

**§ 246-32. Setback from creeks.**

- A. No new or expanded building and no new or expanded off-street parking area or commercial or industrial storage area shall be located within: **[Amended 2-2-2016 by Ord. No. 1-2016]**
- (1) One hundred feet measured horizontally from the top of the defined bank of the Big Wapwallopen and Wapwallopen creeks; and
  - (2) Fifty feet measured horizontally from the top of the defined bank of the Bow Creek.
- B. Any street or driveway crossing of a perennial natural watercourse shall be approximately perpendicular to the watercourse, to the maximum extent feasible.
- C. Exception. This section shall not prohibit the construction of a single-family detached dwelling on an existing lawful lot of record if the applicant proves to the Zoning Officer that it is infeasible to comply with the setbacks of this section. In such case, the applicant shall prove to the Zoning Officer that the dwelling will be at the greatest distance from the creek or river that is feasible.

## ARTICLE IV

**Additional Requirements for Specific Uses****§ 246-33. Applicability.**

- A. This article establishes additional specific requirements for certain specific uses, in addition to the sign, parking, environmental and other general requirements of this chapter and the requirements of each district. Wherever two requirements conflict, the stricter requirement shall apply.
- B. For uses allowed within a specific zoning district as special exception uses, see also the procedures and standards in § 246-16.

**§ 246-34. Additional requirements for specific principal uses.**

- A. Each of the following uses shall meet all of the following requirements for that use:
- (1) Adult use. (This is limited to the following: adult bookstore, adult movie theater, massage parlor or adult live entertainment facility.)
    - (a) Purposes. The regulations on adult uses are intended to serve the following purposes, in addition to the overall objectives of this chapter:
      - [1] To recognize the adverse secondary impacts of adult uses that affect health, safety and general welfare concerns of the municipality. These secondary impacts have been documented in research conducted across the nation. These secondary impacts typically include, but are not limited to, increases in criminal activity; increases in activities that increase the risk of transmission of sexually transmitted diseases; increases in activities that increase the risk of transmission of other

communicable diseases; increases in blight; decreases in the stability of residential neighborhoods; decreases in property values for surrounding homes; and decreases in the marketability of nearby commercial business space. The research conducted across the nation concludes that adult uses typically involve insufficient self-regulation to control these secondary effects.

- [2] To limit adult uses to locations where these secondary impacts can be minimized, particularly as they affect residential neighborhoods and commercial revitalization.
  - [3] To not attempt to suppress any activities protected by the free-speech protections of the U.S. Constitution, but instead to control secondary effects.
- (b) No adult use nor its parking area shall be located within the following distances, whichever is greater:
    - [1] Five hundred linear feet of the lot line of any residential zoning district or existing dwelling;
    - [2] One thousand linear feet of the lot line of any primary or secondary school, place of worship, library, public park, day-care center or child nursery.
  - (c) No adult use shall be located within 1,000 linear feet of any existing adult use.
  - (d) A fifty-foot buffer yard shall be provided, regardless of zoning district, along the side and rear lot lines in accordance with § 246-65, but with plantings of an initial minimum height of five feet.
  - (e) No pornographic material, displays or words shall be placed in view of persons who are not inside of the establishment. Definite precautions shall be made to prohibit minors from entering the premises.
  - (f) No adult use shall be used for any purpose that violates any federal, state or municipal law.
  - (g) See § 246-58, Prohibited signs.
  - (h) The adult use shall not include the sale or display of obscene materials, as defined by Pennsylvania criminal law, as may be amended by applicable court decisions.
  - (i) An adult use shall be prohibited in all districts except where specifically permitted by Article III.
  - (j) A minimum lot area of one acre is required.
  - (k) For public health reasons, private or semiprivate viewing booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers.

- (l) No use may include live actual or simulated sex acts nor any physical or sexual contact between employees and entertainers nor between employees or entertainers and customers. This shall include, but not be limited to, a prohibition on lap dancing.
  - (m) Only lawful massages as defined by state court decisions shall be performed in a massage parlor.
  - (n) All persons within any adult use shall wear nontransparent garments that cover their genitals and the female areola, except within a permitted lawful adult live entertainment facility.
  - (o) Any application for such use shall state the names and home addresses of all individuals intended to have more than a 5% ownership in such use or in a corporation owning such use, and an on-site manager responsible to ensure compliance with this chapter on a daily basis. Such information shall be updated at the beginning of each year, in writing, to the Zoning Officer.
  - (p) The use shall not operate between the hours of 12:00 midnight and 7:00 a.m.
  - (q) As specific conditions of approval under this chapter, the applicant shall prove compliance with the following state laws, as amended: the Pennsylvania Liquor Code, Act 219 of 1990 (which pertains to sale or consumption of alcohol between 2:00 a.m. and 8:00 a.m.),<sup>45</sup> Act 207 of 1990 (which pertains to obscenity)<sup>46</sup> and Act 120 of 1996 (which pertains to adult-oriented establishments and which limits enclosed viewing booths among other matters).<sup>47</sup>
- (2) Adult day-care center.
    - (a) The use shall be fully licensed by the state, if required by the state.
    - (b) The use shall include constant supervision during all hours of operation.
    - (c) The use shall not meet the definition of a "treatment center."
  - (3) After hours club. As a condition of any approval under this chapter, the applicant shall prove full compliance with State Act 219 of 1990, as amended (Section 7327 of Title 18 of the Pennsylvania Statutes). The use shall be located a minimum of 500 feet from any existing dwelling and from any residential zoning district.
  - (4) Animal cemetery.
    - (a) All the regulations for a cemetery in this section shall apply.

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45. Editor's Note: See 47 P.S. § 1-101 et seq.

46. Editor's Note: See 18 Pa.C.S.A. § 5903.

47. Editor's Note: See 68 Pa.C.S.A. § 5501 et seq.

- (b) The applicant shall prove to the satisfaction of the Zoning Hearing Board that the use will be conducted in such a manner that the public health and groundwater quality will not be threatened.
- (5) Assisted living facility/personal care center. The standards for nursing homes in this section shall apply.
- (6) Auto, boat or mobile/manufactured home sales.
  - (a) No vehicle, boat or home on display shall occupy any part of the existing or future street right-of-way or required customer parking area. See buffer yard provisions in § 246-65.
  - (b) See light and glare standards in § 246-42.
  - (c) See parking requirements in Article VI.
  - (d) Any mobile/manufactured homes on a sales site shall meet the required principal building setbacks from the perimeter lot lines.
- (7) Auto repair garage.
  - (a) All paint work shall be performed within a building, with a fume collection and ventilation system that directs fumes away from any adjacent dwellings. Outdoor major repairs (such as body work and grinding) and outdoor welding shall not occur within 250 feet of a residential lot line.
  - (b) All reasonable efforts shall be made to prevent or minimize noise, odor, vibration, light or electrical interference to adjacent lots. See standards in Article V. See buffer yard requirements in § 246-65.
  - (c) Outdoor storage of motor vehicles shall not be within any required buffer yard or street right-of-way.
  - (d) Overnight outdoor storage of junk other than permitted junk vehicles shall be prohibited within view of a public street or a dwelling.
  - (e) Any junk vehicle (as defined by Article II) shall not be stored for more than 20 days within view of a public street or a dwelling. A maximum of six junk vehicles may be parked on a lot outside of an enclosed building at any one time. Any junk vehicle stored outside overnight shall be screened from view of adjacent dwellings.
  - (f) Service bay doors shall not face directly toward an abutting dwelling (not including a dwelling separated from the garage by a street) if another reasonable alternative exists.
- (8) Auto service station.
  - (a) See definition of this term and "auto repair garage" in Article II. The uses may be combined, if the requirements for each are met.
  - (b) All activities except those to be performed at the fuel or air pumps shall be performed within a building. The use shall not include spray painting.

- (c) Fuel pumps shall be at least 25 feet from the existing street right-of-way and shall meet side yard principal building setback requirements.
  - (d) Overnight outdoor storage of junk shall be prohibited within view of a public street or dwelling. Any junk vehicle stored outside overnight shall be screened from view of adjacent dwellings.
  - (e) Any junk vehicle (as defined by Article II) shall not be stored more than 20 days within view of a public street or a dwelling. No junk vehicles shall be stored within 20 feet of an existing street right-of-way. No more than six junk vehicles shall be stored on the lot outside of an enclosed building at any point in time.
  - (f) The use may include a convenience store if the requirements for such use are also met.
  - (g) A canopy shall be permitted over the gasoline pumps with a minimum front yard setback of 20 feet from each street right-of-way line.
    - [1] Such canopy may be attached to the principal building. The canopy shall not include any signs, except:
      - [a] A sign may be attached to the canopy in place of an allowed freestanding sign;
      - [b] A wall sign shall be allowed on a portion of the canopy that is behind the minimum front yard setback line; and
      - [c] Warning signs.
    - [2] Within the minimum front yard building setback, the distance between the ground level and the bottom of the canopy shall not be greater than 18 feet. Parts of a sloped canopy may have a taller height if the purpose of the taller height is to deflect soot and glare away from neighboring properties.
- (9) Bed-and-breakfast inn.
- (a) Within a residential district (where permitted under Article III), a maximum of five rental units shall be provided and no more than three adults may occupy one rental unit. No maximums shall apply within other permitted districts.
  - (b) One off-street parking space shall be provided for each rental unit. The off-street parking spaces for the bed-and-breakfast inn shall be located either to the rear of the principal building or screened from the street and abutting dwellings by landscaping.
  - (c) There shall not be any signs, show windows or any type of display or advertising visible from outside the premises, except for a single sign with a maximum sign area of six square feet on each of two sides and with a maximum height of eight feet. No internal lighting of the sign shall be permitted.

- (d) Within a residential district, the use shall have a residential appearance and character.
  - (e) The use shall be operated and/or managed by permanent residents of the lot.
  - (f) There shall not be separate cooking facilities in any guest room. Food shall only be served to guests who are staying overnight, unless a restaurant is also permitted.
  - (g) No guest shall stay for more than 14 days in any month.
  - (h) The use shall be restricted to buildings that existed prior to January 1, 1940.
- (10) Boardinghouse (includes rooming house). (Note: There are separate standards for an assisted living facility, which is not considered a boardinghouse.)
- (a) Minimum lot area shall be one acre.
  - (b) Minimum side yard building setback shall be 30 feet. **[Amended 7-7-2008 by Ord. No. 2-2008]**
  - (c) Minimum lot width shall be 200 feet.
  - (d) Maximum density shall be six bedrooms per acre, and shall serve a maximum total of 20 persons.
  - (e) Each bedroom shall be limited to two adults each.
  - (f) A buffer yard with screening meeting § 246-65 shall be provided between any boardinghouse building and any abutting dwelling.
  - (g) Signs shall be limited to two wall signs with a maximum of two square feet each.
  - (h) Rooms shall be rented for a minimum period of five consecutive days.
- (11) Campground, camp or recreational vehicle campground.
- (a) For each acre of total lot area, there shall be a maximum average of three recreational vehicle sites, four tent sites, or cabin sleeping capacity for eight persons. Such sites may be clustered in portions of the tract.
  - (b) Any store shall be limited to sales of common household and camping items and shall be primarily intended to serve persons camping on the site.
  - (c) A commercial campground shall include at least one stone or paved entrance road from a public street, with a minimum width of 20 feet. The first 100 feet of the campground road from a paved public street cartway shall be paved.
  - (d) Minimum lot area shall be five acres in a commercial or industrial district, 20 acres in any other district where the use is permitted under Article III.

- (e) All campsites, recreational vehicle sites, buildings and vehicle parking shall be set back a minimum of 150 feet from all residential lot lines and 75 feet from all other lot lines and street rights-of-way. Any existing healthy trees within such setback shall be preserved, except at needed perpendicular entrance road and utility crossings.
  - (f) Buildings used for sleeping quarters shall not be within the 100-year floodplain. No campsites or buildings shall be located on slopes over 15% slope.
  - (g) Maximum impervious coverage shall be 10%, which shall include the typical lot area covered by recreational vehicles at full capacity.
  - (h) No person other than a bona fide resident manager/caretaker shall reside on the site for more than six months in any calendar year. No recreational vehicle shall be occupied on the site for more than six months in any calendar year by any one individual or one family, other than a resident manager/caretaker.
- (12) Car wash.
- (a) Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. On-lot traffic circulation channels and parking areas shall be clearly marked.
  - (b) Adequate provisions shall be made for the proper and convenient disposal of refuse. The applicant shall provide evidence that adequate measures will be in place to prevent pollutants from being washed into the groundwater or waterways. Any chemicals or polluted runoff that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks, spills or polluted runoff.
  - (c) Water from the car wash operation shall not flow onto sidewalks or streets in such a manner as could cause ice hazards.
  - (d) Any car wash that is located within 250 feet of an existing dwelling shall not operate between the hours of 10:00 p.m. and 7:00 a.m.
  - (e) No portion of a car wash shall be located within 100 feet from the center line of a perennial waterway.
  - (f) Minimum lot area shall be five acres, which shall be reduced to one acre if the applicant proves that most of the water used in the operation will be recycled on-site.
  - (g) The drive-through provisions of § 246-35 shall not apply to a car wash.
- (13) Cemetery.
- (a) Minimum lot area shall be two acres, which may be on the same lot as an allowed place of worship.

- (b) A crematorium, where allowed by Article III, shall be set back a minimum of 250 feet from all lot lines of existing dwellings and all undeveloped residentially zoned lots.
  - (c) All structures and graves shall be set back a minimum of: 30 feet from the future right-of-way of any public street, 10 feet from the cartway of an internal driveway, and 20 feet from any other lot line. Any buildings with a height greater than 20 feet shall be set back a minimum of 50 feet from all lot lines.
  - (d) No grave sites and no structures shall be located within the 100-year floodplain.
  - (e) The applicant shall prove to the satisfaction of the Zoning Officer, based upon review by the Township Solicitor, that the use will include an appropriate financial system to guarantee perpetual maintenance.
- (14) Commercial communications antennas as principal or accessory use.
- (a) An accessory commercial communications antenna shall be permitted by right in any district if it meets the following requirements:
    - [1] In a district other than a commercial or industrial district, the antenna shall extend a maximum of 20 feet beyond the existing structure to which it is attached. The antenna shall be attached to one of the following existing lawful structures:
      - [a] A principal agricultural building or silo;
      - [b] An electric high voltage transmission tower;
      - [c] An existing lawful commercial communications tower;
      - [d] A fire station or steeple or bell tower of a place of worship; or
      - [e] A water tower.
    - [2] In a commercial or industrial district, the antennas shall extend a maximum of 40 feet beyond an existing building or structure (other than a dwelling), provided the antenna is set back a distance equal to its total height above the ground from any lot line of a dwelling on another lot.
  - (b) Any commercial communications antenna/tower that does not meet Subsection A(14)(a) above (such as a new freestanding tower) shall only be allowed where specifically authorized in § 246-26, and in compliance with the following additional regulations:
    - [1] Such antenna/tower shall be set back from all lot lines and street rights-of-way a distance that is greater than the total height of the antenna/tower above the surrounding ground level.
    - [2] A new tower, other than a tower on a lot of an emergency services station, shall be set back the following minimum distance from any



existing dwelling: 100 feet, plus the total height of the tower above the surrounding ground level.

- [3] A tower attached to the ground shall be surrounded by a security fence/gate with a minimum height of eight feet and evergreen plantings or preserved vegetation with an initial minimum height of four feet.
  - [4] The applicant shall provide a written statement sealed by a professional engineer stating that the communications antenna/tower will meet the structural and wind resistance requirements of the applicable building code. If a building code does not regulate the matter, then the provisions of the latest published version of the Uniform Construction Code, or its successor code, shall be met.<sup>48</sup> **[Amended 2-2-2016 by Ord. No. 1-2016]**
  - [5] The applicant shall describe, in writing, the policies that will be used to offer space on a tower to other communications providers, which shall serve to minimize the total number of towers necessary in the region. This policy shall be designed to minimize the total number of towers necessary in the Township.
  - [6] An applicant for a new commercial communications tower shall provide evidence to the Zoning Hearing Board that they have investigated co-locating their facilities on an existing tower and other tall structures and have found such alternative to be unworkable. The reasons shall be provided.
  - [7] A maximum total height of 200 feet above the ground shall apply in a commercial and industrial district and 150 feet in any other district where it may be allowed, unless the applicant proves to the Zoning Hearing Board that a taller height is absolutely necessary and unavoidable.
  - [8] The Zoning Hearing Board may require lighting of an antenna even if it will not be required by the Federal Aviation Administration. Such lighting is intended to provide protection for emergency medical helicopters.
  - [9] A new tower shall be designed in a manner that minimizes its visual intrusiveness and environmental impacts to the maximum extent feasible. For example, monopole designs or designs worked into a flag pole are preferred over lattice designs. Self-supporting towers are preferred over towers with guy wires that would require removal of larger numbers of trees.
- (c) Purposes. These provisions for commercial communications antenna/towers are primarily designed to serve the following purposes, in addition to the overall objectives of this chapter:

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48. Editor's Note: See Ch. 113, Construction Codes, Uniform.

- [1] To protect property values.
  - [2] To minimize the visual impact of antenna/towers, particularly considering the importance of the scenic beauty of the area in attracting visitors for outdoor recreation.
  - [3] To minimize the number and heights of towers in a manner that still provides for adequate telecommunications services and competition.
- (d) A tower/antenna that is intended to primarily serve emergency communications by a Township-recognized police, fire or ambulance organization, and is on the same lot as an emergency services station, shall be permitted by right. Such tower/antenna may also serve commercial purposes.
  - (e) Any antenna and tower that is no longer in active use shall be completely removed within six months after the discontinuance of use. The operator shall notify the Zoning Officer, in writing, after the antenna or tower use is no longer in active use. Any lease shall require such removal by the owner of the antenna/tower. Any lease should provide that the lease shall expire once the antenna/tower is removed.
  - (f) All accessory utility buildings or cabinets shall have a maximum total floor area of 400 square feet (which may be divided among adjacent buildings serving separate companies), have a maximum height of 10 feet and meet principal building setbacks.
- (15) Conversion of an existing building (including an existing dwelling) into dwelling units.
- (a) See Article III, which regulates where conversions are permitted. Applicable state fire safety requirements shall be met.
  - (b) The following regulations shall apply to the conversion of an existing one-family dwelling into a greater number of dwelling units:
    - [1] The building shall maintain the appearance of a one-family dwelling with a single front entrance. Additional entrances may be placed on the side or rear of the structure. The dwelling units may internally share the single front entrance.
    - [2] The conversion shall not be permitted if it would require the placement of an exterior stairway on the front of the building, or would require the placement of more than three off-street parking spaces in the required front yard.
  - (c) A previously residential building shall maintain a clearly residential appearance, except as may be necessary for restoration of a historic building.
  - (d) Dumpster screening. See § 246-68.

- (e) A maximum total of four dwelling units may be developed per lot unless a more restrictive provision is established by another section of this chapter, unless the building included more than 4,000 square feet of building floor area at the time of adoption of this chapter.
  - (f) Each unit shall meet the definition of a dwelling unit and shall meet the minimum floor area requirements of § 246-63C.
- (16) Day-care center, child.
- (a) See also day care: family day-care home or group day care as an accessory use in § 246-35.
  - (b) The use shall comply with any applicable state and federal regulations, including having an appropriate Pennsylvania Department of Public Welfare (or its successor agency) registration certificate or license.
  - (c) Convenient parking spaces within the requirements of Article VI shall be provided for persons delivering and waiting for children.
  - (d) In residential districts, where permitted as a principal use, a day-care use shall have a minimum lot area of 30,000 square feet and a minimum setback for buildings and outdoor play areas of 25 feet from an abutting residential lot line.
  - (e) The use shall include secure fencing around outdoor play areas.
  - (f) This use shall not be conducted in a dwelling that is physically attached to another dwelling that does not have a common owner.
  - (g) In residential districts, any permitted day-care use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
  - (h) A day-care use may occur in a building that also includes permitted or nonconforming dwelling units.
  - (i) See also the standards for a "place of worship" in this section, which allows a day-care center as an adjunct use.
- (17) Forestry. See timber harvesting in this section.
- (18) Golf course. A golf course may include a restaurant or clubhouse, provided that such building is located a minimum of 150 feet away from any lot line of an existing dwelling and provided that the impervious area covered by such uses does not exceed an amount equal to 5% of the lot area of the golf course.
- (19) Groundwater or spring water withdrawal, involving removal of an averaging of more than 10,000 gallons per day from a lot for off-site consumption.
- (a) The applicant shall provide a written report by a professional hydrologist describing in technical detail and in a narrative understandable by a layperson how the proposal would affect wells, agricultural activities and surface water levels in the surrounding region. The application shall only be

approved if the applicant proves to the satisfaction of the Zoning Hearing Board that the proposed application will not adversely affect wells of neighboring properties, considering drought conditions, nor aquatic habitats of surface waters, nor agricultural yields.

- (b) The applicant shall provide a written report by a professional engineer with substantial experience in traffic engineering. Such study shall analyze the suitability of the area street system to accommodate the truck traffic that will be generated. The application shall only be approved if the applicant proves to the satisfaction of the Zoning Hearing Board that the area street system is suitable in terms of structure, geometry, safety and capacity to accommodate the additional truck traffic.
  - (c) Any area used for loading or unloading of tractor-trailer trucks shall be set back a minimum of 150 feet from any adjacent residential lot.
  - (d) Minimum lot area shall be 100 acres.
  - (e) Any bottling or processing operations shall be considered a distinct use and shall only be allowed if food or beverage manufacturing is an allowed use under § 246-26.
- (20) Group homes. Group homes are permitted within a lawful dwelling unit, provided the following additional requirements are met:
- (a) The use shall meet the definition in § 246-20.
  - (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 six unrelated persons, except:
    - [1] If a more restrictive requirement is established by another Township code;
    - [2] The number of bona fide paid professional staff shall not count toward such maximum; and
    - [3] As may be approved by the Zoning Hearing Board under § 246-11D.
  - (d) The facility shall have adequate trained staff supervision for the number and type of residents. If the facility involves five or more residents, then twenty-four-hour on-site staffing shall be provided.
  - (e) The applicant shall provide evidence of any applicable federal, state or county licensing or certification to the Zoning Officer.
  - (f) 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.

- (g) Any medical or counseling services shall be limited to a maximum of three nonresidents per day. Any staff meetings shall be limited to a maximum of five persons at one time.
  - (h) Parking. See § 246-45.
  - (i) 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.
  - (j) The persons living on-site shall function as a common household unit.
- (21) Hotel or motel.
- (a) See definitions in Article II, which distinguish a hotel/motel from a boardinghouse.
  - (b) Buildings and tractor-trailer truck parking shall be a minimum of 50 feet from any residential lot line.
- (22) Junkyard (includes automobile salvage yard).
- (a) Storage of garbage or biodegradable material is prohibited, other than what is customarily generated on-site and routinely awaiting pickup.
  - (b) Outdoor storage of junk shall be at least 100 feet from any residential lot line, and 50 feet from any other lot line and the existing right-of-way of any public street.
  - (c) The site shall contain a minimum of two exterior points of access, each of which is not less than 20 feet in width. One of these accesses may be limited to emergency vehicles. Cleared driveways shall be provided throughout the entire use to allow access by emergency vehicles. Adequate off-street parking areas shall be provided for customers.
  - (d) Outdoor storage shall be completely enclosed (except at approved driveway entrances) by a forty-foot-wide buffer yard which complies with § 246-65, unless such storage is not visible from an exterior lot line or street. The initial height of the evergreen planting shall be six feet. Secure fencing with a minimum height of eight feet shall be provided and well-maintained around all outdoor storage areas. Such fencing shall be provided inside of the evergreen screening.
  - (e) Burning or incineration is prohibited.
  - (f) See the noise or dust regulations of Article V.
  - (g) All gasoline, antifreeze and oil shall be drained from all vehicles and properly disposed of. All batteries shall be removed from vehicles and properly stored in a suitable area on an impervious and properly drained surface.
  - (h) Lot area shall be two acres minimum, 20 acres maximum.

- (i) Tires. See the outdoor storage and display standards in § 246-35.
  - (j) Any storage of junk shall be maintained a minimum distance of 100 feet from the center line of any waterway, and shall be kept out of a drainage swale.
- (23) Kennel.
- (a) All buildings in which animals are housed and all runs shall be located at least 200 feet from all residential lot lines.
  - (b) Buildings shall be adequately soundproofed so that sounds generated within the buildings cannot routinely be heard within any adjacent principal building.
  - (c) No animal shall be permitted to use outdoor runs from 8:00 p.m. to 8:00 a.m. that are within 250 feet of an existing dwelling. Runs for dogs shall be separated from each other by visual barriers a minimum of four feet in height, to minimize dog barking.
  - (d) See state law regulating kennels.
  - (e) Minimum lot area shall be six acres.
- (24) Livestock and poultry, raising of.
- (a) Minimum lot area shall be five acres. The provisions of this section shall apply to uses beyond animals allowed under the keeping of pets provision.
  - (b) Any structure or concentrated feeding areas for the keeping of livestock or poultry shall be located by a minimum of 200 feet from any lot line of an existing dwelling, and 50 feet from all other exterior lot lines. As a special exception use, the Zoning Hearing Board may approve a smaller setback for the expansion of facilities that existed prior to the adoption of this section where the applicant proves that there is no reasonable and feasible alternative.
  - (c) The setbacks from property lines shall not apply from dwellings or residential lots owned by:
    - [1] The operator or owner of the livestock use; or
    - [2] Affected property owners providing a written notarized letter waiving such setback.
  - (d) Fencing shall be used as necessary and practical to prevent livestock from entering streets or unauthorized property.
  - (e) For any new or expanded operation regulated under the state Nutrient Management Act,<sup>49</sup> the applicant shall provide evidence to the Township that the nutrient management plan and other requirements of the Act and accompanying regulations are being complied with.

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49. Editor's Note: See 3 Pa.C.S.A. § 501 et seq.

- (f) New or expanded manure storage facilities or structures or concentrated feeding areas used for the keeping of livestock or poultry shall not be located:
    - [1] Within the 100-year floodplain.
    - [2] Within 100 feet of a perennial stream, river, spring, lake, pond or reservoir.
    - [3] Within 100 feet of a private water well or open sinkhole.
    - [4] Within 100 feet of an active public drinking well or an active intake for a public water supply.
  - (g) New or expanded manure storage facilities shall not be located within 200 feet of a property line.
  - (h) Solid and liquid wastes will be disposed of in a manner that minimizes insect, odor and rodent nuisances. A written odor control plan shall be submitted and shall be complied with if approved. Such plan shall describe methods that will be used to properly dispose of dead animals.
- (25) Membership club.
- (a) See definition in Article II.
  - (b) Any active outdoor play areas shall be set back at least 30 feet from any abutting residential lot line.
  - (c) The use shall comply with the provisions for an after hours club, if applicable.
- (26) Mineral extraction.
- (a) Application requirements. A copy of all site plan information that will be required by the Pennsylvania DEP shall also be submitted to the Township as part of the zoning application.
  - (b) A detailed and appropriate land reclamation and reuse plan of the area to be excavated shall be submitted to the Zoning Officer. Compliance with such plan shall be a condition of Township permits.
  - (c) After areas are used for mineral extraction, those areas shall be reclaimed in phases to a nonhazardous and environmentally sound state permitting some productive or beneficial future use.
  - (d) A seventy-five-foot-wide yard covered by natural vegetative ground cover (except at approved driveway crossings) shall be required along all exterior lot lines that are within 250 feet of an area of excavation. This yard shall include an earth berm with a minimum average height of six feet and an average of one shade tree for each 50 feet of distance along the lot lines. Such shade trees shall be planted outside of any berm and any fence. Where existing substantial trees and other vegetation exist within this yard, they shall be preserved, except where necessary for a berm or appropriately

perpendicular driveway crossings. New trees shall not be required where preserved trees will serve the same purpose.

- (c) The following minimum setbacks shall apply for the excavated area of a mineral extraction use from property that is not owned by the owner or operator of the mineral extraction use:
    - [1] One hundred feet from the existing right-of-way of public streets and from all exterior lot lines of the property.
    - [2] One hundred fifty feet from a nonresidential principal building, unless released by the owner thereof.
    - [3] Four hundred feet from a residential lot line, other than a dwelling owned by the owner of the mineral extraction use.
    - [4] One hundred fifty feet from the lot line of a publicly owned recreation area that existed at time of the application for the use or expansion.
  - (f) The excavated area of a mineral extraction use shall be set back 150 feet from the average waterline of a perennial stream or the edge of a natural wetland of more than two acres.
  - (g) Truck access to the use shall be located to reasonably minimize hazards on public streets and dust and noise nuisances to residences.
  - (h) Fencing. The Zoning Hearing Board may require secure fencing in locations where needed to protect public safety. As an alternative, the Zoning Hearing Board may approve the use of thorny vegetation to discourage public access. Also, warning signs shall be placed at intervals of not less than 100 feet around the outer edge of the use.
  - (i) Noise and performance standards. See Article V.
  - (j) County Conservation District. A soil erosion and sedimentation plan shall be prepared by the applicant and found to be acceptable to the County Conservation District.
  - (k) Hours of operation. The Zoning Hearing Board, as a condition of special exception approval, may reasonably limit the hours of operation of the use and of related trucking and blasting operations to protect the character of adjacent residential areas.
  - (l) The activities and residual effects shall not create conditions that are significantly hazardous to the health and safety of neighboring residents.
- (27) Mobile/manufactured home installed on an individual lot or within a mobile/manufactured home park approved after the adoption of this chapter.
- (a) Construction. Any mobile/manufactured home placed on any lot after the adoption of this chapter shall be constructed in accordance with 1976 or later Safety and Construction Standards of the U.S. Department of Housing



and Urban Development. (Note: These federal standards supersede local construction codes for the actual construction of the home itself.)

- (b) Each site shall be graded to provide a stable and well-drained area.
  - (c) Each home shall have hitch and tires removed.
  - (d) Anchoring. A mobile/manufactured home on an individual lot or mobile/manufactured home park shall include a system that properly secures the home to the ground to prevent shifting, overturning or uneven settling of the home, with a secure base for the tie-downs. The anchoring devices shall extend below the frost line.
  - (e) Foundation treatment. The space between the bottom of the home and the ground and/or home pad shall be enclosed using a durable fire-resistant material that has the appearance of a foundation of a site-built home, such as material with a concrete-type or stucco facing. This Subsection A(27)(e) shall not apply within a manufactured/mobile home park. Metal skirting may only be permitted within a manufactured/mobile home park. Provisions shall be provided for access to utility connections under the home.
  - (f) The front door of the home shall face onto a public street, except within a mobile home park.
  - (g) See also the regulations of § 246-27.
- (28) Mobile/manufactured home park.
- (a) Plans and permits.
    - [1] Plans shall be submitted and reviewed by the Township for all mobile/manufactured home parks in compliance with the mobile/manufactured home park provisions of Chapter 225, Subdivision and Land Development, and all other provisions of such chapter that apply to a land development, including the submission, approval and improvements provisions (other than specific provisions altered by this section).
    - [2] Where this chapter and Chapter 225, Subdivision and Land Development, both regulate the same matter concerning a manufactured home park, and the sections conflict, then the provisions of this chapter shall apply concerning that matter.
  - (b) The minimum tract area shall be two contiguous acres, which shall be under single ownership, but which may include land in an abutting existing mobile home park.
  - (c) Density. The maximum average overall density shall be 3.5 dwelling units per acre. To calculate this density:
    - [1] Land in common open space or proposed streets within the park may be included; but

- [2] Land within the 100-year floodplain, wetlands and slopes over 25% shall not be included.
- (d) Landscaped perimeter. Each mobile/manufactured home park shall include a twenty-five-foot-wide landscaped area including substantial attractive evergreen and deciduous trees around the perimeter of the site, except where such landscaping would obstruct safe sight distances for traffic. A planting plan for such area shall be approved by the Zoning Hearing Board as part of any required special exception approval. Such landscaped area shall not be required between adjacent mobile home park developments. This landscaped area shall be 35 feet wide abutting existing single-family detached dwellings. The same area of land may count toward both the landscaped area and the building setback requirements.
- (e) A dwelling, including any attached accessory building, shall be set back a minimum of 25 feet from another dwelling within the mobile home park, except that unenclosed porches, awnings and decks may be 15 feet from the walls of another dwelling.
- (f) The minimum separation between homes and edge of interior street cartway or parking court cartway shall be 25 feet.
- (g) The minimum principal and accessory building setbacks from exterior/boundary lot lines shall be 40 feet.
- (h) Each home shall comply with the above requirements for mobile/manufactured homes in this § 246-34.
- (i) Accessory structures. A detached accessory structure or garage shall be separated a minimum of 15 feet from any dwelling units which the accessory structure is not accessory to.
- (j) Common open space for a mobile home park. A minimum of 20% of the total lot area of the entire mobile home park shall be set aside as common open space for the residents. The applicant shall prove that these areas will be suitable for active or passive recreation. If a development will not be restricted to persons over age 55, then the common open space shall, at a minimum, include a rectangular grass field 100 feet by 200 feet suitable for free play by young persons. If a development will be restricted to persons over age 55, then the common open space shall at a minimum include landscaped paved trails. A recreation building or pool available to all residents of the development may count toward this requirement.
- (k) Streets.
- [1] Access to individual mobile home spaces shall be from interior parking courts, access drives or private streets and shall not be from public streets exterior to the development.
- [2] Streets within the mobile home park that provide access to reach 20 or more dwellings shall have a minimum paved cartway of 24 feet,

and other local private streets or parking courts serving less than 20 homes shall have a minimum paved cartway of 20 feet.

- [3] Curbs and sidewalks are not required on the private streets, but all private streets shall meet all other Township cartway construction standards.
- (l) Utilities. All units within the mobile home park shall be connected to a central water and a public sewage system. The system shall meet appropriate minimum water pressure/fire flow and hydrant requirements.
- (29) Motor vehicle racetrack.
- (a) All areas used for the racing, testing and maintenance of motor vehicles shall be set back a minimum of 400 feet from the lot line of an existing dwelling.
- (b) All buildings, parking, loading and unloading areas shall be set back a minimum of 150 feet from the lot line of an existing dwelling.
- (c) The applicant shall prove that the standards of Article V will be met, including noise, lighting and dust.
- (d) Minimum lot area shall be 50 acres.
- (30) Nursing home.
- (a) Licensing. See definition in Article II.
- (b) A minimum of 20% of the lot shall be suitable and developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks.
- (31) Outdoor storage and display. See this use under § 246-35.
- (32) Picnic grove, private.
- (a) All activity areas shall be a minimum of 250 feet of an existing dwelling on another lot. All parking areas shall be set back 100 feet from any residential lot line. The use shall not operate between the hours of 11:00 p.m. and 7:00 a.m.
- (b) See noise and glare standards in Article V.
- (c) Minimum lot area shall be five acres.
- (33) Place of worship.
- (a) Minimum lot area shall be two acres in a residential district, unless a larger lot area is required by the applicable zoning district. In a commercial or industrial district, a place of worship shall meet the standard minimum lot area requirement.
- (b) Weekly religious education rooms and meeting rooms are permitted accessory uses, provided that such uses are of such a character and intensity

that they would be clearly customary and incidental to the place of worship. A primary or secondary school and/or a child or adult day-care center may be approved on the same lot as a place of worship, provided that the requirements for such uses are also met. Noncommercial buses used primarily to transport persons to and from religious services or a permitted school on the lot may be parked on the lot. Other uses shall only be allowed if all of the requirements for such uses are also met, including being permitted in the applicable district.

- (c) A maximum of one dwelling unit may be accessory to a place of worship on the same lot, to house employees of the place of worship and/or an employee and his/her family. Such dwelling shall meet the maximum number of unrelated persons in the definition of a "family." No other residential use shall be allowed.
  - (d) If within a residential district, any new place of worship shall be adjacent to an existing collector or arterial street that is in public ownership.
  - (e) Minimum building setback from a lot line of an existing dwelling in a residential district shall be 60 feet.
  - (f) Minimum parking setback from a lot line of an existing dwelling in a residential district shall be 20 feet.
- (34) Recreation, outdoor (other than publicly owned recreation).
- (a) Any outdoor activity area shall be located no closer to any lot line than the required front yard depth and shall be screened and, if necessary, sound insulation shall be provided to protect the neighborhood from any possible noise.
  - (b) A twenty-foot-wide buffer yard in accordance with § 246-65 shall be required.
  - (c) Any swimming pool shall meet the requirements for such use, as stated in this article.
  - (d) Lighting, noise and glare control. See Article V.
  - (e) The minimum lot area shall be 10 acres, unless a more restrictive lot area is established by another section of this chapter.
  - (f) Maximum impervious coverage in any residential district shall be 5%.
  - (g) Maximum building coverage in any nonresidential district shall be 15%.
  - (h) A site plan meeting the requirements of Article I shall be submitted to the Township.
  - (i) No portion of an outdoor recreation use used for active recreation shall be located within 100 feet of a residential lot line.

- (j) Wherever woods exist adjacent to an exterior lot line of the use, such woods shall be preserved within at least 50 feet of such lot line, except for approved driveway, utility and trail crossings.
  - (k) Hours of operation. The use shall be conducted only between the hours of 9:00 a.m. and 10:00 p.m., unless more restrictive hours are established as a condition of any needed approval.
  - (l) Any restaurant, tavern, retail store, target range, campground or picnic ground use shall only be allowed if those uses are permitted in the applicable district and if all requirements for each such use(s) are also met.
- (35) Recycling collection center.
- (a) This use shall not be bound by the requirements of a solid waste disposal facility.
  - (b) All materials shall be kept in appropriate containers, with appropriate sanitary measures and frequent enough emptying to prevent the attraction of insects or rodents and to avoid fire hazards.
  - (c) Adequate provision shall be made for movement of trucks if needed and for off-street parking.
  - (d) A twenty-foot-wide buffer yard with screening as described in § 246-65 shall be provided between this use and any abutting residential lot line.
  - (e) This use may be a principal or accessory use, including being an accessory use to a commercial use, an industrial use, a public or private primary or secondary school, a place of worship or a Township-owned use, subject to the limitations of this section.
  - (f) Materials to be collected shall be of the same character as the following materials: paper, fabric, cardboard, plastic, metal, aluminum and glass. No garbage shall be stored as part of the use, except for that generated on-site and that accidentally collected with the recyclables. Only materials clearly being actively collected for recycling may be stored on-site.
  - (g) The use shall only include the following operations: collection, sorting, baling, loading, weighing, routine cleaning and closely similar work. No burning or landfilling shall occur. No mechanical operations shall routinely occur at the site other than operations such as baling of cardboard.
  - (h) The use shall not include the collection or processing of pieces of metal that have a weight greater than 50 pounds, except within an industrial district.
  - (i) The use shall include the storage of a maximum of 50 tons of materials on the site if the use is within a residential district and within 500 feet of an existing dwelling.

- (36) Residential conversions. See conversions of an existing building within this section.<sup>50</sup>
- (37) Restaurant.
- (a) Screening of dumpster and waste containers. See § 246-68.
  - (b) See drive-through service in § 246-35.
  - (c) Drive-through service shall only be provided where specifically permitted in the applicable district regulations.
- (38) School, public or private, primary or secondary.
- (a) Minimum lot area shall be two acres in a residential district. In any other district, the use shall meet the standard minimum lot area requirement for that district.
  - (b) No children's play equipment, basketball courts or illuminated recreation facilities shall be within 50 feet of a residential lot line.
  - (c) The use shall not include a dormitory unless specifically permitted in the district.
- (39) Self-storage development.
- (a) All storage units shall be of fire-resistant construction.
  - (b) Outdoor storage shall be limited to recreational vehicles, boats and trailers. No junk vehicles shall be stored within view of a public street or a dwelling.
  - (c) Trash, radioactive or highly toxic substances, garbage, refuse, explosives or flammable materials, hazardous substances, animal carcasses or skins, or similar items shall not be stored.
  - (d) Nothing shall be stored in interior traffic aisles, required off-street parking areas, loading areas or accessways.
  - (e) The use shall not include a commercial auto repair garage unless that use is permitted in the district and the use meets those requirements.
  - (f) Adequate lighting shall be provided for security, but it shall be directed away or shielded from any adjacent residential uses.
  - (g) See § 246-65 concerning buffer yards. In addition, any outdoor storage or garage doors within 200 feet of a street right-of-way and visible from the street shall be screened from that street by a buffer yard meeting § 246-65. Any fencing shall be placed on the inside of the plantings.
  - (h) Minimum separation between buildings shall be 20 feet. Maximum length of any building shall be 300 feet.

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50. Editor's Note: See § 246-34A(15).

- (40) Solid waste transfer facility, solid waste landfill or solid waste-to-energy facility. See definition in Article II.
- (a) All solid waste storage, disposal, incineration or processing shall be at least 200 feet from the following: public street right-of-way, exterior lot line, 100-year floodplain, edge of a surface water body (including a water-filled quarry) or wetland of more than 1/2 acre in area.
  - (b) All solid waste storage, disposal, incineration or processing shall be a minimum of 500 feet from any residential district, perennial creek, publicly owned park or any existing dwelling that the applicant does not have an agreement to purchase.
  - (c) The use shall be served by a minimum of two paved access roads, each with a minimum cartway width of 24 feet. One of these roads may be restricted to use by emergency vehicles.
  - (d) No burning or incineration shall occur, except within an approved waste-to-energy facility.
  - (e) The operation and day-to-day maintenance of the solid waste disposal area shall comply with all applicable state and federal regulations as a condition of the continuance of any permit of the Township. Violations of this condition shall also be considered to be violations of this chapter.
  - (f) Open dumps and open burning of refuse are prohibited.
  - (g) The applicant shall prove to the satisfaction of the Zoning Hearing Board that the existing street network can handle the additional truck traffic, especially without bringing extraordinary numbers of trash-hauling trucks through or alongside existing residential or residentially zoned areas and especially considering the width and slopes of streets in the Township.
  - (h) The applicant shall prove to the satisfaction of the Zoning Hearing Board that the use would not routinely create noxious odors off of the tract.
  - (i) A chain-link or other approved fence with a minimum height of eight feet shall surround active solid waste disposal areas to prevent the scattering of litter and to keep out children, unless the applicant proves to the satisfaction of the Zoning Hearing Board that this is unnecessary. The Board shall require earth berms, evergreen screening and/or shade trees as needed shall be used to prevent landfill operations from being visible from an expressway or arterial streets or dwellings.
  - (j) A minimum lot area of 15 acres shall be required for the first 250 tons per day of capacity to treat or dispose of waste, plus one acre for each additional 100 tons per day of capacity. A solid waste facility shall have a maximum total capacity of 500 tons per day.
  - (k) Health hazards. Any facility shall be operated in such a manner to prevent the attraction, harborage or breeding of insects, rodents or vectors.

- (l) Attendant. An attendant shall be present during all periods of operation or dumping.
  - (m) Gates. Secure gates, fences, earth mounds and/or dense vegetation shall prevent unauthorized access.
  - (n) Emergency access. The operator of the use shall cooperate fully with local emergency services. This should include allowing practice exercises on the site and the provision of all information needed by the emergency services to determine potential hazards. Adequate means of emergency access shall be provided.
  - (o) Under authority granted to the Township under Act 101 of 1988,<sup>51</sup> the hours of operation shall be limited to between 7:00 a.m. and 9:00 p.m.
  - (p) Tires. See outdoor storage and display in § 246-35.
  - (q) Litter. The operator shall regularly police the area of the facility and surrounding streets to collect litter that may escape from the facility or trucks.
  - (r) Dangerous materials. No radioactive, hazardous, chemotherapeutic or infectious materials may be stored, processed, disposed or incinerated. "Infectious materials" are defined as medical wastes used or created in the treatment of persons or animals with seriously contagious diseases.
  - (s) The applicant shall provide sufficient information for the Township to determine that the requirements of this chapter will be met.
  - (t) State requirements. Nothing in this chapter is intended to supersede any state requirements. It is the intent of this chapter that when similar issues are regulated on both the Township and state levels, the stricter requirement shall apply for each aspect, unless it is determined that an individual state regulation preempts Township regulation in a particular aspect. The applicant shall provide the Zoning Officer with a copy of all written materials and plans that are submitted to Pennsylvania DEP at the same time as they are submitted to DEP.
  - (u) For a solid-waste-to-energy facility or solid waste transfer facility, all loading and unloading of solid waste shall only occur within an enclosed building, and over an impervious surface draining to a holding tank that is then adequately treated. All solid waste processing and storage shall occur within enclosed buildings or enclosed containers.
- (41) Stable, nonhousehold (includes riding academies; see also keeping of pets in § 246-35).
- (a) Minimum lot area shall be two acres for the first horse or similar animal, plus one acre for each additional horse or similar animal.

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51. Editor's Note: See 53 P.S. § 4000.101 et seq.



- (b) Any horse barn, feed areas, manure storage areas or stable shall be a minimum of 250 feet from any residential lot line. Any corral or fenced-in area shall be set back a minimum of 50 feet from any residential lot line.
  - (c) Manure shall be regularly collected and disposed of in a sanitary manner that avoids nuisances to neighbors. Manure shall be stored in a manner that prevents it from being carried off by runoff into a creek. Manure shall not be stored within 100 feet of a perennial waterway.
- (42) Swimming pool, nonhousehold.
- (a) The water surface shall be set back at least 50 feet from any existing dwelling.
  - (b) Minimum lot area shall be one acre.
  - (c) Any water surface within 100 feet of an existing dwelling shall be separated from the dwelling by a buffer yard meeting § 246-65.
  - (d) The water surface shall be surrounded by a secure, well-maintained fence at least six feet in height.
  - (e) Drainage. A proper method shall be provided for drainage of the water from the pool that will not flood other property.
- (43) Target range.
- (a) All target ranges shall have a barrier behind the target area which is of sufficient height and thickness to adequately protect the public safety.
  - (b) The design of the outdoor firearms target range shall be compared by the applicant with applicable published guidelines of the National Rifle Association. The Zoning Hearing Board may consider such guidelines to be the generally accepted standard for the safety of these facilities.
  - (c) An outdoor firearms target range and any firing stations shall be located a minimum of 250 feet from any residential lot line, unless all firing would occur within a completely enclosed sound-resistant building. Clay pigeon shooting shall be directed away from homes and streets.
  - (d) An outdoor firearms target range shall be properly posted. The Zoning Hearing Board may require fencing as necessary.
  - (e) The applicant shall provide evidence that the noise limits of Article V will be met.
  - (f) An indoor firearms target range shall be adequately ventilated and/or air-conditioned to allow the building to remain completely enclosed.
  - (g) A target range shall only be used for types of firearms or other weapons for which it was specifically designed. Automatic weapons shall not be used.

- (h) An outdoor target range shall not be used during nighttime hours. Maximum hours and days of operation may be established as a condition of the zoning approval.
  - (i) Minimum lot area for an outdoor firearms target range shall be 10 acres, unless a more restrictive provision is established by another provision of this chapter.
  - (j) See § 246-65. Wherever woods exist adjacent to an exterior lot line of an outdoor firearms target range, such woods shall be preserved within at least 100 feet of each such lot line, except for approved driveway, utility and trail crossings.
- (44) Timber harvesting.
- (a) It is the intent of this subsection to promote management of forests for long-term benefits; promote good forest stewardship; protect adjoining property owners; minimize the potential for adverse environmental impacts; and avoid unreasonable restrictions on timber harvesting.
  - (b) Applicability. This subsection applies to all timber harvesting when the total harvesting area is 1/2 acre or greater in a calendar year, which shall require a permit. These provisions shall not regulate the cutting of up to 10% of trees with a trunk diameter of six inches or greater (measured 3.5 feet above the ground level) on a lot in any calendar year tract, provided such cutting does not involve clear-cutting but instead involves routine thinning of woods. These provisions also shall not regulate cutting of trees with a trunk diameter of less than six inches (measured 3.5 feet above the ground level). These provisions shall not regulate tree cutting that the applicant proves is necessary to accommodate a Township-approved subdivision, land development, street, driveway, building or use.
  - (c) Application requirements. An application for timber harvesting shall be made a minimum of 60 days prior to the start of work. No timber harvesting shall occur until a permit has been issued by the Zoning Officer.
    - [1] The application shall include a written timber harvesting plan, which shall be prepared by a qualified professional. The provisions of the plan shall be followed throughout the operation. The plan shall be available for inspection at the harvest site at all times during the operation.
    - [2] The landowner, the applicant and the timber operator shall be jointly and separately responsible for complying with the terms of the timber harvesting plan and permit.
  - (d) Timber harvesting plan.
    - [1] The applicant shall specify, in writing, the land on which harvesting will occur, the expected size of the harvest area, and the anticipated starting and completion date of the operation. The zoning permit shall be valid for up to two years from the date of issuance.

- [2] The timber harvesting plan shall include, at a minimum, the following information:
    - [a] A narrative of proposed cutting practices and/or stand prescription(s) for each stand in the proposed harvest area and the construction, maintenance and retirement of the access system, including haul roads, skid roads, skid trails and landings.
    - [b] An erosion and sedimentation control plan approved by the County Conservation District.
    - [c] All timber harvesting activities shall use best management practices, which shall be shown on the plan.
    - [d] A narrative of all stream and road crossings, including required permits from the appropriate agency.
    - [e] All Township and/or PennDOT highway occupancy permits, if applicable.
  - [3] An application shall be submitted to the Township, with a map showing waterways, drainageways, approximate wetlands, lakes, roads, lot lines, and proposed harvest areas. The application shall also include the name and address of the property owner and the person who will be responsible to oversee the timber harvesting. The application shall also show proposed erosion and sedimentation control measures, proposed crossings of waterways and proposed vehicle entrance and exit points onto streets.
- (e) Timber harvesting practices.
- [1] Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or PennDOT, whichever is responsible for maintenance of the thoroughfare.
  - [2] No tops or slash shall be left within 25 feet of any public thoroughfare, property line or private roadway providing access to adjoining residential property.
  - [3] All tops and slash between 25 and 50 feet from a public street right-of-way or private road providing access to adjoining residential property or within 50 feet of adjoining residential property shall be lopped so that they do not extend more than four feet above the surface of the ground.
  - [4] Streams are an important natural resource that provide for water quality, flood control, bank stabilization and other ecological benefits. To ensure their adequate protection, timber harvesting is prohibited within 100 feet of the top of the bank on each side of all perennial waterways, except this distance may be reduced to 50 feet if all of the following conditions are met: