

**UPPER OXFORD TOWNSHIP PLANNING COMMISSION**  
**JUNE 4, 2018**

The Upper Oxford Township Planning Commission held their monthly meeting at the township building, 1185 Limestone Road, Oxford, PA at 7:00 P.M. on Monday, June 4, 2018.

Members present: Elizabeth Randolph, Sam Reyburn, David Underwood, Harold Bryson, Karl Herr, Ron Ragan, Township Engineer and Jane Daggett, Township Secretary.

Others present: Scott Rugen, Blair and Charles Fleischmann and Judy DeGeiso

The meeting was called to order at 7:00 PM by the Chairman, Karl Herr.

MINUTES – Motion was made by Harold Bryson, seconded by Dave Underwood and carried to approve the May 7, 2018 Minutes. MOTION CARRIED.

CHARLES AND BLAIR FLEISCHMANN – 3 Lot Subdivision/Add-on Plan.

This plan is located on Homeville Road and is approximately 110.152 acres. Proposed Lot 2 will be taken from Lot 1 leaving a remainder of 62.360 acres to Lot 1. Parcel A and B will be combined and added to Proposed Lot 2 making that total acreage approximately 47.792. All fees have been paid and plans have been forwarded to Chester County Planning Commission and the township engineer for review. Since no building is being proposed, a Request for Planning Waiver and Non-Building Declaration will be forwarded to Chester County Health Department for review.

BRANDYWINE CONSERVANCY – John Theilacker from Brandywine Conservancy was present to discuss with the Planning Commission a Riparian Buffer Ordinance, Timber Harvest and High Tunnel. Mr. Theilacker sent a revised riparian buffer to the township along with a sample Timber Harvest. The conservancy has been working on a Timber Harvest Ordinance the past 1-1/2 years. Riparian buffers are an overlay within the Township. Timber Harvest is a “use” that is permitted in all our “use by Law”. Design standards must be met when Timber Harvest is proposed by Land Owners. The Township cannot prevent Timber Harvest. We must permit it and cannot regulate it too heavily. Mr. Theilacker explained what required an Erosion and Sediment permit. Some ideas or discussion by the members are as follows:

- Timber Harvest:
- Adjusting our Storm Water Ordinance
- Can trees be cut down without a plan, information would need to be submitted to Chester County Conservation District and submitted to Township for a Timber Harvest Permit.
- Would it be beneficial to have a waiting period between Timber Harvest and then any building.
- The Township would not be able to request a back inventory of trees. Presently all trees 6’ or greater are included on plans.
- Put a “time line” clause in our ordinance
- Amend Storm Water Ordinance to consider taking down of 6’ trees
- The Riparian Buffer, Timber Harvest and also High Tunnel would require an Act 247 Review by Chester County Planning Commission.
- Provide the township with outreach tools to give the township the opportunity to review paperwork submitted to other agencies.
- The Zoning Officer and Engineer would be responsible to review plans unless the plans involved crossing of streams, then DEP would be involved.
- Definition of Woodland was questioned.
- All definition must match
- Residents would need to be educated so they would know when a permit would be required.
- Definition of Slash was question (Section G – No Slash on tops”).
- Removing tops and slash by Townships are unreasonable.
- May be eligible for some funding.

- Bumper trees were discussed. Not a high quality tree put protects other trees.

Best Management Practices – can be downloaded from Penn State website.

#### Riparian Buffer

Page 4 – under applicability – questions if land owner clears land – then comes in with building permit – what happens. – They would be in violation of ordinance is the buffer is there.

Page 6 - #3 – Mr. Theilacker explained that section – discussion regarding 50 ft or 100 ft.

Page 8 #6 – Earth disturbance, house, barn, manure pits would be cumulative.

100 ft - 50 ft. – items permitted by Special Exception – are they in contrast with each other – they are allowed by right not by special exception

Chairman Karl Herr asked if anyone thought we do not need a timber ordinance – no response. A work session will be held June 25<sup>th</sup>. The Planning Commission will try to get a sensible ordinance which includes Riparian Buffer, Timber Harvest, Woodland Protection and High Tunnel. High Tunnels and exemption with Green Houses will be discussed at the work session.

ADJOURNMENT – There being no further business, motion was made by Dave Underwood, seconded by Harold Bryson and carried to adjourn unanimously.

Respectfully submitted,

Jane Daggett  
Secretary