

**Willig, Robert A.**

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**From:** [REDACTED]  
**Sent:** Tuesday, May 28, 2019 3:32 PM  
**To:** Willig, Robert A.  
**Subject:** Paradise Township Monroe County timber harvest  
**Attachments:** Paradise review.pdf

Robert A Willig:

We recently applied for a timber harvest permit in Paradise Township, Monroe County, PA. We followed their ordinance as described in subsection 69.A, TIMBER HARVESTING, found in the township zoning code. We submitted our management plan with an Erosion and Sedimentation plan along with supporting documentation. The following attachment is their response to our application. It states that the majority of their concerns comes from another subsection 160, "Other Required Approvals" in the zoning code. Though some of the objections are reasonable and can be easily addressed, there are other requirements that are clearly over burdensome and are done to prohibit silvicultural activity.

We would like your department to review their ordinance to determine if that is the township's intent. We will continue to try to work with the township to resolve our differences in this matter. We do believe if they are allowed to continue to use these restrictions presently stated that all silvicultural activity will be eliminated from the township. In order for it to continue a clear definition of forestry activity, as defined in the Right To Farm Act, must be adhere to and incorporated into the ordinance. It also must be understood that a township cannot exceed the regulatory power given to them by the state.

If your review agrees with our assessment of the current ordinance we would appreciate your help to resolve this matter. If you need additional information please contact me at [REDACTED]

Thank you.

[REDACTED]  
[REDACTED]  
[REDACTED]

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PARADISE TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA

SUPERVISORS

Reda Briglia  
Peter Gonze  
Gary Konrath

Office: 570-595-9880

Fax: 570-595-3090

E-Mail Address: [paraship@ptd.net](mailto:paraship@ptd.net)

Web-site: [www.paradisetownship.com](http://www.paradisetownship.com)

May 22, 2019

[REDACTED]

[REDACTED]

Dear [REDACTED]

This office is in receipt of your zoning permit application, Erosion and Sediment (E & S) Control Plan, and associated mapping for a proposed timber harvest to be located at the subject property. Upon reviewing your application, it has been determined your submission does not meet the minimum requirements of the Paradise Township Zoning Ordinance. The following must be addressed prior to approval of your application:

1. §160-12.A(69.A)(a) – The Applicant shall confirm that the Logging Plan has been prepared by a Professional Forester, as defined in Chapter 1, Article II of the Paradise Township Code of Ordinances, relating to Definitions.
2. §160-12.A(69.A)(c)[2] – The location of proposed filter strips, turnouts, and straw bale barriers (designated in the E & S Plan) shall be shown on the Logging Plan.
3. §160-12.A(69.A)(d) – Any permits or approvals required by any/all outside agencies shall be provided.
4. §160-12.A(69.A)(e) and (f) – The Applicant is advised of the general operation requirements contained within these Sections.
5. §160-20.G – A traffic impact analysis shall be provided in accordance with the requirements of this Section.
6. §160-21.C(2)(c) & §160-21.C(5)(c) – Due to the presence of hydric soils throughout a large portion of the parcel, a report from a Qualified Wetland Professional is required. The report shall satisfy the requirements of §160-21.C(5)(b)[1].
7. §160-21.C(3) – The Applicant shall confirm whether coordination is required with the Monroe County Conservation District for review and/or approval of the erosion and sedimentation control plan. Also, does the submitted Plan satisfy all Chapter 102 requirements?

8. §160-21.C(5) – Wetlands are shown to exist on the neighboring property to the east, within close proximity to the subject property. The Applicant is advised that no timbering activities are permitted within 50 feet of the edge of any wetland or 120 feet of the edge of any vernal pool.
9. §160-21.C(5)(c) – Earth disturbance, filling, or removal of natural vegetation on slopes exceeding 10% within 500 feet of any wetland or vernal pool shall be designed to control the flow of surface water in a manner which protects the wetland or vernal pool from adverse impacts commonly associated with nutrient and sediment pollution. The submission shall illustrate compliance with this requirement.
10. §160-21.C(12) – An Existing Resources Site Analysis Plan (ERSAP) is required in accordance with this Section. Additional information regarding the ERSAP is available in the Paradise Township Subdivision and Land Development Ordinance, §131-39. Additionally, please be advised of the requirements of §160-21.C(14) and (15).
11. §160-21.G – An Operational Plan shall be provided in accordance with the requirements of this Section.
12. §160-21.I – A Conservation, Closure, or Reclamation Plan shall be provided in accordance with the requirements of this Section.
13. §160-21-A.A – Haul roads must be accessible from a major rural collector or arterial road which is either a Commonwealth of Pennsylvania roadway or which meets the applicable requirements of the PennDOT for major collector or arterial roads. For the purposes of this review, skid roads and haul roads shall have the same definition.
14. §160-21-A.B – All haul roads shall be paved for a distance of at least 300 feet from the street right-of-way and shall incorporate a gravel section at least 50 feet in length, prior to the required paved section. A wheel wash or other similar device shall be utilized to remove all foreign matter from vehicle tires and frames before entering a public right-of-way.
15. §160-21-A.C – Stormwater detention facilities shall be provided in accordance with the requirements of this Section.
16. §160-21-A.E – Haul roads shall be lined on both sides with evergreen trees in accordance with the requirements of this Section.

GENERAL COMMENTS:

17. A road bond is required in accordance with the Township Fee Resolution.
18. The project duration shall be defined.
19. Section 12 of the E & S Plan indicates: “Other party assigned to be responsible for construction and maintenance of the E & S BMPs.” This section of the application shall be completed by the “other party.”

John Vosburg  
Deer Park Lumber, Inc.

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May 22, 2019

20. Property boundaries and/or timber sale boundaries may be required to be delineated by a Professional Land Surveyor prior to any disturbance on the site.

If you believe that as Zoning Officer, I may have misinterpreted or misapplied the Zoning Ordinance, you have the right to appeal my decision in writing to the Paradise Township Zoning Hearing Board within thirty (30) days of the date of this letter. **If you do not respond to this notification and do not file a written appeal within the stated 30-day period, your application will be denied.**

Upon receipt and review, should you have any questions regarding this matter, please do not hesitate to contact the undersigned.

Respectfully,

  


cc: 