

**EAST PENN TOWNSHIP
SUBDIVISION AND LAND
DEVELOPMENT ORDINANCE**

ORDINANCE NO. 2008-03

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ARTICLE I

AUTHORITY, PURPOSE, JURISDICTION AND SHORT TITLE

1.100 AUTHORITY

1.101 Legislative Authority

The Township of East Penn, Carbon County, Pennsylvania, under authority granted by the Pennsylvania Municipalities Planning Code and subsequent amendments thereto, hereby adopts the following regulations governing the Subdivision and development of land within the Municipality.

1.200 PURPOSE

It is the intent, purpose, and scope of this Ordinance to protect and promote the safety, health, and welfare of the citizens of the Township; to accomplish coordinated development; to guide uses of land and structures, type and location of streets, public grounds and other facilities; to promote the conservation of energy through the use of planning practices and to promote the effective utilization of renewable energy sources; and to permit the Township to minimize such problems as may presently exist or which may be foreseen.

1.300 JURISDICTION

The Supervisors of East Penn Township shall have jurisdiction and control of Subdivision and Land Development within the Township. All Subdivision of land, boundary line adjustment, or Land Development within the Township of East Penn must conform with the procedural and substantive requirements of this Ordinance, unless modified by the Township pursuant to this Ordinance and the Municipalities Planning Code. Further, all said plans shall be submitted to the Township Supervisors and approved by them before said plans are recorded. If a conflict exists between any sections of this Ordinance on the most current edition of the Township Construction Standards and Driveway Ordinance, the more restrictive regulations shall govern.

1.400 SHORT TITLE

This Ordinance shall be known and may be cited as "East Penn Township Subdivision and Land Development Ordinance."

1.500 APPLICATION

- A. No Subdivision, boundary line adjustment or Land Development of any lot, tract, or parcel of land shall be made, and no street, sanitary sewer, onlot sewage disposal system, water main, gas, oil, or electric transmission line, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with this Ordinance.

- B. No lot in a proposed Subdivision or Land Development may be sold and no final permit to erect any building upon land in a Subdivision or Land Development may be issued unless and until:
1. A Final Plan has been approved and recorded by the Township as Section 2.401 of this Ordinance; and
 - a. The Township has been insured by means of a Development Agreement acceptable to the Board of Supervisors that the improvements will be subsequently installed; or
 - b. The required improvements in connection therewith have been constructed.

ARTICLE II

PROCEDURE

The following procedures shall be observed by all Developers.

2.100 ESTABLISHMENT OF PROCEDURES

2.101 Procedures to be Followed

The procedures established in this Article shall apply to all Subdivisions and Land Developments that require an approval by the Township.

2.102 Developer Responsible

The Developer shall be responsible for observing the procedures established in this Ordinance, for submitting all plans and documents as may be required herein, and for the payment of all fees as prescribed by resolution, a copy of which may be obtained from the Township office. The applicant is also required to submit fees to the County required for review by the County Planning Commission. Plans shall not be considered filed until all fees are paid and the applications are properly signed.

2.200 SUBMISSION OF PLANS

2.201 General Procedure

- A. Applicants with Minor Subdivision Final Plans shall file the required number of plans with the Township Secretary by certified mail or by delivery in person. Said plan shall be filed at least twenty-one (21) days prior to the regularly scheduled Planning Commission meeting at which the plan will be reviewed.
- B. The applicants with Preliminary and Final Plans for Major Subdivisions and Land Developments shall file the required number of plans and supporting data to the Township Secretary by certified mail or by delivery in person. Said Preliminary and Final Plans shall be filed at least twenty-one (21) days prior to the regularly scheduled Planning Commission meeting at which the plan will be reviewed.
- C. Plans and supporting data submitted to the Secretary will be considered by the Commission at the Commission's next regularly scheduled meeting, provided they are received at least twenty-one (21) calendar days in advance of said meeting.
- D. The Initial Plan filed with the Commission for review shall be considered the official Preliminary Plan. However, the Commission may proceed to final action at the first consideration of a plan for a Minor Subdivision containing no new streets, if the plan and supporting data comply with all of the requirements for Final Plans (Article V).

2.300 PRELIMINARY PLAN

2.301 General Procedure

- A. Preliminary Plans and supporting data shall comply with the provisions of Article III of this Ordinance.
- B. Fifteen (15) copies of the Preliminary Plan with all supporting documents shall be submitted to the Township by the Subdivider or Land Developer. The Township may require the applicant to file additional copies of the Preliminary Plan. The Township Secretary shall distribute the plan copies as follows:
- | | | |
|----|-------------------------------------|-----------------|
| 1. | Governing Body | five (5) copies |
| 2. | Planning Commission | five (5) copies |
| 3. | Township Engineer | two (2) copies |
| 4. | Municipality Solicitor | one (1) copy |
| 5. | Township Sewage Enforcement Officer | one (1) copy |
| 6. | Zoning Officer | one (1) copy |
- C. The Subdivider or Land Developer shall be responsible for transmitting additional plans and supporting documents to the following agencies as required.
- | | |
|----|---|
| 1. | County Soil Conservation District |
| 2. | Appropriate Utility Companies |
| 3. | PennDOT (if State roads are involved,
Highway Occupancy Permits must be filed) |
| 4. | County Planning Commission |
- D. The Commission shall notify the Subdivider or his agent of the action taken by the Planning Commission within fifteen (15) days following the date of their review.
- E. Recommendation of approval of the Preliminary Plan, subject to conditions, revisions, and modifications as stipulated by the Commission, shall constitute conditional Commission recommendation of approval of the Subdivision as to the character and intensity of the development and the general layout and approximate dimensions of streets, lots, and other proposed features.

The Commission may also recommend rejection of a Preliminary Plan. The findings and reasons on which such rejection is based shall be included in the Notice of Action given to the Subdivider or his agent.

2.400 FINAL PLAN

2.401 General Procedure

- A. Fifteen (15) copies of the Final Plans with supporting documents shall be submitted to the Township for final approval within one (1) year after Commission action on the Preliminary Plan; provided, that an extension of time may be granted by the Commission upon written request. Otherwise, the plan submitted shall be considered as a new Preliminary Plan.
- B. Subdivision and Land Development Plans and supporting documents submitted to the Commission may be considered at the Commission's next regularly scheduled meeting, provided that they are received at least twenty-one (21) calendar days in advance of said meeting.
- C. The Final Plan shall conform in all important respects with the Preliminary Plan as previously reviewed by the Commission and shall incorporate all modifications and revisions specified by the Commission in its conditional recommendation of the Preliminary Plan. Otherwise, the plan shall be considered as a revised Preliminary Plan.
- D. The Commission may permit submission of the Final Plan in phases each covering a portion of the entire proposed Subdivision as shown on the Preliminary Plan thereby extending for an additional year Preliminary Plan approval of the remaining portion of the proposed Subdivision.

Each section in any residential Subdivision or Land Development, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of dwelling units as depicted on the Preliminary Plan, unless a lower percentage is approved by the Governing Body of the Municipality.

- E. The Final Plan and supporting data shall comply with the provisions of Articles IV and V of this Ordinance.
- F. Upon Final Plan approval one (1) original Mylar plus fourteen (14) copies of the Final Plan with all required seals and signatures and supporting documents shall be submitted to the Township. Two (2) signed copies of the Final Plan shall be filed for recording. The Township Secretary shall distribute the plan copies as required:
 - 1. Governing Body
 - 2. Township Engineer
 - 3. Municipal Solicitor
 - 4. Township Sewage Enforcement Officer
 - 5. Building Permit Officer
 - 6. Zoning Officer
 - 7. Township Planning Commission

- G. The Subdivider or Land Developer shall be responsible for transmitting additional plans and supporting documents to the following agencies as required:
1. County Soil Conservation District
 2. Appropriate Utility Companies
 3. PennDOT (if State roads are involved, Highway Occupancy Permits must be filed)
 4. County Planning Commission
- H. Within ten (10) days after the meeting at which the Final Plan is reviewed, the Commission shall notify the Governing Body of the Municipality, in writing, of its recommendation for approval or rejection. Reasons for rejection shall be explicitly stated. A copy of the aforesaid notification shall be sent to the Subdivider or Land Developer.
- I. Upon receipt of the Final Plan from the Commission, the Governing Body of the Municipality may arrange for a public hearing after giving proper public notice, or may take final action on the plan at a regularly scheduled or special meeting. Rejection of the Final Plan by the Governing Body of the Municipality shall be by resolution, giving the reasons therein.
- J. The Township Supervisors shall within ninety (90) days following the date of the regularly scheduled meeting of the Township Planning Commission following the date the plan was submitted to the Township, notify the Subdivider or his agent of the action taken by the Supervisors. Should the said next regularly scheduled meeting occur more than thirty (30) days following the submission of the plan, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the plan was submitted.
- K. When the Governing Body of the Municipality has approved the Final Plan, and all other requirements of this Ordinance have been met, such as deliverance of Improvement Agreements and guarantees, the Township Secretary, the Chairman of the Board of Supervisors, and the Planning Commission Secretary shall endorse the original Mylar and all copies of the Final Plan to that effect.
- L. The Township Solicitor or Township Secretary shall record the Final Plan in the Office of the Recorder of Deeds or Carbon County within ninety (90) days after the date of approval by the Governing Body of the Municipality. The copy of the Final Plan filed for recording shall be clear and legible on permanent material acceptable to the Recorder of Deeds bearing the review of the Commission and the approval of Governing Body of the Municipality. Plan should also include the review stamp, date, and signature of the Carbon County Planning Commission Planner.
- M. The Subdivider or Land Developer will be responsible for payment in full of all outstanding bills from the Township prior to endorsement of approved Final Plans. Charges assessed against the Subdivider's account

include Engineering fees, Solicitor fees, Sewage Enforcement Officer fees, public hearing expenses, etc.

- N. No plan which requires access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the plan contains a notice that a Highway Occupancy Permit is required pursuant to Section 420 of the State Highway Law before driveway access to a State highway is permitted. The plan shall be marked to indicate that access to the State highway shall be only as authorized by a Highway Occupancy Permit.
- O. No plan which requires access to a highway under the jurisdiction of East Penn Township shall be finally approved unless the plan contains a notice that a Highway Occupancy Permit has been acquired from the Township for each lot.

ARTICLE III

DESIGN STANDARDS

3.100 APPLICATION

3.101 Standard to be Applied

The design standards and requirements outlined in this Article shall be the minimum requirements applied by the Commission and Governing Body of the Municipality in evaluating plans for all proposed Land Developments and Subdivisions.

3.200 GENERAL STANDARDS APPLICABLE TO ALL TYPES OF DEVELOPMENT

3.201 General Requirements

- A. Land shall be suited to the purpose for which it is to be subdivided. Land subject to flooding or other hazards to life, health, or property (such as open quarries, unconsolidated fill, excessive erosion, excessive slope, or water supply and sewage disposal which does not meet requirements of U.S. Public Health Service Standards) shall not be subdivided for residential purposes unless adequate safeguards against such hazards are provided by the plan and approved by the Governing Body of the Municipality. The Township has a Floodplain Ordinance.
- B. The approval of a plan for any proposed Subdivision or Land Development shall not constitute a representation, guarantee, or warranty of any kind by the Township, any official, or any employee thereof of the practicality or safety of the use of such land or development, and shall create no liability upon the Township, its officials, or its employees.

3.202 Natural and Historic Feature Preservation

The Commission can recommend, and the Governing Body of the Municipality may require that the design and development of Land Developments and Subdivisions shall preserve, insofar as possible, natural scenic, and historic features. Provisions for adequate open space for recreation, and parks which will add attractiveness and create conditions favorable to the health, safety, and general welfare of the citizens of the Township may be recommended by the Commission and required by the Governing Body.

3.203 Soil Protection

- A. If any earthmoving activity is planned, the Developer shall be required to submit an "Erosion and Sedimentation Control Plan" prepared by a person trained and experienced in erosion and sedimentation control methods and techniques (as provided for under Title 25 Rules and Regulations, Chapter 102, issued by the Department of Environmental Protection) to the Carbon County Soil Conservation District for review.

- B. A copy of the “Erosion and Sedimentation Control Plan” as approved by the Carbon County Soil Conservation District shall be submitted to the Planning Commission for review.
- C. The landowner shall be responsible for carrying out the requirements of the Erosion and Sedimentation Control Plan during all earthmoving activities and obtaining an NPDES Permit if one is required.

3.204 Site Location, and Conformance with Other Township Ordinances

- A. Zoning: The land use in the Subdivision or Land Development shall conform to the Township Zoning Ordinance.
- B. Comprehensive Plan: The Subdivision or Land Development shall conform to any applicable provisions of the Township Comprehensive Plan.
- C. Adjacent Land Development: A Subdivision or Land Development and its street pattern shall be coordinated with existing nearby Land Developments or neighborhoods to provide logical traffic flow and harmonious overall development.

3.205 Recreation Facilities

- A. In reviewing Subdivision and Land Development Plans, the Township shall consider the adequacy of existing and proposed recreation facilities within the Township to serve the additional dwelling units proposed by Subdivision or Land Development. Except as set fourth in Sections 3.205 e. and 3.205 f. below, in order to provide for the recreational facilities necessary to serve the needs of the future residents of the proposed dwelling units, the Township shall require the public dedication of land suitable for recreation areas accessible to the Subdivision or Land Development. The recreation area shall be provided in accordance with a plan submitted to the Township by the Developer and approved by the Township, and in accordance with the following schedule.

<u>Gross Density of Tract (Dwelling Units per Acre)</u>	<u>Percentage of Total Area of Subdivision or Land Development to be Reserved for Recreation Area</u>
Up to 1.0	5%
1.1 to 2.0	10%
2.01 to 3.0	15%
3.01 and greater	20%

- B. The recreation areas shall be shown on the Preliminary and Final Plans, and shall be designated “Recreation Area Offered for Dedication to East Penn Township”.

- C. In conjunction with the Preliminary and Final Plans, the Developer shall submit for Township approval, provisions for the ownership and maintenance of the recreation areas until such time as the Township may accept the offer of dedication.
- D. Area dedicated for recreation purposes shall meet the following requirements:
1. The recreation area shall be readily accessible to residents of the Subdivision or Land Development.
 2. The size, surface conditions, shape, topography, and location of the parcels shall be suitable for the intended recreation purpose, and be such that recreation use is feasible. Designated purposes are subject to Township approval.
 3. No more than fifty percent (50%) of the recreation areas shall be land with slope of over fifteen percent (15%) and/or land with high water table or with seasonal high water table.
 4. Other than those recreation areas which the Township determined are to remain in existing conditions, recreation areas shall be improved in accordance with the approved plans. Such improvement shall be guaranteed through the Subdivision Improvements Agreement.
- E. Upon agreement with the Developer, the Township may allow the Developer to privately reserve the aforesaid areas, rather than dedicate them to the Township. In such case, the recreation areas should be designated "Reserved for Recreation Area" on the Preliminary and Final Plans. Additionally, in such case, the Developer should submit with the Preliminary and Final Plans, documents satisfactory to the Township Solicitor for the perpetual ownership and maintenance of the recreation areas. Otherwise, privately reserved recreation areas shall comply with the same standards as recreation areas dedicated to the Township.
- F. Upon agreement with the Developer, the Township may accept a cash contribution in lieu of the aforesaid dedication. The cash contribution shall be in accordance with the Township fee schedule in effect at the time of Final Plan approval for each dwelling unit proposed in the Subdivision or Land Development. Payment shall be a condition of final approval and must be received by the Township before the Final Plan will be signed. Such cash contribution shall be used solely for the purpose of the purchase or development of recreation land within the Township which will be reasonably used by and accessible to the residents of the Subdivision or Land Development. The timing of cash outlay(s) by the Township and location of area(s) chosen are at Township discretion, subject to the provisions of the Pennsylvania Municipalities Planning Code.

3.206 OnLot Sewage and Water Supply

- A. All Subdivisions and Land Development shall be served with an adequate sewage disposal system (either onlot or centralized systems) acceptable to the Pennsylvania Department of Environmental Protection.
- B. Where evidence indicates that the minimum lot size requirements specified in the Township Zoning Ordinance are not adequate to permit the installation of onlot water supply and/or onlot sewage disposal facilities, the Commission shall request the Township Sewage Enforcement Officer to make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the proposed lot size, existing grades, and soil conditions. The Commission shall review the findings of the Sewage Enforcement Officer and shall make a final determination on the adequacy of the proposed facility.
- C. An approved sewage permit consistent with Act 537 is required for all lots, regardless of size, before development.
- D. Any new lot using an onlot septic system shall also include a replacement area that would be suitable for installing a second system if the first system failed. The site of the second system shall be tested and approved by the Sewage Enforcement Officer prior to issuing an onlot sewage permit. Both the proposed septic system site and the replacement area shall be indicated on the plan. No other development shall be proposed on either site.
- E. The Township Sewage Enforcement Officer's site and soils investigation and report are required prior to submission of the Final Plan.

3.207 Easements

- A. Easements with a minimum width of twenty (20) feet shall be provided as necessary for utilities, except that easements abutting street rights-of-way shall be a minimum of ten (10) feet wide.
- B. Sanitary or water supply easements shall be provided as indicated and required on the plans. The minimum width shall be twenty (20) feet.
- C. Easements along open drainage channels shall be provided. The minimum width of the required drainage easement shall be equal to the width of the 100-year design stormwater surface (for postdevelopment conditions).
- D. Where a Subdivision is traversed by a watercourse, a drainage easement shall be provided conforming substantially to the line of the existing natural drainage course. The minimum easement width shall be ten (10) feet on either side plus the width adequate to preserve natural drainage but the Township may require a greater easement width when necessary. The Subdivider or Land Developer shall properly grade and seed, and fence open ditches when a safety hazard is present or may develop. Areas within

easements shall be kept as lawn or in natural conditions to allow accessibility and maintenance.

3.208 Blocks

- A. General: The length, width, and shape of blocks shall be determined with due regard to the following:
1. Provision of adequate site for buildings of the type proposed.
 2. Zoning Ordinance Requirements
 3. Site topography
 4. Requirements for safe, convenient vehicular and pedestrian traffic circulation.
- B. Pedestrian Interior Walks: may be required to assist circulation or provide access to community facilities in blocks over one thousand (1,000) feet or to provide pedestrian walkway continuity within a given Subdivision. Pedestrian crossing shall have a width of not less than ten (10) feet and a paved walk of not less than three (3) feet.
- C. Non-Residential: Non-residential blocks shall not be less than eight hundred (800) feet in length.

3.209 Stormwater Management

- A. General Requirements:
1. All Stormwater Management Plans shall conform to the requirements contained in this Ordinance, related Appendices, and the Township Stormwater Management Ordinance and all amendments thereto. A complete Stormwater Management Plan shall be submitted to the Governing Body of the Municipality for review with the submission of the Preliminary Plan. The Stormwater Management Plan must receive recommended approval of the Township Engineer.
 2. Stormwater drainage systems shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by stormwater management facilities, or open channels consistent with this Ordinance without damage to persons or property.
 3. Lots shall be laid out to encourage positive drainage away from proposed building areas and sewage disposal facilities. Wherever desirable, natural drainage courses shall be maintained.
 4. The existing points of natural drainage discharge onto adjacent property shall not be altered not shall the rate of water runoff be

increased because of development without the written agreement of all affected land owners and approval by the Governing Body of the Municipality.

5. No stormwater runoff or natural drainage shall be so diverted as to increase flows and/or flow velocities above the capacity of existing drainage systems, create flooding, or create the need for additional drainage structures on other private or public lands unless adequate provisions are developed by the Subdivider or Developer to handle such problems and such plans are approved by the Governing Body of the Municipality and approved by all of the affected land owners.
6. All Stormwater Management Plans shall be designed and certified by Professional Engineers registered in Pennsylvania and other professional qualified to perform such duties. The Engineer preparing the calculations shall provide a signed and dated statement indicating that said Engineer(s) have been to the site for the purpose of conducting a visual inspection in order to determine the existing ground cover. The date of the site inspection shall be included in said statement. The Stormwater Management Plan shall contain sufficient design information, drawings, details, assembly procedures, equipment descriptions, and test procedures to ensure the safety of the general public, and promote construction of defect-free, high-quality facilities.
7. Land Development proposals involving parking lots and uses involving the handling of chemicals, grease, oils, solvents and/or other potential contaminants, commercial degreasing, and car washing operations shall in addition to the above requirements incorporate into the Stormwater Management Plan measures and/or facilities to maintain predevelopment stormwater quality at all points of discharge from the site.
8. Proposed stormwater drainage facilities shall insure adequate drainage at intersections of driveways and streets.
9. All materials for drainage structures and pipes shall comply with Pennsylvania Department of Transportation Standards. Drainage structures that are located on State highway rights-of-way shall be approved by the Pennsylvania Department of Transportation, and a Highway Occupancy Permit from that office indicating such approval shall be directed to the Commission as a condition for Final Plan Approval.
10. Stormwater management facilities located in or adjacent to waters of the Commonwealth or potential wetlands shall be subject to approval by the Pennsylvania Department of Environmental Protection (PADEP) through the Joint Permit Application process, or where deemed appropriate by PADEP, the General Permit

process. When there is a question whether wetlands may be involved, it is the responsibility of the Subdivider or Developer or his agent to show that the land in question cannot be classified as wetlands, otherwise, approval to work in the area must be obtained from PADEP and the Army Corps of Engineers.

11. When it can be shown that, due to topographic conditions, natural drainageways on the site cannot adequately provide for drainage, pipes shall be installed or, open channels may be constructed conforming substantially to the line and grade of such natural drainageways. Work within natural drainageways shall be subject to approval by PADEP through the Joint Permit Application process, or where deemed appropriate by PADEP through the General Permit Process.
12. Where existing storm sewers are reasonably accessible and of adequate capacity, Subdivisions and Land Developments shall connect to the existing storm sewers.
13. When stormwater runoff will be directed into an adjacent Municipality, all provisions for accommodating such stormwater runoff shall be submitted to the Governing Body of that Municipality for review and approval.
14. Proposals for the ownership and maintenance responsibilities for all proposed storm drainage and erosion and sedimentation control facilities shall be submitted to the Governing Body for review and approval at the Preliminary Plan stage. The Governing Body shall be satisfied that sufficient provisions have been made for adequate and perpetual maintenance of all such facilities.
15. The ability to retain and maximize the ground water recharge capacity of the area being developed is encouraged. Design of the stormwater runoff control system shall give consideration to providing ground water recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved and roofed over.
16. The following stormwater management data are required submittals:
 - a. All calculations, assumptions, and criteria used in the design of stormwater management facilities and in the establishment of the calculated predevelopment and postdevelopment peak discharges.
 - b. All plans and profiles of proposed stormwater management facilities including horizontal and vertical location, size, and type of material. This information shall provide sufficient information required for construction of all facilities.

- c. For detention and retention basins, a plotting or tabulation of storage volumes with corresponding water surface elevations and of the outflow rates for those water surfaces.
- d. For all detention and retention basins, the Design Inflow and Outflow Hydrographs are required to determine the function of the basin.
- e. For all retention basins which hold two and one-half (2 ½) acre feet or more of water and have embankments that are ten (10) feet or more in height, soil structures and characteristics shall be investigated. Plans and data prepared by a registered professional, experienced and educated in soil mechanics, shall be submitted.

3.210 Compliance with the Department of Environmental Protection Chapter 105 Regulations

- A. Design criteria contained in this Ordinance are intended for usage in conjunction with Chapter 105 regulations of the Department of Environmental Protection, Water Obstructions and Encroachments. All information and regulations contained in Chapter 105 shall be considered to be incorporated into this Ordinance as if reproduced in full. It will be the Developer's responsibility to review Chapter 105 regulations and insure compliance with the same. Neither the Township Engineer nor any other official of the Township shall be called on to interpret, determine necessity, or waive requirements of Chapter 105 on behalf of the Developer.
- B. A Department of Environmental Protection permit, in accordance with Chapter 105, shall be required for any obstruction or encroachment in the regulated waters of the Commonwealth, prior to the approval of the Final Plan. In the event any question arises between this Ordinance and the Department of Environmental Protection regulations, the design criteria contained in the Department of Environmental Protection regulations shall govern.

3.211 Soil Erosion and Sedimentation Controls

An approved Erosion and Sedimentation Control Plan is required prior to any earthmoving activity. If any earthmoving activity is planned, the Erosion and Sedimentation Control Plan shall be prepared by a person trained and experienced in erosion sedimentation control methods and techniques.

Earthmoving activity shall be defined as 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.

- A. The Erosion and Sedimentation Control Plan shall be submitted to the Carbon County Conservation District for their review and approval prior to Final Plan approval. The Erosion and Sedimentation Control Plan shall also be submitted to the Planning Commission and the Governing Body of the Municipality for their review prior to Final Plan approval.
- B. The Erosion and Sedimentation Control Plan shall be in accordance with the Pennsylvania Department of Environmental Protection's Soil Erosion and Sedimentation Control Rules and Regulations, PA Title 25, Chapter 102.
- C. In those cases involving Major Land Development or Major Subdivision Plans, said approval must be obtained at the Preliminary Plan stage as well as the Final Plan stage.
- D. The landowner shall be responsible for carry out the requirements of the Erosion and Sedimentation Control Plan during all earthmoving activities.

3.212 Floodplains

- A. Subdivision and Land Development Plans shall comply with the Township Floodplain Ordinance and shall be maintained in that condition.
- B. All floodplains shall be indicated on the Subdivision or Land Development Plan.
- C. The Township shall require that vehicular access be provided to each dwelling unit within a Subdivision or Land Development over a street of other approved means of access which is elevated above the level of the one hundred (100) year flood.

3.213 Design Standards for Streets

- A. Street Right-of-Way Widths: Minimum right-of-way widths for all proposed streets shall conform to the requirements set forth in Table 1 and the Township Construction Standards.

Table – 1
Street Right-of-Way Widths

Type of Street	Right-of-Way Width (feet)
Arterial	80
Collector Street	60
Local Street	50

- B. Geometric Standards: Minimum geometric design standards for all proposed streets shall conform to the requirements set forth in Table – 2

or current PennDOT Standards (reference: PennDOT Publication 13, Design Manual Part 2 “Highway Design”, and Publication 70, “Guidelines for Design of Local Roads and Streets”), whichever are greater. All design facets of all streets including horizontal and vertical alignment, sight distance, and superelevation are subject to review and approval by the Governing Body of the Municipality.

- C. For all proposed streets, the Subdivider shall indicate the proposed street design speed. The designated street design speed is subject to approval by the Governing Body of the Municipality, or the appropriate State Agency when applicable.

Table – 2
Geometric Standards for Streets

<u>Design Standard</u>	<u>Type of Street⁵</u>			
	<u>Major Arterial</u>	<u>Collector</u>	<u>Local</u>	<u>Marginal Access</u>
(All dimensions in feet unless otherwise specified)				
Street Grade at Centerline ¹				
Minimum	0.75%	0.75%	0.75%	0.75%
Maximum	5.0%	7.0%	10.0%	10.0%
Minimum Sight Distance ²	600	400	200	150
Minimum Centerline Radius For Horizontal Curves ³	500	300	150	100
Minimum Tangent between Reverse Curves ⁴	200	100	100	100

1. At all changes in street grade where the algebraic difference exceeds one percent (1%), vertical curves shall be used to provide the minimum sight distances listed above.
2. Horizontal sight distance shall be measured in accordance to current PennDOT Standards.
3. Whenever street lines are deflected in excess of two degrees (2°), connection shall be made by horizontal curves. Larger radii may be required as determined by the Township Engineer and/or appropriate State Agency. Smaller centerline radii may be accepted provided the Subdivider provides the minimum sight distances listed in Table – 2.
4. All tangent lengths shall be measured along the street centerline.
5. Vertical curves shall be used at changes of grade exceeding one percent (1%). The length of the vertical curve shall be determined by multiplying the absolute difference in change of percent in grade by the following factors:

(i)	Arterial	160 feet
(ii)	Collector	80 feet
(iii)	Local	30 feet
6. All proposed streets which intersect or are State highways shall conform to the applicable requirements of the current PennDOT Standards.

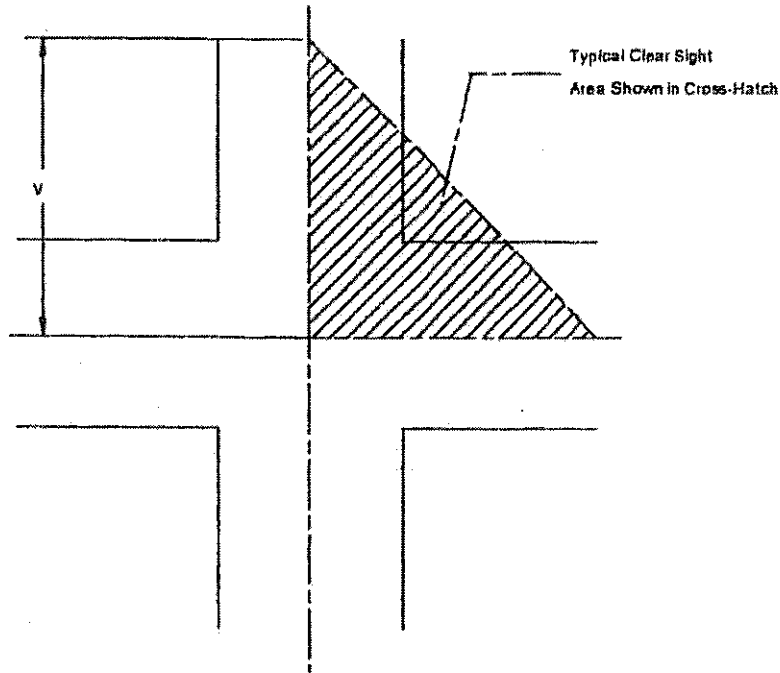
3.214 Street System Layout

- A. Proposed streets shall be properly related to such Street Plans or parts thereof as have been officially prepared and adopted by the Municipality and they shall further conform to such County and State Road and Highway Plans as have been prepared, adopted and/or filed as prescribed by law. All proposed Subdivisions and Land Developments shall have adequate access to the public highway system.
- B. The proposed street layout system shall provide for the continuation or projection of existing streets in the surrounding area unless the Governing Body of the Municipality deems such extension undesirable for specific reasons of topography or design.
- C. Streets shall be logically related to the topography to produce usable lots and reasonable grades.
- D. Local streets shall be laid out to discourage through-traffic, but provision for street connections into and from adjacent areas will generally be required.
- E. Proposed streets shall be extended to provide access to adjoining property unless otherwise approved by the Board of Supervisors.
- F. Adequate street rights-of-way shall be provided, as necessary, where lots in the proposed plan are large enough to permit resubdivision, or if a portion of the tract is not subdivided.
- G. Where a Subdivision or Land Development borders on an existing street of less than fifty (50) feet right-of-way, the Governing Body of the Municipality may require reservation of a right-of-way of twenty-five (25) feet from the centerline along that portion of the tract being subdivided or developed.
- H. New half or partial streets or new alleys will not be permitted, except where essential to reasonable Subdivision of a tract in conformance with other requirements and standards contained herein and where, in addition, satisfactory assurance for dedication of the remaining part of the street or alley can be secured.
- I. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
- J. Dead-end streets shall be prohibited, except as stubs to permit future street extensions into adjoining tracts, or when designed as cul-de-sacs to serve residential areas.
- K. New reserve strips, including those controlling access to streets, shall be avoided.

- L. Streets, whether public or private, shall be named according to the Township's Ordinance 84 Section 3A "Naming of Street" and the US Postal Service, and shall continue the name of any street with the alignment, and shall not duplicate or be closely similar to the name of another street within the Township or zip code.
- M. Subdivisions and Land Development shall be designed to eliminate driveways abutting Route 895 where access to each lot in the development is available by an arterial or collector street in Rural Residential (RR) District. A Developer will not be deprived of access to Route 895 if such access is the only practical means of access available.
- N. Every effort shall be made to design and construct the proposed street to have the paved surface centerline as near the centerline of the right of way (ROW) as reasonably possible.

3.215 Street Intersections

- A. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees.
- B. Multiple intersections involving junction of more than two (2) streets are prohibited.
- C. Clear sight triangles at all intersections shall be provided. The clear sight triangle shall be determined by the intersecting street centerlines and a diagonal connecting two (2) points, one at each street centerline, each of which point is:
 - 1. $V = 150$ feet from the intersection of such street centerlines, if either street is an arterial street.
 - 2. $V = 100$ feet from the intersection of such street centerlines, if both streets are collector streets or if one is a collector and the other is a local street.
 - 3. $V = 75$ feet from the intersection of such street centerlines, if both streets are local streets.



On a corner lot, no wall, fence or other structure shall be erected, no vehicle, object or any other obstruction shall be parked or placed, or no hedge, shrub, or other growth shall be planted or maintained which would obscure the driver's vision between two (2) feet and ten (10) feet in height measured from the centerline grades of the intersecting streets.

- D. To the fullest extent possible, intersections with Arterial Streets shall be located not less than one thousand (1,000) feet apart, measured from centerline to centerline.
- E. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with an offset distance between streets. The minimum offset or distance, H between centerlines of parallel or approximately parallel streets intersecting a cross street from opposite directions shall be: (refer to Figure - 2)
 1. H = one hundred fifty (150) feet for local streets,
 2. H = four hundred (400) feet for collector streets,
 3. H = eight hundred (800) feet for arterial streets.

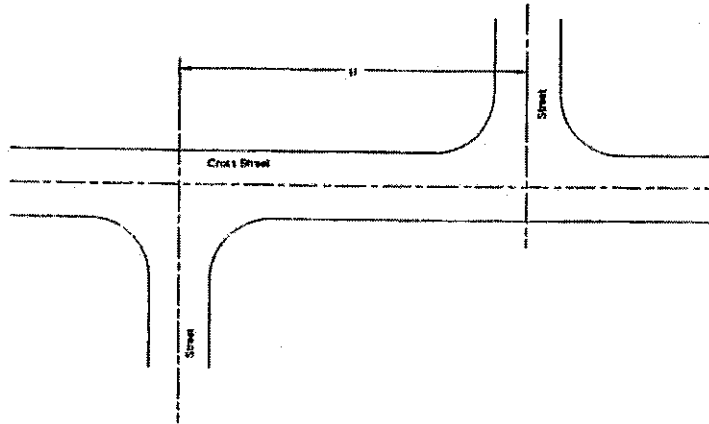


Figure – 2

- F. Minimum curb radii at street intersections shall be twenty-five (25) feet for intersections involving local streets, forty (40) feet for intersections involving collector or major arterial streets, or such greater radii as is suited to the specific intersection.
- G. Minimum right-of-way radii at street intersections shall be thirty (30) feet for all intersections.
- H. Where a Subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width in conformance with Table – 1 will be required.
- I. Where the grade of any street which requires stopping at the approach to an intersection exceeds seven (7) percent, a leveling area shall be provided having not greater than four (4) percent grades for distance of twenty-five (25) feet measured from the nearest right-of-way line of the intersecting street.
- J. Adequate sight distance shall be provided to present the driver a clear view of the intersection and to allow for safe execution of crossing and turning maneuvers. Sight distance exceeding the minimum stopping sight distance should be provided on the approach to all intersections (entrances, exits, stop signs, traffic signals, and intersecting roadways). Where State highways are involved, requirements of PennDOT Design Manual Publication RR441 shall be met.

3.216 Uses Fronting on Major Arterial Streets

- A. Service Streets – Where a Subdivision fronts or abuts a Major Arterial Street as defined in Article 7, the Governing Body of the Township may require any of the following measures:

1. A service street approximately parallel to the Major Arterial Street at a distance suitable for the appropriate use of the intervening land.
 2. Marginal access street, reverse frontage lots, buffer strips for abutting properties, or other such treatment as will provide protection for abutting properties, reduction in the number of intersections with the Arterial Street, and a separation of local and through traffic.
- B. Controlled Access – Entrances and exits to Nonresidential Subdivisions shall be designed so as not to interfere with through-traffic. In general, entrance and exit points shall not be located closer to one another than one hundred (100) feet, and when combined, shall be restricted to one combined access point per two hundred (200) feet. Access points shall not exceed twenty-four (24) feet in width at any such point.

3.217 Building Set-Back Line

Minimum building setback distance from the centerline of the existing or proposed road shall be in accordance with the setback distances listed in the Township Zoning Ordinance. No buildings or structures shall be placed between the setback line and street right-of-way line.

3.218 Groundcover Requirements

Exposed ground throughout the Subdivision shall be paved or covered with stone of appropriate size or protected by a nonpoisonous vegetative growth that shall prevent soil erosion and prevent the production of dust during periods of dry weather.

3.219 Buffer Yards

Where buffer yards are required by the Governing Body of the Municipality, they shall meet the provisions of the Township Zoning Ordinance.

3.220 Off-Street Parking

Off-street parking shall be provided. The off-street parking facilities shall be in conformance with the Township Zoning Ordinance.

3.221 Access Drives and Driveways

- A. Access Driveways shall be constructed in accordance with local street construction set forth in this Ordinance, the Township Construction Standards and Driveway Ordinance and conform to the Township Zoning Ordinance and shall be maintained in that condition.

- B. Access drives and driveways shall not be permitted to have direct access to State highways unless authorized by the Pennsylvania Department of Transportation through the issuance of a Highway Occupancy Permit.
- C. All driveways shall be designed and constructed to meet the Township Driveway Ordinance criteria.

3.300 RESIDENTIAL DESIGN STANDARDS

3.301 Application

All Subdivisions and Land Developments proposed for residential use, except mobile home parks, shall conform with the provisions of this section.

3.302 Residential Lot Sizes

Lots shall conform to the applicable maximum dwelling densities, minimum lot sizes, widths, and yard requirements as set forth in the Township Zoning Ordinance. Provisions of Section 3.206 shall apply in all cases.

3.303 Design of Residential Lots

- A. All lots shall front upon a public street, existing or proposed, or a private street meeting all requirements of this Ordinance.
- B. Side lot lines shall be substantially at right angles or radial to street lines.
- C. If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, or dedicated to public use, if acceptable to the Municipality.
- D. Double frontage lots are prohibited, except where employed to prevent vehicular access to Arterial Streets.
- E. Depth and width of parcels laid out or reserved for nonresidential use shall be sufficient to provide satisfactory space for off-street parking and unloading and shall meet the requirements of the Township Zoning Ordinance.
- F. Flag lots may be considered in certain circumstances to minimize hardships in the use of land that lacks adequate road frontage for an equitable use of the lot. This situation will only be deemed to exist when the lot lacks double the required road frontage for lots in that Zoning District. However, flag lots will not be permitted merely to increase the density of development nor to minimize the amount of road improvements. Flag lots shall only be allowed in the Residential Zoning Districts of Rural and Rural Residential. The following requirements will apply:

1. No more than one (1) flag lot will be permitted per original tract of land, as it existed on the effective date of this section, even if lots are subdivided from the tract at different times.
2. The access lane will have a minimum width of fifty (50) feet, be contained entirely within the lot, and serve only one (1) lot.
3. The access lane will have a maximum length of five-hundred (500) feet, measured from the right-of-way line of the public road to the perimeter of the rectangle defining the lot area.
4. The area in the access lane shall be excluded from the area required for meeting the minimum lot size standards of the Zoning Ordinance.
5. No sharp turns (greater than 45 degrees) shall be allowed within the access lane.
6. The location of the access lane shall be logically related to the body of the flag lot, surrounding property configurations woodlands, topography, watercourses and floodplains.

3.304 Residential Blocks

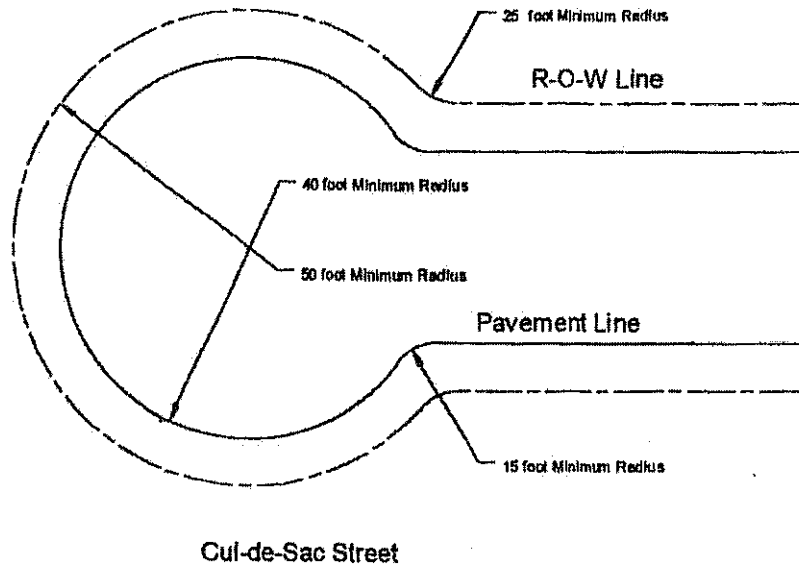
- A. Blocks shall not be less than six hundred (600) feet in length. In the design of blocks longer than eight hundred (800) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- B. Residential blocks shall be of sufficient depth to permit two (2) tires of lots, except where reverse frontage lots bordering a street are approved for use by the Governing Body of the Municipality.

3.305 Cul-de-Sac Street

- A. Cul-de-sac streets permanently designed as such shall not exceed eight hundred (800) feet in length from the right-of-way line of the streets which they intersect to the beginning of the turnaround of the cul-de-sac and shall furnish access to not more than twenty (20) dwelling units.

This requirement may be waived where the Commission determines the physical features of the site deem it necessary. Any waiver, however, shall limit the cul-de-sac length to no more than twelve hundred (1,200) feet and limit the access to no more than thirty (30) dwelling units.

- B. Cul-de-sac streets shall be paved in their entirety having a minimum radius to the outer pavement edge or curb line of forty (40) feet and a minimum radius to the right-of-way line of fifty (50) feet, refer to Figure – 3.



- C. Unless future extension is clearly impractical or undesirable, a turnaround right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.
- D. Cul-de-sac streets shall be a minimum of two hundred fifty (250) feet in length from the right-of-way of the streets which they intersect to the beginning of the turnaround of the cul-de-sac.

3.400 MOBILE HOME PARK STANDARDS

3.401 Application

- A. All mobile home parks shall conform with the provisions of this section, or those set forth in the Township Construction Standards. In case there is a conflict between said provisions, the more restrictive shall govern. The design standards and required improvements set forth in this section will be applied by the Governing Body of the Municipality in evaluating any application for a mobile home park which is on a tract held in single ownership and provides mobile home spaces on a lease or a rental basis.
- B. Mobile home parks proposed to be developed for sale of lots shall be designed in accordance with all requirements of the Residential Design Standards and the Township Zoning Ordinance.
- C. All proposed mobile home parks shall be submitted, reviewed, approved, and recorded as a Land Development and Major Subdivision.
- D. Each individual mobile home lot and home site shall be delineated on the Site Plan and shall be numbered according to Township recommendations.

- E. If inconsistencies exist between this Ordinance and the Township Zoning Ordinance and other Township Ordinances, then the more restrictive requirements shall be used.
- F. The following types of mobile home uses shall be exempted from the requirements of this section but are not exempt from provisions of the Township Zoning Ordinance and other Ordinances:
 - 1. The business of mobile home sales, provided that the mobile homes shall not be used as housing, for storage, or for other functions not related to sales of the homes.
 - 2. The storage of mobile homes not being used for housing purposes within another building or structure.
 - 3. A single mobile home used as a residence on a lot with no other dwellings.
 - 4. A mobile home located on the site of a construction project and used as a field office in connection with the project and provided that the mobile home is removed from the site within thirty (30) days from the date of completion of the project.

3.402 Site Location

- A. All mobile home parks shall have not less than a total land area of twenty-five (25) acres and shall have a maximum gross density which shall not exceed three (3) mobile homes per acre.
- B. All mobile home parks shall have paved access roads to and from any such site and in no instance shall sites be in conflict with any other Ordinance of the Municipality.
- C. All mobile home parks shall be located on land where the average natural slope of the area of the site intended for development shall not exceed ten (10) percent.
- D. Mobile home lots shall not be located in flood prone or flood hazard areas.
- E. Mobile homes shall be constructed and installed in accordance with the Safety and Construction Standards of the U.S. Department of Housing and Urban Development and Uniform Construction Code (UCC).

3.403 Minimum Site Improvements

- A. Minimum site improvements for all mobile home parks shall include, but shall not be limited to the following:
 - 1. Streets – All streets within any mobile home park shall have a minimum fifty (50) foot right-of-way with a paved width of not less

than thirty-two (32) feet. All streets within the mobile home park including entrances shall meet minimum paving thickness and other requirements as set forth in Article IV hereof for collector or local streets as applicable. All streets shall be kept free of debris or other obstructions to provide clear access for fire, police, or other emergency access. Access to the Mobile Home Park shall be provided from an arterial or collector road. Access to individual mobile home spaces shall be from interior driveways, access drives or private streets or roads. At least two (2) separate entrances shall be provided to the mobile home park. The entrances shall be separated by a minimum of two hundred fifty (250) feet. Entrance road width, cartway etc. shall be based on collector street requirements as a minimum. All streets within the mobile home park shall be private and be maintained as part of the mobile home park. All streets shall be named and home sites numbered in accordance with the Township and county 911 system. Street signs shall be posted at each intersection.

2. Buffer Yard – Mobile home parks shall have a fifty (50) foot wide, planted and maintained buffer yard around the perimeter of the Park.
3. Parking – Every mobile home site shall be provided with a minimum of two (2) paved off-street parking spaces, with a minimum width of ten (10) feet and a minimum length of twenty (20) feet per parking space. Parking courts shall be included in the mobile home park to provide parking space to handle residents' overflow parking. Parking courts shall include one (1) parking space for every four (4) homes in that section of the park. All parking courts shall be located near the mobile home locations which they serve. There shall be no on-street parking within any mobile home park. Parking courts are not intended to be used for long term storage.
4. Open Space – All mobile home parks shall provide not less than fifteen (15) percent of the total land area for public open space purposes and such lands shall be improved whereby the same will be easily accessible to all residents of the Mobile Home Parks. At least one-third (1/3) of the open space shall consist of areas of appropriate size, shape, slope, soil type, and other characteristics suitable for outdoor passive and active recreational use or be improved to insure suitability for such use. Areas devoted to stormwater detention/retention facilities, stormwater controls, roads, buffer yard and utility easements shall not qualify for the open space requirement.
5. Utility Improvements – All mobile home parks shall provide to each home site a continuing supply of safe and portable water as approved by the Pennsylvania Department of Environmental Protection. Where available, mobile home parks shall be connected

to public water and sanitary sewer systems. If public facilities are not available, the Developer shall provide centralized water and sanitary sewer systems serving the entire development. Such centralized systems shall meet all requirements of and be approved by the Pennsylvania Department of Environmental Protection and must be approved by the Governing Body of the Municipality. Every home site shall be provided with underground electric, telephone, and TV Cable (if available) service.

6. Grading – Each mobile home space shall be graded to provide a level, stable, and well drained site for the mobile home.
7. Fuel Storage – Fuel storage and supply systems shall be constructed and maintained in conformance with authorities having jurisdiction. Aboveground facilities shall be adequately screened with landscaping or with a screen wall compatible with the exterior of the mobile home.
8. Anchoring and Stability – Each mobile home shall be securely anchored to the ground on at least four (4) corners. The anchor assembly shall be in accordance with industry and governmental regulations and/or recommendations.
9. Skirting – Each mobile home shall be enclosed from the bottom of the mobile home to the ground or supports using industry-approved skirting materials compatible with the mobile home to which it is attached.
10. Mobile Home Base Support – Mobile Home Base Supports shall be constructed in accordance with the manufacturer's recommendations but at no less than the minimum Uniform Construction Code (UCC) specifications.
11. Street Lighting – Adequate mobile home park lighting shall be provided for safety of pedestrian and vehicular traffic.
12. Other Site Improvements – There shall be provided in each mobile home park such other improvements as the Governing Body of the Municipality may require whereby such requirements shall at all times be in the best interests of the public's health, safety, and general welfare and may include, but shall not be limited to garbage and trash collection and disposal facilities as approved by the Pennsylvania Department of Environmental Protection.
13. All required fees shall be paid, all final improvements shall be completed, and all required Federal, State, and Municipal permits shall be obtained prior to occupancy of any mobile home.

3.404 Minimum Lot Dimensions and Area Requirements

- A. Lot Sizes – Each mobile home shall have a minimum lot area of at least nine thousand (9,000) square feet exclusive of easements and rights-of-way. No lot in any mobile home park shall be less than sixty (60) feet wide.
- B. Set-Back Requirements – No structure permanently or temporarily located on any lot in any mobile home park shall be closer to any internal front lot line than twenty-five (25) feet; to any side lot line than ten (10) feet; nor to any internal rear lot line than twenty (20) feet. No structure in the Mobile Home Park shall be outside of the internal lot setback of the tract. No mobile home shall be located within twenty-five (25) feet of the boundary line of any access road, private street, or parking court road. No part of a mobile home shall be located within thirty (30) feet of a public street right-of-way.
- C. Lot Requirements – All lots in any mobile home park shall be well drained and graded to a condition where trailers or mobile homes may be parked so that the parking of the same shall result in safety to all concerned. In all instances as much natural growth as is reasonable possible shall be preserved by any Mobile Home Park Developer.

3.500 COMMERCIAL AND INDUSTRIAL SUBDIVISION AND LAND DEVELOPMENT DESIGN STANDARDS

3.501 Application

All commercial and industrial Subdivisions and Land Developments shall conform with the provisions of this section. All commercial and industrial Subdivision and Land Development shall further conform to the remainder of this Ordinance. The additional standards set forth in this section are intended to be read as additional requirements to be met by the Developer.

3.502 Size

Approval of lot or parcel size will be determined by the following factors:

- A. The total net area shall be sufficient to provide adequate space for off-street parking and loading, landscaping and other facilities. Off-street parking areas shall conform to the requirements of the Township Zoning Ordinance.
- B. Whenever possible, commercial parcels should include enough land to provide for a group of commercial establishments, planned, developed, owned and managed as a unit. In no case will narrow, highway ribbon developments be approved.

3.503 Street System

- A. Traffic movements in and out of commercial and industrial areas should be limited to a maximum of two (2) approved driveways unless otherwise approved by the Board of Supervisors.

- B. The design of streets, service drives, driveways, and pedestrian ways should provide for safe and hazard free internal circulation.

3.504 SetBack

Building setback lines shall be as specified in the Township Zoning Ordinance.

3.505 Utilities

Where possible, commercial and industrial Subdivisions and Land Developments should be located close to public utilities. In any case, Subdivisions and Land Developments shall be provided with such utilities as are necessary to maintain adequate health standards, and to safely dispose of commercial and industrial wastes.

3.506 Location

- A. In general, commercial and industrial Subdivisions and Land Developments should be located adjacent or close to major highways and transportation facilities.
- B. Commercial and industrial Subdivisions and Land Developments shall be located in conformance with the Township Zoning Ordinance.

3.507 PreTreatment of Sewage

In cases where the Governing Body of the Municipality finds that pretreatment of sanitary sewage is required to reduce organic or other chemical loading of the sewage upon a public sewage disposal facility to acceptable levels, pretreatment of said sewage by the industrial or commercial Subdivision or Land Development may be required. Such pretreatment facilities shall be provided by the Subdivider or Land Developer and shall be designed, and constructed in accordance with latest Standards of the Pennsylvania Department of Environmental Protection. The Governing Body of the Municipality, and the Pennsylvania Department of Environmental Protection shall review and approve any such facilities prior to construction and operation.

3.600 SOLAR ACCESS

3.601 Application

Consideration should be given to locating buildings, structures, and open spaces such that buildings and structures will not diminish or increase natural levels of insulation to surrounding buildings and lots.

3.602 Easements

Easements should be considered for maintaining naturally occurring levels of insulation at the ground level of lots for protection of solar access to buildings and lots.

ARTICLE IV

REQUIRED IMPROVEMENTS

4.100 INTRODUCTION

Minimum improvements and construction standards required of all Subdivisions and Land Developments shall be as set forth in this Article. Where not set forth, they shall be in accordance with the prevailing standards as established by the Township Engineer. Alternate improvement standards may be permitted if the Governing Body of the Municipality deems them equal or superior in performance characteristics to the specified improvements. Additional or higher type improvements may be required in specific cases where the Governing Body of the Municipality believes it necessary to create conditions essential to the health, safety, and general welfare of the citizens of the Municipality.

4.200 MONUMENTS AND MARKERS

Monuments shall be placed so that the scored or marked point shall coincide exactly with the intersection of the lines to be marked, and shall be set that the top of the monument or marker is level and flush with the surface of the surrounding ground. At least two (2) shall be cut stone or concrete.

4.201 General - Monuments and iron pin markers shall be readily visible and shall be set at the intersection of all lines forming angles in the boundary of the Subdivision. Monuments may be of the following two (2) types:

- A. Cut stone minimum 4"x 4" x 36" long with a drill hole in the center.
- B. Concrete 6"x 6" x 36" long with a 1/2" round brass pin in the center.
- C. The proposed replacement of any existing monuments shall be clearly indicated on the Final Plan.

4.202 Location of Monuments and Markers - All lot corner markers shall be permanently located and shall be at least three-quarter inch metal pin or pipe with a minimum length of thirty (30) inches, located in the ground to existing grade. Permanent concrete reference monuments shall be located on street right-of-way lines, one (1) at each intersection, P.C., P.T. and on all exterior corner points on the boundary of the tract. With the approval of the Township Engineer, the Subdivider may install monuments on only one (1) side of the street provided that enough monuments are set to permit a Surveyor to stake out accurately any building lot on the Record Plan.

4.300 STREET PAVEMENT, CURBS, AND SIDEWALKS

4.301 Basic Improvement Requirements

The provision of street pavement, curbs, and sidewalks on all proposed or required public and private streets shall be as shown in the Township Construction Standards. All streets shall be graded, surfaced, and improved to the grades and dimensions

shown on plans, profiles and cross sections submitted by the Developer and approved by the Governing Body of the Municipality. All materials, construction procedures and other specifications shall be in conformance with the latest edition of the Pennsylvania Department of Transportation Publication 408 Specifications.

The construction standards specify those improvements which are the responsibility of the Subdivider. In the case of Arterial Street, the Pennsylvania Department of Transportation or the Municipality may provide additional improvements over and above those required to be installed by the Subdivider.

- A. Right-of-Way Grading: The entire right-of-way shall be graded to the approved cross section. All trees, stumps, and other material deemed unsuitable by the Township Engineer shall be removed. The excavation shall be backfilled with suitable fill and properly compacted to the satisfaction of the Township Engineer.
- B. Trench Excavation: All trenches excavated within the cartway of any street or right-of-way shall backfilled and be mechanically compacted with 2A aggregate in accordance with PennDOT Standards.
- C. Subgrade Drainage: Consideration shall be given for subgrade drainage for soils in road bases subject to freeze/thaw heaving and movement. Design of the roadbed in such locations may require parallel drainage facilities and/or underdrains to properly maintain the integrity of the subgrade.

4.400 STREET SIGNS

4.401 Standards

The Developer shall be required to provide traffic regulatory and street identification signs that shall meet current design standards as established by the Pennsylvania Department of Transportation.

4.500 WATER SUPPLY

4.501 Provision of Water Supply

- A. Where public water supply, in the opinion of the Governing Body of the Municipality, is reasonably accessible, the Subdivision or Land Development shall be provided with a complete water distribution system with adequate main sizes, and adequate water pressure. Where public water supply is not within reasonable distance, an alternate supply approved by the Pennsylvania Department of Environmental Protection shall be furnished.
- B. If water is to be provided by means other than by a private well, owned and maintained by the individual owners of lots within the Subdivision or Land Development, applicants must present evidence to the Governing Body of the Municipality that the Subdivision or Land Development is to be supplied by a certified public utility, a bonifide cooperative association of

lot owners, or by a municipal cooperation, authority or utility. A copy of the Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for said Certificate, a Cooperative Agreement or a commitment or agreement to serve the area in question, whichever is appropriate shall be acceptable evidence.

- C. Refer to Township Construction Standards for water distribution supply system specifications.

4.502 Location of Water Lines

Where public water lines are installed, all such water lines shall be located in the utility easement provided. The utility easement location and size shall be approved by the Governing Body of the Municipality.

4.503 Onlot Water Supply System

- A. When it is not necessary to connect to a centralized water supply system, onlot system shall be constructed in accordance with criteria set forth by the Pennsylvania Department of Environmental Protection.
- B. Wells should be located no closer than twenty-five (25) feet from any existing or future street right-of-way.
- C. The location of the onlot well shall be shown on both Preliminary and Final Plans.
- D. Wells should be located no closer than one hundred (100) feet from any existing drainfield or any proposed primary and secondary drainfield site, or fifty (50) feet from any septic tank.

4.504 Fire Protection

Whenever a public or community water distribution system is provided, fire hydrants shall be installed. The location, number and separation distance of the hydrant shall be approved by the Supervisors. In general, the maximum distance between fire hydrants shall be as specified in the Township Construction Standards.

Wherever a public or community water distribution system is not provided, the Developer shall address fire protection in some other manner in order to insure a source of water for the purpose of fighting fires. A copy of the Site Plan(s) shall be provided to the Fire Company showing the proposed roads for their review and comments.

4.600 SANITARY SEWER SYSTEM

4.601 Public Sewer System

Where a public sanitary sewer, in the opinion of the Governing Body of the Municipality, is reasonable accessible, sanitary sewers shall be installed to adequately serve all lots with connections to the public system. Where lots cannot be served by the extension of any existing public sanitary sewer, the Subdivider or Land Developer shall obtain approval of lot sizes as provided in the Township Zoning Ordinance to comply with the Act 537 Plan. All sanitary sewer systems should be installed in compliance with the Township Construction Standards and PA DEP Regulations.

4.602 Onlot Sewage and Water Tests

Where evidence indicates that the minimum lot size requirements specified in the Township Zoning Ordinance are not adequate to permit the installation of individual onlot water supply and/or sewage disposal facilities, the Governing Body of the Municipality may require that the Subdivider or Land Developer request the Pennsylvania Department of Environmental Protection to make such tests as are necessary to determine the adequacy of the proposed facilities in relation to the proposed lot size, existing grade, and soil conditions. In all such cases, a permit from the Township's State-Certified Sewage Enforcement Officer indicating that the proposed facilities are adequate shall be prerequisite to final approval of the plan.

4.603 Location of Sewer Lines

Whenever sanitary sewers are provided, they shall be located as close to the centerline of any street right-of-way as is reasonably possible and all such sewer lines shall provide service connections to the property line of each and every lot, said service being properly capped.

4.604 Type of Sewer System

No combined sanitary and storm sewer systems will be permitted.

4.605 Leak Testing

Sanitary sewer system piping, and manholes, and other associated sewer containment components shall be tested for infiltration and exfiltration leakage in accordance with testing requirements of the Pennsylvania Department of Environmental Protection prior to placing any sewer system into service. The Township Engineer must review and approve results of leakage tests prior to placing sewer system into service. The Subdivider or Land Developer shall be responsible for all retests and require corrective action to the sewer system and surrounding grounds and roads in order to have said sewer system pass all leakage tests.

4.606 Manholes

Sanitary sewer manholes shall be provided at all changes in grade and direction and in no instance shall the distance between said manholes exceed four hundred (400) feet.

4.700 STORM DRAINAGE SYSTEM

4.701 Provision of Storm Sewers

When it is deemed necessary by the Governing Body of the Municipality, an adequate storm sewer system consisting of inlets and underground drainage structures with approved outlets shall be constructed where the runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities.

4.702 Storm Sewer System Requirements

Stormwater runoff drainage systems shall be constructed in accordance with Section 3.209 and the Township Construction Standards.

4.703 Construction Standards

All drainage structures, culverts, boxes, grates, etc., shall conform to the current specifications of Pennsylvania Department of Transportation Publication 408 latest edition, the Township Construction Standards, as approved by the Township Engineer.

4.704 Erosion and Sediment Control Measures

Erosion and Sediment Control Measures as required by Section 3.211 shall be provided.

4.800 OTHER UTILITIES

4.801 Power, Telephone, and Television Community Antenna Lines

All Subdivisions and Land Developments shall have easements provided for the installation of power and telephone utility lines to serve each and every lot, and provision shall be made when necessary, for the location of television community antenna lines to be installed in said easements.

Underground electric utility distribution lines shall be installed in all new Subdivisions and Land Developments. In existing Subdivisions with five (5) or more unimproved lots any extensions of the electric utility distribution lines shall be installed underground.

4.802 Gas Transmission Lines

When any Subdivider proposes to provide gas transmission lines within a Subdivision or Land Development, said gas transmission lines shall be installed between the curb line and property line of any street right-of-way located on the opposite side of the street from water lines.

4.900 RECREATION FACILITIES

4.901 Application

Recreation facilities shall be provided when required under Section 3.205.

4.910 PROCEDURES TO GUARANTEE INSTALLATION OF REQUIRED IMPROVEMENTS

4.911 Improvements to be Provided by Applicant

No plan shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, and other improvements as may be required by this Ordinance have been installed in accordance with the terms of this Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat, a Developer may enter into a Development Agreement and post financial security as set forth and in the Municipalities Planning Code. In all cases, the Subdivider or Land Developer shall be responsible for the installation of all improvements required by this Ordinance. The Township Engineer shall make such inspection of the required improvements to make sure of compliance with the Ordinance. The reasonable costs of such inspection shall be borne by the Subdivider or Land Developer.

4.912 Development Agreement

A. Development Agreement is Required:

1. All applicants proposing any Subdivision or Land Development which provides for the installation of improvements required by this Ordinance or any improvements, structures, or items which are delineated on the plan shall be required to enter into a legally binding Development Agreement with the Township prior to Final Plan approval by the Township Supervisors.
2. The Development Agreement shall guarantee the installation of said improvements in conformance with all Township Ordinances and other requirements.
3. The Final Plan shall not be recommended for approval by the Planning Commission and shall not be approved by the Township

Supervisors prior to the execution of this Agreement and the delivery of the Performance Bond.

- B. Development Agreement Terms and Conditions: The Development Agreement shall be in the manner and form approved by the Township Solicitor and it shall consist of the following terms, where and when applicable:
1. The construction as shown on the approved plans in itemized improvements estimate.
 2. A construction schedule prepared by the Subdivider or Land Developer setting forth the beginning and ending dates and other such details as the Township deems appropriate for the improvements covered by the Development Agreement.
 3. An inspection schedule approved by the Township Engineer.
 4. The provision of a Performance Guarantee for completion of required improvements including: the estimated cost of improvements in detailed breakdown, and the amount of the Performance Guarantee.
 5. Developer's responsibilities for damage to other property including Township roads.
 6. Developer shall secure or maintain public liability insurance for the duration of the construction of the improvements. A copy (or other evidence of insurance coverage) shall be submitted to the Township.
 7. A hold harmless clause to protect the Township from liability.
 8. Prevention of erosion, sedimentation, and water damage to the subject and adjacent properties.
 9. Dedication of improvements, and transfer of water and sewer systems and easements.
 10. The Developer shall provide the Township with a set of reproducible "As-built" Plans prepared and certified to by a Professional Engineer of all streets, storm and sanitary sewers, and water distribution lines.
 11. The Developer shall be responsible for all reasonable engineering and legal costs and expenses for review, inspection, consultations, and preparation of agreements.
 12. Provisions for violation of the Development Agreement.

13. Any other lawful terms which the Township Supervisors may require to execute and enforce the provisions of this Ordinance.
14. Occupancy Permits for buildings being constructed within the Development or Subdivision may be withheld, and not issued until the improvement of the streets providing access to and from existing public roads to such building or buildings to be mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

For the purposes of providing a mud-free or otherwise permanently passable condition, streets must be paved with at least their required bituminous concrete base course or bituminous binder course.

15. Required drainage improvements protecting proposed building or buildings and/or receiving and controlling runoff from the proposed building or buildings, as shown on the approved plans shall be installed and stabilized as part of the improvements that are necessary for the reasonable use of or occupancy of the building or buildings.
16. In addition to the other improvements that may be necessary, required sanitary sewer improvements, water or fire protection improvements, street signs and traffic control signs shall be installed as part of the improvements that are necessary for the reasonable use of any occupancy of the building or buildings. In addition, the corners of the property shall be established, as shown on the approved plans.

4.913 Performance and Maintenance Guarantees, Methods to be Followed

After approval of the Final Plan by the Governing Body of the Municipality, the Subdivider or Developer shall install the required improvements under the supervision of the Township Engineer. The Subdivider may elect to carry out required minimum improvements by any of the following methods:

- A. By installing the required improvements, and obtaining from the Municipality a certificate stating that all improvements have been installed in accordance with the standards and specifications contained in this Article.
- B. By posting with the Supervisors a certified check or other financial security running to the Municipality in an amount equal to one hundred ten (110) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the Developer. The amount of financial security required shall be based upon an estimate of

the cost of completion of the required improvements, submitted by the applicant or Developer and prepared by a Professional Engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of said cost. The Municipality, upon the recommendation of its engineer, may refuse to accept such estimate for good cause shown. If the applicant or Developer and the Municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another Professional Engineer licensed as such in this Commonwealth and chosen mutually by the Municipality and the applicant or Developer. The estimate certified by a third Engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third Engineer is so chosen, fees for the services of said Engineer shall be paid equally by the Municipality and the applicant or Developer.

- C. If the party posting the financial security required more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of the financial security may be increased by an additional ten (10) percent for each one (1) year period beyond the first anniversary date for posting of financial security or to an amount not exceeding one hundred ten (110) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above stated bidding procedure.
- D. In case of financial security being posted, other than cash or certified check, it shall specify the time for the completion of the improvements and installations, such time to be satisfactory with the Supervisors.

4.914 Maintenance Guarantee

Where the Township accepts dedication of public improvements at any time following their completion, the Supervisors may require the posting of financial security to secure maintenance of such improvements, as well as their functioning in accordance with the design and specifications stated in the Final Plan for a term not to exceed eighteen (18) months. The amount of such financial security shall be equal to fifteen (15) percent of the actual cost of installation of said improvements.

4.915 Final Inspection

- A. When the Developer has completed all of the necessary and appropriate improvements, the Developer shall notify the Municipality, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Municipality shall, within thirty (30) days after receipt of such notice, direct and authorize the Township Engineer to observe all of the aforesaid improvements. The Township Engineer shall thereupon, file a report, in writing, with the Municipality and shall promptly mail a copy of the same to the Developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Municipality; said report shall be detailed and shall indicate approval or rejection of said improvements,

either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such rejection or non-approval.

- B. The Governing Body of the Municipality shall notify the Developer, within fifteen (15) days of receipt of the Engineer's report, in writing by certified or registered mail of the action of said Municipality Body with relation thereto.
- C. If the Municipality or the Township's Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the Developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

4.916 Observation Escrow

- A. Observation of the installation of improvements required by this Ordinance shall in all cases be the responsibility of the Township or of the appropriate State regulatory agency, and the cost of such observation shall be paid for by the Subdivider or Land Developer.
- B. The Township shall approve a schedule (prepared by the Subdivider or Land Developer) of observations including "hold points" to allow for proper inspection. At a "hold point" in the inspection schedule, the improvements or construction shall not be covered or backfilled prior to inspection and approval by the Township Engineer or appropriate State regulatory agency. The Subdivider or Land Developer shall notify the Township in writing at least forty-eight (48) hours prior to the time when the inspection is required.
- C. Any supervision or observation to be performed by the Township shall be performed by such person as may be designated by the Township Supervisors. At the time the Subdivider posts the financial security required by Section 4.9111 of this Ordinance, the Subdivider shall also post with the Township a deposit to cover the costs of supervision and inspection to be performed by the Township. The amount of the deposit shall be established by the Township Supervisors after taking into consideration the amount of improvements delineated on the Final Plan. In the event that the amount of such deposit is insufficient to cover all of the costs of such supervision and observation, then at such time or times as ninety (90) percent of the amount of any such deposit shall have been expended by the Township for such supervision and observation, the Subdivider shall deposit an additional amount to cover future costs of supervision and observation as established by the Township. Upon completion of the improvements and their approval by the Township, any unexpended portion of the deposit shall be refunded to the Subdivider.

4.917 Power to Enforce Security

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plat, the Municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Municipality may, at its option, install 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. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the Developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

4.918 Commercial-Industrial Development

Any commercial or industrial development shall be subject to additional development requirements as may be established from time to time by the Township Supervisors, but in no event, shall they be less than the Municipality would be enabled and empowered to require under the Municipalities Planning Code of the Commonwealth of Pennsylvania. Further, the Township Engineer shall have the right, upon consideration of safety, health and traffic standards, to require additional improvements, other than the specifications set forth previously in this Article, to be performed in conjunction with said Subdivision or Land Development. In such event, the Subdivider shall have the right to any appeal in the event the Subdivider believes that the requirements set forth by the Township Engineer are unreasonable, at which time the Subdivider shall have the right to a full and complete hearing before the Board of Supervisors on said matters.

ARTICLE V

PLAN REQUIREMENTS

5.100 PRELIMINARY PLAN

5.101 Scale and Sheet Size

- A. The Preliminary Plan shall be at a scale of either one (1) inch equals fifty (50) feet (1" = 50'), or one (1) inch equals one hundred (100) feet (1" = 100').
- B. Sheet size shall be twenty-four (24) inches by thirty-six (36) inches (24" x 36"), with the title block in the lower right-hand corner.

5.102 Plan Information

- A. The Preliminary Plan shall show or be accompanied by the following information.
 - 1. Proposed Subdivision name or identifying title and preliminary designation.
 - 2. North point, graphic scale, date, plan revision number. Note: the revision number of each drawing shall be stated on each page in the submitted plans.
 - 3. Name and address of the owner and Developer of the property.
 - 4. Name and seal of the Registered Land Surveyor responsible for the boundary survey, and the name and seal of the Engineer or Architect responsible for the other aspects of the plan.
 - 5. A map showing the meets and bounds (accurate to within thirty (30) seconds) plus the distance (accurate to within one- hundredths of a foot) of the tract or parcel of land from which the Subdivision is being taken. The boundaries shall be determined by accurate survey in the field to an error of closure not to exceed one (1) foot in five thousand (5,000) feet. The tract boundary shall be subsequently closed and balanced. A statement detailing the total acreage shall also be included on the plan.
 - 6. Contours at vertical intervals of two (2) feet or at such lesser interval as may be necessary for satisfactory study and planning of the tract.
 - 7. Datum to which contour elevations refer. Where reasonably practicable, data shall refer to USGS, established elevations.

8. All existing watercourses, wetlands, tree masses, one hundred (100) year floodplains (including all one hundred (100) year floodplains established by the Federal Insurance Administration), and other significant natural features including all strip mines and bodies of water in abandoned stripping pits on said property and within two hundred (200) feet of the tract property line.
9. All existing buildings, sewer, water mains, culverts, petroleum or petroleum product lines, fire hydrants, and other significant man-made features on said property and within two hundred (200) feet of the tract property line.
10. All existing streets on or adjacent to the tract, including name, right-of-way width, and pavement width on said property and within two hundred (200) feet of the tract property line.
11. All existing property lines, easements, and rights-of-way, and the purpose for which the easements or rights-of-way have been established and their width.
12. Location and width of all proposed streets, rights-of-way, and easements; proposed lot lines with approximate dimensions; playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
13. The owner name, tax parcel ID number, deed book volume and page of all abutting parcels and all abutting Subdivisions.
14. The source of title to the land being subdivided or developed.
15. A Location Map, drawn to a scale of one (1) inch equals one thousand (1,000) with sufficient information to enable the Planning Commission to locate the property being subdivided. This map shall also show all existing roads within or adjacent to the tract, proposed roads within the Subdivision, and proposed roads within adjacent recorded Subdivisions.
16. Copies of proposed deed restrictions, if any, shall be attached to the Preliminary Plan.
17. Stormwater Management Plans in accordance with the current Township Stormwater Ordinance.
18. A typical cross section for all proposed streets.
19. Location, size, materials, details, and specifications for all proposed water, sanitary sewer, and storm drainage facilities.
20. Tentative grades of all proposed street, either labeled on the plan or shown on street profiles.

21. When installation of improvements beyond a five (5) year period are planned, a schedule shall be included by the Landowner delineating all proposed sections, as well as deadlines within which applications for Final Plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the Preliminary Plan approval, until Final Plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval by the Governing Body of the Municipality.

Each section in any Residential Subdivision or Land Development, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of dwelling units as depicted on the Preliminary Plan, unless a lower percentage is approved by the Governing Body of the Municipality.

22. Legend of Symbols.
23. Zoning Classification.
24. Zoning Data
25. Soil Types and their Limitations

5.200 FINAL PLAN

5.201 Plan Size and Legibility

- A. The Subdivision/Land Development Plan submitted for final approval shall be a clear legible white print.
- B. Final Plans shall be on sheets twenty-four (24) inches by thirty-six (36) inches (24" x 36"). Final Plans drawn in two (2) or more sections shall be accompanied by a key diagram showing the relative locations of the sections. The title block shall be located in the lower right hand corner.

5.202 Plan Scale and Required Information

- A. The Final Plan shall be at a scale of either one (1) inch equals fifty (50) feet (1" = 50'), or one (1) inch equals one hundred (100) feet (1" = 100').
 1. Subdivision name or identifying title and final designation.
 2. North point, graphic scale, date, plan revision number. Note: the revision number of each page shall be stated on each drawing in the submitted plans.
 3. Name and address of the record owner and Developer of the property.

4. Name and seal of the Registered Land Surveyor responsible for the boundary survey, and the name and seal of the Engineer or Architect responsible for the other aspects of the plan.
5. A map showing the meets and bounds (accurate to within thirty (30) seconds) plus the distance (accurate to within one-hundredths of a foot) of the tract or parcel of land from which the Subdivision is being taken. The boundaries shall be determined by accurate survey in the field to an error of closure not to exceed one (1) foot in five thousand (5,000) feet. The tract boundary shall be subsequently closed and balanced. A statement detailing the total acreage shall also be included on the plan.
6. A Location Map, drawn to a scale of one (1) inch equals one thousand (1,000) feet with sufficient information to enable the Planning Commission to locate the property being subdivided. This map shall also show all existing roads within or adjacent to the tract, proposed roads within the Subdivision, and proposed roads within adjacent recorded Subdivisions.
7. Street lines, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated for public use.
8. Sufficient data to determine readily the location, bearing, and length of every street, lot, and boundary line and to reproduce such lines on the ground.
9. The length of all straight lines, radii, lengths of curves and tangent bearings for each street.
10. Certification approval by the Township Engineer that the Stormwater Management Plan is deemed complete and meets the requirements of the East Penn Township Stormwater Management Ordinance before Final Plan approval or Plan recording.
11. Wetland and necessary certification statements as detailed in the Ordinance.
12. All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use. Lot areas shall be indicated.
13. The proposed building setback line for each street, or the proposed placement of each building.
14. When required by the Township, a typical cross section and profile of the handling of storm drainage where private driveways intersect streets shall be shown.

15. The location, size, material, and connections with existing water systems, fire protection systems, sanitary sewer systems, and stormwater management systems shall be shown. The location of all pump stations, central water sources, and central sewage treatment facilities shall be indicated. Pipe lengths and invert elevations of all sanitary, and storm sewers; cross-sections, slope, maximum depth, and velocities for all swales; and construction details for all manholes, inlets, endwalls, headwalls, culverts, valve chambers, and junction boxes shall be shown on the plans.
16. Stormwater Management Plans in accordance with this Ordinance.
17. All dimensions shall be shown in feet and in hundredths of a foot.
18. Lot numbers.
19. Names of streets within and adjacent to the Subdivision.
20. An Erosion and Sedimentation Control Plan.
21. When required by the Township, a Grading Plan for the site.
22. When required by the Township, a Landscaping Plan for the site.
23. If private streets are proposed, provisions shall be made for ownership and maintenance of the streets.
24. Whenever a Developer proposes to establish a street or streets which are not offered for dedication to public use, the Township may require the landowner to submit and also record with the plan, a copy of an agreement made with the Township on behalf of his heirs and assigns which shall establish the conditions under which the street or streets may later be offered for dedication.
25. Permanent reference monuments and all located iron pins and markers shall be shown, and shall be as specified by the Township Engineer.
26. Names of adjoining Subdivisions shall be shown.
27. The owner name, tax parcel ID number, deed book volume and page of all abutting parcels and all abutting Subdivisions.
28. Deed of dedication of streets and other public property.
29. Certification for approval by the Commission, and the Board of Supervisors.
30. The location of all one hundred (100) year floodplains.

31. Legend of Symbols.
 32. Zoning Classification and Requirements.
 33. All information provided on the Preliminary Plan.
 34. All information as required by the Final Plan checklist.
- B. The Final Plan shall include thereon or be accompanied by:
1. An affidavit that the applicant is the owner or equitable owner of the land proposed to be subdivided. The source of title to the tract of land shall be shown on the plan.
 2. A statement duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owner or owners of the property, to the effect the Subdivision as shown on the Final Plan is made with his or their free consent and that it is desired to record the same.
 3. A certification as to the accuracy of the survey by the Surveyor responsible for the plan.
 4. A certification by the Registered Engineer responsible for the plan that the plans are correct in all details and that the requirements of the Township's Subdivision and Land Development Ordinance have been fully complied with.
 5. Typical cross sections, street profiles, and drainage details for all streets. Such profiles shall show at least the following: existing (natural) grade along the proposed street centerline; existing (natural) grade along each side of the proposed street right-of-way; proposed finished centerline grade or proposed finished grade at top of curbs; sanitary sewer mains and manholes; storm sewer mains, inlets, manholes, and culverts.
 6. Certification by the Pennsylvania Department of Environmental Protection when individual sewage disposal or water systems are to be installed as required by Article IV of this Ordinance.
 7. Protective covenants, if any, in form for recording.
 8. An affidavit from each and every utility company that utility easements as provided satisfy the requirements of the respective utility company.
 9. A Stormwater Management Covenant that would run with the land of any property whose owner is designated as being responsible for the ownership and maintenance of stormwater control facilities, such as detention basins, infiltration structures, drainage easement

swales, and/or Best Management Practices (BMP's), improvements and/or features.

10. Wetland and necessary certification statements as detailed in this Ordinance.

ARTICLE VI

MODIFICATIONS

6.100 HARDSHIP

- A. The Township Supervisors may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and the purpose and intent of the Ordinance is observed.
- B. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.
- C. The Township Supervisors shall keep a written record of all action on all requests for modifications.

6.200 LARGE SCALE DEVELOPMENT

The standards and requirements of this Ordinance may be modified by the Commission in the case of plans for complete communities or neighborhood units or other large scale developments which, in the judgment of the Commission, achieve substantially the objectives of the regulations contained herein and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan.

6.300 RECONSIDERATION

Any Subdivider aggrieved by a finding, decision or recommendation of the Commission may request and receive opportunity to appear before the Commission, present additional relevant information, and request reconsideration of the original finding, decision or recommendation.

6.400 PROCEDURE FOR APPLYING

6.401 Application to be Submitted in Writing

- A. Applications for modifications shall be submitted, in writing, by the Subdivider at the time the Preliminary Plan is filed with the Commission. The application shall state fully the grounds and all the facts relied upon by the applicant.
- B. Applications for reconsideration shall be submitted, in writing, by the Subdivider not less than ten (10) calendar days in advance of the meeting at which reconsideration is desired.

6.500 RECORDING A MODIFICATION

In granting a modification, the Commission shall record its actions and the grounds for granting the modification in its minutes. A statement showing the date that such modification was granted shall be affixed to the Final Plan.

ARTICLE VII

DEFINITIONS

7.100 INCLUSIONS

7.101 General Terms

- A. As used in this Ordinance, words in the singular include the plural and those in the plural include the singular. Words used in the present tense include the future. The word “person” includes a corporation, unincorporated association, and a partnership, as well as an individual. The word “building” includes structure and shall be construed as if followed by the phrase “or part thereof”. The word “street” includes avenue, boulevard, court, expressway, highway, lane, arterial, and road. The word “watercourse” includes channel, creek, ditch, drain, dry run, spring, and stream. The word “may” is permissive; the words “shall” and “will” are mandatory, subject, however, to the provisions of Section 6.101 hereof.
- B. The word “Township” means East Penn Township, Carbon County, Pennsylvania.
- C. The masculine gender shall include the feminine and neuter, and vice-versa.
- D. Any word, term or phrase used in this Ordinance, but not specifically defined herein, shall be given their normal and customary meaning as found in the Webster’s New Collegiate Dictionary.

7.200 DEFINITION OF TERMS

7.201 Specific Terms

1. Alley – A public or private thoroughfare providing only secondary vehicular access to abutting property and not intended for general traffic circulation.
2. Abut – Next to or adjacent to, and includes the word “directly across from streets, natural features, and rights-of-way”.
3. Access Drive – A privately owned, constructed, and maintained vehicular access roadway from a public or private street.
4. Applicant – A land owner or Developer, as hereinafter defined, who has filed an application for development including his heirs, successors, and assigns.
5. Authority – A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L.382, No. 164) known as the “Municipalities Authorities Act of 1945”.

6. Block - Tract of land or a lot or group of lots, bounded by streets, public parks, or parkways, railroad rights-of-way, watercourse or body of water, subdivided land, or a boundary lines or lines of the Township.
7. Block Frontage - That portion of a block which abuts on a single street.
8. Board of Supervisors - The Board of Supervisors of East Penn Township.
9. Buffer Yard – A continuous strip of land, either landscaped or green space, clear of all buildings, structures, parking areas, outdoor storage areas, and detention ponds, or any use other than open space. A buffer yard may include a street or driveway connecting an access point with the interior side of a buffer yard by the most direct route.
10. Building – A structure or object constructed on, erected on, placed on, located on, or affixed to the ground, with a roof supported by columns or walls. Structures divided by unpierced masonry division walls or a State-conforming fire wall extending from the ground through the roof shall be deemed to be separate buildings. A structure meeting the definition or building shall be construed to be a building whether or not it had been affixed to the ground by heretofore existing conventional methods; specifically, the fact that an object or structure is located on or placed on the ground by the use of skids or similar means shall not exempt or exclude the structure or object from being construed a building.
11. Cartway – The paved portion of a street or highway designed for vehicular traffic.
12. Commercial Parking Area – A lot or part thereof used for the parking of motor vehicles, with or without the payment of rent or charges in money or other consideration.
13. Commission – The East Penn Township Planning Commission.
14. Commission Engineer – Shall mean the Township Engineer if said office exists, and if not, shall be the Registered Professional Engineer designated by the Planning Commission to perform all administrative and/or supervisory duties required of the Commission Engineer by the provisions of this Ordinance.
15. Common Open Space – A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.
16. Comprehensive Plan – The document, entitled Comprehensive Plan for East Penn Township or any part thereof, adopted by the Board of Supervisors.

17. Construction – Includes the placing of construction materials in permanent position and fastening in a temporary or permanent position; and the demolition of pre-existing building, provided further construction be diligently carried on.
18. County – The County of Carbon, Pennsylvania.
19. County Planning Commission – The Carbon County Planning Commission.
20. Crosswalk or Walkway – A strip of land including right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.
21. Cul-de-sac – A minor street intersecting another street at one end and terminated at the other by a vehicular turnaround.
22. Developer (Subdivider) – Any landowner, agent of such landowner or tenant with permission from a landowner, who makes or causes to be made a Subdivision of land or Land Development.
23. Development – Shall be defined as (i) the improvement of one or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) Subdivision of land.
24. Development Agreement – An agreement (in a form and manner acceptable to the Township) requiring a Developer to install the improvements required by this Ordinance and any improvements or structures, or items which are delineated on the plan in accordance with the requirements of this Ordinance.
25. Driveway – A privately owned, constructed, and maintained vehicular access from a street or access drive to one (1) dwelling unit, commercial unit or industrial unit.
26. Dwelling Unit - One or more rooms with provisions for cooking, living, sanitary, and sleeping facilities arranged for the use of one family.
27. Easement – A grant by the property owner to the public, a corporation, a person or group of persons or another tract of land of a use of land for specified purpose.
28. Financial Security – Shall mean cash, irrevocable letters of credit in Federal or Commonwealth chartered lending institutions, restrictive escrow accounts in Federal or Commonwealth chartered lending institutions and any other security acceptable to the Supervisors.

29. Governing Body – The Board of Township Supervisors of East Penn Township, Carbon County, Pennsylvania.
30. Grade – The elevation of finished ground or paving.
31. Interior Walk – A right-of-way for pedestrian use extending from a street into a block or across a block to another street.
32. Land Development – Any of the following activities:
- a. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - a.1. A group of two 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
 - a.2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
 - b. A Subdivision of land.
 - c. Development in accordance with Section 503 (1.1) of the Pennsylvania Municipalities Planning Code.
33. Landowner – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such an 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.
34. 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. This term includes the word “plot”.
- a. Corner Lot – A lot situated at the intersection of and fronting on two (2) or more streets.
 - b. Interior Lot – Any lot other than the corner lot.
 - c. Reverse Frontage Lots – Lots which front on one public street but provide vehicular access solely from another public street at the rear of the lot.
 - d. Flag Lot – An irregularly shaped lot characterized by an elongated extension from a road to the principal part of the lot. The flag

shape of the lot is normally intended to provide for access to an otherwise landlocked interior parcel.

35. Lot Area – The area contained within the lot lines, excluding street or street right-of-ways. In flag lots the area representing the “pole” position of the flag shall not be considered part of the lot area.
36. Lot Depth – The level distance between the mid point of the front lot line of the mid point of the rear lot line.
37. Lot Line, Front – The street line at the front of a lot. On a lot bounded on more than one side by a street, the owner shall specify the front lot line on the plot plan when the initial building permit application is submitted.
38. Lot Line, Rear – The lot line, or lot lines opposite to the front lot line.
39. Lot Line, Side – Any lot line not a rear lot line or a street line.
40. Lot Width – The straight line distance between the side lot lines measured at the street right-of-way line. On lots within a cul-de-sac, this lot width shall be the straight distance between the side lot lines, measured at the rear of the required front yard.
41. Mobile Home – A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more 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.
42. Mobile Home Lot – A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.
43. Mobile Home Park – A parcel or contiguous parcels of land under single ownership which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.
44. Open Space – The area of a lot unoccupied by principle or accessory structures, streets, driveways, parking areas, but may include areas occupied by walkways, patios and porches without roofs, playgrounds, and other areas occupied by outdoor recreation or play apparatus, gardens, trees, non-poisonous vegetation, and shrubs.
45. Ordinance - The East Penn Township Subdivision and Land Development Ordinance and any provisions or amendments thereof, enacted by the Board of Supervisors.
46. Parcel - A tract, lot, or area of land.

47. Parking Area – Outdoor areas or specially designed buildings or garages used for the storage of vehicles.
48. Parking Space – A stall or berth which is arranged and intended for parking of one motor vehicle in a garage or parking area.
49. Pavement – The portion of a street intended for vehicular use.
50. Plan (or Plat) – A map of a Land Development or Subdivision of land.
51. Plan, Final – A complete and exact Subdivision, prepared for official recording as required by this Ordinance to define property rights and proposed streets and other improvements.
52. Plan, Preliminary – A tentative Subdivision Plan, in lesser detail than a Final Plan, showing approximate proposed streets and lot layout as a basis for consideration prior to preparation of a Final Plan.
53. Planning Commission – See “Commission”.
54. Public Notice – Notice published once each week for two successive 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 thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.
55. Public Hearing – A formal meeting held pursuant to public notice by the Governing Body or the planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code.
56. Public Meeting – A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act”.
57. Right-of-Way - Land reserved for the public or others for use as a street, interior walk, or for other purpose.
58. Screen - A fence or natural obstruction of sufficient height (but not less than six (6) feet high) to effectively visually obscure the area being screened from adjoining areas.
59. Setback or Building Line - The line within a property defining the required minimum distance between any structure and the adjacent right-of-way.
60. Sewage Disposal System, Centralized – A sewage system, publicly or privately owned, in which sewage is collected from two or more lots or two or more dwelling units to a central treatment plant. The design shall be in compliance with Pennsylvania Department of Environmental Protection’s

rules and regulations or regulations of the Township, whichever are more stringent.

61. Sewage Disposal System, Onlot – Any structure, publicly or privately owned, designed for the collection of sewage from one lot or one dwelling unit with a disposal into a subsurface soil absorption area. The design shall be in accordance with Pennsylvania Department of Environmental Protection’s rules and regulations of the Township, whichever are more stringent.
62. Sewage Connection – The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a dwelling or building to the inlet of the street or main collector sewer pipe of the sewerage system serving the Subdivision or Land Development.
63. Sidewalk – A pedestrian accessway which is adjacent to a street, access drive, or driveway.
64. Sight Distance – The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.
65. Site Alternation – Includes regarding the existing topography, filling lakes, ponds, marshes, floodplains, clearing vegetation, or altering watercourses.
66. Soil Conservation District – The Soil and Water Conservation District for Carbon County.
67. Solar Access – The capability of receiving direct sunlight between 9:00 AM and 3:00 PM (solar time) on any area of a lot not within required yard areas.
68. Street – A strip of land, including the entire right-of-way intended for use as a means of vehicular and pedestrian circulation. Includes any street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.
69. Street, Arterial – A street whose function is to provide for the movement of high volumes of through-traffic and direct access to abutting properties; subject to necessary control of entrances, exits, and curb use.
70. Street, Collector – A street which provides for the movement of moderate volumes of traffic between arterials and local roads and direct access to abutting property.
71. Street, Local – A street whose function is to provide for local traffic movement with relatively low volumes and direct access to abutting properties.

72. Street, Public – A street dedicated to public use.
73. Street Line – The dividing line between a lot and the outside boundary of a public street or street right-of-way, or between a lot and a private street which serves two or more separately owned homes or buildings.
74. Structure – Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. This term includes the word “Building”.
75. Subdivider – See “Developer”.
76. Subdivision – The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partitioned 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.
77. Subdivision, Major – Any Subdivision which does not qualify as a Minor Subdivision.
78. Subdivision, Minor:
- a. A Minor Subdivision is any Subdivision: (i) into not more than three (3) lots, including the residual tract or lot, (ii) which involves no extension of public facilities, no new street, nor an extension or improvement of an existing street, (iii) which is not located in a commercial or industrial zoning district, and (iv) which provides for and does not adversely affect the potential development of the remainder of the tract; or
 - b. Any Subdivision (i) for the purpose of joining or annexing a lot to an existing lot, parcel, or tract of land and (ii) provides a covenant in the deed of the lot to be conveyed which joins it with and makes it an inseparable part of the parcel to which it is joined. Commonly referred to as Lot Line Adjustment, Reverse Subdivision or Lot Consolidation Plan.
79. Township Engineer – The Registered Professional Engineer designated by the Board of Supervisors to perform all duties required of the Engineer by the provisions of this Ordinance.
80. Water Supply System, Centralized – A system for supplying and distributing water from a common source to two or more lots, or two or more dwelling units including accessory structures and operated by a government agency, governmental authority, public utility company, or Developer. The design shall be in compliance with Pennsylvania

Department of Environmental Protection's rules and regulations or regulations of the Township, whichever is more stringent.

81. Water Supply System, Onlot – A system for supplying to a single dwelling unit including an accessory structure from a source located on the same lot. The design shall be in compliance with Pennsylvania Department of Environmental Protection's rules and regulations or regulations of the Township, whichever is more stringent.
82. Yard, Front – A space on the same lot with a building, situated between the front foundation or support pillar of the main building and the front lot line of the lot and extending from side lot line to side lot line.
83. Yard, Rear – A space on the same lot with a building, situated between the rear foundation or support pillar of the main building and the rear lot line of the lot and extending from side lot line to side lot line.
84. Yard, Side – A space on the same lot with a building, situated between the side foundation or support pillar of the main building and the side lot line of the lot, and extending through from the front yard or from the front lot line where no front yard exists, to the rear yard, or to the rear lot line where no rear yard exists to side lot line.

ARTICLE VIII

ADMINISTRATION

8.100 REVISIONS AND AMENDMENT

8.101 This Ordinance may, from time to time, be revised, modified, or amended as prescribed by local and state laws.

8.200 COMMISSION RECORDS

The Commission shall keep a record of its findings, decisions and recommendations relative to all plans filed with it for review.

8.300 PENALTIES

8.301 Penalties to be Applied

- A. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding, pay a Judgment of not less than One Hundred Twenty-Five (\$125.00) Dollars and not more than Five Hundred (\$500.00) Dollars plus all court costs, including reasonable attorney fees incurred by the Municipality as a result thereof. No Judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by a district justice. If the defendant neither pays nor timely appeals the Judgment, the Municipality may enforce the Judgment pursuant to the 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 (5th) 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.
- B. In addition to all other remedies provided herein, the Municipality may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling, transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

C. The Municipality may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a Subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

1. The owner of record at the time of such violation;
2. The vendee or lessee of the owner of record at the time of such violation with regard as to whether such vendee or lessee had actual or constructive knowledge of the violation;
3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation; or
4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit, or the granting of approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Municipality may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

8.400 VALIDITY

Should any section, subsection or provision of this Ordinance be declared invalid by a court of competent jurisdiction such decision shall not effect the validity of the Ordinance as a whole, or of any other part thereof.

8.500 INTERPRETATION

In the interpretation and the application of the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, and general welfare.

8.600 CONFLICT

All Ordinances, or parts of Ordinances in conflict herewith, are hereby repealed.

8.700 EFFECTIVE DATE

This Ordinance shall become effective from this date of its final passage as provided by law.

ADOPTED THIS 7th DAY OF April, 2008 BY THE BOARD OF SUPERVISORS OF EAST PENN TOWNSHIP, PENNSYLVANIA.

Gary P. Kuehna
CHAIRMAN, TOWNSHIP BOARD OF SUPERVISORS

(SEAL)

ATTEST:

Mary Anne Lewitt
TOWNSHIP SECRETARY

East Penn Township

Board of Supervisors

**167 Municipal Road
Lehighton, PA 18235**

Phone: 570-386-5735 Fax: 570-386-4869 E-mail: eptwp@ptd.net

Chairman Herb Truhe – Vice-Chairman Jacob Nothstein - Dean R. Kerckmar – Randolph Pfeiffer - Cory Smith

Please note:

**The appendix sheets of the East Penn Township
Subdivision and Land Development Ordinance
have been updated effective May 3, 2010.**

**The Ordinance has NOT been revised and the
wordage of the Ordinance governs.**

**Please use the appendix sheets bearing the
March 2010 revision date.**

Thank you.

Please feel free to contact the office if you should have any questions.

**EAST PENN TOWNSHIP
Carbon County, Pennsylvania**

RESOLUTION # 2010-11

**Subdivision and Land Development Ordinance
Appendix Amendment**

WHEREAS, EAST PENN TOWNSHIP, Carbon County, Pennsylvania has adopted a Subdivision and Land Development Ordinance on April 7, 2008, and

WHEREAS, said ordinance has provided suggested forms for application, disclaimer statements, approval and review drawing blocks, statements of registered engineer, surveyor and owner and submission checklist as an appendix to said ordinance, and

WHEREAS, acknowledging that the wordage of said ordinance governs, and

WHEREAS, desiring to update the appendix forms for reasons of clarity and ease of use,

THEREFORE, BE IT RESOLVED AND ENACTED, that the Board of Supervisors of **EAST PENN TOWNSHIP**, Carbon County, Pennsylvania on this 3rd day of May, 2010 adopt this Resolution # 2010-11 removing the suggested forms contained in the appendix and replacing them with the forms attached to this resolution.



By: 
Herbert J. Truhe, Chairman Board of Supervisors

Attest: 
Deanna L. Cunfer, Township Secretary

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CHECKLIST FOR SUBDIVISION, LAND DEVELOPMENT AND LOT LINE ADJUSTMENT PLANS	5.0 *

PLEASE NOTE: Please use checklist, application and approval / review blocks bearing "Rev. March 2010"

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

EAST PENN TOWNSHIP, CARBON COUNTY, PENNSYLVANIA

An Ordinance of the Board of the Township Supervisors of East Penn Township ordained and adopted at their meeting held April 7, 2008.

An Ordinance regulating and controlling the subdivision and development of land and the approval of plans, plots or re-plots of lands laid out in the building lots within East Penn Township, Carbon County, Pennsylvania, providing standards for the design of streets, lots, easements, blocks, and other improvements requiring certain minimum improvements on all streets and required dedications, specifying certain construction standards, providing for the administration of this Ordinance by the East Penn township Planning Commission and setting forth penalties for the violation of this Ordinance.

BE IT ORDAINED AND ENACTED BY THE BOARD OF TOWNSHIP SUPERVISORS OF EAST PENN TOWNSHIP, CARBON COUNTY, PENNSYLVANIA

FOR OFFICE USE ONLY
FILE NUMBER: _____

EAST PENN TOWNSHIP, CARBON COUNTY
167 Municipal Road
Lehighton PA 18235
P - (570) 386-5735 / F - (570) 386-4869
Email: eptwp@ptd.net

**APPLICATION FOR CLASSIFICATION AND APPROVAL OF SUBDIVISION OR
LAND DEVELOPMENT PLANS**

APPLICATION SUBMITTED AS: (indicate by a check (√):

- MINOR SUBDIVISION MAJOR SUBDIVISION
- PRELIMINARY
- FINAL
- LAND DEVELOPMENT LOT LINE ADJUSTMENT

Date of Application _____, 20____

Subdivision or Development Name _____

Location _____

Owner's Name _____ Telephone No. _____

Owner's Address _____

Applicant's Name _____ Telephone No. _____

Applicant's Address _____

Engineer's Name _____ Telephone No. _____

Engineer's Address _____

Surveyor's Name _____ Telephone No. _____

Surveyor's Address _____

PLOT DATA:

Zoning Classification _____ Total Acreage _____ No. of Proposed Lots _____

Minimum Lot Size _____ Tax Map Sheet, Block and Lot Number(s) _____

INTENT OF APPLICANT:

Sell Lots Only _____ Build Residences for Sale _____

Specify Other _____

**APPLICATION FOR CLASSIFICATION AND APPROVAL OF SUBDIVISION OR
LAND DEVELOPMENT PLANS**

PLOT INFORMATION AND IMPROVEMENTS:

Maximum Acreage that will have its Original Vegetative Ground Cover Disturbed:

0 – 5 Acres _____ 5 – 25 Acres _____ More than 25 Acres _____

How will tract be serviced for:

Sanitary Sewerage: _____

Potable Water Supply: _____

Lineal Feet of New Streets: _____

REQUESTED CLASSIFICATION OF SUBDIVISION / DEVELOPMENT: (indicate by a (√))

- MINOR SUBDIVISION MAJOR SUBDIVISION
- PRELIMINARY
- FINAL
- LAND DEVELOPMENT LOT LINE ADJUSTMENT

INFORMATION CHECKLIST: (indicate by a (√) items attached to this application)

- Fifteen (15) copies of Plans and All Supporting Document per Ordinance
- Completed Checklist and Application
- Required Fees

APPLICANT'S SIGNATURE:

DATE: _____

EAST PENN TOWNSHIP OFFICIAL'S SIGNATURE:

PAYMENT AND PLANS RECEIVED BY:

DATE: _____

**PLEASE PLAN TO BE PRESENT OR HAVE A REPRESENTATIVE PRESENT AT
THE REVIEW MEETING.**

APPROVAL AND REVIEW DRAWING BLOCKS

REVIEWED BY THE CARBON COUNTY PLANNING COMMISSION

County Planning Commission Chairman

Date

REVIEWED ON _____ BY THE EAST PENN TOWNSHIP PLANNING COMMISSION

Chairman

Secretary

APPROVED ON _____ BY THE EAST PENN TOWNSHIP BOARD OF SUPERVISORS

Chairman

Secretary

REVIEWED BY THE EAST PENN TOWNSHIP SEWAGE ENFORCEMENT OFFICER

Township SEO

Date

WETLAND STATEMENT FOR ALL SUBMITTED PLANS

“By approval of this Plan, East Penn Township has neither determined nor denied the existence of any wetland areas whether or not they are delineated on the Plan. Any encroachment on said wetlands for any reason whatsoever shall be the sole responsibility of the subdivider and/or developer, his heirs and assigns and shall be subject to the jurisdiction of the Corps of Engineers and/or the Pennsylvania Department of Environmental Protection. Any encroachment upon wetlands shall conform to the rules and regulations of the appropriate government agencies.”

STATEMENTS OF REGISTERED ENGINEER, REGISTERED SURVEYOR AND OWNER

ENGINEER'S STATEMENT

I, _____, a registered engineer of the Commonwealth of Pennsylvania, do hereby certify that the above Plan or Plat to be correct in all its detail and that the requirements of the Subdivision and Land Development Ordinance of East Penn Township have been fully complied with.

Registered Engineer's Signature
Registered Engineer's Address

SURVEYOR'S STATEMENT

I, _____, a registered surveyor in the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from field survey, correctly represents the proposed lots as surveyed by me for the owners.

Registered Surveyor's Signature
Registered Surveyor's Address

OWNER'S STATEMENT

We, the owners of this tract of land being duly sworn according to law, depose and say we are the sole owners of this property in peaceful possession of it and that there are no suits pending affecting the title of same property, hereby dedicate to East Penn Township for public use all the road rights-of-way, utility easements and rights-of-way of public improvements such as sewer lines and storm water conveyance and storm water management facilities as shown on this Subdivision Plan. We do further depose and say that we have complied with all requirements and provisions of the East Penn Township Subdivision and Land Development Ordinance and shall save the Township harmless and indemnify East Penn Township against any liability or loss resulting from the subdivision of this tract for whatever reason present and future.

OWNER'S SIGNATURE

OWNER'S SIGNATURE

OWNER'S SIGNATURE

OWNER'S SIGNATURE

SWORN AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20 _____

NOTARY PUBLIC

seal

DISCLAIMER STATEMENTS

The Township does not guarantee that any onlot sewer permit can be issued for any of the lots in the Subdivision.

The Township does not guarantee that any well water that may be needed to support the development of the land is available in either adequate quantity or quality.

Notice that future owners must maintain any planned drainage swale, detention basin, stormwater management facilities,

SUBDIVISION and LAND DEVELOPMENT CHECKLIST

PLAN SUBMITTED AS:

MINOR SUBDIVISION

LAND DEVELOPMENT

MAJOR SUBDIVISION

LOT LINE ADJUSTMENT

PRELIMINARY

FINAL

GENERAL SUBMISSION ITEMS:

- 1. Copy of Completed Subdivision Application Form _____
- 2. Copy of Checklist _____
- 3. Fifteen (15) copies of the Plan _____
- 4. An original mylar and seven (7) copies of the Final Plan
for recording _____
- 5. Fifteen (15) copies of Supporting Documents _____
- 6. Review letter from Pennsylvania Department of
Transportation and Highway Occupancy Permit _____
- 7. The Required Fees _____

SPECIFIC PLAN REQUIREMENTS

- 8. Drawing scale set to 1" = 50 feet or 1" = 100 feet _____
- 9. Plan drawings at a size of 24" x 36" _____
- 10. Drawing scale for profile drawings: 1" = 5' or 1" = 10';
horizontal scale of 1" = 100' _____
- 11. Dimensions set in feet and decimal part thereof and
bearings in degrees, minutes and seconds _____
- 12. Drawing sheets numbered and relationship of each sheet
to total number of sheets shown _____
- 13. A detailed legend indicating clearly which features are
existing and which are proposed _____
- 14. Revisions clearly indicated, if the Plan has been revised,
revision date and number shown _____
- 15. A boundary line clearly shown and shown as a heavy line _____

GENERAL INFORMATION

- 16. Name and location of subdivision _____
- 17. North Arrow _____
- 18. Graphic Scale _____
- 19. Names and addresses of
 - 1. Landowner _____
 - 2. Developer _____
 - 3. Corporate Officers and major shareholders _____
 - 4. Adjoining Property Owners _____

Please note: WORDAGE OF THE ORDINANCE GOVERNS

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
20. Names, addresses, signatures, and seals of licensed Engineer and licensed surveyor	_____	_____
21. Owners Statement of Intent	_____	_____
22. Review signature block for Township Planning Commission	_____	_____
23. Review signature block for County Planning Commission	_____	_____
24. Approval signature block for Township Supervisors	_____	_____
25. Plan date and all subsequent revision dates	_____	_____
26. Existing and proposed contour lines at vertical intervals of two (2) feet or at such lesser interval as may be necessary for satisfactory study and planning of the tract; source datum	_____	_____
27. Steep Slopes (slopes greater than 25%) shown	_____	_____
28. Permanent and seasonal high water table areas	_____	_____
29. Watercourses, lakes, ponds, flood-prone areas and wetlands	_____	_____
30. One hundred (100) year flood plain shown	_____	_____
31. Wetlands statement	_____	_____
32. Rock outcrops, and other significant topographical features	_____	_____
33. Existing sanitary sewer lines, storm sewers, culverts, water lines, electric and other utility lines	_____	_____
34. Existing well locations	_____	_____
35. Existing on-lot septic system including drain field	_____	_____
36. Existing utility easements and restrictive covenants for purposes which could affect development	_____	_____
37. Historic sites and existing structures on the site	_____	_____
38. Existing lot layout on the site	_____	_____
39. Bearings, line lengths, radii, arc lengths, street widths, ROW and easement widths of all lots, streets, ROW easements and public areas, to accurately reproduce each on the ground	_____	_____
40. Total acreage of proposed site	_____	_____
41. Lot numbers and total number of proposed lots	_____	_____
42. Dimensions including width, depth, and area of existing & proposed lots	_____	_____
43. Proposed ROW's, cartways, curb lines, horizontal curve data and centerlines	_____	_____
44. Typical cross section for all proposed streets	_____	_____
45. Tentative grades of all proposed street, either labeled on the plan or shown on street profiles	_____	_____

Please note: WORDAGE OF THE ORDINANCE GOVERNS

Please indicate by a check () what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
46. Proposed street layout with clear site triangles and street sign locations shown	_____	_____
47. Details of all intersections of proposed roads with proposed or existing public roadways including grade and leveling areas	_____	_____
48. Proposed Open Space and recreation areas delineated	_____	_____
49. Areas proposed for dedication to Township delineated	_____	_____
50. Proposed well locations	_____	_____
51. Percolation test hole locations of proposed primary and secondary on-lot septic system drain fields	_____	_____
52. Location, size, materials, details and specifications for all proposed water, sanitary sewer and storm drainage features	_____	_____
53. Proposed parking area locations and details	_____	_____
54. Boundaries of all adjoining properties with names of current landowners, tax numbers, Deed Book volume and page numbers	_____	_____
55. Boundary lines of the area being subdivided	_____	_____
56. Location and type of all existing and proposed monuments & pins	_____	_____
57. Deed Book volume and page number, as entered by the Recorder of Deeds Office, showing the most recent Source of title to the land being subdivided	_____	_____
58. Tax map sheet, block and number for the tract being subdivided	_____	_____
59. Location map at a suitable scale showing the relationship of the site to adjoining properties and roads within one-thousand (1000) feet, and municipal boundaries, and zoning districts within one-thousand (1000) feet	_____	_____
60. Proposed easements, restrictive covenants or deed restrictions	_____	_____
61. Locations of proposed stormwater drainage facilities or structures	_____	_____
62. Development phase details and schedule as required	_____	_____
63. Zoning classifications	_____	_____
64. Set-back line requirements	_____	_____
65. Lot size requirement	_____	_____
66. Yard size requirements	_____	_____
67. Delineation of various soil types with Soil Conservation Service definitions and Department of Environmental Protection classifications for all soil types present	_____	_____
68. All preliminary plan requirements	_____	_____
69. Street lighting locations and details of lighting	_____	_____

Please note: WORDAGE OF THE ORDINANCE GOVERNS

Please indicate by a check (√) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
70. Fire hydrant locations and details	_____	_____
71. Certification of Public Water Supply System	_____	_____
72. Stormwater Management Plan, if applicable	_____	_____
73. Stormwater Maintenance Agreement	_____	_____
74. Soil Erosion & Sedimentation Control Plan	_____	_____
75. All required permits	_____	_____
76. Development Agreement, when installation of improvements are required	_____	_____
77. Delivery of Performance Bond to Township	_____	_____
78. Construction Schedule	_____	_____
79. Evidence of Developer's Public Liability Insurance Coverage	_____	_____
80. Inspection Schedule for inspection of Improvements	_____	_____
81. Maintenance Guarantee for improvements dedicated to Township	_____	_____
82. Non-dedicated Streets Agreement	_____	_____
83. Non-dedicated Open Space and Recreation Area Agreement	_____	_____
84. Deed of Dedication of Improvements with accompanying plans	_____	_____
85. Non-dedicated Stormwater Drainage Facility Maintenance Agreement	_____	_____

SUPPORTING DOCUMENTS

86. Any waiver requests; approved info to appear on plan	_____	_____
87. Approved Sewage Planning Module	_____	_____
88. Current Deed of Tract being subdivided	_____	_____
89. Proposed Easements and Deed Restrictions	_____	_____
90. Review letter from Soil Conservation District	_____	_____
91. Review letters from all affected Utility Companies	_____	_____
92. Review letter from Plan Administrator, Combined Watersheds Stormwater Management Plan	_____	_____

All requests for modifications shall be in writing and shall accompany and be a part of the application for development as detailed in the Ordinance.

Wordage of Ordinance governs.

Applicant:

Name: _____ Date: _____

Address: _____ Phone: _____

Signature: _____

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SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

EAST PENN TOWNSHIP, CARBON COUNTY, PENNSYLVANIA

An Ordinance of the Board of the Township Supervisors of East Penn Township ordained and adopted at their meeting held April 7, 1997.

An Ordinance regulating and controlling the subdivision and development of land and the approval of plans, plots, or re-plots of lands laid out in the building lots within East Penn Township, Carbon County, Pennsylvania, providing standards for the design of streets, lots, easements, blocks, and other improvements requiring certain minimum improvements on all streets and required dedications, specifying certain construction standards, providing for the administration of this Ordinance by the East Penn Township Planning Commission and setting forth penalties for the violation of this Ordinance.

BE IT ORDAINED AND ENACTED BY THE BOARD OF TOWNSHIP SUPERVISORS OF EAST PENN TOWNSHIP, CARBON COUNTY, PENNSYLVANIA:

FOR OFFICE USE ONLY
FILE NUMBER:

EAST PENN TOWNSHIP, CARBON COUNTY
167 Municipal Road
Lehighton, PA 18235
(717) 386-5735/FAX: (717) 386-4869

APPLICATION FOR CLASSIFICATION AND APPROVAL OF SUBDIVISION OR LAND
DEVELOPMENT PLANS

APPLICATION FOR SUBDIVISION:

Indicate by a check (✓)

New

Resubmission

Preliminary Plan

Final Plan

Date of Application _____, 20 ____

Subdivision or Development Name _____

Location _____

Owner's Name _____ Telephone No. _____

Owner's Address _____

Applicant's Name _____ Telephone No. _____

Applicant's Address _____

Engineer's Name _____ Telephone No. _____

Engineer's Address _____

Surveyor's Name _____ Telephone No. _____

Surveyor's Address _____

PLOT DATA:

Zoning Classification _____ Total Acreage _____ No. of Proposed Lots _____

Minimum Lot Size _____ Tax Map Sheet, Block and Lot Number(s) _____

INTENT OF APPLICANT:

Sell Lots Only _____ Build Residences for Sale _____

Specify Other _____

PLOT INFORMATION AND IMPROVEMENTS:

Maximum Acreage that will have its Original Vegetative Ground Cover Disturbed:

0 - 5 Acres _____ 5 - 25 Acres _____ More than 25 Acres _____

APPROVAL AND REVIEW DRAWING BLOCKS

REVIEWED BY THE CARBON COUNTY PLANNING COMMISSION

County Planning Commission Chairman

Date

REVIEWED BY THE EAST PENN TOWNSHIP PLANNING COMMISSION

Chairman

Secretary

Date

APPROVED BY THE EAST PENN TOWNSHIP BOARD OF SUPERVISORS

Chairman

Secretary

Date

REVIEWED BY THE EAST PENN TOWNSHIP SEWAGE ENFORCEMENT OFFICER

Township SEO

Date

WETLAND STATEMENT FOR ALL SUBMITTED PLANS

“By approval of this Plan, East Penn Township has neither determined nor denied the existence of any wetland areas whether or not they are delineated on the Plan. Any encroachment on said wetlands for any reason whatsoever shall be the sole responsibility of the subdivider and/or developer, his heirs and assigns and shall be subject to the jurisdiction of the Corps of Engineers and/or the Pennsylvania Department of Environmental Protection. Any encroachment upon wetlands shall conform to the rules and regulations of the appropriate government agencies.”

DISCLAIMER STATEMENTS

The Township does not guarantee that any onlot sewer permit can be issued for any of the lots in the Subdivision.

The Township does not guarantee that any well water that may be needed to support the development of the land is available in either adequate quantity or quality.

Notice that future owners must maintain any planned drainage swale, detention basin, stormwater management facilities, etc.

STATEMENTS OF REGISTERED ENGINEER, REGISTERED SURVEYOR, AND
OWNER

Engineer's Statement

I, _____, a registered engineer of the Commonwealth of Pennsylvania, do hereby certify that the above Plan or Plat to be correct in all its detail and that the requirements of the Subdivision and Land Development Ordinance of East Penn Township have been fully complied with.

Registered Engineers' Signature
Registered Engineers' Address

Surveyor's Statement

I, _____, a registered surveyor in the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from field survey, correctly represents the proposed lots as surveyed by me for the owners.

Registered Surveyors' Signature
Registered Surveyors' Address

OWNER'S STATEMENT

We, the owners of this tract of land being duly sworn according to law, depose and say we are the sole owners of this property in peaceful possession of it and that there are no suits pending affecting the title of same property, hereby dedicate to East Penn Township for public use all the road rights-of-way, utility easements and rights-of-way of public improvements such as sewer lines and storm water conveyance and storm water management facilities as shown on this Subdivision Plan. We do further depose and say that we have complied with all requirements and provisions of the East Penn Township Subdivision and Land Development Ordinance and shall save the Township harmless and indemnify East Penn Township against any liability or loss resulting from the subdivision of this tract for whatever reason present and future.

OWNER'S SIGNATURE

OWNER'S SIGNATURE

OWNER'S SIGNATURE

OWNER'S SIGNATURE

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

NOTARY PUBLIC

SEAL

MINOR SUBDIVISION CHECKLIST

FINAL PLAN

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
<u>GENERAL SUBMISSION ITEMS</u>		
1. Original Copy of Completed Subdivision Application Form	_____	_____
2. Copy of Final Plan Checklist	_____	_____
3. Six (6) copies of the Final Plan	_____	_____
4. Six (6) copies of Supporting Documents	_____	_____
5. Review letter from Pennsylvania Department of Transportation and Highway Occupancy Permit	_____	_____
6. The Required Fees	_____	_____

SPECIFIC PLAN REQUIREMENTS

7. Plan drawings at a size of 24" x 36"	_____	_____
8. Drawing scale set to 1" = 50 feet or 1" = 100 feet	_____	_____
9. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes, and seconds	_____	_____
10. Drawing sheets numbered and relationship of each sheet to total number of sheets shown	_____	_____
11. A detailed legend indicating clearly which features are existing and which are proposed	_____	_____
12. Revisions clearly indicated, if the Plan has been revised, revision number shown	_____	_____
13. A boundary line clearly shown and shown as a heavy line	_____	_____

GENERAL INFORMATION

14. Name and location of subdivision	_____	_____
15. Names and addresses of		
• Landowner	_____	_____
• Developer	_____	_____
• Corporate Officers, and major shareholders	_____	_____
• Adjoining property owners	_____	_____
16. Owners Statement of Intent	_____	_____
17. Names, addresses, signatures, and seals of licensed Engineer, and licensed surveyor	_____	_____
18. Approval signature block for Township Planning Commission	_____	_____
19. Review signature block for County Planning Commission	_____	_____
20. Approval signature block for Township Supervisors	_____	_____
21. Location Map at a suitable scale showing the relationship of the site to adjoining properties and roads within one- thousand (1000) feet, and municipal boundaries, and zoning districts within one-thousand (1000) feet	_____	_____

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
22. North Arrow	_____	_____
23. Graphic Scale	_____	_____
24. Boundaries of all adjoining properties with names of landowners, tax numbers, Deed Book volume, and page numbers	_____	_____
25. Plan date and all subsequent revision dates	_____	_____
26. Deed Book volume and page number, as entered by the Recorder of Deeds Office, showing the most recent source of title to the land being subdivided	_____	_____
27. Tax map sheet, block and number for the tract being subdivided	_____	_____
28. Contour lines as required	_____	_____
29. Permanent and seasonal high water table areas	_____	_____
30. Watercourses, lakes, ponds, flood-prone areas and wetlands	_____	_____
31. Delineation of various soil types with Soil Conservation Service definitions and Department of Environmental Protection classifications for all soil types present	_____	_____
32. Rock outcrops, and other significant topographical features	_____	_____
33. Boundary lines of the area being subdivided	_____	_____
34. Location and type of all existing monuments	_____	_____
35. Bearings, line lengths, radii, arc lengths, street widths, R-O-W and easement widths of all lots, streets, R-O-W, easements and public areas, to accurately reproduce each on the ground	_____	_____
36. Existing lot layout on the site	_____	_____
37. Historic sites, and existing structures on the site	_____	_____
38. Existing sanitary sewer lines, storm sewers, culvers, water lines, electric and other utility lines	_____	_____
39. Existing well locations	_____	_____
40. Existing on-lot septic system including drain field	_____	_____
41. Existing utility easements and restrictive covenants for purposes which could affect development	_____	_____
42. Zoning classifications	_____	_____
43. Set-Back line requirements	_____	_____
44. Lot size requirements	_____	_____
45. Yard size requirements	_____	_____
46. Total acreage of proposed site	_____	_____
47. Lot numbers and total number of proposed lots	_____	_____
48. Dimensions including width, depth, and area of proposed lots	_____	_____
49. Proposed R-O-W's	_____	_____
50. Proposed easements and restrictive covenants	_____	_____
51. Areas proposed for dedication to Township delineated	_____	_____
52. Proposed Open Space and recreation areas delineated	_____	_____
53. Proposed well locations	_____	_____
54. Proposed primary and secondary on-lot septic system drain fields	_____	_____

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

55. Soil probe locations of proposed on-lot septic system
primary and secondary drain fields _____

56. Percolation test hole locations of proposed primary and
secondary on-lot septic system drain fields _____

57. Locations of proposed stormwater drainage facilities or
structures _____

58. Proposed Deed Restrictions _____

SUPPORTING DOCUMENTS

59. Sewage Planning Module _____

60. Current Deed of Tract being subdivided _____

Applicant

Name: _____

Address: _____

Phone: _____

Signature: _____

Date: _____

MAJOR SUBDIVISION CHECKLIST

FINAL PLAN

(Refer to Paragraph 5.200)

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
1. Copy of Completed Subdivision Application Form	_____	_____
2. Copy of Final Plan Checklist	_____	_____
3. An original mylar and six (6) copies of the Final Plan	_____	_____
4. Six (6) copies of Supporting Documents	_____	_____
5. Review letter from Pennsylvania Department of Transportation (if applicable)	_____	_____
6. Review letter from Soil Conservation District	_____	_____
7. Review letters from all affected Utility Companies	_____	_____
8. Review letter from Plan Administrator, Combined Watersheds Stormwater Management Plan	_____	_____
9. Review letter from County Planning Commission	_____	_____
10. The Required Fees	_____	_____
11. Plan drawings at a size of 24" x 36"	_____	_____
12. Drawing scale set to 1" = 50 feet or 1" = 100 feet	_____	_____
13. Drawing scale for profile drawings: 5 ft. per inch or 10 ft. per inch for horizontal scale of 1 inch = 100 ft.	_____	_____
14. Dimensions in feet and decimal part thereof and bearings in degrees, minutes, and seconds	_____	_____
15. Drawing sheets numbered and relationship of each sheet to total number of sheets shown	_____	_____
16. A detailed legend indicating clearly which features are existing and which are proposed	_____	_____
17. Revisions clearly indicated, if the Plan has been revised, revision number and revision date shown	_____	_____
18. A boundary line clearly shown and shown as a heavy line	_____	_____
19. Name and location of subdivision	_____	_____
20. Each drawing sheet has a sheet title, dated, and shown as "Final Plan"	_____	_____
21. Names and addresses of		
• Landowner		
• Developer		
• Corporate Officers, and major shareholders		
• Adjoining property owners	_____	_____
22. Owners Statement of Intent	_____	_____
23. Names, addresses, signatures, and seals of licensed engineer, and licensed surveyor	_____	_____
24. Approval signature block for Township Planning Commission	_____	_____
25. Review signature block for County Planning Commission	_____	_____
26. Approval signature block for Township Supervisors	_____	_____
27. Location Map at a suitable scale showing the relationship of the site to adjoining properties and roads within one- thousand (1000) feet, and municipal boundaries, and zoning districts within one-thousand (1000) feet	_____	_____
28. Location and type of existing monuments and pins	_____	_____

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
29. North Arrow	_____	_____
30. Graphic Scale	_____	_____
31. Boundaries of all adjoining properties with names of landowners, tax numbers, Deed Book Volume, and page numbers	_____	_____
32. Tax map sheet, block and number for the tract being subdivided	_____	_____
33. Existing and proposed contour lines at vertical intervals of five (5) feet or at such lesser interval as may be necessary for satisfactory study and planning of the tract.	_____	_____
34. Steep slopes (slopes greater than 25%) shown	_____	_____
35. Permanent and seasonal high water table areas	_____	_____
36. Watercourses, lakes, ponds, flood-prone areas and wetlands	_____	_____
37. One hundred (100) year flood plain shown	_____	_____
38. Wetlands statement	_____	_____
39. Delineation of various soil types with Soil Conservation Service definitions and Department of Environmental Protection classifications for all soil types present	_____	_____
40. Rock outcrops, and other significant topographical features	_____	_____
41. Boundary lines of the area being subdivided	_____	_____
42. Bearings, line lengths, radii, arc lengths, street widths, R-O-W and easement widths of all lots, streets, R-O-W, easements and public areas, to accurately reproduce each on the ground	_____	_____
43. Existing lot layout on the site	_____	_____
44. Historic sites, and existing structures on the site	_____	_____
45. Existing sanitary sewer lines, storm sewers, culverts, water lines, bridges, electric and other utility lines	_____	_____
46. Existing well locations	_____	_____
47. Existing on-lot septic system including drain field	_____	_____
48. Existing utility easements and restrictive covenants for purposes which could affect development	_____	_____
49. Zoning classifications	_____	_____
50. Set-Back requirements from lot lines	_____	_____
51. Lot size requirements	_____	_____
52. Yard size requirements	_____	_____
53. Total acreage of proposed site	_____	_____
54. Lot numbers and total number of proposed lots	_____	_____
55. Dimensions including width, depth, and area of proposed lots	_____	_____
56. Proposed street layout with clear site triangles, and street sign locations shown	_____	_____
57. Proposed parking area locations and details	_____	_____
58. Proposed roadway R-O-W's, cartways, curb lines, Horizontal curve data, and centerlines	_____	_____
59. Details of all intersections of proposed roads with proposed or existing public roadways including grade, and leveling areas	_____	_____

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
60. Location and type of proposed monuments, and markers	_____	_____
61. Proposed easements and restrictive covenants	_____	_____
62. Areas proposed for dedication to Township shown	_____	_____
63. Proposed Open Space and recreation areas shown	_____	_____
64. Proposed well locations	_____	_____
65. Proposed dwelling locations	_____	_____
66. Proposed sidewalk locations	_____	_____
67. Proposed primary and secondary on-lot septic system drain fields	_____	_____
68. Soil probe locations of proposed on-lot septic system primary and secondary drain fields	_____	_____
69. Percolation test hole locations of proposed primary and secondary on-lot septic system drain fields	_____	_____
70. Line size and station location corresponding to profile of any proposed centralized sanitary sewers	_____	_____
71. Profiles of existing ground surface with elevations at top of manholes or inlets of proposed sanitary sewer lines	_____	_____
72. Location of proposed sanitary sewer manholes with inverts of inlet and outlet lines	_____	_____
73. Location of proposed centralized sanitary sewer laterals	_____	_____
74. Location and size of proposed centralized water system lines	_____	_____
75. Description of proposed centralized water source	_____	_____
76. Relationship of proposed and existing sanitary sewer, water, gas, electric and all other utility lines shown in cross-section, and layout	_____	_____
77. Limits of earth disturbance shown	_____	_____
78. Temporary earth, fill, or rock storage piles shown	_____	_____
79. Road profiles showing proposed and existing ground surfaces at road centerlines, vertical curve data, minimum sight distances, grades and elevations	_____	_____
80. Locations and descriptions of proposed stormwater drainage piping, culverts (including invert, cover & slope), swales manholes, or other road drainage structures	_____	_____
81. Profile of stormwater drainage piping showing type, and size of pipe, manhole and inlet locations, and grade at top of each inlet structure	_____	_____
82. Details of drainage easements shown where required	_____	_____
83. Typical roadway cross-section details	_____	_____
84. Pipe bedding details and trench fill details	_____	_____
85. Drainage swale cross-section details	_____	_____
86. Stormwater drainage and control structure details	_____	_____
87. Centralized potable water supply system details	_____	_____
88. Sanitary sewer structures, and equipment details	_____	_____
89. Curb, and sidewalk details	_____	_____
90. Dimensions and areas of all lots	_____	_____
91. Street lighting locations, and details of lighting	_____	_____
92. Fire hydrant locations and details	_____	_____

SUPPORTING DOCUMENTS

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
93. Applicable DEP <u>Approved</u> Sewage Planning Module	_____	_____
94. Current Deed of Tract being subdivided	_____	_____
95. Deed restrictions or covenants existing or to be imposed as a condition of sale	_____	_____
96. Certification of Public Water Supply System	_____	_____
97. Stormwater Drainage Management Plan including Calculations with statement from engineer(s) preparing study that said engineer has been to site and conducted visual inspection	_____	_____
98. Soil Erosion and Sedimentation Control Plan	_____	_____
99. All required permits (examples of such permits follow but are not limited to this list:)		
On-lot Sewage Disposal	_____	_____
Public Water Supply Systems	_____	_____
Water Quality Management (Part 1, and Part 2)	_____	_____
Sewer Extension	_____	_____
Water Obstruction and Encroachment	_____	_____
NPDES	_____	_____
Dam Safety	_____	_____
Highway Occupancy Permit	_____	_____
Bridge	_____	_____
Other	_____	_____
Other	_____	_____
100. Development Agreement (when installation of Improvements are required)	_____	_____
101. Delivery of Performance Bond to Township	_____	_____
102. Construction Schedule	_____	_____
103. Evidence of Developer's Public Liability Insurance Coverage	_____	_____
104. Inspection Schedule (for inspection of improvements)	_____	_____
105. Maintenance Guarantee (for improvements dedicated to Township)	_____	_____
106. Non-dedicated Streets Agreement	_____	_____
107. Non-dedicated Open Space and Recreation Areas Agreement	_____	_____
108. Deed of Dedication of Improvements with accompanying plans	_____	_____
109. Non-dedicated Stormwater Drainage Facility Maintenance Agreement	_____	_____

Applicant
Name: _____

Address: _____

Phone: _____

Signature: _____

Date: _____

MAJOR SUBDIVISION CHECKLIST

PRELIMINARY PLAN

(Refer to Paragraph 5.100)

Please indicate by a check (√) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
1. Original Copy of Completed Subdivision Application Form	_____	_____
2. Copy of Preliminary Plan Checklist	_____	_____
3. Six (6) copies of the Preliminary Plan	_____	_____
4. Six (6) copies of Supporting Documents	_____	_____
5. Review letter from Pennsylvania Department of Transportation (if applicable)	_____	_____
6. Review letter from Soil Conservation District	_____	_____
7. Review letters from all affected Utility Companies	_____	_____
8. Review letter from Plan Administrator, Combined Watersheds Stormwater Management Plan	_____	_____
9. The Required Fees	_____	_____
10. Plan drawings at a size of 24" x 36"	_____	_____
11. Drawing scale set to 1" = 50 feet or 1" = 100 feet	_____	_____
12. Drawing scale for profile drawings: 5 ft. per inch or 10 ft. per inch for horizontal scale of 1 inch = 100 ft.	_____	_____
13. Dimensions in feet and decimal part thereof and bearings in degrees, minutes, and seconds	_____	_____
14. Drawing sheets numbered and relations of each sheet to total number of sheets shown	_____	_____
15. A detailed legend indicating clearly which features are existing and which are proposed	_____	_____
16. Revisions clearly indicated, if the Plan has been revised, revision number revision date shown	_____	_____
17. A boundary line clearly shown and shown as a heavy line	_____	_____
18. Name and location of subdivision	_____	_____
19. Each drawing sheet has a sheet title, dated, and shown as "Preliminary Plan"	_____	_____
20. Names and addresses of		
• Landowner	_____	_____
• Developer	_____	_____
• Corporate Officers, and major shareholders	_____	_____
• Adjoining property owners	_____	_____
21. Owners Statement of Intent	_____	_____
22. Names, addresses, signatures, and seals of licensed engineer, and licensed surveyor	_____	_____
23. Approval signature block for Township Planning Commission	_____	_____
24. Review signature block for County Planning Commission	_____	_____
25. Approval signature block for Township Supervisors	_____	_____
26. Location Map at a suitable scale showing the relationship of the site to adjoining properties and roads within one- thousand (1000) feet, and municipal boundaries, and zoning districts within one-thousand (1000) feet	_____	_____
27. Location and type of existing monuments and pins	_____	_____
28. North Arrow	_____	_____
29. Graphic Scale	_____	_____

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
30. Boundaries of all adjoining properties with names of landowners, tax numbers, Deed Book volume, and page numbers	_____	_____
31. Deed Book volume and page number, as entered by the Recorder of Deeds Office, showing the most recent source of title to the land being subdivided	_____	_____
32. Tax map sheet, block and number for the tract being subdivided	_____	_____
33. Existing and proposed contour lines at vertical intervals of five (5) feet or at such lesser interval as may be necessary for satisfactory study and planning of the tract.	_____	_____
34. Steep slopes (slopes greater than 25%) shown	_____	_____
35. Permanent and seasonal high water table areas	_____	_____
36. Watercourses, lakes, ponds, flood-prone areas and wetlands	_____	_____
37. One hundred (100) year flood plain shown	_____	_____
38. Wetlands statement	_____	_____
39. Delineation of various soil types with Soil Conservation Service definitions and Department of Environmental Protection classifications for all soil types present	_____	_____
40. Rock outcrops, and other significant topographical Features	_____	_____
41. Boundary lines of the area being subdivided	_____	_____
42. Bearings, line lengths, radii, arc lengths, street widths, R-O-W and easement widths of all lots, streets, R-O-W, easements and public areas, to accurately reproduce each on the ground	_____	_____
43. Existing lot layout on the site	_____	_____
44. Historic sites, and existing structures on the site	_____	_____
45. Existing sanitary sewer lines, storm sewers, culverts water lines, bridges, electric and other utility lines	_____	_____
46. Existing well locations	_____	_____
47. Existing on-lot septic system including drain field	_____	_____
48. Existing utility easements and restrictive covenants for purposes which could affect development	_____	_____
49. Zoning classifications	_____	_____
50. Set-Back requirements from lot lines	_____	_____
51. Lot size requirements	_____	_____
52. Yard size requirements	_____	_____
53. Total acreage of proposed site	_____	_____
54. Lot numbers and total number of proposed lots	_____	_____
55. Dimensions including width, depth, and area of proposed lots	_____	_____
56. Proposed street layout with clear site triangles, and street sign locations shown	_____	_____
57. Proposed parking area locations and details	_____	_____
58. Proposed roadway R-O-W's, cartways, curb lines, horizontal curve data, and centerlines	_____	_____
59. Details of all intersections of proposed roads with proposed or existing public roadways including grade, and leveling areas	_____	_____

Please indicate by a check (✓) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
60. Location and type of proposed monuments, and markers	_____	_____
61. Proposed easements and restrictive covenants	_____	_____
62. Areas proposed for dedication to Township shown	_____	_____
63. Proposed Open Space and recreation areas shown	_____	_____
64. Proposed well location	_____	_____
65. Proposed dwelling location	_____	_____
66. Proposed sidewalk locations	_____	_____
67. Proposed primary and secondary on-lot septic system drain fields	_____	_____
68. Soil probe locations of proposed on-lot septic system primary and secondary drain fields	_____	_____
69. Percolation test hole locations of proposed primary and secondary on-lot septic system drain fields	_____	_____
70. Line size and station location corresponding to profile of any proposed centralized sanitary sewers	_____	_____
71. Profiles of existing ground surface with elevations at top of manholes or inlets of proposed sanitary sewer lines	_____	_____
72. Location of proposed sanitary sewer manholes with inverts of inlet and outlet lines	_____	_____
73. Location of proposed centralized sanitary sewer laterals	_____	_____
74. Location and size of proposed centralized water system lines	_____	_____
75. Description of proposed centralized water source	_____	_____
76. Relationship of proposed and existing sanitary sewer, water, gas, electric and all other utility lines shown in cross-section, and layout	_____	_____
77. Limits of earth disturbance shown	_____	_____
78. Temporary earth, fill or rock storage piles shown	_____	_____
79. Road profiles showing proposed and existing ground surfaces at road centerlines, vertical curve data, minimum sight distances, grades, and elevations	_____	_____
80. Locations and descriptions of proposed stormwater drainage piping, culverts (including invert, cover & slope), swales, manholes, or other road drainage structures	_____	_____
81. Profile of stormwater drainage piping showing type, and size of pipe, manhole and inlet locations, and grade at top of each inlet structure	_____	_____
82. Details of drainage easements shown where required	_____	_____
83. Typical roadway cross-section details	_____	_____
84. Pipe bedding details, and trench fill details	_____	_____
85. Drainage swale cross-section details	_____	_____
86. Stormwater drainage and control structure details	_____	_____
87. Centralized potable water supply system details	_____	_____
88. Sanitary sewer structure, and equipment details	_____	_____
89. Curb, and sidewalk details	_____	_____
90. Dimensions and areas of all lots	_____	_____
91. Street lighting locations, and details of lighting	_____	_____
92. Fire Hydrant locations and details	_____	_____

SUPPORTING DOCUMENTS

Please indicate by a check (√) what has been included with the Plan Submission. Enter "NA" if not applicable.

	<u>Included</u>	<u>Not Included</u>
93. Applicable DEP Sewage Planning Module	_____	_____
94. Current Deed of Tract being subdivided	_____	_____
95. Certification of Public Water Supply System	_____	_____
96. Stormwater Drainage Management Plan including Calculations with statement from engineer(s) preparing study that said engineer has been to site and conducted visual inspection	_____	_____
97. Highway Occupancy Permit (if applicable)	_____	_____
98. Deed restrictions or covenants existing or to be imposed as a condition of sale	_____	_____
99. Soil Erosion and Sedimentation Control Plan	_____	_____

Applicant

Name: _____

Address: _____

Phone: _____

Signature: _____

Date: _____