

- a. The use shall meet the definition in Section 202.
- b. A Group Home shall not include any use meeting the definition of a "Treatment Center."
- c. A Group Home shall include the housing of a maximum of 6 unrelated persons, except:
 - (1) if a more restrictive requirement is established by another code requirement;
 - (2) the number of bona fide paid professional staff shall not count towards such maximum; and
 - (3) as may be approved by the Zoning Hearing Board
- d. The facility shall have adequate trained staff supervision for the number and type of residents. If the staffing of the facility has been approved by a State or County human service agency, then this requirement shall have been deemed to be met.
- e. The Group Home shall register in writing its location, general type of treatment/care, maximum number of residents and sponsoring agency with the Zoning Officer
- f. Any medical or counseling services shall be limited to a maximum of 3 non-residents per day. Any staff meetings shall be limited to a maximum of 5 persons at one time.
- g. If a Group Home is in a residential district, an appearance shall be maintained that is closely similar to nearby dwellings, and no sign shall identify the use
- h. The persons living on-site shall function as a common household unit.
- i. An off-street parking space shall be provided for the largest vehicle that serves the use.

630. Timber Harvesting/Clearing Procedure

- 1. Timber Harvesting as part of a Forest Management Plan or Forest Stewardship Plan shall adhere to all local, State and Federal guidelines for timbering.
- 2. A forest is more than a collection of trees. It is a dynamic ecosystem, defined by the interactions of living organisms with their environment. To use this resource wisely requires a broad understanding of the biological processes involved as well as an appreciation for the economic, social, and personal pressures that influence woodlot management decisions. By practicing sound forest management, the owner and community can reap great benefits from the forest. clean water, forest products, wildlife, and aesthetic enjoyment. For these reasons timber harvesting shall be done only in accordance with a Forest Management Plan or Forest Stewardship Plan prepared by a forester.
- 3. An Zoning Application/Permit and Tree Inventory Report as defined under this section are not required for a resident to remove/cut/timber trees that were damaged in a storm

event, natural disaster, natural disease, as part of routine property maintenance, or residential tree harvesting for a cumulative harvesting area of less than one acre in any 5 year period.

In any instance in which trees are cleared in an area greater than one acre, the requirements of this Section shall be followed.

In any instance in which trees are removed by a commercial or industrial timbering tree service for the purpose of timber harvesting, the requirements of this Section shall be followed.

4. The Applicant shall submit the following plans and reports at least sixty (60) days prior to the scheduled start of the timber harvest for review and approval by the Zoning Officer considering recommendations from the East Brunswick Township Planning Commission and Board of Supervisors:
 - A. The Forest Management Plan or Forest Stewardship Plan containing the following elements:
 - (1) Ecological Considerations
 - (2) Forest Health
 - (3) Soil Resources
 - (4) Water Resources
 - (5) Fauna Resources
 - (6) Flora Resources
 - (7) Silviculture/Timber Management
 - (8) Non-Timber Forest Products
 - (9) Infrastructure
 - B. The use of diameter-based cutting methods are not permitted unless fully justified by the forester preparing the Plan. Diameter-base cutting methods include but are not limited to: Diameter Limit Cut and High Grading,
 - C. Clear-Cutting is only permitted when the Forestry Bureau's reservation guidelines are followed and is fully justified by the forester preparing the Plan as the timber harvest method necessary to improve a forest or stand that contains defective, dead, diseased or dying trees.
 - D. A Tree Inventory Report in accordance with Section 630, shall be prepared for the area included in the timber harvest. The Tree Inventory Report will be utilized to

determine replacement tree requirements in the event that a subdivision or land development plan is submitted within five (5) years of the date that a Zoning Permit is issued to allow the timber harvest. Trees included in the Tree Inventory Report that were considered suitable for preservation with a Preservation Suitability rating of Excellent, Good or Fair and were harvested shall be replaced with trees of the same species or an alternate species approved by the Township Planning Commission at the rate of one half inch replacement diameter per inch diameter of harvested trees. Replacement trees shall have a minimum trunk caliper of two (2) inches at a height of six (6) inches above finished grade. The replacement trees shall be in addition to any required street trees, screen, and landscaping trees.

E. An Erosion and Sedimentation Pollution Control Plan (E&SPC Plan) utilizing Best Management Practices (BMP's) designed to prevent erosion and sedimentation during and after the timber harvest operation shall be prepared at the same time the Forest Management Plan is filled. The E&SPC Plan shall be submitted to the Schuylkill County Conservation District and/or the PA Department of Environmental Protection for approval when required by their regulations or required by the Zoning Officer or Board of Supervisors before the start of the timber harvest. The E&SPC Plan shall also demonstrate compliance with and incorporate the following requirements:

- (1) All cutting, removing, skidding and transporting of trees shall be planned and performed in such manner as to minimize the disturbance of, or damage to, other trees and vegetation and the land. The use of skid trails rather than skid roads is encouraged.
- (2) Roads and trails shall be constructed, maintained and abandoned in such manner as to prevent soil erosion and permanent damage to soil and waterways.
- (3) Roads and trails shall be only wide enough to accommodate the type of equipment used, and grades shall be kept as low as possible.
- (4) Where possible, stream crossings shall be avoided; but, where deemed necessary, crossings shall be made at a right angle and shall incorporate suitable culverts or bridges.
- (5) Skidding across a live or intermittent stream is prohibited, except over bridges and culverts.
- (6) An undisturbed Buffer of fifty (50) feet shall be maintained in the property on which the timber harvest is being conducted along all streets and abutting properties.
- (7) Buffer of twenty-five (25) feet shall be maintained along any streams and around ponds or springs.
- (8) Everything practicable shall be done to prevent damage to young growth and trees not designated for cutting. Bumper trees should be used to protect residual

trees.

- (9) All limbs and studs shall be removed from felled trees prior to skidding
- (10) All trees bent or held down shall be released promptly.
- (11) No trees shall be left lodged in the process of felling.
- (12) Felling or skidding on or across property of others is prohibited without the express written consent of the owners of such property. Felling or skidding on or across streets is prohibited without the express written consent of either East Brunswick Township for township streets or the PENNDOT for state roads.
- (13) No tops or slash shall be left within fifty (50) feet of any public street right-of-way or adjoining property; within twenty-five (25) feet of any stream or historic or scenic trail; or within ten (10) feet of any drainage ditch or floodplain.
- (14) The stumps of all felled trees shall be permitted to remain in the soil for stabilization purposes
- (15) During periods of abnormal forest fire danger, as determined by the State Fire marshal, the Township shall have the right to order a suspension of all timber harvesting operations until the danger subsides.

5. Timber Harvesting and Tree Removal in Association with Subdivision and Land Development Activities.

By their very nature, trees and green space provide benefits and add value to developments. The ability of trees to improve and maintain the quality of water, soil, and air is well known. Trees also provide shade and help lower temperatures during hot weather. Trees enrich people's lives and beautify landscapes. Preserving trees has positive effects on the image and attractiveness of developments.

It is recognized that development activities will result in the removal of forested areas for the construction of roads, utilities, and structures; however, when planning the subdivision or development consideration shall be given to the preservation, protection, and enhancement of forested areas and individual trees. The following reports and submission information shall be submitted at Sketch Plan stage by the applicant and shall be reviewed by and recommendations offered by the Township Planning Commission and the Township Engineer considered. The reports and supplemental information shall be used to determine the most appropriate layout of the development with consideration given to trees to be preserved and the species, size and location of replacement tree planting.

Timber harvesting / tree removal in association with a subdivision, land development, and construction activities is also governed by the SALDO Section 1132.3.D.

6. A Tree Inventory Report shall be prepared by a qualified horticulturist, forester, arborist, or landscape architect and submitted to the Township Planning Commission at Sketch Plan stage. Corresponding qualifications of the preparer must be included with the Tree Inventory Report shall include the following elements:

- (1) As a minimum the following tree species and sizes shall be included in the inventory:

Tree Inventory List		
Common Name	Scientific Name	Minimum DBH to be Inventoried (inches)
American Beech	<i>Fagus grandifolia</i>	8
American Chestnut	<i>Castanea dentata</i>	4
American Elm	<i>Ulmus americana</i>	8
American Larch	<i>Larix laricina</i> (Duroi)	8
American Linden	<i>Tilia americana</i>	8
Bigtooth Aspen	<i>Populus grandidentata</i>	8
Bitternut Hickory	<i>Carya cordiformis</i>	8
Black Ash	<i>Fraxinus nigra</i>	8
Black Cherry	<i>Prunus serotina</i>	8
Black Gum	<i>Nyssa sylvatica</i>	8
Black Locust	<i>Robinia pseudoacacia</i>	8
Black Oak	<i>Quercus velutina</i>	8
Black Walnut	<i>Juglans nigra</i>	8
Black Willow	<i>Salix nigra</i>	8
Box Elder	<i>Acer negundo</i>	8
Butternut	<i>Juglans cinerea</i>	8
Catalpa	<i>Catalpa bignonioides</i>	8
Chestnut Oak	<i>Quercus montana</i>	8
Choke Cherry	<i>Prunus virginiana</i>	4
Colorado Blue Spruce	<i>Picea pungens</i>	8
Common Hackberry	<i>Celtis occidentalis</i>	8
Common Honeylocust	<i>Gleditsia triacanthos</i>	8
Common Sassafras	<i>Sassafras albidum</i>	8
Cucumbertree Magnolia	<i>Magnolia acuminata</i>	8
Eastern Hemlock	<i>Tsuga canadensis</i>	8
Eastern Red Cedar	<i>Juniperus virginiana</i>	8

Eastern White Pine	<i>Pinus strobus</i>	8
Fire Cherry	<i>Prunus pensylvanica</i>	6
Flowering Dogwood	<i>Cornus florida</i>	4
Mockernut Hickory	<i>Carya tomentosa</i>	8
Northern Red Oak	<i>Quercus rubra</i>	8

Norway Maple	<i>Acer platanoides</i>	8
Norway Spruce	<i>Picea abies</i>	8
Osage Orange	<i>Maclura Pomifera</i>	8
Paper Birch	<i>Betula papyrifera</i>	8
Pignut Hickory	<i>Carya glabra</i>	8
Pin Oak	<i>Quercus palustris</i>	8
Pitch Pine	<i>Pinus rigida</i>	8
Quaking Aspen	<i>Populus tremuloides</i>	8
Red Maple	<i>Acer rubrum</i>	8
Red Mulberry	<i>Morus rubra</i>	8
Red Pine	<i>Pinus resinosa</i>	8
RedBud	<i>Cercis canadensis</i>	4
Scarlet Oak	<i>Quercus coccinea</i>	8
Scots Pine	<i>Pinus sylvestris</i>	8
Serviceberries	<i>Amelanchier</i>	6
Shagbark Hickory	<i>Carya ovata</i>	8
Shellbark Hickory	<i>Carya laciniosa</i>	8
Silver Maple	<i>Acer saccharinum</i>	8
Slippery Elm	<i>Ulmus rubra</i>	8
Striped Maple	<i>Acer pensylvanicum</i>	6
Sugar Maple	<i>Acer saccharum</i>	8
Sweet Birch	<i>Betula lenta</i>	8
Sycamore	<i>Platanus occidentalis</i>	8
Table Mountain Pine	<i>Pinus pungens</i>	8
Tulip Tree	<i>Liriodendron tulipifera</i>	4
Virginia Pine	<i>Pinus virginiana</i>	8
White Ash	<i>Fraxinus americana</i>	8
White Oak	<i>Quercus alba</i>	12
Witch Hazel	<i>Hamamelis virginiana</i>	4
Yellow Birch	<i>Betula alleghaniensis</i>	6

(2) Tree Identification Number.

(3) Species.

- (4) Diameter at Breast Height (DBH) typically 4.5 feet from the ground.
- (5) Tree Height.
- (6) Distance to Dripline at the four compass points.
- (7) Direction of Low or Unusual Branching (by compass points).
- (8) Tree Condition: Good, Fair, or Poor.

Guide for Assigning Condition Class of Trees			
Condition	Deadwood	Foliage	Trunk
Good	Dieback limited to less than 10 percent of the smaller branches	Normal for species in size and color. Crown density is normal	Less than 20 percent of trunk circumference has any dead bark. No decay fungus mushrooms present
Fair	Dieback includes 10-20 percent of smaller branches and 1 to 2 large, dead branches	Reduced in size Lighter in color than normal. Crown density is sparse.	20-40 percent of trunk has dead bark Decay fungus mushrooms may be present.
Poor	Dieback includes more than 30 percent of small branches, 3 or more major branches	Greatly reduced in size. Lighter in color than normal. Crown density is sparse.	More than 40 percent of the trunk circumference has dead bark, decay, or hollow. Decay fungus mushrooms may be present.

- (9) Suitability for Preservation: Excellent, Good, Fair, or Poor.

Species, condition, size, age, and other factors are to be used by the qualified inspector to evaluate the suitability of a tree for preservation. In general, certain tree species are more desirable for preservation than others. For example, because white oaks and sycamores are structurally stronger and live longer than silver maples or cottonwoods, they should be given a higher suitability for preservation. Silver maples have a lower preservation value because of their potential to develop structural weakness and to therefore be hazards in developed areas, especially if their roots are damaged during construction. Species with undesirable characteristics such as narrow branch angles, weak wood, susceptibility to severe pest problems, or short life expectancy should be

given a lower suitability for preservation than more desirable species.

Condition, size, and age also are important factors in determining a tree's suitability for preservation. For example, a large white oak with decay, many lost branches, and no historical value would have a poor suitability for preservation, while a large white oak in good condition would have a good or excellent suitability for preservation.

(10) Maintenance Recommendations and Comments

In the inventory, recommended actions are made to improve the health and structure of worthy trees, especially landmark and other prominent trees. These maintenance recommendations include needed irrigation, fertilizing, pest and disease management, cabling or bracing, and especially pruning.

B. The information gathered in the Tree Inventory Report is summarized in a Tree Report

C. Trees included in the Tree Inventory Report with Suitability for Preservation rating of Excellent, Good, or Fair shall be depicted on the site and grading plans indicating the location tree trunks, canopy dimensions and trunk elevation.

D. The Township acknowledges that a timber harvest may be appropriate outside of the area of the proposed subdivision or land development to enhance the wildlife, and aesthetic the value of the forest. The timber harvest shall not take place prior to the Final Plan approval of the subdivision or land development. The following shall be submitted in support of such a timber harvest:

(1) A Forest Management Plan or Forest Stewardship Plan as outlined in Section 630 shall be submitted; however, the timber harvest shall only be by one of the following methods.

a. Improvement Cutting

b. Salvage Cutting

c. Single Tree Selection Method

d. The use of other methods, except Diameter Limit Cut, High Grading, and Clear Cutting, may be considered by the Township Planning Commission when fully justified by the forester preparing the plan.

(2) An Erosion and Sedimentation Pollution Control Plan (E&SPC Plan) as outlined in this Section shall be submitted. The E&SPC Plan for the timber harvest may be incorporated into the overall E&SPC Plan for the development provided that the requirements of Section 630 1 .C are met.

E. Replacement tree requirements.

7. Trees included in the Tree Inventory Report within the area of proposed development i.e. within proposed street right-of-way, sanitary sewer, water line, storm sewer easements and initial building site locations that were considered suitable for preservation with a Suitability for Preservation rating of Excellent, Good or Fair and were harvested or removed for development shall be replaced with trees of the same species or an alternate species approved by the Township Planning Commission at the rate of one-half inch replacement diameter per one inch diameter of harvested or removed trees. Replacement trees shall have a minimum diameter of two (2) inches at six (6) inches above ground.

(1) Trees included in the Tree Inventory Report that are outside of the proposed development area and considered suitable for preservation with a Suitability for Preservation rating of Excellent, Good or Fair and were harvested shall be replaced in accordance with the Forest Management Plan or Forest Stewardship Plan submitted as part of the timber harvest.

(2) The replacement trees shall be in addition to any required street trees, screens, and landscaping trees and shall be located within the development area

B. Forest/woodland areas outside of the proposed development area and woodlands and trees running through the development area along streams, rivers, wetlands, and other natural drainage features as determined suitable for protection shall be protected by a conservation easement prohibiting the removal of trees, other than those that have degraded to a poor rating as defined in Section 630.2.A(8) and those trees which constitute a hazard to life or property, without first obtaining approval from the Board of Supervisors with recommendations from the Planning Commission and Environmental Advisory Council

C The subdivision or land development plan shall include a Tree Preservation Plan including any trees scheduled for preservation and measures necessary to ensure their preservation including but not limited to the construction of retaining walls, no fill/cut zones, no construction traffic or stockpile of material zones, and maintenance recommendations from the Tree Inventory Report.

D. Any deviation from the Tree Preservation Plan resulting in impacts to or removal of trees designated for preservation shall require the approval by the Board of Supervisors with recommendations from the Planning Commission and Environmental Advisory Council.

8. Tree Removal in Preparation for Construction Activities on Lots Pre-Dating this Ordinance.

Trees within forested areas on lots that are not part of a subdivision or land development for which a Tree Inventory Report, Timber Harvest Plan, Timber Stewardship Plan and/or a Preservation Plan was prepared shall be permitted to be removed in accordance with the following:

- A. Trees may be cleared for the construction of a dwelling, driveway, utilities, stormwater management facilities, on-lot sewage disposal systems and the corresponding limits of the cut/fill lines to construct these facilities.
- B. A minimum of 25% of the standing trees shall remain. A plan denoting the area of trees to be preserved shall be provided.
- C. In addition to the tree removal limits set forth above, any additional trees with a Condition Rating of Poor may be removed from the site.
- D. Clear-Cutting is only permitted when the Forestry Bureau's reservation guidelines are followed and is fully justified by a forester who provides a Plan as for the timber harvest method necessary to improve a forest or stand that contains defective, dead, diseased or dying trees.

9. Tree Removal in Preparation for Farming and Agricultural Area.

Trees within an area to be cleared for agricultural use may be removed in accordance with the following:

- A. Trees may be cleared for Crop Farming per the approved methods in this section but a Tree Inventory Report must still be developed before the tree removal can occur.
- B. If the property is not utilized for agricultural uses for five (5) years after the completion of the timber harvesting process, replacement trees shall be planted per the requirements of this section.

631. Dwelling Unit Determination.

In determining the maximum number of dwelling units permitted in a townhouse or apartment development or a mobile home park and the maximum number of travel trailer or tent sites permitted in a campground, the permitted maximum gross density shall be multiplied by the net acreage of the apartment or townhouse development, mobile home park or campground. The net acreage is the total acreage of the tract being developed minus the acreage of the tract that contains slopes of twenty-five percent (25%) or greater, one hundred (100) year flood plains, wetlands, utility rights-of-way and road rights-of-way

632. Storage of Vehicles.

- 1. Automotive vehicles or vehicular dwellings of any type, must have a current license plate, current state registration and current vehicle state inspection to be parked within a State or Township Right-of-Way.

633. Solar Energy Systems.

- 1. The use of solar energy systems, including solar collectors, storage facilities, and

distribution components, for space heating and cooling and water heating is a permitted use in all zoning districts.

2. Solar energy collectors and equipment used for the mounting or operation of such collectors are exempt from the height limitations stated in the zoning ordinance.
3. Apparatus necessary for the operation of solar energy systems, such as overhangs, moveable insulating walls and roofs, and reflectors may project up to six feet (6) into required yards provided that they are not located closer than six feet (6) to any lot line.
4. Detached solar collectors used solely for such purpose shall be considered permissible accessory structures in all zoning districts, but shall not be included in computing lot coverage.

634. Reserved

635. Re-subdivision.

1. A re-subdivision is considered a subdivision and shall be carefully reviewed in accordance with SALDO to assure that all appropriate standards set forth in this Ordinance are maintained.

636. Portable Toilets

All buildings and uses generating sewage shall be connected to public sewers if they are within one hundred and fifty feet (150') of said public sewers, or to approved, permitted and functioning on-site septic treatment systems if beyond 150' of public sewers.

Portable toilets shall be allowed only as follows.

1. At construction sites for the use of workers while on-site
2. Special events such as parades, inaugurations, etc.
3. Municipal use.
4. Seasonal use.

637. Bed and Breakfast

1. The bed and breakfast shall remain incidental and secondary to the principal use of the building as a dwelling.
2. The operator of a bed and breakfast shall reside in the dwelling house of said facility. Non-resident employees shall be restricted to two (2) in addition to the resident members of the family.