

**§ 390-180. Wetlands.**

- A. Wetlands. Wetlands shall not be altered, regraded, developed, filled, piped, diverted or built upon except that driveways, roads and utilities may cross wetlands where design approval is obtained from the Township, the Pennsylvania Department of Environmental Protection, and the United States Army Corps of Engineers, and where no other practical alternative is available.
- B. Wetlands margin. Unless a greater distance is required by state and/or federal regulations, the wetlands margin shall extend 100 feet from a delineated wetlands boundary, the limits of any hydric soils, or the distance delineated in § 390-182, whichever is greater. No more than 20% of a wetland margin area shall be altered, regraded, filled or built upon (noting that such limitation does not permit the alteration, regrading, filling of or building upon a wetland area, and noting further that the permitted encroachment into a wetland margin area shall be measured independent of any other noncontiguous wetland margin areas on a property). The Planning Commission may recommend a reduction of the wetlands margin or to the maximum percentage of disturbance to the Board of Supervisors, if, upon review, it determines that such a reduction is justified due to existing topographic or physical conditions or to specific circumstances related to the location or quality of the wetland in question.
- C. Wetlands delineation. Hydric soils and the National Wetlands Inventory maps shall be used in determining the presence and location of wetlands, unless, as required by the Board of Supervisors upon recommendation of the Planning Commission or by Chapter 315, Subdivision and Land Development, of the Township's Code, wetlands boundaries shall be delineated through an on-site assessment, which shall be conducted by a professional soil scientist, biologist, botanist or others of demonstrated qualifications. Such a person shall certify that the methods used correctly reflect currently accepted technical concepts, including the presence of wetlands vegetation, hydric soils and/or hydrologic indicators. The study shall be submitted with sufficient detail to allow for a thorough review by the Township. The study must be approved by the Board of Supervisors on the recommendation of the Township Engineer.
- D. Federal and state regulations. In addition to the requirements of Subsections A and B above for proposed uses, activities or improvements which would entail the regrading or placement of fill in wetlands, the applicant shall provide the Township with proof that the Pennsylvania Department of Environmental Protection and the United States Army Corps of Engineers have been contacted to determine the applicability of state and federal wetland regulations for areas delineated as wetlands.