

Fwd: Timber Harvesting

general [REDACTED]

Sent: Thursday, March 12, 2020 3:36 PM**To:** Willig, Robert A.**Attachments:** Section 432 Forestry Uses.pdf (149 KB) ; Zoning Permit.pdf (364 KB)

Mr. Willig

I am sending you an ACRE complaint for timber harvesting in Providence Township Lancaster County, PA.

I am involved in a project in this township and asked the township Zoning Officer to send me what we needed to do to get a timber harvesting permit.

Below is a forwarded email that I received from Providence Township on the requirements of the ordinance.

It is my opinion that several of the items listed that are a requirement of the permit are illegal.

If you seem to think that items in this ordinance are illegal, and you will be communication with the township,

Thank you,

----- Forwarded message -----

From: Heidi Martinez <secretary@providencetownship.com>

Date: Thu, Mar 12, 2020 at 3:16 PM

Subject: Timber Harvesting

To: [REDACTED]

Good afternoon,

I have attached the Zoning Permit application and Section 432 Forestry Uses to this email. The Erosion and Sedimentation Control Plan is reviewed by the Lancaster County Conservation District for compliance.

Thanks,

Heidi Martinez, CZO, BCO

Zoning Officer

Providence Township

200 Mt. Airy Road

New Providence, PA 17560

Phone: 717-786-7596

Fax: 717-786-2565

secretary@providencetownship.com

No Timber Harvesting Buffer Zones	
Use	Required Minimum Setback
Streams or other watercourse as identified at the time of the desired timbering*	50 ft.
Springs, vernal ponds, seeps, natural or artificial swale or drainage ditches as identified at the time of the desired timbering*	25 ft.
<i>*(Amended by Ordinance No. 17-02, 09/11/17)</i>	

- 432.14 Felling or skidding on or across any public street is prohibited without the express written consent of the Township in the case of Township streets, or PennDOT in the case of State highways.
- 432.15 Upon completion of a timber harvesting operation, all roads shall be graded to eliminate any wheel ruts, and access to such roads from any public street by motor vehicles of any kind shall be effectively blocked.
- 432.16 Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and Title 67 Pennsylvania Code, Chapter 189, the landowner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation, to the extent the damage is in excess of that caused by normal traffic, and shall be required to furnish a bond to guarantee the repair of such potential damages, as determined by the Board of Supervisors with advice from the Township Engineer.

Section 433 Garage, Yard and/or Moving Sales

- 433.1 Such sales may only be conducted by an owner or occupant of a lot.
- 433.2 No more than three (3) total sales may be conducted during any calendar year.
- 433.3 No garage, yard and/or moving sale shall be conducted for a period longer than two (2) consecutive days.
- 433.4 Such sales may offer personal possessions for sale; no import or stocking of inventory shall be permitted.
- 433.5 Only two (2) signs, not to exceed four (4) square feet in area, shall be permitted to advertise the garage/yard sale. Said sign shall be located on the lot where the sale occurs and shall be removed within six (6) hours of the completion of the sale.
- 433.6 In no case shall any aspect of the garage/yard sale be conducted in the street right-of-way.
- 433.7 The conduct of a garage, yard and/or moving sale beyond the extent described herein represents a commercial business and shall require compliance with appropriate regulations for the business operation and obtain a Township permit.

Section 434 Golf Courses and Driving Ranges

- 434.1 Golf courses may include the following accessory uses, provided such uses are reasonably sized, and located so as to provide incidental service to the golf course employees and users.

APPLICATION FOR ZONING PERMIT

PROVIDENCE TOWNSHIP • LANCASTER COUNTY, PA

**CALL PROVIDENCE TOWNSHIP FOR
ISSUANCE OF USE AND OCCUPANCY
PERMIT AFTER FINAL INSPECTION
APPROVAL BY THE BUILDING INSPECTOR**

In accordance with provisions of the Zoning Ordinance, Driveway Ordinance, Stormwater Management Ordinance, and the Flood Plain Management Ordinance, and amendments thereto,

I, _____, of _____
(name of applicant) (current mailing address of applicant)

Hereby request a permit for the following *(briefly describe activities or intended improvements)*: _____

Total Square Footage of Project (include all floors; exclude the attic): _____
PLEASE USE A SEPARATE SHEET FOR PLOT PLAN SUPPORTING DESCRIPTION ABOVE

The location site for the Improvements described above is Account No. _____

Address of Improvements *(if different from above address)* _____

Fair Market Value of Improvements *(do not include cost of the land)* _____

Present Owner of Land _____

Contractor _____

Surveyor/Engineer _____

Estimated date for commencement of construction: _____

Estimated date for completion of construction _____

I acknowledge that the holder of a zoning permit is responsible to ensure compliance with all applicable township ordinances during and at completion of the work authorized by the permit. I acknowledge that the township may require a final inspection be performed by the zoning officer and that the zoning officer may issue a certificate of use and occupancy before the structure which is authorized by this permit may be occupied. It is my responsibility to ensure that this inspection, if required, is scheduled and the certificate of use and occupancy obtained before the structure may be occupied. I acknowledge that if I occupy or permit the occupancy of this structure prior to the issuance of a certificate of use and occupancy, if required, or have not constructed the structure in accordance with the zoning permit, I will have committed a violation of the zoning ordinance and will be subject to the penalties and remedies in the zoning ordinance. I also acknowledge that, if the structure is occupied prior to the final inspection or if in the work is completed in violation of the zoning permit, work may have to be removed and/or reconstructed.

APPLICATION DATE

Applicant's Signature _____

Phone No. of Applicant _____

Property Owner's Signature _____

Phone No. of Property Owner _____
(if other than applicant)

PERMIT NO. _____ **DATE PAID** _____

PERMIT OFFICER SIGNATURE _____

CHECK NO. _____

ZONE _____

Is this property located in a flood plain: _____ Yes _____ No

APPLICABLE FEES:

ZONING	\$ _____
STORMWATER REVIEW	\$ _____
DRIVEWAY PERMIT	\$ _____
OCCUPANCY PERMIT	\$ _____
10% ADMIN FEE	\$ _____
OTHER	\$ _____
TOTAL FEES	\$ _____

Section 432 Forestry Uses

- 432.1 Every landowner on whose land timber harvesting is to occur shall obtain a zoning permit, as required by this Zoning Ordinance.
- 432.2 The applicant shall submit evidence that the forestry activity complies with the requirements of all applicable State regulations, including, but not limited to, the following:
- 432.2.1 Erosion and sedimentation control regulations contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. §691.1. et seq.).
- 432.2.2 Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. §693.1. et seq.).
- 432.3 The Township shall be notified in writing at least forty-eight (48) hours before any cutting of trees is to begin, including, but not limited to, those in connection with the construction of roads or trails. Such notification shall also indicate an estimated completion date.
- 432.4 The Township shall be notified in writing within forty-eight (48) hours of the completion date of the timber harvesting operation.
- 432.5 No treetops or slash shall be left within fifty feet (50') of any stream or other watercourse, or within twenty-five feet (25') of any springs, vernal ponds, seeps, natural or artificial swales or any drainage ditches. All treetops and slash shall be lopped to a maximum height of four feet (4') above the ground. (*Amended by Ordinance No. 17-02, 09/11/17*)
- 432.6 Felling or skidding on or across property of others is prohibited without the express written consent of the owners of such property. No treetops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
- 432.7 Littering is prohibited and litter resulting from a timber harvesting operation shall be removed from the site on a daily basis.
- 432.8 All cutting, removing, skidding, and transporting of trees shall be planned and performed in such a manner as to minimize the disturbance of or damage to other trees and vegetation and the land itself, unless authorized in the approved timber harvesting plan.
- 432.9 Roads and trails shall be constructed, maintained and abandoned in such manner as to prevent soil erosion and permanent damage to soil and waterways.
- 432.10 Roads and trails shall be only wide enough to accommodate the type of equipment used, and grades shall be kept as low as possible.
- 432.11 Where possible, stream crossings shall be avoided, but where deemed to be necessary, crossings shall be made at a right angle across suitable culverts or bridges.
- 432.12 Skidding across live or intermittent streams is prohibited, except over bridges or culverts.
- 432.13 Unless superseded by the erosion and sedimentation control regulations contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. §691.1. et seq.), "No Timber Harvesting Buffer Zones" are established in accordance with the following table. Except for the construction and use of roads and trails described in the approved timber harvesting plan, no trees shall be cut, removed, skidded, or transported in a No Timber Harvesting Buffer Zone.