

January 4, 2010  
Highland Conservancy E-Newsletter

The Highland Conservancy is sending out an urgent request to all our members to write, call or email and speak out on the new Natural Features Preservation Ordinance. We also encourage you to attend the Planning Commission meeting on Thursday, January 7, 2010 at 7:30 pm where public comments on this ordinance are invited. (Nearby residents are welcome to comment as well). Since March 2007, this ordinance has gone through many revisions and drafts. It has now reached the stage where it will be voted on by the Planning Commission and then (if they vote to do so) it will be sent on to the Board for final approval. A full copy of the ordinance is available online at: <http://www.highlandtwp.com/page/Twp+PlanningZoning-130.html> then click on Article 15. (Also check out Article 7).

Aside from the missing Rationale statement listing the reasons for this ordinance, we feel the final draft is seriously deficient in three key areas:

### **Tree Preservation Criteria**

The most important regulation in this ordinance pertains to trees. Previously, there was language with key criteria and other factors for the preservation of trees which included:

- Significance of a tree or group of trees by reason of age, location, size or species
- Impact of the removal of the tree or group of trees on neighboring properties
- Demonstrate lowest impact solution
- Installation of infrastructure excepted
- Preservation of high priority areas such as habitat of endangered or threatened species, State regulated wetlands and floodplains, etc.
- Having the Planning Department maintain a list of native and invasive species as a resource for site design.

### **Tree Preservation Requirements**

In conjunction with the criteria, the specific requirements are fundamental to this ordinance to protect a site from being clear cut and to provide “teeth” to the ordinance. These are now missing. Previously, there was language requiring that:

- A percentage of tree canopy be preserved with specific minimum canopy retention requirements.
- OR - A percentage of trees be preserved based on the dbh (diameter of the tree at breast height) with specifications they be healthy, non-invasive trees
- Prioritizing forest community types
  - Mitigation for unnecessary tree cutting
  - Prohibition of clear cutting
  - Replacement of trees when necessary with a diversity of native (not invasive) trees

## **Grading and Top Soil Removal**

There is no language to protect the wholesale stripping and removal of topsoil along with indiscriminate “land balancing” (flattening of rolling hills). There should be language requiring that:

- Grading on a site be limited to construction of infrastructure including streets, public utilities and drainage lines only.
- Unapproved clearing and mass grading of individual lots be prohibited
- It be a violation of the Ordinance to clear, strip topsoil, grade, fill, pipe, divert, channel, flood, build upon or otherwise alter or disturb the land without prior approval by the Planning Commission.

It takes years to restore the balanced ecosystem that exists in the soils of a mature meadow, forest or wetland. It takes years to restore a clear cut forest. It is crucial to protect wildlife corridors that connect all too quickly fragmenting habitats. Please help us make a difference for Highland!

Write:

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The Board of Trustees:

Mary L. McDonell, Judith Kiley, Mary Chynoweth, Barry Sherman, Russ Tierney,  
and Ray Polidori  
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Thanks again to everyone who so graciously contributed in 2009!

Sincerely,

Katheryn Krupa  
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