

**WILLISTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 7 of 2016

AN ORDINANCE AMENDING CHAPTER 73 OF THE CODE OF ORDINANCES OF WILLISTOWN TOWNSHIP, BEING THE ENVIRONMENTAL PROTECTION ORDINANCE, IN ORDER TO REVISE AND AMEND DEFINITIONS, AND AMEND ARTICLE IV, CONSERVATION OF VALUED WOODLANDS AND OTHER VEGETATION, §73-13, CONSERVATION MEASURES. EFFECTIVE FIVE DAYS FROM ENACTMENT.

BE IT AND IT IS HEREBY ENACTED by the Board of Supervisors of Willistown Township, Chester County, as follows:

Section 1. The Code of the Township of Willistown, Chapter 73 thereof, being the Willistown Township Environmental Protection Ordinance, Article I, §73-4, Definitions, is amended by repealing the definition for “CALIPER” and adding the following term and definition in the correct alphabetical sequence:

CALIPER – The diameter of a tree (in inches) measured at the trunk 6 inches above the ground surface.

Section 2. The Code of the Township of Willistown, Chapter 73 thereof, being the Willistown Township Environmental Protection Ordinance, Article IV, §73-13, Conservation Measures, is amended to read as follows:

§ 73-13. Conservation measures.

In addition to the requirements of Chapter 123, Subdivision and Land Development, and other requirements of this chapter, the measures below shall be taken to conserve valued woodlands and other vegetation.

- A. Except in conjunction with routine property maintenance and forestry as defined and regulated in Chapter 139, the following regulations shall apply:
- (1) Healthy, well-stocked woodlands or wooded lots.
 - (a) No wooded lot of two acres or more, either created by subdivision or currently existing, shall be disturbed in such a manner that the number of trees having a caliper of 8 inches or greater on the lot prior to any disturbance shall be reduced by more than 25% by such disturbance. Where a unified development or grading plan for a subdivided tract is to be submitted, this standard may be applied to the entire tract proposed for development or grading, rather than to the individual lots of which the tract consists.

- (b) In instances where disturbance or tree cutting of more than 25% of those existing trees having a caliper of 8 inches or greater is considered desirable as determined by a forester in accordance with sound forest management practices, the individual removing such trees shall replace 110% of the total caliper inches removed in excess of 25% with new plantings of trees having at least a five-inch caliper. Upon approval of the Township, applicants of predominantly wooded sites shall be permitted to substitute vegetation other than trees for required tree plantings. The replacement trees shall be installed within two years of commencement of land disturbance.
 - (c) Design, maintenance and guarantee of such plantings shall be in conformance with Article X, Landscaping, Buffering and Screening; Development and Construction Standards.
 - (d) The Township shall have discretion to require renovation of unhealthy or unsafe trees having a caliper of 8 inches or greater. Every effort shall be made to retain as much woodland as possible of a size and configuration which will promote its growth and natural regeneration.
- (2) Disturbance to vegetation other than woodlands which provides wildlife food and cover or visual amenity shall be minimized. This may include, but not necessarily be limited to, single or groups of specimen trees, hedgerows, formal gardens and other vegetation not considered as woodland.
 - (3) In the event that grading will be performed on a site which shall result in the removal of more than 5,000 square feet of the vegetation on the site at any time, a permit shall be required in accordance with the provisions of Article IX, Soil Erosion and Sediment Pollution Control, and Chapter 109, Soil Erosion and Sedimentation Control, of this Code, regardless of whether such a permit is otherwise required.
- B. Disturbance or removal of vegetation occupying environmentally sensitive areas shall be undertaken only as permitted herein to minimize the adverse impacts of such actions. This shall include, but not necessarily be limited to, vegetation performing important soil stabilizing functions on floodplains, stream and pond banks and sloping lands. In accordance with Article IX, Soil Erosion and Sediment Pollution Control, § 73-51B(2), no stripping of vegetation shall be conducted in areas of greater than twenty-five-percent slope unless specific approval is obtained from the Board of Supervisors after having consulted with the Township Engineer.

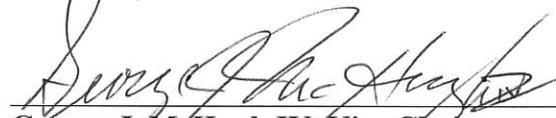
Section 3. This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED and **ORDAINED** this 18th day of July, 2016

**BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP**



William R. Shoemaker, Chairman



George J. McHugh IV, Vice Chairman



Robert T. Lange, Member

ATTEST:



David R. Burman, Secretary