

2. **A-2 Accessory Agricultural Sales:** Sales of agricultural products, under Use A-1, A-3, A-4, A-5 & A-7, may be conducted from all or part of a portable or permanent structure not exceeding 2,000 square feet in floor area, under the following conditions:
- (a) Only agricultural products, dairy products, home-made crafts and home-made baked goods may be sold.
 - (b) A minimum of 25 percent of the products must be grown, produced or raised on the property.
 - (c) Access to the lot must be controlled by physical means to limit access to 2 points. The access point shall be no more than 24 feet wide. The access shall be able to meet safe sight distance requirements along a public street.
 - (d) Any new or expanded area of a building shall comply with the minimum setback requirements of the district.
 - (e) Minimum parking: No less than one off-street parking space for each 200 square feet of building floor area or a minimum of 4 spaces, whichever is greater. All parking shall be provided behind the legal right-of-way and provide an area to turn around prior to entering the highway (no backing out onto the highway).
 - (f) The use shall be accessory to a principal agricultural use that is on the same lot or an adjoining lot. Sale of fuel or related products, tobacco products, alcoholic beverages (except those listed under permitted uses), lottery tickets, vehicles, etc. is prohibited.
 - (g) In addition, "pick your own" fruits and vegetables shall be allowed as a by right use without having to meet the requirements of this use A-2.
 - (h) If an operator is only selling products produced by their own family, then a temporary roadside farm stand with a maximum floor area of 150 square feet may also be placed within the minimum front yard.

3. **A-3 Forestry:** The management of forests and timberlands when practiced in accordance with accepted silviculture principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, and which does not involve any land development.

Note: All tree trunk diameters in this Section shall be measured at 4.5 feet above the ground level.

- (a) Forestry is the management of forests and timberlands through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, beyond tree cutting that is necessary and approved as part of development of land or uses. These provisions are intended to ensure that forestry occurs in accordance with accepted silvicultural practices, as provided in Section 107 of the State Municipalities Planning Code.
- (b) Forestry is permitted by right, provided that a Zoning Permit shall be required for forestry. The following activities shall not need a zoning permit and are not required to comply with subsections 3. (c) and 3.(d):

- (1) Removal of diseased or dead trees;
 - (2) Removal of trees that are in such a condition or physical position as to constitute a danger to the structure or occupants of properties or a public right-of-way;
 - (3) Removal of trees with a trunk diameter of less than 6 inches;
 - (4) Removal of up to 5 trees with a trunk diameter greater than 6 inches on each acre of land per calendar year, provided such does not exceed 20 trees with a trunk diameter of 6 inches or more per lot per calendar year, and provided that such tree removal does not involve trees: a) on slopes of greater than 25 percent or b) on areas within 60 feet from the centerline of a perennial stream/watercourse or intermittent stream/watercourse, and 25 feet from the centerline of an ephemeral stream/watercourse. The removal allowed by this subsection (4) shall be in addition to trees allowed to be removed under the other subsections of this section 3.(b).
 - (5) For removal of trees as part of a development, Sections 508.B.7 and 8 shall apply in place of this subsection.
 - (6) Christmas Tree Farms in which trees are regularly replanted. This exception shall only apply to trees that were planted for harvest.
 - (7) Tree nurseries in which live trees are removed for replanting on another site. This exception shall only apply to trees that were planted for harvest.
- (c) A zoning permit application for forestry shall be accompanied by a forestry plan prepared by a Forester, Forest Technician, or Forest Plan Preparer. The Zoning Officer shall consult with the Township Engineer or a forester retained by the Township to determine the adequacy of the forestry plan. Each plan must contain the following components:
- (1) The criteria for selection of trees to be removed must be clearly stated and must conform to a plan for sustainable use of the forest resource. Such plan shall describe how the health and diversity of the forest will be protected and the potential for future timber harvests maintained.
 - (2) The forestry plan shall address all applicable erosion and sedimentation control and stream crossing regulations under Chapter 102, Erosion Control Rules and Regulations and Chapter 105, Dam and Waterway Management Rules and Regulations in Title 25, Rules & Regulations, Part 1, Pennsylvania Department of Environmental Protection, Subpart C, Protection of Natural Resources.
 - (3) Forestry activities located within or discharging to any exceptional value or high quality watershed as classified by PA. DEP shall comply with all requirements of the PA Code, Chapter 92 and 93. The forestry plan shall specifically state how the

applicant intends to comply with these regulations, and shall show the location of all perennial and intermittent watercourses.

(4) The forestry plan shall address, at a minimum, the following:

- [a] Design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landing;
- [b] Design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars;
- [c] Design, construction, and maintenance of stream and wetland crossings;
- [d] Property boundary of the tract on which the logging will occur and boundary of the proposed harvest area;
- [e] A stand description for each stand located in the proposed harvest area including number, species, and diameter of trees to be removed;
- [f] Copies of all required permits shall be submitted as an Appendix to the forestry plan.

(5) Each Forestry Plan shall include a site map containing the following information:

- [a] Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within that property;
- [b] Significant topographic features related to potential environmental problems;
- [c] Location of all earth disturbance activities such as roads, landings and water control measures and structures;
- [d] Location of the crossings of all water bodies, including but not limited to, waters of the Commonwealth; and
- [e] The general location of the proposed operation to municipal and state highways, including any accesses to those highways.

(6) Proof of current general liability and/or worker's compensation insurance.

(7) Proof of PennDOT Highway Occupancy Permit or Township Driveway Permit for temporary access, as applicable. The application shall only be approved if the applicant demonstrates to the satisfaction of the Township that the area street system is suitable in terms of structure, cart way width, geometry, safety, and capacity to accommodate the additional truck traffic.

(8) Copy of County Conservation District "Letter of Adequacy" for the proposed erosion control facilities, including associated plans, reports and other permits as required.

(d) The following requirements shall apply to all forestry operations, in addition to the requirement for a zoning permit:

- (1) The Township shall be notified at least five (5) working days prior to the commencement of operations and upon completion of all work prescribed under the forestry plan.
- (2) The forestry plan and all related permits shall be available at the forestry operation site.
- (3) Before any permitted logging operation begins, all trees which are to be felled in connection therewith shall be clearly marked on the trunk and stump.
- (4) General operational requirements: The following requirements shall govern all forestry operations:
 - [a] A “No Logging” buffer zone with a width of 25 feet shall be maintained on the property on which the logging operation is to be conducted along all public streets. The buffer shall be measured from the legal right-of-way. No trees shall be cut, removed, skidded or transported within the “No Logging” buffer zone except as necessary for access to the site from the public street.
 - [b] A “No Logging” buffer zone with a width of 60 feet shall be maintained from the centerline of all perennial streams/watercourses and intermittent streams/watercourses; and 25 feet from the centerline of an ephemeral stream/watercourse. All earth disturbance related to forestry within this buffer zone shall be prohibited with the exception of temporary stream/watercourse crossings permitted by PADEP.
 - [c] No equipment, skidders, dozers, or tracked or tired machines or vehicles, shall be permitted within a no logging buffer zone except to permit crossing pursuant to Subsections [a] and [b] above. No trees shall be felled into a no logging buffer zone.
 - [d] A “Limited Logging” zone with a width of 50 feet shall be maintained on the boundary of the site on which the logging operation is to be conducted along abutting properties. Uneven-age management shall be practiced within the Limited Logging Zone where the residual stand must contain at least 70 square feet of basal area per acre consisting of trees 10 inches or greater in diameter at breast height.
 - [e] All temporary stream/watercourse crossings of a perennial or intermittent stream/watercourse shall be made with a temporary bridge. Skidding of trees and the operation of any vehicle and equipment thru a perennial or intermittent stream/watercourse shall be prohibited.
 - [f] Felling or skidding on, or across, any public street is prohibited without written approval of the Township or

- Pennsylvania Department of Transportation, whichever is responsible for maintenance of said street.
- [g] No tops or slash shall be left within 25 feet of any public roadway.
 - [h] No tops or slash shall be left on or across a property boundary without the consent of the adjoining landowner.
 - [i] Litter (trash) resulting from any forestry operation shall be cleaned up and removed from the site before it is vacated by the operator.
 - [j] Any soil, stones and/or debris carried onto public street must be removed immediately.
 - [k] On slopes of greater than 25%, uneven-age management shall be practiced where the residual stand must contain 70 square feet of basal area per acre consisting of trees 10 inches or greater in diameter at breast height. No equipment, skidders, dozers, or tracked or tired machines or vehicles shall be permitted on slopes greater than 25%.
 - [l] When the harvest is completed, both dirt roads used by the trucks and skid roads used to drag the logs from the woods to the loading area must be graded approximately to original contours, and be seeded and mulched (hardwood or straw mulch) as necessary to establish stable groundcover.
 - [m] Temporary stone tire cleaning entrance (when required as part of an approved erosion and sedimentation control plan) must be removed with the area graded to approximate original contour and seeded and mulched to establish stable groundcover.
 - [n] The no logging buffer zone, required by subsection 403.A.3. (d)(4)[c] above, along streams/watercourses shall be marked with survey tape, temporary non-destructive fencing or similar demarcation to prevent accidental incursion into the buffer zone with heavy equipment.
 - [o] Snags shall not be cut down unless the snag is a potential hazard to improvements (e.g. dwelling, outbuilding, etc.) on the property.
- (5) No tops or slash shall be left within a drainage swale.
 - (6) The use of clear-cutting must be fully justified by a forestry plan prepared by a qualified professional, and shall comply with Section 403.A.3(c)(1). Detailed information concerning increased stormwater runoff, erosion control and a plan to assure regeneration shall be provided. Clear cutting shall not be allowed on contiguous areas greater than 1/2 acre. A full set of stormwater calculations shall be submitted to show that post-development peak runoff will not exceed pre-development peak runoff.

- (7) If forestry involves more than 2 acres, a minimum of 30 percent of the forest cover (canopy) shall be kept and the residual trees shall be well distributed to promote re-forestation. The forestry plan shall provide for replanting where necessary to continue proper forest management.
- (8) Financial Security: Financial security shall be established in a manner acceptable to the Township to guarantee repair of all damage that may occur to public streets due to the forestry/logging operations, and to guarantee compliance with erosion and sedimentation control plans, compliance with stormwater management plans and restoration of the site upon completion of logging operations. Pursuant to 67 Pennsylvania Code, Chapter 189, the Township may also require the landowner or operator to furnish a bond to guarantee the repair of roads. Financial Security shall not be released until the Zoning Officer issues a written notification that all provisions of this Ordinance and the permit have been complied with.

(e) Enforcement

- (1) Inspections: The Township Zoning Officer or other Township designated employee or consultant, may go upon the site of any forestry/logging operation before, during or after active forestry to: (1) review the Forestry Plan or any other required documents for compliance with this Ordinance; and (2) inspect the operation for compliance with the Forestry Plan and other on-site requirements of this Ordinance.
- (2) Violation Notices, Suspensions: Upon finding that a forestry/logging operation is in violation of any provisions of this Ordinance, the Township Zoning Officer shall issue the operator and the landowner a written notice of violation describing each violation and specifying a date by which corrective action must be taken. The Township Zoning Officer may order the immediate suspension of any operation upon finding that: (1) corrective action has not been taken by the date specified in a notice of violation; (2) the operation is proceeding without a Forestry Plan; or (3) the operation is causing an environmental risk. Suspension orders shall be in writing, shall be issued to the operator and the landowner, and shall remain in effect until, as determined by the Township Zoning Officer, the operation is brought into compliance with this Ordinance, or other applicable statutes or regulations. The landowner or the operator may appeal an order or decision of the Zoning Officer in accordance with the provisions of the Pennsylvania Municipalities Planning Code.
- (3) Penalties: Any landowner or operator who: (1) violates any provision of this Ordinance, or who fails to comply with a notice of violation or suspension order issued under Paragraph 2 of this subsection, shall be subject to a fine of not less than Five Hundred Dollars (\$500.00), nor more than One Thousand Dollars

(\$1,000.00), plus costs and attorney's fees, in accordance with the Pennsylvania Municipalities Planning Code. Each day of continued violation of any provision of this Ordinance shall constitute a separate offense.

- (4) Any operator who knowingly and willfully removes trees not designated for removal in the approved Forestry Plan or removes trees outside of the areas designated for removal by the Forestry Plan shall be subject to a civil penalty in the amount of One Thousand Dollars (\$1,000.00) per tree removed in violation of the provisions of the Forestry Plan and this Ordinance.

- 4. **A-4 Commercial Greenhouse:** Buildings and structures associated with interior vegetable production and/or horticultural or nursery uses, including permanent, temporary or portable, cold sheds and the like provided:

- (a) This use is required to include a plan for the recycling of some or all fertilizers, pesticides and other organic or inorganic chemicals used in or associated with the use.
- (b) Minimum lot area – 5 acres.
- (c) The maximum permitted building surface ratio shall be 0.20, unless a more restrictive requirement is established by the district regulations.
- (d) Retail sales shall be permitted in association with the greenhouse provided that retail sales shall be limited to items that were primarily grown on the premises, unless a Retail Store is allowed in that District.
- (e) Parking – one space for each 200 square feet of area devoted to servicing customers.

- 5. **A-5 Intensive Agriculture:** This use shall include production of mushrooms, or any raising of livestock or poultry use that involves an average per acre of more than 5 animal equivalent units on the lot or contiguous lots in common ownership. See the definition for "Animal equivalent units" in Section 201.

- (a) Minimum lot area – 25 acres, unless a larger lot area is required by the zoning district regulations.
- (b) All of the requirements for use A-1 shall also be met.
- (c) If any stream or swale is present, it shall be buffered by a 20-foot wide vegetated strip outside of the outer edge of the floodplain. The stream shall be adequately protected from contamination and sedimentation.
- (d) The use may be on the same lot as another "A - Agricultural" use provided the requirements for each are met.
- (e) In the zoning application, the applicant shall provide a written description of measures that will be used to avoid water pollution and control excessive odors and vectors.
- (f) Buildings and structures used for the keeping of animals shall not be located any closer than 300 feet from a lot in a residential district and 100 feet from any other lot that is not in common ownership. Manure storage facilities shall be setback a minimum of 200 feet from any lot