. Occupancy or Use of the premises without first obtaining all applicable Certificates of Occupancy, Completion or Approval is unlawful and may subject the owner of the premises to the penalties described in the Code of the Town of North Hempstead.

State of New York }
County of Nassau }

Please print - (property in name of): _____ depose and says that
he/she resides at (current mailing address) _____

_____ in that State of _____, that he/she
is the owner in fee of all certain lots, parcels of land shown on the attached survey Section: _____, Block: _____,
Lot(s): _____, situated, lying and being within the unincorporated area of the Town of North Hempstead; that I /
We have read and understand items one (1) through eight (8) as herein stated, recognize that I / We is or are responsible for
all activities occurring on the property, and that failure to comply with any of these items, notwithstanding any other items
defined in the Code of the Town of North Hempstead, may result in the temporary suspension or permanent revocation of the
permit(s) issued for construction on the premises in accordance with the Code of the Town of North Hempstead.

Signature of Owner: _____

Sworn to me this _____ day of _____ 20 _____

Signature of Notary Public _____

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TOWN OF NORTH HEMPSTEAD

INSURANCE AND LICENSE REQUIRMENTS FOR A PERMIT

The Town of North Hempstead, Nassau County, and the State of New York, require that **NO** building permit may be issued until all current insurances and license information is presented for each permit.

FOR ALL CONTRACTORS: BEFORE EACH PERMIT CAN BE ISSUED), we require a copy of your current **Nassau County Home Improvement License** (this Nassau license is not necessary for commercial jobs or new home construction). Plumbers or Electricians need a copy of their current license. Proof of Insurance shall be submitted by all contractors, as follows: (a) Proof of Commercial General Liability insurance with completed operations (plus X.C.U. when applicable), to which the Town of North Hempstead has been added as additional insured; (b) Certificates or affidavits approved by the State Workers' Compensation Board pursuant to State Workers' Compensation Law § 57 (2) evidencing proof of workers' compensation insurance or proof of the applicant not being required to secure same; and (c) Certificates or affidavits approved by the State Workers' Compensation Board pursuant to State Workers' Compensation Law § 220 evidencing proof of disability benefits insurance or proof of applicant not being required to secure same.

STAND-ALONE PERMITS (such as plumbing, signs, fences, trees, etc; (any work not connected to a building permit), where there is a short review process must have all insurances attached at time of application submittal, or they will not be accepted). Explanation: Although the Town keeps computer records, records do not always reflect current coverage, so we require copies of all insurances at time of permit application to prevent any unnecessary delays. For submittals that will take longer to review (such as an addition, alteration, or new home), insurances don't have to be submitted until just before a permit is issued.

HVAC PERMITS will only be issued to companies, individuals, or plumber's that hold a Nassau County General Contractors License or a Nassau County Home Improvement License that includes HVAC work. A Nassau County license that states "Air Conditioning" or "Heating & Air Conditioning" is fine. We will be glad to check with Nassau County if there is a question as to coverage for HVAC work.

A **HOMEOWNER** can serve as his own GC on some work if it is only in the home that he currently occupies, using a **BP-1 form**.

A homeowner may also do plumbing work (except any gas related work) on his owner occupied home as well, but must first take a competency test we can provide upon request.

For a **Demolition permit**, a Nassau County Home Improvement License is required unless the entire foundation is removed and a NEW C/O will be issued.

Liability insurance is usually submitted on a standard "Accord" form. Some other forms may be acceptable. (Please note: by New York State Law, we can not accept NYS Disability and NYS Worker's Compensation coverage on the Accord form). What we can accept is stated below:

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NEW YORK STATE INSURANCE REQUIREMENTS – General Municipal Law §125, WCL §57 & §220

The Workers' Compensation Law requires that before a New York State or municipal agency, department, board, commission or office issues any permit or license, they must be provided with the completed forms as shown below prior to permit issuance. This applies to all businesses with employees.

1) **Form BP-1 (12/08)** Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, **Owner occupied Residence** (This is the **ONLY** form available from the Town of North Hempstead). This form is used by a homeowner who will be doing most of the permit work himself, with no or minimal assistance of up to a total of 40 man-hours per week. This form must be signed and notarized.

2) **Form CE-200 from Group A** attesting to no need for either or both Workers Compensation and Disability Benefits Coverage (Note: If the CE-200 form does not exclude BOTH Workers Compensation and Disability Benefits Coverage you must supply a form from Group B and/or C that proves you have the coverage not exempted by the CE-200). This CE-200 form must be submitted with a specific site address for each permit, and the expected duration of the job. The form must have an original signature and date. No copies of this form will be accepted. If the CE-200 is not used or only partially used, then see #3 below

3) A form from either or both **Group B and Group C** (which has not been exempted by the CE-200 form).

The ONLY ACCEPTABLE forms are as follows:

Group	Form No.	Description
A	CE-200	Certificate of Attestation For New York Entities With <u>No</u> Employees and Certain Out of State Entities That New York State Worker's Compensation and/or Disability Benefits Insurance Coverage is Not Required.
B	C-105.2 (9-07)	Certificate of Worker's Compensation Insurance
B	SI-12 (10/03)	Certificate of Worker's Compensation Self Insurance
B	GSI-105.2 (2/02)	Certificate of Participation in Worker's Compensation Group Self Insurance
B	U-26.3	New York State Insurance Fund Certificate of Work's Compensation Insurance (For demolition work, this form <u>must</u> state that demolition coverage is included)
C	DB-120.1 (5/06)	Certificate of Disability Benefits Insurance
C	DB-155 (1/98)	Certificate of Disability Benefits Self-Insurance

Effective September 9, 2007, all out-of-state employers with employees working in New York State are required to carry a full, statutory New York State workers' compensation insurance policy. An employer has a full, statutory New York State workers' compensation insurance policy when New York is listed in Item "3A" on the Information Page of the employer's workers' compensation insurance policy. It may be appropriate to contact your insurance broker, carrier or agent, check with your trade association, or conduct additional research to find the most appropriate insurance coverage for your company. In addition, a New York State workers' compensation policy may be obtained from the New York State Insurance Fund by calling 1-888-875-5790 and a disability benefits insurance policy may be obtained from the New York State Insurance Fund by calling 1-866-697-4332.