

## **SECTION 8.16 - TIMBER HARVESTING / LOGGING**

A Zoning Permit must be issued prior to any timber harvesting/logging activity being commenced.

Relative to LOGGING or TIMBER HARVESTING use of land in South Beaver Township, a Zoning Permit is required when conducted as a commercial activity on any parcel of land over one (1) acre in size, and the following provisions are applicable when a Permit is required:

- A. Following approval of the required Site Plan and Erosion and Sedimentation Control Plan, a Zoning Permit may be issued for logging/timber harvesting for a maximum of twenty-five (25) acres at one time, and may be extended to permit logging operations on a contiguous area of up to an additional twenty-five (25) acres by the Zoning Officer if the Zoning Officer finds or determines that the logger or timber harvester has complied with all Township of South Beaver Ordinances, laws or regulations of the Commonwealth of Pennsylvania and its agencies, and / or of the United States Government or its agencies relative to the initial tract of land for which the Zoning Permit was issued.
  - 1. The logger or timber harvester must notify the Zoning Officer in writing at least two (2) weeks in advance that he or she will be completing logging or timber harvesting on the initial permitted area and desires a permit extension to continue harvesting timber on any additional contiguous area containing up to twenty-five (25) acres.
  - 2. All Zoning Permits for such logging or timber harvesting shall be valid for a maximum period of six (6) months and no logging or timber harvesting can be commenced prior to the Permit being issued.
  - 3. An application for a Zoning Permit for logging or timber harvesting shall be submitted to the Township Secretary on a South Beaver Township Zoning Permit Application for Logging/Timber Harvesting, together with the required fee, as set by Resolution of the Township Board of Supervisors, at least thirty (30) days prior to the desired date of commencement of the timber harvesting. The Application must be signed by the owner of the property and the by the commercial logger or timber harvester.
  - 4. The Application must be accompanied with a site plan or sketch properly drawn to scale detailing the parcel or parcels of land or portions thereof upon which the logging or timber harvesting is desired to be conducted, an Erosion and Sediment Control Plan as required by Chapter 102 and as approved by the Beaver County Conservation District, and any other Permits or approved plans that may be required by any other Township Ordinance, including but not limited to hauling overweight on any posted

weight limit road, and per any Commonwealth of Pennsylvania laws or regulations, including but not limited to the Clean Streams Law. The Application shall include a site plan that shall be drawn in a scale of one inch equals six hundred sixty feet (1"=660) or less, in accordance with standard architectural and engineering practices to clearly indicate, contain the following information/data or to be accompanied with sufficient documentation, to clearly reveal the following:

- B. Detail of property line locations and length thereof, with North arrow, graphic scale setting forth scale in which the drawing is prepared, vicinity or location map or other suitable data to sufficiently designate or identify the location of the proposed logging or timber harvesting site, and identification of abutting property owners, streets or roads, the zoning district or districts in which the proposed logging or timber harvesting is to occur, the present use of the land and existing structures thereon, if any.
- C. Documentation of the developer's legal grant or right to conduct the logging / timber harvesting activity at its proposed location by the surface owner of the land or other granter of such right.
- D. The total acreage of land to be disturbed by the development and conducting of the logging/timber harvesting, including but not limited to adjacent parking area facilities, area or areas to be developed for loading of logs onto trucks for removal from the logging/timber harvesting site. If the proposed area for the logging/timber harvesting involves more than twenty-five (25) acres, the proposed schedule for such logging/timber harvesting on the lands exceeding said twenty-five acres must be marked on such plan drawings relative to the applicant assuring compliance with the South Beaver Township Zoning Ordinance.
- E. Assurance that the areas to be timbered is not either landslide prone or flood prone as no logging or timber harvesting shall take place in areas known or determined to be landslide-prone or flood-prone.
- F. Supplementary Data required shall or may include:
  - 1. Copies of all planning data submitted to the Pennsylvania Department of Environmental Protection and / or the Beaver County Conservation District,
  - 2. Control Plan for Erosion and Sedimentation as and when required per the provisions of the Pennsylvania Clean Streams Law or Chapter 102, Erosion Control, or otherwise required by the Rules and Regulations of the Pennsylvania Department of Environmental Protection. The landowner or developer shall provide a certified true and correct copy of said Erosion and Sedimentation Control Plan and documentation to the Township that the Erosion and Sedimentation Plan has been submitted to, reviewed and

approved by Beaver County Conservation District Office or the appropriate office or division of the Pennsylvania Department of Environmental Protection.

3. When applicable, a certified true and correct copy of any Permits required and issued by other governmental entities, including but not limited to the Permit requirements applicable to certain Regulated Earth Disturbance Activities, including those Permit requirements involved as to:
    - a. Permit issued by the DEP for development and operation of a logging/timber harvesting procedure.
    - b. All Regulated Earth Disturbance Activities subject to permit requirement by the DEP.
    - c. Work or development activity within natural drainage ways subject to permit by the DEP.
    - d. Any stormwater management facility or device that would be located in or adjacent to surface waters of the Commonwealth, including wetlands, subject to permit by the DEP.
  4. A Stormwater Management Plan, also referred to as a "Best Management Practice" Plan, and other documents as required by Section 609 of this Ordinance.
- G. The applicant or developer shall provide such additional information as may be required by the Township Planning Commission, Township Board of Supervisors, Township Engineer, or Zoning Officer relative to any facet of the proposed logging/timber harvesting activity in order for same to more fully evaluate the proposed resource extraction operation and its effect on adjacent properties or the Township as a whole. Section 11.1.2 General Operation Requirements:
1. No property shall be clear-cut.
  2. All logging roads/skid trails shall be cut only horizontally across slopes; and no logging roads/skid trails may be cut vertically, and upon conclusion of the logging/timber harvesting must be repaired and / or properly treated to prevent soil erosion, sedimentation migration, or pooling of stormwater.
  3. No logging or timber harvesting shall take place in areas known or determined to be landslide-prone or flood-prone.
  4. No logging or timber harvesting may take place except upon the lands of the owner(s) that signed the Application, and if the logger or timber

harvester desires to harvest timber within twenty (20) feet of the property line of an adjacent property owner, the logger or timber harvester must provide the Township a written consent from said adjoining land owner to encroach closer or up to said adjacent property line.

5. All soil or debris washed or otherwise deposited onto a public street or road within the Township shall be cleaned as soon as possible, but not later than the sun-down of the day the logging/timber harvesting operation activity caused such deposit to occur on any said public street or road.
6. No logging or timber loading for transporting of harvested logs or timber shall occur upon or within the right-of-way of any public street or road within the Township; an area for such activity must be operated and conducted in a manner as not to interfere with or jeopardize vehicular or pedestrian travel by the members of the public.

H. Subsection 6 of Section 401-2 of the South Beaver Township Subdivision and Land Development Ordinance is here incorporated as if same were fully set forth herein.

#### **SECTION 8.17 - OIL AND GAS OPERATIONS AND DEVELOPMENT**

- A. Purpose. The purpose of this section is to provide for the health, safety and welfare of the residents of South Beaver Township, through zoning and floodplain management provisions, for the reasonable development of land for oil and gas operations while providing adequate health, safety and general welfare protections of the Township's residents. Oil and gas exploration, drilling and extraction operations involve activities that are economically important and will impact the Township. Accordingly, it is necessary and appropriate to adopt reasonable requirements for oil and gas resource development so that these resources can be obtained in a manner that is economically remunerative and that minimizes the potential impact on the residents of South Beaver Township.
- B. The requirements for either a permitted use or conditional use, with the exception of Oil and Gas-Subsurface Activities and Facilities, under this section are as follows.
  1. Before filing an appropriate application (e.g. zoning permit, conditional use, etc.), the applicant shall meet with representatives of South Beaver Township to discuss the (1) proposed use; (2) site location; (3) the time frame for development; (4) traffic routes; (5) the condition of Township roads as a part of said traffic route and the potential need for advance repairs or upgrades; (6) plans for potential excess maintenance of said traffic routes; and, (7) traffic safety.
  2. Applicant shall submit five (5) copies of a signed and completed application