

#### 701.12 Surface and Ground Water Protection

All activities involving the possible contamination of surface or ground water shall be provided with adequate safety devices to prevent such contamination. In cases where any earth disturbance will result in the excavation of bedrock, the Township may require the applicant to submit a report from a qualified engineer or geologist detailing the geologic structure of the area proposed to be disturbed and identifying the probable impacts on groundwater supply and quality. Details of the potential hazards (including the groundwater characteristics of the area in which the use is proposed) and details of planned safety devices and contamination response actions shall be provided by the developer. The Township may require a plan to be submitted for review and approval and may require security for insuring contamination response. Monitoring wells and water quality testing may also be required by the Township. The developer shall also provide details about the use of ground water and any processes that could result in the depletion of ground water supplies. No use shall be permitted which would result in the depletion of ground water supplies. In cases where the use is of such a nature that large volumes of ground water are required the developer shall provide appropriate hydro-geologic studies which clearly establish that the proposed use will not cause a reduction in the quantity or the quality of ground water supplies available to other properties located within one-thousand (1,000) feet of any portion of the property where the proposed use will be located.

#### 701.13 Storm Water Management and Soil Erosion Control

A storm water management plan and soil erosion control plan shall be required for review and approval. Said plan shall be prepared and implemented pursuant to the standards contained in the Township Subdivision Ordinance or other applicable Township regulations and County Conservation District standards, and shall be based on generally accepted engineering principles appropriate for the proposed use.

The protection of the quality of ground water and surface water shall be an integral part of all proposed storm water management practices; and all storm water management plans shall include an element specifically addressing water quality. The plan shall provide for the minimization of the discharge of "first flush" sediments off the project site or directly to infiltration structures. Containment of "first flush" sediments shall be accomplished by accepted and proven engineering design and practice, including but not limited to the use of grass buffer/filter strips, grass swales, detention basins, sediment traps, and special inlet devices.

In any area of the Township where a storm water management plan has been prepared and adopted in accord with the Pennsylvania Storm Water Management Act, the provisions of any applicable storm water control ordinance shall apply.

#### 701.14 Waste Materials

No liquid, solid, toxic or hazardous waste shall be stored or disposed in any commercial area, either above or below ground level, except for the temporary storage thereof pending removal from the premises. Such temporary storage and handling of waste shall be in a designated area and shall be conducted in compliance with all applicable state and federal regulations in order to prevent any water, soil or air contamination and shall be screened from view of adjoining properties and any public road right-of-way by fencing or other buffers. In addition, no waste discharge is permitted into any reservoir, sewage or storm water disposal system, stream, open body of water or onto the ground. All waste materials shall be disposed of only in accord with all applicable state and federal regulations and applications for any use which results in waste materials regulated by the state or federal government shall include a list of all such wastes and the method of temporary storage, handling and disposal.

#### 701.15 Handicapped Access

Access for handicapped persons to all uses shall be provided in accord with all applicable state and federal requirements.

**815 Forestry Enterprises****815.1 Permit Required**

A permit shall be required for all forestry enterprises.

**815.2 Soil Erosion and Sedimentation and Storm Water Control**

Any earth disturbance shall comply with §701.13 and a soil erosion and sedimentation control plan shall be required. No earth disturbance or clear cutting shall be permitted within twenty-five (25) feet of any water body or stream except for approved stream crossings.

**815.3 Best Management Practices**

Timber harvesting shall be conducted in accord with accepted best management practices. Accepted best management practices are generally those recommended by the Penn State College of Agricultural Sciences School of Forest Resources, the Pennsylvania Department of Environmental Protection Bureau of Forestry, the Pennsylvania Forestry Association, the Pennsylvania Hardwoods Development Council, the Hardwood Lumber Manufacturers Association of Pennsylvania, and the Society of American Foresters. Many of these best management practices are detailed in the following publications:

1. *Best Management Practices for Pennsylvania Forests*, Penn State College of Agricultural Sciences, 1996.
2. *Timber Harvesting Issues in Pennsylvania*, Penn State College of Agricultural Sciences School of Forest Resources, undated.
3. *Best Management Practices for Silvicultural Activities in Pennsylvania's Forested Wetlands*, Penn State College of Agricultural Sciences School of Forest Resources and Pennsylvania Hardwoods Development Council, 1993.

**815.4 Township Road Bond**

The Township may require a bond, letter of credit or other financial guarantee to assure that any damage to Township roads caused by logging or any other forestry enterprise is repaired at the cost of the person causing such damage. The amount of the bond shall be based on the extent of the operation, the Township roads used by the operation and the recommendation of the Township Engineer, and the term and form of the bond shall be approved by the Township Solicitor.

**815.5 Access to Public Roads**

- A. Highway Occupancy Permit - Access roads to Township and State roads shall be in accord with a valid highway occupancy permit.
- B. Stabilization -The access road shall be adequately stabilized with stone, shale or other material to minimize soil erosion and the tracking of mud onto the public road.
- C. Weight Limitations - All operations shall comply with all posted weight limits and road bonding regulations.
- D. Use of Public Roads - Felling or skidding on or across any public road shall be prohibited without the express written authorization of the Township or the Pennsylvania Department of Transportation, as applicable.
- E. Road Ditches - Ditches on the public road shall be cleaned and graded as necessary to be maintained to pre-harvest condition.

## ARTICLE XII ADMINISTRATION

### 1200 Applicability

#### 1200.1 Conformance

Any activity regulated by this Ordinance shall only occur or be undertaken and be continued in conformance with the requirements of this Ordinance.

#### 1200.2 Authorization

This Ordinance regulates all matters and activities authorized by Article VI of the Pennsylvania municipalities Planning code, as amended.

#### 1200.3 Regulated Activities

Any of the following activities or any other activity or matter regulated by this Zoning Ordinance shall only be undertaken after the required permit or approval has been obtained in full compliance with this Ordinance:

- A. Erection, construction, movement, placement or extension of a structure, building or regulated sign;
- B. Change in the type of use or expansion of the use of a structure or area of land; and/or,
- C. Creation of a lot or alteration of lot lines.

#### 1200.4 Repairs and Maintenance

Ordinary repairs, structural strengthening, facade improvements and maintenance to existing structures that do not infringe upon a required setback may be made without a zoning permit provide such activity does not involve 1) a change in use; 2) an expansion, construction or placement of a structure; 3) an increase in the number of dwelling units or boarding house units; and/or any other activity regulated by this Ordinance.

### 1201 General Procedure for Permits

#### 1201.1 Principal Permitted Use

Within ninety (90) days of receiving a proper and complete application for a principal permitted use (permitted by right), the Zoning Officer shall either:

- A. Issue the permit under this Ordinance; or,
- B. Refuse the permit, indicating at least one applicable reason in writing to the applicant or his/her representative.

#### 1201.2 Reviews

Certain activities require review and/or approval of the Zoning Hearing Board and/or of the Board of Supervisors, and/or the recommendations of the Planning Commission. In such case, the Zoning Officer shall not issue a Zoning Permit until such required review or approval occurs.

#### 1201.3 Appeal

See §1205.2 which describes processes to appeal actions of the Zoning Officer to the Zoning Hearing Board.