



§27-1306. Woodland and Hedgerow Conservation Standards.

1. *Disturbance Limitations for Woodlands and Hedgerows.* Notwithstanding the provisions of this Section, selective harvesting of timber shall be permitted where undertaken in compliance with the provisions set forth in subsection .10 below. Clear-cutting of any woodland area shall be prohibited except to the minimum extent necessary to permit the implementation of an approved land development or building permit in conformance with this Section. Except for an approved timber harvesting operation, all woodland disturbance shall be subject to the following total disturbance limitations:

A. Permitted woodland disturbance on any lot or tract shall not exceed 5 percent of any area designated Class I Woodland on the Honey Brook Township Woodland Classification/Priority Map (Figure 3 of the Township Comprehensive Plan), where such woodland is coextensive with any area of prohibitive slope.

B. Except where subsection .1.A applies, permitted woodland disturbance on any lot or tract shall not exceed 15 percent of any area designated Class I or Class II Woodland on the Honey Brook Township Woodland Classification/Priority Map (Figure 3 of the Township Comprehensive Plan), nor any woodland within a designated greenway corridor, as shown on Figure 4 of the Township Comprehensive Plan.

C. Outside of areas designated as greenway corridors, permitted woodland disturbance on any lot or tract shall not exceed 25 percent of any Class III Woodland.

D. Permitted woodland disturbance on any lot or tract shall not exceed 10 percent of any area designated as Forest Interior Habitat on the Honey Brook Township Woodland Classification/Priority Map.

E. Disturbance limitations shall be measured based on the extent of the subject woodland classification at the time of first submission of applicable application(s) after the adoption of this Section and shall be indicated on applicable plan(s). The extent of any area of woodland disturbance shall be measured to include the entire area within the drip line of any tree where any part of the area within the drip line of said tree is subject to woodland disturbance. Any disturbance limitation shall run with the land, once established. Subsequent applications shall be subject to the initial determination of disturbance limitations, regardless of intervening disturbance which may have occurred. If, at any time within 3 years prior to an applicable application, there had existed a greater extent of woodland, such greater area shall be utilized to calculate the extent of woodland disturbance and the limitations set forth herein.

2. *Woodland Replacement.*

A. Where permitted, any woodland disturbance exceeding any of the following standards shall require provision for vegetation replacement as set forth in subsection .5 below. Each of the following standards shall be applied independently and the corresponding replacement requirements shall be cumulative:

(1) Any woodland disturbance in any of the following areas:

(a) Any area designated as Class I or Class II Woodland on the Honey Brook Township Woodland Classification/Priority Map.

(b) Any area designated as a greenway corridor.

(c) Any area within any riparian buffer.

(2) Woodland disturbance in excess of 10,000 square feet of existing area of Class III Woodland or Hedgerow(s) for each principal use permitted on any lot or tract. As an example, where two principal uses are permitted, woodland disturbance may involve up to 20,000 square feet (10,000 X 2) before replacement is required, except as otherwise provided herein.

3. In determining where necessary woodland disturbance shall occur in the context of any subdivision or land development regulated under Chapter 22, or other land use activity regulated by this Chapter, the applicant shall consider the following:

A. The location(s) and benefit of conservation of healthy mature woodland stands.

B. The impacts, in terms of functions and values to wildlife, of separating, dividing and/or encroaching on wildlife travel corridors and/or extensive habitat areas. Such impacts must be explicitly assessed in any area designated as one or more of the following:

(1) Greenway corridor.

(2) Forest interior habitat.

- (3) Riparian buffers.
- (4) Class I or Class II Woodlands.

4. In areas of permitted woodland disturbance and areas adjacent to permitted woodland disturbance, remaining trees shall be protected from damage. The following procedures shall be utilized during construction in order to protect remaining trees:

A. Where existing trees are to remain, no change in existing grade shall be permitted within the drip line of the trees. Appropriate fencing 4 feet in height shall be placed at the drip line of trees to remain, wherever adjacent to proposed construction. Such fencing shall be maintained in place throughout the duration of construction activity. Roots shall not be cut within the drip line of any trees to remain.

B. Trees within 25 feet of a building, or bordering entrances or exits to building sites, shall be protected by a temporary barrier to be maintained in place throughout the duration of construction activity.

C. No boards or other material shall be nailed or otherwise attached to trees during construction.

D. Construction materials, equipment, soil and/or debris shall not be stored nor disposed of within the drip lines of trees to remain.

E. Tree trunks, limbs, and exposed roots damaged during construction shall be protected from further damage by being treated immediately in accordance with accepted professional landscape procedures.

5. *Required Vegetation Replacement.* Where woodland disturbance exceeds any of the standards set forth in subsection .2 above, applied independently and cumulatively, replacement plantings shall be installed in accordance with the standards set forth below. A sample list of acceptable replacement plantings is found in Appendix 22-A of the Township Subdivision and Land Development Ordinance [Chapter 22].

A. Required replacement trees shall be determined using the calculation set forth below which results in the greatest number of replacement trees:

(1) *Replacement Tree Calculation Based on Area of Woodland Disturbance.* At a minimum, for each 500 hundred square feet of woodland disturbance area, or fraction thereof, in excess of the applicable standard set forth in subsection .2 and regardless of the character and sizes of the disturbed vegetation, one tree at least 2-2½ inch caliper shall be planted.

(2) *Replacement Tree Calculation Based on Specific Tree Removal.* Regardless of any disturbance allowances, for each tree greater than 12 inches dbh to be removed, required replacement trees also shall be calculated in accordance with the following schedule. For purposes of this Section, it shall be assumed that any tree greater than 12 inches dbh shall be removed if located within 25 feet of any proposed land disturbance:

For each tree to be removed, at the following sizes, dbh:	Minimum number and caliper of replacement trees:
One, 12 inches to 18 inches dbh	Two 2-2½ inches caliper
One, 18 inches to 24 inches dbh	Three 2-2½ inches caliper

One, 24 inches to 36 inches dbh Four 2-2½ inches caliper

One, greater than 36 inches dbh Six 2-2½ inches caliper

B. *Required Replacement Shrubs.* At a minimum, for each 100 hundred square feet of woodland disturbance area, or fraction thereof, in excess of the applicable standard set forth in subsection .2 and regardless of the character and sizes of the disturbed vegetation, one shrub at least 24-30 inches in height shall be planted in addition to any required tree replacement. Shrubs planted in accordance with this requirement may be of restoration quality and not necessarily landscaping quality.

C. Required replacement plantings shall be in addition to any required street trees or any other landscape material required under applicable provisions of this Chapter or Chapter 22.

D. Where approved by the Township as a condition of any building, zoning, subdivision or land development approval or as a condition of grant of modification, required replacement trees may be substituted for greater numbers of trees of smaller caliper than otherwise required or by vegetation other than trees (e.g., for purposes of reforestation).

E. Where approved by the Township as a condition of any building, zoning, subdivision or land development approval or as a condition of grant of modification, some or all of the required replacement plantings may be installed at a site other than that subject to required replacement planting.

F. In lieu of actual installation of replacement plantings, the Township may permit any applicant to place the equivalent cash value, as agreed upon by the Township and the applicant, for some or all of the required replacement plantings into a special fund established for that purpose. Such fund shall be utilized at the discretion of the Township for the purchase and installation of plantings elsewhere in the Township. Installation of such plantings on private lands shall be dependent upon the establishment of conservation easement(s) or other restriction(s) acceptable to the Township that will reasonably guarantee the permanent protection of such plantings. Where the provisions of this Section are otherwise applicable, any grant of approval of modifications also may be conditioned upon the placement of equivalent cash value for otherwise required replacement plantings into such a fund.

G. The locations, selected species, and sizes of all replacement plantings, along with a planting schedule tied to the timing and/or phasing of the development, shall be indicated on the final subdivision/land development plan(s) or building permit application, as applicable.

6. Required replacement vegetation and their measurement shall conform to the requirements of §22-629.11.A and the list of recommended planting materials contained in Appendix 22-A. All plant material used on the site shall have been grown so as to have a high likelihood of survival on the site (e.g., grown specifically for planting in the applicable USDA hardiness zone) and shall be nursery grown, unless it is determined by the Township that the transplanting of trees partially fulfills the requirements of this Section.

7. Species of replacement plantings selected and planting locations shall reflect

careful site evaluation and in particular the following considerations:

A. Existing and proposed site conditions and their suitability for the plant materials; based upon the site's geology, hydrology, soils, and microclimate.

B. Specific functional and design objectives of the plantings, which may include but not necessarily be limited to: replacement of woodland area removed, enhancement of existing woodland or oldfield area(s), reforestation of riparian buffer areas, mitigation of new woodland edge conditions as a result of land disturbance, provision for landscape buffer, visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.

C. Maintenance considerations such as hardiness, resistance to insects and disease, longevity, and availability.

D. Because of the many benefits of native plants (ease of maintenance, longevity, wildlife habitat, etc.), the use of nursery-grown free-fruiting native trees and shrubs is required unless demonstrated by the applicant that such species are not available. Species selection should reflect species diversity characteristic of the native deciduous woodland.

8. All replacement plantings shall be guaranteed and maintained in a healthy and/or sound condition for at least 24 months or shall be replaced. In addition, the applicant shall be required to escrow sufficient additional funds for the maintenance and/or replacement of the proposed vegetation during the 24-month replacement period and to provide for the removal and replacement of vegetation damaged during construction, based upon the recommendation of the Township Engineer.

9. All applicants shall include, as part of preliminary and final plan submission, where applicable, a plan for the long-term management of any woodland area not subject to woodland disturbance and any area selected for introduction of replacement plantings in accordance with this Section. Such plan shall include a statement of woodland management objectives and shall demonstrate to the satisfaction of the Board of Supervisors the feasibility of intended management practices, aiming to ensure the success of stated objectives, including the viability of introduced plantings, deterrence of invasive vegetation, and means to minimize any future woodland disturbance. Applicants are strongly encouraged to seek woodland management assistance from a qualified professional.

10. *Timber Harvesting Operations.*

A. Any timber harvesting operation shall be undertaken in accordance with a timber harvesting plan approved by the Township. All timber harvesting plans shall be submitted to the Township for review for compliance with the standards for timber harvesting operations set forth herein not less than 45 days prior to commencement of the timber harvesting operation. Within 30 days of submission to the Township, a timber harvesting plan shall be approved, denied, or approved subject to reasonable conditions and the applicant so notified in writing.

B. Any timber harvesting plan submitted to the Township for review and approval shall be consistent with the timber harvesting guidelines of the Pennsylvania Model Forestry Regulations of the Penn State School of Forest Resources, as applicable, and shall include a plan or plans indicating the following information:

(1) Site location and boundaries of both the entirety of the property upon which the timber harvesting operation shall occur and the specific area proposed for timber harvesting.

(2) Significant natural features on the property including steep slopes, wetlands, floodplains, and riparian buffer zones.

(3) Identification of the classification of the woodland or woodland(s) where the timber harvesting operation is proposed to occur, as indicated on the Honey Brook Township Woodland Classification/Priority Map.

(4) Identification of areas of forest interior habitat where timber harvesting is proposed to occur.

(5) Identification of greenway corridors where timber harvesting is proposed to occur, as indicated on the Honey Brook Township Greenway Corridors Map.

(6) The general location of the proposed operation in relation to municipal and State highways and any proposed accesses to those highways.

(7) Design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landings.

(8) Design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars.

(9) Design, construction, and maintenance of proposed stream and wetland crossings.

(10) Identification of forest canopy to remain as provided under subsection 10.F.

C. Any permits required by any other agency under any applicable regulation shall be the responsibility of the landowner or timber harvesting operator as applicable. Copy of all required permits shall be submitted to Honey Brook Township at least 20 days prior to commencement of the timber harvesting operation.

D. The following management practices shall apply to all timber harvesting operations:

(1) Felling and skidding of trees shall be undertaken in a manner which minimizes damage to trees or other vegetation not intended to be harvested (e.g., successive limbing up the tree rather than felling in its entirety).

(2) Felling or skidding across any public thoroughfare is prohibited without the express written consent of the Township or PennDOT, whichever is responsible for the maintenance of said thoroughfare.

(3) No timber loads weighing more than 60,000 pounds shall be permitted on Township roads. The applicant shall review with the Township Roadmaster the condition of any Township road that will be used to transport log loads or that may otherwise be impacted by the timbering operation. The Township shall require the posting of a bond or other approved security of no less than \$50,000 to cover any damage to Township roads.

(4) Slash, tops or litter resulting from a timber harvesting operation shall either be cut to a height of 3 feet or less and left on-site, or chipped and

recycled on-site. The burning of slash shall be prohibited.

(5) No tops, slash or litter shall be left within 25 feet of any public thoroughfare or private roadway.

(6) Litter resulting from a timber harvesting operation shall be removed from the site or otherwise dealt with as approved by the Township (e.g., chipped and recycled on-site).

(7) The operation shall not cause harm to the environment or any other property.

E. No timber harvesting activities shall be permitted within any Zone One Riparian Corridor Conservation District. No clear-cutting of timber shall be permitted within any Zone Two Riparian Corridor Conservation District.

F. In all woodlands, a minimum percentage of the forest canopy trees shall remain in good condition after the completion of any timber harvesting operation, as set forth in the table below. Remaining forest canopy trees shall be well distributed throughout the area subject to the timber harvesting operation.

Percentage Forest Canopy Trees
to Remain by Location

Woodland Class	Zone One RCC District	Zone Two RCC District	All Other
Class III	100	60	30
Class II	100	70	40
Class I	100	80	50
Forest Interior Habitat	100	90	60

G. At least 50 percent of the required remaining forest canopy trees, as provided above, shall be comprised of higher value species. Where the number of trees comprising higher value species that exist prior to the approval of any timber harvesting operation, is less than the number which would be required to comply with this provision, no higher value species may be harvested.

H. Upon determination that a timber harvesting operation is in violation of these regulations, each day where any violation occurs shall constitute a separate violation subject to the provisions of this Chapter.

(Ord. 104-2003, 3/12/2003; as readopted by Ord. 129-2007, 8/2/2007, §1; and as added by Ord. 133-2008, 4/9/2008, §13)

§27-1307. Wetlands and Wetland Margins.

1. *Statement of Intent.* The purpose of this Section is:

A. Reduce the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances that reach wetlands and downstream water bodies by using scientifically-proven processes including filtration, deposition, absorption, plant uptake, and denitrification.

B. Regulate the land use, siting, and engineering of all development to be consistent with the intent and objectives of this Chapter, accepted conservation