

ROSS TOWNSHIP

MONROE COUNTY, PENNSYLVANIA

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ADOPTED APRIL

23, 2015

Amended October, 2017

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ERRATA

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- 702.G. Review by Board of Supervisors. The Board of Supervisors shall:
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time required by the Municipalities Planning Code. (Note: As of ~~2001~~ 2004, this law requires the Board of Supervisors to act not later than 90 days following the date of the first regular meeting of the Commission held after it has been duly filed for review; but in no case shall the Board of Supervisors' decision be made later than 120 days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time.)

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Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.			
Submitted		#	G. PROPOSED LAYOUT:
yes	no		
		3	← Lot width (at minimum building setback line), dimensions and lot area for each lot.

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802.~~B.8~~: The Township Engineer or other Township designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer, making use of an escrow account.

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807.~~B.8~~: Terms of Maintenance Guarantee. The Maintenance Guarantee shall be acceptable in legal form to the Township Solicitor and in content to the Board of Supervisors, and shall include all of the following:

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901.B. At its option, the Township may voluntarily agree in advance to record a Final Plan, in which case the applicant shall compensate the Township for such costs.

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902. **RECORD PLAN.**

The applicant shall provide to the Township one mylar and one paper clear and legible copies of the Record Plan, in addition to providing copy(ies) to the County Recorder of Deeds Office in whatever format is required by that office. The Township copies shall be made after recording, and shall be exact copies of those portions of the approved Final Plan that the Township requires to be recorded. Such Record Plan, at a minimum, shall include all of the following:

- E. water lines, sanitary and storm sewer lines and ~~stormwater~~ stormwater drainage facilities,

Page 10-281008.C. Design Submission.

4. If any of the following unusual or special technical circumstances is present, in order to preserve and safeguard the public health and safety, all related stormwater management and sedimentation and erosion control calculations, designs, analyses and plans shall be prepared by a registered professional engineer:
 - c. Any stormwater management facility which has a contributing drainage area of 25 acres or more from the applicant's property or for which any portion of the contributing drainage area is from another property.

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1013.L. Joint Use Parking. In the case of multiple uses on the same premises or where more than one principal use
———> shares a common property line, shared parking facilities may be approved by the Zoning Officer.

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**ARTICLE 1
GENERAL PROVISIONS**

101. TITLE.

An Ordinance providing for: the regulation and control of the subdivision of lots and the development of land; the approval of plans, plots, or replots of land laid out in building lots; standards for the design of streets, lots, easements, blocks and other improvements; certain minimum improvements and construction standards on streets and improvements; financial security requirements for improvements; the administration of this Ordinance by the Ross Township Planning Commission and Board of Supervisors; and penalties for violation of this Ordinance.

102. SHORT TITLE.

This Ordinance shall be known and may be cited as "The Ross Township Subdivision and Land Development Ordinance" of May 2014.

103. PURPOSE.

The purpose of these regulations is to create conditions favorable to the Health, safety morals, and general welfare of the citizens by:

Assisting in the orderly and efficient integration of subdivisions; Ensuring conformance of subdivision plans with the public improvements plans of the Township; Ensuring sites suitable for building purposes and human habitation; Facilitating the efficient movement of traffic and avoiding traffic hazards and congestion; Securing equitable handling of all subdivision plans by providing uniform procedures and standards; Improving land records by establishing standards for surveys and plans; Safeguarding the interests of the public, the homeowner, the subdivider and the municipality; Preserving natural and historic features; and carrying out the goals and objectives of the Comprehensive Plan and the Pennsylvania Municipalities Planning Code.

Assisting in meeting the objectives listed in the Zoning Ordinance of Ross Township.

104. APPLICABILITY.

104.A. No subdivision or land development of any lot, tract, or parcel of land shall be made, and no street sanitary sewer main, water main or other improvements required in connection with a proposed subdivision or land development shall be laid out, constructed, opened or dedicated for use of the public or the occupants of the proposed subdivision or land development, except in accordance with this Ordinance.

104.B. A lot or parcel that was not a legal lot of record prior to adoption of this Ordinance shall not be created, sold or transferred, and no land development may occur on a lot unless and until:

1. the subdivision of the lot and/all the approval of the land development, as applicable, has been granted Final Plan approval and any subdivision has been recorded and;
2. either of the following occurs, as provided in §801:
 - a. the Township has been assured by means of a Development Agreement and guarantees acceptable to the Board of Supervisors that the improvements will subsequently be installed, or
 - b. the required improvements in connection therewith have been entirely completed.

104.C. Landowner. No subdivision or land development shall be submitted to the Township for review except by

the landowner of such land or of this specifically authorized agent (see definition of "landowner" in Article 2, which includes equitable owner).

105. EXEMPTIONS.

105.A. Agriculture. The subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or residential dwelling, shall be exempted from the regulations of this Ordinance.

105.B. Revisions to Township Regulations After Submittal of an Application. §508(4) of the Pennsylvania Municipalities Planning Code shall apply.

106. INTERPRETATION.

106.A. Standards.

1. The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, convenience and general welfare.
2. Where provisions, standards, and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the more restrictive requirement shall apply, regardless of its source, unless specified to the contrary.

106.B. Illustrations. The illustrations in this Ordinance are for general illustrative purposes, and are not part of the regulations of this Ordinance.

107. MODIFICATIONS AND EXCEPTIONS.

107.A. An applicant seeking a modification or exception to this Ordinance shall submit to the Township staff a request in writing that states: a) the specific Ordinance section(s) involved and b) the reasons for the request. The staff shall provide the request to the Planning Commission for a recommendation. After the Planning Commission has had an opportunity for review at a meeting, the Board of Supervisors may in writing grant a waiver or modifications to the specific requirements of this Ordinance.

107.B. The applicant must prove that the request will meet one or more of the following conditions:

1. avoid an undue hardship that was not self-created and that results from the peculiar and uncommon conditions of the property, or
2. avoid a clearly unreasonable requirement that would not serve any valid public purpose, or
3. allow an alternative standard that is clearly proven by the applicant to provide equal or better results, or
4. allow a layout or improvements that would clearly be more in the public interest than what would occur if the modification were not granted or
5. remove a requirement that is not applicable, especially because of the small size of the proposed subdivision or land development, or

6. recognize that individual lots within a proposed commercial or industrial subdivision will require future land development approvals, and that certain engineering matters can be deferred until specific land development plans are later submitted.

This shall include proving the ability of all Final Plan stages to fully function in a coordinated manner, even if all stages are not completed.

108. FEES.

- 108.A. The Board of Supervisors has established a schedule of fees and a collection procedure for all applications and other matters pertaining to this Ordinance. This schedule of fees may be amended by resolution of the Board of Supervisors.
- 108.B. The applicant is also required to pay any review fees required by the County Planning Commission and the County Conservation District, and any other applicable agencies.
- 108.C. Plans shall not be considered filed until all fees are paid and the applications are properly signed as required.
- 108.D. If the expenses of the Township for reviews of a subdivision or land development exceed the fees that have been paid or placed in escrow by an applicant, such excess expenses shall be paid by the applicant prior to release of the Final Plans by the Township for recording.
- 108.E. If the applicant disputes the fees, the applicant can appeal in accordance with §503 and §510 of the Pennsylvania Municipalities Planning Code, as amended.

109. REVISIONS, ALTERNATE PLANS AND RESUBDIVISIONS.

- 109.A. Alternate Plans. Only one plan concerning anyone area of land shall be before the Township for review at anyone moment in time, unless the Planning Commission specifically permits simultaneous review of alternative plans. When an alternative plan is permitted, a new submission fee shall be required, unless the Planning Commission determines that the alternative plan is not significantly different from the earlier submission.
- 109.B. Revisions and Resubdivisions.
 1. Revised Plans:
 - a. Until a submission is approved or rejected by the Board of Supervisors, the Applicant may withdraw the submission and submit a Revised Plan following the submission and review procedures which apply to that Plan. For any submittal of a revision of a previously submitted plan, the Township may require the applicant to submit additional fees if needed based upon the Township's expenditures on the review up to that time.
 - 1) If any revision is submitted to an active subdivision or land development plan, then such revision shall be considered a new submittal, and the 90 day maximum time period for Township approval shall re-start after the first regular Planning Commission meeting after such submittal of the revised plan.
 - b. Alternate Plan. See §109.A. A revision or resubdivision of a recorded plan or a Final Plan approved by

the Board of Supervisors shall be considered as a new subdivision and shall comply with all of the regulations of this Ordinance.

- c. If the Township staff determines that a revision of a previously approved plan is only to correct erroneous data or minor omissions or revise engineering details or supporting documentation, the plan may be submitted under the simplified requirements and the procedures of §704.

110. TOWNSHIP RECORDS.

For a reasonable period of time, the Township shall maintain records of the findings, decisions and recommendations of the Planning Commission and Board of Supervisors regarding all subdivision and land development plans. Such records shall be available to the public for review.

111. AMENDMENTS TO THIS ORDINANCE.

111.A. The regulations set forth in this Ordinance may, from time to time, be amended by the Board of Supervisors, following the procedures of the Pennsylvania Municipalities Planning Code, as amended, including a Supervisors public hearing (with public notice required by the Municipalities Planning Code) and the required legal advertisement.

111.B. Reviews. The Township shall submit each proposed amendment (other than an amendment prepared by or under the direction of the Planning Commission) to the Planning Commission for recommendations at least 30 days prior to the date set for the Supervisors public hearing. The Township shall submit any proposed amendment to the County Planning Commission at least 30 days before the public hearing on such amendment.

112. APPEALS TO COURTS.

Decisions of the Board of Supervisors may be appealed in accordance with the Pennsylvania Municipalities Planning Code, as amended.

113. ENFORCEMENT.

113.A. Inspectors. The Board of Supervisors shall authorize one or more persons, which may include the Zoning Officer and the Township Engineer and his/her representatives, to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications.

113.B. Inspection. Any action under this Ordinance is subject to on-site inspection by the Township or its authorized representatives to ensure compliance with this Ordinance, other Township Ordinances and the approved plans.

113.C. Remedies. Any action inconsistent with the provisions of this Ordinance shall be subject to an Enforcement Notice, which may include a cease and desist order, and other appropriate measures by the Board of Supervisors or their authorized representatives.

114. PENALTIES.

114.A. Any person, partnership or corporation who or which has violated any provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Board of Supervisors or their authorized representatives, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney's fees incurred by the municipality as a result thereof, unless a higher penalty is

established under State law. This shall include, but not be limited to, any person, partnership or corporation that accomplishes any act listed under §104 "Applicability" without following the applicable procedures of this Ordinance.

- 114.B. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- 114.C. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. Imprisonment shall not be authorized as a penalty under this Ordinance.
- 114.D. See also the "Remedies" provisions of §113.C. All fines collected for Such violations shall be paid over to the Township.

115. LIABILITY.

Neither the approval nor the granting of any building permit, floodplain permit, site plan review, subdivision approval, land development approval, zoning permit, erosion review, storm water runoff review, wetland delineation or wetland review, steep slope review or any other review or permit of this Ordinance, involving any land governed by the provisions of this Ordinance, by an officer, employee, consultant or agency of the Township, shall constitute a representation, guarantee or warranty of any kind by the Township or its employees, consultants, officials or agencies of the practicality or safety of any structure, use or subdivision and shall create no liability upon, nor a cause of action against any Township body, consultant, official or employee for any damage that may result pursuant thereto.

116. SEVERABILITY.

It is hereby declared to be the legislative intent that:

- 116.A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- 116.B. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that anyone or more sections or parts thereof be declared invalid.

117. REPEALER.

All other Township ordinances or parts thereof that were adopted prior to this Ordinance and are clearly in conflict with this Ordinance, including the pre-existing Ross Township Subdivision and Land Development Ordinance, as amended, except any provisions that are specifically referenced by this Ordinance, are hereby repealed.

118. PENNSYLVANIA PLANNING CODE AMENDMENTS.

The provisions of this Ordinance that only repeat, summarize or reference provisions of the Pennsylvania Municipalities Planning Code shall be deemed to be automatically superseded and replaced by any applicable

amendments to such provisions of the Pennsylvania Municipalities Planning Code at the date such amendments become effective as State law.

119. LAND DEVELOPMENT REQUIREMENTS.

See §502 regarding the requirements for a "land Development."

120. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days following adoption by the Board of Supervisors.

121. ENACTMENT.

Enacted and ordained into an Ordinance this 23rd Day of April of 2015.

**ARTICLE 2
DEFINITIONS****201. RULES OF CONSTRUCTION AND TERMS, PHRASES AND WORDS NOT DEFINED**

201.A. Rules of Construction. The following rules of construction shall apply to this Ordinance:

1. For the purpose of this Ordinance, certain terms and words are herein defined. Whenever used in this Ordinance, they shall have the meaning indicated in this Article, except where there is indicated in context different meaning.
2. The particular shall control the general.
3. The word *shall* and *must* are mandatory and not discretionary. The word *may* is permissive.
4. Words used in the present sense shall include the future; words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. The phrase *used for* includes *arranged for, designed for, intended for, and/or occupied for*.
6. The word *person* includes *individual, profit or non-profit organization, partnership, company, unincorporated association, corporation, or other similar entities*.

201.B. Terms, Phrases and Words Not Defined. If a word is not defined by this Ordinance, but is defined by the Zoning Ordinance, as amended, then the Zoning Ordinance definition shall apply to this Ordinance. If a word is not defined in this Ordinance, but is defined in the Stormwater Management Ordinance, as amended, then the Stormwater Management Ordinance definition shall apply to this Ordinance. When terms, phrases, or words are not defined, they shall have the meaning as defined in The Latest Illustrated Book of Development Definitions (H. S. Moskowitz and C. G. Lindbloom, Rutgers, The State University of New Jersey, 2004) or if not defined therein, they shall have their ordinarily accepted meanings or such as the context may imply.

202. DEFINITIONS.

For the purpose of this Ordinance, the following words, terms and phrases have the meaning herein indicated:

Access Point - One combined entrance/exit point or one clearly defined entrance point, or one clearly defined entrance point separated from another clearly defined exit point. This term shall not include access ways or driveways that are strictly and clearly limited to use by only emergency vehicles; such accesses are permitted by right as needed.

Accessory Structure (includes Accessory Building) - A structure serving a purpose customarily incidental to and subordinate to the use of the principal use and located on the same lot as the principal use. Accessory structures include, but are not limited to, a household garage, household storage shed, detached carport, a household swimming pool, or an accessory storage building to a business use. An *accessory building* is any accessory structure that meets the definition of a *building*. A portion of a principal building used for an accessory use shall not be considered an accessory building.

Accessory Use or Structure - A use or structure customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use.

Adjacent - Two or more lots that share a common lot line or that are separated only by a street or waterway from each other.

Adjusted Tract Area (ATA) – See *tract area, adjusted*.

Alley - A right-of-way, privately or publicly owned, primarily for service access to the rear or sides of properties.

Apartment - See *dwelling, apartment unit*.

Applicant - An individual, trustee, executor, other fiduciary, corporation, firm, partnership, association, organization or other entity acting as a unit, and his/her/its heirs, successors and assigns, which is seeking an approval or permit pursuant to this Ordinance.

Application - Any application required to be filed for approval in accord with the requirements of this Ordinance.

Block - A tract of land, a lot or groups of lots, bounded by streets, public parks, railroad rights-of-way, water courses, municipal boundary lines, unsubdivided land or by any combination of the above.

Board of Supervisors or Supervisors - The Board of Supervisors of Ross Township, Monroe County, Pennsylvania.

Boundary Line Adjustment - See "lot line adjustment."

Buffer - A strip of land with fencing, dense vegetative planting, additional setback distances, berms or a combination thereof that separates one use from another use or feature and is not occupied by any building, parking, outdoor storage or any use other than open space or approved pedestrian pathways or improvements which is used to provide separation between incompatible uses to effect a visual barrier, block physical passage between uses, and reduce noise, dust and litter.

Buffer, Water Quality - The area of land immediately adjacent to any wetland, lake, pond, vernal pond, or stream, measured perpendicular to and horizontally from the delineated edge of the wetland, lake, pond, or vernal pond, or the top-of-bank on both sides of a stream to provide separation from an intensive land use area (e.g., subdivision, farm) and minimize sediment and other pollutant loading; also referred to as filter strips, vegetated filter strips, and grassed buffers.

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, services, goods or materials of any kind or nature.

Building, Accessory - See *accessory structure*.

Building, Attached - A building which has one or more walls or portions thereof in common with an adjacent building.

Building Coverage - The percentage of the area of the lot covered or occupied by the total horizontal projected surface area of all buildings on the lot and including accessory buildings and structures (including covered porches, carports and breeze ways, but excluding open and uncovered patios and decks).

Building, Detached - A building surrounded by open space on all four sides within the same lot.

Building Envelope - An area on a lot or development parcel which has been designated as the area in which development may occur. Building envelopes are identified by building setbacks, conservation areas, site conditions

and other factors, and shall be specifically designated on the development plan and established by deed covenants and restrictions.

Building, Principal - A building in which the primary or predominate use of a lot is conducted including any structure that is physically attached to the principal building

Campground or Recreational Vehicle Park - A plot of ground upon which two or more campsites are located, established or maintained for temporary occupancy by persons using tents or recreational vehicles, and which is not used for long term residency of occupants.

Cartway - The portion of a street right-of-way paved or unpaved intended for vehicular use, including the travelway and shoulders.

Clear-Sight Triangle - An area of unobstructed vision at street intersections defined by the right-of-way lines of the streets and by a line of sight between points on the street right-of-way lines at a given distance from the intersection of the right-of-way lines.

Commercial Use - An occupation, employment, or enterprise carried on for profit by the owner, lessee, or licensee. The sale of goods or services from a vehicle on a lot shall also be considered to be a commercial use.

Commission - The Planning Commission of Ross Township, Monroe County, Pennsylvania.

Common Area - All of the real property and improvements dedicated for the common use and enjoyment of the residents of a particular development; including, but not limited to, open land, development improvements, common facilities, and recreation area.

Common Facilities - Improvements in a development that are not required by the Township but have been constructed as part of a development for the common use and enjoyment of the residents of that development; including, but not limited to, community centers, recreation buildings and structures, and administrative and maintenance buildings.

Community Association - See *property owners association*.

Comprehensive Plan - The most recent Comprehensive Plan (which may be a regional plan) adopted by Ross Township, including all maps, charts and textual matter.

Conservation Area, Primary - Those areas of a development tract included in conservation open space and which are comprised of primary resources on which development is minimized.

Conservation Area, Secondary - Lands containing secondary resources that are conserved as a part of conservation open space.

Conservation Design Subdivision - A subdivision designed at the regulated dwelling unit density where individual lots are reduced in size, important natural resources are conserved, and the resultant open space is preserved in perpetuity.

Conservation District - The Monroe County Conservation District.

Conservation Easement - A right or interest in land granted primarily for the preservation of the land in its

undeveloped state but which may allow limited development (e.g., a residential structure) and other compatible uses such as agriculture and forestry.

Conservation Open Space - See *open space, conservation*.

Constrained Land - Selected resources and areas of restricted land multiplied by a protection factor, totaled and used for the calculation of *adjusted tract area* related to conservation design development.

Construction - The erection, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of manufactured homes.

Conventional Design Development - A subdivision or land development designed at the dwelling unit density specified in the Township Zoning Ordinance where individual lot reduction is not permitted.

County - The County of Monroe, Commonwealth of Pennsylvania.

County Planning Commission - The Planning Commission of Monroe County, Pennsylvania

Coverage, Lot - See *lot coverage*.

Days - Calendar days.

Density - The total number of dwelling units per unit of land.

DEP - The Pennsylvania Department of Environmental Protection and its relevant bureaus.

Developer - Any landowner or agent thereof, or tenant or equitable owner under an agreement of sale having the permission of the landowner, who makes or causes to be made a subdivision of land or a land development.

Development - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging or drilling operations and the subdivision of land.

Development Improvements - All the physical additions and changes to a tract and the constructed facilities necessary and/or required by the Township to produce a usable and functional development; including, but not limited to roads, parking areas, storm water controls and drainage easements, landscaped areas, utilities, and water supplies and sewage disposal systems.

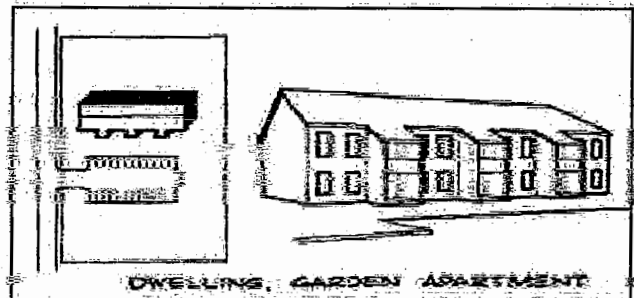
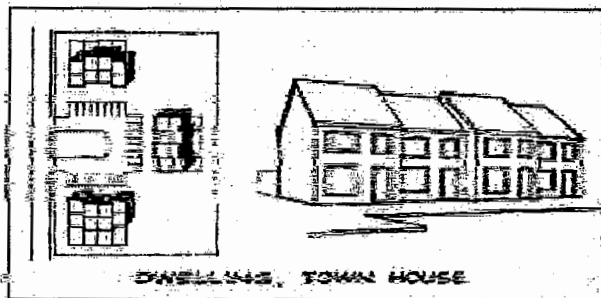
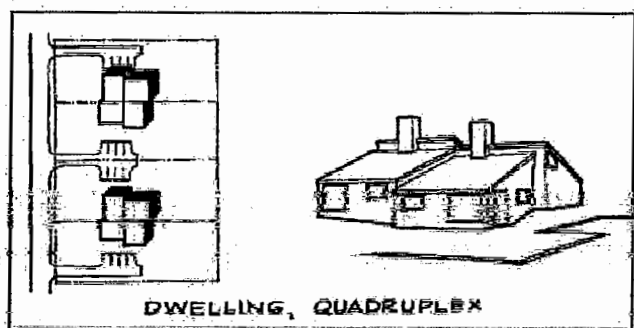
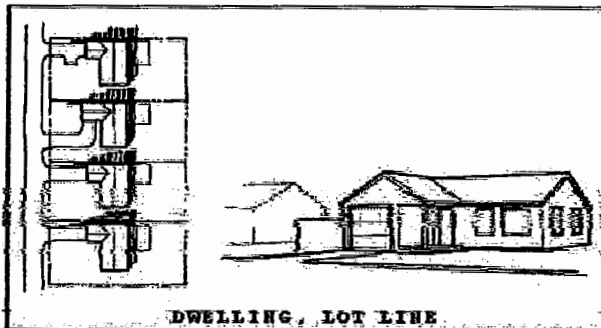
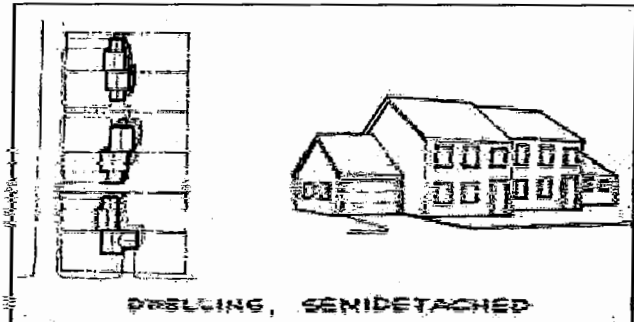
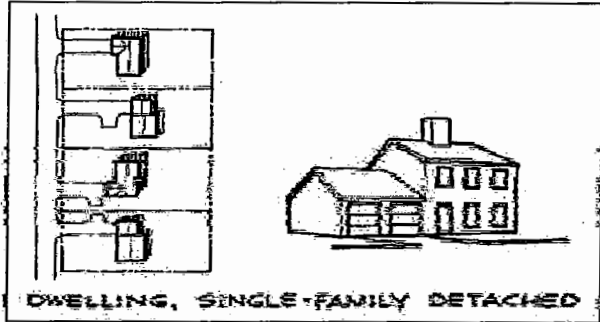
Development Plan - A proposed development, prepared in accordance with this Ordinance and the Township Subdivision Ordinance, including a plat of the subject parcel and any subdivision, locations of various uses, and all covenants relating to uses, locations and sizes of buildings and other structures, intensity of use or density of development, streets, ways, and parking facilities, common open spaces and public facilities.

Driveway - A privately owned and constructed vehicular access from an approved private or public road into a lot or parcel having frontage or legal access on the said road.

Dwelling - A structure or portion thereof which is used exclusively for human habitation.

Dwelling, Apartment Unit - One or more rooms with private bath and kitchen facilities constituting an independent, self-contained dwelling unit in a building containing three or more dwelling units.

Dwelling, Lot Line - A single-family, detached dwelling on an individual lot, with the building set on, or close to, one side property line, so that the lot essentially has only one side yard. This side yard and the rear yard constitute the primary outdoor living areas for the dwelling. Typically, no windows are placed in the building wall that is on the lot line. If the building is set on the lot line, a 5 foot easement is provided on the adjacent property along the lot line for necessary access and maintenance of the building wall.



Dwelling, Multi-Family - A building or buildings designed for occupancy by three or more families living independently of each other in separate dwelling units. The term *multi-family dwelling* shall include condominium as well as non-condominium housing units including the following construction types:

- A. Single-family Attached/Townhouse - A dwelling unit located in a multi-family dwelling structure in which each unit has its own front access to the outside and may have a rear access to the outside, no unit is located over another unit and each unit is separated from any other unit by one or more vertical common fire resistant walls.
- B. Garden Apartment Building - A multi-family dwelling structure, originally designed as such, containing three to ten apartment units and not exceeding 2.5 stories or 35 feet in height, with access to each apartment unit usually from a common hall with the apartment units located back-to-back, adjacent, or one on top of another.

- C. Apartment Building - A multi-family dwelling structure, originally designed as such, containing three or more apartment units which is more than 2.5 stories but not exceeding the height limitations (in feet) of this Ordinance.
- D. Residential Conversion to Apartment - The conversion of an existing single family detached dwelling into three to five dwelling units.

Dwelling, Quadraplex - Four attached single-family dwellings in one building in which each unit has two open space exposures and shares one or two walls with adjoining unit or units.

Dwelling, Single-Family Detached - A building containing one dwelling unit that is not attached to any other dwelling by any means and is surrounded by open space or yards.

Dwelling, Two-Family - A building containing two dwelling units either attached side by side through the use of a vertical party wall and having one side yard adjacent to each dwelling unit; or upstairs/downstairs units.

Dwelling Unit - One or more rooms, designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. Any part of a dwelling structure which is not connected with full unrestricted access to all other parts of the dwelling structure is considered a separate dwelling unit.

Earth Disturbance Activity - Any construction or other activity which disturbs the surface of the land, including, but not limited to, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth.

Easement - A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.

Engineer, Professional - A person licensed to practice as a professional engineer in the Commonwealth of Pennsylvania.

Engineer, Township - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer of the Township.

Essential Services - Municipal or utility facilities that do not require enclosure in a building which are necessary for the public health and safety and which are routine, customary and appropriate to the character of the area in which proposed, including such facilities as poles, towers, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment. Buildings, sewage treatment plants, solid waste disposal facilities, commercial communication towers, utility company offices, storage of trucks or equipment and bulk storage, any commercial communications devices and any other use specifically defined by this Ordinance shall not be considered essential services.

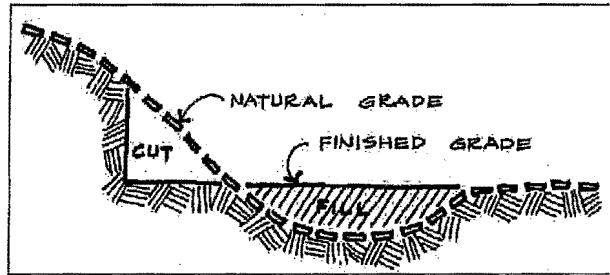
Flood (and related definitions) - See the Township Zoning Ordinance.

Glare - A sensation of brightness within the visual field which causes annoyance, discomfort or loss in visual performance, visibility and/or ability to focus.

Grade - The average finished ground elevation adjoining a building.

Grade, Finished - The final elevation of the average ground level adjoining a building at all exterior walls after development.

Grade, Natural - The elevation of the ground level in its natural state before construction, filling, or excavation.

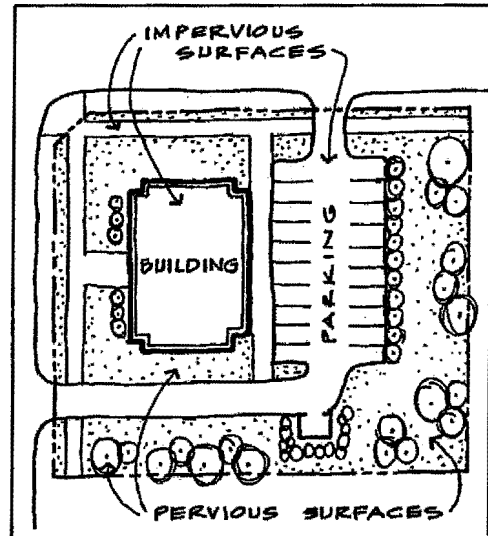


Gross Tract Area – See *tract area, gross*.

Impervious Surface - A surface that prevents the percolation of water into the ground such as rooftops, pavement, sidewalks, driveways, gravel drives, roads and parking, and compacted fill, earth or turf to be used as such.

Improvements - See *development improvements*.

Lake or Pond - A natural or artificial body of water one-fourth (0.25) acre or larger which retains water year-round. Artificial ponds may be created by dams, or result from excavation.



Land Development - Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - 1. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.

The following are examples of applications that shall be considered a land development:

- A. A new principal building intended to be occupied by a commercial, institutional, industrial or other nonresidential use.
- B. The division of an existing building into a dwelling and a principal commercial use, or two or more commercial uses.
- C. A mobile home park.
- D. An apartment building.

The definition of "land development" shall not include the following:

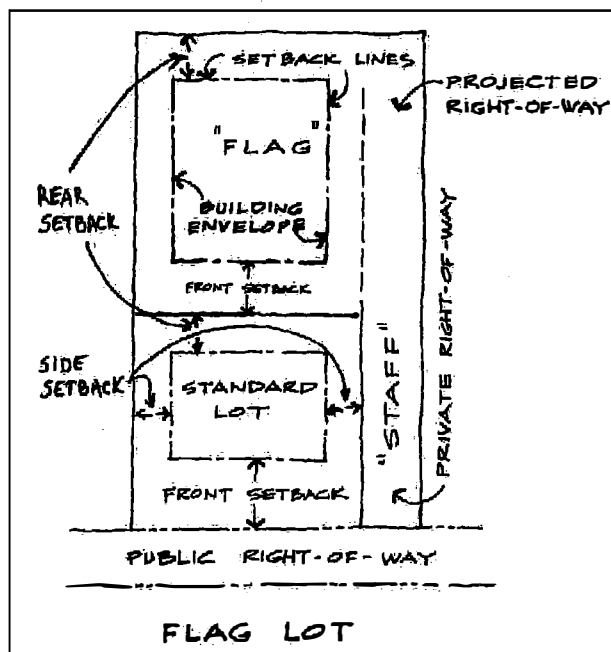
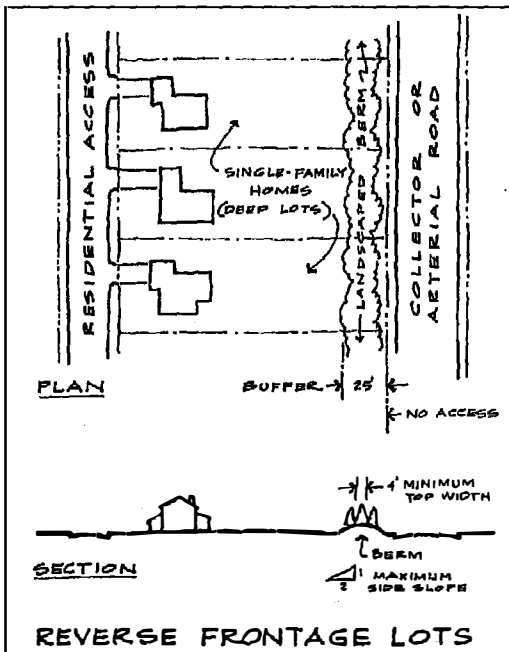
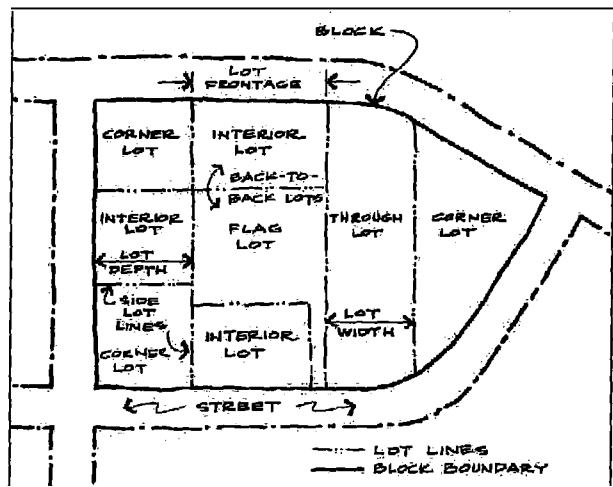
1. The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three residential units, unless such units are intended to be a condominium.
2. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
3. The addition of conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subsection, an "amusement park" is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the Township.

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 if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Loading/Unloading Space - An interior or exterior off-street space or berth used for the loading or unloading of people, cargo, products, or materials from vehicles.

Lot - A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

Lot, Corner - A lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of one hundred thirty-five (135) degrees.



Lot, Existing of Record - Any lot or parcel of property which was legally in existence and properly on file with the County Recorder of Deeds prior to the effective date of the original Township Zoning Ordinance. (See *parent tract*.)

Lot, Flag - A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.

Lot, Interior - A lot other than a corner lot, the sides of which do not abut a street.

Lot, Reverse Frontage - A through lot with frontage on two streets with vehicular access restricted to only one of the streets.

Lot, Through - A lot that fronts on two parallel streets or that fronts on two streets that do not intersect at the boundaries of the lot.

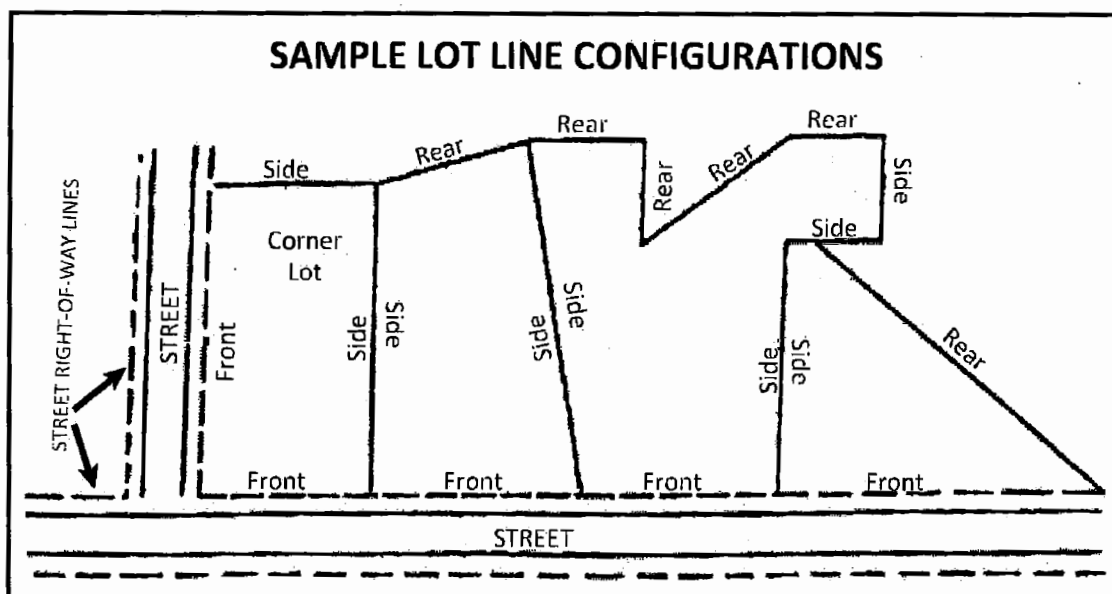
Lot Area - The horizontal land area contained within the property lines of a lot measured in acres or square feet.

Lot Coverage - That portion of the lot covered by all created improvements, including but not limited to primary buildings, decks, porches, accessory buildings, paving, patios, sidewalks, pools and other impervious areas provided that where a municipal boundary bisects a lot, the total area of the lot, regardless of the municipal boundary, shall be used for the purpose of determining compliance with the permitted lot coverage.

Lot Depth - The horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot Line Adjustment - The revision or deletion of one or more lot lines in such a way that all of the following are true:

- A. no new lots will be created beyond what was previously approved,
- B. no additional street segments or significant changes in alignment are proposed other than what was previously approved,
- C. no additional nonconformities will be created under the Township Zoning Ordinance, and
- D. no new land development will occur other than a land development that was previously approved or buildings to support "crop farming."



Lot Lines - The property lines bounding the lot. Wherever a property line borders a public street, for the purposes of determining setbacks, the lot line is considered to be the existing street right-of-way line or that will exist at the time of completion of a subdivision or development.

- A. **Lot Line, Front** - The lot line(s) separating the lot from any street.
- B. **Lot Line, Rear** - The lot line(s) most distant from and most parallel to the front lot line.
- C. **Lot Line, Side** - Any lot line other than a front or rear lot line.

Lot Width - The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required or approved front and rear building lines. In the case of a lot fronting on a cul-de-sac turnaround or curve, along a chord perpendicular to a radial line located equidistant between the side lot lines, the said chord shall intersect the radial line at a point located at the required or approved building setback line.

Maintenance Agreement - An agreement in a form and manner acceptable to the Board of Supervisors requiring the developer of required improvements to make any repairs or reconstructions and to maintain such improvements for a certain period.

Maintenance Guarantee - Financial security which is acceptable to the Township to secure the promise made by a developer in the Maintenance Agreement that required improvements shall be maintained by the developer. (Note: These guarantees typically include acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Mobile Home - A transportable, single family dwelling intended for permanent occupancy contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation, and which is subject to U.S. Department of Housing and Urban Development regulations.

Mobile Home Lot - A parcel of land in a mobile home park which is leased by the park owner to the occupants of the mobile home erected on the lot and which is improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile Home Park - A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

Municipalities Planning Code (MPC) or State Planning Code - The Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended.

Neighborhood - A development of five (5) to twenty-five (25) single-family, detached dwellings clustered in a concentrated area which is surrounded by open land or recreation area.

Open Space - An area that is intended to provide light and air, and is designed for environmental, scenic, recreational, resource protection, amenity and/or buffer purposes and which contains no development improvements which are not specifically permitted by this Ordinance or the Township Zoning Ordinance.

Open Space, Common - Open space that is part of a particular conservation design subdivision development tract set aside for the use and enjoyment of residents of such development.

Open Space, Conservation - Open space that is part of a particular conservation design subdivision development tract set aside for the protection of sensitive natural features, farmland, forest land, scenic views and other primary and secondary conservation areas and which is permanently restricted from further development except as permitted by this Ordinance and cannot be used as a basis for density for any other development. Conservation open space may be accessible to the residents of the development and/or the Township, or it may contain areas of farmland or forest land which are not accessible to project residents or the public.

Open Space, Required Public - Open space that is dedicated or reserved for the use of the general public in accord with the requirements of this Ordinance.

Ordinance, This - The Ross Township Subdivision and Land Development Ordinance, as amended, and any provisions thereof, as enacted by the Board of Supervisors.

PA - The Commonwealth of Pennsylvania.

PA DEP or DEP - The Pennsylvania Department of Environmental Protection.

PA DOT or PennDOT - The Pennsylvania Department of Transportation.

Parcel - See *lot*.

Parent Tract - Any lot or parcel of property which was legally in existence and properly on file with the County Recorder of Deeds prior to the effective date of the original Township Zoning Ordinance and from which a lot or lots have been subdivided or are proposed for subdivision. (See *lot, existing of record*.)

Parking Space, Off-Street - A temporary storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.

Parking Space, On-Street - A temporary storage area for a motor vehicle that is located on a public or private street right-of-way.

Pathway - A pedestrian access way which is not adjacent to a street or access drive and conforms with this Ordinance.

PennDOT. The Pennsylvania Department of Transportation.

Performance Guarantee. Financial security which is acceptable to the Board of Supervisors to ensure that the developer will install required improvements. (Note: This typically includes acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Person - An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

Planning Commission - The Planning Commission of Ross Township, Monroe County, Pennsylvania.

Plan - A map of a subdivision or land development and accompanying notations.

A. Sketch Plan - An informal plan, identified with the title "Sketch Plan" on the map, indicating the general layout of the proposed subdivision or land development.

- B. Preliminary Plan - A complete plan identified with the title "Preliminary Plan" accurately showing proposed streets and lot layout and such other information as required by this Ordinance.
- C. Final Plan - A complete and exact plan identified with the title "Final Plan" including the plan prepared for official recording as required by this Ordinance to define property rights and proposed streets and other improvements.

Pond or Lake - A natural or artificial body of water one-fourth (0.25) acre or larger which retains water year-round. Artificial ponds may be created by dams, or result from excavation.

Primary Resources - See *resources, primary*.

Prime Agricultural Land - Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture Natural Resource and Conservation Services County Soil Survey.

Principal Building - A building in which the primary or predominate use of a lot is conducted including any structure that is physically attached to the principal building.

Principal Structure - The structure in which the principal use of a lot is conducted. Any structure that is physically attached to a principal structure shall be considered part of that principal structure.

Property Owners Association - A non-profit corporation organized by the developer or home owners for the purpose of establishing an association of all property owners in a private development which purposes shall include the ownership and maintenance of open space common areas and all development improvements.

Public Hearing - A formal meeting held pursuant to public notice by the Planning Commission or the Board of Supervisors, intended to inform and obtain public comment, prior to taking action in accord with Pennsylvania Municipalities Planning Code.

Public Meeting - A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), as amended, known as the *Sunshine Act*.

Public Meeting, Regular Planning Commission - A meeting of the Planning Commission at which the Commission is authorized to conduct official action and which has been scheduled based upon an annual meeting schedule (as may be adjusted by the Chairperson) and which is not a workshop meeting or the official public meeting on an ordinance amendment.

Public Notice - Notice published once each week for two consecutive weeks in a newspaper of general circulation in the 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 not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

Recreation Area, Active - A private or public space associated with a residential development, including accessory structures such as fences, backstops and bleachers and other equipment, used for play and/or recreation by individuals, and including, but not limited to, golf courses, basketball, volleyball and tennis courts, baseball, football and soccer fields, and playgrounds.

Recreation Area, Passive - A private or public space associated with a residential development, not including any

accessory structures used for active recreation by individuals, and including, but not limited to, trails, picnic areas, community gardens, and lawns.

Recreational Vehicle - A vehicle primarily designed and utilized as temporary living quarters for recreational, camping or travel use, whether self-propelled or mounted on, or drawn by another vehicle, and including travel trailers, recreational trailers, camping trailer, truck camper, motor homes and similar types of vehicles.

Recreational Vehicle Park - See *campground or RV park*.

Resources, Primary - Natural features consisting of 100-year floodplain (including the floodway), wetlands and prohibitive steep slopes (greater than 25 percent). In conservation subdivisions, all conserved lands containing primary resources are called primary conservation areas.

Resources, Secondary - Natural or cultural features outside primary conservation areas that are worthy of conservation by inclusion in conservation open space. See the prioritized list of such features in the Subdivision and Land Development Ordinance. Lands containing secondary resources that are conserved are called secondary conservation areas.

Right-of-Way - Land reserved for use as an access, street, drainage facility or other private, public or community use.

Screened - Visibly shielded or obscured from any adjoining or neighboring property, any public or private road right-of-way, or any other premises which is accomplished by topography, fencing, berms, natural and planted vegetation or other means approved by the Township.

Screening - A method of visually shielding or obscuring a structure or use from another by topography, fencing, walls, berms, planted vegetation or a combination of these methods.

Secondary Resources - See resources, secondary.

Sewage Disposal, Central, Off-Site or Community - A sanitary sewage collection system in which sewage is carried from individual lots or dwelling units by a system of pipes to a central treatment and disposal system or sewage treatment plant which may be publicly or privately owned and operated. A system designed to serve a two-family dwelling or two (2) dwelling units located on the same property or adjacent properties shall not be considered as off-site sewage.

Sewage Disposal, On-Site - A single system of piping, tanks or other facilities serving only a single lot and disposing of sewage in whole or in part into the soil on that lot or as may be permitted on common open space in a conservation subdivision design development. A system designed to serve a two-family dwelling or two (2) dwelling units located on the same property or adjacent properties shall be considered on-site sewage and all development standards will apply the same for each dwelling or unit as any single family unit.

Sewage Enforcement Officer (SEO) - The Township official certified by the Pennsylvania Department of Environmental Protection who reviews permit applications and sewage facilities planning modules, issues permits as authorized by the Pennsylvania Sewage Facilities Act, as amended, and conducts investigations and inspections that are necessary to implement the Act and the regulations thereunder.

Sidewalk - A pedestrian access way which is adjacent to a street or access drive and conforms to the regulations of this Ordinance.

Soil Survey - The latest version of the official Soil Survey of Monroe County, published by the U.S. Natural Resource (formerly "Soil") Conservation Service, or its successor reference.

State Planning Code - See Municipalities Planning Code.

Steep Slope - An area of 15 percent or greater slope.

Slope - See *grade*.

State - The Commonwealth of Pennsylvania and its agencies.

Stream - A natural watercourse. See *watercourse*.

Street - A public or private thoroughfare which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare except an alley or driveway. Public rights-of-way shall be those open to the general use of the public, not necessarily publicly dedicated.

Street, Cul-de-sac - A type of street which is terminated at one end by a permitted turn-around and which intersects another street at the other end.

Street Classification (Existing Streets) - Based primarily upon the Comprehensive Plan, the following classifications shall apply for existing streets:

- A. Expressway - Route 33.
- B. Arterial Streets - Wilkes-Barre Easton Turnpike (Old Route 115), Hamilton South Road.
- C. Collector Streets - Kunkletown Road, Meixell Valley Road, Mount Eaton Road, Weir Lake Road, Faulstick Road, Mountain Road, Flyte's Road, Blue Ridge Road, Rolling Hills Road, Anchorage Road.
- D. Local Streets - All other existing streets in the Township. This classification is not intended to distinguish public versus private streets.

Street Classification (Proposed Streets)

- A. Arterial Street - Designed to PennDOT standards primarily to carry traffic and generally should not provide access to land which would interfere with their primary traffic functions; and, are designated as *limited, controlled, or partial* access streets, and average daily traffic is 4,000 vehicles or more.
- B. Connector Street - Collects traffic from collector and minor streets and also provides a connection to arterial streets and between connector streets and average daily traffic is 4,000 vehicles or more.
- C. Collector Street - Gathers traffic from minor, local and marginal access streets and feeds this traffic to connector and arterial streets. Collector streets carry heavier traffic volumes than minor and local streets although they also provide direct access to individual uses located along them. Average daily traffic on collector streets ranges from 1,501 to 4,000 vehicles.
- D. Minor Street - Gathers traffic from local and marginal access streets and feeds this traffic to collector and connector streets. Average daily traffic on collector streets ranges from 1,501 to 4,000 vehicles.

- E. Local or Marginal Access Street - Provides direct access to individual uses and feeds this traffic to minor or collector streets. Average daily traffic on local streets does not exceed 500 vehicles.
- F. Private Access - A vehicle access way that connects residential lots to an approved street where the residential lots do not abut the approved street and the construction and maintenance of the private access street is the sole responsibility of owners benefiting by the use of the street and which is not offered to the Township for public maintenance.

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

Structure, Permanent - Anything constructed, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground.

Structure, Portable - Anything constructed that is not permanently affixed to the ground but is designed to be moved from place to place.

Subdivision - The division or redivision of a lot, tract, or parcel of land by any means into two (2) 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, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

- A. Subdivision, Major - Any subdivision of land which does not qualify as a "minor subdivision."
- B. Subdivision, Minor - A proposal involving land, other than a land development, which is either:
1. a "lot line adjustment" or
 2. a subdivision which:
 - a. results in only 5 new additional single family detached residential lots, or only 4 new additional clearly agricultural lots of more than 10 acres each, in addition to the one pre-existing lot, and
 - b. does not involve an extension or new segment of a street (other than what was previously approved) or any other development improvements, except that a minor subdivision may utilize a private access street if it meets the requirements of §1004 regarding private streets, and
 - c. has not involved the final subdivision approval of 5 or more new lots from the same parent tract since after the enactment date of this Ordinance.

Subdivision Administrator or Plans Administrator - The staff-person(s) charged by the Board of Supervisors with the responsibility of administering the subdivision application submission procedure. Said staff-person shall be the Zoning Officer of Ross Township to and until the Board of Supervisors by resolution shall designate an alternative person.

Subdivision Ordinance or Subdivision and Land Development Ordinance - The Ross Township Subdivision and Land Development, as amended.

Substantially Completed - In the judgment of the Township Engineer at least 90 percent (based upon the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

Supervisors - The Board of Supervisors of Ross Township.

Township - The Township of Ross, Monroe County, Pennsylvania.

Township Buildings and Uses - Any building, structure, service or use under the jurisdiction of Ross Township, Monroe County, Pennsylvania.

Township Engineer - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for Ross Township.

Tract - See lot.

Tract Area, Adjusted (ATA) - The tract area remaining when the specified constrained land has been deducted from the gross tract acreage. ATA is used to calculate both density and open space.

Tract Area, Gross - The total amount of land contained within the limits of the legally described property lines bounding the tract.

Trip - A single or one-way motor vehicle movement either to or from a subject property or study area.

Trip Distribution - The measure of the number of vehicles or passenger movements that are or will be made between geographic areas.

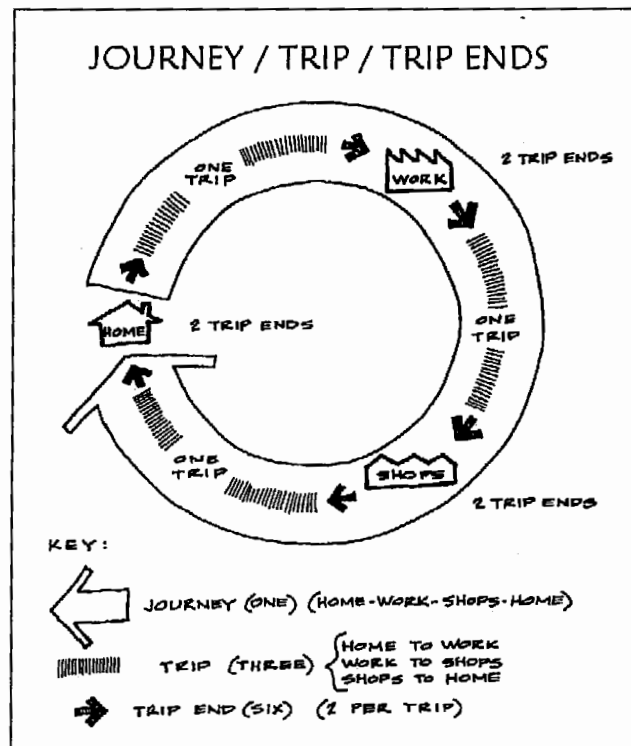
Trip Ends - The total of single or one-direction vehicle movements entering and leaving a specified land use or site over a designated period of time.

Trip Generation - The total number of vehicle trip ends produced by a specific land use or activity.

USGS - The United States Geological Survey, or its successor agency.

Vernal Pool - An isolated, contained depression that holds water for at least two (2) months in the spring or summer, critical to several amphibian, reptile and invertebrate species which also provides important storage for stormwater runoff and spring snow melt that would otherwise contribute to downstream flooding.

Walkway - A strip of land including a right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.



Water Body - Any natural or manmade freshwater pond, lake or stream. This shall not include any pond or facility designed and constructed solely to contain storm water.

Water Supply, Individual System on Conservation Land - A system for supplying and transmitting drinking water to a single dwelling or other use from a source located on adjacent conservation land via a use and access easement.

Water Supply, Central, Off-Site or Community - A drinking water supply system in which drinking water is carried to individual lots or dwelling units by a system of pipes from a central source not located on any of the served lots and which may be publicly or privately owned and operated.

Water Supply, On-Site - A system for supplying and transmitting drinking water to a single dwelling or other use from a source located on the same lot.

Watercourse - Any channel of conveyance of surface water having a defined bed and banks, whether natural or artificial, with perennial, intermittent or seasonal flow.

Wetland - Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, and similar areas and which are defined as such by the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*.

**ARTICLE 3
OVERVIEW OF GENERAL PROCEDURES**

301. PURPOSE.

This Article summarizes the general procedures for the submission and review of proposed subdivisions and land developments. This Article is only a general explanation and is not binding on the Township or an Applicant. See the actual provisions of the other Articles of this Ordinance. Two flowcharts are included at the end of this Article to show the general process for Major and Minor Subdivisions.

302. GENERAL PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS.

- 302.A. Sketch Plan. While a Sketch Plan is not required, it is strongly recommended that it be filed to allow the Applicant to consult early and informally with the Planning Commission before preparing a Preliminary Plan. This will often avoid expensive redesign and delay to the applicant.
- 302.B. Preliminary Plan. Preliminary plans are required to be submitted for any major subdivision and for certain land developments, as described above.
- 302.C. Final Plan. After approval of the Preliminary Plan of a major subdivision or certain land developments, and to obtain approval of a minor subdivision, the Applicant files a Final Plan. A Final Plan must be approved prior to recording of the plans by the County and prior to the sale of any lots or the construction of any buildings (see Article 9).
- 302.D. Guarantee of Improvements Installation. Where improvements are required by this Ordinance, in most cases, the Township will require that the Applicant enter into a development agreement including the posting of financial security sufficient to guarantee the costs of any improvements which may be required. See Article 8.

303. GENERAL PLAN SUBMISSION PROCEDURES.

- 303.A. Submission. Sketch, preliminary and final plans and all required accompanying information are required to be submitted to the Township staff by delivery by person. In addition to the required number of paper copies, the submission shall include a compact disk with all documents in electronic Portable Document File (PDF) format or other electronic format approved by the Township.
- 303.B. Completeness. The Planning Commission shall have the authority to recommend rejection by the Board of Supervisors or to table an application that the Commission determines is significantly incomplete.
- 303.C. Attendance. The applicant or his/her duly authorized representative shall attend the Planning Commission meeting and Board of Supervisors meeting to discuss the filed plans. If the applicant or representative fails to appear at a meeting where the plans will be considered, it may result in plan disapproval, if the Township determines that it resulted in insufficient information to render a decision.
- 303.D. Action by the Commission and the Board of Supervisors. The Planning Commission advises the Board of Supervisors on proposed plans. There are time limits in State law for approval of a subdivision or land development, unless the applicant grants a time extension.

**ARTICLE 4
SKETCH PLANS**

401. PRE-SKETCH PLAN

- 401.A. Pre-Application Consultation. Prior to submitting a Sketch Plan, a pre-application consultation is encouraged between the applicant, the site designer, and the Planning Commission (and/or its professional consultants), to introduce the applicant to the Township's regulations and procedures, to discuss the applicant's objectives, and to schedule site visits, meetings and plan submissions.
- 401.B. ERSA and Site Context Map. Applicants are also encouraged to present the Existing Resources and Site Analysis map (§503.D-2) and the Site Context Map (§503.D-1) at this consultation and for use at the site visit.
- 401.C. Site Tour. Applicants are also encouraged to arrange a site tour as provided in §501.C.

402. SKETCH PLANS

- 402.A. Optional - Sketch Plans. Applicants are ENCOURAGED, but not required, to submit a Sketch Plan to the Planning Commission prior to the submission of a formal application. A Sketch Plan is particularly important for conservation design subdivisions. The purpose of the Sketch Plan is to:
1. Avoid costly revisions to detailed Preliminary Plans prepared before a general consensus on the layout is reached with the Planning Commission.
 2. Identify the overall objectives of the Applicant using a diagrammatic approach showing broad areas of development and broad areas of conservation.
 3. Determine if the plan is a major or a minor subdivision and/or land development.
 4. Assist applicants and officials to develop a better understanding of the property.
 5. Establish an overall design approach that respects the development parcel's special or noteworthy features, while providing for the density permitted.
 6. Determine the extent to which the plan generally conforms to the provisions of this Ordinance.
 7. Determine any design parameters deemed necessary by the Township for conformance to the Township comprehensive plan.

The critical part of the Sketch Plan review process is to lay the Sketch Plan on top of the Existing Resources and Site Analysis map, prepared in accord with the requirements of §503.D-2, to determine the extent to which the proposed layout of conservation areas, streets, and building lots succeeds in designing around and conserving significant site features. Applicants are ENCOURAGED to prepare the Sketch Plan on translucent material (such as tracing paper or mylar) and at the same scale as the Existing Resources/Site Analysis.

- 402.B. Contiguous Holdings. Where the owner of the site under consideration owns contiguous land suitable for development, the Sketch Plan shall consider the future development of all such contiguous lands in order to be coordinated in terms of interconnection of open space, traffic movement, drainage and other

reasonable considerations. This provision, however, may be waived in full, or in part, by the Township if it is not considered essential to the evaluation of the plans for the current development tract.

- 402.C. Non-formal Filing. A Sketch Plan shall be considered a submission for discussion between the Applicant and the Planning Commission and shall not constitute a formal filing of a plan with the Planning Commission, shall not begin the statutory review period as required by the Pennsylvania Municipalities Planning Code, and shall not confer any vested rights to the Applicant. All Sketch Plans filed shall be so noted on the Plan and in the minutes of the Planning Commission.
- 402.D. Major Subdivisions and Land Developments – Sketch Plan Process. The following procedures apply to major subdivisions and land developments when a sketch plan is filed:
1. Pre-Application Consultation. A pre-application meeting is encouraged between the applicant, the site designer, and the Planning Commission (and/or its professional consultants), to introduce the applicant to the Township's regulations and procedures, to discuss the applicant's objectives, and to schedule site visits, meetings and plan submissions as described below. Applicants are also encouraged to present the Existing Resources and Site Analysis Map at this meeting.
 2. Existing Resources and Site Analysis. Applicants should submit an Existing Resources and Site Analysis prepared in accord with the requirements of §402.3. The purpose of this key submission is to familiarize officials with existing conditions on the applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for conducting a site visit. This Plan should be provided prior to or at the site visit and form the basis for the development design as shown on the Sketch Plan (or on the Preliminary Plan, if the optional Sketch Plan is not filed).
 3. Site Tour. After preparing the Existing Resources and Site Analysis, applicants should arrange for a site visit of the property by the Planning Commission and other municipal officials, and shall distribute copies of said Site Analysis at that on-site meeting. Applicants, their site designers, and the landowner are encouraged to accompany the Planning Commission. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of designated open lands (if applicable), and potential locations for proposed buildings and street alignments. Comments made by municipal officials or their staff and consultants shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the Site Visit.
 4. Pre-Sketch Conference. Following the site visit and prior to the submission of a diagrammatic sketch plan, the applicant should meet with the Planning Commission to discuss the findings of the site visit and to develop a mutual understanding on the general approach for subdividing and/or developing the tract in accordance with the four-step design procedure described in §505, where applicable. At the discretion of the Commission, this conference may be combined with the site visit.
 5. Sketch Plan Submission and Review.
 - a. Submission. Copies of a Sketch Plan, meeting the requirements set forth in §401, shall be filed with the Administrator during business hours for distribution to the Board, the Planning Commission, the Township Planner, the Township Engineer and applicable advisory boards at least ten (10) days prior to the Planning Commission meeting at which the Sketch Plan is to be discussed. The Sketch Plan diagrammatically illustrates initial thoughts about a conceptual layout for Open Space, house sites, and

street alignments, and shall be based closely upon the information contained in the Existing Resources and Site Analysis. The Sketch Plan shall also be designed in accordance with the four-step design process described in §602, and with the design review standards listed in §603.

- b. Informal Review. The Planning Commission shall review the Sketch Plan in accordance with the criteria contained in this Ordinance and with other applicable ordinances of the Township. The purpose of the review is to informally advise the applicant of the extent to which the proposed subdivision or land development appears to conform to the relevant standards of this Ordinance, and may suggest possible plan modifications that would increase its degree of conformance. Their review may include but is not limited to:
- 1) The location of all areas proposed for land disturbance (streets, foundations, yards, septic disposal systems, storm water management areas, etc.) with respect to notable features of natural or cultural significance as identified on the applicant's Existing Resources and Site Analysis and on the Township's Map of Potential Conservation Lands;
 - 2) The potential for street connections with existing streets, other proposed streets, or potential developments on adjoining parcels;
 - 3) The location of proposed access points along the existing road network;
 - 4) The proposed building layout and density and impervious coverage;
 - 5) When open space is provided:
 - a) The potential for open space connections to existing or potential open space on adjoining parcels;
 - b) the relationship of buildings to open space;
 - c) Pedestrian access to open space.
 - 6) The compatibility of the proposal with respect to the objectives and policy recommendations of the Comprehensive Plan and the Open Space Plan; and
 - 7) General consistency with the Township ordinances.
- c. Written Comments. The Commission may submit its written comments to the Applicant.
- d. County Review. The Sketch Plan may also be submitted by the Planning Commission to the County Planning Commission for review and comment.
- e. Park and Recreation Commission. If the sketch plan involves land along a creek or river or more than 5 dwelling units or be adjacent to an existing Township, County or State recreation area, then a copy of the plan should be provided to the Township Park and Recreation Commission for a review of whether open space or recreation fees should be required.
- f. Detailed Review. The Applicant may request the Township to submit the Sketch Plan to the Township Engineer, Township planner or other designated professional for review and comment. The Applicant shall pay all fees associated with the review in accord with the Township Fee Schedule.

- g. Revised Sketch Plan. The applicant is encouraged to submit a revised Sketch Plan showing how comments have been addressed.

402.E. Sketch Plan Information. As provided in §302.4.E.2 and §302.4.E.5 the Applicant has the option for an informal review or a detailed review and is STRONGLY ENCOURAGED to include sufficient detail on the Sketch Plan to make the review meaningful. . In order to provide a full understanding of the site's potential and to facilitate the most effective exchange with the Township, the Sketch Plan should include the information listed below.

1. Boundary line of the development.
2. A map showing the general location of the project in relation to nearby streets and streams which may be a photocopy of USGS, aerial photograph, Township base map or a commercial map). (See §503.D-1 for Site Context Map.)
3. Significant physical features. Many of these items can be taken from the Existing Resources and Site Analysis Map (See §503.D-2), a document that should be prepared and submitted as part of the Sketch Plan.
 - a. Topography and steep slopes.
 - b. Floodplain area from the Township Flood Insurance Rate Map.
 - c. Wetlands from published sources.
 - d. Watercourses and lakes and ponds.
 - e. Vegetative cover.
4. Conceptual proposed project layout with approximate areas of any lots. The applicant is encouraged to show the conceptual design of the project as an overlay sheet placed on top of the Existing Resources and Site Analysis or an aerial photograph.
 - a. In the case of land developments, locations of proposed buildings and structures, parking lots and other improvements.
 - b. In the case of conservation design subdivisions, a schematic layout documenting conformance with the four-step design process in §505.
5. Site data including:
 - a. Acreage of the entire tract.
 - b. Number of lots and types of dwelling units (if residential).
 - c. Zoning District and major applicable lot area and setback requirements.
6. North point and scale and a tentative name of the project (may be the developer's name).
7. Approximate proposed locations of any non-residential buildings and statement of the general proposed types of any non-residential uses.
8. Anticipated locations of any storm water detention basins and any major stormwater drainage channels.
9. For residential developments, whether the applicant proposes to dedicate common open space or fees-in-lieu of land, if required.

10. Note stating the general methods of providing water and sewer service, including sufficient information to show the general feasibility of any proposed central sewer service.
11. Names of any adjacent non-residential uses and any zoning district boundaries in the area.
12. Name and address of the legal owner, the equitable owner, and/or the applicant, and the person responsible for the preparation of the plan and the date of preparation.
13. Plans should be of a standard size, such as 18" by 24" or 24" by 36".

**ARTICLE 5
PRELIMINARY PLANS FOR MAJOR SUBDIVISIONS
AND CERTAIN LAND DEVELOPMENTS**

501. INITIAL STEPS.

501.A. Pre-Application Consultation. Prior to submitting a Plan, a pre-application consultation is encouraged between the applicant, the site designer, and the Planning Commission (and/or its professional consultants), to introduce the applicant to the Township's regulations and procedures, to discuss the applicant's objectives, and to schedule site visits, meetings and plan submissions.

501.B. Site Design Process. See §505, which requires that applicants for certain types of applications must show compliance with the specified design process at the time of a sketch plan, preliminary plan or conditional use application. Applicants are strongly encouraged to meet this requirement at the earliest submittal made to the Township.

501.C. Site Tour. Applicants are very strongly encouraged to cooperate in an on-site tour of the property by Township officials. See the language in the application form that requests permission for a site tour. This site tour should be scheduled as soon as possible after the applicant has provided copies of a map of existing conditions. At best, this would occur after a sketch plan has been submitted, but before preliminary plans have been completed.

1. This site tour is intended to informally:

- a. familiarize Township officials with the property's existing features, particularly including scenic views and the site's relationship to surrounding areas,
- b. identify potential site design issues that will need to be addressed, and
- c. discuss site design concepts, including the general layout of proposed development and open spaces.

2. Comments made during the site visit shall not be binding upon the Township, and no formal action or recommendation shall be made during the site visit.

501.D. Sketch Plan. Prior to the submission of a Preliminary Plan, applicants are very strongly encouraged to submit a Sketch Plan. A Sketch Plan Review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning Township Ordinances can be resolved prior to detailed engineering. This can often reduce the need for future redesign at a more detailed stage, thereby saving the applicant significant money and time. No official action is required on a sketch plan, so it will not delay the submittal of a preliminary plan.

502. SUBMISSION AND REVIEW PROCEDURE.

502.A. Preliminary Plan Submission Required.

1. A Preliminary Plan Submission for a Major Subdivision or Land Development (except as provided in part A.2. below) meeting all of the requirements of this Article shall be filed by the Applicant and reviewed in accordance with the provisions of this Article.

2. A Preliminary Plan Submission is not required for the following applications, which instead shall meet Article 7:
 - a. a Minor Subdivision (as defined in Article 2) or
 - b. a submission that only involves a lot line adjustment (as defined in Article 2) or minor adjustments to a previously approved plan as specified in §704 or
 - c. a land development that involves only 1 principal non-residential building of less than 3,500 square feet of building floor area on 1 lot without any additional dwelling units.

502.B. Required Submission.

1. The Applicant shall file with the Township Staff at least 10 calendar days prior to a regular Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under §503. Any subsequent submittal of revised plans shall be submitted at least 10 days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the Planning Commission, particularly when a revision only involves minor technical changes or corrections. These deadlines may be revised by resolution of the Board of Supervisors.
2. The Staff shall forward applicable plans to the following agencies to seek their comments prior to Preliminary Plan Approval:
 - a. Sewage Authority or Sewage Enforcement Officer (if applicable),
 - b. Township Fire Chief (layout and utility plan if deemed appropriate by the Planning Commission or Township Staff),
 - c. maintaining at least one complete "file" copy of all materials submitted by the applicant in the Township files,
 - d. Any Township Park and Recreation Commission that may be established (layout, natural features and grading plan only; if common open space is proposed or if deemed appropriate by the Planning Commission or Township Staff),
 - e. the Township Planning Commission (including copies of the Application Form, at least 1 copy of the Preliminary Plan Checklist, several copies of the Preliminary Plan and at least 1 copy of the Supporting Documents), with such information provided prior to or at the first regularly scheduled Planning Commission meeting after a proper submission, and
 - f. the Township Engineer and any other Township consultant on the matter.
3. Applicant's Distribution. The applicant is fully responsible for the following:
 - a. Contacting the appropriate utility companies, as appropriate, including the water supplier,
 - b. Encouraged to seek at least an informal review by PennDOT of any proposed access onto a State road, and providing PennDOT with sufficient information for such a review,

- c. Determining whether any permits or approvals are needed from any agency outside of the Township, including DEP (including any obstruction to a waterway) and the Army Corps of Engineers (including determining whether any "wetland" will be disturbed),
 - d. Providing a copy of the sedimentation and erosion control plans to the County Conservation District, together with their required review fees, if any earth disturbance is proposed, unless the applicant states in writing in a signed letter to the Township that earth disturbance will not occur until approval of the Final Plan (in which case the erosion control plan may be submitted at Final Plan stage),
 - e. Adjacent Municipalities. If any portion of a major subdivision or land development: 1) is proposed within 200 feet of the boundary of another municipality or 2) would clearly have a regional impact upon another municipality as determined by the Planning Commission, then the applicant shall provide a copy of the layout plan to that municipality for an advisory review,
 - f. Providing a copy of the plans and required fees to the County Planning Commission.
 - g. Providing copies and making submittals to the Township and review agencies as required under DEP's sewage planning module process, if applicable.
4. Each Preliminary Plan and supporting documents should seek to incorporate any revisions recommended by the Planning Commission, the Township Engineer and other appropriate Township Officials during any Sketch Plan review.
 5. Colored Layout Plan. It is recommended that the applicant provide 1 copy of the layout plan that is lightly colored to highlight major features (such as paving, trees, waterways, streets, wetlands and building locations if known) to allow clear understanding by the general public at public meetings.
 6. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

502.C. Determination of Completeness of the Submission.

1. Based upon the initial review of the Township Staff and/or the Township Engineer, the Commission shall have authority, at its first regularly scheduled meeting after the Submission is filed in a timely fashion, to determine that a submission is incomplete and therefore to refuse to review the submission further and to do one of the following:
 - a. Not accept the Submission, indicating deficiencies in writing, and return the fee (minus the costs of any Township review) to the Applicant.
 - b. Accept the Submission as being filed for review on the condition that the Applicant shall file such additional required materials and information to the Staff or appropriate agency or person by a specific deadline.
 - c. Table the acceptance of the submission until the next Planning Commission meeting after the applicant has met all of the submittal requirements within the required time period prior to the meeting. The 90 day time limit for action shall not begin until the plan is accepted as complete.

- d. Recommend that the Plan be rejected by the Board of Supervisors for just cause, such as the submission being significantly incomplete.
2. If the Commission determines that the Submission is complete, as filed and as required, the Commission shall accept the plans and may begin its review.
3. Zoning Variances and Approvals.
 - a. Applications for a subdivision or land development shall comply with the Township Zoning Ordinance, as amended. An application under the Subdivision and Land Development Ordinance shall not be considered to be complete for the purposes of starting the clock for the State-mandated 90 day time limit if one or more zoning variances or special exception or conditional use zoning approval will be required for the subdivision or land development to legally occur as submitted, until such time as the needed zoning variances and approvals have been granted. During this time, the application may still be reviewed by the Township.
 - 1) If a zoning variance or special exception or conditional use approval is needed and has not be granted, and the applicant refuses to grant a time extension, then the Board of Supervisors shall have sufficient grounds to deny approval of the application.
 - 2) At the discretion of the Board of Supervisors, a subdivision or land development may be approved conditioned upon the later approval of a zoning variance, special exception or conditional use.
 - b. A subdivision or land development approval shall not be delayed because of a court appeal of a zoning variance, special exception or conditional use that was granted to the developer. Instead, satisfactory resolution of such appeal shall be a condition for approval under this Ordinance. If a developer appeals a zoning variance, special exception approval or conditional use approval that was not granted to him/her, then subsection "3.a." above shall still apply.

502.D. Review by Township Engineer.

1. After the plans are duly submitted for review (unless granted an extension by the Commission or unless the plans are significantly incomplete), the Township Engineer should review the Preliminary Plan and prepare one or more reports on such considerations to the Commission.
2. The Township Engineer may make additional reports and recommendations to the Commission and the Board of Supervisors during review of the plan. Matters that should be dealt with directly by the Planning Commission and/or the Board of Supervisors should be listed separately from technical engineering considerations. These policy concerns should be made available to the Planning Commission at least 4 days prior to each meeting, when possible.
3. The Applicant and/or his/her engineer shall make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings. The Township Engineer may request the applicant or his/her engineer to meet with him/her for this purpose.
4. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his/her representative by the Township Staff.

502.E. Review by Commission. The Planning Commission should accomplish the following within the time

limitations of the State Planning Code (unless the applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Supervisors.

1. Review applicable reports received from any official reviewing agencies;
2. Provide a recommendation regarding whether the Preliminary Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
3. Recommend any revisions to the submission that are needed to comply with this Ordinance or that would generally improve the plan;
4. Recommend approval, conditional approval, or disapproval of the Preliminary Plan Submission in a written report to the Board of Supervisors that should: specify any recommended conditions for approval, identify defects found in the application, describes requirements which have not been met, and cite the provisions of the ordinance relied upon.

502.F. Review and Action by Board of Supervisors. The Board of Supervisors shall:

1. Review the report of the Commission and any reports that have been received from reviewing agencies;
2. Determine whether the Preliminary Plan Submission meets the requirements of this Ordinance and other ordinances;
3. Approve, conditionally approve or disapprove the Preliminary Plan Submission within the time limits required by the Pennsylvania Municipalities Planning Code. (As of adoption date of this Ordinance, this law requires:
 - a. the Board of Supervisors to act not later than 90 days following the date of the first regular meeting of the Commission held after the Preliminary Plan has been properly filed for review; but in no case shall the Board of Supervisors' decision be made later than 90 days following the date the submission was accepted as being filed for review, unless the Applicant grants a written extension of time; and
 - b. that no subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever comes first.

502.G. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or by mail at his/her last known address not later than 15 days following the decision.
2. Approval of the Preliminary Plan Submission shall constitute conditional approval of the subdivision or land development as to the character and intensity, but shall not: a) constitute approval of the Final Plan or b) authorize the sale of lots or construction of buildings.
3. If the Preliminary Plan Submission is disapproved, the decision shall: specify defects found in the Submission, describe requirements which have not been met and cite the provisions of the statute or ordinance relied upon in each case.

4. At the discretion of the Board of Supervisors, the Board may grant combined preliminary/final plan approval if: a) the preliminary plan submission also meets all of the requirements of a final plan submission and b) the Board determines that there are no significant outstanding matters regarding the plan.

502.H. Final Plan Submission Deadline.

1. An applicant shall file a Final Plan within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors.
2. Failure to comply with this requirement shall render the Preliminary Plan null and void, and a new Preliminary Plan submission and approval shall be required.

502.I. Development in Stages. See §602.I.

503. PRELIMINARY PLAN REQUIREMENTS. (See §502.A. regarding when a preliminary plan is required.)

503.A. All of the following information and materials listed in this section are required as part of all preliminary plans for any land development and any major subdivision. This list of requirements shall serve both:

1. to establish the requirements, and
2. as a checklist for the applicant and the Township to use to ensure completeness of submissions.

The applicant shall submit completed photocopies of this section as part of the application.

503.B. The required information listed in this §503 may be combined or separated onto different sheets, provided that all information is clearly readable.

503.C. Deferral of Information. See §107.B.6 which may allow an applicant to defer submitting of engineering details from the Preliminary to the Final Plan stage.

**§503.D
Preliminary Plan for Major Subdivision or Land Development
Checklist and List of Submittal Requirements**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No(s): _____

Applicant's Signature: _____ Date of Submittal: _____

- See also §107.B.6 which may allow detailed engineering information to be deferred from the Preliminary Plan to the Final Plan stage.
- See §502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.
- The applicant shall submit completed photocopies of this §503.D as part of the application.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	A. GENERAL SUBMISSION ITEMS: In addition to the required number of paper copies, all filings shall include two (2) compact disks with all documents in electronic Portable Document File (PDF) format and AutoCAD format or other electronic format approved by the Township. (Note- the Township may require the submission of additional numbers of copies.)
yes	no		
		1	2 copies of Township application.
		2	Required Township review fee(s) and escrow.
		3	2 copies of the Completed Application. (see Appendix A)
		4	2 copies of the Preliminary Plan Checklist. (using the photocopies of the pages in this Section)
		5	14 print copies of the complete Preliminary Plans. (One copy submitted to the Township shall be marked "File Copy" with original signatures and seals of Plan Preparers.)
		6	3 additional print copies of only the Layout Plans.
		7	3 sets of Supportive Documents.
		8	Receipt that applicant provided copy of the plan to the County Planning Commission for review.
		9	Aerial Photo. An applicant for a major subdivision is requested to Submit an aerial photo of the site, with the boundaries of the site highlighted. (Note - Aerial photos are available through the County Planning Commission, among other sources).

See also "Sewage Facility Planning" under "Supporting Documentation" below, which may require additional copies.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.
yes	no		
		1	Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30" X 42", 36"x48"). A plan shall not be smaller than 18 by 24" in size. All copies of plans should be folded to approximately 9"x 12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled.
		2	Plans drawn to scale of 1 inch = 50 feet or other scale pre-approved by the Township.

Submitted		#	B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.
yes	no		
		3	All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. Dimensions shall be expressed to the nearest hundredth of a foot.
		4	Differentiation between existing and proposed features.
		5	Boundary line of the tract, shown as a heavy boundary line.
		6	If layout plans involve 2 or more sheets, a map of the layout of the entire project at an appropriate scale on one sheet, and a key map showing how the sheets connect.
		7	If the tract(s) crosses a municipal boundary, a map showing both the portions in Ross Township and the other municipality, in sufficient detail for the Township to determine how the parts will interrelate.
		8	Required profiles shall be shown at an exaggeration of 5; a scale of 1"=50'horizontal and 1"=10' vertical is preferred.
		9	All sheets numbered and listed on one page.
		10	Words "Preliminary Plan" and sheet title (such as "Layout Plan") on each sheet.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	C. GENERAL INFORMATION:
yes	no		
		1	Name of project on each sheet.
		2	Name of landowner and developer (with addresses).
		3	Names and addresses of abutting property owners, with deed referenced parcel identification numbers for adjoining properties.
		4	Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 150 feet of the boundaries of the proposed project.
		5	Notarized Owners Statement. (See Appendix B)
		6	Surveyor and plan preparer's statement. (See Appendix B)
		7	Approval/review signature blocks for: Board of Supervisors, Township and County Planning Commissions. (see Appendix B)
		8	Context map at a standard scale (preferably 1"= 500' or larger, unless a smaller scale is needed to fit on a single sheet) showing the boundaries of the project in relation to the approximate location of the following features within 1,000 feet from the boundaries of the tract: existing and proposed streets, waterways, trails, preserved open spaces, parks, zoning boundaries, and municipal borders.
		9	Location map at 1"=2000' scale using USGS map with major road names added.
		10	North arrow, graphic scale, written scale.
		11	Date of plan and all subsequent revision dates (especially noting if it is a previously approved plan) with space for noting future revision dates and general type of revisions.
		12	Deed Book volume and page number from County records.
		13	Tax map number and block and lot and property identification number for the tract being subdivided.
		14	A statement on the plan of proposed principal uses that are intended for each Lot.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	D-1. SITE CONTEXT MAP: A map showing the location of the proposed subdivision or land development within its neighborhood context shall be submitted.
yes	no		
		1	For sites under 100 acres, such maps shall be at a scale not less than 1" = 200', and shall show the relationship of the subject property to natural and man-made features existing within 1,000 feet of the site. For sites of 100 acres or more, the scale shall be 1" = 400', and shall show the above relationships within 2,000 feet of the site.
		2	The features to be shown on a Site Context Map include:
		a	Topography (from the most current U.S.G.S. maps).
		b	Streams and water courses, drainage basins and sub-basins.
		c	Wetlands (from the most current maps published by the U.S. Fish & Wildlife Service or the U.S.D.A. Natural Resources Conservation Service).
		d	Woodlands over ½ acre in area (from aerial photographs).
		e	Ridge lines.
		f	Public roads, trails, utility easements, pipelines and rights-of-way.
		g	Public land and land protected under conservation easements.
		h	Zoning district boundaries.
		i	Existing property lines.
		j	Names of owners of all properties and the names of all subdivisions.
The above information may be superimposed on an aerial photograph.			

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	D-2. EXISTING RESOURCES AND SITE ANALYSIS MAP:
yes	no		
		1	Existing contour lines shown at the same scale as the layout plan, as follows: (Note- Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision or land development, unless needed to determine adequacy of stormwater management.)
		a	Shall be based on a field surveyor photogrammetric procedure that was completed at a scale of 1"= 100' or larger. Contours shall be based upon U.S.G.S. datum, with an established bench mark.
		b	The contour interval shall be sufficient to determine compliance with Township ordinances. The interval shall be 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater.
		2	Identification of any slopes of 15 to 25%, & greater than 25%.
		3	The locations of watercourses (with any name), natural springs, ponds, lakes.
		4	Wetlands. An applicant is not required to have completed all Federal and State wetland permit applications until Final Plan submission. See the "Supporting Documentation" portion of this Section regarding wetland studies.
		a	Detailed delineations by a qualified professional of wetlands are required with the Preliminary Plan submission, with the locations accurately shown on the plan, with a metes and bounds description and with accurate dimensions from lot lines, unless:
		b	the Plan states that no alteration, buildings, earthmoving, driveways or septic systems will occur within 200 feet of any areas that could be reasonably suspected of being wetlands. In such case, only the approximate areas of such wetlands need to be shown.

Submitted		#	D-2. EXISTING RESOURCES AND SITE ANALYSIS MAP:
yes	no		
		c	A note shall be added to the Plan stating that the Township has not verified the presence or absence of wetlands.
		5	Rock outcrops, stone fields, sinkholes and topical depressions.
		6	Location of any areas within the 100 year floodplain (with differentiation between floodway and flood fringe if available from official Federal floodplain maps). A copy of the official FEMA floodplain map shall be included, with the property boundary highlighted.
		7	Approximate locations and abbreviated names of soil types, according to the County Soil Survey (or more detailed professional study) with identification of those that are alluvial, hydric, have a depth to bedrock of less than 3 feet or a seasonally high water table of less than 3 feet. If such soils do not exist, that shall be stated on the Plan.
		8	Ridge lines and watershed boundaries.
		9	Area and location of any proposed common open space, with a description of the rationale used to locate the open spaces.
		10	If any common open space proposed: method of ownership and entity proposed to be responsible for maintenance.
		11	If any common open space proposed: description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities.
		12	Any proposed recreation trails, existing trails and trail easements.
		13	Principal buildings estimated to be 80 years or older that could be impacted by the project, with name and description.
		14	Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality). Where appropriate, the Township may allow a reservation for a future easement in place of a current easement.
		15	Vegetative cover conditions on the property according to general cover type including cultivated land, permanent grass land, meadow, pasture, old field, hedgerow, woodland and wetland, specimen trees, the actual canopy line of existing trees and woodlands. Vegetative types shall be described by plant community, relative age and condition. For woodlands, a woodlands evaluation report shall be submitted.
		16	Locations of individual mature trees of greater than 18 inches trunk diameter measured at a height of 3 feet above the surrounding average ground level, other than trees within forested areas and tree lines (not required for areas that will not be affected by the proposed plan, if so noted on the plan).
		17	Any proposed evergreen screening, buffer yards or earthen berming (if required by Zoning Ordinance).
		18	Areas of existing mature woods that are proposed to be protected and preserved or removed.
		19	General types, sizes and locations of any required street trees (see §1018), paved area landscaping (see Township Zoning Ordinance) and any other major proposed landscaping.
		20	Any proposed fencing (including height and type) and/or landscaping around stormwater basins (see §1008).
		21	An identification of major scenic views onto the tract and from the tract any portion of the tract identified as a Pennsylvania Natural Diversity Inventory (PNDI) site or that is included on a county or local Natural Areas Inventory.
		22	Any portion of the tract identified as a Pennsylvania Natural Diversity Inventory (PNDI) site or that is included on a county or local Natural Areas Inventory.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	E. MAN-MADE FEATURES: (with existing features graphically differentiated from proposed features)
yes	no		
		1	Existing and proposed lot lines.
		a	The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The surveyor's certification shall indicate the specific standard that was used, such as ALTAIACSM Minimum Standard Detail Requirements for a suburban survey.
		b	The boundaries of any residual tract which is 10 acres or more may be determined by deed (Any residual lot of less than 10 acres shall fully comply with this Ordinance).
		2	Location of existing monuments.
		3	Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
		4	Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the Township.) Where appropriate, the Township may allow a reservation for a future easement in place of a current easement.
		5	Existing and proposed (if known) building locations and their uses.
		6	Underground and overhead utilities, including locations, rights-of-way and easements, or a statement that none exist.
		7	Existing and proposed bridges, storm drains and culverts.
		8	Walls and other significant man-made features within and immediately adjacent to the property that impact upon the development.
		9	Streets, roads and all vehicle accesses.
		10	Locations of trails that have been in public use (pedestrian, equestrian, bicycle) are proposed on a municipal or county Recreation or Open Space Plan.
		11	Site features or conditions such as hazardous waste, dumps, underground tanks, active and abandoned wells, quarries, landfills, sand mounds, and artificial land conditions.
		12	Locations of historically significant sites or structures on the tract, including, but not limited to foundations, cellar holes, stone walls, earthworks, and burial sites. Any portion of the site located within an Historic District, and historical resources identified in the Township Comprehensive Plan.
		13	Streets, trails, utility corridors and other public infrastructure planned or proposed in local, regional or county plans or Official Maps.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	F. ZONING REQUIREMENTS:
yes	no		
		1	Applicable zoning district and required minimum lot area. See also required information under "Proposed Layout" below.
		2	Minimum setback requirements shown graphically for each lot and stated.
		3	Statement of type of water and sewer service proposed (such as "public water and public sewer").
		4	Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached or twin homes).
		5	Calculations and conservation easements to show compliance with Lot Averaging requirements, if applicable.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	G. PROPOSED LAYOUT:
yes	no		
		1	Total acreage of site and total proposed number of lots and dwelling units.
		2	Identification number for each lot (and for each building if more than 1 building per lot).
		3	Lot width (at minimum building setback line) and lot area for each lot. Where necessary to show compliance with the zoning ordinance, total lot area and (net)lot area shall be provided after deleting certain features and rights-of-way.
		4	Dimensions of each lot in feet.
		5	Existing rights-of-way and cartway widths and locations of existing streets, and statement of widths of existing or proposed streets adjacent to the tract.
		6	Proposed rights-of-way & cartway widths & locations of existing & proposed streets, including streets within other projects within 150 feet of the boundaries of tract.
		7	Street centerline information including bearings and distances.
		8	Horizontal curve data including radius, tangent, or arc length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field. See waiver provisions in §107.
		9	Right-of-way and curb lines with horizontal curve radii at intersections.
		10	Beginning and end of proposed street construction.
		11	Street improvements proposed by the applicant, including any acceleration/ deceleration lanes, traffic signal, street realignment or widening of abutting streets or shoulders. If the applicant will construct improvements before Final Plan approval, details of improvements shall be submitted with the Preliminary Plan. Otherwise, details of such improvements shall be required at Final Plan stage. See §1004.
		12	Any proposed curbing (place NA in Not Submitted column if not proposed).
		13	Any proposed sidewalks (place NA in Not Submitted column if not proposed), with any proposed handicapped ramps at intersections.
		14	Any proposed bicycle paths (place NA in Not Submitted column if not proposed).
		15	Names of existing streets and initial proposed names of new streets.
		16	Designation which streets are proposed to be dedicated to the Township or to remain private.
		17	Evidence that any proposed or intensified new street or driveway entrance onto a State or Township street will meet sight distance requirements, unless an appropriate Highway Occupancy Permit has already been approved for the use.
		a	If the exact driveway location is not known, the applicant shall still provide evidence that the sight distance requirements could be met at a recommended driveway location. A new driveway location would then only be approved in the future if that location also met Township requirements.
		b	Design speed of existing and proposed streets, and functional classification.
		c	Unless the plan includes a statement that driveways will not be constructed until after Final Plan approval, detailed information on shall be provided with the Preliminary Plan showing that the driveway will meet all requirements of the Township and PennDOT (if applicable).
		18	Sight distance triangles meeting Township requirements. See also the Township Driveway Ordinance.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	H. UTILITY PLAN: Symbols. As applicable, the following existing and proposed items for each lot, using symbols (or other symbols preapproved by the Township staff).
yes	no		
		1	Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines.
		a	Primary drain field (with dimensions from lot lines, and with depth of limiting zone and average percolation rate stated on plan).
		b	Secondary drain field - shall be perc tested, and dimensioned from lot lines.
		c	Suitable soil probe location, with depth to limiting zone.
		d	Unsuitable soil probe location, with depth to limiting zone.
		e	Suitable percolation test locations (2 sites required meeting DEP requirements), with average percolation rate.
		f	Unsuitable percolation test location(s) - if any.
		2	If on-lot sewage disposal service is proposed:
		a	proposed contour lines on same sheet as utility layout.
		b	location of existing and proposed wells, including those within 100 feet of the boundaries of the project.
		c	proposed or typical location of dwelling building.
		d	locations of soils with a seasonally high water table averaging less than 3 feet (see County Soil Survey).
		e	exact slope across primary and secondary sewage system sites.
		f	all soil test locations with results.
		g	sewage design flow.
		3	If central sewage service is proposed:
		a	proposed contour lines on same sheet as utility layout.
		b	location and size of mains and laterals, with locations corresponding to stationing on the profile.
		c	locations of manholes, with invert elevation of flow line and grade at top of each manhole.
		d	proposed lot lines and any proposed easements or rights-of-ways needed for the utilities.
		e	location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines.
		f	type, size, length and grade of sewer lines.
		g	sewage design flow and a discussion of the feasibility of the proposed service
		4	If central water service is proposed:
		a	location and size of existing and proposed waterlines.
		b	existing and proposed fire hydrant locations.
		c	distance noted that water lines will have to be extended to reach existing lines (if not already abutting the tract).
		d	proposed lot lines and any proposed easements or rights-of-ways needed for the utilities.
		5	Evidence that adequate water supply will be available, including an estimate of total usage and a description of any new wells, expansions or new construction that will be needed. If a central water system will be used, evidence shall be provided that adequate capacity will be available. See §1010 about whether a groundwater study is needed and the components of such a study.
		6	Any existing and proposed underground natural gas, electrical, telephone, cable TV or other utility lines, with any easements shown that will affect development. Where appropriate, the Township may allow a reservation for a future easement in place of a current easement.

Submitted		#	H. UTILITY PLAN: Symbols. As applicable, the following existing and proposed items for each lot, using symbols (or other symbols preapproved by the Township staff).
yes	no		
		7	List of contacts for all underground utilities in the area, with phone numbers stated on the grading plans (as required by State Act 172)

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	I. GRADING AND STORMWATER MANAGEMENT PLAN: (unless deferred to Final Plan submission under §107.B.6)
yes	no		
		1	Existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets.
		2	Capacity, depth, dimensions and locations of detention basins.
		3	Pre-development and post-development drainage maps/watershed areas for each detention basin or major drainage channel or point of concentration, and also showing any off-site tributary area.
		4	Locations of any proposed or existing stormwater easements.
		5	Intended design year standards for culverts, bridge structures and/or other stormwater facilities.
		6	Schematic location of all underground utilities.
		7	Entity responsible to maintain/ own any detention basin.
		8	Any additional information needed under §1008 or the Township Stormwater Management Ordinance.
		9	Existing and proposed contour lines (see description under "Natural Features").
		10	Where cuts or fills extend beyond the right-of-way, cross-sections at 50 feet intervals shall be required unless waived by the Township.
		11	Narrative report prepared in accordance with Township Stormwater Ordinance.
		12	Engineering and construction information for proposed basins and ponds, including side slopes, vegetation and emergency spillways.

See also profiles below. See stormwater calculations under "Supporting Documentation" below (O.12).

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	J. FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWIN DWELLINGS:
yes	no		
		1	For townhouses or apartments, evidence that the project meets the density requirements of the Zoning Ordinance.
		2	Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance.
		3	Arrangement of off-street parking spaces, parking aisles, off-street loading areas and extent of areas to be covered by gravel or asphalt.
		4	For townhouses, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences or walls or plantings between rear yards).
		5	Illustrative sketches of exteriors of proposed buildings (encouraged but not required).
		6	Number, sign area, height and location of proposed signs.
		7	Major types, heights and locations of outdoor lighting.
		8	Location of any proposed outdoor storage areas.
		9	Note stating total square feet of paved area, including gravel areas.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	K. EROSION AND SEDIMENTATION PLAN: (may be submitted at the Final Plan stage if the applicant provides a written and signed statement that earth will not be disturbed until after Final Plan approval).
yes	no		
		1	Drawings showing locations and types of proposed erosion and sedimentation control measures, complying with the regulations and standards of the County Conservation District and DEP.
		2	Narrative describing proposed soil erosion and sedimentation control methods.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	L. ROAD PLAN-PROFILES: (with profile drawings on same sheet as plan drawings; unless waived under §107)
yes	no		
		1	Profile of existing and proposed ground surface along centerline of street.
		2	Proposed centerline grade with percent on tangents and elevations at 50 feet intervals.
		3	All vertical curve data including length, elevations and minimum sight distance as required by Article 10.
		4	Cross sections at 50 feet intervals if required by the Township

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	M. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (with profile drawings on same sheet as plan drawings) (Unless waived under §107)
yes	no		
		1	Profile of proposed ground surface with elevations at top of manholes or inlets.
		2	Profiles of storm sewer and sanitary sewer lines, corresponding to stationing of any street.
		3	All line crossings of other utilities.
		4	Slope, size, type and length of water and sewer pipes.
		5	Invert elevation and top of grate or manhole elevation.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	N. CONSTRUCTION DETAILS: (Unless waived under §107)
yes	no		
		1	Detailed plan, engineering and cross-sectional drawings for proposed detention or retention basins or ponds, including slopes, spillways and vegetation.
		2	In addition, the Township may require submission of all construction details listed under §603.C. part O before preliminary plan approval if the applicant proposes to construct improvements before receiving final plan approval.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	O. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:
yes	no		
		1	<u>Residual Lands Sketch</u> . If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same landowner or under control of the same developer (or closely related corporations), then a sketch shall be submitted at an appropriate approximate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future potential street system. Such sketch shall demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands.
		2	<u>Sewage Planning</u> . If a sewage facility planning module is required by DEP, then prior to Preliminary Plan approval, the applicant shall submit 2 complete copies for Township use, plus shall submit copies of the module and required accompanying plans to various agencies as required under State regulations. The approval of a sewage planning module is not required until final plan approval, but the applicant shall provide evidence that they are actively working to comply with DEP procedures, including forwarding complete submittals to the proper review agencies.
		3	<u>Central Water</u> . If central water service is proposed by an existing water company or authority, the applicant shall provide a letter from such water company or authority which states that the company or authority expects to be able to adequately serve the development, that the proposed water system is generally acceptable and that references standard conditions or specifications required by the company or authority for the provision of services.
		4	<u>Public Sewage</u> . If service is proposed by a sewage authority, the developer shall submit a copy of a letter from the authority which states that the authority can adequately serve the subdivision. that the proposed sanitary sewage system is generally acceptable and that references standard conditions or specifications required by the authority for connection to the system.
		5	<u>Nonpublic Sewage</u> . If service is proposed by a central sewage system that is not publicly-owned, the developer shall provide sufficient information to show that the proposed system would be feasible, within DEP regulations and maintained and operated through an acceptable system.
		6	<u>Access to State Roads</u> . If access is proposed to a State highway: a) copy of any information submitted to PennDOT and any correspondence from PennDOT regarding the proposed access to State roads (this requirement applies throughout the entire approval process), and b) evidence that the proposed access will meet PennDOT sight distance requirements. See also "G.17" above.
		7	<u>Floodplain</u> . If the project would include any area within the 100 year floodplain or any watercourse, a statement from the Zoning Officer indicating that the proposed subdivision or land development would be in compliance with the Floodplain regulations of the Township.
		8	A statement describing the nature of the landowner's and the developer's involvement in the proposed development, and the names of the primary partners or chief officers of any corporate developer.
		9	Method of ensuring maintenance of any private street.
		10	List of any Modifications or Waivers requested to this Ordinance.
		11	Copies of the decisions of any zoning variances that arc relevant to the proposal.
		12	Stormwater Calculations meeting the requirements of §1008 and the Township Stormwater Management Ordinance, unless such requirement is deferred to Final Plan stage under §107.B.6. These calculations shall show a tabulated comparison of pre-development versus post-development runoff rates. These calculations shall also show: a. Detention basin design calculations (as applicable), b. Pipe and swale sizing calculations.
		13	For industrial operations or industrial storage: A written description of the proposed use in sufficient detail to indicate:

Submitted		#	O. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION:
yes	no		
		a	any noise, glare, smoke and fumes nuisances,
		b	to allow a general determination of possible fire, explosive, toxic, genetic, public health or other hazards and
		c	to estimate the amount, direction and times of any tractor-trailer truck traffic that is expected.
		14	If non-central sewage service is proposed, a copy of septic percolation test and soil probe results.
		15	A copy of the existing deed of the property(ies)
		16	Estimate of average weekday daily traffic that will be generated from a non-residential principal use.
		17	Traffic impact study if required under §1004.N. (that section lists the required components of such a study).
		18	Groundwater study if required under §1010.
		19	With each revision of a previously submitted plan, the Plan Preparer shall either:
		a	certify in writing that no changes were made to the Plan, other than changes requested by the Township, or
		b	list the changes that were made, other than those changes requested by the Township. It is not necessary to list typographic corrections.

504. CERTIFICATION.

All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor. At least one set of all plans provided to the Township, including revisions, shall bear original signatures and original seals of plan preparers, which shall be marked as a "Township File Copy."

505. FOUR-STEP DESIGN PROCESS FOR ALL MAJOR SUBDIVISIONS AND LAND DEVELOPMENTS.

All Preliminary Plans for all major subdivisions, all commercial and industrial subdivisions, and all land developments on sites of more than three (3) acres shall include documentation of a four-step design process in determining the layout of proposed conservation open space, house and development sites, roads and lot lines, as described below.

505.A. Intent. This process is intended to show everyone how the special features of the property relate to resource areas on adjacent lands, and how the development will properly relate to the features of the land that are most worthy of conservation. See the Existing Resources and Site Analysis Map provisions in §503.D-2. Existing conditions shall be accurately mapped.

505.B. Level of Detail. For the sole purposes of meeting this §505, the mapping of proposed development may be at a sketch plan level of detail.

505.C. Sketch Plan Stage. Applicants are strongly encouraged to submit these sketches as part of the sketch plan process, to avoid delays to the applicant in Preliminary Plan approval. Submittal at the sketch plan stage will greatly increase the likelihood that all issues will be able to be resolved in time to meet the standard 90-day time clock for approval of a preliminary plan, without needing time extensions.

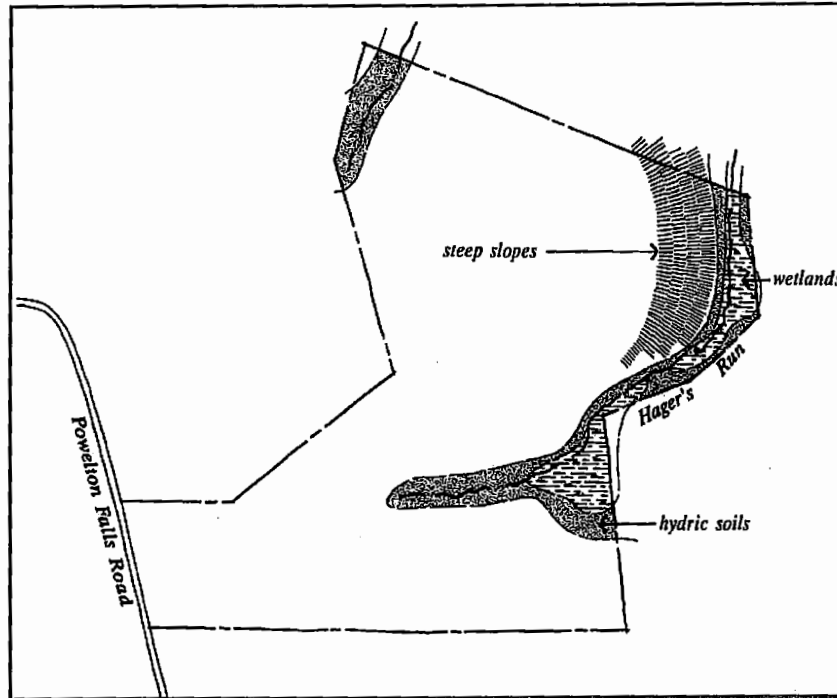
505.D. Four-Step Design Process. The Applicant shall document that the following Four-Step process has been used. The process should include consultation with the Township Planning Commission and the Township's professional consultants at the earliest stage possible.

1. Step 1: Delineation of Open Space and Stormwater and Wastewater Facilities. Using the map of Existing Resources and Site Analysis Map, the applicant shall delineate any areas that are proposed to be preserved

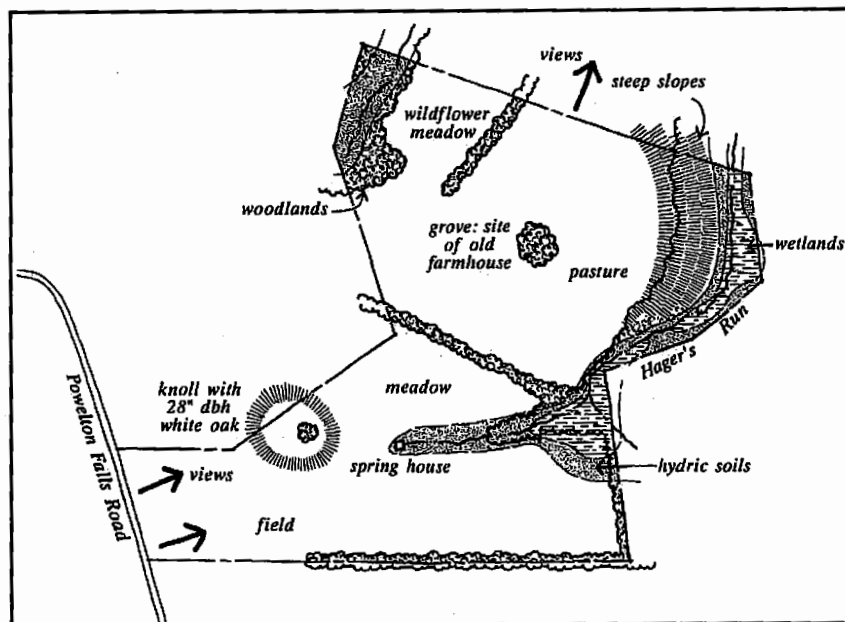
as Open Space or as required by §1007 or other sections of the Zoning Ordinance; and preferred locations for stormwater and wastewater facilities.

- a. The applicant shall document that every reasonable effort has been made to include all Primary Conservation Areas, plus enough Secondary Conservation Area, to meet or exceed any minimum acreage requirement for Open Space set forth in the Zoning Ordinance.
 - 1) The applicant shall prioritize natural and cultural resources in terms of their highest to least suitability for inclusion in the proposed Open Space in accord with and §506.B (Prioritized List of Secondary Conservation Areas) and Sections 506.C (Other Design Considerations).
 - 2) It is recognized that some intrusions into natural features may be necessary to allow reasonable uses of the land, provided that such development is carefully located and designed to minimize impacts upon valuable resources and features.
 - 3) The locations and boundaries of Secondary Conservation Areas shall be based on the priorities established above, practical considerations given to the tract's configuration, its context in relation to resources on adjoining properties, and the applicant's subdivision objectives. Secondary resources with the highest significance should be included in the Open Space. The applicant shall also be guided by any recommendations provided by the Township regarding the delineation of Secondary Conservation Areas, following the Site Visit and/or the Pre-Submission Consultation.
 - 4) The locations and boundaries of Primary Conservation Areas shall follow the actual boundaries of floodplains, wetlands, and steep slopes over 25 percent.
 - 5) Open Space shall be delineated in a manner clearly indicating Open Space boundaries as well as the types of resources included within them.
- b. Preferred locations for stormwater and wastewater management facilities shall be identified using the Existing Resources and Site Analysis Map as a base map.
 - 1) The design of these facilities should strive to use the natural capacity and features of the site to facilitate the management of stormwater and wastewater generated by the proposal.
 - 2) Opportunities to use these facilities as a buffer between the proposed Open Space and development areas are encouraged.
 - 3) Stormwater management facilities should be located in areas identified as groundwater recharge areas.
 - 4) Such facilities located within the Open Space may be counted toward the minimum Open Space requirement only if they meet the requirements of §901.1.8 of the Zoning Ordinance.
- c. Development areas shall be shown and are comprised of the remaining lands of the tract outside the Open Space, where dwellings, buildings, streets, other improvements and lots are to be located in accord with Steps 2, 3, and 4 below.

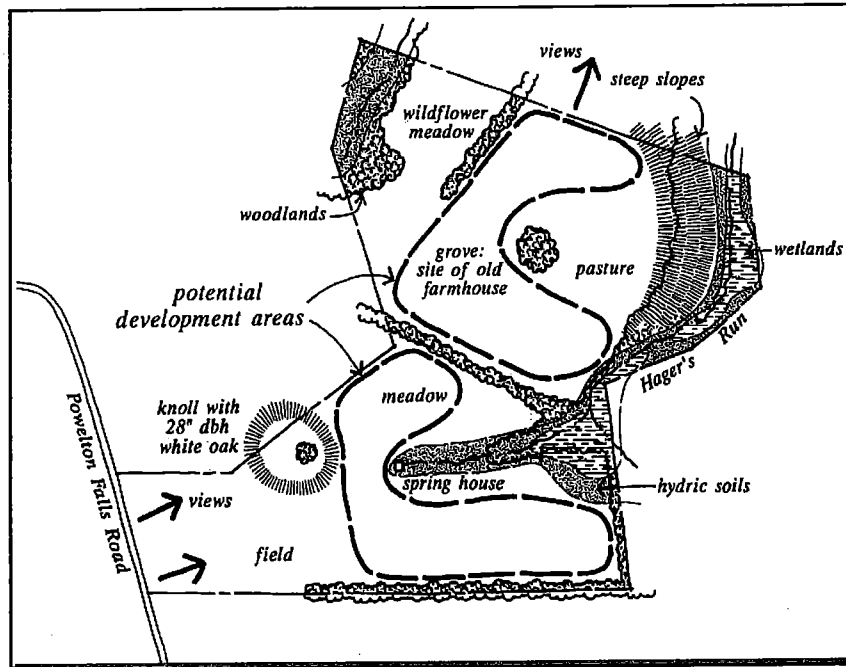
NOTE: The figures included in this section show a sample residential subdivision, and are for illustrative purposes only and not intended to show any specific ordinance design requirements.



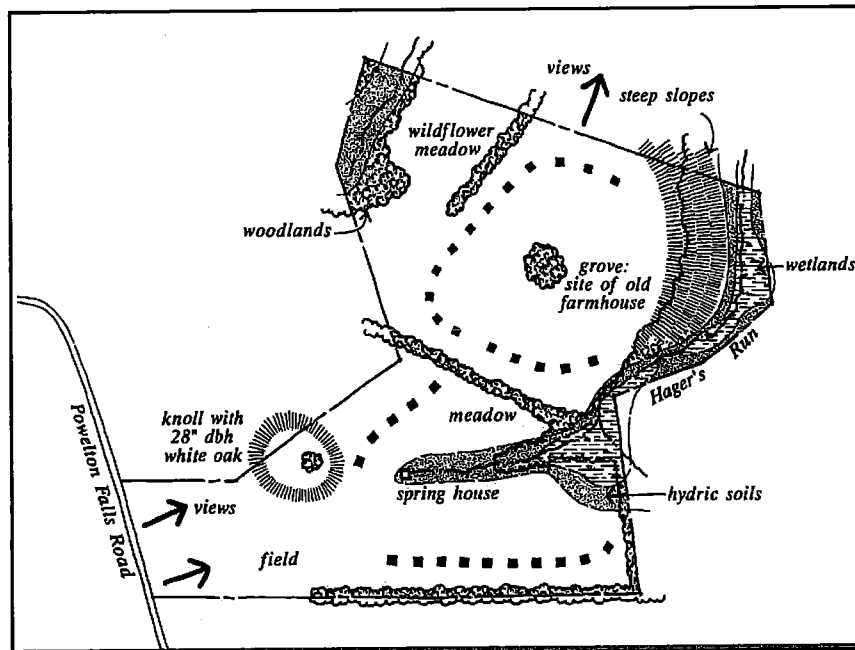
Step 1, Part 1 – Identifying Primary Conservation Areas



Step 1, Part 2 – Identifying Secondary Conservation Areas



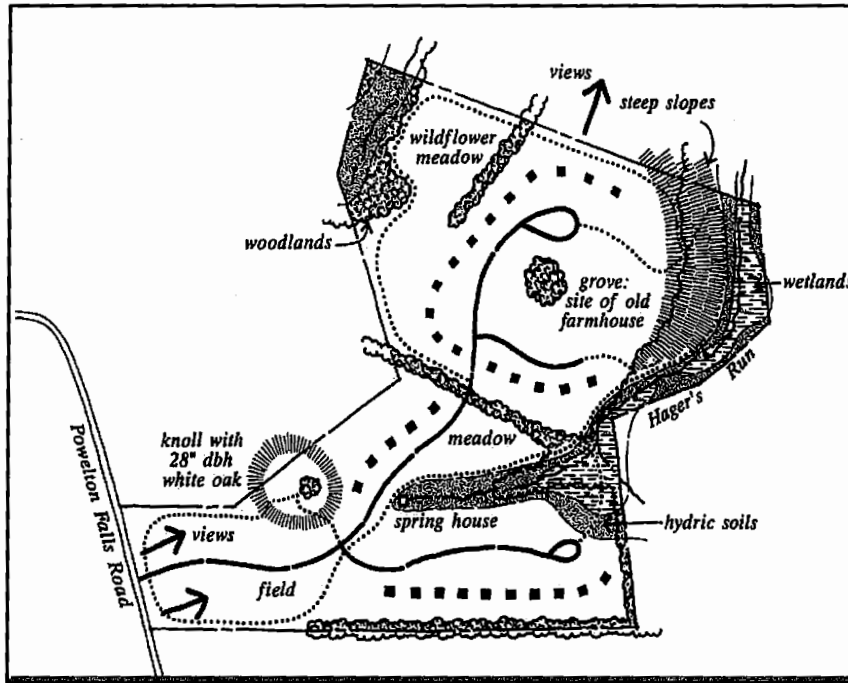
Step 1, Part 3 – Identifying Potential Development Areas



Step 2 – Location of House/Development Sites

2. **Step 2: Locations for Dwelling Units and Principal Buildings.** Dwelling units shall be tentatively located, using the proposed Open Space from Step 1 as reference and orientation as well as other relevant data on the Existing Resources and Site Analysis Map. Dwelling units/ shall be sited to:

- a. Fit the tract's natural topography;
- b. Provide views of and access to adjoining Open Space; and
- c. Avoid encroaching upon Open Space in a manner visually intrusive to users of such areas.



Step 3 – Layout of Infrastructure

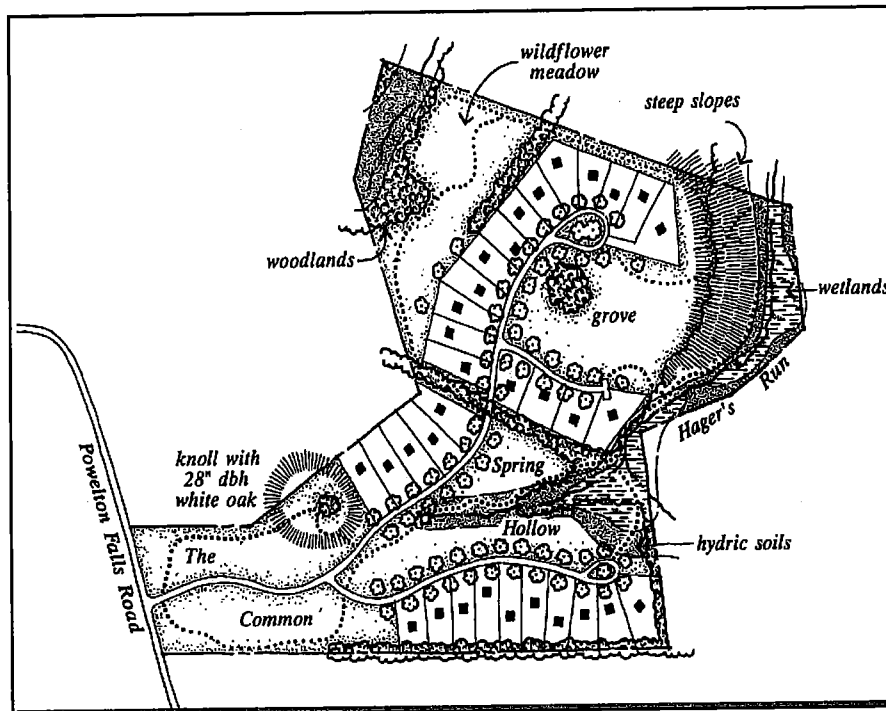
3. Step 3: Designing Infrastructure.

- a. Once dwelling units/principal buildings have been located, applicants shall delineate a street, access and parking system that provides a safe pattern of vehicular and pedestrian access to each building. Streets and trails shall conform to the tract's natural topography and provide for a safe pattern of circulation to, from and within the tract.
- b. Streets and driveways crossing wetlands and traversing slopes over 15 percent shall be avoided to the greatest extent practicable.
- c. Street connections are encouraged in order to minimize the number of new cul-de-sacs and to facilitate easy access to and from homes in different parts of the tract and on adjoining parcels. Three way intersections shall be preferred over 4-way intersections.
- d. Lots and principal buildings shall generally be accessed from interior streets, rather than from roads bordering the tract.
- e. A tentative network of trails shall be shown, where appropriate, providing access to natural and cultural features in the Open Space. Potential trail connections to adjacent parcels shall also be shown in areas where a county or municipal trail network is envisioned.
- f. Common greens, shaped by the street system, shall meet the requirements of §506.C.6.

4. Step 4: Design of Lot/Development Lines.

- a. Lot lines shall follow the configuration of dwelling/principal building locations and streets in a logical and flexible manner.

- b. Lot lines may not be applicable in certain cases. (e.g., condominium home ownership, nonresidential land development.)



Step 4 – Drawing in the Lot/Development Lines

506. CONSERVATION OPEN SPACE STANDARDS.

The design of open space proposed in any subdivision or land development plan shall reflect the standards set forth in this §506 and the resources identified on the Township Map of Potential Conservation Lands and the development's Existing Resources and Site Analysis.

506.A. Primary Conservation Areas. The applicant shall document that every reasonable effort has been made to include all Primary Conservation Areas, in Open Space and the disturbance of such areas is strictly minimized:

1. Wetlands.
2. Floodway.
3. Floodplain.
4. Slopes in excess of twenty-five (25) percent.

506.B. Prioritized List of Secondary Conservation Areas. The design shall, to the fullest extent possible, incorporate the following secondary conservation areas which are listed in order of priority:

1. Significant habitat and species listed as endangered, threatened, or of special concern, such as those listed in the Pennsylvania Natural Diversity Inventory and County and local Natural Areas Inventories.
2. Class I, II and III agricultural soils as defined by the USDA Natural Resources Conservation Service.
3. Areas where precipitation is most likely to recharge local groundwater resources because of topographic and soil conditions affording high rates of infiltration and percolation.

4. Precautionary steep slopes 15-25 percent, particularly those adjoining watercourses and ponds, due to the potential for soil disturbance leading to erosion that is detrimental to water quality.
 5. Visually prominent topographic features such as knolls, hilltops and ridges, and scenic views as seen from public roads (particularly those with historic features). Significant views from within the site outward shall also be considered.
 6. Healthy woodlands, particularly those performing important ecological functions such as soil stabilization and protection of streams, wetlands and wildlife habitats.
 7. Hedgerows, groups of trees, specimen trees and other unique or significant vegetation features.
 8. Historic structures and sites.
 9. Existing or proposed trails connecting the tract to other locations in the Township.
- 506.C. Other Design Considerations. The configuration of proposed open space set aside for common use in residential subdivisions and open space in non-common ownership shall comply with the following standards:
1. Be free of all structures, except historic buildings, structures related to greenway uses and utilities as permitted by the Zoning Ordinance.
 2. Be undivided by public or private streets, except where necessary for proper traffic circulation.
 3. Be interconnected wherever possible to provide a continuous network of Open Space within and adjoining the subdivision.
 4. Be suitable for active recreational uses, where deemed appropriate by the Board of Supervisors, without interfering with adjacent dwelling units, parking, driveways, and roads.
 5. Provide buffers to adjoining parks, preserves or other protected lands.
 6. Include common greens. An individual green shall be 5,000-30,000 square feet. Greens shall be surrounded by streets and dwellings on at least 2 and often 3 or 4 sides. Dwellings shall face the green. Common greens may be designed as terminal vistas within a street system.
 7. Provide for pedestrian paths and trails for use by the residents of the subdivision and/or the Township, except in those cases where part of the Open Space is located within private residential lots. Consideration shall be given to providing for public access on such trails if they are linked to other publicly accessible pathway systems within the Township.
 8. Provide pedestrian and maintenance access to Open Space such that no more than 15 lots shall be contiguous to each other without a centrally located access point meeting the following standards:
 - a. The minimum width of the access strip shall ideally equal the minimum width of a lot, and in no case shall be less than 50 feet.

- b. The minimum width of the access strip shall extend the full depth of the adjacent lots.
 - c. Access to Open Space used for agriculture or horticulture may be restricted or prohibited for public safety and to prevent interference with agricultural operations.
9. Generally not include parcels smaller than 3 acres, have a length-to-width ratio of less than 4:1, or be less than 75 feet in width, except for such lands specifically designed as neighborhood greens, playing fields, trail links and boulevard or cul-de-sac islands.
 10. Directly adjoin the largest practicable number of lots within the subdivision or development. At least 75 percent of the lots shall directly abut or face Open Space across a street.
 11. Minimize views of new dwellings from exterior roads and abutting properties by the use of changes in topography, existing vegetation, or additional landscaping which meets the landscaping requirements of this Ordinance.
 12. Be consistent with the policies of the Township Comprehensive Plan and Open Space Plan.
 13. Open Space shall be delineated on the ground by any or all of the methods listed below. The Board of Supervisors shall have the sole discretion of approving the location, design and materials used for the delineation of Open Space.
 - a. Markers.
 - b. Small signs, no larger than 1.5 square feet.
 - c. Individual sections of split rail or post & rail fencing, as long as the fencing is not continuous and does not restrict or prohibit public access.
 - d. Vegetative plantings, landscaping.
 - e. Other similar and appropriate methods.
- 506.D. Ownership and Maintenance. Applicants shall demonstrate compliance with the requirements of §809 related to open space ownership and maintenance.

**ARTICLE 6
FINAL PLANS FOR SUBDIVISIONS
AND CERTAIN LAND DEVELOPMENTS**

601. APPLICABILITY.

This Article lists the requirements for final plans for a major subdivision or any land development, except that a "land development" that is not a "major subdivision" and that only involves the following may be submitted under the simplified requirements of Article 7: a) a lot line adjustment, b) a single non-residential building of up to 3,500 square feet of building floor area with no new dwelling units on an existing lot, or c) minor corrections or minor revisions to a previously approved plan as specified in §704.

602. SUBMISSION AND REVIEW PROCEDURE.

602.A. Final Plan Submission Required.

1. A Final Plan Submission for each major subdivision or land development must be filed by the applicant and reviewed in accordance with the provisions of this Article 6.
2. A Final Plan shall only be submitted after a Preliminary Plan has been approved by the Board of Supervisors, if a Preliminary Plan is required.

602.8. Final Plan Submission Deadline. An applicant shall file a Final Plan Submission within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors. Failure to comply with this requirement shall render the Preliminary Plan Submission null and void, and a new Preliminary Plan Submission must be filed under any currently applicable ordinances.

602.C. Filing and Distribution.

1. The Applicant shall file with the Township Staff at least 10 calendar days prior to a regular Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under §603. Any subsequent submittal of revised plans shall be submitted at least 10 days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the Planning Commission. These deadlines may be revised by resolution of the Board of Supervisors.
2. The Township Staff shall forward applicable plans to the following agencies to seek their comments prior to Final Plan Approval:
 - a. Municipal Authority or Sewage Enforcement Officer (if applicable),
 - b. Township Fire Chief (layout and utility plan, if not reviewed at the preliminary plan level and if deemed appropriate by the Planning Commission or Township Staff),
 - c. the appropriate Township staff (including 1 official "file" copy of all materials submitted by the applicant),
 - d. the Township Planning Commission (including copies of the Application Form, at least 1 copy of the Preliminary Plan Checklist, several copies of the Preliminary Plan and at least 1 copy of the Supporting Documents), with such information provided at or before the next regularly scheduled meeting of the

Commission, and the Township Engineer and any other Township consultant on the matter.

3. Applicant's Distribution. It is the applicant's responsibility to:
 - a. make agreements with the appropriate utility companies,
 - b. submit a complete application to PennDOT for any needed permit for access to or work within a State road right-of-way,
 - c. provide information to DEP or other agencies for any permits that might be required,
 - d. submit a copy of the soil erosion and sedimentation plan to the County Conservation District, and pay their required review fees, if earth disturbance is proposed, and if such erosion control plan was not approved at the preliminary plan level,
 - e. provide a copy of the plans to the County Planning Commission, with any required fee, and
 - f. if a sewage facility planning module is required by DEP, the applicant shall submit 2 complete copies for Township use, plus shall submit copies of the module and plans to various agencies as required under State regulations. A sewage planning module shall be completed and fully approved prior to final plan approval.
4. The filing of the Final Plan shall conform with the approved Preliminary Plan and any conditions and changes recommended by the Township during the Preliminary Plan review.
5. Revisions. A detailed list of revisions from a previously submitted plan shall be provided whenever a revised plan is submitted. The developer's plan preparer shall certify that the list of revisions is complete.

602.D. Determination of Completeness by Commission.

1. Based upon the initial review of the Township Staff and/or the Township Engineer, the Commission shall have authority, at its first regularly scheduled meeting after the Submission is filed in a timely fashion, to determine that a submission is significantly incomplete and therefore to refuse to review the submission further and to do one or more of the following:
 - a. Not accept the Submission, indicating deficiencies in writing, and return the fee (minus the costs of any Township review) to the Applicant.
 - b. Accept the Submission as being filed for review on the condition that the Applicant shall file such additional required materials and information to the Staff or appropriate agency or person within a certain number of days from the date of such acceptance.
 - c. Table the acceptance of the submission until the next Planning Commission meeting where the applicant has met all of the submittal requirements, and has filed such materials within the required time period prior to the meeting. The 90 day time limit for action shall not begin until the plan is accepted as complete.
 - d. Recommend that the Plan be rejected by the Board of Supervisors for just cause, such as the submission being incomplete.

2. If the Commission determines that the Submission is complete, as filed and as required, the Commission shall accept the plans and may begin its review.
3. If the Commission determines that a Final Plan Submission, as filed, departs substantially from the approved Preliminary Plan, the Commission may classify the submission as a Revised Preliminary Plan (with the applicable review fees required) and process the application as such.

602.E. Review by Township Engineer.

1. The Township Engineer shall review the submission and provide one or more report(s) to the Planning Commission and Board of Supervisors. Matters that should be dealt with directly by the Planning Commission and/or the Board of Supervisors should be listed separately from technical engineering considerations.
2. The Applicant and/or his/her plan preparer shall make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings. The Township Engineer may require the applicant or his her plan preparer to meet with the Township Engineer for this purpose.
3. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his/her representative by the Township Staff.

602.F. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of Pennsylvania Municipalities Planning Code (unless the Applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Supervisors.

1. Review applicable reports received from official review agencies,
2. Consider whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances,
3. Recommend some/all of any needed revisions needed for the Submission to conform to this Ordinance or that would generally improve the plan.
4. Recommend approval, conditional approval, or disapproval of the Final Plan Submission in a written report to the Board of Supervisors. The Commission may recommend conditions for approval or describe requirements which have not been met.

602.G. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the report of the Commission and any reports received from official reviewing agencies,
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time limits established by the Municipalities Planning Code. As of the adoption date of this Ordinance, State law requires:
 - a. the Board of Supervisors to act not later than 90 days following the date of the first regular meeting of

the Commission held after the Final Plan has been properly filed; but in no case shall the Board of Supervisors' decision be made later than 120 days following the date the submission was accepted as being filed for review, unless the Applicant grants a written extension of time; and

- b. that no subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever comes first.

602.H. Decision by Board of Supervisors.

1. Notice to Applicant. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to him/her at his/her last known address not later than 15 days following the decision.
2. Dedications.
 - a. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or arca, unless the such acceptance is specified at such time.
 - b. Any such acceptance of dedication shall only occur after formal action of the Township at such time.
 - c. As part of an improvements agreement, if the Board of Supervisors elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered.
 - d. The Board of Supervisors may require that a sub divider provide title insurance.
3. Disapproval. When a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Conditions. The Board of Supervisors may attach reasonable conditions to an approval to ensure the carrying out of this Ordinance, other Township Ordinances and State laws and regulations. The applicant shall have a maximum 30 days after the action of the Board of Supervisors to accept or reject the conditions upon an approval. If the applicant does not reject a condition in writing within such 30 day period, the conditions shall be considered to have been accepted. If a condition is rejected by the applicant, the submittal shall be considered to have been disapproved, except as otherwise provided through a court challenge.

602.I. Development in Stages.

1. If requested by the Applicant, the Board of Supervisors may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision or land development as shown on the Preliminary Plan.
2. If Final Plans are to be filed in sections or stages, each section or stage shall provide sufficient access, utilities and amenities to allow the development to properly function if future stages are not built.
3. The boundaries of phases and the timing of related improvements shall be subject to the approval of the

Board of Supervisors.

602.J. Statement of Approval. At the request of the applicant, the Township shall furnish the applicant with a signed copy of a resolution indicating approval of the applicant's final plan contingent upon the applicant providing a satisfactory financial security. The final plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not provided within 90 days, unless a written extension is granted by the Township.

603. FINAL PLAN REQUIREMENTS.

603.A. All of the information and materials listed in this section are required as part of all final plans for: 1) a major subdivision or 2) a land development. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions. The applicant shall submit completed photocopies of this section as part of the application.

603.B. The required information listed in this §603 may be combined or separated onto different sheets, provided that the plans will be clearly readable. If a particular plan or item was submitted at the Preliminary Plan stage, and is still complete and accurate, then the applicant may reference that submittal in the Final Plan submission instead of providing additional copies.

**§603.C.
Final Plan for Major Subdivisions and Certain Land Developments
Checklist and List of Submittal Requirements**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No(s): _____

Applicant's Signature: _____ Date of Submittal: _____

- See §502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.
- The applicant shall submit completed photocopies of this §603.C as part of the application.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	A. GENERAL SUBMISSION ITEMS: In addition to the required number of paper copies, all filings shall include two (2) compact disks with all documents in electronic Portable Document File (PDF) format and AutoCAD format or other electronic format approved by the Township. (The Township may require the Applicant to file additional copies)
yes	no		
		1	2 copies of completed Township application form (see Appendix A).
		2	Submittal of Township review fee(s)/escrow.
		3	2 copies of the Final Plan Checklist (using the photocopies of the pages in this Section).
		4	14 print copies of the complete Final Plans, with one copy submitted to the Township marked "File Copy" with original signatures and seals of Plan Preparers.
		5	3 additional print copies of only the Layout Plans.
		6	3 sets of Supportive Documents.
		7	Receipt showing plans were delivered by applicant to County Planning Commission.
		8	If a sewage facility planning module is required by DEP, the applicant shall submit 2 complete copies for Township use, plus shall prove that all copies have been sent as required to review agencies.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.
yes	no		
		1	Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). A plan shall not be smaller than 18 by 24" in size. All copies of plans should be folded to approximately 9"x12" size in such a manner that the title of the sheet faces out, except exceptionally large and thick sets of plans may be rolled.
		2	Plans drawn at a scale of 1 inch = 50 feet or other scale pre-approved by the Township.
		3	All dimensions set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds. Dimensions shall be expressed to the nearest hundredth of a foot.
		4	Differentiation between existing and proposed features.
		5	Boundary line of the tract, shown as a heavy boundary line.
		6	If layout plans involve more than one sheet, a map of the layout of the entire project at an appropriate scale on one sheet, with a key map showing how the layout sheets connect.

Submitted		#	B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.
yes	no		
		7	If the tract(s) crosses a municipal boundary, a map showing both the portions in Ross Township and the other municipality, in sufficient detail for the Township to determine how the parts will interrelate.
		8	Required profiles shall be shown at an exaggeration of 5; a scale of 1"=50' horizontal and 1"=10' vertical is preferred.
		9	All sheets numbered and listed on one page.
		10	Words "Final Plan" and sheet title (such as "Layout Plan") on each sheet.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	C. GENERAL INFORMATION:
yes	no		
		1	Name of project on each sheet.
		2	Name of landowner and developer (with addresses).
		3	Names and addresses of abutting property owners, with deed references and property identification numbers for adjacent properties.
		4	Lot lines of adjacent lots, and approximate locations of any buildings, common open spaces, detention basins or drainage channels existing or approved within 150 feet of the boundaries of the proposed project.
		5	Notarized Owners Statement (See Appendix B).
		6	Surveyor and plan preparer's statement (See Appendix B).
		7	Approval/review signature blocks for: Township Board of Supervisors, Township Planning Commission and County Planning Commission (see Appendix B).
		8	Context map at a standard scale (preferably 1"=500' or larger, unless a smaller scale is needed to fit on a single sheet) showing the boundaries of the project in relation to the approximate location of the following features within 1,000 feet from the boundaries of the tract: existing and proposed streets, waterways, trails, preserved open spaces, parks, zoning boundaries and municipal borders.
		9	Location map at 1"=2000' scale using USGS map with major road names added.
		10	North arrow, graphic scale, written scale.
		11	Date of plan and all subsequent revision dates (especially noting if is revision of a previously approved plan) with space for future revision dates and notations of general type of revisions.
		12	Deed Book volume and page number from County records.
		13	Existing tax map, block and lot numbers for tract being subdivided.
		14	A statement on the plan of proposed principal uses that are intended on each lot.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	D. EXISTING RESOURCES AND SITE ANALYSIS MAP:
yes	no		
		1	Existing contour lines shown at the same scale as the layout plan as follows: (Note - Contours are not required to be shown within areas of lots of 10 acres or more that the Plan states are clearly not intended to be altered as a result of this proposed approval, unless needed for stormwater management.)

Submitted		#	D. EXISTING RESOURCES AND SITE ANALYSIS MAP:
yes	no		
		a	shall be based on a field surveyor photogrametric procedure that was done at a scale of 1"= 100' or larger, with an established bench mark.
		b	The contour interval shall be sufficient to determine compliance with Township ordinances. An interval of 2 feet for slopes of less than 15% and 5 feet for slopes of 15% or greater is required.
		2	Identification of any slopes of 15 to 25 percent, and greater than 25 percent.
		3	Watercourses (with any name), natural springs, lakes, ridge lines.
		4	<u>Wetlands</u> . Detailed delineations by a qualified professional of wetlands are required with a metes and bounds description and shall be dimensioned from lot lines, unless: the Plan states that no alteration, buildings, earthmoving, driveways or septic systems will occur within 200 feet of any areas that could be reasonably suspected of being wetlands. In such case, only the approximate areas of such wetlands need to be shown.
		a	The applicant may be granted Final Plan approval conditioned upon receipt of all required Federal and State wetland permits.
		b	See the "supporting documentation" portion of this section regarding wetland studies and "notations" below.
		5	Location of any areas within the 100 year floodplain (with differentiation between flood way and flood fringe if available from official Federal floodplain maps). A copy of the official FEMA floodplain map shall be included, with the property boundary highlighted.
		6	Approximate locations and names of soil types based upon the County Soil Surveyor more detailed professional study, with identification of the following types of soils: alluvial, hydric, depth to bedrock of less than 3 feet or a seasonally high water table of less than 3 feet. If such soils do not exist, that shall be stated on the Plan.
		7	Area and location of any proposed common/conservation open space (if none proposed, place "W" in Not Submitted Column).
		8	If any common open space or conservation open space is proposed: method of ownership and entity proposed to be responsible for maintenance.
		9	If any common or conservation open space proposed: description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities or trails.
		10	Principal buildings estimated to be 80 years or older that are proposed to be impacted by the project, with name and description.
		11	Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality).
		12	Locations of tree lines and existed forested areas, with a description of the approximate average trunk diameter of the largest trees on the tract.
		13	Any proposed evergreen screening, buffer yards or earth berming (if required by Township Zoning Ordinance).
		14	Areas of existing mature woods that are proposed to be protected and preserved or removed.
		15	General types, sizes and locations of any required street trees parking lot landscaping and any other major proposed landscaping.
		16	Any proposed fencing (including height and type) and/or landscaping around any stormwater detention basin (see §1008).

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	E. MAN-MADE FEATURES:
yes	no		
		1	Existing and proposed lot lines. The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The boundaries of any residual tract which is 10 acres or more may be determined by deed. Any residual lot of less than 10 acres shall fully comply with this Ordinance.
		a	The surveyor's certification shall indicate the specific standard that was used, such as ALTA/ACSM Minimum Standard Detail Requirements for a suburban survey.
		2	Location of existing and proposed monuments.
		3	Sufficient measurements of all lots, streets, rights- of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
		4	Existing and proposed (if known) building locations and land uses.
		5	Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development, with a statement of whether easements and rights-of-ways are proposed to be offered for dedication or use by the Township.
		6	Existing and proposed underground and overhead utility lines, including locations, rights-of-way and easements, or a statement that none exist.
		7	Existing and proposed bridges, storm drains and culverts.
		8	Walls and other significant man-made features within and immediately adjacent to the property that impact upon the development.
		9	Existing and proposed streets, roads and all vehicle accesses.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	F. ZONING REQUIREMENTS:
yes	no		
		1	Applicable zoning district, required minimum lot area, lot width (at minimum building setback line) and lot area for each lot. Where necessary to show compliance with the zoning ordinance, total lot area and (net) lot area shall be provided after deleting certain features and rights-of-way.
		2	Minimum setback requirements shown graphically for each lot and stated as a note.
		3	Statement of type of water and sewer service proposed (such as "well and on-lot septic").
		4	Required and proposed building coverage and impervious coverage (may be stated as "typical proposed" for single family detached or twin homes).
		5	Calculations and conservation easements to show compliance zoning requirements.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	G. PROPOSED LAYOUT:
yes	no		
		1	Total acreage of site and total proposed number of lots and dwelling units.
		2	Identification number for each lot (and for each building if more than 1 principal building per lot).
		3	Lot width (at minimum building setback line) and lot area for each lot. Where necessary to show compliance with the zoning ordinance, total lot area shall be stated, as well as lot area after deleting features and rights-of-way as provided in the zoning ordinance.
		4	Dimensions of each lot in feet.

Submitted		#	G. PROPOSED LAYOUT:
yes	no		
		5	Existing rights-of-way and cartway widths and locations of existing streets, including existing streets within 200 feet of boundaries of tract.
		6	Proposed rights-of-way and cartway widths and locations of existing and proposed streets, including statement of widths of existing and proposed streets adjacent to the tract.
		7	Street centerline information, including bearings and distances.
		8	Horizontal curve data including radius, tangent, or length and delta, cord bearing and distance. Such information may be listed in a table, using reference numbers on a plan, provided that sufficient information is provided along each course (such as radius and arc length) such that each course can be reproduced in the field.
		9	Right-of-way and curb lines with horizontal curve radii at intersections.
		10	Beginning and end of proposed street construction.
		11	Street improvements proposed by the applicant (such as including any acceleration/deceleration lanes, traffic signal, street re-alignment or construction improvement). See §1004.
		12	Any proposed curbing (place W in Not Submitted column if not proposed).
		13	Any proposed sidewalks (place NA in Not Submitted column if not proposed), with any proposed handicapped ramps at intersections.
		14	Any proposed bicycle paths (place NA in Not Submitted column if not proposed).
		15	Names of existing streets and initial proposed names of new streets.
		16	Designation of streets proposed to be dedicated to the Township or to remain private.
		17	Evidence that a proposed or intensified street or driveway entrance to a State or Township street will meet PennDOT sight distance requirements, unless an appropriate valid Highway Occupancy Permit has already been approved for the use. See sight distance requirements in §1004 and the Township Driveway Ordinance.
		a	If the exact driveway location is not known, the applicant shall provide evidence that the sight distance requirements could be met at a recommended driveway location. A new driveway location would then only be approved in the future by the Township Staff if that location also met Township requirements.
		18	Design speed of existing and proposed streets and functional classification (such as "local street").
		19	Sight distance triangles meeting Township requirements. See also the Township Driveway Ordinance.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	H. UTILITY PLAN:
yes	no		
		1	<u>Symbols.</u> As applicable, the following existing and proposed items for each lot, using generally accepted surveying symbols:
		a	Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines.
		b	Primary drain field (with dimensions from lot lines, and with depth of limiting zone and average percolation rate stated on plan).
		c	Secondary drain field - shall be perc tested, and dimensioned from lot lines.
		d	Suitable soil probe location, with depth to limiting zone.
		e	Unsuitable soil probe location, with depth to limiting zone.

Submitted		#	H. UTILITY PLAN:
yes	no		
		f	Suitable percolation test locations (2 sites required meeting DEP requirements), with average percolation rate.
		g	Unsuitable percolation test location(s) - if any.
		2	If on-lot sewage disposal service are proposed: (See also "Supporting Documentation" below)
		a	proposed contour lines on same sheet as utility layout
		b	location of existing and proposed wells, including wells within 100 feet of the boundaries of the project.
		c	proposed or typical location of dwelling/building.
		d	locations of soils with a seasonally high water table averaging less than 3 feet (see County Soil Survey).
		e	exact slope across primary & secondary septic sites.
		f	all soil test locations with results.
		g	sewage design flow.
		3	If centralized sewage service is proposed:
		a	proposed contour lines on same sheet as utility layout.
		b	location and size of lines and laterals, with locations corresponding to stations on the profile.
		c	locations of manholes, with invert elevation of flow line and grade at top of each manhole.
		d	proposed lot lines and any proposed easements or rights-of-ways needed for the utilities.
		e	location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines.
		f	type, size, length and grade of sewer lines.
		g	sewage design flow and a discussion of the feasibility of the proposed service.
		4	If centralized water service is proposed:
		a	location and size of existing and proposed waterlines.
		b	existing and proposed fire hydrant locations.
		c	distance noted that water lines will have to be extended to reach existing lines (if not already abutting the tract).
		d	proposed lot lines and any proposed easements or rights-of-ways needed for the utilities.
		5	Evidence that adequate water supply will be available, including an estimate of total usage and a description of any new wells, expansions or new construction that will be needed. See §1010 about whether a groundwater study is needed and the components of such a study.
		6	As applicable, existing and proposed underground natural gas, electrical, telephone, cable TV and any other utility lines, with any easements shown that will affect development.
		7	List of contacts for underground utilities in the area, with phone numbers stated on the grading plans, as required by State Act 172.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	I. GRADING AND STORMWATER MANAGEMENT PLAN:
yes	no		
		1	Existing and proposed storm drainage facilities or structures, including detention basins (with capacity), swales, pipes (with sizes), culverts and inlets.
		2	Capacity, depth, dimensions and locations of detention basins.

Submitted		#	I. GRADING AND STORMWATER MANAGEMENT PLAN:
yes	no		
		3	Pre-development and post-development drainage maps/watershed areas for each detention basin or major drainage channel or point of concentration, and also showing any off-site tributary area.
		4	Locations of any proposed or existing stormwater easements.
		5	Intended design year standards for culverts, bridge structures and/or other stormwater facilities.
		6	Schematic location of all underground utilities.
		7	Entity responsible to maintain/ own any detention basin.
		8	See also requirements of §1008 and the Township Stormwater Management Ordinance.
		9	Where cuts or fills extend beyond the right-of-way, cross-sections at 50 feet intervals shall be required unless waived by the Township.
		10	Narrative report prepared in accordance with the Township Stormwater Ordinance.
		11	Engineering and construction information for proposed basins and ponds, including slopes, spillways and vegetation.

See stormwater calculations under "Supporting Documentation" below. See also stormwater basins under "Construction Details." See also profiles below.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	J. FOR USES OTHER THAN SINGLE FAMILY DETACHED OR TWIN DWELLINGS:
yes	no		
		1	For townhouses or apartments, evidence that the project meets the density requirements of the Zoning Ordinance.
		2	Evidence that the project will meet the off-street parking requirements of the Zoning Ordinance.
		3	Arrangement of off-street parking spaces, parking aisles, paved areas and off- street loading areas.
		4	For townhouses, any proposed methods to ensure privacy between outdoor semi-private areas (such as fences between rear yard).
		5	Illustrative sketches of proposed buildings (encouraged not required).
		6	Number, sign area, height and location of proposed signs.
		7	Major types and locations of outdoor lighting.
		8	Location of any proposed outdoor storage areas.
		9	Square feet of paved area, including areas covered by stone.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	K. EROSION AND SEDIMENTATION PLAN: (Unless approved at preliminary plan stage and will be unchanged.)
yes	no		
		1	Drawings showing locations and types of proposed measures, complying with the regulations and standards of the County Conservation District and DEP.
		2	Narrative describing proposed soil erosion and sedimentation control methods.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	L. ROAD PLAN-PROFILES: (With profile drawings on same sheet as plan drawings.)
yes	no		
		1	Profile of existing and proposed ground surface along centerline of street.
		2	Proposed centerline grade with percent on tangents and elevations at 50 feet intervals.
		3	All vertical curve data including length, elevations and minimum sight distance as required by Article 10.
		4	Cross sections at 50 feet intervals if required by Township.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	M. SANITARY SEWER AND STORM DRAIN PLAN-PROFILES: (With profile drawings on same sheet as plan drawings.)
yes	no		
		1	Profile of proposed ground surface with elevations at top of manholes or inlets.
		2	Profile of storm sewer and sanitary sewer lines, corresponding to stations.
		3	All line crossings of other utilities.
		4	Slope, size, type and length of pipes.
		5	Invert elevation and top of grate or manhole elevation.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	N. ADDITIONAL FINAL PLAN REQUIREMENTS:
yes	no		
		1	Protective covenants shall be placed on the land providing for:
		a	clear sight triangle easements (see Sections 1004.H. and 1012.O.)
		b	all needed utility, drainage, maintenance, pedestrian, open space or other easements.
		2	<u>Required Plan Notations.</u> The following wording shall be required to be placed on any final subdivision or land development plan, as applicable:
		a	If access will be provided onto a State highway and a required PennDOT Highway Occupancy Permit has not been granted then the following or closely similar wording shall be stated: "NOTICE - A PennDOT Highway Occupancy Permit for Lot No(s) _ is required pursuant to §420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law." before driveway access to a state highway is permitted. Access to the state highway shall be only as authorized by a PennDOT Highway Occupancy Permit. No Building Permits, Zoning Permits or Certificates of Occupancy shall be issued for said lot until such time as a PennDOT Highway Occupancy Permit has been secured and filed with the Township. Township shall not be held liable for damages to persons or property arising out of issuance or denial of a Highway Occupancy Permit by the Pennsylvania Department of Transportation, pursuant to §508 of the Pennsylvania Municipalities Planning Code."
		b	"Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Protection."
		c	"Individual owners of lots must receive approval from the Township Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system."
		d	"The Planning Commission and Board of Supervisors have not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system."
		e	Notations stating that the property owner responsible for maintenance of drainage swales.

Submitted		#	N. ADDITIONAL FINAL PLAN REQUIREMENTS:
yes	no		
		f	Notations stating that wetland permits may be required from the Army Corps of Engineers or DEP.
		g	Notations recognizing and stating that Ross Township is not liable and is not providing any guarantee regarding any stormwater, wetland, erosion control or any other review.
		h	A note shall be added to the Plan stating that the Township has not verified the presence or absence of wetlands.
		3	<u>Street Lighting</u>
		a	Existing street lighting.
		b	Any proposed street lighting (or notation stating none is proposed), including types of poles, spacing of poles and intensity of lamps.
		4	Proposed monument locations.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	O. CONSTRUCTION DETAILS: (following any applicable Township improvement standards).
yes	no		
		1	Typical cross-section and specifications for street construction as required by §1004.
		2	Drainage swale cross-section and materials.
		3	Pipe bedding details.
		4	Storm drainage structures details, including cross-sectional drawings, any detention basin outfall structure and spillway.
		5	Sanitary sewer structures.
		6	Curb and sidewalk details.
		7	Street tree details.
		8	Erosion and sedimentation details.
		9	Centralized water details.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.
yes	no		
		1	A copy of any "Supporting Documentation and Additional Information" that was required for the Preliminary Plan and that needed to be adjusted or revised to reflect changes between the Preliminary and the Final Plan.
		2	If the subdivision or land development was not required to submit a preliminary plan, a copy of any supporting information listed in §503 that is applicable to this project.
		3	List of Modifications or Waivers requested to this Ordinance that are needed but have not yet been granted.
		4	<u>Deed Restrictions</u> . All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale that may affect the subdivision or land development plan. Any homeowner or condominium association agreement regarding maintenance of utilities and common facilities may be subject to review by the Township Solicitor and acceptance by the Board of Supervisors.

Submitted		#	P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.
yes	no		
		5	<u>Dedicated Improvements.</u> The developer shall provide a deed of dedication together with an 8 1/2," x 11" plan of each such improvement.
		6	<u>Nondedicated Streets Agreement.</u> Agreement for any street not offered for dedication stating who is responsible for the improvement and maintenance of such streets. The developer shall be responsible for such maintenance until the condominium or homeowners association is established and operational.
		7	<u>Open Space Agreement.</u> A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space. This agreement is subject to the review of the Township Solicitor and acceptance by the Board of Supervisors.
		8	Stormwater Calculations meeting the requirements of §1008 and the Township Stormwater Management Ordinance. All calculations relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Township Engineer. These calculations shall include, but not be limited to, a tabulated comparison of pre-development versus post-development runoff rates, detention basin design calculations (as applicable), and pipe and swale sizing calculations.
		9	<u>Development Schedule.</u> A statement indicating the approximate date when construction can be expected to begin and be completed.
		10	<u>State Highway Reviews.</u> The applicant shall submit to the Township a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway, and shall also submit any review comments received from PennDOT within 5 days of receiving such comments. If a needed permit is not issued prior to Final Approval, such permit shall automatically be a condition of Final Plan approval.
		11	<u>Water Certification.</u> If water service is proposed by means other than by private individual wells owned by the owner of each lot, the applicant shall present evidence to the Township that the service will be provided by a certified public utility, a bona fide cooperative association of property owners or by a municipal corporation, authority or utility, as permitted by the Township. This evidence shall include a copy of 1 or more of the following, as appropriate: a) the "Certificate of Public Convenience" from the Pennsylvania Public Utility Commission, b) a copy of an application submitted for such certificate or a cooperative agreement or c) a commitment or agreement to serve the area in question.
		12	<u>Wetland Statement.</u> The applicant shall provide a signed statement of whether areas of the tract proposed to be altered, disturbed or developed includes "wetlands" under the applicable Federal and/or State definitions. - See also the "Natural Features" portion of this Section. - A note shall be added to the Plan stating that the Township has not verified the presence or absence of wetlands.
		13	If applicable, copy of the wetland study, and qualifications of person who prepared the study.
		14	<u>Addresses.</u> Plan showing existing street address numbers of adjacent lots and proposed street address numbers of proposed lots, as issued by the Township.
		15	With each revision of a previously submitted plan, the Plan Preparer shall either: - certify in writing that no changes were made to the Plan, other than changes requested by the Township, or - list the changes that were made, other than those requested by the Township (not including typographic corrections).
		16	Certification that any dam, bridge, retaining wall and similar structures have been designed by a registered professional engineer.

Submitted		#	P. SUPPORTING DOCUMENTS AND ADDITIONAL INFORMATION: Supporting written and data reports submitted at the time of the preliminary plan are not required to be resubmitted unless they need to be revised to reflect changes between the preliminary and the final plans.
yes	no		
		17	An improvements construction plan to provide for the detailed review and construction of all required improvements.
		18	If non-central swage service is proposed, a copy of septic percolation tests and soil probe results.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	Q. MATERIALS REQUIRED PRIOR TO RECORDING: The following are not required at the time of final plan submission, but are required prior to recording of the final plan and prior to the construction of any buildings.
yes	no		
		1	<u>Utilities Agreements and Permits.</u>
		a	All signed agreements or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the project.
		b	Approval letters from all appropriate Federal and State agencies of any private central water supply system or private central sewage disposal system.
		c	Approved DEP Sewage Planning Module, if applicable.
		d	DEP Water Quality Management Permit, if applicable.
		2	See "Record Plan" requirements in §902.
		3	Documents as required by the Township Solicitor if any dedication of a street or additional right-of-way is proposed.
		4	An Improvements Construction Plan shall be submitted to provide details of all required improvements. Evidence shall be the design of all structures (including but not limited to retaining walls, bridges and box culverts) that are necessary for the construction of the required improvements was approved by a registered professional engineer.

604. REQUIREMENTS FOR AS-BUILT PLANS.

If the Board of Supervisors, based on the recommendation of the Township Engineer, determines that the final plan does not accurately depict the location of the development improvements as installed, the Applicant shall provide to the Township plans certified by the Applicant’s engineer showing all such improvements as installed. Failure of the Applicant to provide the as-built plans shall constitute a violation of this Ordinance, and shall be subject to all the enforcement proceedings contained in this Ordinance and may result in rescission of approval. The *as-built plan* shall accurately depict the final constructed development indicating which improvements have been installed in accord with the approved plans and detailing any changes as approved by the Township.

604.A. Submission. One legible paper print of the as-built plans and one compact disk with the Plans in PDF format shall simultaneously be submitted to the Township and one of each to the Township Engineer.

604.B. Format.

1. The as-built plans shall be generated using the approved plans (as revised through construction) with the plan/design figures struck through with a single line and the as-constructed measurement annotated immediately adjacent.
2. All deviations from approved plan data shall be documented by field measurement by a registered land surveyor, licensed in good standing to practice surveying in the Commonwealth of Pennsylvania.

604.C. Water And Sewer. Water and sewer as-built plans shall be coordinated with the respective authorities.

604.D. Plan Information. The following information shall be shown on the as-built plans. Deviations from the approved plans shall be subject to a request from the Township Engineer for calculations sealed by the applicable Qualified Professional which document that the as-constructed condition does not violate the original intent by decreasing flow capacity or a safety standard below the criteria set by this chapter.

1. Stormwater facilities, including, if needed, revised topography for basin/BMPs, basin/BMP berm height and width, outlet structure elevations, emergency spillway elevation and length, basin/BMP volume calculations, storm pipes and inlets (including pipe size, type, slope, inverts, grate elevations), and location of all BMPs including snouts, bottomless inlets, depressed landscape islands, infiltration trenches, porous pavement, etc.
2. Deviations in grade on gravity dependent improvements (e.g. ditches and pipes) to verify that the installed flow capacity meets or exceeds the design capacity.
3. Light pole locations.
4. Sidewalk locations.
5. Street and traffic signs.
6. Street elevations, layout, and striping; and if intersections have been revised significantly, sight distance. Finished roadway improvements shall be measured at cross section intervals matching the design stations, and shall include information across the entire improved section from tie slope to tie slope in order to document that the design ditch, shoulder and roadway sections have been met.
7. Parking spaces including handicapped spaces and access points.
8. Retaining wall locations and elevations.
9. Where permanent monuments have been set for right of way or tract boundary, the 4-decimal state plane coordinates and 2-decimal elevation of the center of the monument.
10. Building locations with tie distances to property lines.
11. Any improvement where setbacks from property lines to critical points (building corners, etc) have been shown on the approved plans.
12. Utility location in association with easements (i.e., is the utility centered on the easement, etc.).
13. Field changes not otherwise required by this section.
14. Cross section plots for any or all stations of the project may be required at the discretion of the Township Engineer.
15. Other information as deemed necessary by the Township Engineer depending on site conditions.

605. CERTIFICATION.

All certification shall comply with the State professional licensing laws. All subdivisions of land shall be certified and stamped by a Registered Land Surveyor, as required by State law. At least one set of plans provided to the Township (including revisions) shall bear original signatures and original seals of plan preparers and shall be marked as a "Township File Copy."

**ARTICLE 7
MINOR SUBDIVISIONS, CERTAIN LAND DEVELOPMENTS
AND LOT LINE ADJUSTMENTS**

701. PURPOSE.

This Article provides simplified procedures for submitting and reviewing minor subdivisions, certain land developments, and lot line adjustments.

702. SUBMISSION AND REVIEW PROCEDURE.

The following submission and review process shall apply for Minor Subdivisions, Lot line adjustments, annexations, land developments involving only a single non-residential building of less than 3,500 square feet of building floor area with no additional dwelling units, and what the Township determines to be minor revisions of approved plans under §704.

702.A. Final Plan Submission Required. A Final Plan Submission for each application under this §702 shall be filed by the Applicant and reviewed in accordance with the provisions of this Article 7. A Preliminary Plan is not required for a submittal under this Article 7.

702.B. Required Submission.

1. The Applicant shall file with the Township Staff at least 10 calendar days prior to a regular Planning Commission meeting (not including a workshop meeting): a) the required fees, and b) the information and plans required under this Article 7. Any subsequent submittal of revised plans shall be submitted at least 10 days before a Planning Commission meeting where the plans are intended to be reviewed, unless permission is granted for a later submittal by the Planning Commission. These deadlines may be revised by resolution of the Board of Supervisors.
2. If a State road is involved, the Applicant shall forward the required information to PennDOT and apply for a highway occupancy permit. If such permit is not granted prior to Final Plan approval, then it shall automatically be a condition of Final Plan approval, and the plans shall not be signed or released for recording by the Township until the PennDOT permit is granted.
3. Each Final Plan filed for minor subdivisions shall provide the information required by §703. Plans for Lot line adjustments shall provide the information required by §704.
4. The applicant shall provide a copy of the plans for review to the County Planning Commission. A soil erosion and sedimentation control plan shall be provided to the County Conservation District.

702.C. Initial Actions by the Staff.

1. The Staff shall review the Submission items filed against a checklist for completeness and shall report such review to the Commission at its next regularly scheduled meeting.
2. The Staff shall retain in the Commission's files one "File Copy" of all materials submitted by the Applicant.
3. The Staff shall forward to the Commission at or before the next regularly scheduled meeting of the Commission: a) at least 1 copy of the Application Form, b) at least 1 copy of the Final Plan Checklist, c) several

copies of the Final Plan and d) at least 1 copy of the Supporting Documents.

702.D. Determination of Completeness by Commission.

1. Based upon the initial review of the Township Staff and/or the Township Engineer, the Commission shall have authority, at its first regularly scheduled meeting after the Submission is filed in a timely fashion, to determine that a submission is incomplete and therefore to refuse to review the submission further and to do one of the following:
 - a. Not accept the Submission, indicating the deficiencies, and return the fee (minus the costs of any Township review) to the Applicant.
 - b. Accept the Submission as being filed for review on the condition that the Applicant shall file such additional required materials and information to the Staff or appropriate agency or person within a certain number of days from the date of such acceptance.
 - c. Table the acceptance of the submission until the next Planning Commission meeting where the applicant has met all of the submittal requirements, and has filed such materials within the required time period prior to the meeting. The 90 day time limit for action shall not begin until such acceptance.
 - d. Recommend that the Plan be rejected by the Board of Supervisors for just cause.
2. If the Commission determines that the Submission is significantly complete, as filed and as required, the Commission shall accept the plans and may begin its review.
3. Zoning Variances and Approvals.
 - a. Applications for a subdivision or land development shall comply with the Township Zoning Ordinance, as amended. An application under the Subdivision and Land Development Ordinance shall not be considered to be complete for the purposes of starting the clock for the State-mandated 90 day time limit if one or more zoning variances or special exception or conditional use zoning approval will be required for the subdivision or land development to legally occur as submitted, until such time as the needed zoning variances and approvals have been granted. During this time, the application may still be reviewed by the Township.
 - 1) If a zoning variance or special exception or conditional use approval is needed and has not be granted, and the applicant refuses to grant a time extension, then the Board of Supervisors shall have sufficient grounds to deny approval of the application.
 - 2) At the discretion of the Board of Supervisors, a subdivision or land development may be approved conditioned upon the later approval of a zoning variance, special exception or conditional use.
 - b. A subdivision or land development approval shall not be delayed because of a court appeal of a zoning variance, special exception or conditional use that was granted to the developer. Instead, satisfactory resolution of such appeal shall be a condition for approval under this Ordinance. If a developer appeals a zoning variance, special exception approval or conditional use approval that was not granted to him/her, then §702.D.3.a shall still apply.

702.E. Review by Township Engineer. The Township Engineer should review the Plan and prepare an initial report

on such considerations to the Commission. The Township Engineer may make additional reports and recommendations to the Commission and the Board of Supervisors during review of the Plan.

702.F. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of the Pennsylvania Municipalities Planning Code (unless the applicant grants a written time extension).

1. Review all applicable reports received from the appropriate review agencies and officers;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances;
3. Review the Final Plan Submission and recommend any needed revisions so that the Submission will conform to this Ordinance and other applicable ordinances; and
4. Recommend approval, conditional approval or disapproval of the Final Plan Submission in an advisory report to the Board of Supervisors, which may include recommending conditions for approval or describing requirements which have not been met.

702.G. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the report of the Commission and any reports received from any other official reviewing agencies;
2. Determine whether the Final Plan Submission meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve or disapprove the Final Plan Submission within the time required by the Municipalities Planning Code. (Note: As of 200 I, this law requires the Board of Supervisors to act not later than 90 days following the date of the first regular meeting of the Commission held after it has been duly filed for review; but in no case shall the Board of Supervisors' decision be made later than 120 days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time.)
4. County Planning Commission Review. No subdivision or land development shall be granted final approval until a report is received from the County Planning Commission or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission, whichever shall occur first.

702.H. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to him her at the last known address not later than 15 days following the decision.
2. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute
 - a. an acceptance of the dedication of any street or other proposed public way, space or area, unless such acceptance is specifically made at such time.
 - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.

- c. If the Board of Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered. The Board of Supervisors may require an applicant to provide title insurance.
3. If a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. The applicant shall have a maximum 30 days after the action of the Board of Supervisors to accept or reject any conditions upon an approval. If the applicant does not reject a condition in writing within such 30 day period, the conditions shall be considered to have been accepted. If a condition is rejected by the applicant, the submittal shall be considered to have been disapproved, except as otherwise provided through a court challenge.

703. MINOR SUBDIVISION FINAL PLAN REQUIREMENTS.

All of the following information and materials listed in this §703 are required as part of all minor subdivision submissions, other than lot line adjustments or submittals under §704. This list of requirements shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions.

**Section 703
Final Plan for Minor Subdivisions and Certain Land Developments
Checklist and List of Submittal Requirements**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No(s): _____

Applicant's Signature: _____ Date of Submittal: _____

- See Section 502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.
- The applicant shall submit completed photocopies of this §703 as part of the application.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	A. GENERAL SUBMISSION ITEMS: In addition to the required number of paper copies, all filings shall include two (2) compact disks with all documents in electronic Portable Document File (PDF) format and AutoCAD format or other electronic format approved by the Township. (Note - The Township staff may require the submission of additional numbers of copies.)
yes	no		
		1	Township application/ review fee(s)/escrow.
		2	2 copies of the Application (see Appendix A).
		3	2 copies of the Minor Subdivision Plan Checklist (using the photocopies of the pages in is Section)
		4	14 copies of the complete Final Plan with one copy of the Final Plans marked "Township File Copy" with original signatures and seals of plan preparers.
		5	3 sets of Supporting Documents.
		6	Receipt showing that copy of plan was delivered by applicant to the County Planning Commission.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	B. DRAFTING REQUIREMENTS: All information shall be legibly and accurately presented.
yes	no		
		1	Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48"). Sheets should be folded to approximately 9"x12" size, in such a manner that the title of the sheet faces out.
		2	Plans drawn at a scale of 1 inch equals 50 feet or other scale pre-approved by the Township.
		3	All dimensions set in feet and decimal parts Thereof, and bearings in degrees, minutes and seconds.
		4	Differentiation between existing and proposed features.
		5	Boundary line of the tract, shown as a heavy boundary line.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	C. GENERAL INFORMATION:
yes	no		
		1	Name and location of project (such as the "Smith Subdivision No.2").
		2	Name of landowner and developer (with addresses).

Submitted		#	C. GENERAL INFORMATION:
yes	no		
		3	Names and addresses of abutting property owners, with abutting lot lines, and with deed references and county property identification numbers for adjoining property line.
		4	Notarized Owners Statement of Intent (sec Appendix B).
		5	Name, address, signature, and seal of the plan surveyor and plan preparer. (See Appendix B).
		6	Approval/review signature blocks for: (See Appendix B) the Township Board of Supervisors, Township Planning Commission and County Planning Commission staff.
		7	Context/Location map at a standard scale (1" = 800' or larger) showing the location of the project and watercourses, municipal borders and existing and proposed streets adjacent to the tract.
		8	North arrow, graphic scale, written scale.
		9	Date of plan and all subsequent revision dates (especially noting if is revision of a previously approved plan).
		10	Deed Book volume and page number from County records.
		11	Tax map, block and lot number for the tract being subdivided.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	D. NATURAL FEATURES:
yes	no		
		1	Contour lines shall be based on a field survey or photogrammetric procedure at an interval of 2 feet (or other interval pre-approved by the Township Staff) at a scale of 1"=100' or larger, unless the Township pre-approves use of 20 foot contour intervals super-imposed from the U.S.G.S. mapping. (Note - Contours are not required to be shown within areas of lots of 10 acres or more that are clearly not intended to be altered as a result of this proposed subdivision, unless needed for stormwater management.
		2	Identification of any slopes of 15 to 25 percent, and greater than 25percent.
		3	Areas within any hydric soils (see County Soil Survey), with a notation that there are none if that is the case.
		4	Watercourses (with any name), natural springs, lakes and wetlands. Detailed delineations with courses and distances of wetlands are not required if there is clearly no alteration, buildings, earthmoving, driveways or septic systems proposed within 200 feet of any area that could be reasonably suspected of being wetlands; however, such areas suspected of being wetlands shall be shown on the plans.
		5	Areas of existing mature woods, with areas noted that are proposed to be preserved or removed.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	E. MAN-MADE FEATURES:
yes	no		
		1	Existing and proposed lot lines. - The boundaries of lots (other than a residual lot of at least 10 acres) shall be determined by accurate field survey, closed with an error not to exceed 1 in 10,000 and balanced. The surveyor's certification shall indicate the specific standard that was used. - The boundaries of any residual tract which is greater than 10 acres may be determined by deed.
		2	Location of existing and proposed monuments.

Submitted		#	E. MAN-MADE FEATURES:
yes	no		
		3	Sufficient measurements of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
		4	Buildings estimated to be 80 years or older that are proposed to be impacted by the subdivision, with name and description.
		5	All existing and proposed: above-ground and below-ground utilities; storm water facilities, water lines, bridges and culverts.
		6	Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways proposed for dedication to the municipality).
		7	Proposed (if known) and existing non-residential building locations and land uses.
		8	Easements/covenants addressing maintenance of stormwater easements.
		9	Existing and proposed streets, roads and all vehicle accesses.
		10	Walls and other significant man-made features within and immediately adjacent to the property that impact upon the development.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	F. ZONING REQUIREMENTS:
yes	no		
		1	Applicable zoning district and minimum lot area.
		2	Minimum setback requirements shown for each lot.
		3	Sufficient information to determine compliance with the Zoning Ordinance, including calculations and conservation easements.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	G. PROPOSED LAYOUT:
yes	no		
		1	Total acreage and dimensions of site and total proposed number of lots.
		2	Identification number for each lot.
		3	Lot width (at minimum building setback line), dimensions and lot area for each lot.
		4	<u>Symbols.</u> As applicable, the following existing and proposed items for each lot, using generally accepted surveying symbols:
		a	Well (if not connected to central water system)-with required separation distance shown from septic drain fields, and with dimensions from lot lines.
		b	Primary drain field (with dimensions from lot lines, and with depth of limiting zone and average percolation rate stated on plan).
		c	Secondary drain field - shall be perc tested, and dimensioned from lot lines.
		d	Suitable soil probe location, with depth to limiting zone.
		e	Unsuitable soil probe location, with depth to limiting zone.
		f	Suitable percolation test locations (2 sites required meeting DEP requirements), with average percolation rate.
		g	Unsuitable percolation test location(s) - if any.

Submitted		#	G. PROPOSED LAYOUT:
yes	no		
		5	Existing and proposed storm drainage facilities or structures.
		6	Exact slope across proposed primary and secondary on-lot sewage system sites.

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "No" column if not applicable and 2) insert "W" in the "No" column if a waiver is requested from the requirement.

Submitted		#	H. ADDITIONAL INFORMATION: The Planning Commission may require the submission of any additional information that would be required for the Final Plan of a major subdivision under §603, if needed to determine compliance with this Ordinance.
yes	no		
		1	Residual Lands Sketch. If the submitted plans do not include all undeveloped or underdeveloped adjacent or abutting lands owned by the same or landowner or under control of the same developer (or closely related corporations), then a sketch shall be submitted at an appropriate scale, on one sheet, covering all such land holdings together with a sketch of a reasonable future road system to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands.
		2	Copy of the DEP Sewage Planning Module application, if applicable, as completed by the applicant, with evidence that the application has been forwarded to the proper review agencies for comments.
		3	Copy of existing deed of property.

704. LOT LINE ADJUSTMENTS, ANNEXATIONS AND MINOR REVISIONS OF APPROVED PLANS.

(See §705 for the joinder of adjacent lots where all easements will be preserved.)

704.A. The reduced submission requirements listed in this §704 shall apply, together with the procedural requirements of §702, if either of the following apply:

1. the proposal will meet the definition of a "lot line adjustment," and/or
2. in the determination of the Township staff, which may be based upon the advice of the Township Engineer, the proposal will involve revisions to a previously approved plan and those revisions only involve changes in the supporting documentation or engineering details or to correct erroneous data or minor omissions concerning a plan previously granted final plan approval.

704.B. The list of requirements on the following page shall serve as both a list of requirements, and as a checklist for the applicant and the Township to ensure completion of submissions. The applicant shall submit completed photocopies of this §704 as part of the application. The required information listed in this §704 may be combined or separated onto different sheets, provided that the plans will be clearly readable.

704.C. Additional Information. The Planning Commission may require that a plan under this §704 include the submission of specific additional information that would be required if the plan would be a final minor subdivision plan, if such specific information is necessary to determine compliance with this ordinance.

704.D. An annexation under this §704 shall be made part of the same lot with the same deed.

**§704.E.
Lot Line Adjustments, Annexations and Minor Revisions of Approved Plans.
Checklist and List of Submittal Requirements.**

Applicant's Name: _____

Applicant's Address: _____

Applicant's Daytime Phone No(s): _____

Applicant's Signature: _____ Date of Submittal: _____

- See §502.A. concerning which types of "land developments" are required to submit a Preliminary Plan.

Submitted		#	704.E. Lot Line Adjustments, Annexations and Minor Revisions of Approved Plans. In addition to the required number of paper copies, all filings shall include two (2) compact disks with all documents in electronic Portable Document File (PDF) format and AutoCAD format or other electronic format approved by the Township.
yes	no		
		1	Township application/review fee(s)/escrow.
		2	2 copies of the Completed Application (see Appendix A).
		3	2 copies of this Checklist (using the photocopies of the pages in this Section).
		4	14 print copies of the complete Final Plans.
		5	Receipt showing delivery by applicant of copy of plan to the County Planning Commission.
		6	Plans prepared on a standard sized sheet (such as 18"x24", 24"x36", 30"x42" or 36"x48").
		7	Plans drawn at a scale of 1 inch equals 50 feet or other standard scale.
		8	All dimensions set in feet and decimal parts thereof, and bearings 10 degrees, minutes and seconds.
		9	Differentiation between existing and proposed features.
		10	Boundary line of the tract, shown as a heavy line.
		11	Words "Final Plan" and name of project on each sheet.
		12	Notarized Owners Statement - see Appendix B.
		13	Plan preparers statement (See Appendix B).
		14	Approval/review signature blocks for: Township Board of Supervisors, Township Planning Commission and County Planning Commission (see Appendix B).
		15	Context/location map at a standard scale (1" = 800' or larger) showing the location of the project and existing and proposed streets adjacent to the tract and watercourses and municipal borders.
		16	North arrow, graphic scale, written scale.
		17	Date of plan and all subsequent revision dates and submission dates (especially noting if is revision of a previously approved plan) with space for future revision dates.
		18	Existing and proposed lot lines and street rights-of-ways.
		19	Existing building locations and type of land uses.
		20	Applicable zoning district and required minimum lot area.
		21	Minimum setback requirements shown graphically and stated for each lot.
		22	Note stating type of water and sewer service proposed (such as "well and on-lot septic systems").
		23	Lot width (at minimum building setback line) and lot area for each lot.

Submitted		#	704.E. Lot Line Adjustments, Annexations and Minor Revisions of Approved Plans. In addition to the required number of paper copies, all filings shall include two (2) compact disks with all documents in electronic Portable Document File (PDF) format and AutoCAD format or other electronic format approved by the Township.
yes	no		
		24	Dimensions of each lot in feet.
		25	List of any Modifications or Waivers requested to this Ordinance.

705. JOINER OF ADJACENT LOTS WITH EASEMENTS PRESERVED.

705.A Eligibility. The provisions of this §705 may be applied for a lot joinder meeting the following:

1. The Applicant owns two (2) or more adjacent lots in a recorded subdivision.
2. The only change is the joinder of the two (2) or more adjacent lots with no new lot lines or improvements proposed.
3. The joinder does not have the effect of altering, redefining or extinguishing any easements of record existing on or over subject property.

705.B. Procedure. The application shall be submitted directly to the Board of Supervisors at least 10 calendar days prior to a regular Board of Supervisors meeting .

705.C. Information Required. The Applicant shall provide:

1. The proposed deed which contains the following:
 - a. The approval of the lot joinder by the Ross Township Board of Supervisors does not have the effect of altering, redefining or extinguishing any easements of record existing on or over subject property.
 - b. The lots joined shall not be subdivided into smaller lots without the approval of Ross Township.
2. Proof that all taxes on all lots being combined are current.

705.D. Deed Recording. After approval of the lot joinder by the board of Supervisors, the Applicant shall record the proposed Deed and provide proof thereof to the Township within 30 days.

706. CERTIFICATION.

§504 shall apply.

707. RECORDING PLANS.

Article 9 shall apply.

**ARTICLE 8
IMPROVEMENTS GUARANTEES**

801. GUARANTEE OF IMPROVEMENTS INSTALLATION REQUIRED.

801.A. Before approving any subdivision or land development plan for recording, the Board of Supervisors shall require that the Township be assured by means of a proper Development Agreement and Performance Guarantee that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance, unless:

the developer chooses to install all required improvements prior to construction of any building, in place of using performance guarantees, in which case, the Township shall as deemed necessary require the developer to have adequate insurance, hold harmless agreements, an escrow account to cover the costs of inspections and a professional estimate of the costs of the improvements (to be used to establish the amount of the inspections escrow).

801.B. Purpose of Security. The security required by this Article shall stand as security for compliance with all Township ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision or land development for which it is filed.

801.C. No construction of permanent buildings or sales of any individual lot or condominium unit shall occur within a subdivision or land-development unless:

1. there is on file, with the Township, current duly executed and approved security, or
2. all rough grading is complete and all required public improvements, utilities, streets, drainage facilities, sewers and street lights have been completed and accepted by the Board of Supervisors.

802. IMPROVEMENTS TO BE PROVIDED BY THE APPLICANT.

802.A. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.

802.8. The Township Engineer or other Township designee shall make such inspections of the required improvements at such intervals as may be reasonably necessary to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer, making use of an escrow account.

803. DEVELOPMENT AGREEMENT.

803.A. Development Agreement Required.

1. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the Final Plan shall be required to enter into a legally binding Development Agreement with the Township prior to recording of the Final Plan, unless the applicant agrees to meet §801 concerning the construction of all improvements prior to the construction of any buildings or the sale of any lots or home sites.
2. The Development Agreement shall guarantee the installation of said improvements in strict accordance with

all Township requirements

803.B. Terms of Development Agreement. The Development Agreement shall be acceptable in legal form to the Township Solicitor and shall be acceptable in content to the Township Board of Supervisors. The Township may require that a Development Agreement include any of the following items, where applicable, and such additional items as are necessary to carry out this Ordinance:

1. The construction depicted on the approved plans, listed in itemized format, including all approved streets, drainage facilities, utility lines and other improvements.
2. A work schedule setting forth the beginning and ending dates of such work tied to the construction of the development, and provisions to allow proper inspection by the Township Engineer.
3. The provision of a Performance Guarantee for completion of required improvements in compliance with §804, including a detailed breakdown of the estimated costs of the improvements, including the total amount of the Performance Guarantee.
4. Provisions concerning the developers responsibilities for damage to other property, including maintenance by the developer of public liability insurance for the duration of improvements construction, with a hold harmless clause to protect the Township from liability related to such work. A copy or other evidence of such liability coverage shall be provided to the Township prior to such work.
5. Provisions requiring that the applicant and/or other responsible entities ensure that erosion, sedimentation and stormwater management plans are complied with.
6. Provisions for the dedication of streets, water and sewer lines and any other easements or improvements proposed to be dedicated.
7. See §902 concerning the requirement for a "RECORD" plan.
8. Provisions for the developer to reimburse the Township for all reasonable engineering costs directly related to the review, construction and inspection of the proposed development and to the review and preparation of the development agreements.
9. Provisions concerning any violations of the Development Agreement.
10. Any other lawful terms which the Board of Supervisors may require to carry out the provisions of this Ordinance.
11. Signatures. The development agreement shall be signed by all responsible landowners and/or developers.

803.C. Ownership of Land and Guarantee.

1. A certificate of ownership in the form of Appendix B shall be executed in the exact name in which title is held. If the developer(s) is someone other than the landowner(s), the developer shall also execute this affidavit, along with a security agreement.
2. Change in Ownership or Developer. Any conveyance of all or a substantial portion of the unimproved lots or public improvements or streets of any subdivision or land development or change in developers, whether

voluntary or by action of law or otherwise, shall require the prior approval of the Board of Supervisors. In giving or denying said approval, the Board of Supervisors shall require that such new landowner and/or developer fully assume all applicable responsibilities under the development agreement and post all the appropriate security agreements.

803.D. Utility Agreements. If a development will connect into a public water or public sanitary sewage system, the applicable authority, agency or company may also require separate development agreements.

804. PERFORMANCE GUARANTEE.

The Performance Guarantee for completion of required improvements shall meet the following requirements:

804.A. Security.

1. The Guarantee shall be secured by the credit of any of the following:
 - a. An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution,
 - b. A restrictive or escrow account in a Federal or State chartered lending institution, or
 - c. Such other financial security approved by the Board of Supervisors (which approval shall not be unreasonably withheld), but not including a second or third mortgage on the unimproved lands.
2. Such approved security shall provide for, and secure to the public, the completion of any improvements which may be required within 1 year of the date fixed in the Development Agreement for the completion of such improvements.
3. Such financial security shall be posted with a Federally issued or State chartered lending institution chosen by the party posting the financial security, or such other approved entity, provided such institution or entity is authorized to conduct such business within the State.
 - a. The Board of Supervisors may require that evidence be provided that such institution or entity has sufficiently adequate and secure assets to cover the security.
 - b. The Township shall be the authorized signatory on any account in which the escrow funds are held.

804.B. Amount of Security.

1. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110 percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer in the official development schedule, and within the process for increases to cover inflation as permitted by the Pennsylvania Municipalities Planning Code.
2. The cost of the improvements shall be established by an estimate prepared by a Pennsylvania Registered Professional Engineer, which shall be reviewed by the Township Engineer, within the arbitration process permitted by the Pennsylvania Municipalities Planning Code.
3. If the party posting the financial security requires more than 1 year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by a maximum of an additional 10 percent for each one-year period beyond the first anniversary date from

posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above procedure.

4. Inspection Fees. The amount of financial security shall also include an additional 5 percent of the estimated cost of completion of the work to guarantee payment of inspection fees and related engineering costs.

804.C. Multi-year or Multi-Stage Development. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by phases/stages of development subject to such requirements or improvement guarantees concerning future improvements as it finds necessary for the proper functioning of each phase and for the eventual development as a whole.

805. APPROVAL OF IMPROVEMENTS.

805.A. Advance Notice by Developer of Construction of Improvements.

1. Meetings. Prior to construction or installation of improvements in any new phase or any major facet of construction, the developer or his/her representative shall contact the Township Engineer to determine whether a pre-construction meeting is needed. The Township Engineer may require that such meeting be attended by the responsible contractor(s) and responsible representatives of the developer. In addition, meetings may be required with the utility companies as needed.
2. The developer or his/her representative shall provide a minimum of 3 business days prior notice to the Township Engineer, Subdivision Administrator or his/her designee (such as an inspector) prior to beginning each major facet of construction, in order to allow the scheduling of inspections.
3. The developer should notify the Township in writing when 1/3 and 2/3rds of the total dollar value of the improvements are completed, and a list of those items completed.
4. See §806.A.1.b. concerning improvements completed without proper Township inspection.

805.B. Request for Release of Security. When an improvement has been completed, the party posting the financial security shall notify the Township and request in writing to the Board of Supervisors by certified or registered mail release of related financial security. The developer shall send a copy of letter to the Township Engineer at the same time.

805.C. Engineer's Report.

1. Within 30 days of a receipt under §805.B., the Township Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the Board of Supervisors and mail a copy of such report by certified or registered mail to the developer or his/her representative at his/her last known address.
2. This report shall be based on the inspections made according to the approved inspection schedule included in the Development Agreement and shall recommend approval or rejection of the improvements, either in whole or in part.
3. If the Township Engineer finds any or all of the improvements to be not as required, he/she shall include a statement of the reasons for recommending their rejection in the report.

805.D. Decision by Board of Supervisors.

1. At its first regularly scheduled meeting after receiving the Engineer's Report (but not later than 45 days of the receipt of the request) the Board of Supervisors shall review the Township Engineer's report and shall authorize release of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed.
2. The Board of Supervisors shall be deemed to have approved the release of funds as requested if the Board of Supervisors fails to act within 45 days of receipt of the developer's request.
3. Until final release (completion of all improvements), the Board of Supervisors may require retention of a maximum of 10 percent of the cost of each completed improvement.
4. The Board of Supervisors shall notify the developer in writing by certified or registered mail of the decision.

805.E. Completion of Unaccepted Improvements. The developer shall complete any required improvements that the Board of Supervisors determines are not satisfactory or complete. Upon completion, the applicant may request approval in conformance with the procedures specified in this §805.

805.F. Final Release.

1. When the developer has completed all of the required and necessary improvements, the developer shall request Final Release in conformance with the procedures specified in this §805. See time limitations and procedures in §510 of the Pennsylvania Municipalities Planning Code.
2. Such Final Release shall include all moneys retained under §805.D.3.

805.G. Appeal. Nothing herein shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board of Supervisors or the Township Engineer.

805.H. Certificates of Occupancy and Completion of Improvements.

1. A temporary or final certificate of occupancy shall not be issued and a structure shall not be occupied unless all principal buildings have access to a clearly permanently passable street with at least a complete paving base course and any required curbing installed.
2. In addition to §805.H.1, no final certificate of occupancy shall be issued until the structure is completed as approved with service by all required utilities and with all access onto a street completed to required standards, if applicable.

806. REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS.**806.A. Enforcement of Security.**

1. In the event that any improvements that were required have not been installed as provided in this Ordinance or the approved Final Plan or the Development Agreement, or in the event of the bankruptcy of the owner or developer, or in the event the performance security lapses in time before the required improvements are the power to elect to enforce any security posted under this ordinance by appropriate

legal and equitable remedies.

a. Such remedies may include taking all actions necessary to ensure improvements are completed without cost to the Township, including but not limited to:

- 1) seizure of undeveloped lots,
- 2) seizure of escrow funds,
- 3) revocation or suspension of building permits or suspension of issuance of new building permits,
- 4) non-release of performance securities,
- 5) non-approval of occupancy certificates,
- 6) request for additional performance security,
- 7) non-acceptance of improvements,
- 8) removal, reconstruction or replacement of substandard improvements at the cost of the developer, and
- 9) civil prosecution of a violation of this Ordinance.

b. Construction Without Inspection. If required improvements have been completed without providing the Township Engineer or his/her representatives with proper opportunity for inspection, and as a result the Township Engineer cannot determine whether the improvements were properly constructed, then the Board of Supervisors may require that the Developer, at the Developer's expense, remove, replace, sample, test or reconstruct such improvements as necessary to determine compliance with this Ordinance and other applicable Township standards.

2. Rate of Construction. Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Ordinance and a cause for default of the security.

806.B. Completion by Township. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install or replace part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements.

806.C. Proceeds for Installation of Improvements. The proceeds from use of the security and/or from any legal or equitable action brought against the developer shall be used solely for the installation of the improvements covered by such security and directly related administrative costs.

807. MAINTENANCE GUARANTEE.

807.A. Maintenance Guarantee Required. All applicants proposing any subdivision or land development which provides improvements required by this Ordinance shall be required to provide a legally binding Maintenance Guarantee to the Township prior to the release of the performance guaranty.

807.8. Terms of Maintenance Guarantee. The Maintenance Guarantee shall be acceptable in legal form to the Township Solicitor and in content to the Board of Supervisors, and shall include all of the following:

1. that the Applicant make any repair or reconstruction of any improvement stipulated in the Maintenance Agreement which is specified by the Board of Supervisors if needed because of faulty construction,

workmanship, or materials, prior to acceptance of such improvement by the Township;

2. that the Applicant maintain at his/her own cost all improvements stipulated in the Maintenance Agreement, up to a maximum period of 18 months from the date of completion, except for any special purpose escrow or maintenance agreements required by the Township; and
3. that the applicant post financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, for a maximum term of 18 months from the date of completion.

807.C. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both and related apparatus or facilities are to be installed under the jurisdiction and under the rules and regulations of a public utility or municipal authority, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority. This amount of financial security shall not also be required by the Township if it is required by such utility or authority.

807.D. Type of Security. The Maintenance Guarantee shall be secured by the same form of security as is permitted for the improvements guarantees.

807.E. Terms. Such Maintenance Guarantee shall be in the form approved by the Township Solicitor and Board of Supervisors, payable to the Township, to guarantee the maintenance and repair of the streets and other public improvements in the subdivision or land development for 18 months from the date of completion. The applicant shall prove to the satisfaction of the Board of Supervisors that there will be an acceptable system for the long-term maintenance of any stormwater detention basins.

807.F. Amount. The amount of the Maintenance Guarantee shall be 15 percent of the cost of installation of such improvements.

807.G. Release. After a maximum of 18 months from the date of acceptance of dedication of said improvements, the Township shall release the Maintenance Guarantee to the developer (or party that posted the guarantee) if all improvements are in satisfactory condition, as determined by the Township.

808. CONTINUED OWNERSHIP AND MAINTENANCE OF IMPROVEMENTS. The Developer shall provide to the satisfaction of the Board of Supervisors and prior to Final Plan approval, evidence of the provision for the succession of ownership and responsibility for the operation and maintenance of development improvements. (Note: See §809 for open space and recreation land ownership and maintenance.)

808.A. Plan Required. The Developer shall provide a plan for the succession of ownership, operation and maintenance prepared by the Applicant for consideration and approval by the Township, and such plan shall be made part of the development deed covenants and restrictions.

1. Responsibility. The plan shall establish responsibilities for the continuing ownership, operation and maintenance of all proposed improvements and facilities and an acceptable process and time line shall be established for the transfer of the improvements and maintenance responsibilities, if transfer to another body or entity is planned.
2. Required Actions; Schedules. The plan shall detail required routine operation and maintenance actions and schedules necessary to ensure proper operation and maintenance of all improvements and facilities.

3. Maintenance Determination. The Board of Supervisors, upon recommendation of the Township Engineer and Township Solicitor, shall make the final determination on the continuing operation and maintenance responsibilities prior to approval of the Final Plan.
4. Transfer of Maintenance Funds. The plan shall include provisions for the transfer of any operation and maintenance funds required by this Ordinance to the Property Owners Association (POA) or other successors in ownership and include a requirement that such funds will be dedicated to the intended use.

808.B. Private Operation and Maintenance.

1. Land Developments. In the case of land developments such provision shall be in the form of deed covenants and restrictions clearly placing the responsibility of maintenance of all development improvements with the owner of the land development.
2. Residential Developments - In the case of subdivisions, conservation design developments, multi-family housing projects and other residential developments involving the transfer of property, the Developer shall provide, by deed covenants and restrictions, for the creation of a Property Owners Association (POA) to assume the ultimate ownership of all development improvements and responsibility for maintenance of such improvements. (Note: See §809 for open space and recreation land ownership and maintenance.) Membership in the POA shall be mandatory for all property owners in the development. The developer shall also be a member of the POA and shall remain responsible for payment of any per lot dues or fees assessed by the POA which are associated with improvements serving said lots. The deed covenants and restrictions creating the POA shall be subject to the approval of the Board of Supervisors.
3. Any Improvements Which Will Remain Private - In the case where roads, drainage facilities, a central sewage treatment system or central water supply, or any other improvements are to remain private, the developer shall provide for the establishment of an escrow fund in accord with §804.A to guarantee the operation and maintenance of the improvements. Said fund shall be established on a permanent basis with administrative provisions approved by the Board of Supervisors. The amount of said fund shall be fifteen (15) percent of the construction cost of the system as verified by the Township Engineer. The maintenance and operation of the improvements and the administration of any required maintenance fund account, shall be clearly established as the joint responsibility of the owner(s) of each structure or dwelling unit served by such system. Such responsibility and the mechanism to accomplish same shall be established by deed covenants and restrictions which shall be subject to the approval of the Board of Supervisors.
4. Failure to Maintain - The bylaws and covenants shall also provide that, if the maintenance is not performed by the Association as required, the Township may have the maintenance work performed, in which event, after providing notice to the unit/lot owners, the Township shall have the authority to place municipal liens upon any or all units/lots in the subdivision/land development association to recover the maintenance costs and expenses, as well as all legal costs and expenses (including, but not limited to, attorney fees) if the property-owners association does not fulfill its responsibilities.

- 808.C. Dedication to Township. Where a plan includes a proposed dedication of improvements, neither the plan approval nor the developer's completion of the improvements shall obligate the Board of Supervisors to accept the same. Acceptance of a proposed dedication shall be a matter of discretion for the Board of Supervisors. If determined by the Board to be in the interest of the public health, safety and general welfare, the Board of Supervisors may accept roads and associated drainage facilities, but shall generally not accept any stormwater control facilities used to manage stormwater within any subdivision or land development, sewage disposal systems, water supply systems, sidewalks, or other improvements unless the

Board of Supervisors deems it necessary to fulfill the purposes of this Ordinance or the Township Official Wastewater Facilities Plan or Stormwater Management Plan. In accepting any improvements the Board of Supervisors may attach such reasonable conditions as it deems necessary to fulfill the purposes of this Ordinance.

809. OPEN SPACE AND RECREATION LAND -- OWNERSHIP AND MAINTENANCE.

This §809 shall apply to any development which involves the ownership and maintenance of open space or recreation land held in common or owned and maintained through other arrangements approved by the Board of Supervisors (referred to as *common open space*) as required by this Ordinance.

809.A. Purpose. The requirements of this §809 are intended to assure in perpetuity the ownership, use and maintenance of common open space. The general principle shall be to assign ownership and maintenance responsibility to that entity which is best suited for the same and which will allocate any associated costs to the individuals which directly benefit from the use of the common open space.

809.B. Plan and Legal Documents. The developer shall submit a plan and proposed legal documents for the purpose of establishing, in perpetuity, the use, ownership and maintenance of the approved common open space. The Plan shall be approved by the Board of Supervisors with the recommendation of the Township Solicitor. The provisions of the approved Plan shall be incorporated into a development agreement with the Board of Supervisors, deed covenants and restrictions, or other legal document which will affect the Plan and which can be enforced by the Board of Supervisors.

1. The Plan shall define ownership and an acceptable process and time line shall be established for the transfer of the lands and maintenance responsibilities to the body or entity so designated, if transfer is proposed by the Plan.
2. The Plan shall establish necessary regular and periodic operation and maintenance responsibilities for the various kinds of open space (i.e. lawns, playing fields, meadow, pasture, crop land, woodlands, etc.).
3. The Plan shall estimate staffing needs, insurance requirements, and associated costs, and define the means for funding the maintenance of the open land and operation of any common facilities on an on-going basis. Such funding plan shall include the means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.
4. The Board of Supervisors may require the applicant to escrow sufficient funds for the maintenance and operation costs of common facilities for up to 18 months.
5. Any changes to the maintenance plan must first be approved by the Board of Supervisors.

809.C. Reserved.

809.D. Development Plan Designations. The subdivision/land development plan which will be recorded following final approval of the development shall clearly show all common open space and specifically note the use, ownership and maintenance responsibility of the same. Reference to the legal document(s) governing the use, ownership and maintenance of common open space shall be noted on the plan. The plan shall also contain the following statement: Open land, recreation land, common facilities and development improvements shall not be sold separately or be further subdivided or developed, nor shall such land be used for density for any other development.

809.E. Methods for Use Dedication and Common Open Space Ownership and Maintenance.

1. **Ownership.** Required common open space shall be offered for dedication to the Township, unless the Board of Supervisors agrees to a proposal to transfer to any of the following: Pocono Mountain School District, Monroe County, Pennsylvania Bureau of State Parks, Bureau of Forestry, Fish and Boat Commission, Game Commission, a homeowner association, a single property owner in the case of agricultural or forest land or an environmental organization or land trust acceptable to the Board of Supervisors.
2. **Dedication.** The Board of Supervisors is under no obligation to accept an offer of dedication to the Township, but shall have the authority to ensure that an appropriate long-term method will be in place to own and maintain common open space.
3. **Deed Restrictions/Conservation Easements.** Common open space shall be protected from future development and subdivision by a permanent conservation easement or deed restriction, acceptable to and enforceable by the Board of Supervisors. Such restriction may also be enforceable by other parties. Such restrictions shall prohibit the construction of any buildings, except buildings for non-commercial recreation or that are necessary to support maintenance of the open space.
4. **Rental Development.** In the case of a rental development, the Township may permit the common open space to be retained by the owner of the adjacent residential rental buildings.
5. **Private Parcel.** Where another form of ownership is not practical, the Board of Supervisors may permit the required open space to be added onto a privately owned parcel, provided a permanent conservation easement protects the open space from development.
6. **Method.** The use of common open space and common open space ownership and maintenance shall be addressed by one or a combination of the methods which follow. In any case, the developer shall document to the satisfaction of the Board of Supervisors that the chosen method(s) will preserve the common open space use rights established in accord with this Part and provide for the perpetual ownership and maintenance of all open land, and recreation land. All methods shall establish a mechanism for the Board of Supervisors to effect the use dedication and require operation and maintenance of common open space, should the means established by the developer fail to provide the same. All methods for use dedication and common open space ownership and maintenance, and any combination of methods, and any change in method which may be proposed by the ownership and maintenance entity, shall be subject to the approval of the Board of Supervisors. Operation and maintenance provisions shall include, but not be limited to, capital budgeting for repair and/or replacement of development improvements and common facilities, working capital, operating expenses, casualty and liability insurance, and contingencies.
 - a. **Property Owners Association or Condominium Agreements.** All common open space may be owned and maintained by a property owners association (POA) or condominium association (CA) including all lot and/or condominium owners in the development provided: (The provisions of §705(f) of the Pennsylvania Municipalities Planning Code should serve as a model, in concept, for the maintenance responsibilities /enforcement provisions of such agreement.)
 - 1) The POA/CA is established by the developer as a non-profit corporation for the express purpose of ownership and maintenance of the common open space, or as otherwise may be required by state statute.
 - 2) Participation in the POA/CA is mandatory for all lot/unit owners.

- 3) Provision is made for the maintenance of common open space during the lot/unit sale period and the orderly transition of responsibility from the developer to the POA/CA.
 - 4) The POA/CA is empowered to assess POA/CA members to fund the administration of the POA/CA and other costs associated with the common open space responsibilities.
 - 5) The bylaws and covenants shall also provide that, if the maintenance is not performed by the association as required, the Township may have the maintenance work performed, in which event, after providing notice to the unit/lot owners, the Township shall have the authority to place municipal liens upon any or all units/lots in the subdivision/land development to recover the maintenance costs and expenses, as well as all legal costs and expenses (including, but not limited to, attorney fees) if the POA/CA does not fulfill its responsibilities.
- b. Transfer to a Private Conservation Organization. In the case of open space and recreation land, the developer may transfer fee simple title to the said areas, or parts thereof, to a private, non-profit organization among whose purposes is the conservation of open land and/or natural resources; provided that:
- 1) The deed contains the necessary covenants and restrictions in favor of the Township to effect the use dedication and common open space ownership and maintenance standards of this Part and this Ordinance.
 - 2) The organization proposed is a bona fide, operating and stable conservation organization with a perpetual existence, acceptable to the Board of Supervisors.
 - 3) The conveyance of title contains the necessary provisions for proper transfer to another qualified organization should the organization be unable to continue to fulfill its responsibilities and obligations.
 - 4) A maintenance agreement is entered into among the developer, the organization and the Township, in form and substance acceptable to the Board of Supervisors
- c. Deed Restricted (Non-Common) Private Ownership. Deed restrictions on privately held lands may be used to preserve open space provided such restrictions include a conservation easement in favor of the Township, with provisions for reversion to the Township, POA or trustee holding the remainder of the common open space.
- d. Deed or Deeds of Trust. The landowner may provide, as approved by the Board of Supervisors, for the use, ownership and maintenance of common open space by establishing a trust for the same via a deed or deeds. The trustee shall be empowered to levy and collect assessments from the property owners for the operation and maintenance of the development.
- e. Conservation Easements Held by the Township. In the case of open space and recreation lands, the Board of Supervisors may, but shall not be required to, accept title to conservation easements on any such lands. In such cases, the land remains in the ownership of an individual, POA or condominium while the development rights are held by the Township. The lands may be used in accord with the requirements of this Ordinance and title to such lands may be transferred to other parties for use as restricted by the conservation easement.

- f. Fee Simple and/or Easement Dedication to the Township. In the case of open space or recreation lands, the Board of Supervisors may, but shall not be required to, accept in fee, the title to any such lands, or any interests (such as development rights or conservation easements) therein, for public use and maintenance, provided:
- 1) There is no consideration paid by the Township.
 - 2) Such land is freely accessible to the public.
 - 3) The Board of Supervisors agrees to and has access to maintain such lands.

810. FAILURE TO PRESERVE USE AND OPERATION AND MAINTENANCE OF IMPROVEMENTS OR COMMON OPEN SPACE.

Should the method established to preserve the use, operation and maintenance of improvements or common open space (including any required recreation land) fail to do so in reasonable order and condition in accord with the approved development plan, the Board of Supervisors shall have the right and authority to take all necessary legal action to effect such use dedication, operation and maintenance. The action of the Board of Supervisors shall be in accord with the following:

- 810.A. Notice. The Board of Supervisors shall serve written notice on the assigned entity or the property owners in the development setting forth the details of the failure of the entity with regard to the use dedication and operation and maintenance.
- 810.B. Correction of Deficiencies. The notice shall include a demand that the deficiencies be corrected in a reasonable period of time which shall be stated in the notice.
- 810.C. Public Hearing. If requested by a party within ten (10) days of the date of the notice, a public hearing shall be conducted subsequent to the notice and shall be advertised in accord with the definition of *public notice* contained in this Ordinance. At such hearing, the Board of Supervisors may modify the terms of the original notice as to the deficiencies and may extend the time for correction of the deficiencies.
- 810.D. Failure to Correct. In the event the deficiencies in the notice, as may have been modified at a public hearing, are not corrected in accord with the established time period, the Board of Supervisors may enter upon the common open space and maintain the same and/or correct the deficiencies. The Board of Supervisors shall continue such action for such time as may be necessary to correct the deficiencies. Said action shall not constitute a taking or dedication of any improvement or common open space, nor vest in the public the right to use any improvement or common open space unless such right was previously established.
- 810.E. Reinstatement of Responsibility. The responsibility of operation and maintenance shall not be reinstated to the assigned entity until such time as the entity has demonstrated to the Board of Supervisors that the proper steps have been effected to modify the terms of use dedication, operation and/or maintenance; and/or to reorganize or replace the responsible entity so that use dedication and operation and maintenance established by the approved development plan will be assured.
- 810.F. Appeal. Any party to the action of the Board of Supervisors may appeal such action to court as provided for in the Pennsylvania Municipalities Planning Code, as amended.
- 810.G. Public Costs. The costs of the preservation of use dedication and the cost of maintenance and operation of any improvements or open space conducted by the Township in accord with this Part, and including any administrative and legal costs, shall be assessed ratably against the properties in the subject development which have a right of enjoyment and/or use of the common open space. The assessment shall constitute a lien on said properties.

**ARTICLE 9
RECORDING OF FINAL PLAN**

901. RECORDING OF FINAL PLAN.

901.A. Deadline.

1. The Applicant is responsible to ensure that the Final Plan for any subdivision or land development as approved by the Board of Supervisors is recorded in the Office of the Recorder of Deeds of the County within 90 days after such final approval. The applicant shall send or deliver a receipt of the recording to the Township Subdivision Administrator within 7 days after the plan is submitted to the County for recording.
2. If the Final Plan approval included official conditions that must be met prior to recording, then the plan shall be recorded within 90 days following the compliance with such conditions, up to a maximum total of 1 year following the final plan approval.
3. Specific extensions of these time periods may be granted in writing by the Board of Supervisors if the applicant proves good cause.

901.B. At its option, the Township may voluntarily agree in advance to record a Final Plan, in which case the applicant shall compensate the Township for such costs.

901.C. The Final Plan shall not be recorded unless the applicant proves that they have met all required conditions that the Township Subdivision Administrator and/or Township Engineer determine would impact the recorded Final Plan, including but not limited to, issuance of any required PennDOT highway occupancy permit.

901.D. Failure to record the Final Plan within the specified time periods shall cause the approval to become null and void.

902. RECORD PLAN.

The applicant shall provide to the Township one mylar and one paper clear and legible copies of the Record Plan, in addition to providing copy(ies) to the County Recorder of Deeds Office in whatever format is required by that office. The Township copies shall be made after recording, and shall be exact copies of those portions of the approved Final Plan that the Township requires to be recorded. Such Record Plan, at a minimum, shall include all of the following:

- A. street right-of-ways,
- B. common open spaces,
- C. easements, and any covenants that the Township required to be placed on the Final Plan,
- D. lot lines and lot dimensions,
- E. water lines, sanitary and storm sewer lines and stormwater drainage facilities,
- F. the required signatures of Township officials and the County Planning Commission staff and the date of Township approvals,
- G. notations stating whether the streets, any common open space and other proposed improvements are to be offered or not offered for dedication to the Township, and
- H. additional information from the complete Final Plan that the Subdivision Administrator may require be shown.

903. EFFECT OF RECORDING.

- 903.A. Official Map. If the Township has adopted or does adopt an official map, any streets and common open space on the Record Plan shall be considered to be part of that Official Map.
- 903.B. Private Improvements. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, open space, or improvement until such time it may be offered and officially accepted for dedication to the Township, or is duly condemned.
- 903.C. Dedication of Improvements. The Record Plan shall state by formal notation whether the streets, any common open space and other proposed improvements are proposed to be offered or not offered for dedication to the Township.

**ARTICLE 10
DESIGN STANDARDS AND REQUIRED IMPROVEMENTS**

1001. APPLICATION.

1001.A. Minimum Requirements. The design standards and improvements required in this Article are the minimum requirements for approval of a subdivision or land development. Additional or higher type improvements may be required in specific cases where the Board of Supervisors determines such improvements are clearly necessary to protect the public health and safety.

1001.B. Modifications and Exceptions. See §107.

1002. REQUIRED IMPROVEMENTS.

This Article sets forth the design and construction standards for required improvements, regardless of whether the improvement will be dedicated to the Township.

1003. OVERALL REQUIREMENTS.

1003.A. Land shall be suitable for the purpose for which it is to be subdivided or developed.

1003.B. Hazardous Conditions. Subdivisions or land developments subject to hazardous conditions (such as open quarries, hazardous or toxic site pollution, limestone solution channels, unconsolidated fill, floods, and land the development of which would create or aggravate flooding on another property, excessive erosion, an unsafe water supply, contamination or pollution of land, or any land which has inadequate access for emergency vehicles) shall not be approved until the developer has provided or has legally committed to provide adequate measures to overcome or eliminate the hazards, in the determination of the Board of Supervisors, to the best of their knowledge.

1. Concerning flood-prone areas, see also the Township's floodplain requirements and Zoning Ordinance.
2. The Township accepts no responsibility to identify hazards or to guarantee their resolution. See §115.

1003.C. Zoning. All aspects of a proposed subdivision or land development shall conform to the Township Zoning Ordinance and all other Township Ordinances and specifications.

1003.D. Nearby Development. A subdivision or land development and its street pattern shall be coordinated with existing or approved nearby developments or neighborhoods to help develop the area harmoniously and to help prevent conflicts between neighboring development.

1003.F. Safety. No subdivision or land development shall occur in such a way that would significantly threaten the public health and safety, including hazards of toxic substances, traffic hazards, explosive hazards and lire hazards.

1003.G. Surface and Groundwater Resources. This §1003.G is intended to ensure that limited groundwater resources are protected for purposes of providing water supplies for residents and businesses, and to protect the base flow of surface waters.

1. Disturbance to the following areas shall be limited to the minimum practicable disturbance needed and shall

be avoided to the extent that the Four-Step Design Process makes it unnecessary:

- a. Streams, springs, swales;
- b. Buffer zones;
- c. Wetlands, areas with seasonally high water tables, vernal pools and other areas of surface water concentration. Seasonal high water table soils may be disturbed where it can be demonstrated that they are suitable for low density residential uses and conventional on-site sewage systems, where applicable.

2. All floodplain areas shall be preserved from any destruction or damage from clearing, grading, filling or dumping of waste material, stumps, or other material of any kind, except as permitted in the Township floodplain regulations.
3. Streets, buildings and other impervious surfaces shall be located to minimize disturbance to areas identified as having the greatest permeability, where precipitation is most likely to infiltrate and recharge the groundwater.

1003.H. Woodlands. Woodlands occur extensively throughout the Township, often in association with stream valleys and wet areas, poor and erodible agricultural soils, and moderate to steep slopes. In designing a subdivision and land development plan for any tract, the applicant shall be guided by the following standards:

1. Healthy woodlands exceeding 1 acre shall be preserved to the greatest extent possible. Proposed site improvements shall be located, designed and constructed to minimize the loss or degradation of woodland areas. Where disturbance or tree cutting is unavoidable or considered desirable in accordance with sound forest management practices, as much of the woodland as possible should be retained, of a size and configuration which would promote its growth and natural regeneration.
2. Disturbance of groves of trees, single specimen trees, hedgerows, and other vegetation, providing food and cover for wildlife or visual amenity shall be minimized.
3. Woodlands along roadways, property lines, stone fences and hedgerows shall be preserved as buffers against adjacent properties and between areas being subdivided within a property. Preservation shall include ground, shrub, understory and canopy vegetation.
4. Disturbance or removal of woodlands and vegetation performing important soil stabilizing functions on wet soils, stream banks and steep slopes may be undertaken on a limited, selective basis to minimize the adverse impacts of such actions, only when approved by the Board of Supervisors.
5. No clearing or earth disturbance (except for soil analysis for proposed sewage disposal systems) shall be permitted on a site before the completion of subdivision and land development agreements. The determination of sight distance clearances along roadways shall be made graphically and not by clearing on-site prior to final plan approval.
6. Removal of invasive species shall be permitted.

- 1003.I. Upland Areas. Upland areas consist of fields, pastures, meadows, and former agricultural areas in early stages of woodlands succession, with fences, stone walls, tree groves and hedgerows, typically bordered by stream valleys and upland woodlands. These comprise the Township's historic working landscape, dotted with historic houses, barns and other structures. They also contain the greatest concentration of prime agricultural soils. Because of their openness and high visibility, development in these areas is likely to be most readily seen and disruptive to the historic landscape. Such areas sometimes provide habitat for wildlife, in conjunction with nearby woodlands and stream valleys. These areas also frequently offer the fewest constraints for development.
1. Elements that lend themselves to incorporation into the Open Space include prime agricultural soils and natural features such as hedgerows, tree groves, stone walls and visually prominent places such as knolls and hilltops.
 2. When such areas are used for development, preferred locations are non-prime agricultural soils and lower topographic settings where development will be visually less obtrusive.
- 1003.J. Steep Slopes. The purpose of steep slope regulations is to conserve and protect those areas having steep slopes from inappropriate development and excessive grading; to prevent potential dangers caused by erosion, stream siltation, and soil failure; and to promote uses in steep slope areas that are compatible with the preservation of existing natural features, including vegetative cover by restricting grading of steep slope areas.
- 1003.K. Rare and Endangered Species. Habitat and rare or endangered plants and animals, documented by the Pennsylvania Natural Diversity Inventory, shall be protected by avoiding their disturbance in areas proposed for development and incorporating them into any required Open Space. Sites in county and local natural areas inventories shall also be preserved to the greatest extent possible.
- 1003.L. Historic Structures and Sites. Plans requiring subdivision and land development approval shall be designed to protect existing historic resources.
1. The protection of an existing historic resource shall include the conservation of the landscape immediately associated with, and significant to, that resource, to preserve its historic context.
 2. Where, in the opinion of the Commission, a plan will have an impact upon an historic resource, the Applicant shall mitigate that impact to the satisfaction of the Commission by modifying the design, relocating proposed lot lines, providing landscape buffers, or other approved means.
 3. Township participation, review and approval of the Applicant's interaction with the State Historical and Museum Commission with regard to the preservation of historic resources, as required for DEP approval of proposed sewage disposal systems, shall be required prior to Preliminary Plan approval.
- 1003.M. Scenic Road Corridors. All subdivision and land development proposals shall preserve the scenic road corridors identified in the Township's Open Space or Comprehensive Plan, to the greatest extent possible.
1. These roads shall be incorporated into Open Space or otherwise protected by providing for building setbacks and architectural designs that minimize intrusion on the character being preserved.
 2. Where such designs fail to satisfactorily protect corridors, applicants shall provide naturalistic, planted screening buffers in accord with Township landscape requirements to minimize the adverse visual impacts

of the proposed development.

1003.N. Trails. When pedestrian and/or equestrian trails are proposed as part of a subdivision or land development the following shall apply:

1. When trails are intended for public or private use, they shall be protected by a permanent conservation easement on the properties on which they are located. The width of the protected area in which the trail is located should be a minimum of ten feet. The language of the conservation easement shall be to the satisfaction of the Board of Supervisors upon recommendation of the Township Solicitor.
2. The land area permanently designated for trails for public use may be credited toward the dedicated open space requirement of the Zoning Ordinance.
3. Trail improvements shall demonstrate adherence to principles of quality trail design.
4. Trails shall have a vertical clearance of no less than ten (10) feet.
5. Width of the trail surface may vary depending upon type of use to be accommodated, but in no case shall be less than four (4) feet or greater than six (6) feet.
6. No trail shall be designed with the intent to accommodate motorized vehicles.

1003.O. Resource Conservation Standards For Site Preparation and Cleanup.

1. Protection of Vegetation from Mechanical Injury. Where earthwork, grading, or construction activities will take place in or adjacent to woodlands, old fields or other significant vegetation or site features, the Township may require that the limit of disturbance be delineated and vegetation protected through installation of temporary fencing or other approved measures. Such fencing shall be installed prior to commencing of, and shall be maintained throughout, the period of construction activity.
2. Protection of Vegetation from Grading Change. Grade changes to occur at any location of the property shall not result in an alteration to soil or drainage conditions which would adversely affect existing vegetation to be retained following site disturbance, unless adequate provisions are made to protect such vegetation and its root systems.
3. Protection of Vegetation from Excavations. When digging trenches for utility lines or similar uses, disturbances to the root zones of all woody vegetation shall be minimized. If trenches must be excavated in the root zone, all disturbed roots shall be cut as cleanly as possible. The trench shall be backfilled as quickly as possible.
4. Protection of Topsoil.
 - a. Except as approved on the Preliminary Plan, no topsoil shall be removed from the site and shall be retained on the site as necessary for proper site stabilization.
 - b. Prior to grading operations or excavation, topsoil in the area to be disturbed shall be removed and stored on site, except as approved on the Preliminary Plan.
 - c. Topsoil removed shall be redistributed and stabilized as quickly as possible following the establishment

of required grades for a project or project phase. All exposed earth surfaces shall be stabilized in accord with best management practices.

- d. Grading and earthmoving operations shall be scheduled to minimize site disturbance during the period from November 1 to April 1, when re-vegetation of exposed ground is difficult.

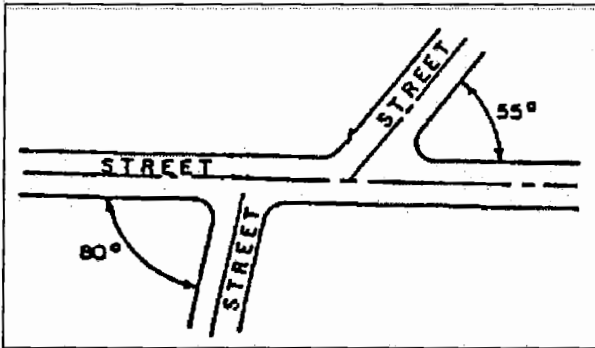
1004. STREETS.

1004.A. Access to Streets.

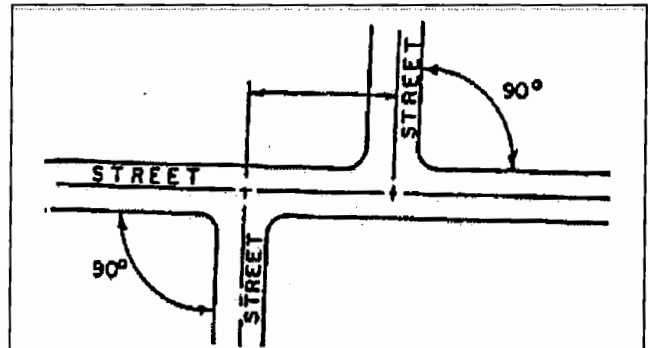
1. All proposed subdivisions and land developments shall have adequate and safe access to the public street system.
2. Frontage. Any lot created under this Ordinance shall have frontage and access onto either:
 - a. a public street (which may be required to be improved as necessary under §1004.M.) or
 - b. a private street constructed to the same standards as a public street and that has a permanent system to ensure adequate maintenance, except as provided in parts "5" and "6" below.
3. Private Streets and an Existing Lot. A pre-existing lawful lot of record that abuts an existing private street that does not meet Township standards may have access for a single principal use onto such private street, but no new lot shall be created with access onto such street, except as provided in parts "5" and "6" below.
4. Emergency Access. Suitable access for emergency vehicles shall be provided within all subdivisions and land developments, including adequate clear width, and including access to reach all principal buildings. Driveways shall be designed to be accessible to emergency vehicles. See driveway standards in §1012.
5. Existing Private Street and New Lots. An existing private street may be upgraded to allow the creation of one or two new lots, if approved by the Board of Supervisors and if the following conditions are met:
 - a. The applicant shall grant a sufficient width of easement along the street to affected property-owners to result in a total 50 feet minimum easement width along all street frontage that is owned by the applicant.
 - b. The applicant shall agree to ensure that the private street will be upgraded prior to occupancy of the new lot(s) with a minimum compacted depth of 18 inches of stone which is then covered by a tar and chip surface or one inch minimum of bituminous paving. These improvements shall result in a minimum travelway width of 18 feet, from the driveways of the new lots to a public street. The proposed improvements shall be approved by the Board of Supervisors.
 - c. The owners of the parent lot and any new lots shall be bound to annually contribute towards the maintenance of the street.
 - d. The Board of Supervisors shall determine that the street will be suitable for access by emergency vehicles, after any improvements that the applicant may agree to make.
 - e. The Board of Supervisors shall determine that the private street is the only reasonable method of providing access to the property.

6. Parking Courts. If individual units of an office park, townhouse, apartment or mobile home park development have vehicular access onto a private parking court, that parking court is not required to meet Township construction standards for streets, provided that:
 - a. the parking court and related access ways have vehicular access onto a public street, and
 - b. (except for a rental development) that there be an system to ensure maintenance of the parking court that is acceptable to the Board of Supervisors.
 7. Alternative Access Routes. If a subdivision or land development has a single means of vehicle access to pre-existing streets, a maximum of 1,200 feet of travel along streets shall be needed in order to reach that single point of access.
- 1004.B. Streets and Topography. Proposed streets shall be adjusted to the contour of the land to produce usable lots and reasonably sloped streets. See the steep slope regulations in the Zoning Ordinance.
- 1004.C. Street Continuations and Widening.
1. Stub Streets. Where deemed necessary by the Board of Supervisors for efficient movement Of traffic, a subdivision or land development shall include the extension of a proposed street with right-of-way to the boundary line of the tract to provide for an eventual extension into the adjacent tract for efficient circulation of traffic throughout the area.
 2. Widening. Where a subdivision or land development abuts or contains an existing street of inadequate travelway or right-of-way width, the Township may require that the street be widened conforming with Table 10.1, "Design Standards for Streets" and that right-of-way be dedicated or be future right-of-way be shown on the plan conforming with Table 10.1. Where PennDOT will not accept additional right-of-way along a State road, the Township may accept the right-of-way, or the right-of-way may be reserved for future dedication.
- 1004.D. Intersections.
1. The centerlines of streets shall intersect at right angles except where the Board of Supervisors determine that a right angle intersection is not feasible. In such case, the intersection shall be at as nearly a right angle as possible, with an absolute minimum angle of 75 degrees.
 2. Alignment of Street Intersections.
 - a. No more than two streets shall intersect at one point.
 - b. Where a proposed street or business driveway intersects an existing cross street, such proposed street or business driveway shall be aligned with any street intersecting on the other side of the cross street, unless the Board of Supervisors or PennDOT determine that such alignment is not reasonable or feasible.
 - c. If a proposed street cannot intersect at the same location as a street on the other side of the cross street, then the proposed street shall be offset by the following minimum distances from the nearest intersection of streets:

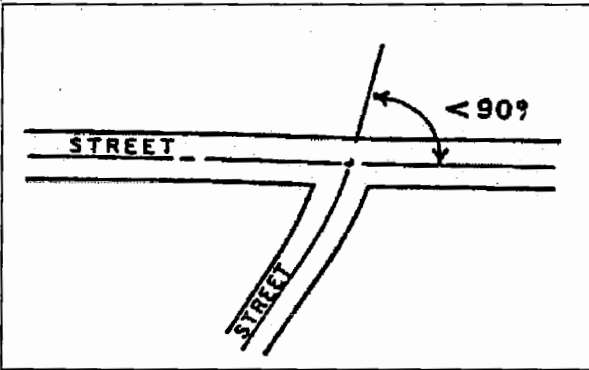
- 1) 150 feet along a local street,
- 2) 400 feet along a collector street, and
- 3) 1,000 feet along an arterial street.
- 4) Measurement. The minimum distances shall be measured between the points where the centerlines of the right-of-ways of the intersecting streets intersect with the centerline of the cross street. (See the following figures).



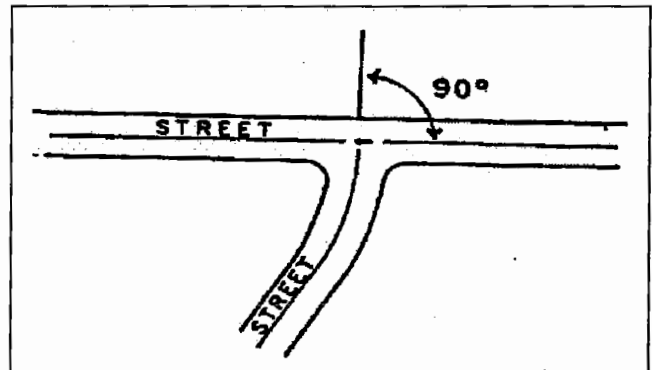
Unacceptable Street Intersection Design



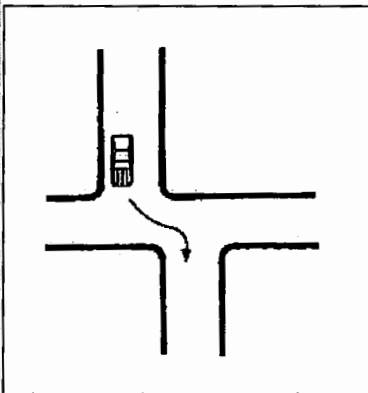
Acceptable Street Intersection Design



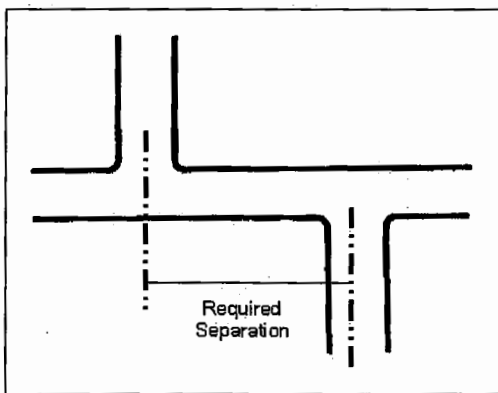
Unacceptable Street Intersection Design



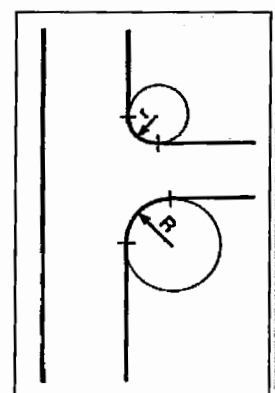
Acceptable Street Intersection Design



Corner Cutting



Required Centerline Separation



Cartway Edge Arc

3. At street intersections, lot lines shall be rounded by arcs with the radii listed below. For arterial streets, the Board of Supervisors may require a larger radius than stated below, if necessary for truck traffic.

Type of Street	Minimum Radius of Arc at Intersection of Cartway Edge or Curb Line
Arterial	45 feet
Collector	40 feet
Local	35 feet

4. The minimum right-of-way line shall be maintained along the radius of arc of an intersection so as to result in a minimum of at least 10 feet of width in the right-of-way along the cartway edge.

1004.E. Arterial, Connector and Collector Street Frontage. Where a subdivision or land development abuts or contains an existing or proposed arterial, connector or collector street, the Board of Supervisors shall require one or more of the following methods of layout and site design if it determines one or more of these methods will be reasonable, feasible and necessary to avoid increased traffic congestion and improve traffic safety. The Board's decision to use one or more of the following methods will be based on the recommendations of the Planning Commission, the Township Engineer, any comments from PennDOT and any professional traffic studies that have been submitted.

1. the use of a marginal access or "frontage" street, to collect traffic from numerous driveways and direct it to a select few number of entrances to the arterial or collector street, and/or
2. the minimization of the number and length of driveway cuts or street intersections onto an arterial, connector or collector street, which may include requiring the use of shared driveways between adjacent uses or lots, and/or
3. the restriction of ingress and egress involving left-hand turns onto or off of the arterial, connector or collector street,
4. the prohibition of driveways from individual dwellings entering directly onto an arterial, connector or collector street. If there is no alternative to this, each driveway entering onto an arterial, connector or collector street shall have adequate turn-around space for vehicles provided within the lot so that vehicles do not back onto the street, and/or the requirement that traffic access be provided onto the less traveled of two streets.

1004.F. Street Design Standards. Streets shall be designed to the standards in Table 10.1 unless PennDOT establishes a more restrictive requirement along a state road.

1. Street Alignment. Street alignment shall be designed per Table 10.1 and the following:
 - a. Deflection. Whenever street lines are deflected in excess of five (5) degrees within one hundred (100) feet, connection shall be made by horizontal curves.
 - b. Sight Distances. Streets shall be designed so that there will be unobstructed sight distances along the

center-line thereof as set forth in Table 10.1.

- c. **Stopping Sight Distance.** Stopping sight distance is the length of highway over which an object is visible to the driver at all times. For the purpose of measuring the available stopping sight distance at a particular location, the driver's eye height is assumed to be three and one-half (3.5) feet above the roadway surface and the object height is assumed to be six (6) inches above the roadway surface.

TABLE 10.1						
DESIGN STANDARDS FOR STREETS						
(Applicable to residential and nonresidential uses except as noted.)						
DESIGN SPECIFICATION	Connector	Collector	Minor	Local & Marginal Access	Alley	Private Access
Design speed (mph)	45	45	40	30	20	20
Posted speed (mph)	40	40	35	25	NA	NA
Average daily traffic	> 4,000	1,501 - 4,000	500 - 1,500	< 500	NA	NA
CROSS SECTION STANDARDS						
Street right-of-way width (feet)	60	60	50	50	30	20
Travelway width (feet)	24	22 ¹ / 24 ²	20	20 ³	16	12
Shoulder width, each side (feet)	8	6	4	4	NA	NA
Cartway width (feet)						
-with shoulders	40	34 ¹ / 36 ²	28	28	20	NA
-with curbs, no parking	26	24 ¹ / 26 ²	22	22	18	NA
-with curbs, parking one side	NA	NA	30	30	NA	NA
-with curbs, parking each side	NA	NA	40	40	NA	NA
Crown (%)	2	2	2	2	2	2
Superelevation per AASHTO, maximum (%)	8	8	8	8	NA	NA
Shoulder slope (%)	6	6	6	6	6	NA
Clear zone width (feet)	PennDOT spec	PennDOT spec	PennDOT spec	PennDOT spec	PennDOT spec	NA
GEOMETRIC STANDARDS						
Grade, maximum (%)	8	10	12	12	12	12
Grade, minimum (%)	1	1	1	1	1	1
Center line radius, minimum (feet)	600	400	300	200 ³	75	75
Stopping sight distance, minimum (feet)	360	360	305	200	115	115
Tangent between reverse curves, minimum (feet)	100	100	50	50	0	0
Minimum K, vertical curves - crest/sag	61 / 79	61 / 79	44 / 64	19 / 37	7 / 17	7 / 17
Vertical curve length, minimum (feet)	135	135	120	90	60	60
Swale or gutter grade, minimum (%)	1	1	1	1	1	1
¹ residential ² nonresidential ³ The Applicant may submit alternative designs for consideration in accord with §98-7 for residential streets serving a limited number of lots provided AASHTO standards are met. NOTE: Arterial streets shall be designed to PennDOT specifications.						

2. Vertical Curves. Vertical curves shall be used at changes of grade exceeding one (1) percent and shall be designed in accord with Table 10.1. The following vertical curve information shall be shown on the street profiles:
 - a. Length of vertical curve.
 - b. Elevation and stationing of the Vertical Point of Intersection, Vertical Point of Curvature, Vertical Point of Tangency, and Middle Offset.
 - c. Street grades.
 - d. Sight distances.

3. Street Grades. Street grades shall be designed as follows:
 - a. Center-line grades shall not exceed the grades set forth in Table 10.1.
 - b. The maximum grade across the turnaround on a cul-de-sac street shall not exceed four (4) percent.
 - c. To provide for adequate drainage, the minimum grade of any street swale or gutter shall not be less than one (1) percent.
 - d. A leveling area for all street intersections shall be provided as follows:
 - 1) The tangent grade of the through street at the point of intersection of the center-lines of the two streets shall not exceed eight (8) percent for collector, minor, local access, and marginal access street intersections; and, all other intersections shall comply with the grades as required on Table 10.1. Crest and sag vertical curves shall be provided in accord with §1004.F.2.
 - 2) The tangent grade of the connecting street(s) shall not exceed four (4) percent within twenty-five (25) feet of the right-of-way lines of the through street. Crest and sag vertical curves shall be provided in accordance with §1004.F.2. The point of vertical curvature or tangency shall not be within the through street right-of-way, where access can be obtained to two different streets.

1004.G. Easements. See §1011.

1004.H. Sight Distance and Sight Clearance.

1. Clear Sight Triangle.
 - a. At any intersection with a street of another street(s) or an accessway or driveway serving two or more non-residential principal uses, a clear sight triangle shall be provided. Such triangle shall be graded, cleared and kept clear of sight obstructions (other than official street sign posts and individual canopy tree trunks) for a height between 2 and 10 feet above the ground level.
 - b. Such clear sight triangle shall be protected by a permanent deed restriction, covenant stated on the record plan, municipal easement or other legally binding method acceptable to the Township.
 - c. Such clear sight triangle shall be determined by the distances stated below, which shall be measured along the centerlines of the right-of-ways (or cartways where right-of-ways do not exist) of streets/accessways/ driveways. Such distances shall be measured from the intersection of such lines, with the third leg of the triangle connecting the opposite ends of each leg.

- d. Where a street, accessway or driveway enters onto a public street, one leg of the clear sight triangle shall be measured 25 feet back from the edge of the cartway of such street, accessway or driveway. Another leg of the triangle shall be measured along the centerline of the length of the street that is intersected. This leg shall be a minimum of 350 feet long for an arterial street and 200 feet long for a collector or local street. These two legs shall be connected by a third longer leg to form a triangle.

2. Intersection Sight Distances.

- a. In addition to the permit requirements for a PennDOT Highway Occupancy Permit or a Township Driveway Permit, all proposed intersections, be they with a State road, a Township street, a private street or a proposed street, shall be located to provide the desirable sight distances set forth in PennDOT Highway Occupancy Permit regulations (as of 2003, these were in Tables I through 4 of 67 Pennsylvania Code Chapter 441) for a State road, and with Tables I through 4 of the Ross Township Driveway Ordinance for intersections with a Township street, private street or proposed street.
- b. If it is not possible to meet the minimum desirable sight distances established by the tables described in §1004.H.1.a, then the intersection shall be located at the point of maximum sight distances that are achievable within the street length of the property and shall meet the minimum required safe sight distances set forth in such PennDOT regulations (as of 2003, in §441.8(h)(2)(iv) of Chapter 441) and the Ross Township Driveway Ordinance (as of 2003, in §8(e)(2)(iv)).
- c. In the event that the applicant proves to the Township that the minimum required safe sight distances cannot be met at any point on the property, then the Board of Supervisors may require one or more of the following:
 - 1) Require that the intersection be located at the point where maximum sight distance can be achieved;
 - 2) Restrict turning movements into or out of the intersection (such as no left turns into or out of the intersection);
 - 3) Require the installation of a right turn acceleration or deceleration lane;
 - 4) Require the installation of a left turn standby lane;
 - 5) Require that the horizontal or vertical alignment of the street be altered;
 - 6) Require an alternative form of access, such as a shared driveway with another lot, or access onto a different street; and/or
 - 7) Deny approval of the plan on the grounds that the minimum safe distance requirement cannot be met and that therefore public safety cannot be adequately protected, and/or that any restrictions on turning movements would not be practical or would have adverse impacts upon other properties and streets that may be used for turnarounds.
- d. In the event that turning movements are to be restricted, the applicant shall provide a detailed design of the proposed intersection and an engineering analysis of the anticipated impacts resulting from such restricted turning movements. The design and analysis shall be prepared by a professional engineer with

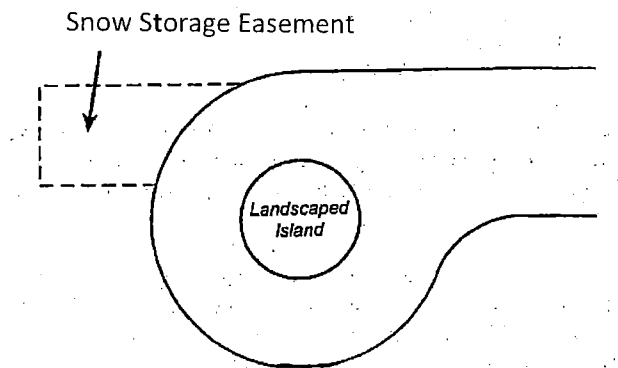
expertise in traffic engineering, and shall address the following:

- 1) The impacts on properties, roads and other facilities within the vicinity that may be used by motorists for turnarounds necessary to comply with the restricted turning movements at the subject intersection.
 - 2) The impacts on public safety, based upon sight distance, vehicle capacity and potential interference with pedestrians at the impacted site(s), as well as the vehicle type and characteristics.
 - 3) The applicant shall submit detailed design and construction plans of the proposed intersection(s) which comply with the final plan requirements of this Ordinance, which include appropriate methods to ensure compliance with the turning restrictions, such as channelization, alignment, and signage. Such methods should be certified as complying with applicable standards of PennDOT or AASHTO.
- e. The Board of Supervisors shall deny approval of the plan if it is determined that any of the following conditions will result from the proposal:
- 1) The impact of other properties, as evaluated under "d." above, will be unacceptable.
 - 2) The impact on the public safety, as evaluated under "d." above, will be unacceptable.
 - 3) The design of the intersection will fail to ensure compliance with the turning restrictions.
- f. See also the sight distance requirements in the Township Driveway Ordinance.

1004.I. Cul-de-Sac Streets.

1. Any cul-de-sac street shall have a maximum length of 1,200 feet.
 - a. The length of the cul-de-sac street shall be measured from the centerline of the turnaround to the point along a street where there are not two alternative vehicle routes to reach a through-road. If one cul-de-sac street intersects a second cul-de-sac street, then the length of the cul-de-sac shall be measured along the total travel distance along the two streets. The length of the cul-de-sac street shall be measured along the centerline of the street.
 - b. See also §1004.A.7.
 - c. Cul-de-sac streets must be provided with a turn-around with a minimum paved radius of 40 feet to the face of the outside curb and a minimum radius of 50 feet to the legal right-of-way (see the figure below).
2. The circular right-of-way of the cul-de-sac shall maintain a minimum 10 feet width between the edge of paving and the edge of the right-of-way. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than 50 feet (see the figure below).
3. The Board of Supervisors, after offering the proposal for review by the Planning Commission, may permit acceptable alternative turn-around designs, including a turn-around of acceptable radii incorporated into a parking court or a landscaped island within a cul-de-sac or a one-way loop street.
 - a. The turn-around shall have a sufficient radius to allow movement by school buses, snow plows and delivery trucks, even if a vehicle is parked along the side of the travelway.

- b. If a landscaped island is used, it shall be planted in a manner that will require minimal maintenance and shall include a system to provide maintenance that is acceptable to the Township.
 - c. If a one-way loop street is used, it shall not require one way traffic for more than 500 feet of road length, and shall have a minimum paved width of 14 feet.
4. No street shall dead-end without an approved turn-around at the end of the street. Temporary stub streets shall be required to include at least a temporary cul-de-sac, if the stub would be longer than 150 feet or serve 2 or more dwellings or lots.
- a. The temporary cul-de-sac shall be paved in the same manner as any other street unless a modification is approved by the Supervisors to allow stone until the street is extended.
 - b. The subdivision shall include a right-of-way to the edge of the subdivision to allow extension of the street. The right-of-way of the temporary cul-de-sac shall be established so that it can be turned over to the adjoining property owners once the temporary cul-de-sac is no longer needed.
5. The maximum cross slope on the circular part of a cul-de-sac shall be 7 percent.
6. A cul-de-sac street shall serve a maximum of 18 dwelling units. If any street serves more than 18 dwelling units, it shall have a second means of vehicle access into the development. A cul-de-sac shall serve a maximum of 10 commercial or industrial lots and shall not be intended to serve an average weekday traffic volume greater than 2,000 vehicles per day. See also §1004.A. 7.
7. A snow storage easement shall be established at the end of the cul-de-sac, which shall provide for proper drainage as the snow melts. This easement shall be located so that a snow plow can push snow relatively straight from the street to the far end of the cul-de-sac. This snow storage easement shall be located clear of any driveways.
8. The following illustrates one acceptable design for a cul-de-sac street, where it works topographically.



1004.J. Maintenance. As a condition for Final Plan approval, the developer must enter into a legally binding agreement which shall state who is to be responsible for the improvement and maintenance of any street not offered for dedication. If an association of lot owners is to be made responsible, such association must be legally organized prior to plan approval by an agreement approved by the Township.

1004.K. Street Design and Construction Standards.

1. Streets (and alleys where provided) shall be graded, improved and surfaced to the grades and dimensions shown on plans, profiles and cross-sections submitted by the developer and as approved by the Board of Supervisors and shall meet applicable Township standards.
2. **Right-of-Way Grading.**
 - a. The right-of-way shall be graded according to the approved cross-section. The excavation shall be backfilled and suitably compacted to the satisfaction of the Township inspector.
 - b. The finished street surface shall be crowned in conformance with the Township specifications.
 - c. Super-elevation - See §1004.F.
3. **Grading beyond Right-of-Way.**
 - a. The subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the proposed elevation of the abutting property.
 - b. Such grading beyond the right-of-way shall generally maintain the original directions of slope except where storm water runoff designs dictate changes.
 - c. Approved plans, either preliminary or final, showing proposed grading, shall be a covenant running with the land.
 - d. In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of 4 feet horizontal to 1 feet vertical. In areas of rock excavation, such grading shall be done to a maximum slope of one foot horizontal to 2 feet vertical.
 - e. In no case shall the required street grading extend onto an adjoining property with a different landowner, unless the other adjoining property owner gives a written agreement to the developer to accomplish such work.
4. **Trench Excavation.** All trenches excavated within the cartway of an existing or proposed public street or right-of-way shall be mechanically compacted with backfill acceptable to the Township inspector or be stone backfilled if the cartway is to be paved in the same construction season.
5. Drainage of streets shall comply with §1008. A drainage swale shall be provided along both sides of a street, with outlets at drainage easements.
6. **Sub-Grade.** The design, construction and materials of a street shall be take into full account the supporting capacities of the sub-grade. Each street shall be constructed upon a properly rolled and crowned sub-grade. The applicant shall pay particular attention to those soils which are subject to frost heave. The Natural Resources Conservation Service identifies soil types that have moderate or high potential for frost heave.
 - a. The Township may require a greater depth where necessary considering the conditions of the sub-grade. Materials that are unsuitable, wet soils and soils subject to frost-heave shall be removed and replaced, drained or otherwise stabilized to handle anticipated loads.

- b. The Township may require field and/or laboratory testing of the sub-grade, and/or compaction tests, particularly if on-site shale is proposed to be used. The Township's costs shall be reimbursed by the developer.
7. Alternative Street Specifications. An applicant may, after a review by the Township Engineer and approval by the Board of Supervisors, use an alternative road bed design that is specifically recommended for that type of street by a current official publication of PennDOT. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above.

TABLE 10.2 MINIMUM REQUIRED STREET CONSTRUCTION STANDARDS				
CONSTRUCTION SPECIFICATIONS	STREET CLASSIFICATION			
	Connector	Collector	Minor, Local, Marginal Access & Alley	Private Access
Wearing Course				
material	Superpave Asphalt Mixture Design, 9.5 mm			
compacted depth (inches)	1.5	1.5	1.5	1.5*
Binder Course				
material	Superpave Asphalt Mixture Design, 19 mm			
compacted depth (inches)	3.0	2.0	N/A	2.0*
Base Course				
material	Superpave Asphalt Mixture Design, 25 mm			PennDOT No. 2A Aggregate
compacted depth (inches)	4.5	3.0	3.0	6.0*
Sub-Base				
<ul style="list-style-type: none"> - The Developer shall install <u>all</u> underground utilities within the right-of-way prior to the placement of the stone sub-base. - The stone sub-base shall extend under the required shoulder. - Once the PennDOT No. 2A stone mixture has been placed, the Developer shall not allow any vehicular access/use until the road is paved with the asphalt base course. 				
material	PennDOT No. 2A Aggregate			
compacted depth	12.0 inches	10.0 inches	10.0 inches	NA
maximum construction lift	4.0 inches	4.0 inches	4.0 inches	NA
Shoulders				
material	PennDOT No. 2A Aggregate plus PennDOT Type 1 Shoulder		PennDOT No. 2A Aggregate	NA
compacted depth	20.25 inches	15.75 inches	14.5 inches	
maximum construction lift	6.0 inches	6.0 inches	6.0 inches	
<ul style="list-style-type: none"> - All material shall meet PennDOT Specifications, Publication 408, latest edition. - Pavement base drains will be required for poor subgrade soils. - The Applicant may submit alternative designs based on PennDOT standards for consideration in accord with §98-7. <p>*Superpave Wearing and Binder Courses required for Private Access Street when it provides access to more than one dwelling unit. Increase Base Course to 8 inches for access to a single dwelling unit when Superpave Courses are not provided. The private access street shall be paved from the connection with the adjoining street to 50 feet beyond the adjoining street right-of-way. The paving material and cross section shall meet or exceed the specifications for local streets.</p> <p>NOTE: Arterial streets shall be designed to PennDOT specifications.</p>				

1004.L. Private Access Street. Private access streets may be used to provide access for residential lots to an existing public street. Any subdivision which incorporates a private access street shall be considered a major subdivision and the private access street and any associated stormwater or other facilities shall be considered improvements which require completion or a financial guarantee prior to final approval.

1. Number of Dwelling Units; Access. A private access street shall be used only to provide access to three (3) lots which cannot legally be further subdivided or improved with more than one (1) dwelling unit. All lots in the subdivision which adjoin the private access street shall use it for access to the adjoining public street.
2. Length and Width. The private access street shall not exceed seven hundred fifty (750) feet in length as measured from the edge of the right-of-way of the abutting street to the point of connection to the lot. The width of the private access street shall conform to Table 6-1. Any proposed street exceeding the 750-foot length shall comply with all normal standards which apply to street construction.
3. Further Development. If there is a potential for subdivision or development of any of the lots created such that eventually more than one (1) lot and/or dwelling unit might result, the subdivider shall provide additional right-of-way width as necessary to serve the maximum potential number of lots/dwelling units. Cartway and shoulder widths may remain the same until such time as additional lots are platted or units proposed, at which time all development and street standards applicable to a major subdivision shall apply. In the alternative, the lots may be restricted from further subdivision by deed restriction and inclusion of the following note on the plan: *Each lot served by the private access street shall be restricted from further subdivision and shall be limited to the development of one (1) dwelling unit.*
4. Street Ownership. The private access street shall not under any circumstances be offered to the Township as a public street. A covenant such as follows shall be placed on the final plan and the deed of conveyance clearly assigning responsibility for the maintenance of the private access street and turnaround and establishing its future private ownership status: *The maintenance of the private access street and turnaround shall be the responsibility of the owner(s) of the lots served by the street. The private access street shall remain private and shall not be offered for dedication to the Township as a public street.*
5. Leveling Area. A leveling area not exceeding four (4) percent in grade and not less than forty (40) feet in length shall be provided where the private access street intersects with the right-of-way of the adjoining street.
6. Storm Water; Soil Erosion. Storm water management and soil erosion and sedimentation control shall be addressed in accord with applicable regulations.
7. Through Street Grade. A private access street shall not be permitted to intersect the through street where the tangent grade of the through street at the point of intersection of the center-lines of the two streets exceeds eight (8) percent for the private access street intersection.
8. Paving. The paving material and cross section shall meet or exceed the specifications in Table 10.2.

1004.M. Required Traffic Improvements.

1. Purpose. In recognition of §503(2)(ii) and §503(3) of the Pennsylvania Municipalities Planning Code, this §1004.M is primarily intended to ensure that streets bordering a subdivision or land development are coordinated and of such widths and grades and in such locations as deemed necessary to accommodate

prospective traffic and to facilitate fire protection and to ensure that the access into and out of subdivisions and land developments is sufficiently safe.

2. Process. This §1004.M shall be carried out through determinations of the Board of Supervisors, after considering any recommendations of the Planning Commission, the Township Engineer, the applicant, the applicant's professional representatives, any comments from PennDOT that maybe provided regarding a State road and any professional traffic studies that may have been submitted.
3. On-Site/ Abutting Traffic Improvements. If, in the determination of the Board of Supervisors, there is a reasonable relationship between the need for an "on-site improvement" of a street and the traffic created by a proposed subdivision or land development, the applicant for such subdivision or land development shall be required to complete the needed improvement or fund his/her fair share of the cost of such traffic improvement and to dedicate sufficient street right-of-way for needed improvements.
 - a. Widening of Abutting Roads. An applicant for any land development or major subdivision shall be required to pave any existing unpaved street and widen the travelway and any shoulders of abutting streets to Township standards to result in a minimum paved travelway width of 20 feet, plus 4 feet wide minimum shoulders on each side that are improved to meet the provisions of Table 10.2 or other specifications approved by the Board of Supervisors.
 - 1) Where the Board of Supervisors determine that land owned by another entity on the other side of the street is likely to be developed in the near future, the Board of Supervisors may permit an applicant to only improve the street from the centerline of the street right-of-way inward towards the project's lot lines, provided that sufficient improvements would still be completed for public safety.
 - 2) A lesser width may be permitted where the Supervisors determine that such would be appropriate and/or would save mature trees.
 - 3) A wider width may be required by the Board of Supervisors where needed along a collector or arterial street.
 - b. Such improvements and right-of-way shall be required unless the Board of Supervisors determine:
 - 1) that there is not a reasonable relationship between the improvements and the traffic created by the proposed development, or
 - 2) that widening or right-of-way or other improvements are not needed or that a lesser improvement is sufficient or
 - 3) that PennDOT specifically refuses in writing to allow such improvement to a State road in the foreseeable future, in which case the Township may still require that abutting right-of-way be dedicated to the Township or reserved for future dedication if needed in the future.
 - c. Any improvement to a State street shall meet all PennDOT standards.
4. Types of Required Traffic Improvements.
 - a. The following shall be the definition of "on-site improvement," (unless this definition is amended by

State law): "all street improvements constructed on the applicant's property, or the improvements constructed on the property abutting the applicant's property necessary for the ingress or egress to the applicant's property."

- b. On-site improvements may include, but are not limited to, a new or upgraded traffic signal, land dedication to improve an abutting intersection, realignment of an abutting curve in a road or the widening of the abutting cartway and right-of-way.
 - c. The Township shall not require an applicant to fund or complete a road improvement that is an "off-site improvement", unless the Board of Supervisors determine that such improvement is clearly essential for the physical safety of the occupants/residents of the proposed development (such as for emergency vehicle access).
5. Funding. In place of completing a required street improvement as a condition of final approval, an applicant may enter into a legally binding development agreement with the Township for the applicant to fund the improvement, or his/her fair share of such improvement, as determined by the Board of Supervisors.
 6. Accounting. Any such funds may be placed in escrow until such time as sufficient funds are available for a more comprehensive improvement, with interest being used towards the cost of the improvement. Any such funds received under this §1004. M shall be accounted for separately.
 7. Staging. Any completion or funding of a required road improvement may occur in stages in relationship to the stages of the development, if so stated in a legally binding development agreement and/or as a condition of final plan approval.

1004.N. Traffic Impact Studies.

1. Purposes. To enable the Township to assess the impact of a proposed development on the transportation system. To ensure that proposed developments do not adversely affect the transportation network. To identify any traffic problems associated with access from the site to the existing transportation network. To delineate solutions to potential problems and propose improvements to be incorporated into the proposed development.
2. Applicability.
 - a. A traffic impact study shall be required for any subdivision or land development that at build-out after completion of all phases is projected to generate 500 or more average daily trip ends. "Trip ends" shall mean the total number of trips both entering and exiting the proposed development. These projected trip ends shall be based on the latest edition of the publication titled Trip Generation, published by the Institute of Transportation Engineers, or upon traffic studies conducted within the last five years at comparable developments.
 - b. If a development is proposed to be submitted in phases, the initial traffic study shall consider a reasonable estimate of the likely development in later phases, in addition to the current phase.
 - c. The boundaries of the study area to be analyzed shall include those existing and proposed streets and intersections which may be affected by the proposed subdivision or land development. If there is any dispute as to whether existing and proposed streets and intersections may be affected or not, the final discretion shall rest with the Board of Supervisors.

- d. In lieu of submitting a traffic impact study, under the provisions of §107, the Board of Supervisors may approve a modification to accept a fee from an applicant to be put towards the cost of a larger more comprehensive traffic study or to accept a developer making an improvement to a street that otherwise would not be required by the Township or PennDOT.

3. Traffic Impact Study Contents.

- a. Site Description. This §1004.N shall include the location, proposed land uses, acreage, construction staging and completion date of the proposed land development. Types of dwelling units and number of bedrooms shall be included for residential developments, and gross and usable floor area for non-residential developments. A brief description of surrounding land uses and other proposed land developments within the study area shall be provided. A study area map should also be included.
- b. Transportation Facilities Description.
 - 1) The study shall describe the proposed internal transportation system, including vehicular, bicycle, bus and pedestrian circulation, all internal roadway widths and rights-of-way, parking conditions, traffic channelization and any traffic controls within the site.
 - 2) The study shall describe location and design of proposed access, including sight distance limitations and distance from adjacent driveways and intersections.
 - 3) The report shall describe the external roadway system within the study area. Major intersections in the study area shall be identified and mapped. Any proposal for bus or van service shall be described. Pedestrian and bicycle facilities on abutting properties shall also be documented. All proposed or approved roadway improvements within the study area shall be noted.
- c. Existing Traffic Conditions. Existing traffic conditions shall be documented for all streets and intersections in the study area. Traffic volumes shall be recorded for existing average daily traffic, existing peak hour traffic and for traffic during the development's peak hour. Complete traffic counts at all intersections in the study area shall be conducted, encompassing the peak hours of the development and roadway. A volume capacity analysis using the procedures of the current Highway Capacity Manual and based upon existing volumes shall be performed during the peak hour(s) of the development for the peak hour(s) of all roadways and major intersections in the study area. Levels of service shall be determined for each location.
- d. Traffic Impact of the Development. Estimation of vehicular trips to result from the proposal shall be completed for the peak hour(s) of both the street system and the development. Acceptable source(s) and methodology shall be followed. These generated volumes shall be distributed to the study area and assigned to the existing streets and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to all access points. Safety issues for any pedestrian crossings shall be described. Any characteristics of the site that will cause unusual trip generation rates and/or traffic flows shall be noted.
- e. Analysis of Traffic impact. The total future traffic demand based on full occupancy of the proposed subdivision or land development shall be calculated for the existing and proposed streets and intersections. This demand shall consist of the combination of the existing traffic expanded to the completion year through the use of an accepted background growth rate, the development-generated

traffic, and the traffic generated by other proposed developments in the study area. A volume/capacity analysis shall also be conducted using the total future demand and the future roadway capacity. This analysis shall be performed using the peak hour(s) for all streets and major intersections in the study area. The Township may also require this analysis to be conducted for the peak hour(s) of the development. Volume/ capacity calculations shall be completed for all movements at major intersections. Levels of service for all streets and intersections shall be listed.

f. Conclusions and Recommended Improvements.

- 1) Any movements on streets and intersections within the study area showing a Level of Service E, or worse, based on the latest edition of the Highway Capacity Manual, shall be considered deficient. Specific recommendations for the elimination of these problems shall be listed. For unsignalized intersections where the traffic impact of the development causes the side street approach to degrade to a Level of Service D or lower, the intersection shall be evaluated for a signal warrant. Highway capacity evaluations shall consider not only the overall intersection level of service, but also each approach and movement to identify any substandard values which need to be improved.
- 2) All locations where the level of service for the completion year of the development is deficient without the proposed development, the study shall determine improvements which would provide a level of service and delay no worse than conditions without the subject development. These improvements may include street and intersection design and improvements, traffic signal installation and operation, traffic signal timing and other improvements. The study shall also provide an analysis to determine improvements which would eliminate all deficient levels of service.
- 3) Actions to facilitate use of bus or van service shall be included, if applicable.
- 4) The listing of recommended improvements for both streets and transit shall include, for each improvement, the party responsible for the improvement, a preliminary cost estimate and funding of the improvement, and the phase of development during which the improvement is proposed to be completed. Any roadway improvement which requires increased right-of-way shall be identified.
- 5) The traffic impact study may be used as a basis for a Township requirement under §1004.M. or another section of this Ordinance.
- 6) Improvement plans shall not be submitted to the Pennsylvania Department of Transportation) before they are submitted to the Township. Approval of a site access plan by PADOT does not guarantee approval by the Township.

g. Preparation and Review. The preparer of the traffic impact study shall be a professional engineer or transportation planner. The developer shall reimburse the Township for reasonable fees and expenses incurred by the Township Engineer or Traffic Engineer for the review of the developer's traffic impact study and plans.

4. Transportation Management Plan for Special Events. For special events or developments with venues for cultural, entertainment or sports at which attendance is projected to exceed 4,000 persons per day, a transportation management plan shall be prepared. This plan shall be in addition to all other requirements of any traffic impact study under this section. The plan shall describe the peak days and times of events, and the anticipated directions of traffic. The plan shall describe all facilities and coordination which will be used to accommodate the traffic generated by these events. This should include, but not be limited to, use of

satellite parking facilities, provision of bus or van service, traffic control facilities and traffic control personnel, anticipated coordination with emergency services and law enforcement, and signage or message boards on the local roadway system and on interstate and major state roadways within and entering the region. The accommodation of employee transportation and parking shall also be described.

1005. BLOCKS.

1005.A. Maximum Length. Residential blocks shall not exceed 2,000 feet in length in subdivisions using an average lot size of 1 acre or larger and shall not exceed 1,500 feet in length in subdivisions having an average lot size less than 1 acre, unless permitted by the Board of Supervisors.

1. Pedestrian Crossings. The Board of Supervisors may require that a pedestrian access easement be provided to provide pedestrian access where street connections are not available to serve the same purpose.
2. Future Street. Blocks shall be considered to be separated by the reservation as part of an approved subdivision plan of a 50 feet minimum right-of-way reserved for a future cross-street, such as a street is intended to serve future interior lots. Such future street is not required to be constructed until such time as the lots fronting on it are subdivided. Such right-of-way shall be retained in the same ownership as the abutting interior lot(s) until a street may be developed.

1005.B. Minimum Length. Residential blocks shall have a minimum length of 250 feet, unless otherwise approved by the Board of Supervisors.

1005.C. Blocks shall be of sufficient width to permit 2 tiers of lots, except where access is limited by virtue of an adjoining arterial street or by virtue of topographic limitations, unless permitted by the Board of Supervisors.

1006. LOTS.

1006.A. Zoning. All lots shall conform to all requirements of the Township Zoning Ordinance, as were in effect at the time such subdivision plan was duly submitted.

1006.B. Street Frontage. All lots shall front on a public street with a minimum paved cartway abutting the lot of 20 feet, or that the applicant agrees to so improve through the posting of acceptable financial security, or on a private street within the requirements of §1004.

1006.C. The average depth-to-width ratio of a lot shall generally not be greater than 3 to 1, unless otherwise permitted by the Board of Supervisors.

1006.D. Side lot lines shall abut and be approximately at right angles to straight streets and on radial lines to curved streets, unless otherwise permitted by the Board of Supervisors. Pointed or very irregularly shaped lots shall be avoided.

1006.E.

1. Lots abutting two streets on two non-contiguous sides shall ordinarily not be created except as needed to avoid direct vehicular access onto an arterial or collector street by individual driveways. This shall not apply to a lot abutting an expressway.

2. Rear Yard Buffers Along Major Streets.

- a. Any residential lot of less than 2 acres with a rear yard directly abutting a collector or arterial street or expressway shall along such rear yard include a 10 feet wide planting strip along the back of the lot, with access across this strip clearly prohibited on notes on any approved plan.
- b. In addition to any street trees required by §1018, this planting strip shall include evergreen plantings meeting the buffer yard requirements of the Township Zoning Ordinance or alternative landscaping approved by the Planning Commission.
- c. Any fencing in the rear of such lots shall be placed on the inside of such plantings. Such plantings shall be placed so that they do obstruct safe sight distance.

1006.F. A lot, other than dedicated open space, that would not be suitable for uses permitted in that zoning district shall not be created as part of a subdivision, but instead shall be incorporated into another lot.

1007. OPEN SPACE AND RECREATION AREAS AND FEES.

1007.A. Purposes. To provide adequate open spaces, recreational lands and recreational facilities to serve new residents of new developments, for both active and passive recreation; To recognize and work to carry out the Recreation Plan for Ross Township, or its successor plan.

1007.B. Applicability.

1. This §1007 shall apply to any subdivision or land development for which a preliminary plan or a combined preliminary/ final plan is submitted after the enactment date of this amendment.
2. This §1007 shall not apply to plans that the Board of Supervisors determines only involve clearly minor adjustments or corrections to an approved preliminary plan or clearly minor adjustments or corrections to a preliminary plan that was before the Township for consideration at the date of the adoption of this amendment.

1007.C. Limitations on Use of Fees.

1. Any fees collected under this §1007 shall be placed within an interest-bearing account and shall be accounted for separately from other Township funds.
2. To ensure that the lands and facilities are accessible to the residents of the developments that paid fees towards their cost, such fees shall only be used within a 4 mile radius of the boundaries of the subdivision or land development that paid the fees, unless the Board of Supervisors determine that a proposed improvement would clearly serve the entire population of the Township.
3. Such fees shall only be used for the following: acquisition of public open space, development of public recreational facilities, landscaping of public open space and closely related engineering and design work.
4. Unless the Township identifies fees for a particular set of facilities or particular recreation area, then the fees shall be used for the further development of the Township Park between Anchor and Kunkletown Roads as a generally centrally located recreation area providing programs and facilities for the entire Township.

1007.D. Land Dedication. Any subdivision or land development regulated under this §1007 shall be required to dedicate the specified amount of common open space, unless the Board of Supervisors require recreation fees-in-lieu of land.

1. Generally, it is the intent of this §1007 that developments of, at a minimum, 5 or fewer dwelling units that do not include land that is adjacent to existing publicly-owned land shall be required to pay a recreation and open space fee in lieu of dedicating land. However, if the applicant does not agree to pay such fees, then land shall be required to be dedicated.
2. The land and fee requirements of this §1007 shall be based upon the number of new dwelling units that would be permitted on the lots of a subdivision or land development after approval.
3. Prime Open Space. For the purposes of this section, the term "Prime Open Space" shall mean land proposed to be dedicated as common open space that would meet all of the following standards:
 - a. less than 6 percent slope,
 - b. not a "wetland" under Federal and/or State regulations,
 - c. be part of a contiguous tract of at least 2 acres (which may include existing adjacent common open space) and not be within the "100 Year Floodplain" as defined by official floodplain maps of the Township.
4. Amount of Common Open Space. If a subdivision or land development is required to dedicate common open space, the following amounts for each permitted new dwelling unit shall apply:

Percentage of the Total Required Common Open Space that Would Meet the Definition of "Prime Open Space":	Minimum Required Common Open Space Per Permitted Dwelling Unit
0% to 25.0%	5,200 square feet
25.1% to 75.0%	2,600 square feet
75.1% to 100%	1,300 square feet

1007.E. Fees for Residential Development. If the Board of Supervisors determines that a proposed subdivision or land development is required to pay fees-in-lieu of dedicating open space, this fee shall be as established by the Township Fee Schedule, which may be updated by resolution of the Board of Supervisors. Until such time as a different fee is established, this fee shall be ~~\$600 per dwelling unit.~~ \$1000 per dwelling unit. (2022)

1007.F. Decision on Land vs. Fees. The Board of Supervisors shall determine whether a land dedication would be in the public interest, or rather instead, whether the payment of fees is required. This determination should, but is not required to, be made at the time of sketch plan review. The Township should, at a minimum, consider the following in this decision:

1. Whether the land in that location would serve a valid public purpose.
2. Whether there is potential to make a desirable addition to an existing public or School District recreation

area.

3. Whether the proposed land would meet the objectives and requirements of this §1007 and any relevant policies of the Township Comprehensive Plan.
4. Whether the area surrounding the proposed development has sufficient existing recreation and open space land, and whether it is possible for pedestrians and bicyclists to reach those lands.
5. Any recommendations that may be received from the Planning Commission, the Township Engineer, the local School Board or School District staff and any Township Parks and Recreation Commission.

1007.G. Common Open Space to be Dedicated.

1. Suitability. Land required to be dedicated shall be suitable for its intended purpose, in the determination of the Board of Supervisors. The applicant shall state what improvements, if any, he/she intends to make to the land to make it suitable for its intended purpose, such as /grading, landscaping, or development of trails. Such land shall be free of construction debris at the time of dedication.
2. Ownership. Required common open space shall be dedicated to the Township, unless the Board of Supervisors agree to accept a dedication to any of the following: the School District, the County, the Pennsylvania Bureau of State Parks, Fish and Boat Commission, Game Commission, a homeowner association or an environmental organization acceptable to the Board of Supervisors. In the case of a rental development, the Township may permit the common open space to be retained by the owner of the adjacent residential buildings.
 - a. If required common open space is to be owned by a homeowner association, the developer shall be required to establish such association in a form that requires all property-owners within the development to annually contribute to the maintenance of the common open space.
 - b. Any homeowner association agreements regarding required common open space shall be subject to acceptance by the Board of Supervisors, based upon review by the Township Solicitor. The provisions of §703(1) of the Pennsylvania Municipalities Planning Code should serve as a model for such agreement.
3. Deed Restrictions. Any required common open space dedication shall include deed restrictions to permanently prevent its development for buildings, except buildings for non- commercial recreation or to support maintenance of the land.
4. Priority shall be given to dedication of land that would be suitable for a) additions to existing public schools and public parks, or b) would preserve woods, steep slopes or other important natural features or land along a creek or river, or c) that would be suitable for centralized active recreation.
5. Land that is not suitable for active or passive recreation shall not be permitted to meet the requirements of this section, including areas within a stormwater detention basin that are not suitable for recreation. Portions intended for active recreation shall be well-drained, of less than 4 percent average slope and not require filling in of a wetland for use.
6. Access and Contiguosness. Common open space within a subdivision or land development shall be contiguous, except as may be specifically exempted by the Board of Supervisors, and shall have adequate

- access for maintenance and by pedestrians.
7. Other Ordinances. Any required land dedication under this §1007 shall be in addition to any land dedication or improvement requirements of any other Township ordinance.
 8. Lands Close to Buildings. For the purposes of this section, no land shall be used to meet the minimum common open space requirements of this §1007 if such land is within:
 - a. 15 feet of any building (other than a non-commercial recreation building) or
 - b. within 15 feet of a parking area of more than 6 parking spaces (other than parking areas specifically developed to serve the open space).
 9. Residual Lands. If only a portion of a larger tract of land is currently proposed to be subdivided, or the applicant owns one or more adjacent tracts that are not currently proposed to be subdivided, the applicant shall provide a sketch of a possible future land dedication on these adjacent lands in case they would be developed in the future.
 10. Coordination with Future Adjacent Dedication. The Board of Supervisors may require that a required land dedication within a property currently being subdivided be placed along an edge of the property so that it may, in the future, be combined with an open space dedication on the edge of an adjoining property when that adjoining property is subdivided or developed.
- 1007.H. Combination of Land and Fees. Upon mutual agreement of the Board of Supervisors and the applicant, the Township may accept a combination of common open space and fees-in-lieu of land to meet the requirements of this §1007 for a residential subdivision or land development. This combination shall be based upon the common open space requirement applying for a certain of dwelling units and the fee-in-lieu of land requirement applying for the remaining number of dwelling units.
- 1007.I. Timing of Fees. One-half of the fees required by this §1007 for all of the dwelling units shall be paid prior to the recording of the final plan, and the other half of the fee per dwelling unit shall be paid prior to issuance of the occupancy permit, except as follows:
1. If the required fee would be greater than \$2,000, and the applicant and the Township mutually agree to provisions in a binding development agreement to require the payment of all applicable recreation fees prior to the issuance of any building permits within each clearly defined phase of the development, then such fees are not required to be paid prior to recording of the final plan but may instead be paid within the requirements of that development agreement.
 2. If the applicant agrees to pay such fees in installments, then all such fees shall not be considered to be "paid" for the purposes of any applicable time limitations for utilization under the Municipalities Planning Code until all such fees are paid in full, including all installments and phases.
- 1007.J. Facilities in Place of Land or Fees. An applicant may seek a modification of the requirements of this §1007 under the procedures of §107 by offering to construct substantial permanent recreation facilities within the proposed subdivision or land development or on nearby public open space, if the applicant clearly proves to the satisfaction of the Board of Supervisors will be approximately equal in market value to the land or fees that would otherwise be required.

1008. STORM WATER MANAGEMENT.

1. **1008. A. Stormwater Managment Ordinance.** All subdivisions and land developments shall comply with the Ross Township Stormwater Mamangement Ordinance. er a specific provision of the State Stormwater Management Act, such as regarding release rates. In case of any differences between a Stormwater Ordinance and this §1008, where the Stom1waler Ordinance does not legally preempt this O the developer for properly handling such conditions, including water runoff impoundments, if necessary.
2. **1008. B. Minor Subdivision Stormwater Management Plan.** In the case of a minor subdivision involving no immediate construction plans, the Board of Supervisors may, in its sole discretion, defer the requirrement for a stormwater management plan to the time of the submission of a zoning and/or building permite application for construction on any of the lots in the minor subdivision. A note citing the requirement for stormwater planning shall be included on the minor subdivision plan and in the deed covenants and restriction for the lots. In some cases, PA DEP requirements may supersede Township requirements.

1009. SANITARY SEWAGE DISPOSAL SYSTEMS.

For the purposes of this Ordinance, the term "Central Sewage System" that is used in the Zoning Ordinance and the term "Community Sewage System" used in State Department of Environmental Protection regulations shall have the same meaning. As defined in §202, "Public Sewage Service" is a sub-set of "Central Sewage Service."

1009.A. In General.

1. All lots (including but not limited to land developments) that will have any residents, employees or customers on-site shall be served with an approved and adequate sewage disposal system (either on-lot or community) that will meet State and Township regulations.
2. Public Sewage Connections. Any principal building or use within a subdivision or land development that generates wastewater and that in the determination of the Board of Supervisors, based upon the advice of any applicable municipal authority and the Township Engineer, could reasonably connect into a public sewage system shall be required to connect into that system. The applicant shall be responsible to pay such reasonable capital expenses that are necessary for such connection.

1009.B. Central (or "Community") Sewage Service.

1. If a municipality or a municipal authority is to provide the community sewage service, such agency shall have the authority to approve or reject the proposed sewage collection system for just cause.
2. Private Community Sewage Service. If private community sewage service is proposed, the Board of Supervisors shall have the authority to permit or not permit such service to meet the sewage requirements of this §1009.B based upon:
 - a. whether public sewage service is expected to be available within 5 years or the date of preliminary plan approval,
 - b. whether the proposed system would be consistent with the Township's official Sewage Facilities Plan and
 - c. whether the system would include an appropriate permanent system for professional operation and maintenance.
3. See §503.D Part O which requires certification by an existing community sewage provider.
4. If a new community sewage system is proposed, the applicant shall submit design and construction plans to the Township for review and approval prior to recording of the final plan. Copies of State permits and approvals for the community sewage system shall be submitted to the Township prior to the issuance of any building permits for buildings that will be served by the sewage system.
5. State Applications. A copy of all application materials and plans regarding permits and approvals and copies of actual permits for a community sewage system that are submitted to the State Department of Environmental Protection (DEP) shall also be submitted to the Township at the same time as or prior to submittal to DEP.
6. A copy of any proposed agreement with a sewage provider shall be submitted to the Township.

1009.C. On-Lot Sewage Disposal System.

1. If connection to a public sewage system is not required at the time of occupancy, and if private community sewage service is not approved by the Township under the Township Sewage Facilities Plan, then each lot shall be required to be served by an individual on-lot sewage disposal system that will meet all applicable State regulations. Each such proposed location shall be tested and approved by Township Sewage Enforcement Officer, prior to approval of the Final Plan.
2. Portable chemical toilets allowed as per DEP regulation or other approved privies shall not be used as a primary method of sewage service for a subdivision or land development that operates more than 10 days in any calendar year, other than publicly-owned outdoor recreation uses and construction sites.
3. Alternate System Location. Sec 309.D or the Township Zoning Ordinance, which requires a tested alternate on-lot septic location meeting all DEI' regulations. This requirement shall be met prior to the final approval of any new lot.
4. Tests. The applicant shall submit results or a summary of the tests of required on-lot septic tests and shall show probe sites and acceptable and unacceptable perc test locations on the Preliminary and Final Plans in accordance with DEP planning module requirement.
5. If an existing individual on-lot sewage disposal system is proposed to be used for a new or expanded use with a larger flow, then the applicant shall submit information showing that the existing system is sufficient or will be improved or replaced to handle the larger flow.

1009.D. Laterals. Each lot with central sewage service shall be served by a separate sewage lateral.

1010. WATER SUPPLY SYSTEMS AND FIRE HYDRANTS.**1010.A. In General.**

1. See Definitions in §202, including "Water, Central System or Service" and "Water System or Service, Public." A Public Water System is one type of Central Water System, but not all Central Water Systems are Public Water Systems.
2. All subdivisions and land developments shall be served with an adequate on-lot or central water supply system that will meet DEP and Township requirements.
3. Required Connections to Central Water Systems.
 - a. The Board of Supervisors, after requesting any recommendations of the Planning Commission, the Township Engineer and the appropriate water supplier, shall require all lots and principal uses within a subdivision or land development to be connected to an existing public water system or other Township-approved central water system where the Board of Supervisors determines that such connection would be feasible, cost-effective and reasonable, considering the distances that the lines would need to be extended and the average cost per dwelling or lot.
 - b. If an applicant does not wish to extend central water service, then the Board of Supervisors may require an applicant to provide a comparison of the estimated total costs of extending the central water service vs. the total costs of developing wells to show that the. Such cost comparison shall be prepared by a

professional and be provided to the water supplier and the Township Engineer for review. After considering such study, the Board of Supervisors may then determine whether the central water service will be required based upon whether it is feasible, cost-effective and reasonable.

4. Dry Water Lines.

- a. The Board of Supervisors, after requesting any recommendations of the Planning Commission, the Township Engineer and the appropriate water supplier, may require that a subdivision or land development include the installation of "dry" water lines if the Board of Supervisors determine that such requirement would be reasonable and that such development is likely to be able to be served by an extension of an existing Township-approved central water system within 10 years. The Township is not responsible to guarantee that such water connection will occur or be possible within the 10 year period.
- b. Such lines shall be required to meet the construction standards of the water supplier to which the lines are intended to be connected.
- c. A developer in such case may only be required to construct:
 - 1) such mains and laterals that would be needed to be located within the right-of- way of a newly constructed or reconstructed street(s) and
 - 2) such other mains that would be needed within the boundaries of the subdivision or land development.

5. New Central Water System.

- a. The Board of Supervisors, after a review by the Township Engineer, may require or permit the development of a new central water system if such system can reasonably be expected to be connected into an extension of an existing public water system within 10 years.
- b. Such system in that case shall be constructed following official standards of the public water system to which it is intended to be connected. In such case, the approved plan should include a specific provision offering.
- c. dedication of such system to the public water system in the future, without any purchase cost by such public water system.

1010.B. Central Water Systems.

1. Water Supplier Approval. Proposed extensions of public water systems shall meet all applicable procedures, reviews and requirements of any appropriate municipal authority or water company. Such extension shall be approved by such agency prior to Final Plan approval, although specific detailed service agreements are not required to be signed until prior to recording.
2. Non-Public Supplier. Any new central water system that is not owned by a public authority or municipality shall be found to be acceptable in capacity, pressure, design and construction by the Board of Supervisors, after a review by the Township Engineer. The Board of Supervisors may deny permission for a subdivision or land development to be served by a non-public central water system if such system cannot guarantee sufficient water pressure and capacity and would not include a suitable process for long-term operation and

maintenance.

3. State Applications. A copy of all application materials and plans regarding permits and approvals and copies of actual permits for a central water system that are submitted to the State Department of Environmental Protection (DEP) shall also be submitted to the Township at the same time as or prior to submittal to DEP.
4. Construction plans for any new central water system or extension shall also be submitted to the Township for review prior to the issuance of any building permits for buildings that will be served by the water system.
5. A copy of any proposed agreement with a water provider shall be submitted to the Township.

1010.C. On-Lot Water System (Wells).

1. Well Locations. When a subdivision or land development is not required to connect to a central water system, acceptable locations for on-lot water systems shall be shown on plans and shall be constructed in accordance with regulations of DEP.
2. Setback. Wells should be located no closer than 25 feet from any future street right-of-way.

1010.D. Fire Hydrants.

1. All subdivisions and land developments that will be served by central water service shall provide fire hydrants as needed with appropriate water pressure so that all dwelling units and principal buildings are within 600 feet of an active fire hydrant.
2. Fees. Where hydrants are provided along a central water system, the Township may require the establishment of an acceptable system to fund hydrant maintenance fees without cost to the Township.

1010.E. Water Studies.

1. Purposes. To provide the Township with information to properly evaluate the impact a proposed development will have upon groundwater resources. To make sure that adequate water supplies will be available to service a proposed development without negatively impacting adjacent uses dependent upon the same water sources.
2. A hydrogeologic study shall be required to be submitted by the applicant whenever a proposed use, subdivision or land development will involve total average water usage of groundwater or spring water after build-out exceeding 50 dwelling units or 10,000 gallons per day for a non-residential use. (Note - Regulations of the State Department of Environmental Protection may also require the submission of a hydrogeological study as part of the sewage facility planning process if there is a known presence of high nitrate levels in the vicinity or if where limestone-based carbonate geology is present.)
3. This §1010.E. shall not apply to a development that will be served by a municipal or municipal authority central water system.
4. Credentials. The study shall be prepared by a professional geologist or professional engineer with substantial experience in preparing similar studies. Before any person or entity is engaged to prepare the study, the applicant shall submit written credentials of the individual who will direct the study. The Board of Supervisors shall then have a maximum of 45 days from the date of receipt to the Township to determine

whether the individual's credentials are acceptable. The governing body may also pre-approve a written list of individuals who are known to be qualified to complete these types of studies.

5. The hydrogeologic study at a minimum shall include the following:
 - a. A location map for the proposed development showing proximity to waterways, lakes and major roads.
 - b. A proposed 30 day average rate and maximum daily rate of groundwater or spring water withdrawal from each water sources.
 - c. A map showing water withdrawal points.
 - d. An analysis of the impacts of the water withdrawal upon the groundwater supply and upon uses and creek levels within a one-half mile radius of the project, including agricultural activities.
 - e. The analysis shall consider impacts during both normal conditions and drought conditions. Drought conditions shall be documented.
 - f. The Board of Supervisors may require that the study include the construction of test wells to determine the impacts. The level, rates, dates and times of water measurements shall be provided, and weather conditions shall be documented. The impacts upon a reasonable sampling of existing wells shall be recorded, provided that the owners of such wells grant permission for such studies.
6. If the Township determines that the water withdrawal could have a significant negative impact upon existing water users, then as a condition of any development approval, the Township may require that the applicant commit in a legally binding manner to appropriate mitigation of the negative impacts. This mitigation may include, but is not limited to:
 - a. a financial guarantee to fund a deeper well or a connection to a central water system for properties that experience significant negative impacts after the water withdrawal occurs,
 - b. a permanent conservation easement placed on sufficient land areas to result in amounts of groundwater recharge that is equivalent to the amount of groundwater that is being withdrawn, or
 - c. a legally binding commitment to reduce the amount of the water withdrawal during drought conditions.

1011. WASTE DUMPSTERS, UTILITIES AND UTILITY EASEMENTS.

- 1011.A. Utilities. All electric power service (versus transmission) lines, telephone lines, cable television (where available) and natural gas service lines within a new subdivision or land development shall: 1) meet requirements of the State Public Utility Commission regarding underground versus overhead lines, and 2) be installed in accordance with the current standards of the utility serving the subdivision or land development.
- 1011.B. Dumpsters. All apartment developments shall include conveniently located refuse collection facilities for the residents. All uses within nonresidential land developments and subdivisions shall include appropriate refuse collection facilities. All bulk refuse collection dumpsters shall be screened on 3 of 4 sides by walls or evergreen landscaping from view of existing dwellings, adjacent undeveloped residentially zoned lots and public streets.

1011.C. Easements. Easements shall be provided as follows:

1. Drainage, sanitary sewage, central water, emergency access and other types of easements shall be provided as determined to be needed by the Township and as indicated on the plans. All easements shall be accessible and usable by the Township for the easement's stated purpose. All easements shall be conveyed to the party responsible for providing such service. All easements shall be shown on the record plan, and may be required to be addressed in covenants on the record plan.
2. Locations. All lots shall include a drainage and utility easement at least 10 feet in width around the perimeter of each lot, including adjacent to the street right-of-way. However, such easements shall not be required where buildings (such as townhouses) are to be attached at a lot line. To the maximum extent feasible, easements shall be provided along a lot line or street right-of-way, as opposed through the middle of a lot.
3. Width. The standard minimum width of an easement shall be 10 feet, unless a wider easement is required by the stormwater requirements or a utility provider or is otherwise necessary for the intended purpose.
4. See also drainage easement provisions in §1008.
5. The drainage and utility easement widths along side lot lines may be reduced if the Zoning Ordinance allows a principal building setback that is more narrow than the width of the easement than would otherwise be required.
6. Separation. Minimum separation distances between utility lines shall be as required by the applicable utility or as deemed necessary by the Township after a review by the Township Engineer.
7. Pipelines. If any activity is proposed within the right-of-way of an underground fuel or gas pipeline, the applicant shall provide written evidence from the operator of such pipeline that such activity is acceptable under their safety standards and the terms of that right-of-way.
8. Maintenance and Obstructions. The owner of the lot shall properly maintain an easement or right-of-way in such a condition that does not inhibit its intended purpose(s). Fill or structures shall not be placed in an easement or right-of-way in a way that inhibits its intended purpose(s). Specifically, structures or grading that could alter or obstruct stormwater flows in violation of the approved Final Plan shall be prohibited within storm water easements.
9. The Township at its option shall have the right to enter a stormwater easement or any municipal easement or right-of-way to maintain it or improve it for its intended purpose(s), although the Township does not accept the responsibility to complete such work.

1012. ACCESS DRIVES AND DRIVEWAYS.

1012.A. Construction Standards for Access Drives. See §1004.

1012.B. Access; State Roads. A State Highway Occupancy Permit is required for all access onto or work within the right-of-way of a State road. A Township Driveway Permit shall be obtained before any vehicle access shall be allowed from a Township-owned street.

1012.C. Driveway Slopes.

1. Grades of access drives or driveways shall not exceed 12% for any horizontal distance longer than 25 feet, except:
 - a. the Board of Supervisors may allow a single family residential driveway slope of up to 15 percent if the applicant proves such higher slope is necessary to reduce alteration of natural features and removal of woodland;
 - b. if a driveway or access drive enters onto an arterial street, the first 20 feet from such right-of-way shall have a maximum slope of 4 percent, and the next 80 feet shall have a maximum slope of 7 percent;
 - c. if a driveway or access drive enters onto any other street, the first 20 feet shall have a maximum slope of 7 percent.
2. Driveways shall be designed and graded so that they slope away from the travelway of the street that they enter.

1012.D. Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a street where intersected by an access drive or driveway. Access drives and aisles within parking lots shall be graded and drained to keep the primary travel lane free of stormwater. To the maximum extent feasible, a driveway shall drain away from the travel lanes of a street.

1012.E. Construction. Driveways shall have a 10 feet minimum horizontal clearance, a 12 feet minimum vertical clearance and be designed to support the weight of a loaded fire engine pumper truck. Driveways shall have an all-weather surface of stone, compacted shale, asphalt, concrete, paving block or similar hard surface.

1012.F. See also the Township Driveway Ordinance, including but not limited to, sight distance requirements.

1013. OFF-STREET PARKING AND LOADING.

All subdivisions and land developments shall be provided with parking and loading areas adequate to meet the needs of the use in accord with this §1013. Following the establishment of any subdivision or land development, the ongoing operation and maintenance of the off-street parking and loading facilities shall comply with the requirements of Article 6 of the Zoning Ordinance and violations shall be subject to the enforcement provisions of the Zoning Ordinance.

1013.A. Availability and Use of Facilities.

1. Availability. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term *parking space* includes either covered garage space or uncovered parking lot space located off the public right-of-way.
2. Location of Parking. Required off-street parking spaces shall be on the same lot with the principal use served, except as approved in §1013.K or §1013.L.
3. Continuing Obligation of Parking and Loading Spaces. All required numbers of parking spaces and off-street loading spaces shall be available as long as the use or building which the spaces serve still exists, and such spaces shall not be reduced in number below the minimum required by this ordinance.
4. Non-Parking Use. Required off-street parking, loading, and unloading facilities and access ways shall not be

used for any other purpose, including, but not limited to, sales, display or storage areas, or the parking of any vehicles for which the area was not approved (e.g., parking of tractor trailers in required passenger vehicle areas).

5. Existing Parking. Any parking spaces serving such pre-existing structures or uses at the time of the adoption of this Ordinance shall not in the future be reduced in number below the number required by this ordinance. If a new principal nonresidential building is constructed on a lot, then any existing parking on such lot that serves such building shall be reconfigured to comply with this ordinance, including, but not limited to, required parking and areas reserved for additional parking if needed, requirements for channelization of traffic from adjacent streets, channelization of traffic within the lot, minimum aisle widths, paving and landscaping.
6. Garages and Carports. Garages and carports not in the public right-of-way may be considered parking spaces.

1013.B. Site Plan; Design.

1. Site Plan. The project application shall include a site plan that shows the parking, loading and unloading area, and access design.
2. General. Parking spaces, loading and unloading areas, and access ways shall be laid out to result in safe and orderly use and to fully address all of the following: vehicular access onto and off the site, vehicular movement within the site, pedestrian patterns and any drive-through facilities. No parking area shall cause a safety hazard or impediment to traffic on or off the lot.
3. Pedestrian Access and Circulation. The parking and access plan shall include details of pedestrian access to the site and pedestrian circulation within the site. The intent shall be to facilitate pedestrian access and provide safe and convenient circulation from parking areas to the structure or use.
4. Design. Off-street parking areas, access ways, fire lanes, traffic flow signs, pavement markings, and other necessary facilities shall be designed and provided in accord with the most current Institute of Transportation Engineers Traffic Engineering Handbook, or other generally accepted methodology approved by the Township. The Applicant shall provide copies of the methodology used for the design. Notwithstanding the above, all parking spaces and the overall design shall be ample in size for the vehicles for which use is intended and stalls shall be a minimum of 10 feet by 20 feet with aisles of not less than 24 feet unless designed as required above.

1013.C. Illumination. In addition to the other applicable standards in this ordinance, all lighting used to illuminate any off-street parking shall be so arranged as to reflect the light away from adjoining premises and public right-of- ways.

1013.D. Public Rights-of-Way. Parking, loading and unloading of vehicles shall not be permitted on public right-of-ways, except in designated areas and in accord with municipal parking regulations. No parking area shall be designed which requires or encourages parked vehicles to be backed into a public street.

1013.E. Parking Between Principal Structure and Road. Applicants should consider locating off-street parking and loading to the side or rear of the principal building to maintain rural and village character.

1013.F. Number of Spaces to be Provided. The number of parking spaces required by this §1013 shall be

considered the minimum and maximum requirements unless modified in accord with this §1013.

1. Parking Required for Nonresidential Uses.
 - a. Parking Generation Manual.
 - 1) Parking Demand Table. Off-street parking spaces shall be provided and maintained in accord with the Parking Demand Table included as Appendix E or the latest edition of Parking Generation published by the Institute of Transportation Engineers. The Parking Demand Table may be updated by resolution of the Board of Supervisors to include more current data.
 - 2) Most Similar Use. The parking provided for the proposed use shall be based on the most similar use and unit of calculation listed in the Parking Demand Table as determined by the Zoning Officer.
 - b. Land Uses WITH 85th Percentile Data Listed in the Parking Demand Table.
 - 1) Constructed. The number of paved parking spaces constructed shall conform to the Average Peak Period Demand as noted in the Parking Demand Table.
 - 2) Reserved. Space shall be reserved to allow for expansion to the 85th Percentile, as listed in the Parking Demand Table, unless a reduction is approved in accord with §1013.F.4.
 - c. Land Uses WITHOUT 85th Percentile Data Listed in the Parking Demand Table.
 - 1) Constructed. The number of paved parking spaces constructed shall be 85 percent of the Average Peak Period Demand or Peak, whichever is reported in the Parking Demand Table.
 - 2) Reserved. Space shall be reserved to allow for expansion to 115 percent of the number of spaces required by §1013.F.1.c.1 unless a reduction is approved in accord with §1013.F.4.
2. Parking Required for Residential Uses. Two off-street parking spaces shall be provided and maintained for each residential dwelling unit except as follows:
 - a. Single-Family Dwellings. 3 per dwelling unit.
 - b. Two-Family Dwellings And Multi-Family Dwellings. 2 per dwelling unit.
 - c. Multi-Family Senior Citizen Housing. 1 per dwelling unit.
 - d. Assisted Living Facilities or Personal Care Homes. 0.5 per dwelling unit.
3. Township Required Reduction. In the case of parking for conditional uses and special exceptions, if the Board of Supervisors/Zoning Hearing Board determines that the number of parking spaces required by this §1013 is not necessarily required to meet the immediate needs of the proposed use, the Township may require the number of spaces provided to be reduced by a maximum of 25 percent based on the Average Peak Period Demand or Peak, whichever is reported for the use in the Parking Demand Table. The developer shall dedicate sufficient and suitable area to future parking to meet the normal standards in this §1013.
4. Applicant Proposed Reduction/Increase. The required number of parking spaces may be reduced or increased subject to conditional use approval by the Board of Supervisors for uses classified as principal permitted uses and conditional uses and by the Zoning Hearing Board for uses classified as special exceptions. The applicant shall provide evidence justifying the proposed reduction or increase of spaces,

such as studies of similar developments during peak hours. The applicant shall also provide relevant data, such as number of employees and peak expected number of customers/visitors. Any conditional use approval to permit such decrease or increase shall be subject to the following:

- a. Ordinance and Plan Consistency. The project design and parking space decrease shall be consistent with the purposes contained in this ordinance and the goals and objectives of the Township Comprehensive Plan.
 - b. Quality of Design. The applicant shall demonstrate to the Board of Supervisors that the proposed decrease will result in an adequate number of parking spaces or the increase will not produce an excess number of spaces for the use based on a specific study of the parking demands for the proposed use or empirical data reported by a generally accepted source such as the Institute of Transportation Engineers, the Urban Land Institute, the American Planning Association, or similar entity.
 - c. Local Conditions. In making its determination the Board of Supervisors or the Zoning Hearing Board shall also consider, among others, the demographics and character of the neighborhood, demographics of targeted customers and employees, availability of mass transit, existing on-street parking conditions, and any employer instituted transportation demand management programs.
 - d. Burden; Conditions. If the Board of Supervisors or the Zoning Hearing Board, in its sole discretion, determines that the applicant has met the burden of proof, it may grant a conditional use for the decrease or increase. The Board of Supervisors or the Zoning Hearing Board may impose such conditions as will, in its judgment, secure the objectives and purposes of this Ordinance, including, but not limited to, reserving parking.
5. Form of Reservation. Each parking reservation shall be in a form acceptable to the Township Solicitor that legally binds current and future owners of the land to keep the reserved parking area in open space and, if the Township determines it is necessary, to provide the additional parking in the time and manner as stipulated in the reservation document. Proof of recording of the agreement shall also be provided to the Township before the issuance of a zoning permit for the project.
 6. Reserved Parking Disturbance and Stormwater. The reserve parking areas shall remain undisturbed or shall be landscaped, but shall be included in the calculations of lot coverage area and for stormwater management. The stormwater facilities shall be constructed in accord with the approved sequencing design as parking areas are constructed.
 7. Multiple Uses. (See also §1013.L.) For projects involving more than one use and/or structure the total number of parking spaces required shall be determined by summing the number of spaces for each individual use.
 8. Handicapped Parking. Parking for the handicapped shall be provided in accord with the Americans With Disabilities Act and shall count as part of the spaces required for the use by this §1013.

1013.G. Loading and Unloading Areas.

1. Type and Size. In addition to the required off-street parking spaces all uses shall provide adequate off-street areas for loading and unloading of vehicles where necessary. The applicant shall provide details on the type and frequency of vehicles operating in connection with the proposed use to justify any necessary loading and unloading areas. Each required space shall meet the following dimensions:

Largest Type of Truck Service	Minimum Width (feet)	Minimum Length (feet)
Tractor trailer	14	74 with 14 ft clear height
Trucks other than tractor trailers, pick-ups or vans	12	30
Pick-up truck or van	10	20

2. Interior Travelways. The applicant shall demonstrate that travelways within the property are adequate to safely and efficiently serve vehicles which are reasonably expected to visit the property. Turning radius templates developed by the American Association of State Highway Transportation Officials (AASHTO) shall serve as the design standard.

1013.H. Access to Off-Street Parking and Loading Areas. There shall be adequate provisions for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, sales people and/or the general public. Access to and from all off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well-defined separate or common entrances and exits and shall comply with the following provisions:

1. Width. Unless otherwise required by Penn DOT for access to a state road, the width of the driveway/access way onto a public street at the right-of-way shall be as follows:

WIDTH*	1-Way Use	2-Way Use
Minimum	12 feet	24 feet
Maximum	20 feet	50 feet
*exclusive of the turning radius		

2. Controlled Access. Each entrance and exit shall be clearly defined with curbing, fencing, landscaping or vegetative screening so as to prevent access to the area from other than the defined entrance and exit.
3. Highway Occupancy Permit. All new uses shall be required to obtain a highway occupancy permit from the Township or PA DOT, as the case may be. In the case of a change in use or the expansion of an existing use, a highway occupancy permit or a revised highway occupancy permit shall be required if there will be increase in average daily traffic based on the most recent edition of the International Traffic Engineers Traffic Generation Manual. Where a use accesses the public right-of-way via a private road, the highway occupancy permit requirement and criteria shall be applied at the public right-of-way intersection.
4. Interior Travelways. The applicant shall demonstrate that travelways within the property are adequate to safely and efficiently serve vehicles which are reasonably expected to visit the property. Turning radius templates developed by the American Association of State Highway Transportation Officials (AASHTO) shall serve as the design standard.
5. Curbing. Access drives and landscaping shall be defined with concrete curbing, or such alternate material as may be approved by the Township.

1013.I. Parking and Loading Area Buffers and Landscaping.

1. **Buffers and Landscaping.** Parking area and loading area buffers and landscaping shall be provided in accord with this Ordinance and the Zoning Ordinance.
2. **Building Setbacks.** Parking spaces serving principal nonresidential buildings and multi-family dwellings shall be located a minimum of 10 feet from any building wall, unless a larger distance is required by another Ordinance provision. This distance does not apply at vehicle entrances into or under a building.

1013.J. Grading and Drainage; Paving.

1. Parking and loading facilities, including driveways, shall be graded and adequately drained to prevent erosion or excessive water flow across streets or adjoining properties.
2. Except for landscaped areas, all portions of required parking, loading facilities and access ways shall be surfaced with asphalt, concrete, paving block or porous pavement or pavers.
3. The Board of Supervisors may, as a conditional use, allow parking areas with low or seasonal usage to be maintained in stone, grass or other suitable surfaces. For example, the Board of Supervisors may allow parking spaces to be grass, while major aisles are covered by stone.

1013.K. Off-Lot Parking. Required parking may be provided on a different lot than on the lot on which the principal use is located, provided the parking is not more than 400 feet from the principal use lot. Off-lot parking areas shall be permitted only in a district where the principal use is permitted. Both parcels shall be under the same control, either by deed or long-term lease, as the property occupied by such principal use, and the owner shall be bound by covenants of record filed in the office of the County Recorder of Deeds requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of said principal use.

1013.L. Joint Use Parking. In the case of multiple uses on the same premises or where more than one principal use shares a common property line, shared parking facilities may be approved by the Zoning Officer.

1. **Documentation.** The applicant shall provide information to establish that the shared spaces will be used at different times of the day, week, month, and/or year.
2. **Reduction.** Parking provided may be credited to both uses based on the extent that the uses operate at different times. However, the required parking shall not be reduced by more than 50 percent of the combined parking required for each use. (Example: If a church parking lot is generally occupied only to 10 percent of capacity on days other than a Sunday, another development not operating on a Sunday could make use of the unused church lot spaces on weekdays.)
3. **Agreement.** Joint use parking shall be secured in a form acceptable to the Township Solicitor that legally binds current and future owners of the land to maintain the parking. An attested copy of the agreement between the owners of record shall be provided to the Township. Proof of recording of the agreement shall also be provided to the Township before the issuance of a zoning permit for the project.

1013.M. Shopping Carts. Establishments furnishing carts or mobile baskets shall provide definite areas on the site for the storage of the said carts. Storage areas shall be clearly marked and designed for the storage of shopping carts and/or mobile baskets.

1013.N. Snow Storage And Removal. All plans for proposed parking areas of 50 or more spaces shall include details for adequate snow storage and removal.

1013.O. Interconnected Parking Lots. The following provisions shall apply adjacent to a collector or arterial street where two lots that are each intended for current or future business uses will be contiguous to each other.

1. When two contiguous business uses or lots are in common ownership at the time of subdivision or land development application, the parking lots shall include an interconnection to allow motorists and pedestrians to travel from one business to another business without needing to re-enter a public street.
2. Where two contiguous lots involving current or future businesses are not in common ownership, the applicant for a subdivision or land development shall seek permission from the abutting lot owner to allow a vehicle interconnection between the parking lots. Unless the abutting property-owner refuses to permit the interconnection, the subdivision or land development shall include the construction of a vehicle and pedestrian interconnection between the parking areas. If the abutting property owner refuses to permit the inter-connection or the interconnection is currently not feasible, the Board of Supervisors may require that the subdivision or land development include an easement allowing a future interconnection and/or construct the interconnection as a "stub" up to the applicant's property line.
3. Where an interconnection is required or planned between two uses or lots, the subdivision or land development shall include a suitable cross-easement that permits vehicles and pedestrians from one use or lot to have access through the parking lot and driveway of the adjacent use or lot.

1014. SIDEWALKS, PATHWAYS AND DRIVEWAY APRONS.

1014.A. Sidewalks built to Township specifications shall be required where deemed by the Board of Supervisors to be necessary for safe pedestrian movement. In any case, sidewalks shall not be required along single family detached dwelling lots of greater than 20,000 square feet in lot area, unless the Board of Supervisors determine that a situation exists that is exceptionally hazardous to pedestrians and/or within close proximity to a public school.

1014.B. Pathway or Bikeway.

1. If deemed necessary for the convenient and safe circulation of bicycles and pedestrians, the Board of Supervisors, upon the recommendation of the Planning Commission, may require that a major subdivision or land development include the construction of a pathway or bikeway.
2. A bikeway or pathway shall have a minimum width of 4 feet and a maximum width of 8 feet and shall be paved to Township standards. It may be required to be placed within a street right-of-way in place of a sidewalk, or may be placed elsewhere on a lot within an easement or other right-of-way.

1014.C. Location and Width of Sidewalks.

1. Sidewalks, where required or provided, shall be located within the street right-of-way and no closer than 2 feet from the curb line. A grass planting strip shall be planted between the curb and sidewalk. This strip shall only be paved at driveway entrances.
2. Any required sidewalks shall have a minimum width of: a) 5 feet along arterial streets and b) 4 feet along collector or local streets.

1014.D. Construction.

1. Sidewalks at locations other than driveway crossings shall consist of a minimum of 4 inches of portland cement concrete underlain with a minimum of 3 inches of compacted gravel or crushed stone.
2. Sidewalks at driveway crossings shall consist of a minimum of 6 inches wire mesh reinforced portland cement concrete underlain with a minimum of 4 inches of compacted gravel or crushed stone.
3. Pathways shall be constructed of one of the following, at a minimum: a) 4 inches of portland cement concrete underlain by 4 inches of compacted gravel or crushed stone or b) 2 and 1/2 inches of bituminous asphalt underlain by 6 inches of compacted gravel or crushed stone.

1014.E. Handicapped Access. All sidewalks and curbs at the intersection of 2 or more public streets shall include a sloped curb cut suitable for use by wheelchairs.

1014.F. Maintenance. It shall be the responsibility of adjacent landowners to maintain, plow snow and remove ice off of and repair sidewalks.

1015. STREET LIGHTING.

1015.A. Street lights shall be placed along streets within and abutting a proposed subdivision or land development where the Board of Supervisors deems them necessary to provide safe traffic or pedestrian circulation. If required, street lights should be provided at street intersections and curves in streets.

1015.B. Such lights shall meet lamp and wiring standards of the National Electrical Code. Pole types shall be durable and acceptable to the Township.

1015.C. Where street lights are required on a public street, the public utility in most cases will be responsible for installing cabling, poles, fixtures and all other equipment required for a complete street lighting system. The developer is responsible to complete all excavation and other work that is not the responsibility of the utility, and to fund all reasonable costs that may be levied by the public utility for such work.

1015.D. Private Lighting. On all private streets, parking areas and other areas requiring lighting, the developer shall provide materials, installation, energizing and power for all lighting systems necessary for security and public safety. A system acceptable to the Board of Supervisors shall be established for the maintenance of such lights.

1015.E. Glare Control. See §507 of the Zoning Ordinance, which controls glare from light fixtures,

1016. STREET NAMES. Street names are subject to the approval of the Board of Supervisors, and shall:

1016.A. continue the name of any street with the same or similar alignment, and

1016.B. not duplicate or be closely similar to the name of another street within the Township, the same fire company or ambulance service district or the same 5 digit zip code area.

1017. REGULATORY SIGNS.

The developer shall reimburse the Township for the costs of supplying and installing needed traffic regulatory signs

and street name identifications signs on public streets, The developer shall be responsible to provide and install signs on private streets, All tramc regulatory signs shall meet current standards of PennDOT.

1018. STREET TREES, PRESERVATION OF TREES AND HISTORIC BUILDINGS.

1018.A. Street Trees. Within and abutting all land developments and major subdivisions, along any existing or proposed street or any access drive serving more than one commercial, industrial or institutional principal use or any access drive serving 5 or more dwelling units, street trees are required to be planted, However, street trees shall not be required: 1) along a single family detached residential lot or agricultural lot with a lot area of greater than 3 acres, or 2) where the Township determines that existing healthy trees proposed to be preserved will serve the same function,

1. The Board of Supervisors may approve other species of trees than those listed below if the applicant proves to the satisfaction of the Supervisors that the trees would be sturdy, attractive and resistant to disease and road salt.
2. A tree required by this §1018 shall be of the following species, This list shall not regulate types of trees that are not required to be planted by this Ordinance.

Acer rubrum - American Red Maple
 Acer saccharum - Sugar Maple
 Carpinus - Hornbeam
 Celtis occidentalis - Common Hackberry
 Fagus sylvatica - European Beech
 Fraxinus pennsylvania - Green Ash
 Fraxinus americana - White Ash
 Ginko biloba fastigiata - Maiden Hair Tree (male only)
 Gleditsia triacanthos - Thornless Locust or Honey Locust
 Liquidambar styraciflua - Sweet Gum
 Liriodendron tulipifera - Tulip Poplar
 Prunus sargentii - Sargent Cherry
 Quercus - all varieties of Oak
 Tilia americana - American Linden
 Tilia petiolaris - Silver Linden
 Tilia euchlora - Crimean Linden
 Tilia cordata - Little Leaf Linden
 Ulmus - hybrids: Homestead or Sapporo Autumn Gold
 Ulmus parviflora - Chinese or Lacebark Elm, not including Siberian Elm
 Zelkova serrata - Zelkova

3. In certain cases where evergreen trees would provide a buffer between a street and dwellings, or be more consistent with native vegetation, then the Township may permit the planting of evergreen trees instead of deciduous trees. In such case, the trees are intended to be planted immediately outside of the right-of-way. Such trees shall be of one of the following species:

Ilex opaca - American Holly
 Picea - all varieties of Spruce
 Pinus - all varieties of Pine
 Pseudotsuga taxi folia - Douglas Fir

If more than 10 trees are required to be planted, then no more than 50 percent shall be of one species.

4. Quality of Trees.

- a. Trees shall be of symmetrical growth, free of insect pests and disease and durable under the maintenance contemplated.
- b. Trees which have died or have become diseased or pest-ridden within 18 months from the time of planting shall be replaced by the developer.

5. Minimum Sizes and Standards. The trunk diameter (measured at a height 00.5 feet above the finished grade level) of deciduous shade trees required by this Ordinance shall be a minimum of 2.5 inches. The minimum height above the ground level at the time of planting of evergreen trees required by this Ordinance shall be 6 feet.

6. Planting and Maintenance.

- a. Trees shall be planted in conformance with good landscaping practices.
- b. Trees adjacent to or within parking areas shall be properly protected from damage by vehicles by raised curbs, raised earth, similar devices and/or sufficient setback.
- c. Required trees shall be properly maintained and shall not be removed without being replaced by another tree that meets the requirements of this section.

7. Required Number and Spacing of Street Trees.

- a. Along streets and access drives where street trees are required, an average of one street tree shall be required for every 50 feet of distance along the street right-of-way line on each affected side of the street. Where a right-of-way does not exist, an average of one street tree shall be required for every 50 feet of length of cartway.
- b. Spacing. The trees required under this §1018 shall be spaced throughout the development along the street, but are not required to be planted at exact intervals and may be clustered following an approved plan. Trees shall be located so that they do not restrict sight distance at driveway and street intersections.

8. Location of Street Trees. The trunks of required street trees shall be planted within a street right-of-way, unless an alternative location is specifically approved by the Township or required by PennDOT. Where trees are not allowed within the right-of-way, they shall be planted on the immediate outside of the right-of-way. Where trees are not allowed because of a sight distance issue, the trees shall be planted at other locations on the tract. Street tree when planted shall be at a minimum of: a) 3 feet from any established curb line, or b) 8 feet from the cartway if there will be no curbing.

9. Other Requirements. The street trees required under this §1018 shall be in addition to any trees required under other Township regulations.

1018.B. Buffer Yards. See the requirements for buffer yards in the Township Zoning Ordinance.

1018.C. Preservation of Existing Trees.

1. **Purposes.** To protect wildlife and bird habitats, encourage groundwater recharge, reduce air pollution, avoid pollution of creeks by high temperature runoff, maintain the attractive character of residential areas and conserve energy.
2. See definition of "Forestry" and the "Forestry" standards in the Zoning Ordinance.
3. **Tree Cutting.**
 - a. The number of trees with a trunk diameter of 6 inches or more measured at a height of 4.5 feet above the average surrounding ground height that are cut down or effectively killed as part of a subdivision or land development (or in preparation to or as a result of such activity) shall be held to an absolute minimum, except:
 - 1) as is approved under the Township Zoning Ordinance as a "forestry" operation and/or
 - 2) for the routine thinning of woods.
4. **Protection of Trees During Construction.**
 - a. Reasonable efforts shall be taken during any construction to ensure the protection of trees protected by this §1018 to ensure that the trees are not accidentally injured or killed. These efforts shall ensure that equipment does not damage tree trunks, that roots are not compacted by vehicles and that the grade level around trees is not changed by more than 1 foot. Temporary wooden barricades should be placed around the root systems of trees.
 - b. If an approved subdivision or land development plan states that certain trees are to be preserved, and if those trees are killed, then the developer shall be required to replace those trees with new mature trees, in addition to any other penalties provided in this Ordinance.

1018.D. Natural and Historic Feature Preservation.

1. Substantial and sensitive natural features and historic structures and important archaeological sites worthy of protection, as determined by the Board of Supervisors, based upon the advice of the Planning Commission, shall be respected, incorporated into the design of and reasonably protected in any subdivision or land development.
2. These features include, but are not limited to natural drainage channels, waterways and falls, large trees, mature groves of trees, highly scenic views and important community landmarks.

1019. MONUMENTS AND MARKERS,**1019.A. Monuments.**

1. Monuments and markers shall be placed so that the center or a scored or marked point shall coincide exactly with the intersection of the lines to be marked.
2. Monuments shall consist of one of the following:

- a. Solid steel rods not less than 0.5 inches in diameter and not less than 24 inches in length, centered in a cylinder of concrete, not less than 9 inches in diameter and not less than 48 inches in depth, poured in place; or
 - b. Steel pipes not less than 0.75 inches in diameter and not less than 24 inches in length, centered in a cylinder of concrete not less than 9 inches in diameter and not less than 48 inches in depth, poured in place; or
 - c. Such other monuments as the Township Engineer may pre-approve.
3. Placement.
- a. Monuments, including the rod or pipe and the concrete, shall be placed flush with the ground. Monuments shall not be placed until road grading has been completed.
 - b. Monuments shall be set as follows:
 - 1) One in each quadrant of a street intersection. With a T intersection, one shall also be placed at the lot corner most nearly opposite the intersecting street.
 - 2) One at a lot corner on each side of the street, approximately midway through the block when the distance between intersecting streets exceed 800 feet.
 - 3) One at the intersection of street right-of-way lines with exterior property lines.
 - 4) At all exterior property corners where permanent corners did not exist at the time of the perimeter survey. Existing corners shall not be removed.

1019.B. Markers.

1. Markers shall consist of either of the following, unless an alternative is pre-approved by the Township Engineer:
 - a. Solid steel rods not less than 0.5 inch in diameter or less than 24 inches in length.
 - b. Steel pipes not less than 0.75 inch in diameter or less than 24 inches in length.
2. Markers normally shall be set 2 inches above the surrounding grade. Markers shall be set as follows:
 - a. At all points where lot lines intersect street right-of-way lines, except for monument locations.
 - b. At all other lot corners.

1019.C. Release of Financial Security. Before a release of financial security, the Township may require a certification from the surveyor that the pins and monuments have been accurately placed.

1020. CURBS.

1020.A. Curbs shall be provided along both sides of all public and private streets if deemed by the Board of Supervisors to be necessary, after a review by the Township Engineer. In no case shall curbs be required along single family detached lots of greater than 1 acre unless the Board of Supervisors determine that curbs are essential for stormwater management, after a review by the Township Engineer.

1020.B. If curbs are not provided, appropriate stabilized drainage channels designed to handle a 25 year storm shall be required along all streets, within the street right-of-way, or drainage easements.

1020.C. All required curbs shall meet the following specifications:

1. Only straight curbs shall be provided, unless a modification is approved under §107. Such curbs shall be of portland cement concrete and be 24 inches deep, 6 inches wide at the top, 8 inches wide at the bottom and have an exposed face between 6 and 8 inches. Such concrete shall meet the minimum 3000 P.S.I. 28 day strength test according to A.S.T.M. standards.
2. Expansion joints shall be provided a minimum of every 30 feet. Each expansion joint shall contain .5 inch premolded bituminous expansion joint materials. Contraction joints shall be provided a minimum of every 10 feet.
3. Gutter design shall be subject to the approval of the Township based upon standard engineering practices.

1021. EROSION CONTROL AND GRADING.

1021.A. Ground Cover and Top Soil. After completion of construction on a lot, all exposed ground surfaces that are not paved and that are not covered by approved gravel areas or decorative stones or similar material shall be covered by a minimum of 4 inches of topsoil and an attractive non- poisonous vegetative ground cover that will prevent soil erosion and the raising of dust.

1021.B. Erosion Control.

1. Any earth disturbance should be controlled by proper measures to prevent soil erosion and sedimentation, following DEP regulations and standards of the County Conservation District.
 - a. A soil erosion and sedimentation control plan is required for most types of earth disturbance under the Zoning Ordinance.
 - b. Compliance with such plan shall be an automatic condition of any approval or permit under this Ordinance.
 - c. Township permits may be suspended if earth disturbance does not comply with such approved plan.
2. Both the owner of the property at the time of any earth disturbance and the person(s)/company accomplishing the work shall be responsible to ensure that adequate erosion control measures are used.

1022. LOT WIDTH MODIFICATIONS: FLAG LOTS.

1022.A. Lot Width Modifications. The minimum lot width requirement as measured at the minimum building setback line for a lot may be reduced by the following amounts in the following situations:

1. Along the curve of a cul-de-sac bulb, the minimum lot width may be 60 percent of what would otherwise be required.
2. Along the outside of a curve in a street, the minimum lot width may be 80 percent of what would otherwise be required.

3. Where a minimum front yard building setback is less than 50 feet, the minimum lot width may be measured at the proposed building setback or at a 50 feet front yard setback, whichever is less.
- 1022.B. Flag Lot Definition. A "Flag Lot" shall be defined as a new lot that does not meet the requirements of the Zoning Ordinance for the minimum lot width as measured at the minimum building setback line. A Flag Lot typically involves an elongated relatively narrow extension of the lot (known as the "pole") that connects a street to the bulk of the land area of the lot. This pole extension of the lot shall include the driveway.
- 1022.C. Flag Lot Standards for Major Subdivisions. A flag lot shall only be approved by the Board of Supervisors if it meets all of the following standards, but in no event shall more than 20% of the lots in a Major Subdivision be Flag Lots
1. A Flag Lot shall need approval by the Board of Supervisors and shall only be approved as a condition of the Preliminary or Final Subdivision Approval. The proposal for the Flag Lot shall also be offered to the Township Planning Commission for review.
 2. A Flag Lot shall only be approved if the applicant proves to the satisfaction of the Board of Supervisors that the Flag Lot:
 - a. is necessary to minimize the environmental impacts (such as grading and removal of woods) that would otherwise occur, and
 - b. would not result in a greater number of lots on the tract than would otherwise be feasible and allowed.
 3. A Flag Lot shall meet the minimum lot width requirement stated in the Zoning Ordinance as measured at the proposed front yard building setback line, as opposed to the minimum front yard building setback line.
 4. The pole portion of the lot shall be the area of the lot that extends between the street and the location at which the lot width would meet the minimum lot width requirement. This pole portion of the lot shall not exceed 300 feet in length, as measured from the street right-of-way.
 5. The lot shall have an absolute minimum lot width in all locations of 30 feet, including but not limited to the minimum lot width as measured along the street right-of-way. However, no more than 25 percent of the outer edge of paving of a cul-de-sac shall include driveway entrances.
 6. A Flag Lot shall only be approved for a lot that is protected by a deed restriction or conservation easement from future subdivision.
 7. Every Flag Lot shall have a driveway on the lot that provides access to a street, unless the Board of Supervisors specifically approve a shared driveway.
 8. A maximum of 20 percent of the lots within a subdivision may be approved as Flag Lots.
 9. The applicant shall prove to the satisfaction of the Township that the proposed driveway would provide adequate access for emergency vehicles.
 10. This §1022 shall not relieve a property of any zoning requirements other than the minimum lot width,

11. The minimum front yard requirement shall be met by being measured back towardsthe rear lot line from the lot line which forms the base of the "flag", as depicted in the "FLAG LOT" diagram located in Article 2, Section 202 of this Ordinance.
 12. A Flag Lot may be approved behind an existing lot, but a Flag Lot shall not be placed behind another Flag Lot. Therefore, no more than one tier of Flag Lots shall be permitted.
 13. A Flag Lot driveway shall meet the sight distance requirements of §1004 and shall include a clear sight triangle at its entrance onto a street.
- 1022.D. Within a Minor Subdivision no more than one Flag Lot shall be permitted and it shall meet the Following standards:
1. A Flag Lot in a minor subdivision shall not have a "pole" portion of the lot which exceeds 500 feet in length, as measured from the street right-of-way line.
 2. Any Flag Lot in a minor subdivision shall conform to the standards set forth in §1022.C. 3, 5, 7, 9, 10, 11, 12 and 13.

1023. CONTROL OF LIGHT AND GLARE.

Lighting shall be controlled in both height and intensity to maintain community character; and lighting design should be an inherent part of the project design. The applicant shall provide the specifications of the proposed lighting and its arrangement on the site. Following the establishment of any subdivision or land development, the ongoing operation and maintenance of the lighting facilities shall comply with the requirements of Zoning Ordinance §507 and violations shall be subject to the enforcement provisions of the Zoning Ordinance.

1023.A. Purpose. To set standards for outdoor lighting to:

1. Provide for and control lighting in outdoor places where public health, safety and welfare are potential concerns;
2. Protect drivers and pedestrians from the glare of non-vehicular light sources;
3. Protect neighbors, the environment and the night sky from nuisance glare and light trespass from improperly selected, placed, aimed, applied, maintained or shielded light sources; and
4. Promote energy efficient lighting design and operation.

1023.B. Applicability.

1. Applicability. This §1023 shall apply to all uses within the Township where there is exterior lighting that is viewed from outside, including, but not limited to, residential, commercial, industrial, public and private recreational/sports and institutional uses, and sign, billboard, architectural and landscape lighting.
2. Exemptions. The following lighting applications are exempt from the requirements of this §1023:
 - a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement.

- b. Lighting for public monuments and statuary.
- c. Underwater lighting in swimming pools and other water features.
- d. Low voltage landscape lighting.
- e. Individual porch lights of a dwelling.
- f. Repairs to existing luminaires not exceeding 25 percent of the number of total installed luminaires.
- g. Temporary lighting for theatrical, television, performance areas and construction sites.
- h. Temporary lighting and seasonal decorative lighting provided that individual lamps are less than 10 watts and 70 lumens.
- i. Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during an emergency.

1023.C. Standards.

1. Illumination Levels. Lighting shall have illuminances, uniformities and glare control in accordance with the recommended practices of the Illuminating Engineering Society of North America (IESNA), unless otherwise directed by the Township.
2. Luminaire Design.
 - a. Horizontal Surfaces.
 - 1) For the lighting of predominantly horizontal surfaces such as, but not limited to, parking areas, roadways, cul-de-sacs, vehicular and pedestrian passage areas, merchandising and storage areas, automotive-fuel dispensing facilities, automotive sales areas, loading docks, active and passive recreational areas, building entrances, sidewalks, bicycle and pedestrian paths, and site entrances, luminaires shall be aimed straight down and shall meet IESNA full-cutoff criteria.
 - 2) Luminaires with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent or 10-watt compact fluorescent lamp, are exempt from this §1023C.2. In the case of decorative street lighting, the Township may approve the use of luminaires that are fully shielded or comply with IESNA cutoff criteria rather than full cutoff.
 - b. Non-horizontal Surfaces.
 - 1) For the lighting of predominantly non-horizontal surfaces such as, but not limited to, facades, landscaping, signs, billboards, fountains, displays and statuary, when their use is specifically permitted by the Township, luminaires shall be shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway.
 - 2) Luminaires with an aggregate rated lamp output not exceeding 500 lumens, (e.g., the rated output of a standard non-directional 40-watt incandescent or 10-watt compact fluorescent lamp) are

exempt from the requirements of this §1023C.2.b.

3. Control of Glare.

- a. All lighting shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
- b. Directional luminaires such as floodlights and spotlights, when their use is specifically approved by the Township, shall be so shielded, installed and aimed that they do not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway or pedestrian way. Floodlights installed above grade on residential properties, except when motion-sensor actuated, shall not be aimed out more than 45 degrees from straight down. When a floodlight creates glare as viewed from an adjacent residential property, the floodlight shall be required to be re-aimed and/or fitted with a shielding device to block the view of the glare source from that property.
- c. "Barn lights," aka "dusk-to-dawn lights," when a source of glare as viewed from an adjacent property, shall not be permitted unless effectively shielded as viewed from that property.
- d. The use of floodlights and wall-mounted luminaires (wall packs) shall not be permitted to illuminate parking areas unless it can be proven to the satisfaction of the Township that the employment of no other means is possible.
- e. Parking facility and vehicular and pedestrian-way lighting (except for safety and security applications and all-night business operations), for commercial, industrial and institutional uses shall be automatically extinguished no later than one hour after the close of business or facility operation. When safety or security lighting is proposed for after-hours illumination, it shall not be in excess of 25 percent of the number of luminaires or illumination level required or permitted for illumination during regular business hours. When it can be demonstrated to the satisfaction of the Township that an elevated security risk exists, e.g., a history of relevant crime, an appropriate increase above the 25 percent limit may be permitted.
- f. Luminaires shall be automatically controlled through the use of a programmable controller with battery power-outage reset, which accommodates daily and weekly variations in operating hours, annual time changes and seasonal variations in hours of darkness. The use of photocells is permitted when in combination with the programmable controller to turn luminaires on at dusk and also for all-night safety/security dusk-to-dawn luminaire operation when such lighting is specifically approved by the Township. The use of motion detectors is permitted.
- g. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff luminaires, shields and baffles, and appropriate application of luminaire mounting height, wattage, aiming angle and luminaire placement.
- h. Light Spillover.
 - 1) Residential. The illumination projected from any use onto a residential use or permanent open space shall at no time exceed 0.1 initial footcandle, measured line-of-sight at any time and from any

point on the receiving residential property. This shall include glare from digital or other illuminated signs.

- 2) Nonresidential. The illumination projected from any property onto a non-residential use shall at no time exceed 1.0 initial footcandle, measured line-of-sight from any point on the receiving property.
 - a) Height. Except as permitted for certain recreational lighting and permitted elsewhere in this paragraph, luminaires shall not be mounted in excess of 20 feet above finished grade (AFG) of the surface being illuminated. Luminaires not meeting full-cutoff criteria, when their use is specifically permitted by the Township, shall not be mounted in excess of 16 feet AFG. Mounting height shall be defined as the distance from the finished grade of the surface being illuminated to the optical center of the luminaire. Where proposed parking lots consist of 100 or more contiguous spaces, the Township may, at its discretion, based partially on mitigation of potential off-site impacts, permit a luminaire mounting height not to exceed 25 feet AFG. For maximum mounting height of recreational lighting, refer to §1023.D.
 - b) The United States, state and other official flags may be illuminated from dusk to dawn. All other flags shall not be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 7,000 aggregate lamp lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag.
 - c) Under-canopy lighting for such applications as gas/service stations, hotel/theater marquees, fast-food/bank/drugstore drive-ups, shall be accomplished using flat-lens full-cutoff luminaires aimed straight down and shielded in such a manner that the lowest opaque edge of the luminaire shall be below the light source and its light-directing surfaces, at all lateral angles around the luminaire. The average illumination intensity in the area directly below the canopy shall not exceed 20 maintained footcandles and the maximum density shall not exceed 30 initial footcandles.
 - d) Soffit lighting around building exteriors shall not exceed 15 initial footcandles.
 - e) The use of white strobe lighting for tall structures such as smokestacks, chimneys and radio/communication towers is prohibited during hours of darkness, except as required by the FAA.

4. Installation.

- a. Electrical feeds for lighting standards shall be run underground, not overhead, and shall be in accordance with the National Electric Code (NEC) Handbook.
- b. Poles supporting luminaires for the illumination of parking areas and located within the parking area or directly behind parking spaces, or where they could be hit by snow plows or wide-swinging vehicles, shall be protected by being placed a minimum of five feet outside paved area or tire stops, or placed on concrete pedestals at least 30 inches high above the pavement, shielded by steel bollards or protected by other Township-approved means.
- c. Pole mounted luminaires for lighting horizontal surfaces shall be aimed straight down and poles shall be plumb.

- d. Poles and brackets for supporting luminaires shall be those specifically manufactured for that purpose and shall be designed and rated for the luminaire and mounting accessory weights and wind loads involved.
 - e. Pole foundations shall be designed consistent with manufacturer’s wind load requirements and local soil conditions involved.
5. **Maintenance.** Luminaires and ancillary equipment shall be maintained so as to meet the requirements of this Ordinance.

1023.D. **Recreational Uses.** The nighttime illumination of outdoor recreational facilities for such sports as baseball, basketball, soccer, tennis, track and field, and football typically necessitate higher than normally permitted luminaire mounting heights and aiming angles, utilize very high-wattage lamps and potentially produce unacceptable levels of light trespass and glare when located near residential properties. Permission to illuminate such facilities shall be granted only when the Township is satisfied that the health, safety and welfare rights of nearby property owners and the Township as a whole have been properly protected. When recreational uses are specifically permitted by the Township for operation during hours of darkness, the following requirements shall apply:

- 1. Race tracks and such recreational venues as golf driving ranges and trap-shooting facilities that necessitate the horizontal or near horizontal aiming of luminaires and projection of illumination, may be permitted by conditional use. A Visual Impact Plan, as set forth in §1023.D.6, shall be required.
- 2. Recreational facilities for basketball, baseball, football, soccer, miniature golf, tennis or track shall not be illuminated if located within a residential district or sited on a nonresidential property located within 1,000 feet of a property within a residential district.
- 3. Sporting events shall be timed to end at such time that all lighting in the sports facility, other than lighting for safe exit of patrons, shall be extinguished by 10:00 P.M., except in the occurrence of extra innings or overtimes.
- 4. The Township reserves the right to limit the number of illuminated sporting events per week or season.
- 5. Maximum mounting heights for recreational lighting shall be in accordance with the following:
 - a. Basketball 20 feet
 - b. Football 70 feet
 - c. Soccer 70 feet
 - d. Lacrosse 70 feet
 - e. Baseball and softball
 - 1) 200 foot radius 60 feet
 - 2) 300 foot and larger radius 70 feet
 - f. Miniature golf 20 feet
(See driving range in §1023.D.1.)
 - g. Swimming pool aprons 20 feet
 - h. Tennis 20 feet
 - i. Track 20 feet
 - j. All uses not listed 20 feet

including commercial recreational lighting not otherwise regulated in this §1023.

6. Visual Impact Plan. To assist the Township in determining whether the potential impacts of proposed lighting have been suitably managed, applications for illuminating recreational facilities shall be accompanied not only with the information required under §1023.E, but also by a Visual Impact Plan that contains the following:
- a. Plan views containing a layout of the recreational facility and showing pole locations and the location of residences on adjoining properties.
 - b. Elevations containing pole and luminaire mounting heights, horizontal and vertical aiming angles and luminaire arrays for each pole location.
 - c. Elevations containing initial vertical illuminance plots at the boundary of the site, taken at a height of five (5) foot line-of-sight.
 - d. Elevations containing initial vertical illuminance plots on the windowed facades of all residences facing and adjacent to the recreational facility. Such plots shall demonstrate compliance with the light trespass and glare control requirements of §1023.C.3.
 - e. Proposed frequency of use of the facility during hours of darkness on a month-by-month basis and proposed time when the sports lighting will be extinguished.
 - f. A narrative describing the measures proposed to achieve minimum off-site disturbance.
- 1023.E. Plan Submission. Lighting plans shall be submitted for Township review and approval for subdivision and land development, conditional use, variance, zoning permit and special exception applications. The submitted information shall include the following:
1. A plan or plans of the site, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), existing and proposed trees, and adjacent uses that might be adversely impacted by the lighting. The lighting plan shall contain a layout of all proposed and existing luminaires, including but not limited to area, architectural, building entrance, canopy, soffit, landscape, flags and signs by location, orientation, aiming direction, mounting height, lamp, photometry and type.
 2. A 10'x10' illuminance grid (point-by-point) plot of maintained horizontal footcandles overlaid on the site plan, plotted out to 0.0 footcandles, which demonstrates compliance with the light trespass, illuminance and uniformity requirements as set forth in this Ordinance. When the scale of the plan, as judged by the Township, makes a 10'x10' grid plot illegible, a more legible grid spacing may be permitted.
 3. Light-loss factors, IES candela test-filename, initial lamp-lumen ratings and specific lamp manufacturer's lamp ordering nomenclature, used in calculating the plotted illuminance levels.
 4. Description of the proposed equipment, including luminaire catalog cuts, photometrics, glare reduction devices, lamps, on/off control devices, mounting heights, pole foundation details, pole protection means and mounting methods.
 5. Landscaping plans shall contain luminaire locations, demonstrating that the site lighting and landscaping have been coordinated to minimize conflict between vegetation and intended light distribution, both initially and at vegetation maturity.

6. When requested by the Township, the applicant shall also submit a visual impact plan in accord with §1023.D.6.
7. Plan Notes. The following notes shall appear on the lighting plan:
 - a. "Post-approval alterations to lighting plans or intended substitutions for specified lighting equipment on the approved plan shall be submitted to the Township for review and approval prior to installation. Requests for substitutions shall be accompanied by catalog cuts of the proposed equipment that demonstrate the proposed substitution is equal to or exceeds the optical quality and maintainability of the specified luminaires; and accompanied by a lighting plan, including a point-by-point plot, which demonstrates that proposed substitutions will result in a lighting design that equals or exceeds the quality of the approved plan."
 - b. "The Township reserves the right to conduct post-installation inspections to verify compliance with Ordinance requirements and approved Lighting Plan commitments, and if deemed appropriate by the Township, to require remedial action at no expense to the Township."
 - c. "All exterior lighting, including building-mounted lighting, shall meet IESNA full-cutoff criteria unless otherwise specifically approved by the Township."
 - d. "Installer shall notify Township to arrange for inspection and approval of all exterior lighting, including building-mounted lighting, prior to its installation."

1023.F. Definitions. The definitions in this §1023.F shall supplement the definitions in Article 2.

Architectural Lighting - Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

Footcandle - The amount of illumination the inside surface of a 1-foot radius sphere would receive if there were a uniform point source of one candela in the exact center of the sphere. The footcandle is equal to one lumen per square foot, and is measurable with an illuminance meter (light meter).

Full Cutoff - Attribute of a luminaire from which no light is emitted at or above a horizontal plane drawn through the lowest light-emitting portion of the luminaire and no more than 10% of the lamp's intensity is emitted at or above an angle 10% below that horizontal plane, at all lateral angles around the luminaire. A full-cutoff luminaire, by definition, also is "fully shielded."

Fully Shielded - A luminaire with opaque top and sides, capable of emitting light only in the lower photometric hemisphere as installed. See also "Full Cutoff."

Glare - Light entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or loss in visual performance and visibility.

IESNA - Illuminating Engineering Society of North America.

Lamp - A generic term for a source of optical radiation, often called a "bulb" or "tube."

LED-Light Emitting Diode.

Lighting System - On a site, all exterior electric lighting and controls.

Light Trespass - Light emitted by a luminaire or installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

Lumen - As used in the context of this Ordinance, the light-output rating of a lamp (light bulb).

Luminaire - The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) when applicable, together with the parts designed to distribute the light (reflector lens, diffuser) to position and protect the lamps, and to connect the lamps to the power supply.

Luminaire, Shielded Directional - A fully shielded luminaire with an adjustable mounting device allowing aiming in a direction other than straight downward.

**ARTICLE 11
ADDITIONAL STANDARDS FOR
MOBILE HOME PARKS**

1101. APPLICABILITY.

The requirements in this Article shall apply to any "Mobile Home Park" as defined in Article 2.

1102. EXEMPTIONS.

The following shall not be considered to be a mobile home park, but instead shall be ruled by the applicable sections of this Ordinance and the Zoning Ordinance:

- 1102.A. Offering of more than one mobile home for sale for relocation to another tract, other than routine sale of previously occupied homes within a mobile home park.
- 1102.B. Any development of mobile homes involving only one dwelling unit per fee-simple lot, which shall meet all of the requirements for a single family dwelling residential development;
- 1102.C. A mobile home that is used only as a field office or work or tool house during a construction project, and not for residential purposes.

1103. OTHER REQUIREMENTS OF THIS ORDINANCE.

- 1103.A. All provisions of this Ordinance shall apply to a mobile home park, except for provisions that are specifically amended by this Article. See also §402 of the Zoning Ordinance concerning "Mobile Home Parks" and individual "Mobile Homes."
- 1103.B. Every proposed mobile home park shall be submitted, reviewed, approved and recorded as a land development. The requirements for a subdivision may also need to be met if one or more new lots are created or lot lines are changed.

1104. GENERAL STANDARDS AND REQUIREMENTS.

- 1104.A. If the mobile home park has an average density of higher than 1 dwelling unit per acre, all dwelling units shall be served by both central water and central sewer service.
- 1104.B. All mobile homes sites within a mobile home park shall be located on land with an average natural slope of less than 15 percent.
- 1104.C. Any street, not including an approved parking court, shall meet Township requirements for construction of a public street, except as specifically modified by this Article.
- 1104.D. The mobile home park shall have adequate access by emergency vehicles and shall include measures to provide adequate water supply for fire fighting. If the water supply cannot feasibly be provided on-site, the requirement may be met by the applicant constructing a hydrant to access an available nearby water supply.
- 1104.E. All mobile home parks of more than 25 dwelling units shall include a qualified resident manager.

1104.F. Access.

1. Vehicle access to individual mobile home spaces shall be from interior parking courts, access drives or private streets and shall not be from public streets exterior to the development. Streets within the development providing access to 20 or more dwellings shall have a paved cartway width of at least 26 feet, and other streets shall have a paved cartway width of at least 22 feet.
2. All streets within the Mobile Home Park shall be private and be maintained as part of the Mobile Home Park.

1104.G. Parking.

1. In addition to the off-street parking required by the Zoning Ordinance, an average of 0.5 off-street parking spaces per dwelling unit shall be provided in convenient locations for visitor parking. Parking courts are encouraged to be used for off-street parking.
2. An appropriate area shall be set aside for the parking of recreational vehicles and boats of residents.

1104.H. Other Design Standards and Improvements.

1. Every mobile home space shall be graded to provide a level, stable and well-drained stand for the mobile home.
2. Every space shall be provided with underground electric, telephone and T.V. Cable (if available) connections.
3. All fuel storage and supply systems shall be constructed and maintained in conformity with the regulations of all authorities having jurisdiction. No above ground fuel tanks shall be allowed within a required setback.
4. An average of 1 deciduous street tree shall be provided for each 50 feet of frontage along any street. These trees shall meet the requirements of Article 10.

ARTICLE 12
ADDITIONAL REQUIREMENTS FOR CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS

1201. APPLICABILITY.

The requirements of this Article 12 shall apply to any land development or subdivision that also meets or is intended to involve a "Campground" or "Recreational Vehicle Park" as defined by Article 2. All requirements of this Ordinance and the Zoning Ordinance shall be met, in addition to the requirements of this Article 12. The applicant shall also prove compliance with applicable requirements of the State Department of Environmental Protection, including but not limited to, sanitary sewage and water supply regulations.

1202. ADDITIONAL REQUIREMENTS FOR CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS.

A Campground or Recreational Vehicle Park shall meet the following additional requirements:

1202.A. The development shall have its main vehicle access onto a paved public collector or arterial street, unless the applicant proves to the satisfaction of the Board of Supervisors that a local street will have adequate geometric design and grade to provide suitable access to reach a collector or arterial street. The main vehicle accessway into the development shall be paved or otherwise improved to minimize dust.

1202.B. The applicant shall prove that existing healthy trees will be retained on the site to the maximum extent feasible.

1202.C. Any electrical service lines provided to recreational vehicles shall be installed primarily underground.

1202.D. Drinking Water.

1. Suitable and sufficient numbers of drinking water, shower, and sanitary facilities shall be provided. Such facilities shall be provided within a maximum of 500 feet of all areas routinely used as campsites, recreational vehicle sites or cabins, except for sites with their own water and sewage hookups. Sewage wastes shall be collected and treated in a manner consistent with State regulations. If recreational vehicle vehicles are served, a sewage dumping station shall be provided.
2. The potable water system shall be capable of providing a minimum of 25 gallons per campsite per day. The connections for potable water shall be so installed that they will not be damaged by the parking of camping units or vehicles.

1202.E. Parking areas shall be located on slopes of less than 10 percent. A minimum of one off-street vehicle parking space shall be provided per tent site, plus a minimum of 0.5 spaces per recreational vehicle site, in addition to the space for the recreational vehicle.

1202.F. Motor vehicle routes within the development shall meet the following requirements:

1. All vehicle routes shall be sufficiently improved to allow access by fully loaded fire trucks and ambulances.
2. A one-way route shall have a minimum width of 10 feet. A two-way route shall have a minimum width of 18 feet. The minimum centerline radius of any interior route shall be 50 feet. The maximum grade of any interior route shall be 12 percent. No internal vehicle route shall be offered to dedication to the Township as a public street.

- 1202.G. The owner shall be responsible to provide adequate maintenance and repair of all internal motor vehicle routes, drainage facilities and utilities.
- 1202.H. A minimum land area equal to 5 percent of the total land area used for recreational vehicles, tents, cabins and related improvements shall be improved and provided as a recreation area for occupants of the development. This recreation area may include athletic facilities, a recreation building, a playground, a swimming pool and similar facilities.
- 1202.I. Adequate nighttime lighting shall be provided for the security and safety of persons occupying the site.
- 1202.J. A stormwater management plan shall be submitted that shows that water will be properly drained away from campsites and buildings, that dangerous velocities of stormwater will not occur, and that stagnant pools of water will be avoided. This requirement shall apply in addition to all other stormwater requirements of the Township.
- 1202.K. The storage and collection of refuse shall be managed to prevent health hazards, rodent harborage, and insect breeding. All refuse shall be stored in containers with tight lids.
- 1202.L. Open fires shall only be permitted in areas pre-designated by the operator of the campground or recreational vehicle park. Such locations shall be designed to not create a hazard to trees and camping units.
- 1202.M. One permanent dwelling unit shall be permitted for the manager and his/her family.

APPENDIX A
ROSS TOWNSHIP
APPLICATION FORM FOR
SUBDIVISION OR LAND DEVELOPMENT

FOR OFFICE USE ONLY
FILE NUMBER

____ New Submission ____ Resubmission

Date of Application _____ (to be filled in by Township Staff)

Check All of the Following that Apply:

- ____ Sketch Plan Review.
- ____ Preliminary Plan Name of Development _____
- ____ Final Plan
- ____ Minor Subdivision Location _____
- ____ Resubdivision
- ____ Lot Line Adjustment

Land Owner's Name _____ Telephone # _____

Address _____

Applicant's Name _____ Telephone # _____

Address _____

Plan Preparer's Name _____ Telephone # _____

Address _____

Total Acreage _____ Number of Lots _____

Water Supply: On lot well: _____ Public: _____ Other: _____

Sewage System: Private (on lot): _____ Public: _____ Other: _____

Submit 3 copies of this form to the Township Staff. A copy will be receipted and returned to you.

Previous Subdivision or Construction on this Tract within the Past 5 Years:

ROSS TOWNSHIP
SUBDIVISION /LAND DEVELOPMENT APPLICATON -- PAGE 3

SKETCH PLANS

The Undersigned has submitted a sketch plan pursuant to Ross Township SALDO. The Undersigned recognizes and acknowledges that the time limits of section 508 of the Municipalities Planning Code apply only to a preliminary and final submission and not to a sketch plan submission.

Applicant's Signature _____

**APPENDIX B
PLAN PREPARER'S STATEMENTS; OWNER'S STATEMENT;
APPROVAL/REVIEW BLOCK FORMS**

B.1 PLAN PREPARER'S STATEMENTS. - Model Forms.

I, _____, a registered surveyor of the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from a field survey on _____, 20__ correctly represents the property boundary of the proposed subdivision or land development.

Date Registered Surveyors' Signature

I, _____, a registered surveyor, registered landscape architect or licensed professional engineer in the Commonwealth of Pennsylvania, do hereby certify that the accompanying application, plans and supporting documentation are true and accurate, to the best of my knowledge.

Date Plan Preparer's Signature

Address Printed Name

B.2 OWNER'S STATEMENT. - Model Form.

We, the owners of the land involving the accompanying plans, being duly sworn according to law, state that we are the majority owners or are the authorized officers of the corporation that are the majority owners of this property in peaceful possession of it, and that there are no suits pending affecting the title of same, and that we acknowledge and endorse the accompanying plans and that we will propose a record plan for recording (as applicable), after receiving all required municipal approvals.

OWNER'S OR AUTHORIZED CORPORATE OFFICER'S SIGNATURES

Printed Name Printed Name

SWORN AND SUBSCRIBED BEFORE THIS _____ DAY OF _____, 20__.

B.3 APPROVAL/REVIEW BLOCK.

REVIEWED BY THE COUNTY PLANNING COMMISSION

County Planning Commission Staff Person

Date

REVIEWED BY THE TOWNSHIP ENGINEER

Township Engineer

Date

REVIEWED BY THE ROSS TOWNSHIP PLANNING COMMISSION

Chair

Secretary

Date

APPROVED BY THE ROSS TOWNSHIP BOARD OF SUPERVISORS AND ACCEPTED FOR RECORDING

Chair

Secretary

Date

**APPENDIX C
STORMWATER MANAGEMENT CALCULATIONS**

C.1 RATIONAL FORMULA.

The Rational Method shall be used to calculate stormwater runoff, unless the Township Engineer pre-approves an alternative method, such as the Soil Cover Complex Method. The Rational Method involves the formula $Q = CIA$. Q is the storm flow in cubic feet per second. C is the coefficient indicating the degree of imperviousness of the drainage area. I is the intensity of rainfall in inches per hour for the frequency of storm used, and A is the discharge area in acres.

C.2 RUNOFF COEFFICIENTS.

The value of the coefficient C shall be determined based upon the following table, considering the anticipated ultimate use of the land. An alternate value may be pre-approved by the Township Engineer.

Table 1
Runoff Coefficients for the Rational Formula
By Hydrologic Soil Group and Overland Slope (S)

Land Use	A			B			C			D		
	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+
Cultivated Land	0.08 ^a	0.13	0.16	0.11	0.15	0.21	0.14	0.19	0.26	0.18	0.23	0.31
	0.14 ^b	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
Pasture	0.12	0.20	0.30	0.18	0.28	0.37	0.24	0.34	0.44	0.30	0.40	0.50
	0.15	0.25	0.37	0.23	0.34	0.45	0.30	0.42	0.52	0.37	0.50	0.62
Meadow	0.10	0.16	0.25	0.14	0.22	0.30	0.20	0.28	0.36	0.24	0.30	0.40
	0.14	0.22	0.30	0.20	0.28	0.37	0.26	0.35	0.44	0.30	0.40	0.50
Forest	0.05	0.00	0.11	0.08	0.11	0.14	0.10	0.13	0.16	0.12	0.16	0.20
	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
Residential Lot Size 1/8 Acre	0.25	0.28	0.31	0.27	0.30	0.35	0.30	0.33	0.38	0.33	0.36	0.42
	0.33	0.37	0.40	0.35	0.39	0.44	0.38	0.42	0.49	0.41	0.45	0.54
Lot Size 1/4 Acre	0.22	0.26	0.29	0.24	0.29	0.37	0.27	0.31	0.36	0.30	0.34	0.40
	0.30	0.34	0.37	0.33	0.37	0.42	0.36	0.40	0.47	0.38	0.42	0.52
Lot Size 1/3 Acre	0.19	0.23	0.26	0.22	0.26	0.30	0.25	0.29	0.34	0.28	0.32	0.39
	0.28	0.32	0.35	0.30	0.35	0.39	0.33	0.38	0.45	0.36	0.40	0.50
Lot Size 1/2 Acre	0.16	0.20	0.24	0.19	0.23	0.28	0.22	0.27	0.32	0.26	0.30	0.37
	0.25	0.29	0.32	0.28	0.32	0.36	0.31	0.35	0.42	0.34	0.38	0.48
Lot Size 1 Acre	0.14	0.19	0.22	0.17	0.21	0.26	0.20	0.25	0.31	0.24	0.29	0.35
	0.22	0.26	0.29	0.24	0.28	0.34	0.28	0.32	0.40	0.31	0.35	0.46
Industrial	0.67	0.68	0.68	0.60	0.68	0.69	0.68	0.69	0.69	0.69	0.69	0.70
	0.85	0.85	0.86	0.85	0.86	0.86	0.86	0.86	0.87	0.86	0.86	0.88
Commercial	0.71	0.71	0.72	0.71	0.72	0.72	0.72	0.72	0.72	0.72	0.72	0.72
	0.88	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.90	0.89	0.89	0.90
Streets	0.70	0.71	0.72	0.71	0.72	0.74	0.72	0.73	0.76	0.73	0.75	0.78
	0.76	0.77	0.79	0.80	0.82	0.84	0.84	0.85	0.89	0.89	0.91	0.95
Open Space	0.05	0.10	0.14	0.08	0.13	0.19	0.12	0.17	0.24	0.16	0.21	0.28
	0.11	0.16	0.20	0.14	0.19	0.26	0.18	0.23	0.32	0.22	0.27	0.39
Parking	0.65	0.65	0.67	0.65	0.66	0.67	0.65	0.66	0.67	0.65	0.66	0.67
	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97

^a runoff coefficients for storm recurrence intervals less than 25 years.
^b runoff coefficients for storm recurrence intervals of 25 years or more.

Source: Rawls, W.J., S.L. Wong and R.H. McCuen, 1981, "Comparison of Urban Flood Frequency Procedures," Preliminary Draft, U.S. Department of Agriculture, Soil Conservation Service, Baltimore, MD.

C.3. VALUES OF STORM INTENSITY.

Values for storm intensity shall be derived from the tables on the following page, unless an updated table is provided by the Pennsylvania Department of Transportation.

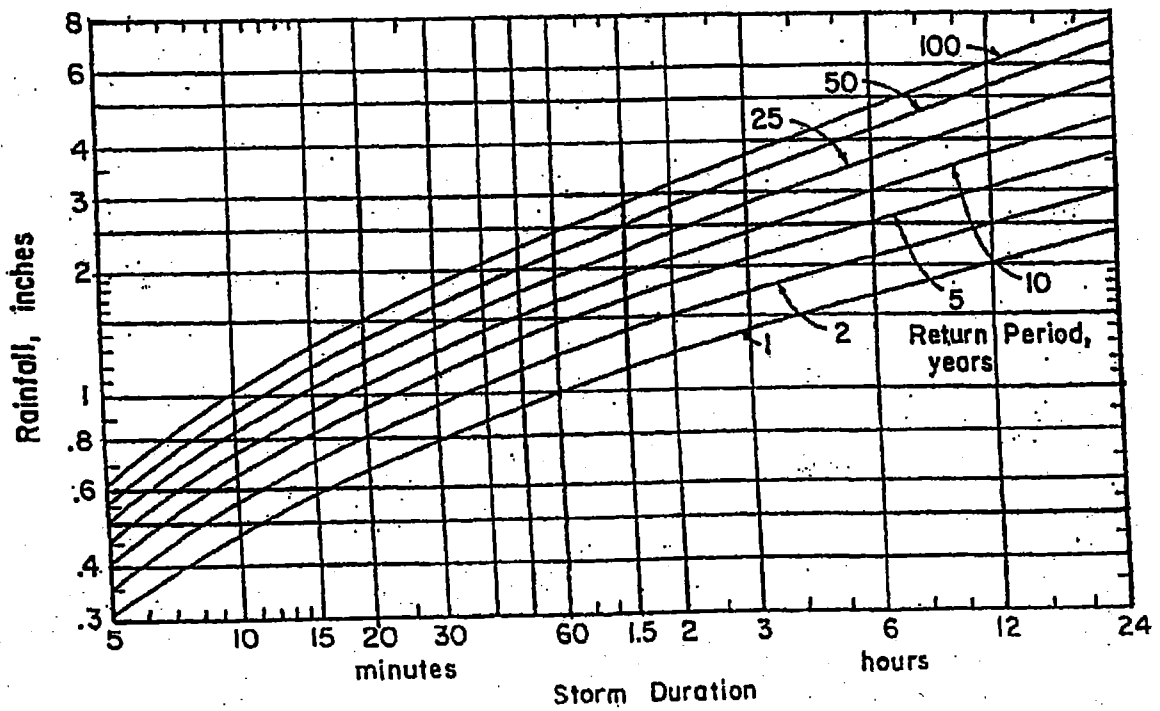
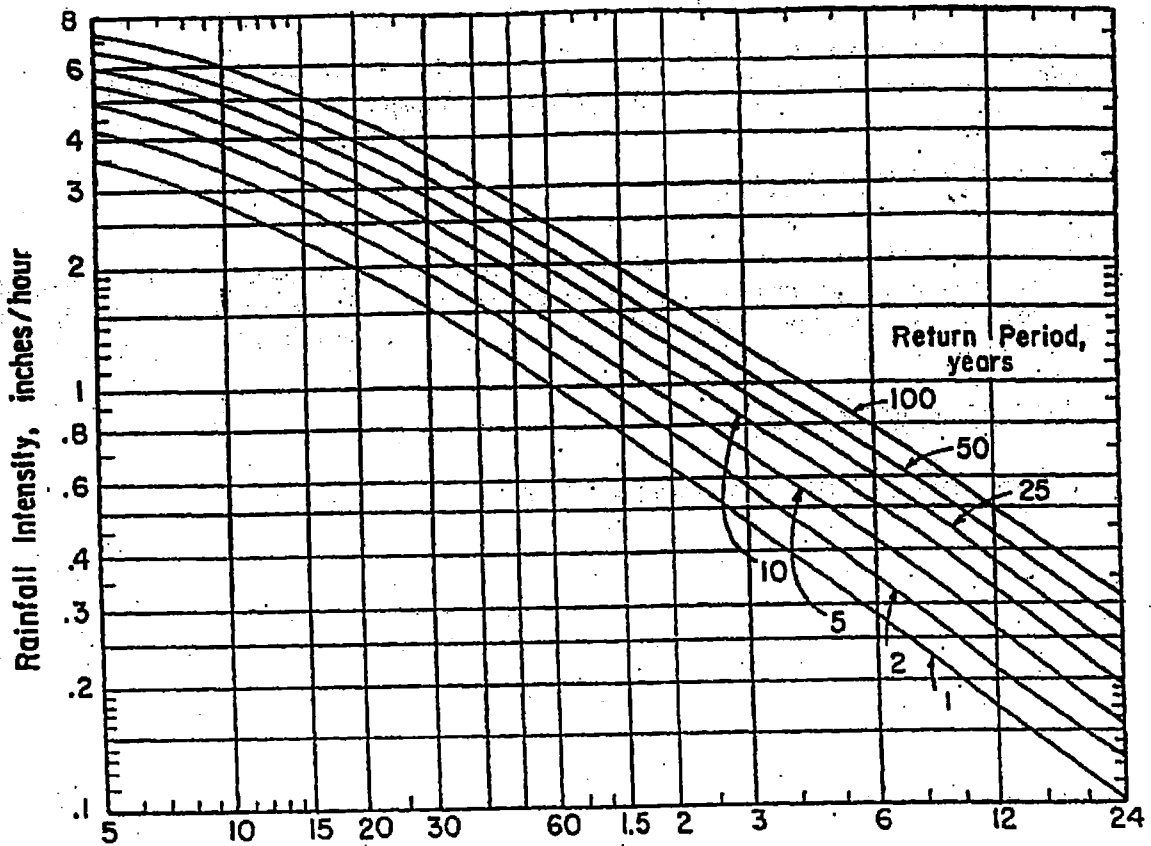
C.4. TIMES OF CONCENTRATION.

The time of concentration for all sites shall be calculated utilizing the standards and methodology provided in "Urban Hydrology for Small Watersheds" Technical Release 55 (1986) by the U.S. Soil Conservation Service, or its successor publication. The S.C.S. lag shall be computed by multiplying the Time of Concentration by 0.6.

C.5. RUNOFF CURVE NUMBERS.

The following runoff curve numbers shall be utilized.

INTENSITY-DURATION-FREQUENCY CURVES*



*Source: Pennsylvania Dept. of Transp. Design Rainfall Curves (1986).

C.7 VELOCITY OF FLOW IN OPEN CHANNELS.

1. The velocity of flow in open channels, and in closed drains not under pressure, shall be determined by Manning's velocity equation:

$$v = \frac{1.486}{n} (a/p)^{2/3} S^{1/2}$$

- v = velocity in feet per second
- n = coefficient of roughness
- a = cross-section area of structure
- p = perimeter of the wetted channel
- s = slope in feet per foot

2. The coefficient of roughness, "n", shall be as follows unless otherwise approved by the Township Engineer:
 - a. 0.015 for concrete pipe and similar paving.
 - b. 0.025 for corrugated metal pipes and flumes.
 - c. 0.40 for earth ditches.

**APPENDIX D
MODEL DEVELOPMENT AGREEMENT**

This model Agreement shall be subject to modification by the Board of Supervisors to address specific issues in a development and other relevant matters.

AGREEMENT made this _____ day of _____, _____, by and between the Supervisors of Ross Township, Monroe County, Pennsylvania, (hereinafter referred to as "Supervisors"), and _____ (hereinafter referred to as "Developer").

WHEREAS, the Developer is the owner of a certain tract or parcel of land situate in Ross Township, Monroe County, as shown on a plot or plan entitled _____ (hereinafter sometimes called "the final plan") which plan has been submitted to the Supervisors for approval in accordance with the applicable ordinances of Ross Township, and

WHEREAS, attached as Exhibit A to this Agreement is a narrative description of the improvements required under the ordinances of Ross Township (sometimes referred to as "required improvements") which have not been completed as of the date of this Agreement.

WHEREAS, the Developer seeks approval of the final plan before completing the improvements described in Exhibit A and whereas the Supervisors seek to assure that said improvements will be made.

NOW, THEREFORE, in consideration of the mutual premises, promises, covenants and conditions set forth below, the parties agree as follows:

1. SUPERVISORS TO APPROVE PLAN.

The Supervisors shall approve the final plan submitted by Developer and Developer shall record the plan with ninety (90) days of this date in the Monroe County Office for the Recording of Deeds. The Supervisors' execution of the final plan constitutes their acknowledgment that the plan and supporting data comply with applicable ordinances and regulations of Ross Township, subject to the Developer's strict and timely performance of the conditions of the Agreement and the posting by Developer of a Performance Guarantee as required by the Subdivision and Land Development Ordinance of Ross Township.

2. DEVELOPER TO COMPLETE IMPROVEMENTS.

The Developer agrees to complete the improvements in a workmanlike manner and in accordance with the design criteria of applicable Township Ordinances or in accordance with the plans and specifications submitted by the Developer to the Supervisors, whichever standard is the more stringent. The improvements shall be completed within the following time period:

Required improvements:

all as shown or specified on the attached copy of said Development Plan and/or the attached copy of the "Stormwater Management, Erosion & Sediment Pollution Control Plan".

Time shall be of the essence under this Developer's Agreement to construct or install the improvements by _____, and the failure or forbearance of the Supervisors, or a third party, in not acting upon Developer's failure to complete the improvements as promised shall not be deemed a waiver of the right to insist upon such performance. No extension of the time limits set forth above shall be binding unless it is in writing and signed by the Supervisors.

3. SECURITY OF PERFORMANCE GUARANTEE.

The parties acknowledge that the Supervisors have accepted as security for the performance of Developer's promises under this contract, a cash deposit to be placed in an escrow account in the name of Ross Township. The aforesaid security is hereinafter referred to as a "Performance Guarantee". The Performance Guarantee shall be a collateral obligation to Developer's performance obligations under this Agreement. The parties further agree that the fair and reasonable estimate of the current cost to complete the required improvements described in Exhibit A is \$ _____. The amount of the Performance Guarantee shall be \$ _____. Upon the Developer's default, the Supervisors shall have the right to pursue their remedies under the Performance Guarantee, and in addition, to bring action under this Agreement if the security of the Performance Agreement is insufficient to pay for completion of the improvements.

4. METHOD OF APPROVING INSTALLATION OF IMPROVEMENTS AND COST THEREOF.

The Developer shall notify the Supervisors, with a copy to the Township Engineer, by certified or registered mail, when any improvement has been completed. Within thirty (30) days of receiving this notice, the Supervisors shall direct the Engineer to inspect the improvement. The Engineer shall make his inspection and file a report to the Supervisors, the Ross Township Planning Commission and the Developer within thirty (30) days of the date on which the Developer's notification was received by the Supervisors. If the Engineer finds any or all improvements to be not as required or promised, he shall include a statement of reasons for their rejection in his report to the Supervisors and to the Developer. Periodic inspections shall be made of the improvements as set forth below in which case the Developers' failure to comply with that schedule of inspections shall be grounds for disapproval. The Developer shall notify the Township of the progress of construction to enable the Township Engineer to make such inspections.

4.a. SCHEDULE OF INSPECTIONS:

The Supervisors shall consider the Engineer's report and recommendation of the Planning Commission and render a decision to the Developer by certified or registered mail within seventy-five (75) days after the Developer's official letter of notification to the Board of his completion of the improvements. Upon approval of all the improvements, the Developer's collateral under the Performance Guarantee shall be released to Developer along with any interest accrued on said account and the Performance Guarantee shall be of no further force and effect.

The Developer agrees to pay the fair and reasonable cost of inspections and reports performed or made by the Township Engineer or other designee.

5. NON-ASSIGNMENT.

The Developer shall not assign, transfer, sublease, pledge, hypothecate, surrender or otherwise dispose of this Agreement or of any rights created by this Agreement, or permit any other person or persons, company or corporation to assume Developer's obligations hereunder without the prior written consent of the Supervisors of Ross Township.

6. DEVELOPER TO PROVIDE AS-BUILT DRAWINGS.

Upon request of the Supervisors, the Developer shall, upon completion of installation of a required improvement, submit "as-built" drawings of the improvement for the records of the Township.

7. DEVELOPER TO INDEMNIFY, ETC.

Developer hereby agrees to indemnify, defend and hold harmless the Board of Supervisors of Ross Township, their successors and assigns, and their agents, servants and employees, from any and all actions, claims or demands, arising from or by virtue of this Agreement and the installation of required or promised improvements as provided herein.

8. ADDITIONAL ASSURANCES OF COMPLETION.

The Developer, upon request of the Supervisors, shall provide such additional security or such additional documentation as the Supervisors may from time to time reasonably require in order to effect the terms of this contract. In the event the Supervisors reasonably request additional security under the Performance Guarantee, the Developer's failure to provide additional security shall be deemed a breach of this Agreement.

9. MAINTENANCE BOND.

In addition to the Performance Guarantee, Developer shall post with the Supervisors a bond to secure the cost of repair or replacement of any required improvement for a period of one (1) year after the date of its completion. The amount of said bond shall be determined after final inspection of all required improvement.

10. NO OFFER OF DEDICATION.

Nothing in this Agreement shall be construed as an offer by the Developer to dedicate any improvement to the Board of Supervisors of Ross Township and nothing herein shall be deemed to be an acceptance of an offer of dedication. In the event the Developer, or Developer's heirs, administrators, successors or assigns, offers to dedicate an improvement to Ross Township, or in the event a required improvement is condemned by the Township or other public body under the power of eminent domain, there shall be no payment or compensation of any kind paid to the Developer or Developer's heirs, administrators, successors or assigns, and this agreement shall constitute a full and complete release from any such claim or demand for payment. Developer shall bear all of the Township's costs incidental to the dedication of a required improvement.

11. DEFAULT.

If Developer fails or neglects to do or perform or observe any of the covenants contained herein, and such failure or neglect continues for a period of not less than thirty (30) days after the Supervisors have notified Developer in writing of Developer's default hereunder, and Developer has failed to correct such default within said thirty (30) days or if Developer shall be declared to be bankrupt or insolvent according to law, or if any assignment of Developer's property shall be made to the benefit of creditors, or if the required improvements are not completed and approved by the Township Engineer seven (7) days prior to the expiration of the Performance Guarantee and no written verification has been received of the renewal of the Performance Guarantee for a period equal to the term of the initial Performance Guarantee, then in any such case or event, the Supervisors may, at their option, immediately or at any time thereafter without demand or notice, declare this contract to have been breached and exercise their remedies, in law or equity, and simultaneously therewith to exercise their right under the Performance Guarantee to complete such work or as much thereof as may be completed from the available resources of the Performance Guarantee. The Supervisors exercise of their rights under the Performance Guarantee shall not bar them from pursuing their rights under this contract, it being agreed that those rights are cumulative and not exclusive.

12. ATTORNEY FEES.

In the event any action, suit or proceeding is brought by the Supervisors against the Developer for Developer's failure to observe any of the covenants of this Agreement, Developer agrees to pay to the Board of Supervisors such sum as the court may judge reasonable as attorney fees to be allowed in said suit, action or proceeding.

13. THIRD PARTIES TO BENEFIT.

This Agreement shall inure to the benefit of the grantees, lessees and licensees of the Developer; provided, however, in no event may such third party beneficiary, alone or together, bring action for breach of this Agreement without the prior written approval of the Supervisors.

14. INSURANCE.

Developer shall secure and maintain public liability insurance for the duration of the construction of the improvements and evidence of such coverage shall be submitted to the Township.

15. ADEQUACY OF PLANS.

Nothing in this contract shall be construed as approval by the Supervisors or their agents, servants, independent contractors or employees, of the adequacy or fitness of purpose of intended use of the improvements depicted upon the plans and supporting documentation submitted to the Township, it being agreed that the Supervisors approval constitutes no more than their acknowledgment that minimum standards of Township Ordinances have been met.

IN WITNESS WHEREOF, the parties, for themselves, their heirs, administrators, successors and assigns, have hereunto set their hands and seals this _____ day of _____, intending thereby to be legally bound.

ATTEST:

DEVELOPER:

ATTEST:

SUPERVISORS OF ROSS TOWNSHIP:

**APPENDIX E
PARKING DEMAND TABLE**

PARKING DEMAND (2014-12)					
Source: <u>Parking Generation, 4th Edition</u> , ITE					
NOTES:					
Average & 85th Percentile - where ITE provides data for a weekday, a Saturday, etc., the highest value is shown.					
85th Percentile - not provided in certain cases with a very limited number of studies; highest value of studies shown.					
Peak - provided in certain cases with a very limited number of studies; highest value of cited studies is shown.					
		Average	85th %	Peak	Per
000	Port and Terminal				
021	Commercial Airport	0.84	1.48		daily enplanement
093	Light Rail Transit Station with Parking	136.00	212.0		1,000 daily boardings
100	Industrial	Average	85th %	Peak	Per
110	General Light Industrial	0.75	1.13		1,000 sq. ft. GFA
110	General Light Industrial	0.64	0.81		employee
130	Industrial Park	0.62	1.85		1,000 sq. ft. GFA
130	Industrial Park	0.89	0.98		employee
140	Manufacturing	1.02	1.18		1,000 sq. ft. GFA
140	Manufacturing	0.97	1.14		employee
150	Warehousing	0.51	0.81		1,000 sq. ft. GFA
150	Warehousing	0.78	1.01		employee
151	Mini-Warehouse	0.14	0.17		1,000 sq. ft. GFA
200	Residential - See Zoning Ordinance §504.6.B				
300	Lodging	Average	85th %	Peak	Per
310	Hotel	1.20	1.54		room
311	All Suites Hotel			1.30	room
312	Business Hotel	0.60	0.75		room
320	Motel	0.71	0.85		room
330	Resort Hotel	1.29	1.59		room
400	Recreational	Average	85th %	Peak	Per
411	City Park			5.10	acre
414	Water Slide Park	72.90			acre
420	Marina	0.59			berth
430	Golf Course	8.68	9.83		hole
435	Multipurpose Recreational Facility	1.78			hole
435	Multipurpose Recreational Facility	10.67			1,000 sq. ft. GFA
435	Multipurpose Recreational Facility	16.00			acre
437	Bowling Alley	5.02	5.58		lane
438	Billiard Hall	6.56			1,000 sq. ft. GFA
438	Billiard Hall	2.89			billiard table
440	Adult Cabaret	5.90			1,000 sq. ft. GFA
441	Live Theater	0.38	0.39		attendee
441	Live Theater	0.25	0.32		seat
444	Movie Theater with Matinee	0.26	0.36		seat
445	Multiplex Movie Theater	0.15	0.20		seat
445	Multiplex Movie Theater	36.20	45.00		screen

400	Recreational	Average	85th %	Peak	Per
464	Roller Skating Rink	5.80			1,000 sq. ft. GFA
465	Ice Skating Rink	3.90			1,000 sq. ft. GFA
466	Snow Ski Area	1.31	1.62		acre of ski trails
466	Snow Ski Area	0.25	0.31		daily lift ticket
473	Casino/Video Lottery Establishment			35.34	1,000 sq. ft. GFA
473	Casino/Video Lottery Establishment			1.42	gaming position
481	Zoo			12.10	acre
488	Soccer Complex	56.3	69.30		field
490	Tennis Courts			3.16	tennis court
491	Racquet/Tennis Club	3.56	4.13		court
492	Health/Fitness Club	5.27	8.46		1,000 sq. ft. GFA
492	Health/Fitness Club	0.13	0.16		member
493	Athletic Club	3.55	4.94		1,000 sq. ft. GFA
493	Athletic Club	0.07	0.21		member
495	Recreational Community Center	3.20	5.03		1,000 sq. ft. GFA
500	Institutional	Average	85th %	Peak	Per
520	Elementary School	0.17	0.21		student
522	Middle School/Junior High School	0.09	0.10		student
525	School for the Blind			1.08	student
525	School for the Blind			1.47	employee
525	School for the Blind			2.67	1,000 sq. ft. GFA
530	High School	0.23	0.25		student
536	Private School (K-12)	0.39			student
540	Junior/Community College	0.18	0.20		school population
550	University/College	0.33	0.38		school population
560	Church	8.37	14.38		1,000 sq. ft. GFA
560	Church	0.20	0.25		seats
560	Church	0.45	0.60		attendee
561	Synagogue			0.41	attendee
562	Mosque	17.32	25.79		1,000 sq. ft. GFA
565	Day Care Center	3.16	3.70		1,000 sq. ft. GFA
565	Day Care Center	0.24	0.33		student
565	Day Care Center	1.38	1.78		employee
580	Museum	1.32	1.79		1,000 sq. ft. GFA
590	Library	2.61	4.19		1,000 sq. ft. GFA
595	Convention Center			0.44	attendee
600	Medical	Average	85th %	Peak	Per
610	Hospital	2.50	3.41		1,000 sq. ft. GFA
610	Hospital	4.49	7.35		bed
610	Hospital	0.81	1.08		employee
612	Surgery Center			5.67	operating room
620	Nursing Home	0.98	1.50		1,000 sq. ft. GFA
620	Nursing Home	0.35	0.48		bed
620	Nursing Home	0.88	1.51		employee
630	Clinic	4.94	4.96		1,000 sq. ft. GFA
640	Animal Hospital/Veterinay Clinic			1.60	1,000 sq. ft. GFA
640	Animal Hospital/Veterinay Clinic			1.40	employee

700	Office	Average	85th %	Peak	Per
701	Office Building	2.84	3.45		1,000 sq. ft. GFA
701	Office Building	0.83	0.98		employee
720	Medical-Dental Office Building	3.20	4.27		1,000 sq. ft. GFA
730	Government Office Building	4.15	6.13		1,000 sq. ft. GFA
730	Government Office Building	0.83	1.01		employee
732	United States Post Office			33.20	1,000 sq. ft. GFA
732	United States Post Office			2.01	employee
735	Judicial Complex			4.10	1,000 sq. ft. GFA
735	Judicial Complex			0.80	employee
800	Retail	Average	85th %	Peak	Per
812	Building Materials and Lumber Store			1.69	1,000 sq. ft. GFA
813	Free-Standing Discount Superstore	4.49	5.54		1,000 sq. ft. GFA
816	Hardware/Paint Store			2.87	1,000 sq. ft. GFA
820	Shopping Center	4.67	5.91		1,000 sq. ft. GFA
843	Automobile Parts Sales	2.25	2.74		1,000 sq. ft. GFA
845	Motocycle Dealership			2.97	1,000 sq. ft. GFA
848	Tire Store			4.17	1,000 sq. ft. GFA
850	Supermarket	3.78	5.05		1,000 sq. ft. GFA
851	Convenience Market (Open 24 Hours)	3.11	3.79		1,000 sq. ft. GFA
853	Convenience Market With Gasoline Pumps	8.38	10.50		1,000 sq. ft. GFA
854	Discount Supermarket			5.80	1,000 sq. ft. GFA
857	Discount Club	2.90	3.93		1,000 sq. ft. GFA
859	Liquor Store			2.98	1,000 sq. ft. GFA
861	Sporting Goods Superstore	1.78	2.40		1,000 sq. ft. GFA
862	Home Improvement Superstore	3.19	4.34		1,000 sq. ft. GFA
863	Electronics Superstore			3.03	1,000 sq. ft. GFA
864	Toy/Children's Superstore	1.94			1,000 sq. ft. GFA
866	Pet Supply Superstore			1.17	1,000 sq. ft. GFA
867	Office Superstore			0.61	1,000 sq. ft. GFA
868	Book Superstore			0.89	1,000 sq. ft. GFA
876	Apparel Store			17.02	1,000 sq. ft. GFA
880	Pharmacy/Drugstore without Drive-Through Window	2.94	3.74		1,000 sq. ft. GFA
880	Pharmacy/Drugstore without Drive-Through Window	3.73	5.10		employee
881	Pharmacy/Drugstore with Drive-Through Window	2.18	2.94		1,000 sq. ft. GFA
881	Pharmacy/Drugstore with Drive-Through Window	1.63	2.20		employee
890	Furniture Store	1.04	1.34		1,000sq. ft. GFA
890	Furniture Store	1.73	2.16		employee
892	Carpet Store	1.79	3.00		1,000 sq. ft. GFA
892	Carpet Store	2.27	3.20		employee
896	Video Rental Store	2.41	2.76		1,000sq. ft. GFA
*	Retail store not otherwise listed (less than 10,000 sq. ft. GFA)			3.00	1,000 sq. ft. GFA
*	Retail store not otherwise listed (10,000 sq. ft. or more GFA)			4.00	1,000 sq. ft. GFA
	* not included in Parking Generation, 4th Edition				