

**Township of Bloomfield**  
**Crawford County, Pennsylvania**  
**Ordinance No. 2-3-15:**

AN ORDINANCE REPEALING THE EXISTING "BLOOMFIELD TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE," AS AMENDED, AND ADDING THE "SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF BLOOMFIELD TOWNSHIP," FURTHER PROVIDING FOR THE REGULATION OF SUBDIVISIONS AND LAND DEVELOPMENTS WITHIN BLOOMFIELD TOWNSHIP.

Township of Bloomfield  
22978 Shreve Ridge Road  
Union City, PA 16438  
(814) 694-2611

Board of Supervisors:

Mr. Chris Brenner, Chair

Mr. Andy Mason, Vice-Chair

Mr. Dan Gourley, Roadmaster

Secretary:

Ms. Marge Robotzen

Solicitor:

Mr. Timothy Wachter, Esquire

Knox McLaughlin Gornall & Sennett, P.C.



**ORDINANCE NO. 2-3-2015**  
**Bloomfield Township**  
**Crawford County, Pennsylvania**

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**WHEREAS**, it is the finding of the Board of Supervisors of Bloomfield Township that the existing Bloomfield Township Subdivision and Land Development Ordinance requires comprehensive revisions to continue to promote, protect and preserve the general health, safety and welfare of the citizens of Bloomfield Township; and

**WHEREAS**, it is the finding of the Board of Supervisors of Bloomfield Township to be in the best interests of the citizens of Bloomfield Township to avoid piecemeal amendments of the existing Bloomfield Township Subdivision and Land Development Ordinance and to repeal the existing Ordinance *in toto* and replace it with the Subdivision and Land Development Ordinance of Bloomfield Township.

**NOW, THEREFORE**, pursuant to Article V of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, P.L. 805, *as amended*, the Board of Supervisors of Bloomfield Township, Crawford County, Pennsylvania, hereby enacts and ordains:

**Section 1:** The existing "Bloomfield Township Subdivision and Land Development Ordinance," *as amended*, is hereby repealed and the "Subdivision and Land Development Ordinance of Bloomfield Township," the full text of which is set forth in Appendix "A" attached to and made fully part of this Ordinance is hereby enacted.

**Section 2:** The repeal of the existing "Bloomfield Township Subdivision and Land Development Ordinance" shall not affect any acts done or liability incurred under, or any litigation pending or instituted to enforce the provisions of the existing "Bloomfield Township Subdivision and Land Development Ordinance."

**Section 3:** The provisions of this Ordinance, including Appendix "A" hereto, are severable. If any section, subsection, sentence, clause or other provision of this Ordinance, including Appendix "A" hereto, shall be held, for

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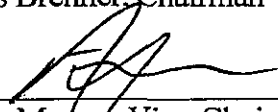
any reason, to be invalid or, to be unconstitutional or inapplicable to any person or circumstance, such decision or decisions shall not affect or impair the remaining provisions, or parts thereof, of this Ordinance, including Appendix "A" hereto. It is the intent of the Board of Supervisors that this Ordinance, including Appendix "A" hereto, would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

**Section 4:** This Ordinance, including Appendix "A" hereto, shall become effect five (5) days after enactment hereof.

ENACTED and ORDAINED this 3 day of February 2015

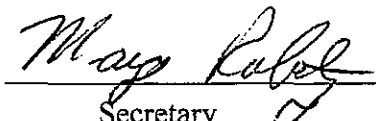
BOARD OF SUPERVISORS OF  
BLOOMFIELD TOWNSHIP  
CRAWFORD COUNTY,  
PENNSYLVANIA

  
Chris Brenner, Chairman

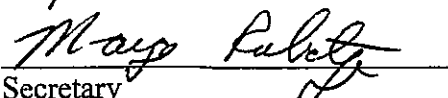
  
Andy Mason, Vice Chairman

  
Dan Gourley, Supervisors

ATTEST:

  
Secretary

I hereby certify that the foregoing Ordinance was advertised on Jan. 27, 2015 in the Titusville Herald, a newspaper of general circulation in the Municipality and was duly enacted and approved as set forth at a regular meeting of the Bloomfield Township Board of Supervisors held on Feb. 3, 2015

  
Secretary

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## **ARTICLE I. GENERAL PROVISIONS**

- 100 AUTHORITY.** Pursuant to, and subject to provisions of, the Pennsylvania Municipalities Planning Code, Act 247 of 1968, P.L. 805, as amended, the Board of Supervisors may enact a subdivision and land development ordinance regulating plats of land lying within the Township's boundaries.
- 101 PURPOSES.** This ordinance is adopted for the following purposes:
- 101.1** To protect and provide for the public health, safety and general welfare of Bloomfield Township;
  - 101.2** To assure that property boundaries created through the land subdivision and/or development process are accurately determined, marked on the land and established on a drawing which is available for public inspection;
  - 101.3** To encourage the efficient use of land and orderly, coordinated development throughout the Township, assuring that road systems are coordinated; that roads and their appurtenances are built to adequate standards and widths and that necessary easements or right-of-ways are provided for stormwater drainage, public utilities and other public improvements;
  - 101.4** To provide, where needed, open space areas in suitable locations to enable communities to attain adequate park and recreation grounds;
  - 101.5** To prevent subdivision and/or land development in flood hazard and unstable soils areas where such development would be vulnerable to the destructive effects of periodic flooding and subsidence;
  - 101.6** To encourage energy efficient land development techniques and reduce the municipality's dependence on nonrenewable fuels by encouraging alternative renewable energy sources;
  - 101.7** To protect, conserve and develop the natural resources of the Township by preventing pollution of waterways, ponds and lakes, by safeguarding the water table and by protecting natural, scenic, historic and archaeological sites;
  - 101.8** To assist in guiding the future growth and development of the Township in accordance with Township plans, including, but not limited to, the Bloomfield Township Comprehensive Plan.
- 102 TITLE.** These regulations shall be known, cited and referred to as the Subdivision and Land Development Ordinance of Bloomfield Township.

**103 JURISDICTION.**

**103.1** The Bloomfield Township Board of Supervisors shall be responsible for the administration of the provisions of this ordinance. No subdivision or land development of any lot, tract, or parcel of land shall be made, no street, sanitary sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use of travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance. Furthermore, no property shall be developed, no building shall be erected, and no site improvements shall be completed except in strict accordance with the provisions of this Ordinance as referenced in the Pennsylvania Municipal Planning Code, Act 247 of 1968, as amended.

**103.2** Pursuant to the provisions of the Pennsylvania Municipal Planning Code, Act 247 of 1968, as amended, all applications for subdivisions and land developments shall be forwarded upon receipt by the Township to the Crawford County Planning Commission for review and report. The Crawford County Planning Commission shall have 45 days in which to make its review and report from the date the application (which should include sufficient plan and narrative information explaining the subdivision) was forwarded to the Crawford County Planning Commission. The Township shall not approve subdivision applications until the County Planning Commission's report is received; providing, however, that after 45 days have elapsed since the date the application was received by the County Planning Commission and no review is provided by said Commission, the Township may proceed in its action. Note: In all cases except major subdivisions and land developments, the Crawford County Planning Commission staff may provide the review and report.

**104 RESERVED**

**105 INTERPRETATION, CONFLICT AND SEVERABILITY.**

**105.1** In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

**105.2 Conflict with Public and Private Provisions.**

105.2 (a) Public Provisions. These regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. Where any provision of this ordinance imposes restrictions different from those imposed by any other provision of this ordinance or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

105.2 (b) Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that

where the provisions of this ordinance are more restrictive or impose higher standards or regulation than such easement, covenant or other private agreement or restriction, the requirements of this ordinance shall govern provided that where the privately originated provisions, including, but not limited to, easements, covenants or private agreements, impose duties and obligations that are more restrictive than the requirements of this ordinance, and such private provisions are not inconsistent with his ordinance, then such private provisions shall be operative and supplemental to this ordinance.

**106 AMENDMENTS.** For the purpose of procuring the public health, safety and general welfare, the Board of Supervisors may from time to time amend the provisions imposed by this ordinance in the manner prescribed by law. Public hearings on all proposed amendments shall be held by the Township Supervisors in the manner prescribed by law.

**107 RESUBDIVISION OF LAND.** For any change in the plat of an approved or recorded subdivision, if such change affects any street layout shown on such plat or an area reserved thereon for public use, such change shall be considered for approval by the Township Supervisors under the same procedure, rules and regulations as for a subdivision. For any change in the plat or an approved and recorded subdivision wherein the change involves only a lot line(s) or where a land division involves a conveyance that will become part of the grantees existing land such transaction(s) may be considered and processed as Single-lot or Minor Subdivisions and handled by the Property Survey drawing as set forth in Section 301; or, where applicable, as provided in Section 109.4 of this ordinance.

**108 VACATION OF PLATS.**

**108.1** Any plat or part of any plat may be vacated by the owner of the premises at any time before the sale of any lot therein, by a written instrument, to which a copy of such plat shall be attached, declaring the same to be vacated. Such an instrument shall be approved by the Supervisors in like manner as plats of subdivisions and recorded and shall operate to destroy the force and effect of the plat so vacated and to divest all public rights in public uses, improvements, streets and alleys.

**108.2** When lots delineated on a recorded plat have been sold, the plat or portions thereof may be vacated in the manner herein established providing all the owners of lots judged by the Supervisors to be affected by the vacation join in the execution of such written instrument.

**109 MODIFICATION OF REQUIREMENTS.**

**109.1 General.** Where the Township Supervisors find that literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question a modification of the requirements may be approved so long as such modification is not

contrary to the public interest and that the purpose and intent of the ordinance is observed as referenced in the Pennsylvania Municipal Planning Code, Act 247 of 1968, as amended.

109.1 (a) Requests for modifications will be in writing, stating in full the grounds and facts of unreasonableness or hardship, the provision of the ordinance affected, and the minimum modification necessary.

109.1 (b) Requests for modifications will be referred to the Bloomfield Township Planning Commission and the Crawford County Planning Commission for advisory comments.

**109.2** Conditions. In approving modifications, the Supervisors may require such conditions as will, in their judgment, secure substantially the objectives, standards and requirements of this ordinance.

**109.3** Procedures. A petition for any modification shall be submitted in writing by the subdivider and/or land developer at the time when the Preliminary Plan is filed for consideration by the Township Supervisors. The petition shall state fully the grounds for the modification.

**109.4** Expanding Land Subdivision. For Single-lot and Minor Subdivisions involving a land conveyance that will expand (become a part of) the grantee's existing land and where the use of the Property Survey option (Section 301) is declined, the subdivider may comply with the provisions of this ordinance by accomplishing the following:

109.4 (a) Completion of a survey of the subject land; said survey shall be done by a registered professional land surveyor.

109.4 (b) Provision of one copy of the survey and/or a boundary description produced from the survey to the Township Supervisors.

109.4 (c) Completion of a "waiver form" supplied by the Township Supervisors whereby statements are signed and notarized. See Appendix V.

## **110 ENFORCEMENT REMEDIES.**

**110.1** Any person, partnership or corporation who or which has violated any provision of this ordinance, whether in part or in whole, shall upon being found liable thereof in a civil enforcement proceeding commenced by the Township or its authorized agent, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs including reasonable attorney's fees incurred by the Township as a result thereof.

**110.2** No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the Magisterial District Justice, who shall have first

jurisdiction in such proceedings.

**110.3** If the defendant neither pays nor timely appeals the judgment, then the Township of Bloomfield may enforce the judgment pursuant to the applicable rules of civil procedure.

**110.4** Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Justice, in determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.

**110.5** The Court of Common Pleas, upon petition, may grant an Order of Stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

**110.6** Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township of Bloomfield the right to commence an action for enforcement pursuant to this Section 110.

## ARTICLE II. GENERAL CLASSIFICATIONS, REQUIREMENTS & SPECIFICATIONS

**200 CLASSIFICATION OF SUBDIVISIONS AND LAND DEVELOPMENTS.** Each proposed subdivision and land development under the jurisdiction of this ordinance shall be classified under one of the following five categories:

**200.1 Single-Lot Subdivision.** A subdivision involving the creation of a single new lot from a larger parcel of land. In reality there are two lots resulting from the single division of a parcel, the newly created lot and the remainder of the original parcel. Note: the term "subdivision" is more fully defined in Section 901.62 of this ordinance. The classification of this land division, however, for the purposes of this ordinance shall be considered a single-lot subdivision.

**200.2 Minor Subdivision.** A subdivision containing ten lots or less and where,

200.2 (a) The lots front on existing public roads which are maintained by the Township or state governments, and there is no new road proposed; and

200.2 (b) There are no extensions of existing sanitary sewers, stormwater sewers or water system lines; and

200.2 (c) There is no land area reserved or dedicated to the public; and

200.2(d) There is no construction of other public improvements necessary or contemplated.

**200.3 Major Subdivision.** A subdivision containing eleven or more lots, or a subdivision requiring any one or more of the following:

200.3 (a) A new road; or

200.3 (b) An extension of sanitary sewers, stormwater sewers or water system lines; or

200.3 (c) The construction of other public improvements.

200.3 (d) All subdivisions not classified as a single-lot or minor subdivision shall be classified as a major subdivision.

**200.4 Land Development.** This venture is defined in Section 901.28. It is further described as a proposed venture characterized by the fact that the development site may remain in a single ownership (unsubdivided) or use areas leased to prospective users, i.e. a mobile home park, or may be controlled by a group of owners who each have fee simple, undivided interests in certain portions of the site but who act jointly through an owners'



association in order to maintain certain common areas such as roads, a water supply system or other improvements. Requirements and standards for land developments are established in Article VII of this ordinance.

**200.5 Cluster Development.** This venture is defined in Section 901.11. It is further described as a proposed venture controlled by one land owner or controlled by a group of owners acting jointly wherein dwellings without compliance with the regulations applicable to lot-by-lot development, i.e. bulk, density and use regulations and planned as an entity are therefore amendable to development and regulation as one complex land use unit. Requirements and standards for cluster developments are established in Article VIII of this ordinance. The cluster development as herein defined should be considered as a special type of land development.

**201 SUBDIVISION AND LAND DEVELOPMENT APPLICATION FEES.** The Board of Supervisors shall, by Resolution, establish a schedule of fees in order to defray the cost of administering this ordinance. The required fee shall accompany the initial plan submission for Single-Lot Subdivisions or the Preliminary Plan submission for all other applications. The required fee shall be held in escrow by the Township.

**201.1** A schedule of fees for minor subdivisions, major subdivisions, land development plans not involving subdivision, manufactured home park permits, requests for modifications, and petitions for amendments of this Ordinance shall be established by resolution of the Board of Bloomfield Township Supervisors, posted conspicuously in the Township Building, and subsequently amended only by action of the Board of Supervisors.

**201.2** Fees shall be set in accordance with the ordinary and customary charges by the Township's solicitor, engineer and/or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the solicitor, engineer and/or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

**201.3** In the event that the Township and the applicant cannot agree on the amount of fees which are reasonable and necessary, disputes shall be resolved in accordance with the provisions of the Pennsylvania Municipalities Planning Code (Act 247) as applicable.

**201.4** All plat or plan final approvals respecting any matter regulated in this ordinance, and all petitions or requests to act upon, shall be contingent upon all applicable fees having been paid in full.

**201.5** Subsequent to a decision on an application, the Board of Supervisors shall submit to the applicant an itemized bill or review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final

bill.

**202 COPIES AND TIMING APPLICABLE TO ALL SUBDIVISION & LAND DEVELOPMENT APPLICATIONS.** An original and three (3) copies of all submissions, including plans, plats, narrative statements and supporting exhibits, shall be provided by the applicant to the Board of Supervisors at the time of initial and all subsequent submissions respecting any matter regulated in this ordinance. If the proposed subdivision and/or land development is expected to be reviewed at the next meeting of the Board of Supervisors, then it shall be submitted to the Board of Supervisors no later than ten (10) business days prior to said meeting.

**203 SPECIFICATIONS APPLICABLE TO ALL SUBDIVISIONS AND LAND DEVELOPMENTS.** All subdivision and/or land development and plan submissions, whether for single-lot, minor subdivisions or major subdivisions, shall be accompanied by one copy of an information sheet, which includes a narrative of facts and explanations relative to the subdivision and land development. The information sheet shall contain the following minimum information:

**203.1** Name of the subdivision and/or land development;

**203.2** Name, address and telephone number of the property owner and/or his agent if one exists;

**203.3** Name, address and telephone number of the registered professional land surveyor handling the subdivision and/or land development and/or the landscape architect or architect if one has been retained for the project;

**203.4** Brief description of the location of the proposed subdivision and/or land development in order that it may be located on a property map of the Township;

**203.5** Number of lots in the subdivision and/or land development and the gross acreage; the area of any existing public road right-of-way shall not be included in the gross acreage figure.

**203.6** Type of development proposed, whether single family or multi-family residential, cluster development, mobile homes, commercial or industrial buildings, etc.

**203.7** General statements on how sanitary waste and stormwater will be handled, how potable water will be obtained, how electric power will be obtained, how any other utilities will be provided, and any other information pertinent to the review of the subdivision and/or land development applications;

**203.8** Zoning district applicable to the subdivision and/or land development;

**203.9** Additional facts on the area surrounding the subdivision and/or land development

including, but not limited to, road and other community facilities, zoning, existing uses of land, and size and condition of the upstream watershed and the characteristics of the downstream area which will receive the stormwater runoff; if this information is shown on a Sketch Plan submission, then it need not be entered on the information sheet, but the Sketch Plan should be referred to.

**204 PROCEDURAL REQUIREMENT FOR ALL APPROVED SUBDIVISIONS AND LAND DEVELOPMENTS.**

**204.1 Recording.** The Board of Supervisors' approval of the subdivision and/or land development plat and plan shall be noted by the signature affixed to the approval certificate set forth in Appendix I. In instances where the Final Plan is given a conditional approval, the subdivision and/or land development plan or plat shall not be signed until each condition has been satisfactorily met as ascertained by the Board. The plat, plan and any other documents associated therewith requiring recording shall be recorded in the County Recorder's Office within 90 days after the Board's final approval; otherwise, the Board's approval becomes void unless an extension of time is requested of, and granted, by the Board. The applicant shall be responsible for recording the plat and for providing to the Township Secretary a copy of the County Recorders' Receipt showing that the plat has been recorded.

**204.2 Assessment.** The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold and improvements installed.

## ARTICLE III. SINGLE-LOT SUBDIVISIONS

**300 SINGLE-LOT SUBDIVISION PLAN PROCESS.** Single-lot subdivisions shall be processed in one submission to the Supervisors, The subdivision shall be titled, Property Survey, and the owner's name and address shall be indicated following the title.

**301 PROPERTY SURVEY.** The property survey plat shall be prepared in accordance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Engineer, Land Surveyor and Geologist Registration Law," except that this requirement shall not preclude the preparation of a plat in accordance with the act of January 24, 1966 (1965 P.L. 1527, No. 535), known as the "Landscape Architects' Registration Law," when it is appropriate to prepare the plat using professional services as set forth in the definition of the "practice of landscape architecture" under section 2 of that act. The survey may be drawn in pencil or ink and shall be drawn on a sheet of paper at least 8½ by 14 inches in size. **The property survey, once approved, will be recorded with the property deed and will be recorded as a subdivision and entered into the subdivision plat book records in the Crawford County Recorder's Office.** The property survey shall include the following minimum information:

**301.1** The lengths and bearings of the boundary lines for the newly created lot and the remainder of the original parcel. Distances shall be measured at least to the nearest hundredth of a foot. Bearings shall be measured at least to the nearest 20 seconds. The error of field closure for exterior boundaries for the newly created lot and the remainder of the original parcel shall be no greater than one foot in five thousand feet, and all geometries of the final plat shall be balanced.

**301.2** All corner points shall be monumented including all points indicating a change in direction or a change in geometry. The nature of the monument shall be indicated. See Section 509.4 regarding survey monuments.

**301.3** The right-of-way width and designation of existing roads adjacent to the subdivided lot. Road right-of-way shall be shown as separate and independent of the subdivided lot.

**301.4** The distance(s) and bearings) to some described and readily locatable and permanent point outside of the subdivided lot, preferably a nearby road intersection, an original parcel corner point or a County, State or Federal Monument. Where said permanent point, outside of the subdivision, may be lost in future years, for example at the intersecting center lines of roads, "ties" to this point shall be determined and recorded on the property survey plat.

**301.5** The assessment parcel number of the parcel of land from which the lot has been subdivided; this number is available in the County Assessor's Office.

**301.6** The names of the owners for all lands adjacent to the lot being subdivided and the remainder of the original parcel.

**301.7** The location of existing easements, streams, bodies of water and other pertinent features on the lot being subdivided and the remainder of the original parcel; easements shall be explained.

**301.8** The explanation, location, width and dedication of proposed easements.

**301.9** Building setback line. The setback line shall be dimensioned and labeled.

**301.10** A north point; the scale of the drawing shall be noted and shown graphically.

**301.11** The area of the lot in square feet and/or acres.

**301.12** The following certificates (see Appendix I):

301.12 (a) Bloomfield Township Planning Commission's review,

301.12 (b) Crawford County Planning Commission's review,

301.12 (c) Board of Township Supervisor's approval,

301.12 (d) Registered professional land surveyor's statement.

**301.13** The following certificates where applicable (see Appendices I & II):

301.13 (a) Dedication Statement,

301.13 (b) Utility Easements including drainage easements,

301.13 (c) Other easements on the site,

301.13 (d) Covenant statements if any.

**301.14** Where an individual sanitary sewage system is proposed and the site suitability analysis has not been completed by the sewage enforcement officer and submitted to the Supervisors, or where, if submitted, the analysis concludes that the site is unsuitable for an individual sanitary sewage system, Statement 1 in Appendix III shall be entered on the plat.

**301.15** Where the lot(s) abut a state maintained road and a highway entrance permit(s) has not been obtained from the Pennsylvania Department of Transportation (PennDOT), the statement found in Appendix VI shall be entered on the plat.

**302 SINGLE-LOT SUBDIVISION APPLICATION REVIEW.** Applications for proposed single-lot subdivisions shall be reviewed in the following manner:

**302.1 Review by the Bloomfield Township Planning Commission.** The Township, upon receipt of the complete single-lot subdivision application, shall forward one copy of same to the Bloomfield Township Planning Commission for its review and comment. The Township Planning Commission shall provide its review within 45 days of its receipt of the application; this review should be provided in a lesser time whenever possible.

**302.2 Review by Crawford County Planning Commission.** The Township, upon receipt of the complete single-lot subdivision application, shall forward one copy of same to the Crawford County Planning Commission for its review and comment. The County Planning Commission shall have 45 days from the date it receives the single-lot subdivision application in which to make its comment(s). The Supervisors shall not give final approval to a subdivision until they receive the County Planning Commission's comments) or until the expiration of the 45 days, whichever occurs earliest. Note, however, the proposed single-lot subdivision may be given approval by the Township Planning Commission prior to receipt of the County Planning Commission's review in which case such approval may be conditioned on possible changes resulting from the County Planning Commission's comments.

**302.3 Other Process Requirement.**

**302.3(a)** The Supervisors shall render their decision on the single-lot subdivision application and communicate it to the applicant. The Supervisors' decision on the proposed single-lot subdivision shall be made no later than 90 days following the date the application was accepted as completely filed. Should the next regular meeting of the Board of Supervisors occur more than 30 days following the filing of the complete application, the said 90 day period shall be measured from the 30th day after the application was filed. The decision of the Supervisors shall be communicated to the applicant in writing, delivered either personally or mailed to the applicant's last known address, no later than 15 days following the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met, and shall, in each case, cite to the provisions of the statute or ordinance relied upon. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time stipulated and in the manner required, shall be deemed an approval of the application as presented, unless the applicant has agreed in writing to an extension of time or a change in the prescribed manner of presentation of the communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of the communication, shall be deemed an approval of the application.

**302.3(b)** From the time an application for approval of a single-lot subdivision is properly filed and while such application is pending approval or disapproval, no amendment of the zoning, subdivision or other governing ordinance shall affect the decision of such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing

ordinances as they stood at the time the application was filed. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a subdivision has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved single-lot subdivision in accordance with the terms of such approval within five years from such approval.

302.3(b)(i) The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired, provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.

302.3(c) In the case of a single-lot subdivision calling for the installation of improvements beyond the above-mentioned five year period, a schedule shall be filed by the applicant with the application delineating all deadlines.

302.3(c)(i) Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the governing body in its discretion.

302.3(d) Before acting on any application for single-lot subdivision approval, the Supervisors may hold a public meeting.

**303 ACTION ON SINGLE-LOT SUBDIVISION APPLICATION.** The Board of Supervisors shall review the single-lot subdivision application. In processing and rendering a decision on the proposed single-lot subdivision application, the Board of Supervisors may take one of the following actions:

**303.1** approve the application;

**303.2** approve the application conditional upon specified additions, corrections, collateral approvals and/or changes to be made or supplied in the application;

**303.3** table action on the application until additional information, corrections, collateral approvals and/or changes are made to the application; or

**303.4** disapprove the application if it finds that the application does not comply with the requirements of this ordinance or other applicable ordinances or, if, in its opinion, the single-lot subdivision plan would adversely affect the health, safety or the general welfare of the Township and serve to nullify the purposes of this ordinance as established in Section 101.

**304 CHANGES TO APPLICATION.** Where the applicant for a single-lot subdivision must make changes to the application, then three (3) copies of each corrected or altered exhibit in the application shall be submitted to the Board of Supervisors before final approval can be granted. The action taken by the Board of Supervisors shall be communicated to the applicant in writing and, where the application is disapproved, the defects in the application shall be specified.



## ARTICLE IV. MINOR AND MAJOR SUBDIVISIONS

**400 MINOR AND MAJOR SUBDIVISION REVIEW STAGES.** There are three stages in the subdivision review and approval process of proposed minor subdivisions and major subdivisions: Sketch Plan, Preliminary and the Final Plan stage.

**400.1** The Sketch Plan stage is never mandatory, but it is recommended for major subdivisions and/or land developments. The Preliminary and Final Plan Stages are required for all subdivisions and/or land developments, but may be combined as prescribed in the following sections.

**400.2** Proposed minor subdivisions and/or land developments shall require Preliminary Plan and Final Plan Stage approvals; however, the submission of these two stages may be combined and occur at the same time; the Preliminary and Final Plan approvals may be obtained at one time provided that all required information is submitted.

**400.3** Proposed major subdivisions and/or land developments shall require both Preliminary and Final Plan stage approvals. These approvals shall be obtained at separate meetings of the Board of Supervisors with a time interval of a minimum of one week intervening between meetings; normally the time interval will be longer.

### SKETCH PLAN STAGE

**401 SKETCH PLAN SUBMISSION.** It is normally desirable for an applicant to schedule a meeting in order to discuss his proposal with the Township Supervisors before a substantial amount of design and engineering time is invested in the subdivision and/or land development. At the Sketch Plan stage meeting, the applicant shall present a rough plan showing such items as the proposed layout of lots, roads (if any), provisions for required utility systems and proposals for any public improvements, such as park and recreation areas. The contents of a Sketch Plan submission shall include the following minimum information:

#### **401.1 *Sketch Plan Drawing***

**401.1 (a)** A scaled plat, which may be in freehand, showing the proposed layout of roads, lots and public improvements, i.e. park and recreation areas, schools, etc. Rough sketches of the proposed handling of community (as opposed to individual) sanitary sewer and water systems as well as stormwater management techniques should be provided. Existing conditions on and near the site shall be shown including but not limited to wooded areas, watercourses, easements, rights-of-way and utility systems.

**401.1 (b)** Topographic information represented by contour lines at an interval of 10 feet or less, U.S. Geological Survey maps may be used as the basis for this information.

401.1 (c) Elevations, cross sections and perspective drawings to the extent they may be useful in explaining the intent of the proposal.

401.1 (d) North arrow, scale indication and the date of preparation.

**401.2** Narrative Statements and/or Reports. To the extent the application information and the Sketch Plan drawing do not convey adequately the developer's intent, a narrative shall be submitted dealing with the elements of the proposal.

## **PRELIMINARY PLAN STAGE**

**402 PRELIMINARY PLAN SUBMISSION.** An application for approval of a Preliminary Plan shall include 3 copies of the preliminary plat and other support drawings and narrative statements as needed based on the specifications herein listed. The preliminary plat showing the land geometry shall be prepared by a registered professional land surveyor at a convenient scale but not at a scale greater than 1 inch to 100 feet and prepared in pen. The preliminary plat and other plan sheets shall be no larger than 36 inches by 42 inches; where more than one sheet is used, support drawings shall be suitably numbered and titled; these requirements also shall govern the engineering, construction and various supporting drawings included in the preliminary plat. Design, engineering, construction details and other necessary studies as are appropriate to the subdivision and land development may be prepared by a landscape architect or architect. It should be noted that the preliminary plat also may be used for the final subdivision plat and may be drawn on the drafting medium to be used for the final plat. The submission of the preliminary plat shall include the following minimum information:

**402.1** Proposed name of subdivision and/or land development, and the township and county in which it is located.

**402.2** The date, scale and north point indication.

**402.3** A small, scaled, location map showing the area of the proposed subdivision and/or land development in relation to surrounding roads and other significant features; this map shall be oriented on the plat in the same direction the subdivision and land development is oriented; provided, however, a location map shall not be required for single-lot and minor subdivisions.

**402.4** The road patterns and names of adjacent subdivisions and/or land developments, and the location and owners' names of adjacent parcels of unsubdivided land.

**402.5** Zoning of the proposed subdivision and/or land development, and adjacent lands in instances where it cannot be provided clearly in the application information sheet.

**402.6** Location, width (right-of-way and pavement) and type of construction of all existing roads, public and private, for the land to be subdivided and/or developed and for all lands within approximately 200 feet of the proposed subdivision and/or land

development. For this same area, all existing easements, sanitary sewers, storm sewers, water lines, railroads, utility right-of-way, parks, cemeteries, watercourses, drainage ditches, swamps, low areas subject to flooding as identified on Township flood hazard maps, permanent buildings, bridges and any other information pertinent to the evaluation of the proposed subdivision and/or land development.

**402.7** Plat of the proposed subdivision and/or land development, including the lots, road right-of-ways, easements for water lines, storm sewers, sanitary sewers, drainage ways and all other public utilities where they are separate from road rights-of-ways. Where it is not clear from the scaled drawings, the dimensions of elements of the proposed layout shall be given.

**402.8** Topographic information shall be provided for all subdivision and/or land development wherein:

402.8(a) Road improvements and/or sanitary sewage, stormwater or public potable water systems and any other public/private utility systems are proposed, and/or

402.8(b) The average area of the lots proposed is 30,000 square feet or less.

402.8(c) Contours shall be at an interval of 5 feet or less and may be based on topographic information as obtainable from U.S. Geological Survey maps; provided, however, that where site planning considerations for roads, stormwater management facilities and sanitary sewer services to serve the proposed subdivision and/or land development are complex because the terrain has a considerable amount of slope and/or lot sizes are small, more detailed topographic information may be required.

**402.9** Location and area of property proposed to be dedicated for public use, or to be reserved by deed covenant for the use of property owners in the subdivision and land development.

**402.10** Statement as to what private deed restrictions are proposed.

**402.11** Information relative to the sanitary sewerage systems to be used in the subdivision and/or land development, and a summary of progress made in obtaining approvals for handling sanitary sewerage based on the requirements adopted and promulgated by the Pennsylvania Department of Environmental Protection. For major subdivisions of 11 lots or more the site suitability analysis shall be completed by the sewage enforcement officer and a copy of this analysis shall accompany the Preliminary Plan submission; where possible the locations of conventional and alternative on-lot sanitary sewage systems should be designated based on the suitability analysis; for major subdivisions involving ten lots or less this requirement is not mandatory. In instances where an existing sanitary sewage system is to be used or where a new sanitary sewage treatment plant and sanitary sewer lines are to be constructed, general layout

plans shall be presented; final plans are not required at this stage.

**402.12** Information relative to the water supply systems to be used in the subdivision and/or land development. In instances where an existing water system is to be used or where a new water system is to be constructed, general layout plans shall be presented; final plans are not required at this stage.

**402.13** It shall be the objective of this ordinance to manage the quantity, velocity and direction of resulting stormwater runoff in a manner which adequately protects health and property from possible injury; the administration of this ordinance shall strive to assure that the maximum rate of stormwater runoff is no greater after subdivisions and/or land development than prior to subdivisions and land development,

402.13(a) As designated in Act 167 of 2011, for major subdivisions and/or land developments involving new roads, a plat, and descriptions where appropriate, of the stormwater management facilities and systems proposed including, but not limited to, open flow channels, swales, detention areas, culverts, underground storm water lines, storm inlets and manholes. Stormwater runoff calculations for the watershed area above (upstream from) the subdivision and land development site and for the subdivision and land development site itself shall be computed based on the design criteria established in Section 502. Finalized calculations and plats are not required at his stage but enough work shall be done so that decisions can be made on the acceptability of the general layout of the subdivision and/or land development.

402.13(b) The information required in Section 402.13(a) may be required for major subdivisions and/or land developments not involving new roads and for minor subdivisions where stormwater management considerations are judged to be critical in the subdivision and/or land development proposal.

**402.14** Typical road cross-sections showing the travel portion of the roadway, shoulder and drainage swale areas as well as the road construction specifications. Based upon topographic information, where roads are proposed in areas having a 10% grade or more, the planned road gradients shall be shown.

**402.15** Any other special proposals which may be necessary for the Board's proper review including but not limited to reports and/or documents indicating how improvements shall be maintained, i.e. homeowners' association organizations.

#### **403 PRELIMINARY PLAN APPLICATION REVIEW.**

**403.1** Review by the Bloomfield Township Planning Commission. The Township, upon receipt of the complete application, shall forward one copy of same to the Bloomfield Township Planning Commission for its review and comment. The Township Planning Commission shall provide its review within forty-five (45) days of its receipt of the application; this review should be complete in a lesser time

whenever possible.

**403.2 Review by Crawford County Planning Commission.** The Supervisors, upon receipt of the complete application, shall forward one copy of same to the Crawford County Planning Commission for its review and comment. The Supervisors shall not give approval to an application until they receive the County Planning Commission's comments or until the expiration of the forty-five (45) days, whichever occurs earliest. Note, however, that the Preliminary Plan approval may be given prior to receipt of the County Planning Commission's review in which case such approval may be conditioned on possible changes resulting from the County Planning Commission's comments.

**403.3 Other Process Requirement.**

**403.3(a)** The Supervisors shall render their decision on the Preliminary Plan application and communicate it to the applicant. The Supervisors' decision on the application shall be made no later than ninety (90) days following the date the application was accepted as completely filed. Should the next regular meeting of the Board of Supervisors occur more than thirty (30) days following the filing of the application, then said ninety (90) day period shall be measured from the 30<sup>th</sup> day after the completed application was filed. The decision of the Supervisors shall be communicated to the applicant in writing, delivered either personally or mailed to the applicant's last known address, no later than fifteen (15) days following the decision. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met, and shall, in each case, cite to the provisions of the statute or ordinance relied upon. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time stipulated and in the manner required, shall be deemed an approval of the application as presented, unless the applicant has agreed in writing to an extension of time or a change in the prescribed manner of presentation of the communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of the communication, shall be deemed an approval of the application.

**403.3(b)** From the time an application for approval of a Preliminary Plan is properly filed and while such application is pending approval or disapproval, no amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision of such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was filed. In addition, when a Preliminary Plan application has been approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as herein provided. However, if a Preliminary Plan application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a Preliminary Plan has been approved or

approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and to complete any aspect of the approved Preliminary Plan in accordance with the terms of such approval within five (5) years from such approval. Where Final Plan approval is preceded by Preliminary Plan approval, the five-year period shall be counted from the date of Preliminary Plan approval.

403.3(b)(i) The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired, provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application.

403.3(c) In the case of a Preliminary Plan calling for the installation of improvements beyond the above-mentioned five-year period, a schedule shall be filed by the applicant with the Preliminary Plan application delineating all proposed sections as well as deadlines within which applications for Final Plan approval of each section are intended to be filed as provided in Section 508 of Act 247, Pennsylvania Municipal Planning Code, as amended.

403.3(c)(i) Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the governing body in its discretion.

403.3(d) Before acting on any application for Preliminary Plan approval, the Supervisors may hold a public meeting.

**404 SUPERVISORS' ACTION ON PRELIMINARY PLAN APPLICATION.** Where the Board of Supervisors processes and renders a decision on the application for a Preliminary Plan or an application for Preliminary and Final Plan together, the Board of Supervisors may take one of the following actions:

**404.1** Approve the application;

**404.2** Approve the application conditional upon additional information, correction, collateral approvals and/or changes;

**404.3** Table action on the application until additional information, corrections and/or changes are made to the application; or

**404.4** Disapprove the application if it finds that the plan does not comply with the requirements of this ordinance or other applicable ordinances or if, in its opinion, the Preliminary Plan would adversely affect the health, safety, or general welfare of the Township and serve to nullify the purposes of this ordinance as established in Section 101.

**405 CHANGES TO PRELIMINARY PLAN APPLICATION.** Where the applicant for Preliminary Plan approval must make changes to the application, then three (3) copies of each corrected or altered exhibit in the application shall be submitted to the Board of Supervisors before approval can be granted. The action taken by the Board of Supervisors shall be communicated to the applicant in writing and, where the application is disapproved, the defects in the application shall be specified.

**406 DURATION OF PRELIMINARY PLAN APPROVAL.** Preliminary Plan approval, except where stated otherwise, indicates the general acceptability of the subdivision and land development layout and all other accompanying proposals. Preliminary Plan approval shall be effective for a maximum of five (5) years unless, upon submission by the applicant in writing, an extension(s) of time is requested and subsequently granted by the Board. An extension, if granted, shall be for a period of three (3) years. In the case of any doubt as to the terms of a Preliminary Plan approval, then the terms shall be construed in the light of the provisions of the governing ordinances or plats as they stood at the time when the application for such approval was filed.

**407 SPECIAL IMPORTANCE OF ON-LOT SANITARY SEWAGE SYSTEM APPROVAL.** Nothing more than a conditional approval shall be given at Preliminary Plan stage for major subdivisions and/or land developments where individual sanitary sewage systems (on-lot systems) are proposed and the site suitability analysis, as required under regulations promulgated by the Pennsylvania Department of Environmental Protection, has not been completed by the Sewage Enforcement Officer and submitted to the Supervisors.

**408 PRELIMINARY PLAN - THE OVERALL GUIDE TO DEVELOPMENT.** Although it may be the intention of the subdivider and/or land developer to request Final Plan approval on only a portion of the total area shown on the Preliminary Plan, a Preliminary Plan shall be submitted and approved for the entire area under consideration for subdivision and/or land development. Construction plans and specifications as required in later provisions of this ordinance need be prepared only for a smaller area intended to be included on the final plat.

#### **FINAL PLAN STAGE**

**409 FINAL PLAN SUBMISSION.** An application for approval of a Final Plan shall be considered as a continuation of the review begun in the Sketch Plan (where used) and

Preliminary Plan stages of the subdivision and/or land development process. Applications submitted in the earlier stages may change through the review process as additional information is gathered and as engineering other design and studies are developed. Drawings and narratives submitted at the Preliminary Plan stage that are revised and refined as required shall be considered as part of the application for approval of the Final Plan submission. The application for approval of the Final Plan at the minimum shall consist of the plat. It also may include, depending on the complexity of the subdivision and land development, (a) engineering and construction drawings and specifications; (b) letters, permits and certifications indicating other municipal, state and public or semi-public agencies or organizations have given their review and approval to the subdivision and land development proposals; and (c) supporting reports and documents such as a listing of covenants to be recorded with the plat, and the incorporation papers for a homeowners' association. The submission specifications at the Final Plan Stage are as follows:

**409.1** The final plat shall be signed by a registered professional land surveyor and drawn in ink at a convenient scale, not greater than 1 inch to 100 feet. It shall be drawn on an acceptable drafting medium no larger than 36 inches by 42 inches. Where more than one sheet is used, each sheet shall be suitably numbered and titled, the plat shall include the following minimum information:

409.1(a) The name of the subdivision in prominent letters and the township and county in which it is located. The name shall not be a duplicate of, or be very similar to, the name of any plat previously developed for the Township.

409.1(b) The lengths and bearings of the subdivision and/or land development's exterior boundary lines (which shall be delineated with a bolder line than the interior property lines in the subdivision and land development) and all other property lines surveyed and divided, including those for roads, blocks, lots and public grounds. Where property lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines of the tier. Distances shall be measured at least to the nearest 1/100th a foot. Bearing shall be measured at least to the nearest 20 seconds. The error of field closure for the subdivision and/ or land development's exterior boundary shall be no greater than 1 foot in 5,000 feet, and all geometries of the final plat shall be balanced.

409.1(c) All exterior boundary, lot and road right-of-way corner point points shall be monumented including all points indicating a change in direction or a change in geometry. The nature of the monument shall be indicated. See Section 509.4

409.1(d) The exact width and location of the right-of-way of all new roads and the width and location of all new easements; the names of new roads; road names shall not duplicate names already established in the Township. Road right-of-way shall be shown as separate and independent of the subdivided and/or developed land. Easements include, but are not limited to, those for stormwater drainage



facilities and all public and semi-public utilities; new easements shall be dedicated and explained.

409.1(e) The distance(s) and bearing(s) to some described and readily locatable and permanent point outside of the subdivision preferably a nearby road intersection, or original parcel corner point, or a County, State, or Federal monument. Where said permanent point, outside of the subdivision, may be lost in future years, for example, at the intersecting center lines of roads, "ties" to this point shall be determined and recorded on the plat.

409.1(f) A number or other suitable designation for all lots within the subdivision and/or land development boundary.

409.1(g) Building setback lines; they shall be dimensioned and labeled.

409.1(h) The total area in acres within the exterior boundary of the subdivision and/land development.

409.1(i) The right-of-way width and name of existing roads in or adjacent to the subdivision.

409.1(j) The assessment parcel number of the parcel or parcels of land from which the subdivision and/or land development was taken; this number is available in the County Assessor's Office.

409.1(k) The location and width of existing easements; the location of all streams, bodies of water and other pertinent features in the subdivision and/or land development; all easements shall be defined and explained.

409.1(l) A north point and the scale of the plat shall be noted and shown graphically.

409.1(m) The following certificates (see Appendix 1)

409.1(m) (i) Bloomfield Township Planning Commission's review;

409.1(m) (ii) Crawford County Planning Commission's review;

409.1(m) (iii) Board of Township Supervisor's approval;

409.1(m) (iv) Owners declaration statement where the plat is recorded separate from the property deed and, if any, the dedication statement; and

409.1(m) (v) Registered professional land surveyor's statement,

409.1(n) The following certificates, statements and/or covenants only where applicable (see Appendix II)

409.1(n) (i) Utility easements including drainage easements;

409.1(n) (ii) Other required easements; and

409.1(n) (iii) Covenant statements originated and enforced by the subdivider and/or developer protecting and/or guiding the use of land in the subdivision and/or land development. If covenants are recorded in a separate instrument, then such instrument shall be referenced on the plat.

409.1(o) Where sanitary sewage needs are handled by individual sewage systems, one of the following statements shall be entered on the plat; however, no such statement needs to be entered on the plat for minor subdivisions and for major subdivisions with ten (10) lots or less when individual system permits have been issued or approved for issue and proof thereof is submitted to the Board. Statements on the handling of sanitary sewage needs are listed in Appendix IV.

409.1(o) (i) For minor subdivisions, then Statement 2 shall be entered on the plat.

409.1(o) (ii) For major subdivisions with ten (10) or less lots, then Statement 2 shall be entered on the plat.

409.1(o) (iii) For major subdivisions with eleven (11) or more lots, then Statement 3 shall be entered on the plat.

409.1(p) Where the lot(s) abut a state maintained road and a road entrance permit(s) has not been obtained from PennDOT, the statement found in Appendix VI shall be entered on the plat.

**409.2** Where roads and utility system improvements are proposed, final engineering and construction plans shall be prepared by a qualified professional engineer, registered professional land surveyor, landscape architect or architect and shall be part of the application for approval of the Final Plan submission. Final engineer and construction plans shall be reviewed and approved by the Supervisors; they need not be recorded in the County Recorder's Office. The engineer and construction plans shall detail the construction of improvements in the subdivision and/or land development in the following areas:

409.2(a) Where a subdivision and/or land development shall have 40% or more

of its land area altered or where 40% of the subdivision and/or land development is on slopes 12% or greater, then a revised contour or grading plan shall be required. The Erosion and Sediment Control plan may require a grading plan also.

409.2(b) Road Construction. Typical road cross-sections showing the travel portion of the roadway, shoulder and drainage swale areas, as well as the road construction specifications.

409.2(c) Sanitary Sewage Systems.

409.2(c) (i) For subdivisions and/or land developments proposing common or public sanitary sewage facilities, plans detailing the sanitary sewage system shall be submitted and the necessary permits shall be approved for issue by the Pennsylvania Department of Environmental Protection before final approval for the subdivision and/or land development shall be given by the Supervisors.

409.2(c) (ii) For minor subdivisions and major subdivisions with ten (10) or less lots, where individual sanitary sewage systems shall be used, a site suitability analysis shall be obtained from the sewage enforcement officer and Statement 2 in Appendix IV shall be entered on the plat; provided, however, the statement shall not be required if sanitary sewage permits have been issued for all the lots in the subdivision and/or land development or there is proof that said permits have been approved for issue.

409.2(c) (iii) For major subdivisions with eleven (11) or more lots, the site suitability analysis shall be completed by the sewage enforcement officer, approved by DEP, a copy placed in the files of the Board of Supervisors and a letter indicating DEP's approval shall be in the Board's file. Also Statement 3 listed in Appendix IV shall be entered on the plat. All of these requirements shall be met in order to obtain final approval.

409.2(d) Water Supply Systems. For proposed subdivisions and land developments requiring common or public water facilities, plans detailing the water facility system shall be submitted and the necessary permits shall be approved for issue by DEP before final approval for the subdivision and/or land development application can be given by the Supervisors.

409.2(e) Stormwater Management. For major subdivisions involving new roads, as well as major subdivisions and minor subdivisions wherein stormwater management considerations are deemed to be critical (Section 402.13(b)), finalized calculations and plans as listed in Section 402.13 shall be required. Where necessary, required permits from DEP, the Public Utility Commission or

the PennDOT shall be approved for issue. The ownership and responsibility for maintenance for all stormwater management control devices shall be indicated, and necessary easements to such devices properly established.

409.2(f) Erosion and Sediment Control. The Pennsylvania Clean Streams Law, as administered by DEP, requires that all earth moving activities have Erosion and Sediment Control Plans. The Crawford Conservation District has been designated by DEP as the review agency for Erosion and Sediment Control Plans. Accordingly, all major subdivisions involving new roads shall have an Erosion and Sediment Control Plan, which has been reviewed and approved by the Crawford Conservation District.

**409.3** Where the subdivider and/or developer intends to assure that subdivision and/or land development improvements will be maintained through a homeowners' association, documents shall be drafted and filed in the County Recorder's Office, which provide for the legal creation of such an association, having mandatory membership provisions and statements regarding the structure and responsibility of the association.

#### **410 REVIEW OF FINAL PLAN APPLICATION**

**410.1** Review by Bloomfield Township Planning Commission. The Township, upon receipt of the Final Plan application may forward one copy of same to the Bloomfield Township Planning Commission for its review and comment. If the Final Plan is significantly different from the approved Preliminary Plan application, then the Final Plan application shall be submitted to the Township Planning Commission. The Township Planning Commission shall review and comment on the Final Plan application within forty-five (45) days of its receipt of the application.

**410.2** Review by Crawford County Planning Commission. The Crawford County Planning Commission review should occur prior to the Final Plan application review by the Supervisors. If the applicant has filed an application for Preliminary and Final Plan approval together, as may be permitted under this ordinance for minor subdivisions, then the combined application for Preliminary and Final Plan approval shall be forwarded to the County Planning Commission and the requirements as set forth in Section 403.2 shall be complied with before Final Plan approval is given by the Township Supervisors.

**410.3** Other Process Requirements. The Supervisors, upon receipt of the complete Final Plan application, shall render their decision on the Final Plan and communicate it to the applicant. The Supervisors' action on the Final Plan application shall be taken no later than ninety (90) days following the date of submission of the Final Plan application. Should the next regular meeting of the Board of Supervisors occur more than thirty (30) days following the filing of the complete Final Plan submission, the ninety (90) day period shall be measured from the 30<sup>th</sup> day after the complete Final Plan was submitted. The action of the Board of Supervisors shall be communicated to the applicant's last known address no more than fifteen (15) days following the action. Failure of the

Supervisors to render a decision and communicate it to the applicant within the time stipulated and in the manner required shall be deemed as approval of the Final Plan as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of the communication of the decision, in which case failure to meet the extended time or change in manner of presentation of the communication, also shall be deemed an approval of the Final Plan.

#### **411 ACTION ON FINAL PLAN APPLICATION.**

**411.1 Township Supervisors Action on Final Plan Application.** The Board of Supervisors shall review the application for Final Plan approval to assure its conformity with the Preliminary Plan, as approved, and the provisions of Section 409 of this ordinance. In processing and rendering a decision on the application for Final Plan approval, the Board may take one of the following actions:

411.1(a) Approve the application;

411.1(b) Approve the application conditional upon specified additions, corrections, collateral approvals, and/or changes to be made or supplied in the application;

411.1(c) Table action on the application until additional information, corrections, collateral approvals and/or changes are made to the application; or

411.1(d) Disapprove the application if it finds that the application does not comply with the requirements of this ordinance or other applicable ordinances or if, in its opinion, the Final Plan would adversely affect the health, safety, or the general welfare of the Township and serve to nullify the purposes of this ordinance as established in Section 101.

**412 CHANGES TO FINAL PLAN APPLICATION.** Where the applicant must make changes to the Final Plan application, then three (3) copies of each corrected or altered exhibit in the Final Plan application shall be submitted to the Board of Supervisors before final approval can be granted. The action taken by the Board of Supervisors shall be communicated to the applicant in writing and, where the plan is disapproved, the defects in the application shall be specified.

**413 EFFECT OF CHANGE OF ORDINANCE OR PLAN.** After the Final Plan has been approved, where the landowner has substantially completed the required improvements as depicted upon the final plan within the required period of time, no change of municipal ordinance or plan enacted subsequent to the date of filing the preliminary plan shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.

## **ARTICLE V. DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS**

**500 DESIGN PRINCIPLES.** In planning a subdivision and/or land development, the applicant shall be guided by the following principles.

**500.1** The applicant shall comply with all laws, codes, rules, and ordinances of Bloomfield Township, the county and the state and federal governments and all duly constituted agencies thereof. However, the applicant may consider implementing alterations in site requirements and other practices which are in accordance with modern and evolving principles of site planning and development, which promote flexibility, economic and ingenuity in the layout and design of subdivisions and land developments. The application of, and approval for, such practices shall vested solely in the Board of Supervisors.

**500.2** The applicant shall be guided by the currently approved comprehensive plans of Bloomfield Township and where applicable, the Crawford County comprehensive plan, particularly in regard to the location of roads. Where the subdivision and/or land development area includes sites of historic, cultural or physiographic value and such sites are listed on the Crawford County Register of Significant sites, every possible effort shall be made to preserve and maintain the integrity of these sites.

**500.3** No land shall be subdivided or developed which is unsuitable by reason of flooding, poor drainage, adverse earth formations or rock formations or any other condition likely to be harmful to the health, safety or welfare of future residents or landowners. Such lands shall remain unsubdivided until such time as the conditions causing the unsuitability are corrected.

**500.4** The applicant should consider making reasonable allocations of land for necessary community facilities such as park and recreation grounds, school sites and other sites for needed public facilities as proposed in applicable comprehensive plans or as determined necessary through current analyses. Where allocations are made for these facilities provisions shall be made to insure that the land will be accepted and maintained by the Township, a homeowner's association, a school board or some other organization which can assure the Township of its ability to manage the land in keeping with the general welfare of future residents.

**500.5** In designing a subdivision and/or land development, proposed lots shall have relationships to surrounding properties such that reasonable future lotting patterns can be developed.

**500.6** Proposed roads shall be designed in careful relation to topography, natural drainage, the surrounding road network and the uses designed to be served in the subdivision and/or land development; proposed roads shall be properly integrated with the existing and proposed system of thoroughfares as established in Bloomfield Township and Crawford County comprehensive plans. Roads in and bordering a subdivision or

land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to provide safe access to the subdivision and/or land development to accommodate prospective traffic; to facilitate fire protection and emergency services response, and to meet recognized traffic safety design standards. There shall be no dead-end streets. Where a street does not tie into another street, a cul-de-sac shall be used.

**500.7** Generally road networks should be designed to run in an east-west direction in order that structures designed for human habitation can be sited with maximum wall exposure to the south to make possible greater use of solar energy.

**501 ROAD RELATED DESIGN STANDARDS.** In planning a subdivision and/or land development, the applicant shall observe the following requirements:

**501.1** Proposed roads, except as provided in this Section and Subsection

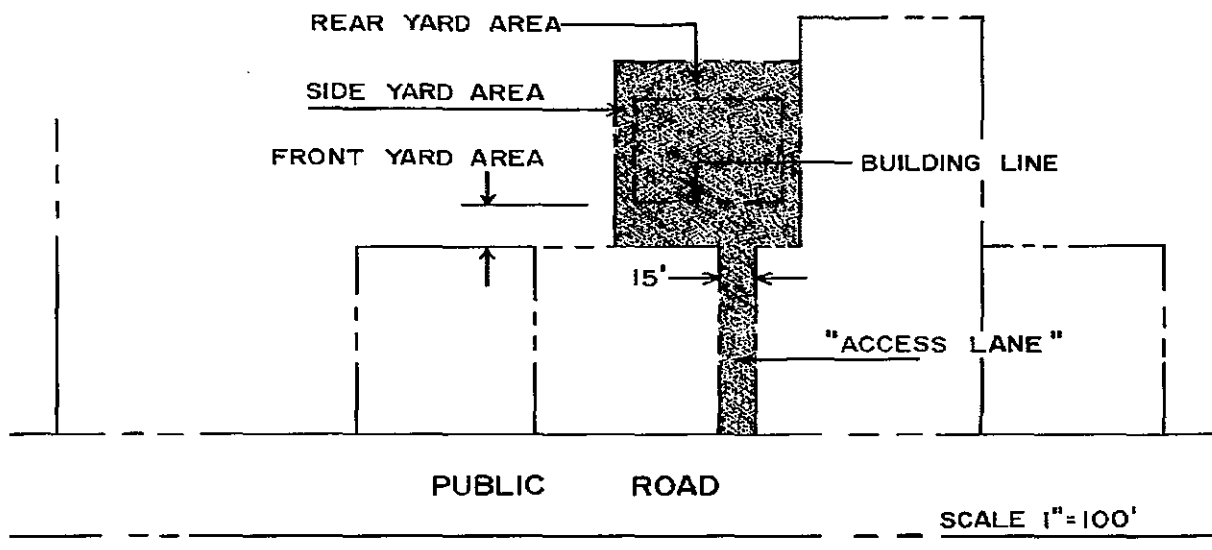
501.1(a) Shall be properly dedicated for public use and shall provide convenient access to all property within the subdivision or land development. There shall be no private roads, except in a cluster development and land development where private roads may be permitted. Each lot planned for separate ownership in the subdivision and/or land development shall have a minimum of fifteen (15) feet of frontage on a public road.

501.1(b) Minimum lot areas and minimum lot widths are established in Section 503.5 of this ordinance. Normally the full width of a lot shall abut on a street. However, whenever it is impossible to access an existing parcel with the full width of the lot, or where a special subdivision design and management concept is believed to be appropriate for a particular site, a minimum frontage of 15 feet may be utilized subject to review and approval by the Township. The minimum of 15 feet of frontage on a public road permits the use of an "access lane" to the public street (private streets in some instances) as shown in the following drawing (Figure 1) where the minimum width of the "access lane" shall be 15 feet. In instances where the "access lane" is used the lot width, lot area and yard requirements shall be established beginning at the location where the "access lane" terminates and the bulk of the lot begins.

**501.2** Proposed roads (except those clearly designed for internal circulation only) shall be extended to the boundary lines of the lot to be subdivided or developed unless prevented by topographic or other physical conditions, or unless in the opinion of the Supervisors such extensions are not necessary or desirable for the coordination of the layout of the subdivision or land development with the existing layout or the most advantageous future subdivision and/or development of adjacent lots.

Fig. 1

## LOT SERVED BY AN "ACCESS LANE"



**501.3 Road Classifications.** The applicant shall be responsible to develop the subdivision's road network based upon the classification system established as follows: See Appendix V for designations in the Township.

**501.3(a) Arterial Roads.** Arterial roads provide inter-municipal, inter-county and interstate connections; they serve to link settlement centers, major public facilities, employment and shopping centers and areas of high density population. This category of road includes minor arterial, major collector and minor collector roads as established and defined in the Federal Classification System and as set forth and discussed in the Crawford County Comprehensive Plan and the Bloomfield Township Comprehensive Plan.

**501.3(b) Collector Roads.** Collector roads link neighborhoods and have continuity within the County's municipalities and often interconnect municipalities. They invariably serve the dual function of handling through traffic movements and of serving as access to adjacent property. Nearly all Township roads which have continuity are collector roads. This category of road is set forth and discussed in the Crawford County Comprehensive Plan and the Bloomfield Township Comprehensive Plan.

**501.3(c) Local Access Roads.** Local access roads are primarily for access to adjacent property and have their chief significance in giving a subdivision and/or land development a "neighborhood" form and pattern. Local access roads shall be laid out to discourage through traffic.



501.3(d) *Alleys*. Alleys may be provided, especially in commercial and industrial subdivisions and/or subdivisions, to facilitate service access to the proposed structures.

**501.4** In Table 1, design standards for arterial, collector and local roads are established. Curbed roads may be required where the gross residential density is 4.0 residential lots per acre or greater.

**TABLE 1**  
**DESIGN STANDARDS FOR ROADS**  
*(All figures indicate feet except where noted otherwise.)*

	A R T E R I A L	C O L L E C T O R	L O C A L A C C E S S	A L L E Y
Minimum Width Right-of-Way (3)	60-80 (4)	50-60 (4)	50	20
Minimum Width Traveled Way or Cartway	24 w/s (5)	20 w/s	20 w/s	12
	44 w/c (6)	36 w/c (7)	30 w/c	--
Maximum Grade (8)	5	10	10	10
Minimum Grade (8)	1	1	1	1
Minimum Radius of Curve	500	200	-	-
Minimum Length of Tangents Between Reverse Curves	200	100	-	-

At all changes in road grades where the algebraic difference in the grade exceeds 1%, vertical curves designed in conformance with sound engineering practice shall be provided to permit the following sight distances: for local roads, 150 feet; for Collector and Arterial Roads, 300 feet.

NOTES:

- (1) This category of road includes the normal "township road" as described in the road Network Section of the Comprehensive Plan.
- (2) This category of road primarily serves as access for abutting property owners as described in the Road Network Section of the Comprehensive Plan.
- (3) Right-of-way widths in excess of the standards designated shall be required whenever, due to topography, additional width is necessary to provide for the construction of adequate earth slopes not in excess of 1 1/2 : 1 gradient.
- (4) New township roads shall be provided with a minimum of fifty (50) feet of right-of-way; new state roads shall have a minimum of sixty (60) feet of right-of-way. Where a subdivision utilizes existing state or township roads the plat shall provide for a minimum of fifty (50) feet of right-of-way.
- (5) w/s indicates with road shoulders, however, the width given does not include the road shoulders.
- (6) w/c indicates with curb construction; distances are from face of curb to face of curb.
- (7) Collector roads utilizing curb construction shall have 60 foot rights-of-way.
- (8) Figure indicates percent.

**501.5 Access to Minor Arterial Roads.** Where a subdivision and/or land development borders on, or contains, an existing or proposed minor arterial road, the Supervisors may require that access points to the road be limited by one of the following means or same acceptable alternative:

501.5(a) The lot pattern in the subdivision and/or land development should be so organized that the backyards of lots abut the minor arterial road and the front yards abut a local or collector road essentially parallel to the minor arterial in which case vehicular access to the lots occurs from the local road. The backyards of the lots should be screened in an appropriate manner from the minor arterial road. Access from the minor arterial road to the subdivision and/or land development shall be by means of public road intersection(s).

501.5(b) The lot pattern in the subdivision and/or land development should be so organized that the lots front on a local access road which would be located between the highway and the subdivision.

**501.6 Cul-de-sac.** The minimum right-of-way for the turnaround area of a cul-de-sac, generally circular in shape, shall be 100 feet in diameter. There shall be no limitations on the length of a cul-de-sac road; however, any cul-de-sac road longer than 600 feet shall have a circular turnaround area, the minimum width of which shall be 120 feet in diameter. For cul-de-sacs, the Supervisors may authorize alternative turnaround arrangements other than the circular form, provided it is shown that the alternative can accommodate equally safe and convenient turning movements.

**501.7** Roads normally should intersect at, or nearly at, right angles. proposed new intersections along one side of an existing road shall, wherever practicable, coincide with existing intersections on the opposite side of said road. No more than two streets shall intersect at the same point. Road jogs with centerline offsets of less than 150 feet should be avoided wherever possible.

**501.8** Where curbed road construction is used, the minimum curb radius at the intersection of two roads shall be 15 feet.

## **502 DESIGN CRITERIA FOR STORMWATER MANAGEMENT PLANNING**

**502.1** Stormwater runoff shall be calculated on the basis of a 24-hour duration rainfall and a fifty (50) year frequency storm. Reference the Bloomfield Township Stormwater Management Plan.

**502.2** The preferred method of calculating stormwater runoff shall be the Soil Conservation Service, Soil Cover Complex method, found in the Service's Engineering Field Manual or in the publication Urban Hydrology for Small Watersheds, Technical Release No. 55.

## **503 LOTTING STANDARDS**

**503.1** Lotting plats shall be designed with due regard to the topography and to the necessity for accommodating sanitary sewer, stormwater sewer and water utilities. Each lot shall allow for convenient driveway access from a public road. Lotting arrangements shall be designed with due regard to the overall best use of land; lotting patterns which block opportunities for the reasonable utilization of nearby land shall be avoided.

**503.2** Lot lines shall be generally at right angles to the public road. Corner lots shall have adequate width to accommodate building setbacks from two roads.

**503.3** Lot lines shall follow municipal boundaries rather than cross them, whenever possible, in order to avoid jurisdictional problems.

**503.4** Lot lines shall be drawn to allow for a fifty (50) foot right-of-way on Township roads and a sixty (60) foot right-of-way on State roads. Where the subdivision and/or land development occurs only on one side of the road a distance of twenty-five (25) feet from the centerline of the road shall be allowed for a Township Road right-of-way and thirty (30) feet from the centerline of the road shall be allowed for a State Road.

**503.5** Minimum Lot Area and Lot Width. Minimum lot area and lot width shall be as established in the Bloomfield Township Zoning Ordinance. In all instances the minimum lot size shall be adequate to accommodate sanitary sewer and water supply needs, particularly where these facilities are provided totally on the subdivided or developed lots (on-lot septic systems and water wells).

**503.6** Minimum Building Setback Line. Minimum building setback lines shall be as established in the Zoning Ordinance of Bloomfield Township. Building setback lines may be greater than established herein.

**503.7** In planning lot patterns excessive depth of lots in relation to width should be avoided. A proportion of 4.0 (length) to 1.0 (width) should be considered maximum.

**503.8** Double frontage lots should be avoided except where necessary to overcome specific disadvantages of topography or other conditions such as location adjacent to an arterial highway. Where double frontage lots are platted, the subdivider should handle vehicular access to the lots so that access occurs from local access roads and not arterial roads.

**503.9** Subdivisions and/or land developments shall contain no useless remnants of land.

## **504 BLOCK STANDARDS**

**504.1** Block lengths in residential areas generally should not exceed 1500 feet.

**504.2** Pedestrian crosswalks not less than 10 feet wide may be required through the center of blocks more than 800 feet long where convenient access to schools, playgrounds, shopping facilities or other community facilities can be achieved.

**505 EASEMENTS**

**505.1** Electric power and telephone utility easements, where located at rear or side lot lines, should be centered on these rear or side lot lines. Utility easements alongside and rear property lines shall be a minimum of twenty (20) feet wide and shall be centered on the lot lines. Where such easements are located along the front lot line adjacent to the public road they shall be a minimum of twenty (20) feet in width.

**505.2** Where a subdivision and/or land development is traversed by a watercourse, easement designations of sufficient width to accommodate the 24-hour duration fifty (50) year frequency storm shall be shown. The minimum easement width shall be established at twelve (12) feet.

**505.3** Easements for fencing and/or trees and shrub plantations for purposes of screening may be required between residential lots and commercial or industrial lots and along arterial road frontages.

**505.4** Whenever a road, planned to have continuity beyond the proposed subdivision and/or land development, is temporarily stubbed or dead-ended awaiting the subdivision and/or land development of adjacent land, a generally "square-shaped" area a minimum of 10,000 square feet shall be provided on a temporary basis for a vehicular turnaround. A temporary easement may be established on adjacent lots in order to obtain sufficient area for said turnaround. This easement shall terminate when the stubbed road is extended. A statement concerning the existence and termination of a temporary easement, if applicable, shall be entered on the plat.

**506 SIDEWALKS.** Where the gross residential density of a subdivision and/or land development is 4.0 dwelling units per gross acre or greater, the Supervisors may require the construction of sidewalks. Sidewalks, where constructed, shall be located in the public road right-of-way, shall be a minimum of 4 feet in width and shall be separated from the road curb by a minimum of 4 feet. Where constructed, sidewalks shall be of concrete construction. They shall be a minimum of three (3) feet wide and four (4) inches thick and shall have a minimum cross slope of two (2) percent. All corner ramps shall meet the requirements of the Americans with Disabilities Act.

**507 ROAD SIGNS.** All roads shall be provided with road signs approved by the Bloomfield Township Board of Supervisors.

**508 ROADSIDE TREES.** The subdivider and/or developer should consider planting trees in an appropriate location in the public right-of-way. Tree varieties shall be used which are recognized as appropriate for roadside planting and shall be placed no closer than 40 feet, center to center.

**509 CONSTRUCTION REQUIREMENTS FOR SUBDIVISION IMPROVEMENTS.** The following construction requirements and specifications shall be considered as minimum necessary to protect the general health, safety and welfare and promote the convenience of the public. Improvements may be built to higher standards than those set forth in this ordinance, provided the improvements are approved by the Supervisors.

**509.1 Road Specifications for Gravel Roads**

509.1 (a) *Layouts Standards.* From the flow line of one road ditch to the flow line of the ditch on the other side of the road - where ditches are constructed in the right-of-way and there is no fill slope(s) - there shall be a minimum distance of thirty (30) feet. Centered in the right-of-way there shall be a minimum cartway (travel-way) of twenty (20) feet. The cartway shall be crowned with a minimum slope of ¼ inch per 1 foot on both sides on the crown. The next five feet on each side of the cartway shall be a transitional area to the flow line of the road drainage ditch and shall be considered as the road shoulder. This shoulder area shall have a minimum slope of ½ inch per one (1) foot, but shall be constructed in a manner so as to effect a uniform transition from the edge of the road surface (cartway) construction to the drainage ditch flow line. See accompanying road specification drawing for gravel roads, Figure 2. The remainder of the right-of-way distance, eight (8) feet on either side of the right-of-way, shall be handled at a maximum gradient of 1½ to 1.

509.1 (b) *Sub-grade Preparation.* The sub-grade shall be formed from ditch line to ditch line (30 feet minimum) approximately sixteen (16) inches below finished grade and shaped to the road cross section requirements. At the drainage ditch flow line, the sub-grade shall be no less than ten (10) inches below finished grade. The sub-grade shall be brought to a firm, thoroughly compacted condition. Any soft or unsuitable material shall be removed and replaced with firm, suitable material.

509.1 (c) *Road Surfacing.* Where a density of less than three dwelling units per acre is proposed eight (8) inches of bank run gravel shall be placed and compacted on the sub-grade. Following this eight inches of Number 2RC crushed bank gravel as described in Pennsylvania Department of Transportation Form 408 Specifications 1983 (rev. 2000) Section 677 shall be placed and compacted forming the finished grade on the cartway section (20 feet minimum) of the road. Transitional areas shall be formed. Additional PennDOT Form 408 specifications follow:

509.1 (c) (i) *General.* Number 2RC material shall be durable bank or crushed gravel, stone or slag mixed or blended with suitable filler material to provide a uniform mixture. It shall be obtained from acceptable sources. The material shall be free from vegetable or organic matters, lumps or an excessive quantity of clay or other objectionable or foreign substances and not more than 10% of

deleterious shale by weight.

509.1 (c) (ii) Gradation. It shall conform to the following standards determined in accordance with PTM No. 619

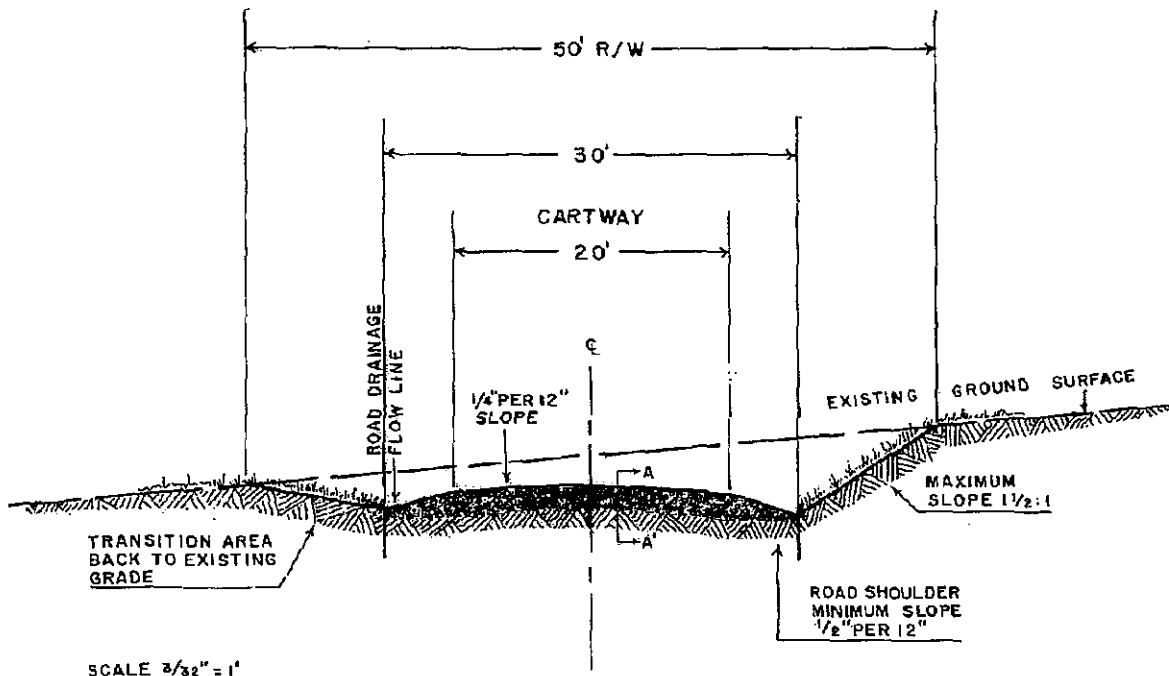
\* passing 2 inch sieve - 100%

\* passing No. 4 sieve - 15 to 60%

\* passing No. 100 sieve - 0 to 30 %

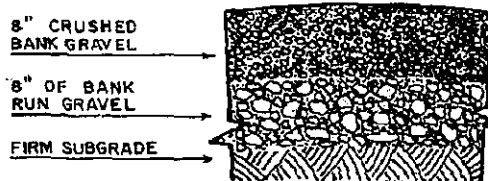
509.1 (c) (iii) Construction Technique. The 2RC shall be spread uniformly upon the prepared sub-grade in loose layers not to exceed four (4) inches in depth without segregation of coarse and fine material. It shall be compacted with a roller meeting the requirements of Sections 108.05(c) 3a or 3b. Satisfactory compaction will be determined by the stability of the material under the compaction equipment. If the material does not contain sufficient fines to properly lock under the roller, add more fines of the same material or limestone fines as necessary to obtain needed compaction.

Fig. 2  
 "GRAVEL"  
 ROAD SPECIFICATION  
 FOR  
 LOCAL & COLLECTOR ROADS  
 (ROAD SHOULDER CONSTRUCTION)



NOTE:  
 LINE SHOWING ROAD CROWN  
 IN DRAWING EXAGGERATED  
 FOR CLARITY

SECTION A-A'



SCALE 1/16" = 1"



**509.2 Road Specifications for Bituminous Roads (Flexible Pavement)**

509.2 (a) *Bituminous Road Surfacing.* Where a density of three (3) dwelling units per acre or greater is proposed, or where, in the judgment of the Township Supervisors, the frequency of travel justifies it a bituminous road surface shall be constructed. Said bituminous road shall be built to the standards established in this subsection and as shown in Figure 3, Bituminous Road, Road Specification For Local & Collector Roads.

509.2 (b) *Layout Standards.* From the flow line of one road ditch to the flow line of the ditch on the other side of the road - where ditches are constructed in the right-of-way and there is no fill slope(s) there shall be a minimum distance of thirty-six (36) feet for a local road and forty (40) feet for a collector road. Centered in the right-of-way there shall be a minimum cartway (travel-way) of twenty (20) feet. The cartway shall be crowned with a minimum slope of  $\frac{1}{4}$  inch per 1 foot on both sides of the crown. The next six (6) feet on each side of the cartway shall be considered as the road shoulder. This shoulder area and the transitional area from the shoulder area to the flow line of the ditch shall have a minimum slope of  $\frac{3}{4}$  inch per 1 foot. The construction of the shoulder area and the transition from the edge of the road surface (cartway) construction to the drainage ditch flow line. See the accompanying road specification drawing. Shoulders shall be constructed to grade as specified in "Section 650 Shoulders, Form 408 PennDOT Specifications, 1976 (rev. 2000)". The remainder of the right-of-way distance, seven (7) feet on each side of the drainage ditch flow line for a local road and ten (10) feet for a minor collector road, shall be used for a transition to the edges of the right-of-way and shall be handled at a maximum gradient of  $1\frac{1}{2}$ : 1 for a local road and 2:1 for a collector road.

509.2 (c) *Clearing and Grubbing.* All vegetation, top soil, roots, soft spots and other objectionable material shall be excavated and removed from the cartway and shoulder areas and from all the areas to be filled which are located within the right-of-way.

509.2 (d) *Sub-grade Preparation.* The sub-grade shall be formed from ditch line to ditch line (36 feet minimum for a local road and 40 feet minimum for a collector road) approximately fifteen (15) inches below the finished grade of the cartway area, unless there is a base required then it shall be approximately twenty-seven (27) inches below the finished grade of the cartway area and shaped to the road cross section requirements. The sub-grade shall be as specified in "Section 210 Sub-grade, Form 408 PennDOT Specifications, 1983 (rev. 2000)". The sub-grade shall be brought to a firm, thoroughly compacted condition. Any soft or unsuitable material shall be removed and replaced with firm, suitable material.

509.2 (e) *Base.* A base course may be required at the discretion of the supervisors when poor drainage and/or soft sub-grade conditions exist. If

required, the base shall consist of twelve (12) inches of compacted crushed aggregate as specified in "Section 310 Crushed Aggregate Base Course and Section 312 Crushed Aggregate Base Course, Type DG, Form 418 PennDOT Specifications, 1983 (rev. 2000)". The base shall be spread and compacted in approximately three (3) layers, and shall extend under the full cartway and shoulder area.

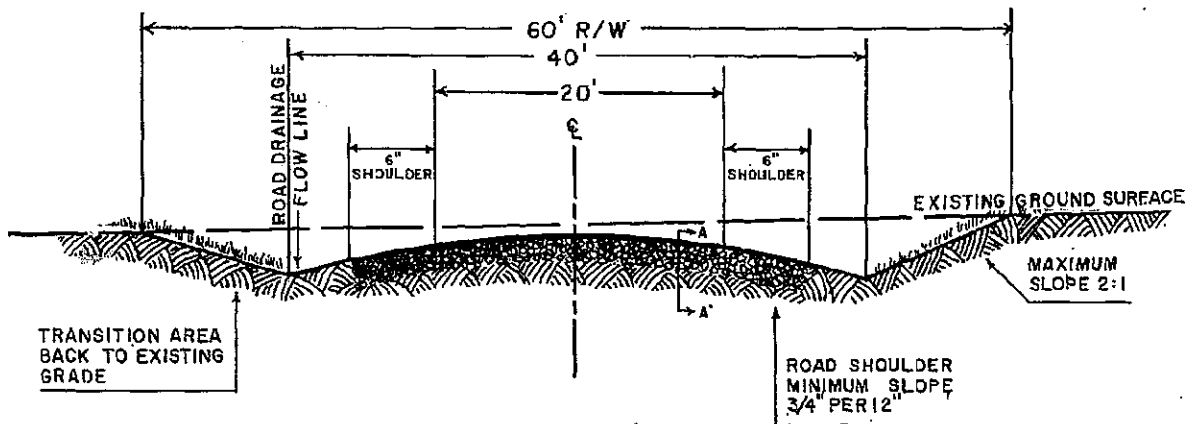
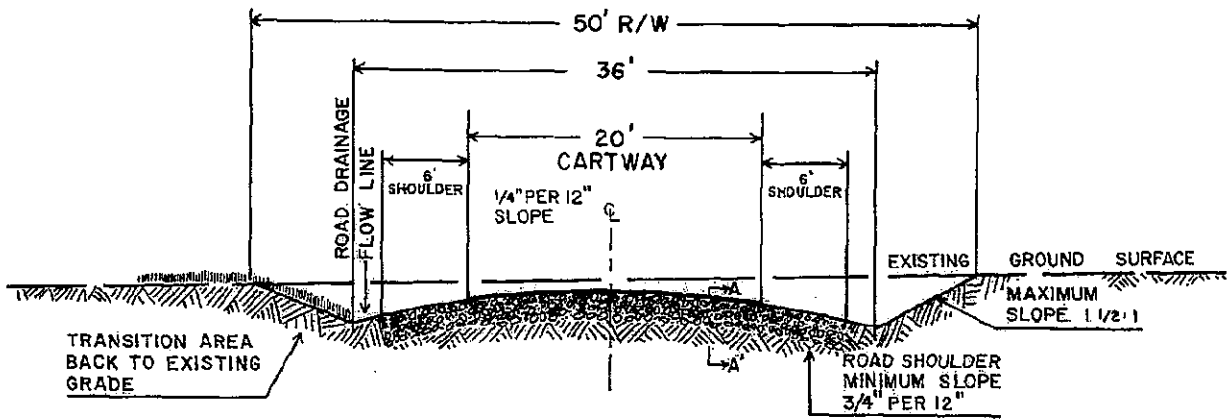
509.2 (f) *Sub-base*. The Sub-base shall consist of 12 I inches of compacted aggregate place on the completed sub-grade or base if required. The sub-base course shall be as specified in "Section 350 Sub-base, Form 408 PennDOT Specifications, 1983 (rev. 2000)". The material shall be spread and compacted as described and shall extend under the full cartway and shoulder area. Any surface irregularities that exceed ½ inch under a template or straightedge shall be corrected by loosening the surface and removing or adding material as required and thoroughly compacting the entire area.

509.2 (g) *Binder or Leveling Course*. A compacted binder course two (2) inches thick shall be constructed on the completed sub-base. The binder course shall be as specified in Section 421 Bituminous Binder Course ID-2, Form 408 PennDOT Specifications, 1983 (rev. 2000)". Construction requirements shall be as set forth in Section 401.3. Prior to the laying of the binder course, a prime coat shall be applied to the sub-base as specified in Section 461 Bituminous Prime Coat".

509.2 (h) *Wearing Course*. A compacted wearing course one (1) inch thick shall be constructed on the completed binder course. The wearing course shall be as specified in "Section 420 Bituminous Wearing Course ID-2, Form 408 PennDOT Specifications, 1983 (rev. 2000)". Construction shall conform to Section 401.3. The course aggregate used in the bituminous wearing course shall meet the Skid Resistance Level (SRL) letter designation based on the Daily Traffic as required by the current PennDOT directive.

Fig. 3

# "BITUMINOUS" ROAD SPECIFICATION FOR LOCAL & COLLECTOR ROADS (ROAD SHOULDER CONSTRUCTION)



### SECTION A-A'

1" WEARING COURSE

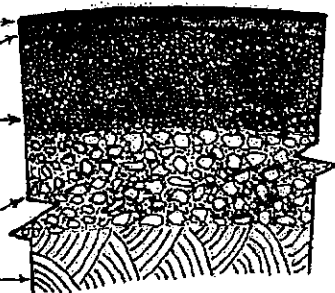
2" BINDER COURSE

12" COMPACTED AGGREGATE SUBBASE

12" COMPACTED CRUSHED AGGREGATE BASE AT DISCRETION OF SUPERVISORS UNDER CONDITIONS SPECIFIED IN SECTION 409.1A (e)

FIRM SUBGRADE

SCALE 1" = 20"



SCALE 3/32" = 1'

NOTE:  
LINE SHOWING ROAD CROWN AND AREA OF SUBBASE IN DRAWING EXAGGERATED FOR CLARITY.

**509.3 Road Signs.** Road signs shall be located on the northeast corner of each intersection, where practical, and shall indicate the name of the subdivision road as established on the subdivision plat. The signs shall be identical to the typical sign construction used in the Township and shall be mounted in a concrete footing two (2) feet deep and ten (10) – twelve (12) inches in diameter.

**509.4 Survey Monuments.** The minimum specification for monuments shall be iron rods or pipes not less than two feet long; they shall be driven a minimum of 18 inches into the ground. In cases where obstructions are encountered making it impractical to install this specification, alternative monumentation is permissible, and it shall be indicated on the plat.

**509.5 Curbs.** Curbs, where constructed, may be either the vertical type or the rolled curb and gutter type. They shall be constructed of Portland cement concrete with expansion joints every twenty (20) feet.

**509.6 Sidewalks.** Where constructed sidewalks shall be of concrete construction, and shall be a minimum of three (3) feet wide and four (4) inches thick and shall have a minimum cross slope of 2%.

**509.7 Sanitary Sewerage Systems.** All public or community sewerage systems shall be designed and constructed in accordance with the requirements of the Pennsylvania Department of Environmental Protection.

**509.8 Water Supply and Distribution System.** All public or community water systems shall be designed and constructed in accordance with the requirements of the Pennsylvania Department of Environmental Protection.

**509.9 Stormwater Management Control Devices.** Storm sewers, where used, drainage channels and swales shall be constructed in accordance with accepted, current engineering practice and shall be sized based upon the design criteria established in this ordinance. The following additional specifications are established:

509.9 (a) Where drainage ditches or swales have gradients greater than 8% or where soil conditions provoke greater than normal surface runoff drainage ditches shall be rip-rapped or paved.

509.9 (b) Drainage culverts, where used, shall be constructed of galvanized or concrete pipe and shall be a minimum of fifteen (15) inches high diameter. Headwalls should be constructed at the end culverts wherever possible.

509.9 (c) In the design of storm drainage facilities special consideration shall be given to the avoidance of problems which may arise from the concentration of runoff onto adjacent properties. Where stormwater shall be gathered and concentrated in newly formed swales and waterways within a subdivision and/or land development and discharged or drained over lands

beyond the boundaries of the subdivision and/or land development, the applicant shall reserve or obtain easements over all lands affected thereby. Where easements cannot be reserved or obtained, the water shall be diffused so that water does not enter the adjacent property in such concentrated flow pattern that did not exist in its natural state.

**509.10 Bridges.** Bridges of primary benefit to the subdivider and/or land developer, as determined by the Supervisors, shall be constructed at the full expense of the subdivider and/or land developer. The sharing of expense between the subdivider and/or land developer and the Township for the construction of bridges of only partial benefit to the subdivider and/or land developer shall be fixed by special agreement between the Supervisors and the subdivider and/or land developer.

## ARTICLE VI. ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

**600 ASSURANCE OF IMPROVEMENTS.** The final plat of a proposed subdivision and/or land development shall not be approved by the Board of Supervisors until appropriate assurances for the construction of improvements have been provided; or, if assurances cannot be given, the public should know who is responsible for the construction and maintenance of the subdivision improvements, i.e. roads, stormwater drainage, sewer and water system improvements, etc. Additionally, no plat 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 this ordinance. Assurances may be provided in any of the following ways:

**600.1 *Early Construction.*** The subdivision and/or land development improvements including, but not limited to, roads, road signs, stormwater management devices, may be constructed or partially constructed and accepted by the Township Supervisors subject to maintenance guarantees as established in Section 602.3, said construction being accomplished by the subdivider and/or land developer after Preliminary Plan approval and prior to Final Plan approval by the Supervisors.

**600.2 *Performance Bond.*** A performance bond may be required of the subdivider and/or land developer for the improvements as listed in Section 600.1 assignable to the Township Supervisors. Said bond shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security and acceptable to the Supervisors, provided that said bonding company is authorized to conduct such business within the Commonwealth. The performance bond shall be for 110 percent of the estimated cost of all improvements shown on the final subdivision plan. Should the improvements not be completed by the developer, through the process established in this ordinance, the improvements shall eventually become the responsibility of the developer or its bonding agent. The estimated cost shall be projected to one year after the scheduled expiration date of the bond. The performance bond shall specify that all improvements will be installed within a period no greater than four years from the date of acceptance of the bond by the Supervisors. The performance bond may include provisions for a maintenance bond rider; if not, maintenance guarantees shall be provided as established in Section 602.3. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement of the improvements.

**600.3 *Collateral.*** Cash or acceptable collateral, covering the cost of the improvements as listed in Section 600.1, may be placed in escrow assignable to the Township Supervisors. The collateral may be released from escrow incrementally as construction is completed and the improvements accepted by the Supervisors for the initiation of the

required 2-year maintenance period. Maintenance as established in Section 602.3 shall be provided in the escrow account or in some other manner. The amount in escrow shall equal 100% of the estimated cost projected to one year after the scheduled completion date, subject to the approval of the supervisors.

**600.4 Letter of Credit.** A lending institution's irrevocable letter of credit may be considered adequate assurance providing the Township Supervisors agree to this arrangement. Such letter shall assure to the Supervisors the construction of the improvements as listed in Section 600.1. Incremental releases of the subdivider and/or land developer's obligation are permitted as construction is completed and the improvements accepted by the Supervisors for the initiation of the required 2-year maintenance period. Maintenance guarantees as established in Section 602.3 shall be provided in the letter of credit arrangement or in some other manner. The letter of credit shall assure funds equal to 110 percent of the estimated cost projected to one year after the scheduled completion date. Letters of credit shall be issued by Federal or Commonwealth chartered lending institutions.

**600.5 Assurances for Proposed Extension of Public Sanitary Sewerage and/or Water Systems.** Where extensions of public sanitary sewerage and/or water systems are proposed, assurances to the appropriate organizations and officials shall be provided. Assurances shall be in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the assurance as otherwise required by this section.

**600.6 Assurance for Common Sewerage and/or Water Systems.** Where the subdivider proposes to construct common sewerage and/or water systems to serve only the planned development and where the ownership and management of said systems shall be the responsibility of the homeowners (property owners) of the proposed development, a homeowners' association charter shall be drawn which properly designates these responsibilities. This charter shall be approved by the Supervisors and recorded with the subdivision plat.

**600.7 Assurances for Private Sanitary Sewerage and/or Water Systems.** Where the Pennsylvania Public Utilities Commission (PUC) shall be required to license a private utility company for the construction and maintenance of the sanitary sewerage system and/or the water supply and distribution system serving the proposed subdivision and/or land development, the issuance of the PUC license together with the approvals preliminary to this issuance, which must be given by the DEP, shall be considered an adequate assurance of these improvements.

**600.8 Park, Recreation and/or Open Space Areas.** In instances where park, recreation and/or open space areas are platted and dedicated for the use of the general public or for the use of the residents of the subdivision and/or land development, there shall be an assurance as to the maintenance of such areas either through the acceptance of said areas by the Township Supervisors or through the creation of a homeowners' association which would assume the maintenance responsibilities.

**600.9 Assurance Through Combination of Methods.** In providing the required assurances for improvements a combination, in whatever way, of the methods as set forth in the above sections is permissible.

**600.10 Adequacy of Assurance.** Unless a separate amount of assurance is provided for in this Section 600, The amount of assurance required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an 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 such cost. The Township, upon the recommendation of the Township engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township 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 Township and the applicant or developer. The estimate certified by the 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 Township and the applicant or developer.

**600.11 Multi-Year Projects.** If the party posting the assurance requires more than one year from the date of posting of the assurance to complete the required improvements, the amount of assurance may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of assurance or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

**600.12 Reduction of Assurance.** As the work of installing the required improvements proceeds, the party posting the assurance may request the Board of Supervisors to release or authorize the release, from time to time, such portions of the assurance necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board of Supervisors shall have 45 days from receipt of such request within which to allow the Township engineer to certify, in writing, to the Board of Supervisors, and the Board of Supervisors shall have 45 days from receipt of such request within which to allow the municipal engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township engineer fairly representing the value of the improvements completed or, if the governing body fails to act within said 45-day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer,



retain 10% of the original amount of the posted assurance for the aforesaid improvements.

**600.13 Assurance Upon Dedication and Acceptance.** Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors may require the posting of assurance to secure structural integrity of said dedicated improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 18 months from the date of acceptance of dedication. Said assurance shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the assurance shall not exceed 15% of the actual cost of installation of said dedicated improvements

**600.14 Request of Developer.** When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory assurance. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the assurance agreement is not executed within 90 days unless a written extension is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

**600.15 Assurance in Lieu of Completion.** If assurance has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said assurance has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements, as depicted upon the approved plat, 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.

## **601 CONSTRUCTION OF IMPROVEMENTS BEFORE FINAL PLAN APPROVAL.**

**601.1** When the subdivider and/or land developer elects to begin construction of required improvements before the Board of Supervisors has approved the Final Plan as permitted in Section 600.1, he shall obtain a written statement from the Board indicating that the Preliminary Plan, including all engineering and construction plans and specifications, has been reviewed and approved. In no event shall work on the construction of improvements begin before the Preliminary Plan has been approved by the Board. Where engineering plans in the Preliminary Plan application are not completed in sufficient detail for actual

construction and the subdivider and/or land developer intends to begin construction of improvements before Final Plan approval is requested, the subdivider and/or land developer shall complete the engineering plans so that the Board can provide a written statement authorizing early construction.

**601.2** When construction of improvements has begun based upon Preliminary Plan approval, all improvements shall be completed within 24 months from the date of such approval. Should circumstances develop where the work cannot be completed in this time period, upon request by the subdivider and/or land developer, extensions of time may be granted by the Supervisors. Otherwise, the subdivider and/or land developer shall re-obtain Preliminary Plan approval.

**602 INSPECTION OF IMPROVEMENTS, CONDITIONAL AND FINAL ACCEPTANCE.**

**602.1** *Inspection.* During the construction of road and stormwater drainage improvements, the subdivider and/or land developer shall be required to notify the Township Supervisors at least 24 hours before critical points in the construction process, so the Board may inspect the work in progress. The developer will bear the cost of any inspection fees required by the Supervisors or their Engineers. Concerning road improvements, the subdivider and/or land developer shall notify the Supervisors, at the minimum, before each of the following operations:

602.1 (a) For gravel roads, before the gravel material is deposited on the compacted sub-grade; for bituminous roads, before the gravel base course is

deposited on the compacted sub-grade.

602.1 (b) For gravel roads, before the top course of gravel is laid and rolled in place; for bituminous roads, before the wearing and binder courses are laid on the compacted sub-grade.

602.1 (c) The Township Supervisors, in order to complete their inspection of bituminous roads, may require the subdivider and/or land developer to provide core borings of the finished roadway, in order to ensure proper depth, thickness, and compaction of road surface.

**602.2 *Conditional Acceptance.*** Upon notification by the subdivider and/or land developer that the construction of improvements is completed, the Supervisors shall inspect the improvements. If the improvements are deemed satisfactory, then the improvements shall be accepted conditionally and the subdivider and/or land developer so notified in writing. From the date of acceptance of road and stormwater drainage improvements, a two-year maintenance period commences, during which time the subdivider maintains the improvements. If the improvements are deemed to be of unsatisfactory construction for conditional acceptance, then the subdivider and/or land developer shall be so notified within ten days of the date of inspection. The notification shall be in writing and shall list deficiencies.

**602.3 *Maintenance Assurances.*** After initial acceptance of road and stormwater drainage improvements, an agreement shall be negotiated between the subdivider and/or subdivider and the Supervisors relative to the responsibility of the subdivider and/or land developer to maintain the improvements for a two-year period beginning at the date of the initial acceptance. The agreement may take the form of: (1) a maintenance bond/road bond; (2) part of the escrowed collateral arrangement; (3) part of the letter of credit arrangement; or (4) any other form satisfactory to the Township Supervisors.

**602.4 *Final Acceptance.*** Within thirty (30) days of the termination of the two-year maintenance period, the subdivider and/or land developer shall notify the Township Supervisors and request a final inspection. After the inspection, the subdivider and/or land developer shall be notified in writing within ten (10) days of the date of the inspection that the road and stormwater drainage improvements either have been accepted or that final acceptance did not occur and state the reasons for such rejection. Once the improvements are found satisfactory, the Supervisors shall take full responsibility for their future maintenance.

## **603 RELEASE FROM IMPROVEMENT BOND**

**603.1** When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors, 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 Board of Supervisors

shall, within ten days after receipt of such notice, direct and authorize the Township engineer to inspect all of the aforesaid improvements. The Township engineer shall, thereupon, file a report, in writing, with the Board of Supervisors, 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 30 days after receipt by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Township engineer of the aforesaid authorization from the Board of Supervisors; 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 nonapproval or rejection.

**603.2** The Board of Supervisors shall notify the developer, within 15 days of receipt of the Township engineer's report, in writing by certified or registered mail of the action of the Board of Supervisors, with relation thereto.

**603.3** If the Board of Supervisors or the Township 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.

**603.4** If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

**603.5** Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township engineer.

**603.6** Where herein reference is made to the Township engineer, he shall be as a consultant thereto.

**603.7** The applicant shall reimburse the municipality for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the Township for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township's third party inspector, if one shall be hired by the Township, for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the third party inspector to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.

603.7 (a) The Township shall submit to the applicant an itemized bill showing

the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than 100 days after the date of transmittal of a bill for inspection service, notify the Township and the third party inspector that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of assurance, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within 100 days shall be a waiver of the applicant's right to arbitration of that bill under this section.

603.7 (b) Subsequent to the final release of financial security for completion of improvements for a subdivision or land development or any phase thereof, the third party inspector shall submit to the Township a bill for inspection services, specifically designated as a final bill, which the Township shall submit to the applicant. The final bill shall include inspection fees incurred through the release of financial security.

603.7 (c) If the third party inspector and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within 100 days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another third party inspector to serve as an arbitrator. The applicant and third party inspector are to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the third party inspector whose fees are being challenged.

603.7 (d) The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than 50 days after the date of appointment. Based on the decision of the arbitrator, the applicant or the third party inspector whose fees were challenged shall be required to pay any amounts necessary to implement the decision within 60 days. In the event the municipality has paid the third party inspector an amount in excess of the amount determined to be reasonable and necessary, the third party inspector shall within 60 days reimburse the excess payment.

603.7 (e) In the event that the third party inspector and applicant cannot agree upon the arbitrator to be appointed within 20 days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Crawford County Court of Common Pleas shall appoint such arbitrator, who, in that case, shall be neither the municipality's third party inspector nor any third party inspector who has been retained by, or performed services for, the

municipality or the applicant within the preceding five years.

603.7 (f) The fee of the arbitrator shall be paid by the applicant if the disputed fee is upheld by the arbitrator. The fee of the arbitrator shall be paid by the charging party if the disputed fee is \$2,500 or greater than the payment decided by the arbitrator. The fee of the arbitrator shall be paid in an equal amount by the applicant and the charging party if the disputed fee is less than \$2,500 of the payment decided by the arbitrator.

603.7 (g) In the event that the disputed fees have been paid and the arbitrator finds that the disputed fees are unreasonable or excessive by more than \$10,000, the arbitrator shall:

603.7(g) (i) award the amount of the fees found to be unreasonable or excessive to the party that paid the disputed fee; and

603.7 (g)(ii) impose a surcharge of 4% of the amount found as unreasonable or excessive to be paid to the party that paid the disputed fee.

603.7 (h) A municipality or an applicant shall have 100 days after paying a fee to dispute any fee charged as being unreasonable or excessive.

**604 APPROVAL OF PLATS.**

**604.1** Each section in any residential subdivision development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Board of Supervisors in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period the aforesaid protections shall apply for an additional term or terms of three years from the date of final plat approval for each section.

**604.2** Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinance enacted by the municipality subsequent to the date of the initial preliminary plan submission.

**605 NOTICE TO SCHOOL DISTRICTS.** Each month the Township shall notify in writing the superintendent of a school district in which a plan for a residential development was finally approved by the Township during the preceding month. The notice shall include, but not be limited to, the location of the development, the number

and types of units to be included in the development and the expected construction schedule of the development.

**606 EFFECT OF PLAT APPROVAL ON OFFICIAL MAP.** After a plat has been approved and recorded as provided in this article, all streets and public grounds on such plat shall be, and become a part of the official map of the Township without public hearing.

**607 PREVENTIVE REMEDIES**

**607.1** In addition to other remedies, the Township 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 or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

**607.2** The Township 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 the Subdivision and Land Development Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

607.2 (a) The owner of record at the time of such violation.

607.2 (b) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

607.2 (c) 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.

607.2 (d) 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 an 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.

**608 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS**

In the event that any improvements which may be required have not been installed as provided in the subdivision and land development ordinance or in accord with the

approved final plat the governing body of the Township 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 Township 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.



**ARTICLE VII. LAND DEVELOPMENT STANDARDS AND REQUIREMENTS**

**700 JURISDICTION.** Certain physical developments are classified as land developments in the Pennsylvania Municipalities Planning Code, Act 247, as amended, and as such, are subject to regulation. Land developments include, but are not limited to, mobile home parks, recreational vehicle parks, campgrounds, apartment complexes and shopping centers. These developments are characterized by the fact that the development site is in a single ownership and the buildings and/or use areas are rented or leased to prospective users. There is no division of land typical of land subdivision actions, although buildings and/or use areas may be sold at the time of development or at some future time through cooperative or condominium arrangements. "Land development" is more fully defined in Section 901.28 of this ordinance. It shall be unlawful for an applicant to construct land development as defined herein until:

**700.1** The Final Plan has been approved by the Supervisors and recorded as established in Section 204.1 of this ordinance;

**700.2** A valid permit from the DEP, where applicable, has been approved for issue to the applicant; and

**700.3** A valid Occupancy Permit has been secured from the Township Supervisors or from the PennDOT for highway right-of-way occupancy for the purpose of constructing access facilities.

**701 CLASSIFICATION OF LAND DEVELOPMENT.** Land developments are classified as either minor land developments or major land developments.

**701.1 *Minor Land Development.*** Any land development involving the construction of only one commercial, industrial or any other non-residential building and including an individual apartment building of 3 or more dwelling units where the development involves less than 12,000 square feet of impervious or semi-impervious surfaces (buildings, parking lots, driveways, walkways, etc.) and where no new public or private roads are proposed shall be classified as a minor land development.

**701.2 *Major Land Development.*** Any land development not classified as a minor land development shall be generally classified as a major land development.

**701.3 *Exemptions.*** Any proposal to develop land or to prepare land for development, other than the act of subdivision, shall be subject to the requirements of Section 700 except for the following activities, which shall be considered exempt:

**701.3 (a)** The erection of a single or two-family detached dwelling on its own lot or accessory structure thereon;

701.3 (b) Improvements to any structure that do no increase the area the structure occupies on the ground or the need for additional parking spaces;

701.3 (c) The expansion of a structure to cover additional ground area, provided the expansion is not more than five hundred (500) square feet and is not closer than one hundred (100) feet to any property line abutting a residential property for fifty (50) feet to any other property line;

701.3 (d) The expansion of existing structures or construction of new structures for agricultural use (housing of livestock, shelter for farm equipment, storage or silage, etc.) on a family-run farm.

**702 PROCEDURES.** In processing a land development application, the three-stage procedure established in this ordinance for land subdivisions shall be used: Sketch Plan (not mandatory), Preliminary Plan, and Final Plan stages. The land development application requirements, submission and review process shall be the same as required for subdivisions. There is normally no final plat, however, the final site plan shall be recorded in the Crawford County Recorder's Office. Submission requirements where they relate to the drawing of a plat need not be observed unless the land development proposal intends to convey the land, as in the case of a condominium arrangement.

**703 SITE PLAN REQUIREMENTS.** In addition to the applicable requirements, including stormwater management plan requirements, for Preliminary (Section 402) and Final (409) Subdivision Plans outlined in this ordinance, each land development site plan shall include the following:

**703.1** Existing site conditions (topography, drainage, tree clusters, buildings, utilities, streets, and adjacent properties).

**703.2** Proposed development, including structures (with frontal elevations), parking, vehicular and pedestrian access areas, landscaping and utility location and size.

**703.3** Property information with a boundary survey containing distance and bearings completed by a Professional Land Surveyor or Certified Engineer.

**703.4** A parking and access plan with estimated parking requirements and traffic flows.

**703.5** A complete and detailed landscaping, screening and preservation plan, including a complete interior landscape plan for all new sites and those pre-existing sites involving a 20% expansion of both the existing building/structure and parking lot square footage, in addition to the following:

703.5(a) *Shade Trees in Parking Lots.* One (1) shade tree per fifteen (15) parking spaces shall be planted in parking areas. The tree should be of a variety to withstand the soil and site conditions, shall be a minimum two (2) inch caliper

and shall not interfere with overhead utilities or sight lines for traffic movement.

703.5 (b) Landscaping for all commercial and industrial sites - Landscaping shall be provided adjacent to the building entrance areas, exit areas to the site, within the vehicular parking area, and on the perimeter of the property. Landscape areas may include shrubbery, groundcover, annual and perennial beds, and lawn area, ornamental and shade tree plantings. The landscape and lawn areas shall comprise a minimum of 5% of the developed site and area of the building structure, utilities, parking lot and drives.

703.5 (c) Screening shall be provided along perimeter boundaries in the form of a hedge, fence, wall, earth mounding, evergreen planting, or a combination of any of the above.

703.5 (d) *Preservation.* Any landscape feature such as an historical tree, a grove of unique trees or shrubs and endangered species of plants shall have the approval of the Township Planning Commission before any plant is destroyed, removed, filled round or disturbed in any way. All efforts shall be taken to plan around and preserve the existing trees in their natural state.

703.5 (e) *Maintenance and Installation.* All landscaping materials shall be installed in a sound, workmanship-like manner and according to accepted, good construction and planting procedures. The owner of the property shall be responsible for the continued proper maintenance of all landscaping materials and shall keep the property in a neat and orderly appearance, free from refuse and debris at all times.

**703.6** Where landscaping is required, no zoning certificate shall be issued by the Township until the required landscaping, screening and preservation plan has been submitted and approved. No certificate of occupancy shall be issued until the landscaping is completed and certified by an onsite inspection by the Township Zoning Officer, unless a performance bond, or irrevocable letter of credit from a banking institution has been posted.

**703.7** Minor land developments may be approved without providing the information required by Section 703.5.

#### **704 GENERAL DESIGN STANDARDS.**

**704.1** Vehicular access connections to the surrounding existing street network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic.

**704.2** All parking shall conform to Bloomfield Township's Zoning Ordinance provisions for parking.

**704.3** The land developer shall make satisfactory provision for the improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities and stormwater management devices.

**704.4** The land development site plan shall provide for adequate privacy, light, air and protection from noise through building design, street layout, screening, plantings and special siting of buildings.

**704.5** Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the land developer or other association or entity. Private streets shall meet Township standards regarding sub-grade preparation base and surfacing construction. Off-street parking areas may be integrated with public street design and construction, provided that maintenance responsibilities are mutually agreed upon.

**704.6** Service and waste storage and disposal areas for the land development shall be planned and constructed such that they are not visible from adjacent properties.

**704.7** The land development site plan shall demonstrate to the Township that the proposed building locations and areas are sufficient for vehicular circulation.

**704.8** The parking and access plan shall be submitted with estimated traffic flows. The land developer shall demonstrate that the proposed parking/access layout is adequate for the proposed development.

**704.9** A stormwater management plan satisfying the requirements of Section 502 shall be provided.

**704.10** All traffic, parking and pedestrian plans shall be completed by using such standard resource criteria as provided by the American Planning Association or the Institute for Traffic Engineers.

**704.11** Exterior lighting, when used, shall be of a design and size compatible with adjacent areas and in accordance with the standards of the Illuminating Engineer Society.

**704.12** Gas, electric, and other pertinent utilities shall be shown on the land development site plan in accordance with utility company standards and requirements.

**704.13** The land development site plan shall clearly address general sign requirements, including, the type of sign permitted (i.e. freestanding signs, wall-mounted signs, projecting signs, portable signs, temporary signs, marquees and canopies, and window signs) and any specific height restrictions.

**704.14** A complete landscaping, screening and preservation plan shall be submitted, which includes a complete interior landscape plan and a landscaped transition to

adjoining properties. Landscape treatment shall be provided to enhance architectural features, strengthen vistas or provide shade.

**705 ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS.**

There is no need for Township acceptance of land development site improvements, such as roads, stormwater drainage devices, insofar as the land development involves the lease or rental of buildings and/or space on the site and site improvements, such as roads, parking areas and stormwater drainage devices, which are to be privately maintained or maintained by a private, non-public organization created by the land developer. In those instances, roads and stormwater drainage shall be designated and built to the standards established in this ordinance and the Township shall ascertain that these improvements are, in fact, built to the standards. Where the land developer does not intend to maintain the improvements and where a homeowners' association or similar organization will not be organized for these responsibilities, the Township Supervisors shall handle maintenance activities and the provisions of the Article VI are applicable to the processing of the proposal.

**706 DESIGN STANDARDS FOR APARTMENT COMPLEXES AND SHOPPING CENTERS.**

**706.1** Vehicular access connections to the surrounding existing road network shall be safe, have adequate site distances and have the capacity to handle the projected traffic.

**706.2** For apartment complexes for the elderly, there shall be a minimum of .5 parking spaces per dwelling unit. For all other apartment complexes there shall be a minimum of 2.0 parking spaces per dwelling unit.

**706.3** For shopping centers, there shall be a minimum of 2500 square feet of off-street parking area for each 1000 square feet of building area, including storage areas, but excluding basement areas.

**706.4** For apartment complexes, the maximum density in dwelling units per gross acre shall be 12.0.

**706.5** Service areas for the land development shall be planned and constructed such that they are not visible from adjacent residential uses.

**706.6** The site plan shall demonstrate that building locations and areas for vehicular circulation have been chosen with reasonable regard to the natural character of the land.

**707 MOBILE HOME PARK DEVELOPMENTS.**

**707.1** Minimum Area Requirement. The minimum gross area of a property on which a mobile home park may be developed shall be two contiguous acres of land, which are not subject to flood hazards and/or the hazards of insect or rodent infestation.

## **707.2 *Required Facilities***

707.2 (a) Each mobile home stand shall contain only a single family unit and shall be supplied with connections to sanitary sewer, water and electrical systems.

707.2 (b) Each mobile home shall have toilet, bathtub or shower, heating system, and kitchen in good working order.

707.2 (c) Adequate storage facilities conveniently located to all lots in the park shall be provided for storage of often-used outdoor equipment, furniture, tools and other normal possessions which are used infrequently and which cannot be conveniently stored in a typical mobile home.

707.2 (d) Adequate refuse handling facilities shall be provided.

## **707.3 *Site Requirements.***

707.3 (a) The locations of mobile homes shall be related to the topography and to each other, preserving as much of the natural site as possible.

707.3 (b) Mobile home lots shall have a minimum of 5000 square feet. Double wide mobile home lots shall have a minimum of 6000 square feet. All lots shall have direct access to the local access road. Each stand shall be provided a patio area at least 100 square feet in area with a least dimension of 8 feet. Each stand shall be provided a minimum of one off-street parking space which shall contain a minimum of 200 square feet with a least dimension of 10 feet. Driveways, parking spaces and patios shall be constructed of permanent, stable, dust-free materials and be adequate for use during all seasons.

707.3 (c) Overall in the mobile home park, there shall be a minimum of two parking spaces for each mobile home stand.

707.3 (d) Stands shall be constructed of an appropriate material, properly graded, compacted and drained so as to be durable and provide an adequate setting for the mobile homes. The mobile homes shall be fastened to a foundation slab or footings and tied down to secure against up-lift, sliding or overturning. A gradient on the stands shall occur in only one direction perpendicular to an edge and shall be a maximum of 4%.

707.3 (e) There shall be a minimum distance of twenty (20) feet between each mobile home, including accessory structures attached thereto, and any portion of any other structure in the park. There shall be a minimum distance of fifteen (15) feet between each individual unit and the edge of the nearest abutting internal street or park area. There shall be a minimum distance of ten (10) feet between each unit and a pedestrian walkway. There shall be a minimum distance of fifty (50) feet between each unit and the mobile home park boundary line.

707.3 (f) Walks shall be planned and constructed to provide safe and convenient access throughout the park. Walks shall connect individual stands to common recreation areas, to all facilities and to each other. Connecting walks shall be a minimum of 3 feet wide and walks on individual lots shall be a minimum of 1½ feet wide. Walks shall provide an all-weather walking surface, and be reasonably free from mud, dust, and standing water.

707.3 (g) A recreation and park area shall be provided to serve the residents of the mobile home park. A minimum of 10% of the gross acreage shall be established and developed as a recreation and park area.

**707.4 *Access and Internal Road System.***

707.4 (a) The minimum width of the portion of the site used for vehicular access from the public road to the mobile home park shall be 60 feet.

707.4 (b) The internal road system may be privately owned and maintained and shall be designed for safe and convenient access to all lots and common facilities. Roads shall provide a sound, all-weather driving surface, and be reasonably smooth and free from mud, dust and standing water. The travelway or cartway surface of the roads shall be a minimum width of 14 feet for one-way roads and 20 feet for two-way roads; where on-street parking is permitted 8 feet of road surface (cartway) shall be added to each side of the road on which on-street parking is permitted. On-street parking may be used to meet the requirements of Section 707.3(c). Road surface widths as required herein do not include the road cross-sectional area devoted to stormwater drainage.

**707.5 *Skirting on Mobile Homes.*** All mobile homes shall be covered or skirted around the entire base of the structure in such a manner that continuous facades exist from the ground upwards. The material forming this enclosure shall be compatible with the remainder of the structure and shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

**707.6 *Visual Relation to Surrounding Area.*** Effective screening throughout all seasons of the year may be required at the boundaries of the mobile home park, depending on the nature of the site and its relation to the uses in the surrounding area. Screening shall consist of landscape plantings (natural or introduced), fences, walls, or terrain features or any combination of these devices. If open fencing, such as chain link fence is used, it should be installed within plantings so as not to be easily visible from inside or outside the park.

**708 RECREATIONAL VEHICLE PARKS AND CAMPGROUNDS.**

**708.1 *Minimum Area Requirements.*** The minimum gross area of a property on which a recreational vehicle park or campground is developed shall be five contiguous acres of land which is not subject to flood hazards or the hazards of insect or rodent infestation,

with a maximum density of a twelve (12) vehicle site per acre.

**708.2** *Location and Access.*

708.2 (a) All recreational vehicle parks and campgrounds shall have direct access to an arterial or a collector road as defined in Section 501.3 of this ordinance. No entrance or exit from the development shall be permitted on a local road through a residential district.

708.2 (b) The minimum width of the portion of the site used for vehicular access from the public road to the recreational vehicle park or campground shall be sixty (60) feet.

**708.3** *Required Facilities.*

708.3 (a) Where individual water and sewer connections are not provided, a common service building containing water, toilet and bath facilities shall be located not more than 500 feet from all dependent recreational vehicle sites and campground sites.

708.3 (b) A minimum of 10% of the gross site area shall be set aside and developed for common use areas for either open or enclosed recreation facilities.

708.3 (c) The construction of accessory and/or service buildings in the recreational vehicle park or campground shall be permitted. In addition to the provision of a service building housing water, toilet and bath facilities, an office, a manager's residence, storage facilities, recreational buildings and commercial facilities intended to serve the residents may be included in the recreational vehicle park or campground.

708.3 (d) Each campsite shall accommodate one off-street parking space. Overall in the recreational vehicle park or campground, there shall be a minimum of 1½ parking spaces for each recreational vehicle site and campsite.

**708.4** *Site Requirements.*

708.4 (a) The locations of recreational vehicle park sites and campsites shall be related to the topography so as to preserve as much of the natural setting as possible. The relationships of the recreational vehicle park sites and campsites to each other and to common service buildings and recreation grounds shall be carefully planned.

708.4 (b) Each recreational vehicle site and campsite shall have a minimum area of 1,500 square feet and shall have, at the minimum, one graveled vehicular parking area.



708.4 (c) There shall be minimum distance of fifty (50) feet between each recreational vehicle site and campsite and the park boundary line.

708.4 (d) Effective screening throughout all seasons of the year may be required at the boundaries of the developed site depending on the nature of the site and its relation to uses in the surrounding area. Screening shall consist of landscape plantings (natural or introduced), fences, walls or terrain features or a combination of these devices.

**708.5 *Vehicle Circulation.*** The internal road system may be privately owned and maintained. Roads shall provide a sound, all-weather driving surface, and be reasonably smooth and free from mud, dust and standing water. The road cartway shall have a minimum width of 14 feet for one-way roads and 20 feet for two-way roads. Where on-street parking is permitted, 8 feet of additional surfacing shall be added to each side of the road on which such parking is permitted. Road surface widths for circulation and for parking as required herein do not include the road cross-sectional area devoted to stormwater drainage.

## ARTICLE VIII. CLUSTER DEVELOPMENT REGULATIONS

### 800 AUTHORITY AND PURPOSE.

**800.1** The cluster development provides a process that accommodates building proposals not readily adaptable to subdivision and zoning regulations geared to the conventional lot-by-lot method of development. Lot size and yard requirements, use restrictions and normal methods for the provision of street, park and utility maintenance may be set aside where the identical ends sought with conventional regulations can be achieved under cluster developments through the superior design of dwellings, site relationships and land parcelization, and through the establishment of special arrangements for community organization and management which fixes additional responsibilities on residents for maintenance of common areas and community services and utilities. Cluster developments are permitted in order to:

800.1 (a) Encourage innovations in residential development and to foster greater variety in type, design and the siting of dwellings;

800.1 (b) Provide a creative alternative to the conventional development that occurs on a lot-by-lot basis subject to traditional zoning and subdivision regulations; and

800.1 (c) Provide residents with greater access to common open space and recreation facilities than would be possible under the more conventional land development process.

**801 RELATIONSHIP TO OTHER SECTIONS OF ORDINANCE.** Because of the special characteristics of cluster developments, a different process and different requirements shall govern cluster developments. Whenever there is a conflict between the provisions of this article and other articles or sections of this ordinance, the provisions of this article shall prevail.

**802 OWNERSHIP.** Throughout the planning and approval process, land to be developed under the provisions of this article shall be in single ownership, or in the case of multiple ownership, satisfactory evidence shall be presented indicating that the cluster development will have a single, responsible administrative organization which can act for the multiple ownership. Upon approval of the cluster development, a dwelling may be sold in fee simple or through a cooperative or condominium arrangement; or the dwellings may be managed as rental properties. Notwithstanding the aforementioned, a satisfactory organizational structure shall be established by the cluster developer to maintain common areas designated in the cluster development plan and to maintain improvements and/or utilities that are not accepted for public maintenance.

**803 PERMITTED USES.** A cluster development may include all housing types and uses normally ancillary thereto, recreation uses serving the cluster development, and non-residential uses supportive to residences. Specifically, the following uses are among

those permitted: single family dwellings in detached, semi-detached, and attached forms; two-family detached dwellings; seasonal dwellings; multi-family dwellings, including multi-story apartments and townhouse apartments; prefabricated homes, including mobile homes in the double wide, stacked and expandable forms; churches; schools; nonprofit or philanthropic institutions; commercial uses, including offices, if such uses are ancillary and supportive to the residential uses in the cluster development; and facilities necessary for providing the public utility services to the cluster development.

**804 MINIMUM SIZE OF DEVELOPMENT.** Cluster developments shall have a minimum gross area of five (5) acres.

**805 DENSITY OF DEVELOPMENT.** Using the cluster development technique, the applicant may increase the residential density of the development by 20% over what normally would be allowed based on the applicable regulations.

**806 PROCESSING PROCEDURES.** Applications shall be processed in two steps: Tentative Plan review and Final Plan review. Prior to submission of the Tentative Plan, the cluster development applicant has the optional of a pre-application conference.

**806.1 Pre-Application Conference.** At the pre-application conference, the applicant discusses all aspects of the proposed development, including rough sketches of site and building plans, with the Board of Supervisors. This conference enables the developer to obtain the views of the Board before more expensive engineering and architectural work is begun.

**806.2 Tentative Plan.** The Tentative Plan shall be filed with the Board of Supervisors and, within sixty (60) days of acceptance of the plans as complete, the Board, after public notice is given, shall hold a public hearing on the application. Within thirty (30) days following the public hearing, the Board shall notify the applicant by letter of its approval, denial, or approval subject to specific conditions. All pertinent review comments shall be included in this letter. Three copies of the complete Tentative Plan application shall be provided to the Board.

**806.3 Final Plan.** Within six (6) months of the date of Tentative Plan approval, the cluster developer shall submit the Final Plan application to the Board of Supervisors unless the cluster developer requests and is granted a time extension. After acceptance of the Final Plan application as complete, the Board shall have thirty (30) days within which to act on said application. The Board shall notify the applicant by letter of its action on the application. Three copies of the complete Final Plan application and the original site cluster development plan shall be provided to the Board,

**806.4 Recording of Final Plan.** The Board's approval of the Final Plan shall be noted by the signature affixed to the approval certificate. The cluster development plan, and any other documents associated therewith, shall be recorded in the Crawford County Recorder's Office within ninety (90) days after the Board's final approval. The applicant shall be responsible for the recording. Where a subdivision plat is involved in the cluster

development, it shall be processed as required in the appropriate sections of this ordinance and shall be given final approval and recorded concurrent with the cluster development site plan and supporting documents.

## **807 PLAN REQUIREMENTS.**

**807.1 *Tentative Plan Review.*** The following items of information shall be submitted to the Board of Supervisors for Tentative Plan review. Additional information may be submitted where appropriate. Plans shall be submitted by an engineer, or registered professional land surveyor, landscape architect, and/or architect under the appropriate seal.

807.1 (a) Information on all pertinent existing conditions.

807.1 (b) General site plan and various detailed plans, as appropriate, showing all proposed structures, uses, circulation systems, utility systems, and common open space.

807.1 (c) Architectural plans showing the intended design for typical buildings.

807.1 (d) Statement of intent regarding ownership and maintenance of required common open space and of the development's improvements, including its utility systems and common open space.

807.1 (e) Where applicable, a schedule of stages of development.

**807.2 *Final Plan Review.*** The following items of information shall be submitted to the Board of Supervisors for Final Plan review. Additional information may be required where it is deemed essential to the public review. Plans shall be submitted by an engineer, a registered professional land surveyor, a landscape architect and/or architect under the appropriate seal.

807.2 (a) A general site plan legibly prepared on tracing film or equal material at a scale not smaller than one hundred feet to one inch showing boundaries (distances, bearings and monumentation), streets, walks, parking areas, all buildings, uses of lands and common open space.

807.2 (b) Engineering plans detailing the construction of the required improvements as listed in Section 809.

807.2 (c) All supporting material, including, but not limited to, plans, maps, sketches, elevations, cross-sections, reports, narrative and information submitted at tentative review.

807.2 (d) Evidence of approvals by all appropriate public authorities or agencies.

807.2 (e) Evidence of the organizational structure of a resident's association where this form of management will be used to maintain common open space and other such private systems. Documents shall be drawn which create the association with provisions to insure its continuing existence and to give it the purpose and authority it needs to handle the required responsibilities.

**807.3 Highway Occupancy Permit.** No plat which will require access to a highway under PennDOT jurisdiction shall be finally approved unless the plat contains a notice that a Highway Occupancy Permit is required before driveway access to a state highway is permitted. The plat shall be marked to indicate that access to the state highway shall be only as authorized by a Highway Occupancy Permit

**808 DESIGN STANDARDS.** The cluster developer should be free to create a more physically integrated, aesthetic and functional living environment using his design skills and the latest achievements in building technology.

**808.1 Performance Requirements.** The cluster development plan shall indicate how adequate privacy, light, air and protection from noise shall be achieved through building design, street layout, screening, plantings and the special siting of buildings.

**808.2 Public and Private Roads.** Roads may be planned for dedication to the public or may be planned as private roads to be maintained by the cluster developer or resident's association. Private roads shall meet Township's standards regarding sub-grade preparation, base and surfacing construction. Off-street parking areas may be integrated with public road design and construction, provided that maintenance responsibilities are mutually agreed upon.

**808.3 Common Open Space.** A minimum of 20% of the gross acreage shall be reserved for common open space. Where staged construction is utilized, at no time shall the total area of dedicated open space be less than 20% of the area of the project approved for cluster development.

**809 REQUIRED IMPROVEMENTS.** The cluster developer shall make satisfactory provision for the community improvements necessary for the proper functioning of the cluster development. These include, but are not limited to, roads, road signs, water supply facilities, sanitary sewage disposal facilities, stormwater management devices and open space improvements.

**809.1 Common Open Space.** Where areas of common open space are proposed for improvements, they shall be improved by the cluster developer. Unless the Supervisors agree to a public dedication of the open space and to its maintenance, the cluster developer shall formulate an acceptable method for maintaining this land.

**809.2 Assurances.** Before the Final Plan is approved by the Board of Supervisors, the required public improvements (distinguished from private improvements to be maintained by the cluster developer or a resident's association) shall be:

809.2 (a) Licensed under Public Utility Commission regulations and procedures, where applicable; and

809.2 (b) Constructed by the cluster developer and approved as built by the Supervisors; or

809.2 (c) Insured under a performance bond approved by the Supervisors; or

809.2 (d) Covered adequately by a letter of credit from an acceptable lending institution; or

809.2 (e) Covered under some agreement mutually satisfactory to both the cluster developer and the Board of Supervisors; or

809.2 (f) Covered under any combination of the above methods as listed in Sections 809.2(b)-(e).

**810 AMENDMENTS.** Major revisions to the approved Final Plan, such as changes in land use, streets, major changes in the common open space system and major changes in building locations, shall be considered as amendments to the Final Plan and shall be processed as set forth in Section 806 of this ordinance. All other changes to the approved Final Plan shall be submitted to the Board of Supervisors and, with the Board's concurrence that such changes are minor in nature, shall be filed in the Board's records as normal changes occurring through the "dynamics of living". All changes submitted to the Board should be delineated graphically on plans with accompanying text as needed.

## ARTICLE IX. DEFINITIONS

### 900 USAGE.

900.1 Words used in the present tense shall include the future; words used in the singular number shall include the plural number, and the plural the singular.

900.2 The words "shall" and "will" are mandatory and not discretionary

900.3 The words "may" and "should" are permissive.

900.4 The term "person" includes a corporation, a partnership and an individual, or any other legally recognized entity.

### 901 WORDS AND TERMS DEFINED.

901.1 *Applicant.* A landowner or developer including his heirs, successors and assigns who seek authorization under the provisions of this ordinance to engage in an activity governed in whole or in part by this ordinance.

901.2 *Basement.* A story all or partly underground, but having at least one-half of its height below the average level of the adjoining ground.

901.3 *Bench Mark.* A point in known elevation and location in or near the subdivision and tied in with established marks in the vicinity that are maintained by the United States Coast and Geodetic Survey.

901.4 *Block.* A lot of land bounded by roads, or by a combination of roads and public parks, cemeteries, railroad right-of-way, bulkhead lines or shore lines of waterways or corporate boundary lines of the County.

901.5 *Board of Supervisors.* The Board of Supervisors of Bloomfield Township also referred to as the Board, the Supervisors, Township Supervisors, and the Bloomfield Township Supervisors.

901.6 *Bond.* Any form of security, including a cash deposit, surety bond, collateral, property or instrument of credit.

901.7 *Building.* Any structure constructed for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind.

901.8 *Building Setback Line.* A line established generally parallel with and measured from, the lot line coterminous with the street right-of-way; no structure may be located above ground between the street right-of-way and this line except as may be provided under the provision of this ordinance. This line is also referred to as a "building line."

**901.9 Campground.** A site or lot of land or contiguous lots of land under single ownership or controlled by a group of owners acting jointly, which has been planned and improved for the accommodation of two or more campsites to be occupied as temporary living quarters for recreation or vacation purposes.

**901.10 Cartway.** That portion of the road right-of-way surfaced and used for vehicular travel. Cartway width is from one edge of surfacing to the other edge of the surfacing.

**901.11 Cluster Development.** A venture to be developed by a single owner or a group of owners acting jointly involving a number of dwelling units, and in some instances uses ancillary thereto, and planned as an entity, therefore amenable to development and regulation as one complex land use unit rather than as an aggregation of individual buildings located on separate lots where lot size, bulk, yard and density requirements normally governed development. See, also, Section 200.5.

**901.12 Conservation District.** The Crawford County Conservation District (CCCD).

**901.13 Covenant.** An agreement or restriction placed on a parcel of land by a previous owner and usually found in the deed.

**901.14 Crosswalk.** A public right-of-way through a block providing pedestrian access to adjacent roads or areas.

**901.15 Cul-de-sac.** A local road having one open end and being permanently terminated by a vehicular turnaround.

**901.16 Culvert.** A closed conduit for the free passage of surface drainage under a highway, railroad, canal or other embankment.

**901.17 DEP.** The Pennsylvania Department of Environment Protection.

**901.18 Dependent Unit.** A mobile home, travel trailer, camping trailer, truck camper or similar device containing no flush toilet and no bathtub or shower.

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

**901.20 Easement.** A right granted by a property owner for the use of a portion of the landowner's land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.

**901.21 Engineer.** A professional engineer who is licensed as such in the Commonwealth of Pennsylvania.



**901.22 Erosion.** Wearing away of the lands by running water, glaciers, wind and waves.

**901.23 Gross Land Area or Gross Acreage.** The entire area of a subdivision, including lots and roads, measured to the right-of-way on any bounding roads.

**901.24 Gross Residential Density.** A unit of measure indicating the number of residential dwelling units per gross area of land. Where a density figure is given, the allowable number of residential dwelling units is determined by multiplying the density figure by the gross acreage.

**901.25 Impervious.** Not allowing or allowing only with great difficulty the penetration of water; impermeable.

**901.26 Improvements.** Those physical changes to the land necessary to produce usable and desirable lots from raw acreage, including, but not limited to grading, paving, storm sewer lines and drains, changes to existing water courses, roads and road signs, monuments, water supply facilities and sanitary sewage disposal facilities.

**901.27 Independent Unit.** A mobile home, travel trailer, truck camper or similar device containing a flush toilet, or a flush toilet and a bathtub or shower.

**901.28 Land Development.** Any of the following: 1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving: (a) 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 (b) 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; or 2) A subdivision of land as defined in Section 901.62 of this ordinance. The following are excluded from the definition of "land development": 1) the conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium; 2) the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or 3) the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park.

**901.28 (a)** For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

**901.29 Landowner.** The legal or beneficial owner(s) of land, including the holder of an option or contract to purchase, a lessee if he is authorized under the lease to exercise the rights of the landowner, or other persons having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this ordinance.

**901.30 Lot.** A tract, parcel, plat or piece of land intended, as a unit for the transfer of ownership or development whether immediate or future. Tracts of land for agricultural purposes, in parcels of more than ten acres, not involving any new road or easement of access, shall be exempted and not considered a lot under this ordinance.

**901.31 Lot, Double Frontage.** A lot with opposite ends both abutting on public roads.

**901.32 Lot, Mobile Home.** A plot of ground within a mobile home park for the accommodation of a mobile home and its accessory structures, if any.

**901.33 Maintenance.** The upkeep necessary for efficient operation of physical properties.

**901.34 Major Subdivision.** The term "major subdivision" shall have the meaning set forth in Section 200.3.

**901.35 Minor Subdivision.** The term "minor subdivision" shall have the meaning set forth in Section 200.2.

**901.36 Mobile Home.** A transportable single-family dwelling, which exceeds either eight (8) feet in width and/or thirty-two (32) feet in length, which is built on a chassis, which is used with or without a permanent foundation, which may or may not be used for permanent occupancy, office or place of assembly and which normally arrives at the site complete and ready for occupancy except for minor and incidental unpacking and assembly operations.

**901.37 Mobile Home Park.** A site or lot of land or contiguous lots of land under single ownership or controlled by a group of owners acting jointly upon which two or more mobile homes, used for living, eating or sleeping quarters by persons not related to the proprietor or his agents, are located or intended to be located.

**901.38 Mobile Home Stand.** That part of an individual mobile home lot, which has been reserved for the placement of the mobile home.

**901.39 Monument.** A point on the land of known location, which is established by a registered professional land surveyor, and used to locate property lines.

**901.40 Municipality.** Bloomfield Township

**901.41 Owner.** Any persons, group of persons, firm or corporation or any legal entity having legal title to, or sufficient proprietary interest in, land sought to be subdivided or developed under this ordinance.

**901.42 PennDOT.** The Pennsylvania Department of Transportation.

**901.43 Planning Commission.** The Bloomfield Township Planning Commission also

referred to as the Commission or the Planning Commission.

**901.44 Plat.** A plan, map or drawing on which the sub-divider's plan for the subdivision of land is represented and which he submits for approval and intends to record.

**901.45 Recreational Vehicle.** A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use which either has its own motor power or is mounted on or drawn by another vehicle. Such vehicles are normally called: travel trailer, camping trailer, truck camper or motor home.

**901.46 Recreational Vehicle Park.** A site or lot of land or contiguous lots of land under single ownership or controlled by a group of owners acting jointly upon which two or more recreational vehicles, used as temporary living quarters for recreation or vacation purposes, are located or intended to be located, whether operated for or without compensation.

**901.47 Recreational Vehicle Site.** A plot of ground within a recreational vehicle park for the accommodation of a recreational vehicle, tent or other camping unit on a temporary basis.

**901.48 Road.** An area which primarily serves or is intended to serve as a vehicular and pedestrian access to abutting lands or to other roads. The work "road" refers to the right-of-way or easement, whether public or private, and not to the surfaced roadway or paving or other improvements within the road right-of-way.

**901.49 Road, Arterial (minor).** A road which serves interstate and inter-County travels and where trips are normally of long duration.

**901.50 Road, Private.** Any road which is under the jurisdiction of an individual, corporation, or trustee or any road which is privately owned or established.

**901.51 Road, Marginal Access.** A local road which is parallel and adjacent to a highway and which provides access to abutting properties while separating them from the highway, protecting local traffic from the fast moving, through moving traffic on the highway.

**901.52 Road, Public.** Any road which is shown on the subdivision plat and is, or is to be, dedicated for public use.

**901.53 Sediment.** Mineral or organic solid material that is being transported or has been moved from its site of origin by air, water, ice and has come to rest.

**901.54 Sight Distance.** The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 4.5 feet above the

centerline of the road surface to a point in the distance 0.5 feet above the centerline of the road surface.

**901.55 *Single-lot Subdivision.*** The term "single-lot subdivision" shall have the meaning set forth in Section 200.1.

**901.56 *Sold.*** The term "sold" shall have the meaning set forth in Section 103.1.

**901.57 *Storm sewer.*** A sewer that carries intercepted surface runoff, street water and other drainage, but excludes domestic sanitary sewage and industrial waste.

**901.58 *Stormwater Collection System.*** Natural or manmade structures that collect and transport stormwater through or from a drainage area to the point of final outlet including, but not limited to, any of the following: conduits, and appurtenant features, canals, channels, ditches, streams, culverts, streets and pumping stations.

**901.59 *Stormwater.*** That portion of precipitation, which runs over the land.

**901.60 *Structure.*** Any man-made object which requires a fixed location on the ground or an attachment to something having a fixed location on the ground including, but not limited to, buildings, billboards, signs, carports, porches, swimming pools, walls and other building features, but not including sidewalks, drives and patios.

**901.61 *Subdivider.*** The owner or his agent with written authority and having detailed knowledge of the proposed subdivision.

**901.62 *Subdivision.*** The division or re-division 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, partition by the court for distribution to heirs or devisees, transfer, of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

**901.63 *Survey, Property.*** An accurate drawing prepared by a registered professional land surveyor which is made for the subdivision of only one lot and which shall be processed as such under Section 301 of this ordinance.

**901.64 *Surveyor.*** A Professional Land Surveyor registered as such by the Commonwealth of Pennsylvania.

**901.65 *Swale.*** A low-lying stretch of lands which gather or carry surface water runoff

**902 STATUTORY DEFINITIONS.** The definitions contained in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, P.L. 805, as amended, shall hereby be

incorporated by reference into this ordinance as if fully set forth herein. Any statutory definitions altered or added by amendment of the Pennsylvania Municipalities Planning Code shall hereby be incorporated by reference into the ordinance as if fully set forth herein upon the effective date of said amendment.

# APPENDICES

Appendix I. Certifications

Appendix II. Easements

Appendix III. PennDOT Highway Entrance Permits

Appendix IV. Statements on Handling of Sewage Needs

Appendix V. Waiver Form

## APPENDIX I. CERTIFICATES

The following certificates shall be placed on all plats and/or site plans. The language of the certificates need not be exactly as shown hereunder but it shall convey in a reasonable way the same information and/or assurances.

1. Board of Township Supervisors' Statement :

This plat was given final approval by the Bloomfield Township Board of Supervisors on

\_\_\_\_\_

*date*

\_\_\_\_\_

*signature of authorized approving official*

2. Professional Land Surveyor's Statement :

I, \_\_\_\_\_, hereby certify that I am a professional land surveyor currently registered in the state of Pennsylvania that this plat correctly represents a survey completed by me, that all monuments shown hereon actually exist, and that their location and material are accurately shown.

\_\_\_\_\_

*date*

\_\_\_\_\_

*signature of professional land surveyor*

3. Review Statement from the Crawford County Planning Commission :

Reviewed by the Crawford County Planning Commission on \_\_\_\_\_

*date*

The signature hereon does not establish approval or disapproval of this subdivision, but indicated the commission has made review comments that have been provided to the local municipality and the subdivider and which are part of the public record.

\_\_\_\_\_

*signature of authorized official*

4. Review Statement from the Bloomfield Township Planning Commission:

This plat was reviewed by the Bloomfield Township Planning Commission and comments were resolved on:

\_\_\_\_\_

*date*

\_\_\_\_\_

*signature of authorized official*

5. Either statement A. or B. shall be entered on the plat, depending on whether or not there is a public dedication.

A. Owners Declaration:

We (I) hereby certify that we (I) own the property hereon and that this plat is made for the purpose of subdividing the property. Building setback lines are established on this plat between which lines and the property lines of the road(s) there shall be no building erected.

_____	_____
<i>date</i>	<i>signature</i>
_____	_____
<i>date</i>	<i>signature</i>
_____	_____
<i>date</i>	<i>signature</i>

B. Owners Declaration and Dedication Statement:

We (I) hereby certify that we (I) own the property plotted hereon and that this plat is made for the purpose of subdividing the property. All roads (park areas, if applicable) shown on this plat and not heretofore dedicated are hereby dedicated to the public. Building setback lines are established on this plat between which line and the property lines of the road(s) there shall be no building erected.

_____	_____
<i>date</i>	<i>signature</i>
_____	_____
<i>date</i>	<i>signature</i>
_____	_____
<i>date</i>	<i>signature</i>

6. Notary:

COMMONWEALTH OF PENNSYLVANIA SS:  
COUNTY OF CRAWFORD

Sworn to and subscribed before me, a notary public, this  
\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
*Notary Public*



## APPENDIX II. EASEMENTS.

Depending on the nature of the subdivision or land development the following easements may be required on the plan and/or site plans. The language of these easements need not be exactly as shown hereunder but it shall convey in a reasonable way the same information and/or assurances.

### **1. Utility Easement**

An easement is hereby granted to all public utility companies, and their respective successors and assigns, to install, place and maintain sewers, water mains, gas mains, conduits, cables, poles and wires, either overhead or underground with all necessary braces, guys, anchors, and other appliances in, upon, along and over the strips of land designated on the plat and marked UTILITY EASEMENT, for the purpose of serving the public in general with sewer, water, gas, electric, and telephone service, together with the right to enter upon the said easements for public utilities at all times for any and all of the purposes aforesaid and to trim and keep trimmed any trees, shrubs, or saplings that interfere with any such utility equipment. No permanent buildings shall be placed on said easement.

### **2. Drainage Easement**

An easement is hereby granted to (the Township and/or the Homeowners' Association) for the purpose of maintaining a drainage waterway upon the land designated on the plat as DRAINAGE EASEMENT. No structures or planting shall be placed or maintained in this easement which will interfere with the intended drainage functions of this easement nor with necessary and normal maintenance and/or drainage installation operations if such be required.

APPENDIX III. STATEMENT ON PENNDOT HIGHWAY  
ENTRANCE PERMITS

Highway Occupancy Permit.

No plan with lots having access to a state highway shall be approved unless and until an application for the permit shall have been submitted, there is assurance that a highway occupancy permit will be obtained from occupancy permit will be obtained from PennDOT and that the requirements for issuance of such a permit can be met. In addition, no lots with access to a township road shall be finally approved unless and until there is assurance that the requirements for access onto a township road can be met.

APPENDIX IV. STATEMENTS ON THE HANDLING OF  
SEWAGE NEEDS.

Where individual systems (on-lot systems) shall be necessary to handle sewage needs one of the following statements may be required to be placed on the plat.

**1. One Lot**

Sewage needs on this lot require an individual system, the permit for which is not guaranteed through the approval of this plat and which must be issued by the Township before building can legally proceed.

**2. Multiple Lots**

Sewage needs on each of these lots require an individual system, the permits for which are not guaranteed through the approval of this plat and which must be issued by the Township before building can legally proceed.

**3. Subdivision**

Individual systems shall be necessary to handle sewage needs in this subdivision. Soils in this subdivision have been examined by a sewage enforcement officer and have been found generally suitable for individual systems; however, a buyer shall know that building activity cannot legally proceed on any lot prior to the issuance, by the Township Supervisors, of an individual sewage system permit for said lot.

APPENDIX V. WAIVER FORM

As stated in 109.4(c), a Waiver Form must be completed, signed, and notarized for an expansion of a land subdivision.

I \_\_\_\_\_ (grantor), owner of a parcel of land in Bloomfield Township, Crawford County, Pennsylvania identified as Tax Assessment map number \_\_\_\_\_, and recorded in Book \_\_\_\_\_ Page \_\_\_\_\_, do propose to convey a portion of aforesaid property to \_\_\_\_\_ (grantee) of a parcel of land in Bloomfield Township identified as Tax Assessment map number \_\_\_\_\_, and recorded in Book \_\_\_\_\_ Page \_\_\_\_\_.

I \_\_\_\_\_ (grantor) do hereby affirm that this conveyance will not reduce the land area and/or width of my aforesaid property below applicable County and/or Township requirements as witness my hand and seal and date.

\_\_\_\_\_ date

\_\_\_\_\_ Grantor Signature

COMMONWEALTH OF PENNSYLVANIA    SS:  
CRAWFORD COUNTY

Sworn to and subscribed before me, a notary public, this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_ Notary Public