

WEST PIKELAND TOWNSHIP SUBDIVISION
ORDINANCE

AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND STANDARDS GOVERNING THE SUBDIVISION OF LAND WITHIN THE TOWNSHIP, PURSUANT TO THE AUTHORITY SET FORTH IN THE MUNICIPALITIES PLANNING CODE SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS IN APPLYING AND ADMINISTERING THESE RULES, REGULATIONS AND STANDARDS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

ARTICLE I

Purposes, Scope, Interpretation

Section 100 - Short Title. This ordinance shall be known and may be cited as "The West Pikeland Township Subdivision and Land Development Ordinance."

Section 101 - Purposes. The purposes of this ordinance are: To provide for the harmonious, orderly, efficient and integrated growth of the Township; to assure that land to be developed shall be of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise and smoke, or other menace; to provide for drainage, water supply, sewage disposal and other appropriate utility services; to provide for the coordination of existing streets, parks, highways and land use with proposed streets, parks, highways and land use; to provide for a safe, convenient, and functional system for vehicular traffic, on streets of such width, grade, and location as to accommodate prospective traffic as determined by existing and probable future land and building uses; to provide for arrangement of building lots, blocks and streets so as to afford adequate light, view and air, and to facilitate fire protection; to assure land will be developed with due regard to topography and geologic conditions, so that the natural beauty of the land and vegetation shall be protected and enhanced; to provide for adequate open spaces for recreation, light and air, and for adequate sites for schools, parks, playgrounds and other community services, which shall be located as to provide access to such facilities for residents of all

Marguerite S. Brady

neighborhoods; and to secure equitable handling of subdivision and land development plans by providing uniform procedures and standards for observance both of subdividers and of Township officials.

Section 102 - Scope. From and after the effective date of this ordinance, any subdivision and/or land development shall be in conformity with this ordinance and all standards and specifications adopted as a part of such ordinance.

Section 103 - Interpretation. In the interpretation and application of the provisions of this ordinance, the said provisions shall be held to be the minimum requirements for the promotion and protection of the public health, welfare, and safety. Where the provisions of this ordinance and all standards and specifications adopted under it impose greater restrictions than those of any other ordinance or regulations, the provisions of this ordinance and its standards and specifications shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this ordinance, the provisions of such statute, ordinance or regulation shall be controlling.

Section 104 - Severability. If any article, section, subsection, paragraph, clause or provision of this ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole or of any other part.

ARTICLE II

Interpretations of Regulations and Definitions

Section 200 - Language Interpretations. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this ordinance to have the meaning herein indicated. The singular shall include the plural and the plural shall include the singular. Words used in the present or past tenses shall include the future tense. The words "person", "applicant", "subdivider" and "owner" shall include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual. The word "building" shall include the word "structure". The word "watercourse" shall include channel, creek, ditch, dry run, spring, stream, and river. The words "shall" and "will" are always mandatory.

Section 201 - Definitions of Terms. As used in this ordinance, except where the context clearly indicates otherwise, the following words and/or phrases have the meaning indicated below:

(1) Alley. A right-of-way providing secondary vehicular access to the side or rear of lots.

(2) Applicant. A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

(3) Application for Development. Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for building permit, or for the approval of a subdivision plan or plot.

(4) Block. An area bounded by streets.

(5) Building Setback Line. The line within a property defining the minimum required distance between any building to be erected and an adjacent right-of-way.

(6) Cartway (Roadway). The portion of a street right-of-way, paved or unpaved, customarily used by vehicles in the regular course of travel over the street.

(7) Clear Sight Triangle. An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

(8) Common Open Space. A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the development but not including streets, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures but may contain such improvements as are in the subdivision or development plan as finally approved and as are appropriate for the recreation of residents.

(9) Critical Areas. Areas of a subdivision or land development particularly subject to erosion and sedimentation, such as areas not covered with vegetation due to grading, cutting or filling, which contain exposed subsoils or mixtures of soil horizons, or excessively long slopes and steep grades.

(10) Crosswalk (interior walk). A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

(11) Cul-de-sac. A street with access at one end which is terminated by a vehicular turn-around.

(12) Design Standards. Minimum standards for the layout by which a subdivision or land development is developed.

(13) Developer. Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

(14) Drainage. The flow of water or liquid waste and the method of directing such flow, whether natural or artificial.

(15) Dwelling Unit. Any structure, or part thereof, designed to be occupied as a single housekeeping unit.

(16) Easement. A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

(17) Engineer. A licensed professional engineer registered by the Commonwealth of Pennsylvania.

(18) Erosion. The movement of soil by the action of wind and/or water.

(19) Improvement Specifications. Minimum standards for the construction of the required improvements such as streets, curbs, sidewalks, water mains, sewers, drainage facilities, public utilities and other items required to render the land suitable for the use proposed.

(20) Land Development. (i) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: (a) a unified development as defined in the West Pikeland Township Zoning Ordinance; (b) a group of two or more principal buildings, or (c) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) a subdivision of land into lots for the purpose of conveying such lots singly or in groups to any person, partnership or corporation for the purpose of the erection of buildings by such person, partnership or corporation. For purposes of erosion and runoff control, land development shall also include any attention to land not for agricultural or conservation purposes which includes earth moving, filling, or stripping on a tract of one or more acres, including but not limited to road construction, utility installation, public, commercial or industrial facility construction; and mining and quarrying.

(21) Landowner. The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee having a remaining term of not less

than forty years, if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this ordinance.

(22) Lot. A parcel of land on which a principal building or where authorized by the West Pikeland Township Zoning Ordinance a unified group of buildings are or may be placed together with the required open space. The use of a lot for more than one principal building or for a unified group of buildings shall be considered a subdivision and the plan for any such use shall be subject to approval in accordance with this ordinance. For the purposes of these definitions, Unified Group of Buildings shall include a single commercial building designed to house more than one commercial use or entity and shall include also a multiple dwelling.

(23) Monument. A stone or concrete monument with a flat top at least 4" in diameter or square, containing a copper or brass dowel (plug), and at least 24" in length (preferred 30" to 36"). The monument shall be tapered so that the dimensions at the bottom be at least 2" greater than the top, to minimize movement caused by frost.

(25) Multiple Dwelling Building. A building containing more than one dwelling unit.

(26) Plan, Conservation. A plan accompanying and forming a part of the preliminary and final plans detailing the developer's measures to be taken for protection of stream channels, major trees, and other important natural features, and for erosion and sediment control which includes all information required under Section 510 (4) of this ordinance.

(27) Plan, Construction Improvement. A plan prepared by a registered engineer or surveyor showing the construction details of streets, drains, sewers, bridges, culverts, and other improvements as required by this ordinance.

(28) Plan, Final. A complete and exact subdivision or development plan or plat, prepared for official recording as

Marguerite S. Brady,

required by statute, which includes all information required under Section 510 (3) of this ordinance.

(29) Plan, Major Street. The element of the County or Township Comprehensive Plan, which shall show the general location, alignment, and dimensions, and the identification and classification of existing and proposed streets, highways, and other thoroughfares.

(30) Plan, Official. The Comprehensive Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Ultimate Right-of-Way Plan and/or Official Map or other such Plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the township in which the subdivision is located.

(31) Plan, Preliminary. A tentative subdivision or development plan, in lesser detail than a final plan, which includes all information required under Section 510 (2) of this ordinance.

(32) Plan, Record. The copy of the Final Plan which contains the original endorsements of the County Planning Commission and the township and which is intended to be recorded with the County Recorder of Deeds.

(33) Plan, Sketch. An informal plan, not necessarily to exact scale, indicating salient features of a tract and its surroundings and the general layout of a proposed subdivision of land development.

(34) Planning Commission. The West Pikeland Township Planning Commission.

(35) Plat. The map or plan of a subdivision or land development, whether preliminary or final.

(36) Public Notice. Notice published once each week for two successive weeks in a newspaper of general circulation in West Pikeland Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be no more than 30 days or less than 14 days from the date of the hearing.

(37) Reserve Strip. A parcel of ground in separate (sometimes public) ownership separating a street from other adjacent properties, or from another street.

(38) Resident Property Owner. Any individual maintaining a voting address in the township, owning real estate in his own or joint names. A tenancy in common or any other means of joint ownership shall be considered as an individual; however, the signature of any single joint owner shall be considered as binding the others.

(39) Resubdivision. Any replatting or resubdivision of land, limited to changes in lot lines on approved Final Plan or Recorded Plan as specified in Sec. 509 of these regulations. Other replattings shall be considered as constituting a new subdivision of land. See also Subdivision.

(40) Reverse Frontage Lot. A lot extending between and having frontage on two generally parallel streets, (excluding service streets or alleys), with vehicular access solely from one street.

(41) Review. An examination of the Sketch Plan, Preliminary Plan, and/or Final Plan by the Planning Commission and/or the West Pikeland Township Board of Supervisors to determine compliance with this ordinance and the administrative regulations, design standards and improvement specifications enacted pursuant thereto.

(42) Right-of-Way. The total width of any land reserved or dedicated as a street, alley, crosswalk or for other public purposes.

(43) Roadway. See Cartway.

(44) Sanitary Sewage Disposal, On-site. Any structure designed to treat sanitary sewage within the boundaries of an individual lot.

(45) Sanitary Sewage Disposal, Community. A sanitary sewage collection system in which sewage is carried from individual lots.

(46) Sanitary Sewage Disposal, Public. A sanitary sewage collection system in which sewage is carried from individual

lots by a system of pipes to a publicly owned central treatment and disposal plant.

(47) Sediment. The resulting residue from erosion.

(48) Septic Tank. A covered water-tight settling tank in which raw sewage is changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

(49) Sight Distance. The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 4.5' above the centerline of the road surface to a point 0.5' above the centerline of road surface.

(50) Soil Percolation Test. A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

(51) Street, Public. A strip of land, including the entire right-of-way (i.e., not limited to the cartway) intended for general public use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. The term "public street" includes any thoroughfare intended for public use. Public streets are further classified according to the functions they perform.

(a) Minor Local Street: A street used primarily to provide access to abutting properties.

(b) Cul-De-Sac Street: A minor street intersecting another street and terminating in a vehicular turn-around at the other end;

(c) Half (partial) Street: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street;

(d) Marginal Access Street: A minor street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major street.

(e) Collector Street: A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route serving fifty (50) or more dwelling units to give access to community facilities and/or other collector and major streets (streets in industrial and commercial subdivisions shall generally be considered collector streets); sometimes called a "feeder street", which connects a local street system and a major street or highway system.

(f) Major Street or Through Highway (Arterial): A street serving a large volume of comparatively high-speed and long-distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation: a highway on which preference is given to the through movement of traffic at the expense of cross traffic.

(52) Street, Private: A strip of land or roadway intended for use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. A private street is intended for use of only the lots served rather than the general public.

(53) Structure. Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

(54) Subdivider: Any individual, co-partnership or corporation (or agent authorized thereby) which undertakes the sub-division of land, as defined by these regulations, as the owner, lessee, equitable owner (or agent authorized thereby) of the land being subdivided.

(55) Subdivision. The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development. For the purposes of this ordinance, the word "subdivision" shall include "land development".

(56) Surveyor: A licensed surveyor registered by the Commonwealth of Pennsylvania.

(57) Tile Disposal Field: A system of open jointed or perforated pipes laid in the upper strata of the soil to

distribute sewage effluent into the soil for absorption and evaporation.

(58) Water Distribution System, On-Site: A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

(59) Water Distribution System, Community: A system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

ARTICLE III

Subdivision and Land Development Control

Section 300 - (1) No subdivision of any lot, tract or parcel of land shall be effected and no land development shall be effected and no street, alley, sanitary sewer, storm sewer, water main or other facilities in connection therewith, shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this ordinance.

(2) No lot in a subdivision may be sold, no permit to erect, alter, or repair any building upon land in a subdivision or land development may be issued, and no building may be erected in a subdivision or land development unless or until a subdivision or land development plan has been approved and, where required, recorded, and until the required improvements in connection therewith have either been constructed or the completion thereof has been assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities, in escrow, sufficient to cover the cost of the required improvements, as estimated by the Township Engineer.

ARTICLE IV

Administration

Section 400 - Enforcement.

(1) The Board of Supervisors shall designate an individual to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications. It shall be his duty to examine all applications under this ordinance and to forward such to the Secretary of the Planning Commission.

(2) Inspection of actual construction under any approved subdivision or land development plan shall be the sole responsibility of the township which may undertake any reasonable measures to provide an adequate inspection of all projects.

Section 401 - Fees. The Board of Supervisors shall establish a schedule of fees and a collection procedure for all applications and other matters pertaining to this ordinance. No action shall be taken in connection with any subdivision or land development application until all fees are paid and the applications are properly signed and filed in the form required by this ordinance.

Section 402 - Restrictions.

(1) A building permit may be issued only upon approval of a Preliminary Plan or in those instances where a Preliminary Plan is not required, approval of a Final Plan. In no instance may such a permit be issued until water and sewage facility permits have been issued.

(2) No lot in a subdivision may be sold unless a Final Plan has been approved and recorded.

Section 403 - Exemption. Where, owing to special conditions, a literal enforcement of this Ordinance and/or its accompanying regulations would result in unnecessary hardship, the Board of Supervisors may make such reasonable exception thereto as will not be contrary to the public interest and will be in conformance with existing community development.

ARTICLE V

Procedure

Section 500 - General. Hereafter, tentative subdivision or land development plans shall be reviewed by the Township Planning Commission and the County Planning Commission and shall be approved or disapproved by the Board of Supervisors in accordance with the procedure specified in this article and in other sections of this ordinance. Any application not processed as required hereafter shall be null and void unless it was made prior to the adoption of these regulations.

Section 501 - Submission of Sketch Plan.

(1) A Sketch Plan for all proposed subdivisions or development of land located within the Township may be submitted to the Township Planning Commission for review.

(2) Such Sketch Plans shall be considered as submitted for informal discussion between the developer and the Planning Commission. Submission of a Sketch Plan shall not constitute official submission of a plan to the Township.

(3) For informational purposes, six copies of the Sketch Plan shall be submitted to the Planning Commission.

(4) In the event that any developer shall intend to make changes in the contour of any land proposed to be subdivided, developed or changed in use by grading, excavating, or the removal or destruction of the natural topsoil, trees or other vegetative covering thereon, the developer shall consult with the Chester County Soil and Water Conservation District prior to or concurrently with submission of the sketch plan, in order to insure that the proposed subdivision or land development will be compatible with the Conservation Plan to be submitted.

Section 502 - Review of Sketch Plan. The Township Planning Commission shall review the Sketch Plan and shall recommend such changes and modifications as it shall deem necessary or advisable in the public interest.

Within ten (10) calendar days after such scheduled meeting review, the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission to the following:

- (i) Board of Supervisors
- (ii) The Applicant

Section 503 - Submission of Preliminary Plan.

(1) The Preliminary Plan shall conform to the most recent administrative regulations adopted by the Board of Supervisors for such purpose.

(2) Copies of the Preliminary Plan and all required supplementary data shall be initially and officially submitted to the Secretary of the Township. After the required fees have been properly paid, he shall transmit such plans to the Township Planning Commission, the County Planning Commission, the Township Engineer and such other persons or agencies as the Board of Supervisors shall determine.

(3) Official submission of a Preliminary Plan to the Township Secretary shall comprise:

a) Three (3) copies of the Application for Review of Preliminary Subdivision or Land Development Plan.

b) Nine (9) prints of the Preliminary Plan.

c) Nine (9) copies of all other required information and plans, including the Conservation Plan.

(4) Upon receipt of the above, the Township Secretary shall forward one copy of the "Application for Review", four prints of the Preliminary Plan and one print of all other required plans to both the township and the County Planning Commission, retaining all other data in the Township files.

Section 504 - Review of Preliminary Plan.

(1) Township Planning Commission.

a) The Township Planning Commission shall within 45 days review the Plan and the recommendations of the County Planning Commission and the Township engineer.

b) Within ten (10) days after such meeting the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission and the reasons therefore to the following:

(i) Township Supervisors

(ii) The Applicant

(2) Board of Supervisors

a) When a Preliminary Plan has been officially submitted to the Board of Supervisors by the Planning Commission, such Plan shall be placed on its agenda for review and hearing.

b) The Board of Supervisors shall review the

Preliminary Plan and the written reports of the Township Planning Commission and the County Planning Commission and shall require or recommend such changes and modifications as it shall deem necessary or advisable in the public interest or it may deny approval. The Board shall act upon all applications for subdivision within 90 days of the filing of an application other than the informal sketch plan and shall communicate its decision, in writing, to the applicant within five days of the making of such decision.

c) The Board of Supervisors shall designate a copy of the Preliminary Plan as the official copy. This copy shall include all necessary corrections as required by the Board of Supervisors. It shall be retained in the Township files.

d) Within thirty (30) days after approval, the applicant shall deliver to the Township Secretary a performance bond in the amount of 120 percent of the cost of all improvements required under these Regulations as estimated by the Township engineer. In addition, the performance bond shall state an agreed-upon completion date for the projects at which time the municipality may require the forfeiture of the bond. The form of the performance bond and the surety shall be subject to the approval of the Township Solicitor. An escrow approved by the Township Solicitor in the same amount may be substituted for the performance bond upon the election of the applicant. Failure to satisfy this requirement shall constitute withdrawal of the approval of the Preliminary Plan.

e) Within thirty (30) days after approval the applicant shall deliver to the Township Secretary a maintenance bond in an amount of not less than twenty (20) percent of the performance bond. This shall guarantee that the applicant shall maintain all required improvements in good condition for a period of two years after completion of construction and installation of all such improvements. Failure to satisfy this requirement shall constitute withdrawal of the approval of the Preliminary Plan.

Section 505 - Submission of Final Plan.

(1) Within 30 days after approval of the Preliminary Plan, a Final Plan and all necessary supplementary data shall be officially submitted to the Township Secretary. However, an extension of time may be granted at the option of the Board of Supervisors.

(2) The Final Plan shall conform to the most recent administrative regulations adopted by the Board of Supervisors for such purposes.

(3) The Board of Supervisors may permit submission of the Final Plan in sections, each covering a reasonable portion of the entire proposed development as shown on the approved Preliminary Plan.

(4) Official submission of the Final Plan to the Board of Supervisors shall consist of:

Three (3) copies of the Application for Review of Final Subdivision and/or Plan, three (3) prints of street cross-section drawings including street profiles and finished grades, and nine (9) copies of the Final Plan including lot lines with metes and bounds showing location of permanent markers and Conservation Plan as

designated below:

Six (6) black-on-white prints
One (1) reproducible mylar
Other prints or reproducibles as may be required.

(5) The Township Secretary shall first insure that all fees have been paid and the necessary performance bonds have been received. The Township Secretary shall then forward all Final Plan documentation to the Planning Commission except one (1) copy of the "Application" and one (1) print of the Final Plan.

(6) The Secretary of the Township shall forward to County Planning Commission five (5) black-on-white prints of the Final Plan; one (1) copy of the Application for Final Review; one reproducible tracing of the Final Plan; and one (1) print of the street cross-section drawings.

Sections 506 - Review of Final Plan.

(1) Township Planning Commission.

a) The Planning Commission shall review the Plan at a scheduled meeting following its receipt.

b) Within ten (10) days after such meeting the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission to the following:

- (i) Board of Supervisors
- (ii) Applicant

(2) Board Of Supervisors

a) When a written report on a Final Plan has been officially returned to the Board of Supervisors by the Planning Commission, such plan shall be placed on the agenda of the Board of Supervisors for review and hearing.

b) The Board of Supervisors shall review the Final Plan and the written reports of the Township and County Planning Commissions and shall require or recommend such changes and modifications as it shall deem necessary or advisable in the public interest.

c) The Board of Supervisors shall approve, modify, or reject the Final Plan within ninety (90) days of its filing and shall notify in writing the applicant and any persons or groups of persons requesting such notice of decision within five days of the making of its decision.

d) The Board of Supervisors shall designate one (1) print and one (1) mylar of the Final Plan as the official copy. This copy shall include all corrections required by the Board of Supervisors. It shall be retained in the Township files.

e) Copies of the Final Plan as finally approved with the appropriate endorsement of the Board of Supervisors and the Township engineer shall be distributed as follows:

Three (3) prints and one (1) tracing to the subdivider.

Section 507 - Recording of Final Plan.

(1) After completion of these procedures, all endorsements, including the endorsement of the Township Engineer, shall be indicated on the Record Plan and on as many other copies of the Final Plan as may be desired.

(2) The Record Plan shall be a clear and legible reproducible tracing on linen or dimensionally stable film.

(3) After endorsement by the Township, the developer shall file the Record Plan with the County Recorder of Deeds within thirty (30) days of the date of Final Approval by the Township. If the developer fails to record the Final Plan within such period, the action of the Township shall be null and void, unless an extension of time is granted in writing by the Township upon written request by the developer.

Section 508 - Plans which may be Exempted from Standard Procedures.

(1) In the case of any new proposed subdivision in which all proposed lots will have frontage on an existing public street or road, the following procedure may be followed upon approval from the Planning Commission.

a) The subdivider shall follow the informal procedure for approval of a Sketch Plan, except that drawings submitted for review shall contain the necessary spaces for signature endorsements.

b) Following receipt of notification that the Sketch Plan has been reviewed by the Township Planning Commission, including any recommended or required changes or modifications, the subdivider shall deliver to the Township performance and maintenance bonds as required for a Preliminary Plan.

c) Following Sketch Plan approval, the subdivider may then prepare a Final Plan sufficient to meet the requirements of this Ordinance.

(2) In the case of proposed subdivision of land by process of auction sale, the following procedure shall be used by the subdivider.

a) The subdivider shall prepare and submit a Preliminary Plan, which, in addition, shall contain the following notation:

This property is intended to be sold by auction on or about _____, 19____ in whole or in part according to this plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no actual transfer of ownership or interest in such lots shall proceed until a Final Plan showing such division of property shall have been approved by the Board of Supervisors in accordance with its regulations, and recorded in the office of the County Recorder of Deeds.

b) The auction sale may then proceed in accordance with the above notation, after which the subdivider shall prepare and submit a Final Plan in accordance with these regulations.

Section 509 - Resubdivision Procedure.

(1) These regulations shall not be construed to require an applicant to comply with subdivision procedures in each and every case for minor shifts in lot lines because of excessive topography or similar types of development problems. For purposes of review, however, the Board of Supervisors shall be solely responsible for review and approval of resubmissions involving lot line changes. If major street changes or other modifications to easements or rights-of-way are involved, the County Planning Commission shall be notified and its recommendations considered.

(2) In making any alterations, the following shall be observed:

a) No lot or tract of land shall be created that is smaller than the minimum dimensions required by the Township Zoning Ordinance.

b) Easements reserved for drainage shall not be changed.

c) No lot shall be created which does not abut a street; and

d) The Character of the area shall be maintained

(3) In every case, the applicant shall prepare a Record Plan and submit said Plan for the endorsements of the Township Engineer and the Board of Supervisors identifying the previous Record Plan and shall record the revised Plan.

Section 510 - Plan Requirements.

(1) Sketch Plan. The scale and sheet size of the Sketch Plan of a proposed subdivision shall be legibly drawn approximately to the scale of one (1) inch equals 600 feet and contain at least:

- a) tract boundaries, accurately labelled.
- b) the name of the township, county and state in which the development is located.
- c) north point
- d) written and graphic scales
- e) significant topographical and physical features
- f) existing and proposed general street and lot layout
- g) date and name of developer and subdivision.

(2) Preliminary Plans.

a) The Preliminary Plan of a proposed development shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet, except that, if the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one (1) inch equals one hundred (100) feet. One additional plan shall be filed which shall be at the scale of 1' = 600 feet. The preliminary plan shall contain, where relevant all of the information required in this subsection upon penalty of being refused for filing.

b) The original drawing, and all submitted prints thereof, shall be made on sheets either eighteen (18) inches by twenty-four (24) inches or thirty-six (36) inches by forty-eight (48) inches. If the Preliminary Plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.

c) The Preliminary Plan shall show:

(i) name or any other identifying title of the proposed subdivision and of the Township, County and State.

(ii) north point, graphic scale, written scale, and date, including the month, day and year that the original drawing was completed, the month, day and year that the original drawing was revised, for each revision, and a clear and concise description and location of the changes made in each revision.

(iii) name of record owner (and developer)

(iv) name and address of registered engine surveyor or land planner responsible for the plan.

(v) the names of all abutting subdivision if any, with the book and page numbers where recorded, and the names of the owners of all adjacent unplotted land, if any, and the book and page number where recorded.

(vi) a key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals six-hundred (600) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries, and recorded subdivision plans existing within one-thousand (1,000) feet of any part of the property.

In addition, the approximate distance to the nearest existing street shall be shown, and a title, scale, and north point shall be indicated.

(vii) total tract boundaries of the property being developed, showing bearings and distances, and a statement of total acreage of the property.

(viii) contour lines at vertical intervals of not more than (2) feet for land with average natural slope of four (4) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding four (4) percent. The datum shall be U. S. Coast and Geodetic Survey.

(ix) location and elevation of the datum used shall be a known, established bench mark,

(x) all existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, water courses, easements, right-of-way and other significant man-made or natural features within the proposed subdivision and within fifty (50) feet from the boundaries of the proposed subdivision.

(xi) all existing buildings and other structure

(xii) all existing streets, including streets of record (recorded but not constructed), on or abutting the tract, including names, right-of-way widths, cartway (pavement) widths and approximate grades.

(xiii) the full plan of proposed development, including:

a) location and width of all streets and rights-of-way, with a statement of any conditions governing their use

b) suggested street names and utility easement locations

c) building setback lines along each street

d) lot lines with approximate dimensions

e) a statement of the intended use of all non-residential lots and parcels

f) lot numbers and a statement of the total number of lots and parcels

g) sanitary and storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities

h) parks, playgrounds and other areas dedicated or reserved for public use, with any conditions governing such use.

d) The Preliminary Plan shall be accompanied by the following supplementary data:

(i) typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown on either the Preliminary Plan or on profile sheets.

(ii) tentative profiles along the top of cart (pavement) edges or along the top of curb for both sides of each proposed street shown on the Preliminary Plan. Such profiles shall show natural and finished grades at one of the following sets of scales or any combination thereof:

one (1) inch equals ten (10) feet horizontal
one (1) inch equals one (1) foot vertical, or

one (1) inch equals twenty (20) feet horizontal
one (1) inch equals two (2) feet vertical, or

one (1) inch equals forty (40) feet horizontal
one (1) inch equals four (4) feet vertical, or

one (1) inch equals fifty (50) feet horizontal
one (1) inch equals five (5) feet vertical.

(iii) a plan for the surface drainage of the tract to be developed. Such plan shall include storm water run-off calculations for the entire property being developed, and shall show the proposed method of accommodating the anticipated run-off which shall be subject to the approval of the Township Engineer.

(iv) preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Department of Environmental Resources and/or the Pennsylvania Department of Transportation and shall be subject to the approval of the Township Engineer.

(vi) conservation plan overlay, as defined in subsection 4 of this section. Such plan shall be subject to the review of the County Soil and Water Conservation District.

(3) Final Plans. (a) The Final Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet, except that: if the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan may be drawn to a scale of one (1) inch equals one hundred (100) feet.

Marguerite S. Grady,

(b) The original drawing, and all submitted prints thereof, shall be made on sheets: eighteen (18) inches by twenty-four (24) inches or thirty-six (36) inches by forty-eight (48) inches.

If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

(c) The Final Plan shall include:

(i) name of proposed subdivision (or other identifying title), and of Township, County and State.

(ii) north point, graphic scale, written scale, and date including the month, day and year that the original drawing of the Final Plan was completed, the month, day and year that the original drawing was revised, for each revision, and a clear and concise description and location of the change made in each revision.

(iii) name of the record owner (and developer) of the tract, and the source(s) of title to the land being developed as shown by the records of the County Recorder of Deeds.

(iv) the name, address, license number and seal of the registered professional engineer or surveyor responsible for the plan,

(v) the names of all abutting subdivisions, if any, with the book and page numbers where recorded, and the name of the owners of all adjacent unplotted land, if any, and the book and page number where recorded.

(vi) a key map, for the purpose of locating the property being subdivided, drawn at a scale of one (1) inch equals six-hundred (600) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plans existing within one-thousand (1,000) feet of any part of the property. In addition, the approximate distance to the nearest street shall be shown, and a title, scale, and north point shall be indicated.

(vii) the total tract boundary lines of the area being developed with accurate distances to hundredths of a foot and bearings to one-quarter ($\frac{1}{4}$) of a minute. These boundaries shall be balanced and closed with an error of closure not to exceed one (1) foot in ten-thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplotted land of the subdivision (for example, between separately submitted Final Plan sections) are

not required to be based upon field survey, and may be calculated. The project boundaries shall be tied into the Pennsylvania Coordinate System. The monuments shall be indicated, along with a statement of the total area of the property being developed. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments.

(viii) the name (or number) and cartway width and lines of all existing public streets and the name and location of all other roads within the property.

(ix) the following data for the cartway edges (curb lines) and right-of-way lines of all recorded (except those which are to be vacated) and/or proposed streets, and for the right-of-way lines of all existing streets, within the property:

(A) the length (in feet and hundredths of a foot) of all straight lines and of the radius and the arc (or chord) of all curved lines (including curved lot lines), and

(B) the width (in feet) of the cartway, right-of-way and of the ultimate right-of-way, and (in degrees, minutes and quarters of a minute) of the delta angle of all curved lines, including curved lot lines.

(x) all straight lot lines and chords and radii of curved lot lines, defined (in feet and hundredths of a foot) by distances, and (in degrees, minutes and quarters of a minute) either by magnetic bearings or by angles of deflection from other lot and street lines,

(xi) lot numbers and a statement of the local number of lots (and parcels),

(xii) a statement of the intended use of all non-residential lots. A statement of restrictions of any type which exist or will exist as covenants in the deed(s) for all lots contained wholly or in part in the development and, if covenants are recorded, including the deed book and page number.

(xiii) the proposed building reserve (setback) line for each lot, or the proposed placement of each building and where applicable, location of on-site sewage and water facilities.

(xiv) the location (and elevation, if established) of all existing and proposed street monuments.

(xv) all easements or rights-of-way where provided for or owned by public services or any other party who has secured them and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or specifically described on the Plan. Utility easements should be located in cooperation with the appropriate public utility companies.

(xvi) location, size and invert elevation of all sanitary and storm sewers and location of all manholes, inlets and culverts (these data may be submitted as a separate plan),

(xvii) if the development proposes a new street intersection with a state legislative route, the Pennsylvania Department of Transportation intersection permit number(s) shall be indicated for all such intersections,

(xviii) a certification of ownership, acknowledgement of plan and offer to dedicate shall be lettered on the plan, and shall be duly acknowledged and signed by the owner(s) of the property and notarized,

(xix) a certificate requesting approval of the plan by the Township Supervisors, Township Engineer and by the Township Planning Commission shall be presented.

(xx) a space measuring three (3) inches square shall be left along the lower edge of the sheet, in order that the Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented,

(d) The Final Plan shall be accompanied by the following supplementary data:

(i) typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown either on the Final Plan or on the profile sheets,

(ii) profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:

(A) existing (natural) profile along both cartway edges or along the center-line of each street

(B) proposed finished grade of the center line, or proposed finished grade at the top of both curbs, or proposed finished grade at both cartway (pavement) edges.

(C) the length of all vertical curves.

(D) existing and proposed sanitary sewer mains and manholes.

(E) existing and proposed storm sewer facilities and drainage improvements.

The profile sheets shall be legibly drawn at one of the following sets of scales or any combination thereof:

one (1) inch equals ten (10) feet horizontal and
one (1) inch equals one (1) foot vertical, or

one (1) inch equals twenty (20) feet horizontal and
one (1) inch equals two (2) feet vertical, or

one (1) inch equals forty (40) feet horizontal and
one (1) inch equals four (4) feet vertical, or

one (1) inch equals fifty (50) feet horizontal and
one (1) inch equals five (5) feet vertical.

(iii) all offers of dedication, and covenants governing the reservation and maintenance of undedicated open space, shall bear the certificate of approval of the Township solicitor as to their legal sufficiency,

(iv) such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being developed.

(v) conservation plan.

(4) Conservation Plan.

(a) The Conservation Plan which is required to accompany the Preliminary and Final Subdivision or Development Plans shall be clearly and legibly drawn to the same scale as that of the Preliminary and Final Plans and shall be in the form of a transparent overlay for the Preliminary and Final Plans.

(b) The Conservation Plan shall show the total tract boundaries of the property being subdivided or developed in order to facilitate its use as an overlay, and shall show:

(i) contour lines at vertical intervals or not more than two (2) feet for land with average natural slope of four (4) percent or less, and at intervals of not more than five (5) feet of land with average natural slope exceeding four (4) percent.

(ii) location and elevation to which contour elevations refer; where reasonably practicable, datum used shall be a known, established bench mark.

(iii) all existing water courses, flood hazerd areas, tree masses, trees over four (4) inch caliper not part of a tree mass and other significant natural features within the proposed

subdivision and within fifty (50) feet from the boundaries of the proposed subdivision.

(iv) location and results of soil percolation tests whenever on-site disposal of sewage is planned.

(v) location and type of all erosion and sedimentation control measures, including grassed waterways, diversions, debris basins or ponds, structures for water control, open drains and tile, proposed dates when such measures shall be in effect, and supporting data assuring compliance with the erosion and sedimentation control standards set forth in Section 626 of this Ordinance.

(vi) notations indicating all trees or portions of tree masses proposed to be cleared as part of the proposed subdivision or development plan, together with reasons for such clearing. Notations shall be included indicating all proposed alterations of the natural grade, whether by cut or by fill, exceeding two feet, together with reasons for such alterations.

Section 511 - Subdivision and Land Development Agreements. Every application for final approval shall be accompanied by a form of agreement to be approved by the Township Solicitor before it shall be executed by the Board of Supervisors and filed of record. The agreement shall specify the following, where applicable:

1) That the owner agrees that he will layout and construct all roads, streets, lanes or alleys together with all other improvements including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, storm and sanitary sewers, landscaping, traffic control devices, open space and restriction areas, erosion and sediment control measures in accordance with the Final Plan as approved, where any or all of these improvements are required as conditions of approval, and that he shall complete these improvements within the time or times specified by the Board of Supervisors.

2) That the owner guarantees completion and maintenance of all improvements by means of a bond or deposit of funds or securities in escrow.

3) That the owner agrees to tender a deed or deeds of dedication to the Township for such streets and for such easements for sanitary and storm sewers, sidewalks, manholes, inlets, pumping stations and other appurtenances as shall be constructed as public improvements provided that the Township shall not accept dedication of such improvements until their completion is certified as satisfactory by the Township Engineer.

4) Provisions for Dedication of Streets. Whenever a developer proposes to establish or continue a street which is not offered for dedication to public use, the Board of Supervisors shall require the developer to submit, and also to record with the plan, a copy of an agreement made with the Township Supervisors on behalf of himself and his heirs and assigns, and signed by him and by the Township Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate, among other things:

(a) that an offer to dedicate the street shall be not only for the street as a whole,

(b) that the Township shall not be responsible for repairing or maintaining any undedicated street,

(c) that the method of assessing repair and maintenance costs of undedicated streets be stipulated,

(d) that if dedication be sought the street shall conform to the township specifications or that the owners of the abutting lots shall at their own expense restore the street to conformance with the township specification.

ARTICLE VI

Development and Design Standards

Section 600 - Application. The following standards shall be complied with in all subdivisions and land developments. If a developer, however, can clearly show to the satisfaction of the Board of Supervisors that, because of peculiar conditions pertaining to his land, the literal enforcement of these standards would cause undue hardship, such variations from their literal interpretation may be permitted as may be reasonable and consistent with the purpose and intent of this Ordinance.

Section 601 - Land and Use Requirements.

(1) All proposed subdivisions and land development shall comply fully with the existing zoning regulations applicable to the land, and no parcel of land shall be created, either by inclusion or exclusion from a proposed subdivision, which cannot be properly utilized for a permitted use under the existing zoning regulations.

(2) Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, or other cause, shall not be subdivided for building purposes or developed unless the hazards have been eliminated or unless the plans show adequate safeguard against them.

(3) No on-site sewage disposal facility shall be permitted to be installed unless applicable township, state and/or County standards are fully satisfied.

(4) No basement, cellar, or slab foundation shall be constructed in a flood hazard area.

(5) Proposed developments shall be co-ordinated with existing nearby neighborhoods with particular reference to street layout and the provision of sanitary sewage and water facilities so that the community as a whole may develop harmoniously.

Section 602 - General Standards for Public Streets.

(1) The location and width of all public streets shall conform to the "Official Plans" or to such parts thereof as may have been adopted by the Township and/or the County.

(2) The proposed public street system shall extend existing or recorded streets at the same or greater width, but in no case at less than the required minimum width.

(3) Where, in the opinion of the Township Planning Commission, it is desirable to provide for public street access to adjoining property, public streets shall be extended by dedication to the boundary of such property.

(4) New minor public streets shall be so designed as to discourage through-traffic, but the developer shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.

(5) Where a development abuts an existing public street of improper width or alignment, the Township may require the dedication of land sufficient to widen the street or correct the alignment.

Section 603 - Partial and Half Streets.

(1) New half or partial streets will not be permitted, except where essential to the reasonable development of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the public street can be obtained.

(2) The developer shall provide the entire required right-of-way or as much thereof as lies within his property, along all existing public streets which traverse or abut his property.

Section 604 - Street Widths. 1. Minimum street right-of-way and cartway: pavement widths shall be as shown on the "Official Plans" or Comprehensive Plan, or if not shown on such plans, shall be as follows:

<u>Public Street Type</u>	<u>Required Width (in feet) With Curbs</u>
Minor Street	
Right-of-way	50
Cartway	30
Collector Street	
Right-of-way	60
Cartway	36
Major Street	
Right-of-way	----See Note (a) ----
Cartway	----See Note (a) ----
Permanent Cul-de-sac Street	
Right-of-way	50
Cartway	30
Marginal Access Street	
Right-of-way	----See Note (b) ----
Cartway	24

NOTES:

- (a) As specified in the "Official Plans", or Comprehensive Plan, or as determined after consulting with the Township, the County Planning Commission, and the Pennsylvania Department of Transportation.
- (b) Variable, depending on use requirements.

Additional right-of-way and cartway widths may be required by the Township Planning Commission for the purpose of promoting the public safety and convenience, or to provide parking in commercial and industrial areas and in areas of high-density residential development

2. All streets intended to be dedicated shall be paved in accordance with Township regulations.

Section 605 - Street Grades.

- (1) On public streets there shall be a minimum center-line grade of three-quarters (3/4) percent.
- (2) Center-line grades shall not exceed the following:
 - Minor Street: seven (7) percent;
 - Collector Street: six (6) percent;
 - Major Street: six (6) percent;
 - Street Intersection: five (5) percent.

Section 606 - Horizontal Curves.

- (1) Whenever public street lines are deflected in excess of five (5) degrees, connections shall be made by horizontal curves.
- (2) To ensure adequate sight distance, minimum center-line radii for horizontal curves shall be as follows:
 - Minor Streets: one-hundred fifty (150) feet;
 - Collector Streets: three hundred (300) feet;
 - Major Streets: five hundred (500) feet.
- (3) A tangent of at least one-hundred (100) feet shall be introduced between all horizontal curves on collector and major public streets.

Section 607 - Vertical Curve. At all changes of public street grades where the algebraic difference exceeds one (1) percent, vertical curves shall be provided to permit the following minimum sight distances:

- Minor Streets: two hundred (200) feet;
- Collector Streets: three hundred (300) feet;
- Major Streets: four hundred (400) feet.

Section 608 - Intersections.

- (1) Public streets shall intersect as nearly as possible at right angles but in no event at less than an angle of less than 60°.
- (2) No more than two streets shall intersect at the same point.
- (3) A public street intersecting another street shall either intersect directly opposite to it, or shall be separated by at least one-hundred fifty (150) feet between center-lines, measured along the center-line of the street being intersected.
- (4) Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed four (4) percent within one-hundred (100) feet of the intersection of the nearest right-of-way lines.
- (5) Intersections with major public streets shall be located not less than one thousand (1,000) feet apart, measured from center-line to center-line, along the center-line of the major public street.
- (6) Public street curb intersection shall be rounded by a tangent arc with a minimum radius of:
 - (a) twenty (20) feet for intersections involving only minor streets;
 - (b) thirty (30) feet for all intersections involving a collector street;
 - (c) forty (40) feet for all intersections involving a major street;
- (7) Public street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.
- (8) Street name signs shall be installed at all street intersections. The design and placement of such signs and the names of the streets shall be subject to the approval of the Township Board of Supervisors.

Section 609 - Sight Distance at Intersections.

(1) Clear sight triangles shall be provided at all public street intersections. Within such triangles, no vision obstructing object shall be permitted which obscures vision above the height of thirty (30) inches and below ten (10) feet measured from the center-line grade of intersecting public streets. Such triangles shall be established from a distance of: two-hundred (200) feet from the point of intersection of the center-lines, except that, clear sight triangles of four-hundred (400) feet shall be provided for all intersections with major public streets.

(2) Wherever a portion of the line of such triangles occurs behind (i.e., from the street) the building reserve (setback) line, such portion shall be shown on the Final Plan of the development, and shall be considered a building setback (reserve) line.

Section 610 - Restriction of Access.

(1) Wherever a development abuts or contains an existing or proposed public street with an ultimate right-of-way of sixty (60) feet or more, the Township Planning Commission shall require restrictions of access to the major street by:

(a) provision of reverse frontage lots, or

(b) provision of public service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the major streets, or

(c) provision of public marginal streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Township under an agreement meeting the approval of the Township. Except as specified above, reserve strips shall be prohibited.

(2) Dead-end public streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.

(3) Any public street dead-ended for access to an adjoining property or because of authorized stage development shall be provided with a temporary, all-weather turnaround, within the development, and the use of such turnaround shall be guaranteed to the public until such time as the public street is extended.

(4) Unless future extension is clearly impractical or undesirable the turnaround right-of-way shall be placed adjacent to the tract boundary line to permit extension of the street at full width.

21 *Marguerite S. Grady Sec.*

(5) All cul-de-sac public streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround. The minimum radius to the pavement edge or curb line shall be fifty (50) feet, and the minimum radius of the right-of-way shall be sixty (60) feet.

(6) Drainage of cul-de-sac public streets shall preferably be towards the open end.

(7) The center-line grade on a cul-de-sac public street shall not exceed seven (7) percent, and the grade of the diameter of the turnaround shall not exceed four (4) percent.

Section 611 - Curbs and Sidewalks. Curbs shall be required on all streets; sidewalks may be required to be installed at the discretion of the Board of Supervisors.

(1) Curbs shall be the vertical type. Rolled curb-and-gutter type may be installed only upon the approval of the Board of Supervisors except that rolled curbs shall not be used on streets whose grade exceeds six (6) percent, or on any collector or major streets. The Transition from one type to another shall be made only at a street intersection, and adequate provision shall be made for driveway entrances.

(2) Where required, sidewalks shall be a minimum of three (3) feet in width. Where required, snow strips shall be three (3) feet in width and shall be grassed.

Section 612 - Street Names.

(1) Proposed public streets which are obviously in alignment with others already existing and named shall bear the names of the existing streets.

(2) In no case shall the name of a proposed street duplicate an existing public street name in the Township or in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, drive, etc.

(3) All public street names shall be subject to the approval of the Board of Supervisors upon recommendation of the Planning Commission.

Section 613 - Block Layout. The lengths, width and shape of blocks shall be determined with due regard to provision of adequate sites for buildings of the type proposed; zoning requirements; topography; and requirements for safe and convenient vehicular and pedestrian

circulation, including the reduction of intersections with major public streets.

Section 614 - Length.

(1) Blocks shall have a minimum length of six-hundred (600) feet.

(2) In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection and pedestrian access.

(3) Where practicable, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

Section 615 - Crosswalks.

(1) Crosswalks may be required wherever necessary to facilitate pedestrian circulation and to give access to community facilities as well as in blocks of over one thousand (1,000) feet in length.

(2) Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.

Section 616 - Depth. Residential blocks shall be of sufficient depth to accommodate two tiers of lots, except where reverse frontage lots are required along a major public street, or where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township Planning Commission may approve a single tier of lots.

Section 617 - Commercial Blocks. Blocks in commercial areas may vary from the elements of design detailed in Section 616 if required by the nature of the use. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

Section 618 - Lots and Parcels: General Standards:

(1) The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated.

(2) Insofar as practical, side lot lines shall be at right angles to straight public street lines or radial to curved public street lines.

(3) Wherever feasible, lot lines shall follow township boundaries rather than cross them, in order to avoid jurisdictional problems.

(4) Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.

(5) If, after subdividing, there exist sub-standard remnants of land, they shall be either incorporated in existing or proposed lots, or legally dedicated to public use, if acceptable to the township.

Section 619 - Lot Frontage.

(1) All lots shall have direct access to a public street, or to a private street and shall have a frontage of at least twenty(20) feet on a public or private street.

(2) Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major public streets or to overcome specific disadvantages of topography or orientation.

(3) All residential reverse frontage lots shall have a rear yard with a minimum depth of sixty (60) feet, measured in the shortest distance from the proposed dwelling unit to the ultimate right-of-way, and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

Section 620 - Building Setback Lines.

(1) The minimum building setback line shall be in accordance with the Township Zoning Ordinance.

(2) On any lot abutting a railroad, no dwelling shall be placed within seventy-five (75) feet of the nearest existing track, nor within twenty-five (25) feet of any portion of the right-of-way line.

Section 621 - Driveways. Driveways constructed within street rights-of-way shall be subject to the following requirements:

(1) Private driveways on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines.

(2) In order to provide a safe and convenient means of access, grades on private driveways should not exceed ten (10) percent. In addition, driveways shall be paved where grades exceed seven (7) percent.

(3) In order to provide safe and convenient ingress and egress, private driveway entrances should be rounded at a minimum radius of five (5) feet, or should have a flare constructed that is equivalent to this radius, at the point of intersection with the cartway edge (curb line).

Section 622 - Lot Size.

(1) Lot dimensions and areas shall not be less than specified by the provisions of the Township Zoning Ordinance for the area in which the development is located.

Section 623 - Sanitary Sewage Disposal.

(1) The developer shall provide the highest type of sanitary sewage disposal facility consistent with existing physical, geographical and geological conditions and in conformance with all applicable Township Ordinances and state, county, and federal regulations.

(2) Wherever approval by the Pennsylvania Department of Environmental Resources or by the Federal Government is required for the water supply or sanitary sewage disposal system(s) for a proposed development, the Planning Commission shall require that a copy of such approval certification be submitted with both Preliminary and Final Plan. Where a package plant is contemplated, such system or systems shall be demonstrated to be fully operable before any certificate of occupancy is granted.

Section 624 - Water Supply.

(1) Wherever an existing public or approved community water system is geographically and economically accessible to a proposed development, a distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations to meet the specifications of the Middle States Department Associations of Fire Underwriters. A copy of the approval shall be established for the ownership and maintenance of such distribution system.

(2) Where individual on-site water supply system(s) are to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system.

(3) Where individual on-site water supply system(s) are to be utilized, it is required that the developer provide at least one test well for each ten lots or fraction thereof. Such wells should be drilled, double cased, grout sealed into bed rock, at least fifty (50) feet deep, and shall have a reliable yield of at least five gallons per minute, based on a 24 hour pump test of potable drinking water, as certified by a State or County health officer and in accordance with the Township regulations. The developer shall submit evidence of county approval before any certificate of occupancy is issued.

Section 625 - Storm Drainage.

(1) Where, based upon the recommendations of the County Planning Commission, the Soil Conservation District and the Township Engineer, storm sewers and culverts are required, installations shall be provided to:

- (a) permit unimpeded flow of natural water courses;
- (b) ensure adequate drainage of all low points along the line of streets;
- (c) intercept storm water run-off along streets at intervals related to the extent and grade of the area drained;
- (d) provide positive drainage away from on-site sewage disposal facilities.

(2) Storm sewers and related installations shall be required only when the run-off-storm water cannot be satisfactorily handled within the street cartway.

(3) Where existing storm sewers are reasonably accessible, proposed subdivisions shall be required, if necessary, to connect therewith.

(4) In the design of storm drainage facilities, special consideration shall be given to avoidance of problems which may arise from the concentration of storm water runoff, and to the solution of existing problems.

(5) Storm drainage facilities should be designed not only to handle the anticipated peak discharge of a 100 year frequency storm from the property being developed, but also the anticipated increase in run-off that will occur when all the property at a higher elevation in the same watershed is fully developed.

(6) Where a subdivision or development is traversed by a water course, drainage way, channel, or stream, there shall be provided a drainage easement conforming substantially with the high water line

of such water course attributable to a flood of 100 year frequency, in order to preserve the unimpeded flow of natural drainage, and to provide for future possible widening, deepening, relocating, improving or protecting of such drainage facilities. Any changes in the existing drainage way shall be subject to the approval of the township engineer and the Pennsylvania Department of Environmental Resources.

Section 626 - Erosion and Sedimentation Control.

(1) The developer shall employ available measures for control of erosion and sedimentation and shall meet as a minimum the standards and specifications of the USDA Soil Conservation Service as then adapted for use by the Chester County Soil and Water Conservation District, copies of which are available from the District.

(2) The Township Run-off and Erosion Control Ordinance is hereby made a part of this Ordinance and all of its requirements are applicable to any land development as defined in this Ordinance.

M. H. S.

Section 627 - Public Facilities and Open Space

(1) In reviewing subdivision and development plans, the Township Planning Commission shall consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the development, and shall make such report thereon as it deems necessary in the public interest.

(2) Developers shall give earnest consideration to the desirability of providing or reserving areas for facilities normally required in residential neighborhoods such as schools and other public buildings; parks, playgrounds and playfields. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Prior to the preparation of plans, developers of tracts of larger than 20 acres should review with the staff of the County Planning Commission, the minimum standards for various community facilities applicable to the tract being developed.

(3) In subdivisions which are intended to provide housing for more than fifty (50) families, the Township Planning Commission shall consider the need for suitable open areas for recreation and shall make recommendation thereon. The Board of Supervisors shall require as a minimum, that the following amount of playground and neighborhood park acreage be provided:

<u>Families to be Served</u>	<u>Minimum Playground and Neighborhood Park Acreage to be Recommended</u>
50 - 174	
175 - 374	3.0
375 - 624	5.5
625 - 800	6.5
	8.0
for each additional 175 families	1.5

However, in no case shall the amount be more than 10 percent of the total area of the subdivision. Such area or areas may be dedicated to the Township by the subdivider if the Board of Supervisors approves such dedication.

Section 628 - Community Assets.

(1) Consideration shall be shown for all natural features, such as large trees, water courses, steep or wooded slopes, historic areas and structures, and similar community assets which, if preserved, will add attractiveness and value to the remainder of the subdivision. Trees and ornamentals shall be preserved wherever possible.



(2) Whenever such natural features may be more effectively preserved by development of tracts in accordance with the "lot averaging" provisions of the Township Zoning Ordinance than with the zoning provisions otherwise applicable thereto, developers shall give full consideration to development in accordance with "lot averaging".

Section 629 - Utility and Drainage Easements.

(1) Where easements are required they shall be a minimum width of twenty (20) feet. No structures shall be placed within such easements.

(2) To the fullest extent possible, easements shall be centered on or adjacent to rear side lot lines.

(3) There shall be a minimum distance of fifty (50) feet, measured in the shortest distance, between any proposed dwelling unit and any petroleum products or natural gas transmission line which traverses the subdivision.

Marguerite S. Brady, Sec.

Improvement Specifications

Section 700 - General Requirements.

(1) Physical improvements to the property being developed shall be provided, constructed, and installed as shown on the Record Plan, in accordance with the requirements of the Township.

(2) As a condition to review of a Final Plan by the Township Planning Commission, the developer shall agree with the township as to installations of all improvements shown on the Plan and required by these regulations. Before the Record Plan may be endorsed by the Township, the developer shall submit a completed original copy of the Subdivision Improvements Agreement.

(3) All improvements installed by the developer shall be constructed in accordance with the design specifications of the township. If there are no applicable County or State regulations, the township may authorize that specifications be prepared by a Registered Professional Engineer.

(4) Supervision of the installation of the improvements required by this ordinance shall in all cases be the responsibility of the Township or of the appropriate state regulatory agency.

Section 701 - Sanitary Sewage Disposal and Water System(s).

(1) Sanitary sewage disposal system(s) shall be provided, consistent with the design standards and requirements contained in Section 623 of these regulations. Where it shall appear that the area to be developed or subdivided shall be served within a reasonable time by community sewage system, capped sewers shall be provided.

(2) Wherever feasible, the subdivision shall be provided with a complete public or community water distribution system. The design and installation of such system shall be subject to the approval of the engineer of the appropriate water utility company and/or Township Engineer; the design and installation of such community distribution system shall be subject to the approval of the Pennsylvania Department of Environmental Resources and the County Health Department and such system shall be further subject to satisfactory provision for the maintenance thereof.

Section 702 - Fire Hydrants. Wherever a public or community water supply system is provided, fire hydrants shall be installed within

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600 feet of all existing and proposed structures, measured by way of accessible streets as specified by the Middle States Department Association of Fire Underwriters and the fire marshal providing service in the area.

Section 703 - Monuments.

(1) Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property being subdivided and including all lots being created.

(2) All monuments shall be placed by a registered engineer or surveyor so that the scored (by an indented cross in the top of the monument) point shall coincide exactly with the point of intersection of the lines being monumented.

(3) Monuments shall be set with their top level with the finished grade of the surrounding ground.

(4) All streets shall be monumented (preferably on the right-of-way lines) at the following locations:

(a) At least one monument at each intersection;

(b) At changes in direction of street lines, excluding curb arcs at intersections;

(c) At each end of each curbed street line, excluding curb arcs at intersections;

(d) An intermediate monument wherever topographical or other conditions make it impossible to sight between two otherwise required monuments;

(e) At such other places along the line of streets as may be determined by the Township to be necessary so that any street may be readily defined in the future.

Section 704 - Shade Trees.

(1) No portions of tree masses or trees with caliper of four (4) inches or greater shall be cleared unless clearly necessary for effectuation of the proposed subdivision or development. Developers shall make all reasonable efforts to harmonize their plans with the preservation of existing trees.

(2) When effectuation of a proposed subdivision or development necessitates the clearing of trees or portions of tree masses, developers shall be guided by the following criteria in selecting trees and ornamentals for retention or clearing:

(a) Esthetic values. (Autumn coloration, type of flowers and fruit, bark and crown characteristics, amount of dieback present).

(b) Susceptibility of tree to insect and disease attack and to air pollution.

(c) Species longevity.

(d) Wind firmness and characteristic of soil to hold trees.

(e) Wildlife values (e.g. oak, hickory, pine, walnut and dogwood have high food value).

(f) Comfort to surroundings (e.g. hardwoods reduce summer temperatures to surroundings more effectively than pines or cedars).

(g) Existence of disease, rot or other damage to the tree.

(h) Protection of buildings (e.g. dead and large limbs hanging over buildings should be removed).

(i) The size of the tree at maturity.

(3) Developers shall exercise care to protect trees which are to remain from damage during construction. The following procedures shall be followed in order to so protect remaining trees:

(a) Where existing ground levels are changed, drainage tile will be placed at the old soil level and open into a well built around the base of the tree. Such well may be left open or can be filled with coarse stones or gravel. Tiles may be installed in a radiating pattern or laid in parallel lines.

(b) Trees within twenty-five (25) feet of a building site or bordering entrances or exits to building sites shall be protected by wiring wooden slats around such trees.

(c) No boards or other material shall be nailed to trees during construction.

(d) Heavy equipment operators shall be warned to avoid damaging existing tree trunks and roots. Feeder roots shall not be cut closer than twenty-five (25) feet from tree trunks.

(e) Tree trunks and exposed roots damaged during construction shall be protected from further damage by being treated immediately with "tree paint".

(f) Tree limbs damaged during construction shall be sawed flush to tree trunks and treated immediately with "tree paint".

(g) The operation of heavy equipment over root systems of such trees shall be minimized in order to prevent soil compaction.

(h) Leaf trees shall be given a heavy application of fertilizer to aid in their recovery from possible damage caused by construction operations.

(i) Construction debris shall not be disposed of near or around the bases of such trees.

(4) Trees with a minimum caliper of one and one-half (1½) inches shall be provided where deemed advisable by the Township Planning Commission and/or Supervisors. The criteria for selection of trees to be planted shall be those enumerated in Section 704.

Section 705. - Street Construction. The Board of Supervisors shall from time to time adopt such specifications for the construction of streets and roads as are technically recognized and approved.

Marguerite S. Grady, Sec.

ARTICLE VIII

Amendments, Penalties, Appeals, Validity, Repealer

Section 800 - Amendments.

(1) Power to Amend. The regulations set forth in this Ordinance may, from time to time, be amended by the Board of Supervisors.

(2) Procedure. The following requirements shall be observed prior to making any amendment to this Ordinance.

(a) Proposed amendments must be submitted to the Planning Commission for their recommendation before any further public action is taken:

(b) The recommendations of the Planning Commission shall be submitted to the Board of Supervisors in a written report. Failure to submit such report within thirty (30) days shall constitute an approval.

(c) Upon receipt of the report of the Planning Commission, a public hearing pursuant to public notice on the proposed amendment shall be held, at which time the parties in interest and citizens shall have an opportunity to be heard.

Section 801 - Penalties.

(1) Any person, co-partnership or corporation who shall subdivide any lot, tract or parcel of land, lay out, construct, open or dedicate any street, sanitary sewer, storm sewer or water main, for public use or travel, or for the common use of occupants of buildings abutting thereon, sell any lot or erect any building in a subdivision without first having complied with all the provisions of this Ordinance shall be guilty of a misdemeanor.

(2) Upon conviction of such misdemeanor, such person or persons, or the members of such co-partnership, or the officers of such corporation, responsible for such violation shall be liable for imprisonment for a term not to exceed 6 months or pay a fine not to exceed one thousand (\$1,000.00) dollars or both.

Marguerite S. Grady, Sec.

NAME

CITIZEN

REPRESENTING

STREET ADDRESS

CITY

Time of Arrival

Time of Departure

C.

*Marguerite S. Grady
Sec.*

Section 802 - Appeals. In any case where the Board of Supervisors shall disapprove a Preliminary Plan or a Final Plan, any person aggrieved thereby may, within thirty (30) days, appeal therefrom by petition to court.

Section 803 - Validity. If any section, paragraph, subsection, clause, or provisions of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

Section 804 - Repealer. All Ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 805 - Effective Date. This Ordinance shall become effective ten (10) days after final approval.

Enacted and ordained into an Ordinance this *18th* day of *February*
A.D. 19 *74*

BOARD OF SUPERVISORS

Attest:

Marguerite S. Grady
Secretary

Thomas S. Lichten

John T. Scott
Chairman