

**LOWER POTTS GROVE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE No. 367

AN ORDINANCE OF LOWER POTTS GROVE TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING ARTICLE II (DEFINITIONS), ARTICLE VI (INFORMATION TO BE SHOWN ON SUBDIVISION AND LAND DEVELOPMENT PLANS), ARTICLE V (DESIGN STANDARDS) AND ARTICLE X (LANDSCAPE REGULATIONS) OF CHAPTER 215 OF THE CODE OF ORDINANCES OF LOWER POTTS GROVE TOWNSHIP, KNOWN AS THE LOWER POTTS GROVE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AS AMENDED.

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq., as amended, authorizes Lower Pottsgrove Township to regulate subdivision and land development in Lower Pottsgrove Township; and

WHEREAS, the Board of Commissioners of Lower Pottsgrove Township enacted Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Lower Pottsgrove Township Subdivision and Land Development Ordinance, by Ordinance No. 140 of 1974, as amended; and

WHEREAS, the Board of Commissioners of Lower Pottsgrove Township desires to amend Article II (Definitions), Article VI (Information to be Shown on Subdivision and Land Development Plans), Article V (Design Standards) and Article X (Landscape Regulations) of the Lower Pottsgrove Township Subdivision and Land Development Ordinance; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Lower Pottsgrove Township Board of Commissioners, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of same as follows:

SECTION 1. AMENDMENT TO SECTION 215-5 (DEFINITIONS). Section 215-5 (Tentative Plan) of Article II, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by including the following terms in alphabetical order:

BEST MANAGEMENT PRACTICES (BMPs)

Methods, measures or practices used to prevent or reduce surface runoff and/or water pollution, including, but not limited to, structural and nonstructural stormwater management

practices and operation and maintenance procedures. See also "nonstructural best management practice (BMP)."

BIORETENTION *[note: see also definition of "bioretention" in Chapter 203 Stormwater Management, Part 2: Swamp Creek Watershed Management and Maintenance]*

A stormwater management facility, which includes rain gardens, bioretention swales, planters and absorbent tree islands, engineered to treat and infiltrate a specific amount of stormwater. They have exact design criteria to ensure they function according to the design intent. These facilities have operation, maintenance and inspection requirements since they are part of a stormwater treatment and flow control system. The facilities include designed soil mixes and sometimes control structures like under-drains and outlet structures to aid in the control of overflow, catch basins to filter sediment, and check dams or weirs to slow the flow of water moving through the facility.

CALIPER

Diameter of a tree's trunk measured six inches above the ground for trees four inches or less in diameter, or twelve inches (12") above the ground for larger trees.

CANOPY TREE

Any tree that, when mature, typically forms the overstory, or uppermost layer of branches and foliage, in a woodland or forest, and/or any large, deciduous shade tree generally reaching at least 30 feet in height at maturity.

CANOPY COVERAGE

The area directly under the horizontal area or spread of a tree's limbs and foliage.

CANOPY COVERAGE REQUIREMENT

The minimum percentage of vehicular use area that shall lie directly under the horizontal area or spread of a tree's limbs and foliage, based on planting design coverage.

DESIGN COVERAGE

That canopy coverage or ground coverage as is indicated or typical of a plant species after ten years growth after planting for trees and five years of growth after planting for other plants.

DIAMETER AT BREAST HEIGHT (dbh)

The diameter of a tree at breast height, measured 4.5 feet from the ground surface.

GROUND COVER

Low growing plant materials planted in a manner to provide continuous plant cover of the ground surface.

LANDSCAPED SURFACE COVERAGE

Ground that is designed to be covered with tree canopy, shrubs, or ground cover after five years of growth.

MATURE TREE

Any tree of six inches or more in caliper, whether standing alone, in tree masses or woodlands. A mature tree shall be a healthy specimen and shall be a desirable species as determined by the Township Landscape Architect.

MINIMIZE

To reduce to the smallest amount possible. "Minimize" does not mean to "eliminate" but rather that the most substantial efforts possible under the circumstances have been taken to reduce the adverse effect of the action (such as grading, clearing, construction, etc.).

NATIVE PLANT

A species that occurred in the mid-Atlantic Piedmont Region (Pennsylvania, Maryland, Delaware and Virginia) prior to European settlement. The native status of plants may be confirmed through the www.plants.usda.gov web site, using the Native Status Maps for each species.

RIPARIAN BUFFER

The area of land immediately adjacent to any stream or river, measured perpendicular to and horizontally from the top-of-bank on both sides of a stream or river (see "top-of-bank").

SHRUB

Any woody plant that has several stems, none dominant, and is usually less than ten feet tall.

SMALL SHRUB

A shrub that reaches a height of less than five feet at maturity.

LARGE SHRUB

A shrub that reaches a height of five feet or greater at maturity.

SIGHT TRIANGLE

Proper sight lines must be maintained at all intersections of streets. Measured along the centerline, there should be a clear sight triangle of 75 feet from the point of intersection based on the posted speed limit. No building or present or future obstruction will be permitted in this area.

SPECIMEN TREE

Any tree with a caliper that is 75% or more of the record tree of the same species in the Commonwealth of Pennsylvania.

STREET TREE

A tree whose trunk is located between the curb or edge of cartway and a point up to fifteen feet from the ultimate right-of-way line.

STRUCTURAL SOILS

A soil medium that can be compacted to support pavement and installation requirements while accommodating tree root growth. It is a mixture of gap-graded gravels made of crushed

stone, clay loam, and a hydrogel stabilizing agent to keep the mixture from separating.

TOPSOIL

The original upper layer of soil material which is usually darker and more fertile than subsoil, which is screened of stones, roots, construction debris, and contains a substantial percentage of organic material.

TREE, CANOPY

Any tree that, when mature, typically forms the overstory, or uppermost layer of branches and foliage, in a woodland or forest, and/or any large, deciduous shade tree generally reaching at least 30 feet in height at maturity.

TREE, UNDERSTORY

Any tree or trees that, when mature, attain a height of at least 15 feet at maturity, but generally lesser than that of canopy trees. In an existing wooded setting, these trees dwell beneath the forest canopy; this may include seedlings, saplings and other small trees.

TREE MASS

A grouping of three or more trees, each at least 1 1/2 inch in caliper, within a one-hundred-square-foot area.

VEHICULAR USE AREA [please refer to Figure X.2. Vehicular use area coverage for illustration]

Any area of a lot not located within any enclosed or partially enclosed structure which are used by or intended for motor vehicles, including but not limited to the following: accessory or non-accessory parking spaces for the storage of automobiles, trucks or other motor vehicles; parking drive aisles; loading zones and service areas; emergency or fire zones or lanes; access drives and driveways; and paved areas painted or striped in such a manner as to indicate that they are not intended for parking or standing but are otherwise at grade with other areas designed for or used by motor vehicles. The Vehicular Use Area also includes landscaped areas bounded by parking stalls on one side and within ten feet (10') of the side of the parking stall, landscaped areas bounded by parking on two or more sides and within twenty feet (20'), or landscaped areas bounded on bounded by parking stalls and/or aisles on three or more sides.

VERGE

A strip separating a sidewalk from the curb or edge of cartway, and consisting of grass, landscaping, or decorative paving.

WOODLAND

A stand of predominantly native vegetation covering at least one acre, consisting of at least fifty-percent cover of mature trees of varying size.

SECTION 2. AMENDMENT TO SECTION 215-34 (TENTATIVE PLAN). Section 215-34 (Tentative Plan) of Article VI, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by adding a new Subsection E as follows:

- E. A Sketch landscape plan shall be included and show the following:
 - (1) Approximate location of specimen or mature trees.
 - (2) Approximate location of tree masses.

SECTION 3. AMENDMENT TO SECTION 215-35 (PRELIMINARY PLAN). Section 215-35 (Preliminary Plan) of Article VI, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting Subsection E(3) in its entirety and replacing it the following:

- (3) A Preliminary landscape plan shall be included and show the following:
 - (a) Existing features. The location and character of existing buildings, mature trees standing alone; outer limits of tree masses and other existing vegetation; the location of floodplains, wetlands, contours, mounding, water features, and other natural features that may affect the location of proposed streets, buildings and landscape plantings.
 - (b) Proposed landscaping. This shall be superimposed on the basic layout plan and shall include:
 - (i) Approximate location of all proposed landscaping required under this chapter,
 - (ii) Demarcation of existing vegetation "to remain," including trunk and drip line locations, and vegetation "to be removed," and the means of protecting existing vegetation during construction.
 - (iii) A schedule showing all landscape requirements as applied to the tract undergoing subdivision and/or land development.
 - (iv) Proposed planting schedule, including the common and scientific name, size, quantity.
 - (v) Approximate location of proposed buildings, paving, utilities or other improvements.
 - (vi) Existing and proposed contours, including related landscape features such as mounding and water features.

- (vii) All existing and proposed contours at two-foot intervals to determine the relationship of planting and grading; areas with slopes in excess of 15% shall be highlighted on the plan.

SECTION 4. AMENDMENT TO SECTION 215-36 (FINAL PLAN). Section 215-36 (Final Plan) of Article VI, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting Subsection A(2)(e) in its entirety and replacing it the following:

- (e) A Final landscape plan shall be included and show the following:
 - (i) Drafting standards. The same standards shall be required as for a preliminary plan. (See § 215-35. Preliminary Plan of this chapter.)
 - (ii) Information to be shown:
 - (a) Plan scale, date, North arrow and location map with zoning district designations for the site and adjacent properties.
 - (b) Location of all existing and proposed buildings and structures.
 - (c) Location of all existing and proposed roads, parking, service areas and other paved areas.
 - (d) Location of all outside storage and trash receptacle areas.
 - (e) Sidewalks, berms, fences, walls, freestanding signs and site lighting.
 - (f) Existing and proposed underground and aboveground utilities, such as site lighting, transformers, hydrants, manholes, valve boxes, etc. (Reference may be made to other submission drawings.)
 - (g) All existing and proposed contours at two-foot intervals to determine the relationship of planting and grading; areas with slopes in excess of 3:1 shall be highlighted on the plan.
 - (h) Existing mature trees, woodland and tree masses to remain.
 - (i) Existing mature trees, woodland and tree masses to be removed.
 - (j) Location of all proposed landscaping, including, but not limited to, required street trees, stormwater basin landscaping, parking lot landscaping, property line buffer and site element screen landscaping.
 - (k) A planting schedule listing the scientific and common name, size, quantity

and root condition of all proposed plant material.

- (l) A schedule showing all landscape requirements as applied to the tract undergoing subdivision and/or land development, and plantings proposed for each category.
 - (m) Planting details including method of protecting existing vegetation and landscape planting methods.
 - (n) Information in the form of notes or specifications concerning seeding, sodding, ground cover, mulching and the like, etc.
 - (o) A detailed cost estimate shall be submitted with the public improvement escrow showing the value of all proposed landscaping, including all labor, materials and guarantee.
- (iii) This condition may be satisfied through a land development agreement with sufficient and appropriate financial guarantees.
- (iv) Certificates. When approved, the landscape plan must show:
- (a) The signature and seal of the registered landscape architect responsible for preparing the landscape plan and details.
 - (b) The signature of the subdivider, developer or builder.
 - (c) The signatures of the elected municipal officials, Planning Commission, and Engineer or Landscape Architect.

SECTION 5. AMENDMENT TO SECTION 215-20 (LOTS). Section 215-20 (Lots) of Article V, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting such section in its entirety and replacing it with the following:

§ 215-20 Lots.

A. Subdivisions or land developments with existing structures on land. No subdivision of land will be approved with the property line extending through any portion of any existing structure.

- (1) If structure(s) is to remain:
 - (a) In residential zoning districts of the Township, the lot size and the lot dimensions of the newly created lot containing the structure(s) must be in scale with the height and bulk of the existing structure even if this requires a lot area and/or dimensions exceeding the minimum zoning requirement for that district.

Structures proposed on the vacant portions of lands being subdivided shall conform to the extent possible with the height, bulk, building material and architectural character of the existing structures in the immediate vicinity, and the subdivision plans shall show building plans at suitable detail.

- (b) In other zoning districts of the Township (especially commercial and industrial districts), the subdivision of the land must provide adequate service and parking facilities, etc., in keeping with the minimum requirements of the Zoning Ordinance (Chapter 250) for each lot and cumulatively for all lots in the subdivision. No subdivision will be approved in such instances if the servicing and/or parking facilities, etc. attendant to the existing structure are deemed inadequate or would be considered to become inadequate with the development of the now vacant lands. Any new structures contemplated on the newly subdivided parcels shall be in conformity with the existing structures in the immediate vicinity to the extent possible in regard to height, bulk, building material and architectural character, and the subdivision plans shall show building plans at suitable detail.
 - (c) Alterations and replacements will be permitted within the existing structure, but exterior extensions of the building must conform to the requirements of the Lower Pottsgrove Township Zoning Ordinance, as amended (Chapter 250).
 - (d) Conversions. In cases where the principal building use has not been as a dwelling, its conversion to a dwelling shall comply with all of the requirements of the Zoning Ordinance (Chapter 250) and the Building Code of Lower Pottsgrove Township (Chapter 130).
- (2) If existing structure(s) is to be removed, subdivision approval will be issued "conditional" to the expeditious removal of existing structures in complete conformity to all other pertinent Township procedural requirements. The subdivision plans shall furthermore show in detail the proposed development of each parcel of ground, and the proposed development shall not provide less service and parking facilities, etc., than now exist. In commercial and industrial areas, plots of land that have been cleared, as well as the existing vacant portions of such lands, should be developed in conformity with the long-range needs of the area to the extent possible, and all developmental requirements embodied in this chapter and the Zoning Ordinance (Chapter 250) shall be adhered to. If roadway realignments and other similar requirements are deemed necessary in the immediate vicinity of the plot being subdivided, they shall be corrected as part of the subdivision design to the utmost of the subdivider's ability.
- (3) If existing structure(s) is to be partly replaced or is to be added to, demolition plans and/or construction plans must be detailed as part of the subdivision plan review, and subsequent subdivision approval will be conditional upon compliance with said proposed details. Additions to existing structures shall be in harmony with existing structures in the immediate vicinity, especially in respect to height, bulk, building

materials and architectural characteristics. In the case of partial demolition of existing structures, the remaining structure must be in keeping with the existing buildings in the immediate vicinity in relation to type, bulk, building material and architectural characteristics. Renovation work to the remaining portion of a structure following partial demolition must be completed promptly and expeditiously.

B. Lot grading for subdivisions and land developments.

- (1) Blocks and lots. Blocks and lots shall be graded to secure proper drainage away from buildings and to prevent the collection of stormwater in pools. Minimum two-percent slopes away from structures shall be required.
- (2) Design. All drainage provisions shall be of such design as to carry surface waters to the nearest practical street, storm drain or natural watercourse. Where drainage swales are used to deliver surface waters away from buildings they shall not be less than 1% nor more than 4%. The swales shall be sodded or planted as required and shall be of such shape and size to conform to specifications of the Township Engineer.
- (3) Concentration. The concentration of storm drainage in a swale along the rear or side lot lines is strictly forbidden.
- (4) Construction. The subdivider shall construct and/or install such drainage structures and/or pipes that are necessary to prevent erosion damage and to satisfactorily carry off such surface waters to the nearest practical street, storm drain or natural watercourse.
- (5) Excavation. No excavation shall be made with a cut face steeper in slope than 1 1/2 horizontal to one vertical (66.7%) except under one or more of the following conditions:
 - (a) The excavation is located so that a line having a slope of 1 1/2 horizontal to one vertical and passing through any portion of the cut face will be entirely inside of the property lines of the property on which the excavation is made.
 - (b) The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than 1 1/2 horizontal to one vertical, and a written statement of a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, to that effect is submitted to the Township Engineer and approved by him. The statement shall state that the site has been inspected and that the deviation from the slope specified hereinbefore will not result in injury to persons or damage to property.
 - (c) A concrete or stone masonry wall constructed according to present or future designs of the Township of Lower Pottsgrove is provided to support the face of the excavation.
- (6) Fill. No fill shall be made which creates any exposed surface steeper in slope than

1 1/2 horizontal to one vertical except under one or more of the following conditions:

- (a) The fill is located so that settlement, sliding or erosion will not result in property damages or be a hazard to adjoining property, streets, alleys or buildings.
 - (b) A written statement from a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, certifying that he has inspected the site and that the proposed deviation from the slope specified above will not endanger any property or result in property damage, is submitted to and approved by the Township Engineer.
 - (c) A concrete or stone masonry wall constructed according to present or future designs of the Township of Lower Pottsgrove is provided to support the face of the excavation.
- (7) Slopes and fences. The top or bottom edge of slopes shall be a minimum of three feet from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. A chain link fence four feet in height approved by the Township shall protect all property lines (where walls or slopes are steeper than one horizontal to one vertical and five feet or more in height). The fence shall be an integral part of the wall.
- (8) Cleanup. All lots must be kept free of any debris or nuisances whatsoever.
- (9) Commercial/industrial areas. Roof drainages shall be conveyed by downspout constructed under the sidewalk and through the curb or to a storm sewer or natural watercourse, if available.
- (10) Site grading plan. The Township Engineer may require a grading plan in conjunction with the plan of subdivision or land development in order to ensure compliance with the above standards.
- C. Lot siting, planting and beautification for subdivisions and land developments. In order to promote the highest environmental quality possible, the success to which the applicant of a subdivision or land development plan has preserved existing salient natural features and landforms intrinsic to the site shall be assessed. Terms of approval of a plat may be subject to the manner in which the layout or design of the plan has preserved existing natural features.
- (1) Limit of contract. Where the applicant is offering for dedication or is required by ordinance to establish a reservation of open space or preserve an area of scenic or historic importance, a limit of contract which will confine excavation, earthmoving procedures and other changes to the landscape may be required to ensure preservation and prevent despoliation of the character of the area in open space.
 - (2) Topsoil preservation. No topsoil shall be removed from the site or used as spoil.

Topsoil must be removed from the area of construction and stored separately. Upon completion of the construction, the topsoil must be redistributed on the site uniformly. All areas of the site shall be stabilized by seeding or planting on slopes of less than 10% and shall be stabilized by sodding on slopes of 10% or more and planted in ground cover on slopes of 20%, provided that riprap shall be utilized for banks exceeding 25%.

SECTION 6. AMENDMENT TO SECTION 215-24 (STORMWATER MANAGEMENT). Section 215-24 (Stormwater Management) of Article V, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting such section in its entirety and replacing it with the following:

§ 215-24 Stormwater management.

A. Goals. The goals for stormwater management in Lower Pottsgrove Township are:

- (1) To protect the health, safety and general welfare of the Township residents by protecting the surface waters and groundwater of the Township through effective stormwater management and control of sedimentation and erosion, as provided in this article.
- (2) To limit the negative impacts of development that occur with inadequately managed stormwater. These negative impacts include, but are not limited to, altered hydrology, lowering of the groundwater table, physical stream impacts and biological impacts to nonpoint-source pollutants.

B. Purpose. The purpose of stormwater management in Lower Pottsgrove Township is:

- (1) To maintain the predevelopment water balance in watershed and subwatersheds and to work to restore natural hydrologic regimes wherever possible throughout the stream system.
- (2) To the limits possible, maintain the predevelopment volume of groundwater recharge.
- (3) To prevent significant increase in surface runoff volumes, predevelopment to post development, thereby mitigating flooding downstream in the watershed, enlarging floodplains, eroding stream banks and creating other flood-related health-welfare-property losses and to work to reduce runoff volumes to predevelopment levels.
- (4) To maintain predevelopment peak rates of discharge, site by site, so as not to worsen flooding adjacent to downstream sites.
- (5) To minimize nonpoint-source pollutant loading to groundwater and surface waters generally throughout Lower Pottsgrove Township.

- (6) To minimize impacts on stream temperatures.
 - (7) To minimize aesthetic impacts.
 - (8) To manage stormwater through approaches and practices that rely on natural process to the greatest extent possible and require a minimum of structures.
- C. **Applicability.** The provisions of this § 215-24 shall apply to all subdivisions and land developments as defined in this chapter or as otherwise required by the Township and shall be the minimum requirements to be met, except that in those cases where the provisions of the Township's separate Stormwater Management Ordinance (Ordinance No. 252; Chapter 203, Article I, of this Code) are, by the terms of thereof and as may be amended from time to time, determined to be applicable by the Board of Commissioners, and then the provisions set forth in said ordinance shall supersede any provisions to the contrary contained in this § 215-24.
- D. **General provisions.** The following provisions shall be followed and incorporated into the development review and construction process:
- (1) The choice and design of stormwater management systems used to meet the requirements of this section shall be based on the system types and specifications set forth in the Pennsylvania Handbook of Best Management Practices for Developing Areas published by the Commonwealth of Pennsylvania. Various combinations of methods should be tailored to suit the particular requirements for the type of development and the local site conditions and approved by the Township Engineer.
 - (2) The choice and design of stormwater management systems are to be developed through a procedure that selects best management practices and incorporates a combination of the following:
 - (a) Seeking to control runoff at its source through infiltration.
 - (b) Improving the quality of the stormwater during conveyance.
 - (c) Providing for detention.
 - (3) The applicant or applicant's agent shall design, construct and/or install drainage facilities to prevent soil erosion, drainage and siltation and to manage stormwater in order to prevent the impairment of the public safety or physical damage due to concentration of the stormwater runoff onto adjacent properties in accordance with this chapter and applicable rules and regulations of the Pennsylvania Department of Environmental Protection and the Montgomery County Conservation District. All areas shall be graded to secure proper drainage away from buildings, on-site sewage disposal systems and to prevent the uncontrolled collection of stormwater in pools. The system shall be designed to collect and recharge water to the greatest extent possible.

- (4) The rate of stormwater runoff from any proposed subdivision or land development shall not exceed the rate of runoff prior to development. Requirements for design of stormwater management systems to control quantity of discharge is outlined in this chapter. The distribution of drainage discharge from the development properties shall replicate that of before-development conditions to the maximum extent possible. The methodology and facilities used shall be based on the calculated flows and conditions of each particular site.
- (5) The rate of stormwater management plan for each subdivision or land development proposal shall take into account and provide for the peak rate and volume flows to other areas in the watershed to ensure that cumulative problems are not increased as a result of flows from the proposed project. This analysis shall also explore possibilities to share stormwater management facilities with other areas in the watershed.
- (6) Recharge facilities, detention facilities, storm sewers, culverts, bridges and related drainage installation shall be designed and constructed to meet the following purposes:
 - (a) To permit unimpeded flow of natural watercourses. Such flow may be redirected as required, subject to the approval of the Pennsylvania Department of Environmental Protection.
 - (b) To ensure adequate drainage of all low points as may be related to streets.
 - (c) To intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained to prevent flow of stormwater across intersections during the design storm.
 - (d) To ensure adequate and unimpeded flow of stormwater under driveways in, near or across natural watercourses or drainage swales. Pipes or other conduits sized to convey the proper design storm shall be provided as necessary.
 - (e) To prevent excessive flow on or across streets, sidewalks, drives, parking areas and any other paved surface or accessway.
- (7) To this end, the storm drainage system serving the street shall be designed to collect water at any point where three to five cubic feet per second is accumulated, where water floods more than 1/2 of the roadway, and the low point of all vertical grades, 100 feet upgrade of each low point and immediately upgrade of all street intersections. The system shall discharge any collected water which is not recharged into the nearest practical natural drainage channel or stormwater system.
- (8) All natural watercourses or concentrations of surface water shall be maintained in their existing condition, unless the Township approves alteration. In any event, all encroachment activities shall comply with Chapter 105 of the Commonwealth of Pennsylvania's Department of Environmental Protection, Dam Safety and Waterway Management Rules and Regulations.

- (9) Man-made structures shall be kept to a minimum, and bridges, culverts or riprap shall be constructed to maintain natural characteristics of the stream and shall meet the approval of the Township. Retention/detention basins shall be designed to utilize the natural contours of the land. When such design is impracticable, the construction of the basin design shall utilize slopes as shallow as possible to blend the structures into the existing terrain. The use of multiple retention/detention facilities, which are smaller and less intrusive on the site, is encouraged.
- (10) All areas containing lakes, ponds, wetlands and watercourses shall be considered to be reserved for permanent open space. Any alteration, development, filling, piping or diverting of areas containing lakes, ponds, wetlands and watercourses shall be in strict compliance with the all prevailing rules and regulations of federal and state agencies. The Township recognizes the use of wetlands as potential components of stormwater management facilities and encourages such innovative use if assurances are that conservation measures are adequate and that all federal and state requirements are satisfied.
- (11) The Township may require that a landowner or development provide reasonable corrective on-site measures to alleviate any existing off-site drainage problem that may be effected by the proposed subdivision and/or land development. If off-site easements are required, it shall be the responsibility of the landowner or developer to obtain all drainage easements on, over or through other properties, and the Township, its agents, workers and employees shall be indemnified and held harmless from any liability. Any water originating from non-natural sources, such as swimming pools, air-conditioning units, sump pumps, roof drains or other similar flow, shall be properly discharged into a recharge facility or natural watercourses on the property or connected to an existing or proposed storm drainage system as approved by the Township. This discharge shall not be discharged to adjacent properties. Polluting matter from such sources may not be deposited into natural watercourses or storm drains.
- (12) All building foundations, grade slabs and cellar floors located in soils that have a community development limitation degree of moderate to severe seasonal high-water table (as defined in the Montgomery County Soil Survey) shall be provided with an underdrain system. This system shall provide for drainage of the enclosed volume above the slab and relief of subsurface water to a depth of not less than 18 inches below the slab or foundation field of the herringbone or gridiron configuration in coarse gravel-filled trenches that are in direct contact with the slab or foundation subbase. The excavation shall provide a minimum of 0.05 foot/foot slope to the gravel-filled trenches.
- (13) To mitigate the potential polluting of surface waters and groundwater by pollutants such as salt, petroleum products and antifreeze flowing from paved parking lots, pretreatment of the runoff shall be required. The extent of the treatment shall be set by the Township Engineer and will be determined by such factors as the area of the parking lot and the course of the runoff as it is recharged or flows into natural waterways.

E. Permanent stormwater management standards. The following standards shall be used to develop the stormwater management system.

(1) Standard 1. After installation of impervious cover, there shall be no increase in the volume of stormwater runoff being discharged for up to the two-year frequency rainfall, predevelopment to post development. If the Township Engineer determines that such a standard is not achievable on the site (all or in part), based on the existing soil, bedrock, water table or other conditions on the parcel, Standard 3 provisions apply. For preliminary design purposes, this volume can be initially estimated as a depth of 2.5 inches per unit area of new impervious surface.

(2) Standard 2. After installation of impervious cover and assuming full compliance with Standard 1, the peak rate of stormwater discharges from the site for all design storms up to and including a one-hundred-year frequency rainfall shall not exceed the peak discharges from the site of the same storm before disturbance. Design storms include:

2-year	24-hour storm
10-year	24-hour storm
25-year	24-hour storm
50-year	24-hour storm
100-year	24-hour storm

(3) Standard 3. If the volume standard set forth in Standard 1 cannot be achieved, then the peak rate standards are modified so the post-development peak rate discharges from the site for all storms up to the ten-year storm must be equal to or less than 75% of the respective peak rates for these storms predevelopment.

(4) Standard 4. Under certain conditions, the Township, upon recommendation of the Township Engineer, may impose the following additional restrictions on stormwater discharges:

(a) Peak discharge may be further restricted to alleviate off-site drainage problems.

(b) Measures shall be imposed to protect against groundwater or surface water pollution where the type of business activity may result in significant nonpoint-source pollution ("hot spots") or the nature of the soils or bedrock underlying a stormwater management structure constitutes substantial risk of contamination, such as might be the case in limestone formations. Special provisions to be followed in these cases will be provided by the Township Engineer.

(c) Where groundwater yields are very low or where a groundwater supply already

is heavily used, the Township may require that the entire volume of the two-year frequency rainfall (3.2 inches in 24 hours) be retained and infiltrated.

F. Specific infiltration system design criteria.

- (1) Infiltration devices shall be selected based on suitability of soils and site conditions. Measures may include porous pavement with underground infiltration bed, vegetated infiltration beds, swales and trenches or other seepage structures similar to these proposed in the Pennsylvania Handbook of Best Management Practices for Developing Areas (1998), as may be amended, and related references or other guidance documents.
- (2) Soil infiltration tests shall be performed for all proposed infiltration areas; these tests shall include evaluation of selected soil horizons by deep pits and percolation measurements. Testing shall be reviewed and approved by the Township Engineer. The soil infiltration rate of discharge from the infiltration area being used in the proposed design shall be based on these measurements.
- (3) Where possible, the lowest elevation of the infiltration area shall be at least two feet above the seasonal high-water table (SHWT) and bedrock.
- (4) All infiltration systems shall have appropriate positive overflow controls to prevent storage within one foot of the finished surface or grade.
- (5) All infiltration systems shall have a minimum setback of 15 feet from all residential structures. Care should be taken to prevent any seepage into subgrade structures.
- (6) All surface inflows shall be treated to prevent the direct discharge of sediment into the infiltration system; accumulated sediment reduces stormwater storage capacity and ultimately clogs the infiltration mechanism. No sand or other particulate matter may be applied to a previous surface for winter ice conditions.

G. During site construction, all recharge system components shall be protected from compaction due to heavy equipment operation or storage of fill or construction material. Recharge areas shall also be protected from sedimentation. All areas designated for recharge shall not receive runoff until the contributory drainage area has achieved final stabilization or be cleared and reconstructed at that time.

H. The following procedures and materials shall be required during the construction of all subsurface facilities.

- (1) Excavation for the infiltration facility shall be performed with equipment that will not compact the bottom of the seepage bed/trench or like facility.
 - (a) The bottom of the bed and/or trench shall be scarified prior to the placement of aggregate.

- (b) Only clean aggregate, free of fines, shall be allowed.
- (c) The top and sides of all seepage beds, trenches or like facilities shall be covered with drainage filtration fabric. Fabric shall meet the specifications of PennDOT Publication 408, Section 735, Construction Class 1.
- (d) Perforated distribution pipes connected to centralized catch basins and/or manholes with provision for the collection of debris shall be provided in all facilities. The perforated pipes shall distribute stormwater throughout the entire seepage bed/trench or like facility.

I. Additional stormwater detention/retention facilities design requirements.

- (1) The following setbacks are required for stormwater management facilities:
 - (a) Stormwater retention or detention basins shall be located at least 50 feet from any structure, whether existing or proposed.
 - (b) Whenever possible, stormwater retention or detention basins shall be located at least 50 feet from any property boundary or right-of-way.
 - (c) Recharge systems greater than three feet deep shall be located at least 15 feet from any basement wall and 25 feet from wastewater treatment areas.
 - (d) Any recharge system designed to handle runoff from any commercial or industrial impervious parking or outside storage area shall be a minimum of 50 feet from any water supply well or any wastewater treatment area.
- (2) Riser. A riser or other acceptable outfall shall be provided at the outlet of all detention basins. The riser shall be constructed of precast or poured-in-place concrete with controlled orifices. The riser shall extend to an elevation of one foot below the crest elevation of the emergency spillway. The riser shall be designed so that the rate of outflow is controlled by the pipe barrel through the basin berm when the depth of water within the basin exceeds the height of the riser. A trash rack or similar appurtenance shall be provided to prevent debris from entering the riser. All risers shall have a concrete base attached with a watertight connection. The base shall be sufficient weight to prevent flotation of the riser.
- (3) Emergency spillway. Whenever possible, the emergency spillway for detention basins shall be constructed on undisturbed ground. Emergency spillways shall be designed according to the Soil Conservation Service Engineering Field Manual. All emergency spillways shall be constructed so that the detention basin berm is protected against erosion. The minimum capacity of all emergency spillways shall be such that, should the principal spillway become clogged or ineffective, the emergency spillway can safely convey the one-hundred-year storm event with one foot of available freeboard. The emergency spillway shall not discharge over earthen fill and/or easily erodible

material.

- (4) Antiseep collars. Antiseep collars shall be installed around the principal pipe barrel within the normal saturation zone of the detention basin berms. The antiseep collars and their connections to the pipe barrel shall be watertight. The antiseep collars shall extend a minimum of two feet beyond the outside of the principal pipe barrel. The maximum spacing between collars shall be 14 times the minimum projection of the collar measured perpendicular to the pipe.
- (5) Freeboard. Freeboard is the difference between the design flow elevations in the emergency spillway and the top of the settled detention basin embankment. The minimum freeboard shall be two feet.
- (6) Slope of detention basin embankment. The maximum slope of earthen detention basin embankments shall meet the requirements contained in this subsection. Whenever possible, the side slopes and basin shape shall be amendable to the natural topography. Straight side slopes and rectangular basins shall be avoided whenever possible.
- (7) Width of berm. The minimum top width of detention basin berms shall be 10 feet.
- (8) Slope of basin bottom. In order to ensure proper drainage of the detention basin, a minimum grade of 2% shall be maintained for all sheet flow. A minimum grade of 1% shall be maintained for all channel flow.
- (9) Energy dissipaters. Energy-dissipating devices (riprap, end sills, etc.) shall be placed at all basin outlets. Any pipe or other component that discharges directly into the basin shall be equipped with energy-dissipating devices and shall outlet into the bottom of the basin.
- (10) Landscaping and grading of detention basin. All landscaping and grading standards shall be as follows:
 - (a) Cuts. No excavation shall be made with a cut face steeper than two horizontal to one vertical, except under the condition that the material in which the excavation is made is sufficiently stable to sustain a slope of steeper than two horizontal to one vertical. A written statement to that effect is required from an engineer and must be submitted and approved by the Township Engineer. The statement shall affirm that the site has been inspected and that the deviation from the slope should not result in injury to person or damage to property. Retaining walls shall be required if a stable slope cannot be maintained. The Township Engineer must approve any retaining wall design. The toe of the slope or headwall of any cut must be located a minimum of five feet from property lines.
 - (b) Fills. No fill shall be made which creates any exposed surfaces steeper in slope than two horizontal to one vertical, except where the fill is located so that settlement, sliding or erosion will not result in property damage or be a hazard to

adjoining property, streets or buildings. A written statement is required from an engineer certifying that she or he has inspected the site and that any proposed deviation from the slope specified above should not endanger any property or result in property damage and must be submitted to and approved by the Township Engineer.

[1] A concrete or stone masonry wall designed and constructed in accordance with these specifications and standards may be required to support the face of the fill where the above-specified slopes are exceeded.

[2] The top of any fill or toe of the slope of any fill shall be located 25 feet from any property line with the exception of a downstream property line where the toe of the embankment shall be placed a sufficient distance to allow for energy dissipating devices but in no case less than 40 feet unless approved otherwise by the Township.

(12) Easements for all basins and storm pipes not located with the public street right-of-way shall be provided.

J. Stormwater drainage system design requirements.

(1) Design flow rate. The storm drain system shall be designed to carry a twenty-five-year peak flow rate. The system must adequately convey a one-hundred-year storm to detention facilities. The design twenty-five-year peak flow rate into each inlet shall be indicated on the stormwater management plan. The twenty-five-year flow rate shall be determined by the Rational Formula: $Q = CIA$, where:

Q = Peak runoff rate, cubic feet per second (CFS)

C = Runoff coefficient equal to the ratio of the runoff rate to the average rate of rainfall over a time period equal to the time of concentration

I = Average rainfall intensity to inches per hour for a time equivalent to the time of concentration.

A = Drainage area in acres

Approximate values for the runoff coefficient and runoff intensity are found in the

- Q** = **Peak runoff rate, cubic feet per second (CFS)**
- C** = **Runoff coefficient equal to the ratio of the runoff rate to the average rate of rainfall over a time period equal to the time of concentration**
- I** = **Average rainfall intensity to inches per hour for a time equivalent to the time of concentration.**

following sources:

Commonwealth of Pennsylvania

Department of Transportation

Design Manual, Part 2

Chapter 12

- (2) **Overflow system.** An overflow system shall be provided to carry flow to the detention basin when the capacity of the storm drainpipe system is exceeded. The overflow system shall be of sufficient capacity to carry the difference between the one-hundred-year and the twenty-five-year peak flow rates.
- (3) **Inlet capacity.** All inlets must be designed to accommodate the twenty-five-year peak flow rate. The capacity of each inlet shall be indicated on the stormwater plan. The capacity of all C-, M- or S-type inlets shall be determined from the following source:
- Commonwealth of Pennsylvania
- Department of Transportation
- Design Manual, Part 2
- Highway Design
- (4) **Straight pipe selections.** Wherever possible, all storm drainpipes shall be designed to follow straight courses. No angular deflections of storm sewer pipe sections in excess of 5° shall be permitted. No vertical curves shall be permitted in the storm drain pipe system.
- (5) **Minimum grade and size.** All storm drainpipes shall be designed to maintain a minimum grade of 1/2%. All storm pipes shall have a minimum inside diameter of 18 inches, except that pipes under a 25 or greater fill shall be designed in accordance with PennDOT DMII.

(6) Pipe material and thickness. All storm sewers shall be a material that meets the one-hundred-year life expectancy criteria contained in PennDOT DMII, most recent edition.

(7) Pipe capacity. The capacity of all pipe culverts shall, as a minimum, provide the required carrying capacity as determined by the following source:

United States Department of Commerce

Bureau of Public Roads

Hydraulic Engineering Circular No. 5

Hydraulic Charts for the Selection of Highway Culverts

(8) Pipe arches. Where headroom is restricted, equivalent pipe arches may be used in lieu of circular pipes.

(9) Allowable headwater depth. At all inlets or manholes, the maximum allowable headwater depth shall be one foot below the top of the inlet grate of the manhole cover.

(10) Horizontal pipe deflections. A manhole or inlet shall be provided at all horizontal deflections in the storm pipe system.

(11) Minimum and maximum cover. A minimum of 18 inches of cover shall be maintained over all storm drainpipes. The top of storm drainpipes shall be at least 1/2 foot below subgrade elevation.

(12) Diversion or runoff. All storm drainpipes shall be designed to carry the runoff into a detention basin or similar facility utilized to control the rate of runoff. No discharge at the top or side of embankments shall be permitted.

(13) Culverts and drainage channels.

(a) Design flow standards. All culverts and drainage channels shall be designed to carry a flow rate equal to a fifty-year storm event.

(b) Erosion prevention. All drainage channels shall be designed to prevent the erosion of the bed and bank areas. The flow velocity in all vegetated drainage channels shall not exceed three feet per second to prevent erosion unless special provisions are made to protect banks and channel bottoms against erosion. Suitable bank stabilization shall be provided where required to prevent erosion of the drainage channels. Where storm sewers discharge into existing drainage channels at an angle greater than 30° from parallel with the downstream channel flow, the far side bank shall be properly stabilized. The stabilization shall be

designed to prevent erosion and frost heave under and behind the stabilizing media.

- (c) Maximum side slope. Any vegetated drainage channel requiring mowing of the vegetation shall have a maximum grade of three horizontal to one vertical of those areas to be mowed.
- (d) Design standard. Because of the critical nature of the vegetated drainage channels, the design of all vegetated channels shall, as a minimum, conform to the design procedures outlines in the PA DEP manuals. Several acceptable sources outline procedures for nonvegetated drainage channels, including the following:

Bureau of Public Roads

Federal Highway Administration

Hydraulic Engineering Circular No. 5

Hydraulic Charts for the Selection of Highway Culverts

Hydraulic Engineering Circular No. 13

Hydraulic Design of Improved Inlets for Culverts

- (e) Reference to publications and source documents in this section shall be deemed to include any amendments and revisions thereof.

K. Standards during land disturbance.

- (1) During the period of land disturbance, when significant sediment can be contained in runoff, this runoff shall be controlled prior to entering any proposed infiltration area.

SECTION 7. AMENDMENT TO SECTION 215-33 (SANATOGA VILLAGE DISTRICT). Section 215-33 (Sanatoga Village District) of Article V, Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting such section in its entirety and replacing it with the following:

§ 215-33 Sanatoga village district.

A. Building orientation. Buildings shall be designed with a clearly visible front facade facing High Street in order to reinforce the historic development pattern of the Sanatoga Valley District.

- (1) A building's entrance shall be clearly visible and easily accessible from High Street. A single main entrance located behind a building shall be prohibited except where

building(s) are located to the rear of a lot and take access from a rear alley or street.

- (2) Building entrances shall be connected with sidewalks to any existing or proposed sidewalks along High Street.
 - (3) Show or display windows shall be visible from High Street.
 - (4) Buildings at the front yard line shall be rectilinear to the ultimate right-of-way line of High Street.
- B. Service, refuse and recycling areas. Service areas should be well integrated into the site plan or building and should be convenient to use. Necessary as these areas are, they should be kept out of view either in a building or well screened in the rear or side yard.
- (1) Location. Service, refuse and recycling areas shall be prohibited in the front yard. These areas shall be located inside buildings or in the side or rear yards.

Note: For site element screening requirements see Figure X.19 Site Element Screens.

- C. Lighting. Lighting plays an important role in enhancing the Sanatoga Village District's nighttime appeal. High-pressure sodium lighting creates a harsh industrial look, as do overly tall or glaring light fixtures. A human-scale lighting system is appropriate for developments in the SVD.
- (1) All exterior lighting shall be metal halide or mercury vapor. High-pressure sodium lighting shall be prohibited.
 - (2) Exterior lighting shall be directed in order to avoid glare onto adjoining property or roadways.
 - (3) There shall be a hierarchy of luminaire heights and illumination levels, according to the following:
 - (a) In parking lots, the maximum height of a luminaire shall be 20 feet with an overall minimum illumination level of one foot-candle.
 - (b) Along roadways, the maximum height of the luminaire shall be 30 feet with a minimum illumination level of 0.9 foot-candle in commercial areas and 0.6 foot-candle in residential areas.
 - (c) Along pedestrian areas, the maximum height of a luminaire shall be 10 feet in residential areas and 15 feet in commercial areas with a minimum illumination level of 0.6 foot-candle in residential areas and 0.9 foot-candle in commercial areas.
- D. Fences and walls located between the building façade and the street or public right-of-way,

or, in the case of lots with no building, fences and walls located in the required front yard:

- (1) Can add interest and privacy; however, fences that completely block the line of vision create a hostile, forbidding entrance and should be avoided.
- (2) Shall be less than three feet in height .
- (3) Prohibited: gabion or exposed, unfinished cinder or concrete block walls.

SECTION 8. AMENDMENT TO ARTICLE X (LANDSCAPE REGULATIONS).

Article X (Landscape Regulations) of Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting the heading “Landscape Regulations” in its entirety and replacing it with “Landscaping”.

SECTION 9. AMENDMENT TO ARTICLE X (LANDSCAPING). Article X (Landscaping) of Chapter 215 of the Code of Ordinances of Lower Pottsgrove Township, known as the Subdivision and Land Development Ordinance, is amended by deleting such section in its entirety and replacing it with the following:

§ 215-49 Legislative intent.

- A. Article 1, § 27, of the Constitution of the Commonwealth of Pennsylvania states that people have a right to clean air, pure water and to the preservation of the natural, scenic, historic and aesthetic values of the environment. It is the intent of these landscape planting requirements to protect this right and improve quality of life by conserving existing vegetation and/or requiring new plant material in critical areas of land developments.
- B. Specifically, it is the intent of these landscape planting requirements to conserve existing healthy vegetation, and to require new landscape plantings in critical areas of new developments in order to:
 - (1) Incorporate appropriate native plants into the suburban environment to promote greater landscape resiliency, to create healthy, diverse ecosystems, and to enhance natural environments of the Township.
 - (2) Reduce soil erosion and protect surface water quality by minimizing stripping of existing woodlands or tree masses.
 - (3) Integrate stormwater management and landscape design by the use of plants to promote detention, treatment, infiltration and groundwater recharge of rainwater. Reduce stormwater runoff velocity and volume by providing planting areas where stormwater can infiltrate.
 - (4) Improve air quality by conserving existing or creating new plantings that produce oxygen and remove carbon dioxide from the atmosphere.

- (6) Provide windbreaks, shade and the other microclimate benefits of trees and landscape plantings.
- (7) Conserve historically, culturally or environmentally important landscapes such as wooded hillsides, scenic views or attractive natural areas.
- (8) Preserve and enhance property values through the implementation of good landscape architectural standards.
- (9) Provide planted buffers between land developments that act to visually integrate a development into the existing landscape.
- (10) Provide planted and architectural visual screens around visually obtrusive site elements within development.
- (11) Enhance the aesthetic appearance of the community and provide privacy and beauty.
- (12) Promote the following sustainability and greening goals in parking lots
 - (a) Conserve energy and reduce heat islands by providing shade and moderating the effects of solar radiation.
 - (b) Improve the environment for pedestrians along streets, parking lots and other pedestrian areas.
 - (c) Aesthetically improve stormwater management facilities, such as detention basins, without impairing function.
 - (d) Combat climate change by sequestering carbon.

C. Finally, it is the intent of this chapter to protect the health, safety and welfare of the community by requiring planting plans for major land developments to be sealed by a landscape architect registered in the Commonwealth of Pennsylvania.

§ 215-50 Preservation of existing vegetation.

A. Preservation of existing vegetation.

- (1) All subdivision and land developments should be laid out in such a manner as to minimize the removal of healthy trees, shrubs, and other vegetation on the site. Special consideration shall be given to ecologically significant vegetation, such as mature trees, specimen trees, woodlands, riparian buffers, meadows, and vegetation serving to provide naturalized stormwater management
- (2) It shall be incumbent on the applicant to prove that vegetation removal is minimized. If challenged by the Township, the applicant shall produce evidence, such as written documents or plans certified by a registered landscape architect or other qualified

professional, showing that no alternative layouts are possible and that no alternative clearing or grading plan would reduce the loss of mature trees, tree masses and woodlands.

- (3) Removal or disturbance of vegetation in environmentally sensitive areas, including wetlands, floodplains, steep slopes, riparian corridors, wildlife habitats, and ecologically significant woodlands shall be undertaken only as permitted in Subsection C. Tree Replacement to minimize the adverse effects of such actions
- (4) A mature tree, tree mass, or woodland may be designated "TO BE REMOVED" only if it meets at least one of the following criteria:
 - (a) The outermost branches of the tree(s) are less than five (5') feet, or the trunk of the tree less than twenty (20') feet, whichever is less, from any proposed buildings, structures, paving, parking, or utilities (overhead or underground).
 - (b) The outermost branches of the tree(s) are at least five (5') feet or the trunk of the tree is at least twenty (20') feet, whichever is greater, from any proposed changes in grade or drainage such as excavations, mounding, or impoundments.
 - (c) The tree(s) interfere with traffic safety or are located within proposed sight triangles.
 - (d) The tree(s), by its location or apparent poor health, poses any undue threat to the health, safety, and welfare of the community.
 - (e) The tree blocks required solar access.
- (5) These trees will be removed in the field during the construction process.
- (6) Transplanting existing plant material. Specimen trees or individual trees for woodlands or tree masses designated "to be removed" are encouraged to be transplanted from one area of the site to another. Transplanted trees must conform to the requirements of §§ 215-58 Plant and landscape specifications, maintenance, and guarantee and §215-59 Recommended plant material list of this article.
- (7) Mature trees, tree masses, or woodlands that do not fit the above criteria shall be designated "TO REMAIN."
- (8) Unique or specimen trees [for Definitions, see §215-61. Definitions, Article X. Landscaping] should be preserved.
- (9) Existing healthy trees, shrubs, and other vegetation may be substituted for part or all of the required plant material at the discretion of the Board of Commissioners, at the recommendation of the Planning Commission. The effect of the existing vegetation shall be equal to, or exceed that of, the required landscaping.

B. Protection of existing vegetation.

- (1) Existing vegetation designated "to remain," in accordance with Subsection A(6) above, as part of the landscaping of a subdivision or land development shall be identified in the field prior to any clearing and shall be physically protected throughout the construction process.
- (2) A temporary, sturdy physical barrier, such as a snow fence mounted on steel posts, shall be erected a minimum of one foot outside the dripline, or a minimum twenty feet (20') outside a tree's trunk, whichever is greater, on all sides of individual trees, tree masses or woodlands prior to major clearing or construction. The fence shall be located eight feet on center.
- (3) The barrier shall be placed to prevent disturbance and shall remain until construction is complete. The barrier shall be shown on the erosion and sedimentation and landscape plans.
- (4) Hydrology. Alteration of existing drainage patterns and water supply for the protected vegetation shall be minimized.
- (5) The tree protection area shall be fifteen feet (15') from the trunk of the tree to be retained or the distance from the trunk to the drip line, whichever is greater. Where there is a group of trees or woodlands, the tree protection area shall be the aggregate of the protection areas for the individual trees.
- (6) The preliminary plan shall show the location of all trees to be preserved, including their trunk and drip line locations. Where groups of trees are to be preserved, only the locations of the trees and their trunks and driplines on the perimeter must be shown.
- (7) Protection Standards.
 - (a) Grade changes and excavations shall not encroach upon the tree protection area.
 - (b) No toxic materials shall be stored within 100 feet of a tree protection zone, including petroleum based and/or derived products.
 - (c) The tree protection area shall not be built upon, nor shall any materials be stored there either temporarily or permanently. Vehicles and equipment shall not be parked in the tree protection area.
 - (d) When tree stumps are located within ten feet (10') of the tree protection area, the stumps shall be removed by means of a stump grinder to minimize the effect on surrounding root systems.
 - (e) Tree roots which must be severed shall be cut by a backhoe or similar equipment aligned radially to the tree. This method reduces the lateral movement of the roots

during excavation, which if done by other methods could damage the intertwined roots of adjacent trees.

- (f) Within four hours of any severance of roots, all tree roots that have been exposed and/or damaged shall be trimmed cleanly and covered temporarily with moist peat moss, moist burlap, or other moist biodegradable material to keep them from drying out until permanent cover can be installed.
 - (g) Sediment, retention and detention basins shall not be located within, or discharge into, the tree protection area.
 - (h) Prior to construction, all trees scheduled to remain shall be marked; where groups of trees exist, only the trees on the edge need to be marked.
 - (j) When the wooden snow fence has been installed, it shall be inspected and approved by the Township Engineer prior to commencing clearing and further construction. The fencing along the tree protection area shall be maintained until all work/construction has been completed; any damage to the protective fencing shall be replaced and repaired before further construction shall begin.
 - (k) Trees being removed shall not be felled, pushed or pulled into a tree protection area or into trees that are to be retained.
- (8) Retaining Walls.
- (a) Where the original grade cannot be retained at the tree protection area line, a retaining wall shall be constructed outside of the tree protection zone.
 - (b) The retaining wall shall be designed to comply with the Township standards for retaining walls.
 - (c) In addition, the following methods shall be used to ensure survival of the tree:
 - [1] The top of the wall shall be four inches above the finished grade line.
 - [2] The wall shall be constructed of large stones, brick, building tile, concrete blocks or treated wood beams not less than six inches by six inches; a means for drainage through the wall shall be provided so water will not accumulate on either side of the wall; weep holes shall be required with any wall.
 - [3] Any severed roots as a result of excavation shall be trimmed so that their edges are smooth and are cut back to a lateral root if exposed.
 - [4] A layer of clean stone, sized 3/4 inch to one inch, shall be placed one foot out from the wall to aid in drainage.

(9) Trenching and Tunneling.

- (a) If there is no alternative but to locate a utility line near a tree, tunneling should be used instead of trenching, except where, in the opinion of the Engineer, survival of the tree would not be affected by either method; in that case, either method is acceptable. The Township Engineer shall determine the most desirable location for the utility line.
- (b) Trenches shall be filled as soon as possible, and tamped lightly to avoid air spaces.

C. Tree Replacement

- (1) When more than 25% of healthy and mature trees are removed, mature trees less than 6 inches diameter at breast height (dbh) shall be replaced on a one tree per one tree basis with a 2 1/2-inch caliper tree.
- (2) When more than 25% of healthy and mature trees are removed, mature trees greater than 6 inches dbh that are removed shall be replaced on a one caliper inch dbh per one caliper inch dbh basis.
- (3) Maintenance. The applicant shall be responsible for maintenance of all trees planted as required by this section for a period of eighteen (18) months after final acceptance and certification of project completion.
- (4) Survey and Plan Information. Before any clearing commences, all mature trees and associated extent of tree canopy shall be survey located and shall be indicated on the plan along with dbh measurement and species.
- (5) Fee-in-Lieu. If the site does not reasonably contain enough room for the required replacement trees, the Board of Commissioners may allow the developer to locate some or all of the replacement trees on public lands or accept an equivalent fee-in-lieu of plantings, at their discretion. The fees, set by resolution of the Board of Commissioners, will be used to pay for the cost of the tree or trees, equipment needed to protect the tree(s) for an eighteen-month period, as well as costs related to the care and maintenance of the tree(s) throughout this period.

§ 215-51 Parking lot landscaping.

A. Intent. Parking lots should be effectively landscaped for the following reasons:

- (1) To reduce the visual impact of glare, headlights and parking lot lights
- (2) To delineate driving lanes and define rows of parking
- (3) To contribute to the visual character of a land development and reduce the perceived mass of parking areas.

- (4) To facilitate snow removal and stormwater drainage.
- (5) To promote environmental sustainability and greening goals, including but not limited to:
 - (a) Integrating stormwater management and landscape design by the use of plants and soils to naturally detain, treat, and infiltrate runoff from impervious surfaces.
 - (b) Shading paved surfaces to mitigate the urban heat island effect by planting large canopy trees.
 - (c) Distributing landscape elements throughout the parking lot to interrupt large impervious expanses.
 - (d) Complying with state water quality mandates and the Township Stormwater Management Ordinance through detention, treatment, and infiltration of stormwater runoff.

B. Applicability

- (1) Unless otherwise expressly stated, the requirements of this section and related site element screens for parking shall apply to any of the following:
 - (a) The construction or installation of new vehicular use areas. *Note: Figure X.1 illustrates what is included in the vehicular use area.*
 - (b) The expansion of existing vehicular use areas, if such repair, rehabilitation, or expansion would increase the area of the vehicular use area by more than 20% or by 12 spaces, whichever is greater;
 - (c) The existing vehicular use areas which are accessory to an existing principal building, when such building or any portion thereof is expanded or enlarged, provided that the gross floor area/building footprint area is increased by at least one of the following amounts:
 - [1] 25% of the existing building floor area; or
 - [2] Eight thousand square feet (8,000 s.f.) of new floor area/building footprint/building area.
 - (d) The excavation, rehabilitation or in-place reconstruction of existing vehicular use areas if such work involves the full depth pavement removal of:
 - [1] 25% or more of a vehicular use area of over 10,000 square feet;
 - [2] 50% or more of a vehicular use area of no greater than 10,000 square feet.

C. Landscaping for stormwater management. It is recommended that stormwater

storage/infiltration facilities, such as vegetated swales, infiltration galleries, or seepage beds beneath parking areas be used. These facilities avoid the generally negative visual impacts of surface detention or retention facilities, and enhance groundwater recharge, with the attendant positive effects on stream flows and quality. Additionally, the following requirements apply:

- (1) Curb Cuts and Inlets. Curb cuts and inlets at the edge of planting islands, planting strips, and plantings along the perimeter of the parking lot that serve as infiltration areas shall be provided to allow rainwater to enter the planting areas. Curbs separating landscape areas from parking shall have cuts or other features to allow stormwater to flow to the bioretention area.
- (2) Maintenance. The design and planting schemes for all bioretention or other stormwater management features shall take into account future maintenance capacity. Specific maintenance guidelines shall be provided with the plans.
- (3) For parking areas without curb inlets that use wheel stops and a continuous parking edge, a stone buffer area between the paved surface and planting area is required to retard sheet flow and minimize erosion into the absorbent areas. Stones can be used at curb depressions to dissipate sheet flow along parking lots.

D. Canopy coverage requirements landscaped surface coverage

- (1) Canopy Coverage . Canopy coverage shall be provided that meets the requirements shown in Figure X.2. Canopy Coverage Requirements (Table) and Figure X.3. Canopy Coverage Requirements (Illustration). As noted in the Definitions section § 215-61 Definitions, Article X. Landscaping, “*canopy coverage*” is “*the minimum percentage of vehicular use area that shall lie directly under the horizontal area or spread of a tree's limbs and foliage, based on planting design coverage,*” and “*design coverage*” is canopy coverage “*indicated or typical of a plant species after ten years growth after planting for trees...*”.
Note: For an illustration of vehicular use area, see Figure X.1 Vehicular Use Area C).

Figure X.1. Vehicular Use Area (VUA)

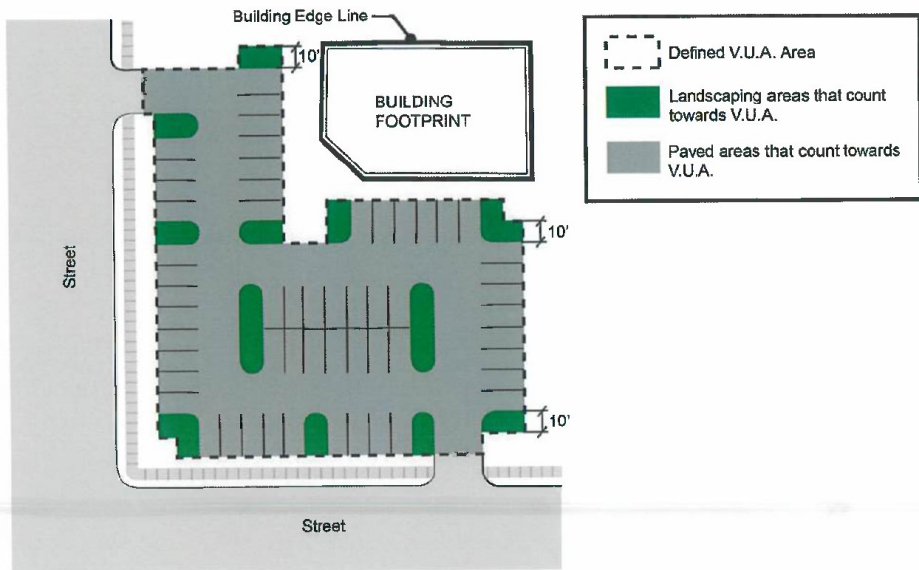
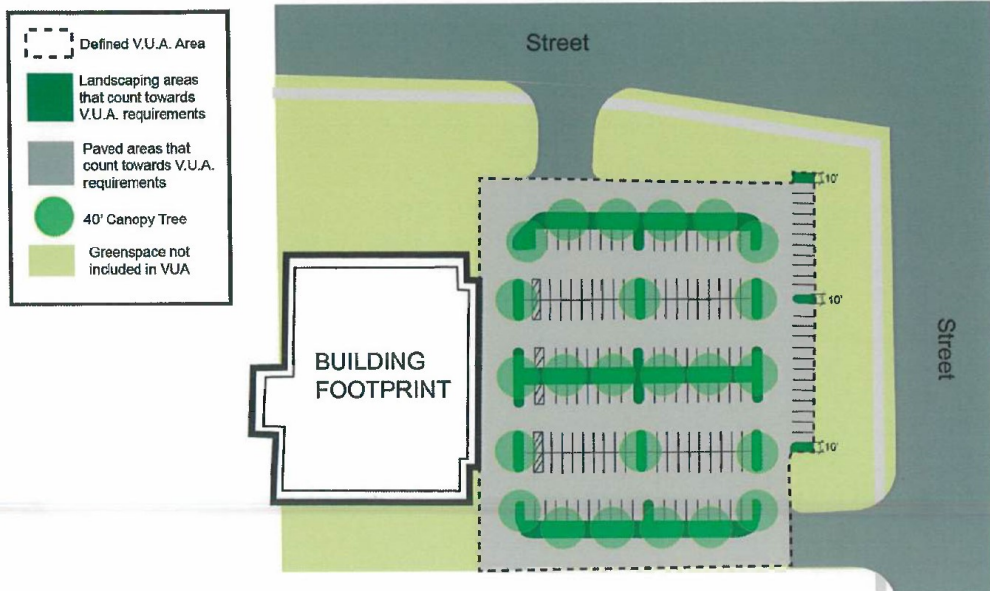


Figure X.2. Canopy Coverage Requirements (Table)

VUA (Square Feet)	Canopy Coverage/ Vehicular Use Area
0 to 4,999	0%
5,000 to 14,999	12 %
15,000 to 49,999	16 %
50,000 to 99,999	20 %
100,000 to 149,999	26 %
Greater than or equal to 150,000	30 %

Figure X.3. Canopy Coverage Requirements (Illustration)



The illustration shows the required minimum (tree) canopy coverage (26%) for a vehicular use area between 100,000 and 149,999 square feet. The vehicular use area shown is 116,400 square feet (Note: The purpose of this illustration is to demonstrate canopy coverage; there are other types of landscaping and pedestrian walkways required for parking lots as well).

(2) Landscaped Surface Coverage.

- (a) Landscaped surface coverage shall comprise (1) a minimum percentage of the vehicular use area, and (2) a minimum percentage of planting islands and planting strips, as specified in Figure X.4. Landscaped Surface Coverage Requirements.
- (b) Canopy coverage of parking islands and/or planting strips (not of paved area) may be counted towards landscaped surface coverage requirements.
- (c) Landscaped surface At least 50% of each planting island and at least 50% of the sum total of planting strips shall be planted with trees, shrubs, and ground cover (e.g., ornamental grasses, ferns, vines, herbaceous perennials, etc.). Mowed lawn does not count towards the landscaped surface coverage requirement.

Figure X.4. Landscaped Surface Coverage Requirements

VUA (Square Feet)	Landscaped Surface Coverage of Vehicular Use Area	Landscaped Surface Coverage of Individual Planting Islands and Total Planting Strips ¹
0 to 4,999	0%	50%
5,000 to 14,999	6%	50%
15,000 to 49,999	8%	50%
50,000 to 99,999	10%	50%
100,000 to 149,999	13%	50%
Greater than or equal to 150,000	15%	50%

D. Planting Islands and Planting Strips.

(1) Planting islands:

- (a) Shall be used to interrupt long rows of parking spaces; no more than 12 parking spaces shall be arranged in a row.
- (b) Shall have a minimum width equivalent to the minimum required parking space size: ten feet (10'), and shall have a minimum area equivalent to the minimum parking space area (10 x 18 feet = 180 square feet) for single rows; planting islands which are joined² across two contiguous rows of parking spaces shall be at least 360 feet in area
- (c) Shall be placed so as to provide safe movement of traffic without interference with proper surface water drainage.
- (d) Shall be mounded at no more than a 4:1 slope nor less than a 12:1 slope, and
- (e) Shall be protected by curbing or bollards.
- (f) All parking rows must be terminated by a parking lot island or landscape area, provided that, in such cases when accessible parking and gore areas are provided at the end of a row, planting islands shall be accommodated elsewhere along the row in close proximity to the end of the row.
- (g) When Canopy Tree Required. Each planting island of at least 360 square feet in area shall include at least one canopy tree for each 360 square feet, and shall include a combination of shrubs and groundcover (including, but not limited to, ornamental grasses, ferns, vines, and herbaceous perennials). *Note: see Appendix: Planting List*

¹ The minimum 50% landscaped surface coverage requirement applies to (a) each planting island and (b) the total area of all planting strips.

² "Joined" shall include planting islands and rows of parking separated only by (a) a planting strip or (b) a planting strip and walkway.

(2) Planting strips:

- (a) Purpose. Where parking aisles are arranged perpendicular to the building, planting strips shall be located parallel to rows of parking to separate main access (entrance-exit) driveways from rows of parking spaces, to separate other major driveways (service drives, access, general internal circulation) from rows of parking spaces, and to separate large parking areas into smaller units of parking rows consisting of not more than four rows
- (b) Characteristics. Planting strips shall run the full depth of the parking lot (inclusive of breaks for access drives), have a minimum width of 15 feet (15') be underlain by soil, and be mounded at no more than a 4:1 slope nor less than a 12:1 slope.

Figure X.5 Parking Lot Walkways



Walkways across parking aisles and through or adjacent to planting strips make parking lots safer and more accessible

- (c) Pedestrian access. At least fifty percent (50%) of planting strips shall include a sidewalk or walkway (and crosswalks over access drives) a minimum width of six feet (6'), extending at least 50 percent of the depth of the parking lot. Sidewalks shall be located to provide ample room for tree root growth.
 - (1) At the discretion of the Board of Commissioners, on the advice of the Township Engineer, a painted (hatched design) pathway protected with bollards or wheel stops may be used in lieu of sidewalks.
 - (2) The sidewalks shall be located in or adjacent to every other planting strip (on alternating planting strips). At the discretion of the Board of Commissioners, on the advice of the township engineer, walkways may be located in different strips than in an alternating pattern if they determine that other location(s) would be more desirable for pedestrian safety and access.

(3) The walkways shall include ADA-accessible pedestrian access points at all intersections with access drives. No walkways shall extend greater than 120 feet without pedestrian access to an access drive or parking aisle.

(4) Stormwater shall be directed to the planting areas, which shall be designed to capture it.

(5) At least 25% but no more than 50% of the plant materials shall be evergreen.

E. All parking lots shall be screened from public roads and from adjacent properties as required in § 215-56. Property Line Buffers and Site Element Screens, herein.

§ 215-52 Street trees.

A. Street trees shall be required:

(1) Along both sides of all existing streets when they abut or lie within the proposed subdivision or land development.

(2) Along both sides of all proposed streets.

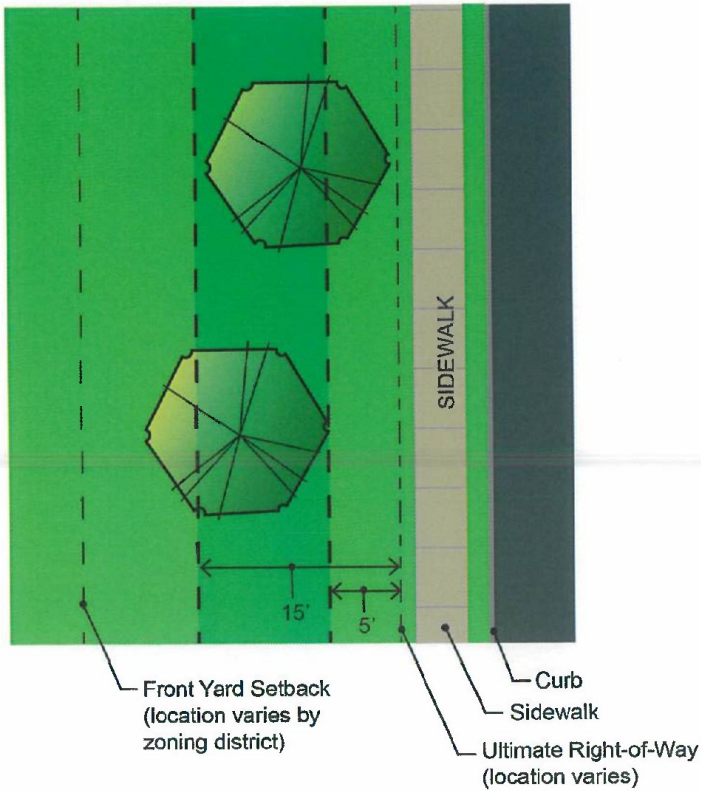
(3) Along both sides of access driveways that serve five or more residential dwelling units.

(4) Along both sides of access driveways that serve two or more nonresidential uses.

(5) Along both sides of major walkways through parking lots and between nonresidential, mixed-use, and/or multifamily buildings, as determined by the Board of Commissioners, as recommended by the Township Planning Commission.

B. Some or all of the street tree requirements may be waived by the Board of Commissioners if existing canopy trees already effectively serve as street trees.

Figure X.6. Street Tree Planting Location: Default



The default requirement is for Street trees to be set back 5-to-15 feet from the ultimate right-of-way.

Figure X.7. Street Tree Planting Location: Verge and Covered Tree Pit Options ³



C. Location. Street trees shall be planted:

- (1) Between the ultimate right-of-way and the building setback line, and a minimum of five feet and a maximum of 15 feet outside the ultimate right-of-way.
- (2) Alternately, in certain cases, as follows, the Board of Commissioners may permit trees to be planted within the ultimate right-of-way, or less than five feet outside the ultimate right-of-way:
 - (a) In areas, such as existing villages, where front yards may be located within the ultimate right-of-way.
 - (b) In cases where future street widening is considered unlikely.
 - (c) In the verge (planting strip), where the verge is at least four feet wide, where minimum requirements for soil volume (see §215-58 Plant and landscape specifications, maintenance and guarantee) are met, the presence of utilities does not preclude this, and with the written approval of the controlling agency.
 - (d) In the verge (planting strip) when covered tree pits partially extend into the sidewalk. However, in such a case, a horizontal pedestrian clearance equal to or greater than the minimum sidewalk width required by zoning shall be maintained. If the covered tree pit extends into the minimum pedestrian clearance area, the covered pit shall be suitable for safe pedestrian access while preventing damage to the tree and its root

³ Photo Credit: Felix Wong, 9-10-2005, Attribution 4.0 International, <https://creativecommons.org/licenses/by/4.0/>

system.(3) Sanatoga Village District Overlay. In this zoning district, street trees may be integrated into pedestrian plazas.

- (4) Street trees shall be located so as not to interfere with the installation and maintenance of sidewalks and utilities or with sight triangles
 - (a) Trees shall be planted a minimum distance of three feet from curbs and sidewalks.
 - (b) Trees shall be planted at least 15 feet from overhead utilities and six feet from underground utilities (both measured horizontally from the tree trunk).
 - (c) Trees shall not be planted within the clear sight triangle of street intersections.
- (5) Trees shall be planted at a ratio of at least one tree per 35 linear feet of frontage or fraction thereof, provided that this spacing is appropriate, given the spread of the species proposed for planting. Trees shall be distributed along the entire frontage of the property, although they need not be evenly spaced. However, in no case shall street trees be planted more than 60 feet apart from other street trees on the same side of the street. Where practical, trees planted on different sides of the same street should have an alternating arrangement to minimize gaps in tree cover along the street.
- (6) Trees shall comply with the requirements of § 215-58. Plant and Landscape Specifications, Maintenance, and Guarantee, herein. The use of tree species selected from the list of recommended plant materials is encouraged (§ 215-59. Recommended plant material list).

§ 215-53 Stormwater management basin plantings.

Landscaping shall be required in and around all stormwater management basins according to the following:

- A. All areas of stormwater management basins, including basin floors, side slopes, berms, impoundment structures or other earthen structures, shall be planted and graded with vegetation specifically suited for stormwater basins (see § 215-53. Stormwater management basin plantings for recommended plantings)
 - (1) Naturalized cover plantings, such as wildflowers, meadows and nonaggressive grasses specifically designed for the permanently wet, intermittently wet and usually dry areas of stormwater basins, shall be planted given:
 - (a) The plantings provide continuous cover to all areas of the basin.
 - (b) The plantings do not interfere in the safe and efficient function of the basin, as determined by the Township Engineer.
 - (2) Trees and shrubs shall be planted both in and around each stormwater basin to create a naturalized appearance, provided that they do not interfere in the proper function of the basin and no trees are planted within 30 feet of an outlet/drain structure, emergency

spillway, or dam (berm). Shrubs planted within the basin shall be planted in distinct groupings using the same species within each grouping to maximize visibility during mowing. A minimum of two trees and 10 shrubs per 100 linear feet of basin perimeter shall be planted in and around the basin. Plantings can be uniformly applied with two to three inches of shredded mulch or leaf compost. No wood chips are permitted. No trees shall be planted in dams (berms) more than 15 feet high.

- B. Basin shape shall incorporate curvilinear features to blend with the surrounding topography.
- C. Minimum grades inside stormwater basins shall be two percent (2%) and maximum side slopes of the basin shall be 25 % (4:1 slope).
- D. Stormwater basins shall be screened with landscaping from adjacent properties according to §215-56. Property line buffers and site element screens.

§ 215-54 Riparian corridor plantings.

Riparian Area Management. Tree plantings shall be located along a stream or riverbank (including seasonal or intermittent streams) to provide shade for the watercourse, soil erosion control and stormwater benefits, according to accepted streambank/riverbank restoration practices. For properties undergoing subdivision or land development that include land lying within 25 feet of the edge of a waterway in its natural condition, new tree plantings shall be implemented wherever existing trees do not meet the minimum tree planting requirements to promote re-establishment of forest cover and woodland habitat alongside the water's edge.

- A. Existing trees within this area shall be preserved and retained.
- B. Existing tree cover shall be surveyed and inventoried to assess the need for any new plantings.
- C. Existing tree species that are invasive may be removed, where conditions warrant.
- D. Existing trees to be preserved shall meet the following conditions, or tree plantings shall be undertaken to achieve this:
 - (1) Trees shall be located at a minimum rate of 15 feet on center along the length of the waterway, or one tree per 225 square feet lying within 25 feet of the waterway edge, in staggered rows or an equivalent informal arrangement.
 - (2) Trees shall be a variety of sizes and species, ranging from a minimum 4 to 5 foot branched whip to an approximate one-and-one-half inch (1-1/2") balled and burlapped planting stock.

§215-55 Managed meadow plantings.

- A. Intent: provide for a meadow planting area that is intentionally managed to obtain the following benefits:
- (1) Improved stormwater management.
 - (2) Improved natural landscape.
 - (3) Attraction of birds and butterflies.
 - (4) Enhancement of water quality.
 - (5) Reduced mowing costs.
 - (6) MS4 stormwater credit.
- B. Notification.
- (1) The party interested in establishing a managed meadow shall pursue dialogue with site neighbors to notify and educate them about the purpose of the managed meadow.
 - (2) Where a managed meadow is established, the property owner must register the managed meadow with the township.
- C. Plantings in managed meadows:
- (1) Shall consist entirely of native plants.
 - (2) Shall include a minimum of five species.
 - (3) Shall not consist of turf grass lawns left unattended.
- D. Designation. Where a managed meadow is visible from the right-of-way, a sign, consistent with **Article XXVI Signs**, shall identify the area as being actively maintained as a managed meadow and shall be legible from the right-of-way.
- E. Minimum setbacks
- (1) For lot widths less than 225 feet: 15 feet from property line, or 10 feet from property line when the meadow is screened by a 5-foot high opaque fence or wall. That portion of the fence or wall which exceeds four feet in height shall contain openings therein equal to 50% or more of the area of said portion of the fence or wall.
 - (2) Setback from right-of-way: 20 feet
 - (3) For lot widths 225 feet or greater: meadows shall be set back a distance equal to or greater than 10% of the lot width
- F. Sight triangle. Managed meadows shall not be permitted within any clear sight triangle.
- G. Maintenance.
- (1) Invasive species and noxious weeds shall be removed, and all provisions of this chapter, Chapter 99, Brush, Grass and Weeds shall be complied with. If the managed meadow does not comply with municipal code, the township has the right to warn the

property owner. If corrective action is not taken within a reasonable time, the township's representative may enter onto the land, bring the managed meadow into compliance with code, and levy a fine on the property owner to compensate the township for corrective actions.

- (2) Managed meadows shall be cut to a maximum height of six inches on or before April 1 of each calendar year. Meadows may be mowed a second time each year, as needed, to control invasive vegetation.

Figure X.8. Setbacks for Managed Meadows



Lots with width less than 225 feet: 15 foot setback from property line

Lot width shown = 70 feet

The illustration above shows the required setbacks for managed meadows on a lot less than 225 feet wide. The setbacks are represented by the blue rectangle (setbacks are 15 feet from property lines; lot shown is 70 feet wide).

§ 215-56 Property line buffers and site element screens.

Buffer plantings shall be installed in subdivisions and land developments to integrate new development with its surroundings, to separate incompatible land uses by providing screening, to reduce wind, and to minimize or eliminate views to certain land uses. Site element screens shall be installed in subdivisions and land developments to minimize or eliminate views to certain site elements.

- A. All subdivisions and land developments shall be landscaped with the following two

components (the following requirements are minimum standards; additional plant material, berms or architectural elements may be included in the plan, at the applicant's discretion):

- (1) Property line buffers. These act to integrate new development with its surroundings and to separate incompatible land uses. Buffers are not required along a street, except where otherwise noted within **Figure X.9**. Property line buffers required by land use.
- (2) Site element screens. These act to minimize or eliminate views to certain site elements located within 100 feet of property lines or road rights-of-way (either public or private).

B. General requirements

- (1) Existing healthy trees, shrubs or woodland may be substituted for part or all of the required plant material, at the discretion of the Board of Commissioners, at the recommendation of the Planning Commission. The minimum quantities and/or visual effect of the existing vegetation shall be equal to or exceed that of the required buffer or site element screen.
- (2) Adjacent, existing uses. An on-site investigation by the applicant shall determine the adjacent land uses along each property boundary. In the case of vacant land, the most intense buffer or site element screen required by a land use permitted by existing zoned uses shall be used. The existing or zoned uses shall be noted on the plan. In the case of two or more proposed uses, or proposed mixed-use development on a site, the buffer shall be determined based on the included land use requiring the most intense buffer. The Township shall have final approval of interpretation of land uses or the Zoning Map.
- (3) The quantity and type of plant material required shall be determined by the intensity of the proposed land use and the adjacent land use, vacant land or zoning district according to **Figure X.9**. Property line buffers required by land use and proposed site element screen according to **Figure X.19**. Site Element Screens. Where not specifically addressed by the tables, the land use or site element screen shall be buffered according to the most similar category of land use or site element, as determined by the Board of Commissioners, as recommended by the Planning Commission.
- (4) Site element screens are permitted in the buffer area.
- (5) Existing topographic conditions, such as embankments or berms, in conjunction with existing vegetation, may be substituted for part or all of the required property line buffers or site element screens, at the discretion of the Board of Commissioners, on the recommendation of the Planning Commission. The minimum visual effect shall be equal to or exceed that of the required buffer or screen.

C. Property line buffer requirements.

- (1) Property line buffers shall be required for the following types of development and as otherwise specified in the Lower Pottsgrove Zoning Ordinance (Chapter 250):
- (a) All nonresidential development.
 - (b) All multifamily and single-family attached developments.
 - (c) All single-family detached cluster development.
 - (d) All mobile home parks.
 - (e) Active recreation facilities.
 - (f) Construction of any of the following items which exceed 400 square feet:
 - [1] Public utility facilities or structures.
 - [2] Waste collection, storage and/or treatment facilities.
 - [3] Any other structure of similar character or impact.

Figure X.9. Property Line Buffers Required by Land Use

Proposed Use	Existing, Adjacent Uses			
	Office/ Institutional, Recreation	Commercial/ Industrial	Multifamily/ Single- Family Attached/ Mobile Home Park	Twins/ Duplexes/ Single- Family Detached
Office/ Institutional	Low Intensity	Low Intensity	High Intensity *	High Intensity *
Commercial/ Industrial/ Uses listed in C(1)(f), above, when greater than 400 s.f.	Medium Intensity	Low Intensity	High Intensity *	High Intensity *
Quarry or Resource Extraction/	Very High Intensity	Very High Intensity	Very High Intensity	Very High Intensity

Sewage Treatment Plant/ Waste Collection, Treatment, or Storage/ Land Use with Similar Impact				
Multifamily/ Single-Family Attached/ Single-Family Detached Cluster/ Mobile Home Park	Low Intensity	Medium Intensity	High Intensity *	Medium Intensity
Active Recreation	Low Intensity	N/A	Low Intensity	Low Intensity
<i>* When these proposed and existing, adjacent uses are separated by a local street, a Low Intensity buffer is required.</i>				

(2) Buffer area location and dimensions.

- (a) A buffer area of not less than 25 feet nor more than 50 feet in width shall be established on the tract on which the proposed land use would lie, along all property lines unless otherwise specified in the Zoning Ordinance (Chapter 250). For lots in the CO Commercial Office District, LCO Limited Commercial and Office District, NC Neighborhood Commercial District, and Sanatoga Village District Overlay, the buffer may be reduced to fifteen feet (15'), or a width sufficient to support the required plants, whichever is greater
- (b) The buffer area may be included within the front, side, or rear yard setback. In the case of a condominium lot, an equivalent lot area shall be designated on the plans, which shall consist of area equal to or greater than the minimum lot area and yards required by zoning.
- (c) Buffers may be developed on the property adjacent to that proposed for subdivision or land development if an easement is used and permission is granted by the landowner.
- (d) The buffer area shall be a continuous pervious planting bed consisting of trees and

shrubs, grass (including ornamental grass) or ground cover. No paving shall be permitted in the buffer, except for driveway crossings and/or walkways.

- (e) Parking is not permitted in the buffer area.
 - (f) Stormwater basins are permitted in the buffer area, provided that the site element screen requirements are met.
- (6) Plant material quantities and types . In accordance with Figure X.10. Property Line Buffer Components, for every 100 linear feet of property line to be buffered, the following minimum quantities and types of plant material shall be required. Low intensity buffers are designed to soften the view of the proposed land use or development from off-site view. Medium intensity buffers are designed to filter the land use or development from off-site view. High-intensity buffers are designed to screen the proposed land use or development from off-site view. Very high intensity buffers are designed to provide substantial screening from off-site view.

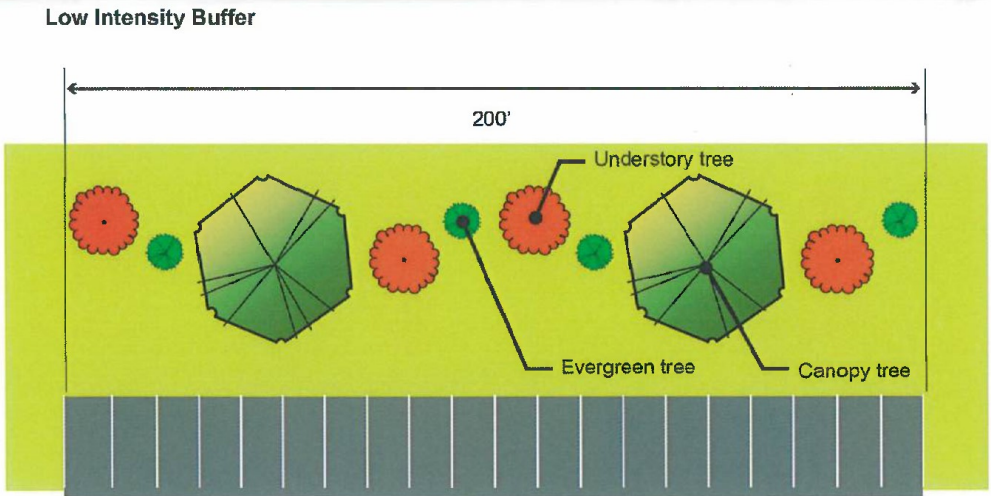
Figure X.10. Property Line Buffer Components

Low intensity :	1 canopy tree 2 understory trees 2 evergreen trees
Medium intensity:	Option A: 1 canopy tree 2 understory trees 5 evergreen trees 5 shrubs Option B: 2 canopy trees 2 understory trees 3 evergreen trees 5 shrubs Curvilinear berm
High intensity:	Option A: 8 evergreen trees 2 understory trees 2 canopy trees

	<p>10 shrubs</p> <p>Option B:</p> <p>A double row of evergreen trees, planted ten feet on center, and staggered to form a continuous screen. Evergreens shall have an eight-foot minimum height at time of planting.</p>
<p>Very high intensity:</p>	<p>A double row of evergreens, planted 10 feet on center, with a minimum height at planting of 6 feet and a minimum height at maturity of 15 feet, with the two rows offset to form a continuous screen at maturity; and (b) A 4- to 5-foot high continuous curvilinear berm (not to exceed 5:1 slope), along with flowering trees, at the rate of one tree for every 20 feet, spaced evenly or arranged informally. The berm and understory trees shall be located on the side of the row of evergreens closest to the adjacent property.</p>
<p>Limited area:</p>	<p>Where space for a buffer is limited, the Board of Commissioners, at the recommendation of the Planning Commission, may choose to modify the buffer requirement and instead require a reduced, limited area buffer by selecting from some or all of the list of the following substitutions. Berms in limited area buffers should be reduced in height where the available space would not accommodate a berm with a 5:1 maximum slope:</p> <ol style="list-style-type: none"> (1) A replacement of some or all canopy or evergreen trees with a six-foot high opaque fence, a four-foot high wall, or two-to-three foot high berm (not to exceed 5:1 in slope) in combination with shrubs, perennials, grasses, or groundcover. (2) A replacement of one or more canopy or evergreen trees with three shrubs apiece. (3) A replacement of one or more evergreen trees with three shrubs apiece. (4) A replacement of one or more understory

	<p>trees with two shrubs apiece.</p> <p>Where a fence or wall is used in conjunction with shrubs, the shrubs shall be planted on the side of the fence closest to the adjacent property, and shall be planted to achieve a minimum horizontal screen of fifty percent at time of planting and seventy-five percent at time of maturity.</p>
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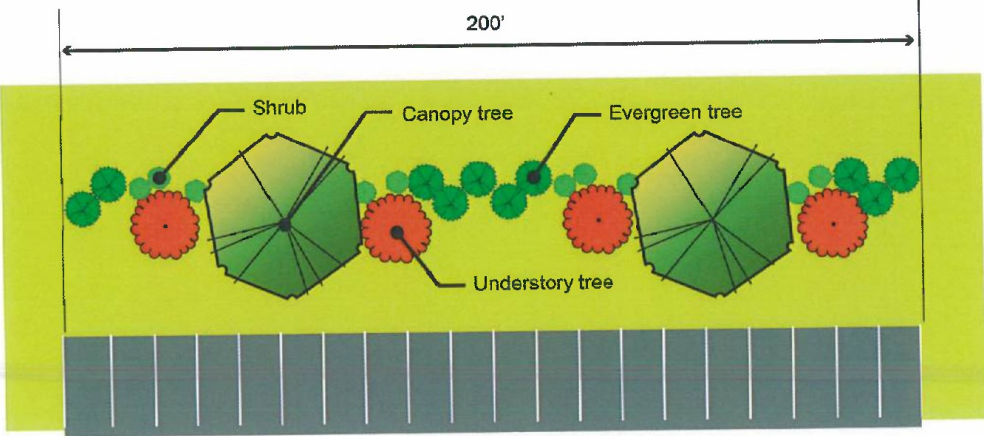
Figure X.11. Low-intensity buffer ⁴



⁴ Note: row of parking spaces shown for scale.

Figure X.12 Medium-Intensity Buffer Options

Medium Intensity Buffer: Option A



Medium Intensity Buffer: Option B

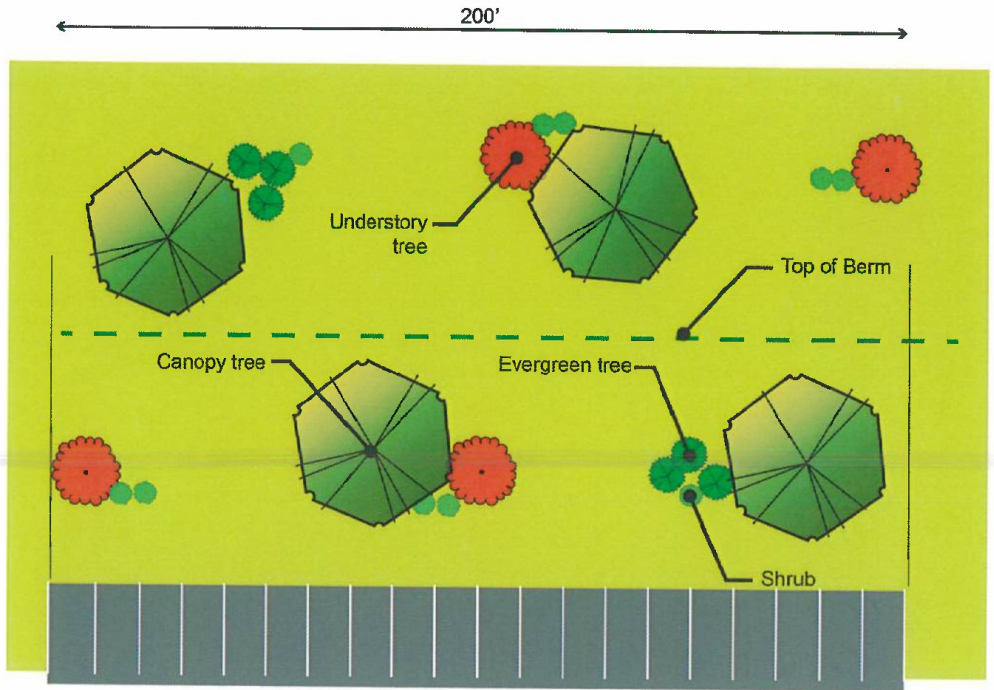
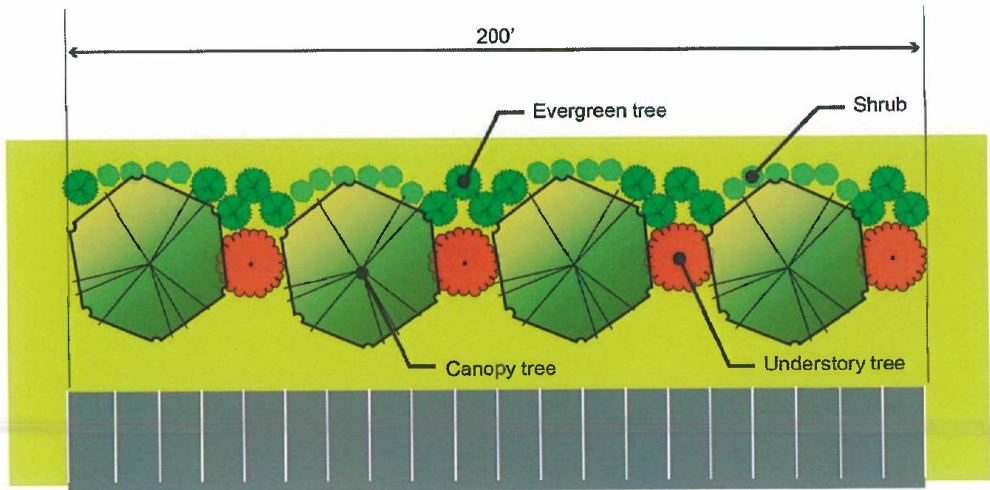


Figure X.13 High-Intensity Buffer Options

High Intensity Buffer: Option A



High Intensity Buffer: Option B

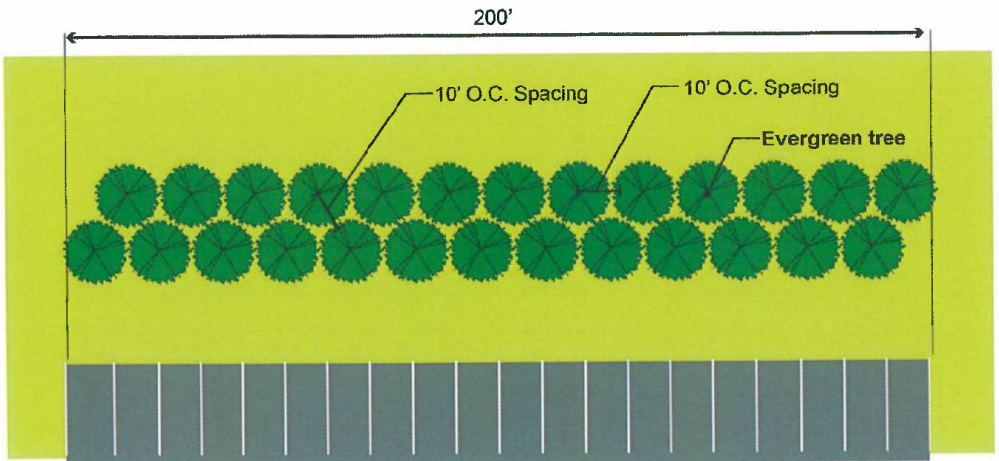


Figure X.14. Limited Area Buffer.

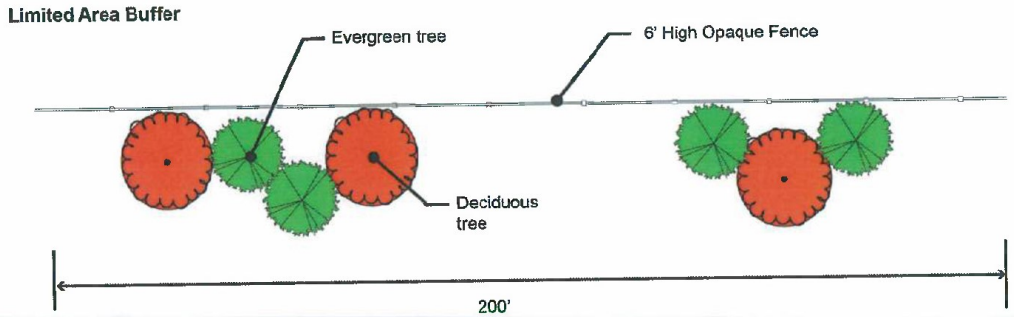


Figure X.15 Canopy trees





Figure X.16 Understory Trees



Figure X.17 Large Shrub



*Photo Credit: Bernt Rostad, under a Creative Commons 2.0 License.
<https://www.flickr.com/photos/brostad/3602647047>*

Figure X.18 Small Shrub



(7) Design criteria.

(a) The required plant material shall be distributed over the entire length and width of

the buffer area.

- (b) Buffer plant material may be arranged symmetrically (formal) or asymmetrically (informal) and may be grouped to form plant clusters. However, informal groupings that reflect the natural character of the region are encouraged.
- (c) Plants shall be spaced to provide optimum growing conditions.
- (d) All plant materials shall meet the requirements of § 215-58. Plant and landscape specifications, maintenance, and guarantee.
- (e) Ornamental grasses, planted in defined clumps/massing, or perennials, may be substituted for shrubs with the approval of the Board of Commissioners at the recommendation of the Planning Commission, provided that the ornamental grasses have an equivalent or greater screening effect at time of planting and maturity.
- (f) Walls or fences. Each buffer containing a wall or fence shall contain a five-to-ten foot (5-10') break at least once every 50 feet, for the purpose of pedestrian and/or maintenance access. The break may consist of a gate. Fences shall be opaque, six feet (6') in height, and constructed of wood or a material such as PVC designed to appear as wood. The finished side of the fence shall face outwards. Walls shall be four feet (4') in height and constructed of finished masonry. Unfinished cinder block, gabion, or concrete masonry units (CMU) shall not be used.

D. Site element screens.

- (1) Site element screens shall be required in all proposed land developments around the site elements listed in **Figure X.19**. Site element screens when these are located partially or fully within 100 feet of the property line or existing road right-of-way. (.
- (2)
- (3) The type of site element screen required shall be determined by the site element according to **Figure X.19**. Site element screens .__ Site element screens.
- (4) Site elements not included in **Figure X.19**. Site element screens that have a similar visual impact shall be screened in accordance with requirements for the most similar site elements as determined by the Board of Commissioners, at the recommendation of the Planning Commission.
- (5) Screen location. The site element screen shall be placed between the site element and the property line and shall be designed to block views to the maximum extent possible. The screen shall be located as close as possible to the site element and shall surround the element without impeding function or encroaching on sight triangles.
- (6) Site element screen types and design criteria. The following types of screens shall be used where specified in **Figure X.19**. Site Element Screens.
 - (a) Class 1

- [1] Evergreen or deciduous shrubs. Shrubs may be clipped to form a hedge or left in their natural habit with a minimum height of four feet at maturity. Shrubs shall achieve a minimum horizontal coverage of seventy-five percent horizontal coverage at maturity.
- [3] Low wall. A wall of brick or stone (not concrete block), at least 50% opaque, no less than three feet (3') and no more than four feet (4') in height. No individual wall section shall extend longer than 30 feet without a five-foot (5') break or gate.
- [4] (Equivalent to low-intensity property line buffer) 1 canopy, 2 understory, and 2 evergreen trees for each 100 linear feet.
- [5] Opaque fence with shrubs. An opaque fence, six-feet (6') in height, surrounding the site element on at least three sides with shrubs on the outer side, spaced to provide a minimum 50 percent horizontal coverage at maturity.

(b) Class 2

- [1] Berm with understory trees and shrubs. A two- to three-foot-high (2-3'), continuous curvilinear berm (not to exceed 5:1 slope) with understory trees, clustered or arranged informally. The trees and shrubs shall be spaced to form a continuous screen at maturity, . One canopy tree may be substituted for two understory trees.
- [2] Opaque fence with understory trees and shrubs. A six-foot (6') tall opaque fence surrounding the site element on at least three sides with additional plantings at the minimum rate of three shrubs and two understory trees or large shrubs for each 10 linear feet (10 L.F.) of proposed fence arranged formally or informally on the outer side of the fence. One canopy tree may be substituted for two understory trees.

(c) Class 3

- [1] (Equivalent to medium-intensity property line buffer) 2 canopy trees, 2 understory trees, 5 evergreen trees, and 5 shrubs per 100 linear feet.
- [2] Architectural extension of the building (if applicable). It is recommended that the building extension use material consistent or compatible with the rest of the building.

(d) Class 4

- 1 (Equivalent to high-intensity property line buffer option A): Option A: 8 evergreen trees, 2 understory trees, 2 canopy trees, and 10 shrubs
- [2] (Equivalent to high-intensity property line buffer option B): A double row of evergreen trees, planted ten feet (10') on center, and staggered to form a continuous screen. Evergreens shall have an eight-foot (8') minimum

height at time of planting.

Figure X.19. Site Element Screens

Site Element Being Screened	Class of Site Element Screen Required
Accessory building, including shed	1
Rear yard, single-family attached* or multifamily dwelling (* screening shall be located along the rear property line)	1
Parking lots of 15 stalls or fewer	1
Dumpster, trash or recycling area	2
Small accessory utility equipment, when visible from the public right-of-way (e.g., cable box or air conditioner compressor).	2 or 3
Active recreation facilities	3
Electrical transformer or substation, or solar energy field.	3
Outdoor sales yard and vehicle storage (excluding vehicle sales area)	3
Service or loading dock	3
Parking lots with greater than 15 stalls	3
Stormwater management basins	3
Storage Tanks	4
Sewage pump station	4

§ 215-57 Building facade foundation plantings.

Building façade foundation landscaping. Building façade foundation landscaping softens views of the building foundation, provides additional landscaping and greenery on-site, and enhances community character. The following landscaping standards apply to all nonresidential and multifamily buildings:

- A. Building foundation landscaping shall be located between (a) the foundations of facades of principal buildings and (b) sidewalks, access drives, parking areas, or a public right-of-way.
- B. The landscaping shall be provided in a location abutting the building foundation, while providing adequate room for healthy plant growth.
- C. A minimum of 25% of the linear area (parallel to the building wall) between the building foundation and sidewalks, access drives, or parking areas shall be landscaped with shrubs, perennials, and/or ornamental grass.
- D. Where the building foundation landscaping abuts a sidewalk or walkway, a six-foot horizontal clearance for pedestrians shall be maintained.

§ 215-58 Plant and landscape specifications, maintenance and guarantee.

The following standards shall apply to all plant materials or transplanted trees as required under this chapter.

- A. General requirements.
 - (1) The location, dimensions and spacing of required plantings should be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements such as wind, soil, moisture, and sunlight.
 - (2) Plantings should be selected and located where they will not contribute to conditions hazardous to public safety. Such locations include, but are not limited to, public street rights-of-way, underground and aboveground utilities, and sight triangle areas required for unobstructed views at street intersections.
- B. Specifications.
 - (1) All plants shall meet the minimum standards for health, form, and root condition as outlined in AmericanHort's American Standard for Nursery Stock (ASNS), 2014 or as later amended.
 - (2) All plant material shall be hardy and within the U.S. Department of Agriculture (USDA) Hardiness Zone applicable to Lower Pottsgrove Township.

Figure X.20. Species diversity requirements

Number of Plants Required Per Plant Type	Minimum Number of Species Required Per Plant Type	Maximum Percentage of Any One Species Per Plant Type
0 to 5	1	100%
6 to 15	3	50%
16 to 30	4	40%
31 to 50	6	30%
51 to 100	8	20%
100 or more	12	10%

Note: where shrubs are required in a property line buffer or site element screen, a mixture of deciduous and evergreens are required (see B. (6) of this section for details)

- (3) Canopy trees, (a.k.a., “shade trees”) shall be deciduous
- (4) Evergreen trees shall remain evergreen throughout the year. All trees shall be structurally pruned, watered, and mulched according to International Society of Arboriculture (ISA) best management practices until they are well established.
- (5) Understory trees and shrubs may be deciduous or evergreen and shall have a distinctive understory character, such as showy flowers, fruit, habit, foliage or bark.
- (6) Shrubs. Where required in a property line buffer or site element screen (by themselves or in combination with other elements), a mixture of deciduous and evergreen shall be used, with neither comprising less than forty percent (40%) of the total. Unless otherwise specified, at least fifty percent of the required shrubs shall be large shrubs. Shrubs and hedges shall have a minimum height at maturity of four feet, based on American Hort’s American Standard for Nursery Stock (ASNS), 2014, or as later amended. New shrubs shall have a minimum height of 18 inches (18”) at time of planting.
- (7) **Attachments: Figures 1, 2 and 3** illustrate the preferred methods of planting deciduous trees, evergreen trees and shrubs.
- (9) Berms. The maximum slope of a berm shall be three to one (4:1) for a stormwater management basin and five to one (5:1) for a buffer or site element screen. Berms may not exceed 50 feet in length without a break. All landscape berm toes, where the slope of the berm meets natural grade, shall be a minimum distance of 10 feet from the neighboring property line or the edge of the ultimate right-of-way. Vegetation shall not be planted on the top of the berm; at least 50 percent of the vegetation shall be planted on the side closest to the adjacent property.
- (10) Substitutions. The following plantings from the planting list may be substituted for shrubs with the approval of the Board of Commissioners, provided that they have an equivalent or greater screening effect at time of planting and time of maturity, and provided that they are set back at least four feet from property lines and rights-of-way:

- (a) Ornamental grasses, planted in defined clumps or massing
 - (b) Perennials
 - (c) Ferns and other ground cover
- (11) Walls or fences. Each buffer containing a wall or fence shall contain a 5- to 10-foot break at least once every 50 feet, for the purpose of pedestrian and/or maintenance access. Breaks may consist of a gate. Fences required by §215-55. **Property line buffers and site element screen** shall be opaque, six feet in height, and constructed of wood or a material such as PVC designed to appear as wood. The finished side of the fence shall face outwards. Walls required by this section shall be four feet in height and constructed of finished masonry. Unfinished cinder or concrete block, concrete masonry units (CMU), or gabion shall not be used.
- (12) Species selection considerations shall include, but not be limited to:
- (a) Existing site conditions and their suitability for the plant materials, based upon the site's geology, hydrology, soils and microclimate.
 - (b) Specific functional objectives of the plantings, which may include but not necessarily, be limited to visual screening, noise abatement, energy conservation, wildlife habitats and aesthetic values.
 - (c) Maintenance and replacement considerations, such as hardiness, resistance to insects and disease, longevity and availability and cost of plant materials.

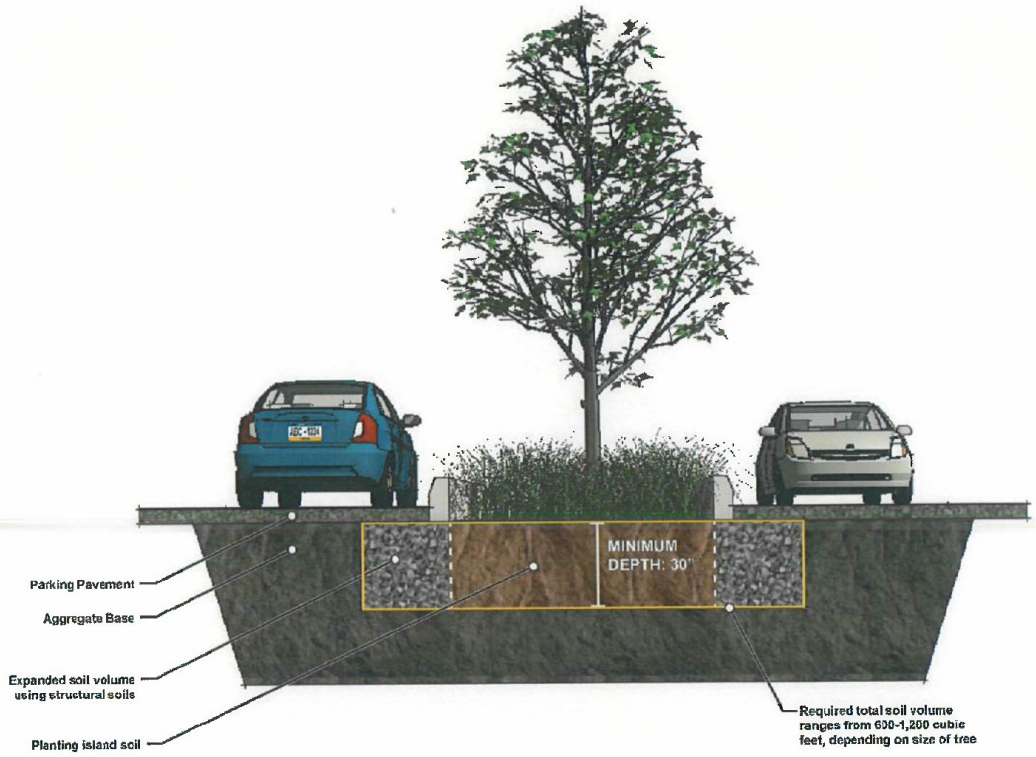
Figure X.21. Tree and Shrub Caliper and Height Requirements

	Minimum Caliper at Time of Planting	Minimum Height at Time of Planting	Minimum Spacing at Time of Planting	Minimum Height at Maturity
Canopy tree	2 inches		Varies by species; minimum spacing shall provide for healthy growth	30 feet
Understory Tree	2 inches			15 feet
Small shrub		18-24 inches		Less than 5 feet
Large shrub		30 inches		5 feet
Evergreen Tree		6 feet (8 feet if part of required double row in buffer or site)		20 feet

		element screen)		
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- C. Minimum Soil Volumes (see **Figure X.21**, below). The registered landscape architect shall provide details on the site plan that show a longitudinal section and depth of planting areas 1,000 square feet and under in area, demonstrating compliance with minimum soil volume standards.
- (1) The following minimum soil volume per tree shall apply when such plant is proposed in any planting areas 1,000 square feet and under in area:
 - (a) Small canopy or evergreen tree: 600 cubic feet.
 - (b) Medium canopy tree: 900 cubic feet.
 - (c) Large canopy tree: 1,200 cubic feet.

Figure X.22: Soil Volume, Soil Depth, and Structural Soils



(2) Minimum required planting soil depth: 30 inches (see **Figure X.21**, above). Larger plantings may require 36 inch minimum.

(3) Soil Composition. Planting soils shall:

- (a) Consist of a native, loam soil capable of supporting a healthy vegetative cover, which are amended with a composted organic material such as mushroom compost or leaf mulch, resulting in an organic amended soil containing 20% to 30% organic material (compost), and 70% to 80% topsoil screened of rocks, sod, debris, stones, stumps, roots, and other woody material over one inch (1") in diameter.
- (b) Be free of seed and live roots from noxious weeds and invasive plants. Placement of soil shall be done in lifts of 12"-18", loosely compacted (tamped lightly) with a dozer or backhoe.
- (c) Be at least four inches deeper than the lowest elevation of the largest root ball.

- (d) Addressed by a soil improvement detail and notes, including the removal of all construction debris and existing compacted soil and the proposed soil improvement mix, which shall be provided with the landscape plan. Ensure trunk flare sits above grade; compact soil below root ball as necessary.
 - (e) Provide adequate infiltration rates, be suitable for healthy tree growth and have a permeability of at least one foot (1') per day (0.5 inches per hour).(f) Not consist of stones, such as riverjack and similar stone, which serve as a widespread groundcover in bioretention areas. These are prohibited, except for use as a border of the groundcover. In that case, they may extend up to 18 inches in width.
- (4) Alternative Methods. The alternative methods are for limited street and parking planting areas, where required soil volumes are unattainable without implementing these methods. If the minimum soil volumes cannot be achieved, as determined by the Township Engineer, the following alternative options may be utilized:
- (a) Structural Soil Composition (See **Figure X.21**, above). Structural soil shall be a mix of 80% AASHTO No. 57 stone and 20% loam soils. Such soil may be used to supplement planting soil volume, provided it satisfies all of the following conditions:
 - [1] Structural soils shall be used under impervious paving where the tree planting area is surrounded by paving for the purpose of expanding the soil volume to meet minimum soil volumes specified in Subsection C. Minimum soil volumes, above.
 - [2] Structural soils shall be located entirely below pavement areas and shall not be exposed at the surface.
 - [3] Structural soils shall be located adjacent to planting soils.
 - (b) Suspended Pavements System (**Figure X.21**). A tree/pavement support system may be utilized that supports the weight of the pavement and improves the urban tree health. The support structure, as well as a pervious flexible pavement, creates a void space for increased tree root/soil volume. The space shall be filled with a combination of structural soils and native excavated soil, provided that it is quality material, or a specified soil mix.

Figure X.23 Suspended Pavement System



*Suspended pavement system*⁵

- (c) Shared Root Zone Areas or Linear Tree Planting. The system should allow the root systems of adjacent trees to join and share soil space where available. Structural soils shall be utilized beneath the sidewalk or hardscape, as noted above. The following minimum soil volume per tree shall apply when such plants share planting areas.

- [1] Medium canopy tree: 750 cubic feet when clustered.
- [2] Large canopy tree: 900 cubic feet when clustered.

D. Maintenance.

- (1) Required plant material shall be maintained for the life of the project to achieve the required visual effect of the buffer or screen. It shall be the ultimate responsibility of successive property owners to ensure that the required plantings are properly maintained. Dead or diseased plant material shall be removed or treated promptly by the property owner and replaced at the next growing season.
- (2) Safety. All sight triangles shall remain clear, and any plant material that could endanger safety, such as unstable limbs, shall be removed and the plant material

⁵ Photo credit: "Silva Cell Installation at Downtown City of Rowlett: Rowlett, Texas, 2014," by DeepRoot Green Infrastructure, Creative Commons CC BY-NC-ND 2.0 DEED License: <https://creativecommons.org/licenses/by-nc-nd/2.0/>

replaced if necessary. It shall be the responsibility of the property owner to maintain all plantings and architectural elements to ensure a safe environment.

- (3) Maintenance guidelines for the plantings are encouraged to be published by the planting plan designer to be used by grounds maintenance personnel to ensure that the design's buffering and screening concepts are continued.
- (4) All buffers shall be maintained and kept clean of all debris, rubbish, weeds, and invasive plants.⁶

E. Landscape bond.

- (1) Any tree or shrub that dies within 18 months of planting shall be replaced by the current landowner or developer. Any tree or shrub that within 18 months of planting or replanting is deemed, in the opinion of the Township, not to have survived or not to have grown in a manner characteristic of its type shall be replaced. Substitutions for certain species may be made only when approved by the Township.

(2) The developer or landowner shall deposit with the Township a sum of money in the form of cash, certified check, letter of credit or bond equal to a minimum of 15% of the total landscaping costs to cover the cost of replacing, purchasing, planting and maintaining all dead, dying, defective or diseased plant material for a period of 18 months.

§ 215-59. Recommended plant material list.

A. Plantings shall be selected from **Appendix: Recommended Planting List**. The list notes examples of species which are appropriate for damp, shady, sunny, or dry sites, and categorizes recommended plantings by function:

- Street trees
- Parking lot trees
- Trees under power lines
- Buffers and site element screens
- Stormwater management basins
- Rain gardens
- Ground covers
- Managed meadows.

⁶ For reference, see the Pennsylvania Department of Conservation and Natural Resources (DCNR) list of invasive plants and management guide: <https://www.dcnr.pa.gov/Conservation/WildPlants/InvasivePlants/pages/default.aspx>

However, the Board of Commissioners may approve the use of any species or cultivar not listed in the list, provided the applicant demonstrates that the proposed plant materials more effectively implement the intent and goals of this Chapter than all other applicable plant species in **Appendix: Recommended Planting List**;

B. Landscape plans shall:

- (1) Include no invasive ⁷ species.
- (2) Make use of native species (and minimize use of nonnative species) to the greatest extent possible. Native species shall comprise a minimum of seventy percent of plantings, by category (e.g., canopy tree, understory tree, shrub, herbaceous perennial, native grass), in a subdivision or land development.

SECTION 10. SEVERABILITY. If a Court of competent jurisdiction declares any provisions of this Ordinance to be invalid, in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of this Ordinance shall continue to be separately and fully effective.

SECTION 11. RE-ENACTMENT AND REPEALER. The remaining provisions of the Code of Ordinances of Lower Pottsgrove Township, and as in force immediately before the enactment of this Ordinance, are intended to be continued and, to the extent not inconsistent herewith, are hereby re-enacted and re-ordained; any Sections inconsistent with the amendments hereinbefore referenced are hereby repealed as referenced.

SECTION 12. EFFECTIVE DATE. This Ordinance, and all of its terms and provisions, shall become effective as provided by law.

ORDAINED and ENACTED this 6th day of May, 2024.

**LOWER POTTS GROVE TOWNSHIP
BOARD OF COMMISSIONERS**

BY: Raymond W. Lopez
Raymond W. Lopez, President

ATTEST: Nicole Varady
Nicole Varady, Secretary

⁷ See §215-61 Definitions, Article X. Landscaping section

DAVID L. ALLEBACH, JR.
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JAMIE V. OTTAVIANO
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ATTORNEYS AT LAW

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April 29, 2024

VIA FIRST CLASS MAIL

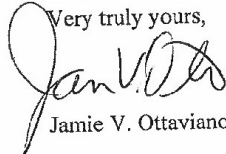
Montgomery County Law Library
One Montgomery Plaza
425 Swede Street
P.O. Box 311
Norristown, PA 19404

Re: Lower Pottsgrove Township – Amendment to SALDO / Landscaping

Dear Sir or Madam:

I am the Solicitor for Lower Pottsgrove Township, Montgomery County, Pennsylvania. I enclose a certified and attested copy of an Ordinance to be considered for enactment by the Board of Commissioners of Lower Pottsgrove Township at its regularly scheduled meeting on May 6, 2024 at 6:30 p.m. at the Lower Pottsgrove Township Building located at 2199 Buchert Road, Pottstown, PA 19464.

I also enclose a check in the amount of \$25.00 to cover the cost of the filing fee for the proposed Ordinance.

Very truly yours,

Jamie V. Ottaviano

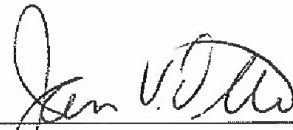
JVO:slb

Enclosures

cc: Mr. Edward Wagner (via email w/o encls)

CERTIFICATION AND ATTESTATION

I hereby certify and attest that the attached is a true and correct copy of an Ordinance to be considered for enactment by the Board of Commissioners of Lower Pottsgrove Township at a regularly scheduled meeting on May 6, 2024 at 6:30 p.m. at the Lower Pottsgrove Township Building located at 2199 Buchert Road, Pottstown, PA 19464.



Jamie V. Ottaviano, Esquire
Solicitor for Lower Pottsgrove Township