

EAST FAIRFIELD TOWNSHIP

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
EAST FAIRFIELD TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2000 - 1

AN ORDINANCE ESTABLISHING SUBDIVISION AND LAND DEVELOPMENT REGULATIONS FOR EAST FAIRFIELD TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF IN ACCORDANCE WITH THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AS REENACTED BY ACT 170 OF 1988, AND ITS AMENDMENTS.

Whereas, Article V of the Pennsylvania Municipalities Planning Code, empowers the Township to enact a Subdivision and Land Development Ordinance; and

Whereas, East Fairfield Township deems it necessary for the purpose of promoting the health, safety, morals and general welfare of the Township to enact such regulations; and

Whereas, all requirements of the Pennsylvania Municipalities Planning Code with regard to the preparation of a Subdivision and Land Development Ordinance have been met;

Now, Therefore, be it ordained and enacted by the East Fairfield Township Supervisors, Crawford County, Pennsylvania, as follows:

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ARTICLE I.
GENERAL PROVISIONS

100. Title. This Ordinance shall be known as the East Fairfield Township Subdivision and Land Development Ordinance.

101. Purposes.

101.1 To protect and provide for the public health, safety and general welfare of the Township;

101.2 To insure that property boundaries that are 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, insuring that road systems are coordinated; that roads, and their appurtenances are built to adequate standards and widths and that necessary easements or rights-of-way are provided for storm water drainage and public utilities;

101.4 To prevent development in flood hazard and unstable soils areas where such development would be vulnerable to the destructive effects of periodic flooding and subsidence;

101.5 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;

101.6 To assist in guiding the future growth and development of the Township in accordance with Township plans as they now exist and as they may be prepared in the future.

102. Prohibited Activities Related to Subdivision and Land Development.

102.1 No subdivision or land development shall be undertaken except in conformity with the requirements, standards and provisions of this Ordinance, the East Fairfield Township Zoning Ordinance, the East Fairfield Township Flood Plain Regulations and other applicable ordinances and regulations.

102.2 No subdivision or land development shall be undertaken until plans and plats therefor have been submitted and approved in accordance with the requirements of this Ordinance.

102.3 No subdivision plat, no land development plan or plat, and no deed for a subdivided lot or land development shall be recorded with the Office of the Recorder of Deeds until approved in accordance with the requirements of this Ordinance.

102.4 No subdivision of any lot, tract or parcel of land shall be made, no land development shall be commenced, and no roadway, sanitary sewer facilities, storm water facilities, water supply facilities, or other improvements related thereto shall be laid out, designed, constructed, installed, opened, operated or used for public use, or for the common use of persons owning or using or occupying adjacent property until plans therefor have been submitted and approved in accordance with the requirements and provisions in this Ordinance.

102.5 No subdivision or land development of any lands, and no roadway, sanitary sewer facilities, storm water facilities, water supply facilities or other improvements related thereto, shall be laid out, designed, constructed, installed, operated or used except in accordance with approved plans, plats and conditions pertaining thereto, and with the requirements of this Ordinance.

103. Administration.

103.1 The Board of Supervisors shall be responsible for the administration and enforcement of this Ordinance.

103.2 No building permits for buildings or structures shall be issued for any portion of a subdivision or land development unless the planned and required improvements serving that portion of the development have been substantially completed and the Township has received adequate assurances that the improvements will be completed as required, or the developer has provided financial security meeting the requirements of this Ordinance to cover the estimated costs of completion of the improvements.

104. Interpretation and Construction.

104.1 *Relation to Municipalities Planning Code.* These regulations shall be interpreted in accordance with and governed by the applicable provisions of the Pennsylvania Municipalities Planning Code as reenacted by Act 170 of 1988 and amendments thereto.

104.2 *Relation to Public Regulation.* 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 provisions of law, whichever provisions are more restrictive or impose higher standards shall control.

104.3 *Relation to Private Regulation.* These regulations are not intended to abrogate any easement, covenant or other private agreement or restriction, provided that where the provisions of this Ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this Ordinance shall govern.

104.4 *Severability.* If any part or provision of this Ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Ordinance or the application thereof to other persons or circumstances. The Board of Township Supervisors hereby declares that it would have enacted the remainder of this Ordinance, even without any such part, provision, or application.

105. Waiver or Modification of Requirements.

105.1 *Modifications Allowed.* The Township Supervisors may grant a modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in questions, or if it is determined that the purposes of those regulations may be served to a great extent by an alternate proposal provided that such modification will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.

105.2 *Procedure for Obtaining Waiver.*

(a) All requests for a waiver or modification shall be in writing and shall accompany and be a part of the application for plan approval. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.

(b) The request for modification may be referred to the Planning Commissions for advisory comments.

(c) The Township Supervisors shall determine whether to grant the waiver or modification based upon the criteria set forth above and shall keep a written record of all action taken with respect to the waiver or modification request.

(d) In approving modifications, the Township Supervisors may require such conditions as will, in their judgment, substantially secure the objectives, standards and requirements of this Ordinance.

106. Changes to Approved Plans and Specifications During Construction. If a request for a modification to the approved plan or a specification is initiated after construction has commenced, the Township Supervisors shall have the authority to approve or disapprove the modification based on field inspections provided the requested changes do not result in any modifications to other components of the approved plan, do not diminish or interfere with compliance with other applicable regulations, do not result in substantial deviations from the required standards, do not create conditions potentially detrimental to the public safety and welfare, and are documented in writing for the Township's records.

107. Changes to Preexisting Subdivisions or Land Developments.

107.1 For any change in the plat or plan of a recorded subdivision or land development, if such change affects any roadway layout, public improvement, easements or reserved areas shown on such plat or plan, such change shall be approved by the Township Supervisors under the same procedure, rules, and regulations as for a subdivision or land development. Before any such change may be approved, the Township must receive a written instrument, satisfactory to the Supervisors, executed by the owners of all real estate within the subdivision or land development, and suitable for recording, that demonstrates and establishes their informed consent to the change.

107.2 For any change in the plat or plan of a recorded subdivision or land development involving only lot line changes, or a merger of lots by nullifying or changing lot lines, these transactions may be considered and processed as Single Lot or Minor Subdivision and handled by the Property Survey drawing as set forth in Section 401.

107.3 For any change in the plat or plan of a recorded subdivision or land development involving the merger of lots owned by the same persons and nullification of lot lines on the recorded plat or plan, the transaction may be considered and processed in a single stage of review with a written instrument approved by the Township Supervisors and suitable for recording which shall clearly delineate the lot lines being voided or nullified with reference to a copy of the recorded plot/plan or otherwise.

108. Vacation of Plats.

108.1 A subdivision plat or land development plan, or part thereof, may be vacated or nullified by the owner of the subdivided 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 Township Supervisors in like manner as subdivisions, and shall be recorded, and shall operate to nullify the force and effect of the plat so vacated and to divest all public rights in public uses, improvements and roadways.

108.2 After lots delineated on a recorded plat or plan have been sold, the plat or plan or portions thereof may be vacated in the manner established in Section 108.1 above provided all the owners of lots within the subdivision join in the execution of such written instrument.

109. Effect of Ordinance on Previously Approved or Recorded Subdivisions and Land Development.

109.1 Except as otherwise provided by the Pennsylvania Municipalities Planning Code, for any portion of a previously recorded subdivision or land development plat or plan where planned improvements have not been substantially completed at the time of the adoption of this Ordinance, the specifications and requirements set forth in this Ordinance for construction of roadways, storm sewers, sanitary sewers, and water supply facilities shall apply and all construction of improvements shall be performed in accordance with such specifications and requirements; and compliance with all storm water management planning requirements and storm water facility designs and specifications shall be required. Finally, design and construction of all improvements shall comply with all other applicable laws and regulations.

109.2 Except as otherwise provided by the Pennsylvania Municipalities Planning Code, for any change in a previously approved but unrecorded subdivision or land development plat or plan, the subdivision or land development shall be treated as a new subdivision or land development and be required to comply with all requirements of this Ordinance unless those requirements are modified in accordance with Section 105.

110. Remedies for Violation.

110.1 *Refusal to Grant Other Permits.* 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 this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:

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

110.2 *Penalty for Violation.* The Township Supervisors may institute a proceeding before the district justice against any person, partnership or corporation who or which has violated the provisions of this Subdivision and Land Development Ordinance. Upon being found liable therefor in a civil enforcement proceeding, the defendant shall pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

110.3 *Other Remedies as Allowed by Law.* In addition to other remedies, the Township may institute and maintain appropriate actions at 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.

111. Impact on Township.

111.1 The granting of a permit or approval of a subdivision or land development plan shall not constitute a representation, guarantee or warranty of any kind by the Township

or by any official or employee thereof of the practicability or workability of the proposed plan and shall create no liability upon the Township, its officials or employees.

111.2 The Township shall have the right to refuse to accept public improvements which are not constructed in accordance with the design and specifications required by this Ordinance.

111.3 Any public improvements within an approved or recorded subdivision or land development which have been accepted by the Township may be altered or changed by the Township as deemed appropriate for the best interests of the Township.

112. Conflicting Ordinances: Effective Date. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect. This Subdivision and Land Development Ordinance shall take effect five days after its enactment.

113. Amendments. The Township Supervisors may from time to time amend this Ordinance in the manner prescribed by law. Appendices attached to this Ordinance may be amended from time to time by Resolution of the Supervisors without amending this Ordinance.

ARTICLE II DEFINITIONS

200. Words and Terms Defined.

Applicant. Any person including landowners or developers and their 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.

Building. Any structure constructed for the support, shelter or enclosure of persons, animals, chattels, or moveable property of any kind. The term shall include mobile or manufactured homes and recreation vehicles.

Building Setback Line. A line established generally parallel with and measured from, the lot line coterminous with the roadway right-of-way; no structure may be located aboveground between the roadway right-of-way and this line except as may be provided under the provisions of this Ordinance. This line is also referred to as a building line.

Campground. A site or tract of land or contiguous tracts 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.

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

Cluster Development. A building 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 amendable 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 govern development.

DEP. The Pennsylvania Department of Environmental Protection or its successors.

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.

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

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

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

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

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

Improvements. Physical changes to the land necessary to produce safe, healthful and usable land developments, including but not limited to grading, paving, storm sewer lines and drains, changes to existing watercourses, roads and road signs, monuments, water supply facilities, sewage disposal facilities, and other utility facilities.

Land Development. Any of the following activities:

(a) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(2) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of roadways, common areas, leaseholds, condominiums, building groups or other features.

(b) A subdivision of land

(c) Land developments as defined herein, excluding, however, the following:

(1) The conversion of an existing single family detached dwelling or a single family semi-detached dwelling into not more than 3 residential units, unless such units are intended to be a condominium; and

(2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

Landowner or Owner. 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.

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

Lot, Mobile Home. A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

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

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

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

Person. Means any individual, partnership, corporation, association, institution, cooperative enterprise, governmental entity or agency, or any other legal entity which is recognized by law. In any provision of this Ordinance prescribing a fine, imprisonment or penalty, or any combination of the foregoing, the term person shall include the officers and directors of any corporation or other legal entity having officers and directors.

Plat. A plan, map or drawing on which the subdivider's plan for the subdivision of land is represented and which is submitted for approval and which will be recorded when approved.

Public Improvement. Any improvement that is planned for dedication and acceptance by a public entity and for which the public entity has required construction specifications.

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. The term shall include travel trailers, camping trailers, truck campers or motor homes.

Recreational Vehicle Park. A site or tract of land or contiguous tracts 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 (or are intended to be) located whether operated for or without compensation.

Road or Street. An area which primarily serves or is intended to serve as a vehicular and pedestrian access to abutting lands or to other roads. The word "road" refers to the right-of-way or easement, whether public or private, and not only to the surfaced roadway or paving or other improvements within the road right-of-way. It includes the terms roadway, street, highway or similar terms.

Road, Private. Any road which is privately owned and maintained by an individual or legal entity other than the Township or State.

Road, Public. Any road which is, or is to be, dedicated, for public use, or which has been accepted as and is being maintained by the Township or State.

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 cartway.

Structure. Any man-made object having an ascertainable stationary location on or in land or water whether or not affixed to the land, including, but not limited to, buildings, billboards, signs, carports, porches, swimming pools, structural walls and other building features but not including sidewalks, fences, driveways, and patios.

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 (1) the subdivision by lease of land for agricultural purpose into parcels of more than 10 acres, not involving any new roadway or easement of access or any residential dwelling or habitable building, shall be exempted, and (2) conveyances executed for the sole purpose of settling *bona fide* property line disputes between adjoining owners shall be exempted.

Survey, Property. An accurate drawing prepared by a registered professional land surveyor.

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

Township. East Fairfield Township.

201. Usage.

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

The word "shall" is mandatory and not discretionary.

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

The term "person" includes individuals, corporations, partnerships and unincorporated associations and similar entities.

202. Incorporation of Other Definitions.

202.1 The definitions set forth in the Pennsylvania Municipalities Planning Code, as reenacted and amended by Act 170 of December 21, 1988, and as thereafter amended are hereby adopted and incorporated by reference as the definitions applicable to this Ordinance.

**ARTICLE III.
REVIEW PROCESS REQUIREMENTS**

300. Classification of Subdivisions and Land Development. Each subdivision and land development under the jurisdiction of this Ordinance shall be classified under one of the following categories:

300.1 *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.

300.2 *Minor Subdivision.* A subdivision containing five lots or less, and where,

- (a) the lots abut existing public roads which are maintained by the Township or state, and
- (b) no new roads are planned, and
- (c) each lot will have an individual on-lot sewage disposal system and will have water supplied by an on-lot well, and
- (d) no construction of storm water facilities or other public improvements are planned or necessary, and
- (e) no land is reserved or dedicated for any public purpose.

300.3 *Major Subdivision.* A subdivision containing six or more lots, or a subdivision requiring:

- (a) a new road, or
- (b) an off-lot sanitary sewer disposal system or off-lot water supply system, or
- (c) the construction of storm water facilities or other public improvements.

All subdivisions not classified a single-lot or minor subdivisions shall be classified as major subdivisions.

300.4 *Minor Land Development.* A land development involving the construction of only one commercial, industrial or other non-residential building, or a single apartment building with no more than four dwelling units, involving no subdivision of land, involving the development of less than 12,000 square feet for buildings and parking, and meeting the criteria for a minor subdivision set forth in Section 300.2 above.

300.5 Major Land Development. A land development other than a minor land development. Major land developments shall include mobile home parks, recreational vehicle parks, apartment complexes, shopping centers, industrial developments and cluster developments.

301. Subdivision and Land Development Application Information. All subdivision and land development plan submissions 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 as required by Section 400.

302. Subdivision and Land Development Review Stages. The following review process is required for subdivisions and land developments.

302.1 A Single-Lot Subdivision shall be processed in accordance with the requirements in Sections 400 and 401.

302.2 The Minor Subdivision and Minor Land Development shall require Preliminary Plan and Final Plan Stage approvals; however, submission of these two stages may be combined with approval of the Township Supervisors and occur at the same time, and both approvals may be obtained at one time providing all information required for Preliminary and Final Plan reviews has been submitted.

302.3 The Major Subdivision and Major Land Developments shall be processed through and require separate Preliminary and Final Plan Stage approvals as provided in this Ordinance.

303. Sketch Plan Stage. A Sketch Plan review is not mandatory but may be beneficial before investing substantially in design and engineering. It is an opportunity to informally discuss the proposed subdivision or land development with the Planning Commission and Supervisors. The applicant should submit the following:

A scaled plan which may be in freehand showing the proposed layout of roads, lots and public facilities in relation to existing development. Rough sketches of proposed community or individual, sanitary sewer and water systems as well as storm water management techniques should be provided. Existing conditions on and near the site should be shown including but not limited to wooded areas, watercourses, easements, rights-of-way and utility systems. Topographic information represented by contour lines at an interval of 10 feet or less. U.S. Geological Survey maps should be presented.

To the extent the application information and the Sketch Plan drawing do not convey adequately the developer's intent, a narrative should be submitted dealing with the elements of the proposal. At the Sketch Plan Stage, the proposed development should be informally examined relative to road and lot patterns, public facility improvements, utility

system requirements, relationships to existing conditions and proposed development in the area, requirements of the Township ordinances and applicable state regulations and other pertinent concerns.

304. Preliminary Plan Stage. This stage of review shall commence upon submission to the Township Secretary of a completed application for review (Section 400), three (3) copies of all plats or plans and narrative statements required to explain how the subdivision or land development will be developed, all information required by Section 402, and payment of all fees as established by Resolution of the Board of Supervisors.

305. Final Plan Stage. This stage of review shall commence upon submission to the Township Secretary of the original or exact legible tracing of the subdivision or land development plat or plan together with three (3) printed copies thereof, narrative statements and supporting exhibits as required in Section 404, or otherwise, and the payment of all fees as established by Resolution of the Board of Supervisors.

306. Planning Commission Review. With respect to both preliminary and final plan review stages, if there is a Township Planning Commission, the Secretary of the Township, upon receipt of all documents and supplemental materials, submission of which is required, shall forward one copy of same to the Township Planning Commission and the Crawford County Planning Commission for their review. The Planning Commissions or the staff of the Crawford County Planning Commission should provide their review and comment within 45 days of receipt of the application, whenever possible.

307. Review By Other Governmental Entities. Where adjacent municipalities and governmental agencies may be affected by the proposed subdivision and land development, a copy of the application and plan submissions should be forwarded by the Township Secretary to the affected municipalities and governmental agencies for review and report, with the request that any report be received within 45 days.

308. Action By Township Supervisors.

308.1 The Board of Supervisors shall render its decision on the Preliminary and Final Plan applications and communicate it to the applicant no later than 90 days following the date the completed application and fees for Preliminary or Final Plan submission are delivered to the Township Secretary. The Supervisors should provide the decision in a lesser time whenever possible.

308.2 The Supervisors shall not approve a plan until they receive the County Planning Commission's comment, or the staff comment, and the Township Planning Commission's comment, if applicable, or until the expiration of the 45 days allowed for comment.

308.3 The decision of the Board of 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.

308.4 Extensions or modifications of the time restrictions, or changes in the prescribed manner of communication of the decision as set forth above shall not be made except with written consent and approval of the applicant.

308.5 The Township Supervisors shall review the Preliminary and Final Plan submissions to assure that they conform with the requirements of this Ordinance, and with the approved Preliminary Plan, if applicable. In processing and rendering a decision on the Preliminary and Final Plan, the Board may take one of the following actions:

(a) approve the plan.

(b) approve the plan subject to specified conditions relating to additions, corrections, collateral approvals, and/or changes to be made or supplied in the plan. Provision shall be made for the applicant to accept or reject the proposed conditions. If any condition is rejected, or if the applicant takes no action to accept or reject the conditions within 15 days of the date of the conditional approval, then the approval of the plan or plat, whether preliminary or final, shall be automatically rescinded. The acceptance or rejection of the conditions shall be noted by signature of the applicant on the form provided by the Township. Final Plan approval shall be conditioned upon the receipt of financial security in accordance with the provisions of this Ordinance.

(c) table action of the plan until additional information, corrections, collateral approvals, and/or changes are made to the plan, but only with written consent of the applicant if action will delay decision for more than 90 days from date of application.

(d) disapprove plan if it finds that the plan does not comply with the requirements of this Ordinance or other applicable regulations or if, in its opinion, the subdivision or land development plan would adversely affect the health, safety, or the general welfare of the Township. The action taken by the Board shall be communicated to the applicant in writing and where the plan is disapproved, the written decision shall specify the deficiencies in the plan and describe the requirements which have not been met and cite the provisions of law or ordinance relied upon.

309. Duration of Preliminary Plan Approval. Preliminary Plan approval by the Township, except where stated otherwise, indicates the general acceptability of the subdivision layout, and all other accompanying proposals. Preliminary Plan approval shall be effective for a maximum of 5 years unless, upon submission by the applicant in writing, an extension(s) of time is requested and subsequently granted. An extension, if granted, shall not exceed a period of one year. In the case of any doubt as to the terms of a preliminary approval,

the terms shall be construed according to the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was filed.

- 310. Approval of Development in Stages Over Time.** Where a development is projected over a period of years, the Township Supervisors may authorize submission of final plans by section or stages of development subject to compliance with the requirements of this Ordinance and the applicable sections of the Pennsylvania Municipalities Planning Code and 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.
- 311. Approval Certificate.** The Supervisors' approval of the subdivision plat or land development plan shall be noted by the signature affixed to the approval certificate. In instances where the Final Plan is given a conditional approval, the subdivision plat shall not be signed until each condition has been satisfactorily met as ascertained by the Board.
- 312. Recording.** The final plat or 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. If not recorded, the Board's approval becomes void unless an extension of time is requested and granted by the Board. The applicant shall be responsible for recording the plat or plan. A copy of the recorded plat or plan shall be submitted to the Township.
- 313. Subdivision and Land Development Fees.** The Township Supervisors shall by resolution establish a schedule of fees which may be amended from time to time. The required fee shall accompany the Preliminary or Final Plan submissions. No plan shall be approved unless all fees have been paid. Additional fees will be charged for reasonable and necessary charges of the Township Engineer and professional consultants for review, inspection, studies and reports necessary for a proper review and consideration of the plans. Their fees shall be based upon a schedule to be adopted by resolution of the Board of Supervisors. Disputes regarding these fees shall be resolved in accordance with the provisions of the Pennsylvania Municipalities Planning Code as applicable.

ARTICLE IV.
SUBDIVISION AND LAND DEVELOPMENT PLAN REQUIREMENTS

400. Application Information. All proposed subdivisions and land developments shall be submitted with an Application approved by the Township which shall include the following information. See Appendix I.

400.1 Name of the subdivision or land development;

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

400.3 Name, address and telephone number of the surveyors, architects and Engineers involved in preparing the subdivision and land development plans;

400.4 Description of the location of the proposed subdivision or land development in order that it may be located on a property map of the Township;

400.5 Number of lots in the subdivision and the gross acreage; the area of any existing public road right-of-way shall not be included in the gross acreage figure;

400.6 Type of development proposed, whether single family or multi-family residential, mobile home or recreational vehicle park, commercial or industrial buildings, recreational facility, *etc.*;

400.7 General statements on how sanitary waste and storm water 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;

400.8 Zoning district(s), if applicable;

400.9 Additional information on the area surrounding the subdivision or land development including but not limited to roads and other community facilities, zoning, existing uses of land, topography and other relevant features.

401. Single Lot Subdivision Requirements. As established in Section 302.1, Single-Lot Subdivisions shall be processed in one submission to the Township. The subdivision shall be a titled, property survey, and the owner's name and address and the township and county in which the subdivision is located shall be indicated following the title. The drawing shall be prepared by a registered professional land surveyor and shall be drawn

in ink on paper or Mylar of customary and acceptable size. After the property survey is approved, it shall be recorded along with the property deed in the County Recorder's Office.

401.1 Property Survey. The property survey shall include the following information and certificates:

(a) The length and bearings of the lot's boundary lines. Distances shall be measured to the nearest hundredth of a foot. Bearings shall be measured to the nearest 20 seconds. The error of field closure for the lot's exterior boundary shall be no greater than one foot in five thousand feet, and all geometrics of the final plat shall be balanced.

(b) 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.

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

(d) The distance(s) and bearing(s) to some described and readily locatable and permanent point outside of the subdivision, 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 the roads, "ties" to this point shall be determined and recorded on the plat.

(e) The tax assessment parcel number of the parcel of land from which the lot has been divided; this number is available in the County Assessor's Office.

(f) The owners' names for all lands adjacent to the lot.

(g) The location of existing easements, streams, bodies of water and other pertinent features on the lot. Easements shall be explained.

(h) The explanation, location, width and dedication of proposed easements.

(i) Building setback line. The setback line shall be dimensioned and labeled.

(j) A north point; the scale of the drawing shall be noted and shown graphically.

(k) The area of the lot in square feet and/or acres.

(l) Certifications substantially in the form set forth in Appendix II of the following

Landowners, Registered professional land surveyor, Crawford County Planning Commission's review, East Fairfield Township Planning Commission review, and East Fairfield Township Supervisor approval.

(m) Statements as may be appropriate or required by the Township concerning sewage facilities, dedications for public use, utility and drainage or other easements and any covenants relating to use of the land.

401.2 Limited Waiver of Survey Requirement. In the case of a single lot subdivision where a lot of two acres or less is divided from a larger parcel of land for purposes of conveying same to a member of the landowner(s)' immediate family, the Supervisors may waive the survey requirement if, in their judgment, there are sufficient means to determine the location of the lot with reference to other permanent monuments, if a reasonably accurate diagram or drawing using existing and reliable mapping is provided to generally show the location of the lot, if there is a reasonably accurate description of the lot in the Deed to be recorded, which shall be provided to the Supervisors, and if no legal impediment to recording the Deed and referenced map exists. For purposes of this section, "immediate family" shall mean a brother, sister, mother, father, son, daughter, stepchild or grandchild of the person with legal ownership of the subject property.

401.3 Sewage System Requirements. No subdivision, including a single lot subdivision, shall be approved unless the landowner has complied with Section 404.7 of this Ordinance (relating to sewage system requirements for final plan approval).

401.4 Road Permits. Where the lot(s) abuts a state or municipal maintained road and a highway occupancy permit(s) has not been obtained from the Pennsylvania Department of Transportation (PennDOT), or the municipality as may be required, the statement found in Appendix IV shall be entered on the survey.

402. Preliminary Plan Stage Review Requirements. The Preliminary Plan submission shall include the preliminary plat and other support drawings and narrative statements as needed to meet the requirements of this Ordinance.

402.1 Plat and Plan Requirements. 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 may be prepared in pen or pencil. The plat and other plan sheets shall be no larger than 24 inches by 36 inches; where more than one sheet is used, each sheet shall be suitably numbered and titled; these requirements also shall govern the Engineering, construction and various supporting drawings included in the Preliminary Plan. 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 plat shall include the following information:

- (a) Proposed name of subdivision or land development and the township and county in which it is located.
- (b) The date, scale and north point indication.
- (c) A small, scaled location map showing the area of the proposed subdivision 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 is oriented.
- (d) The road patterns and names of adjacent subdivisions and developments and the location and owners' names of adjacent parcels of unsubdivided land.
- (e) Zoning of the proposed site and adjacent lands in instances where it cannot be provided clearly in the application information sheet.
- (f) Location, width (right-of-way and pavement) and type of construction of all existing roads, public and private, for the land to be subdivided or developed and for all lands within approximately 200 feet of the proposed subdivision or development. For this same area, all existing easements, sanitary and storm sewers, water lines, railroads, utility rights-of-way, oil and gas facilities, parks, cemeteries, watercourses, drainage ditches, swamps, wetlands, 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 or development.
- (g) Plan of the proposed development including the lots, road right-of-ways, easements for water lines, storm and sanitary sewers, drainage ways and all other public utilities where they are separate from road rights-of-ways structures other than single family dwellings, parking areas and road access. Where it is not clear from the scaled drawings, the dimensions of elements of the proposed layout shall be given.
- (h) Topographic information shall be provided where: road improvements, or sanitary sewer, storm water, or water utility systems are proposed, or where the average area of the lots proposed is 22,000 square feet or less. Contours shall be at an interval of five feet or less and may be based on topographic information as obtainable from U. S. Geological Survey maps; providing, however, that where site planning considerations for roads, storm water management facilities and sanitary sewer services to serve proposed development are complex because the terrain has a considerable amount of slope or lot sizes are small, more detailed topographic information may be required.
- (i) Location and area of property, if any, proposed to be dedicated for public use, or to be reserved by deed covenant for the use of property owners in the subdivision or development.

402.2 Private Restriction. Statement as to what restrictive covenants or private deed restrictions, if any, are proposed.

402.3 Sanitary Sewage System. The Preliminary Plan shall contain the following information and documentation:

(a) Appropriate and acceptable documentation concerning whether an official sewage plan revision is or is not necessary under the applicable Pennsylvania laws and regulations governing sanitary sewage facilities.

(b) If an official plan revision or similar process is required under applicable Pennsylvania laws and regulations governing sanitary sewage facilities, documentary proof that the process has been commenced and that required information has been or is being submitted for review and approval by the appropriate authorities in accordance with the requirements of law, and if available, the documentary results of the approval process including DEP's determination.

(c) For subdivisions or land developments where development is proposed requiring common or public sewage facilities, preliminary information about the system shall be submitted, together with comments of the municipality, authority or other entity responsible for operation and maintenance of the sewage facilities system concerning the feasibility and acceptability of the proposal.

(d) For subdivisions and land developments where the proposed or likely use of the land would require individual sewage systems for sewage disposal, documentation concerning the results of site suitability analyses and other tests or investigations required under the applicable Pennsylvania laws and regulations of the DEP governing sewage facilities, and acceptable documentation that required permits can be obtained and that the sewage facilities will have no adverse impact on water supplies or the public health and safety.

402.4 Water Supply. The Preliminary Plan shall contain information about the source of potable water and the proposed water system. Where use of an existing community water system, public or private, is proposed, there shall be provided evidence that the authority municipality or other entity responsible for the operation of the water system has reviewed and approved the proposed addition to the system and general plans for the additional water lines. Information shall be provided to show that the intended potable water supply will be adequate and safe for the proposed or likely uses of the lots.

402.5 Storm Water Management. The Preliminary Plan shall contain the following information and documents:

(a) for Major Subdivisions and Major Land Developments, acceptable documentation shall be provided to demonstrate that the quantity, velocity and direction of resulting storm water runoff will be managed in a manner which adequately protects persons and property

from possible injury, and assures that the maximum rate of storm water runoff is no greater after development than prior to development.

(b) For Major Subdivisions and Major Land Developments, a plan, and descriptions where appropriate, shall be provided of the storm water management measures and devices proposed including, but not limited to, open flow channels, swales, detention areas, culverts, underground storm water lines, storm inlets and manholes.

(c) For Major Subdivisions and Major Land Developments, storm water runoff calculations shall be provided for the watershed area above (upstream from) the subdivision site and for the subdivision site itself based on the design criteria established in this Ordinance. Finalized calculations and plans are not required at this stage but enough work shall be done so that decisions can be made on the acceptability of the general layout of the subdivision.

(d) The information required in Subsections (a), (b) and (c) above may be required for Minor Subdivisions and Minor Land Developments where storm water management considerations are determined by the Township Engineer to be critical in the development proposal.

402.6 Road Gradients. Based upon topographic information, where roads are proposed in areas having a 10 percent grade or more, the planned road gradients shall be shown.

402.7 Bridges. Use of bridges for vehicle use should be avoided. Where deemed necessary, developer shall provide information to the Township concerning the proposed design, location, load capacity, costs and maintenance of the proposed bridge.

402.8 Maintenance Entity. Information shall be provided concerning the manner in which improvements will be maintained, whether by the Township or a private entity, and if privately maintained, the means by which the entity will be organized, perpetuated and financed for future maintenance responsibilities.

402.9 Other Information. Any other information that the Township Planning Commission, Supervisors or Engineer shall determine is necessary for a comprehensive review shall be provided.

403. On Lot Sewage Requirements for Preliminary Plan Approval. No approval of Preliminary Plans for subdivision and land developments shall be given where individual sewage systems (on-lot systems) are proposed unless all plans, site suitability analyses, or other tests or investigations required under the applicable laws of Pennsylvania and regulations of DEP have been completed and approved by the sewage enforcement officer and other appropriate governmental agencies and officials, and appropriate documentation thereof has been submitted to the Supervisors, and unless it has been determined that

adequate and safe sewage disposal facilities shall be available to serve the proposed subdivision or land development, with the following exceptions: (a) Where it is demonstrated that the developer is making satisfactory progress toward fulfilling these requirements, or is faced with unique circumstances which make compliance unreasonable, preliminary approval may be granted on the condition that no construction or improvements shall be undertaken until those things have been completed and documented to the satisfaction of the Sewage Enforcement Officer and Supervisors or other appropriate governmental official; or (b) Where the developer intends to rely on the exception referred to in Section 404.7(c) and so certifies.

404. Final Plan Stage Review Requirements. The Final Plan submission is a continuation of the review begun in the Preliminary Plan stages of the process. Proposals submitted in the earlier stages may change through the review process as additional information is gathered and as Engineering and other design studies are developed. Drawings and narratives submitted at the Preliminary Plan stage revised and refined as required shall be considered as part of the Final Plan submission. The Final Plan submission at the minimum shall consist of the following:

404.1 Plat and Plan Requirements. The final plat or plan shall be signed by a registered professional land surveyor or Engineer. It shall be drawn in ink at a convenient scale, but not greater than 1 inch to 100 feet. It shall be sufficiently bold so as to be capable of clear and distinct reproducible copies. It shall be drawn on an acceptable drafting medium no larger than 24 inches by 36 inches. Where more than one sheet is used, each sheet shall be suitably numbered and titled. The plat or plan shall contain the following:

(a) The name of the subdivision or land development in prominent letters and the township and county in which it is located. The name shall not be a duplicate of, or closely resemble, the name of any previously approved or recorded subdivision or land development in the township.

(b) The lengths and bearings of the exterior boundary lines of the subdivision or land development (which shall be delineated with a bolder line than the interior property lines in the subdivision) 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 hundredth of a foot. Bearings shall be measured at least to the nearest twenty seconds. The error of field closure for the subdivision's exterior boundary shall be no greater than one foot in five thousand feet, and all geometrics of the final plat shall be balanced.

(c) Monuments for all exterior boundary, lot and road right-of-way corner points and all points indicating a change in direction or a change in geometry. The nature of the monument shall be indicated.

(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, which names shall not duplicate names already established in the municipality or adjacent municipalities within the Enhanced 911 service areas as designated by the Crawford County Emergency Management Agency. Road right-of-way shall be shown as separate and independent of the subdivided land. Easements shall include those for storm water facilities, sanitary sewage facilities, water supply facilities and other utilities. New easements shall be defined and explained.

(e) The plat shall contain the distances(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.

(f) A number or other suitable designation for all lots or parcels within the subdivision or land development.

(g) Building setback lines which shall be dimensioned and labeled.

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

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

(j) The tax assessment parcel number(s) of the parcel(s) of land from which the subdivision or land development was taken.

(k) The purpose, location and width of existing easements.

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

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

(n) Preliminary Plan requirements as set forth in Sections 403.1 (c), (f), (h) and (i) of this Ordinance.

(o) Certifications substantially in the form set forth in Appendix II.

404.2 Additional Statements. Statements may be required to be included on the plat or plan to clarify the easement, utility easements and drainage easements in a manner set forth in Appendix III, other easements or dedications, and covenant statements originated and enforced by the subdivider or developer to protect and guide the use of land in the subdivision or land development. If covenants are recorded in a separate instrument, such instrument shall be referenced on the plat.

404.3 Road Occupancy Permit. Where the subdivision or its lots abuts a state or municipal maintained road and highway occupancy permit(s) have not been obtained from PennDOT, or the municipality, the statement found in Appendix IV shall be entered on the plat.

404.4 Engineering and Construction Plans. Where roads and sanitary sewer, storm water, water supply or other utility system improvements are proposed, final Engineering and construction plans shall be prepared by a qualified professional Engineer, registered professional land surveyor, or architect as appropriate and shall be part of the Final Plan submission. Although these plans need not be recorded in the County Recorder's Office, the plans shall be reviewed and approved by the Township Planning Commission, Supervisors and Engineer and become part of the public record.

404.5 Revised Grades. Where a subdivision shall have 40 percent or more of its land area altered or where 40 percent of the development is on slopes 12 percent or greater, a revised contour or grading plan shall be required together with the Erosion and Sediment Control Plans as required.

404.6 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 shall be required.

404.7 Sewage Systems.

(a) For subdivisions or land developments where development is proposed requiring community or public sewage facilities, the following items shall be submitted for review and be required before final approval shall be given: plans detailing the system and its design, documentation that the sewage facilities meet all regulatory requirements, documentation that all permits and approvals have been or shall be issued by DEP and all regulatory agencies or entities, and documentation that the sewage system will meet the requirements of the municipality, authority or other entity responsible for operation and maintenance of the sewage facilities system.

(b) For subdivisions and land developments where individual sewage systems shall be used, documentation shall be submitted to establish that all soil and site suitability analyses, planning modules, plans, tests, or studies as may be required by and under the applicable state, federal and local laws and DEP regulations shall have been completed, reviewed and approved by the sewage enforcement officer, DEP and any other

governmental agencies or officials as necessary and appropriate. Copies of all analyses, reports, comments and approvals shall be submitted to and maintained by the Township. Developer shall likewise establish and document that sewage permits have been issued for all the lots in the subdivision, or provide sufficient and satisfactory proof that necessary permits have been or will be approved for issue. Finally, there shall be sufficient and satisfactory proof presented as necessary and appropriate to establish that the planned sewage disposal systems shall not interfere with or harm the drinking water supplies. All of these requirements shall be met in order to obtain final approval.

(c) No subdivision shall be finally approved unless all requirements for sewage disposal have been met, with the exception that approval may be given if the applicant and landowner shall certify to the Township that the subdivision is not made for purposes of land development or improvement or any use that would involve construction of facilities for occupancy for residential, business, recreational or institutional use, and include this certification on the plat or plan, as set forth in Appendix V.

404.8 *Water Supply Systems.* If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, evidence shall be presented that the subdivision or development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. Plans detailing the facility system shall be submitted. In addition, before final approval can be given by the Township Supervisors, evidence shall be submitted to establish that all required permits and approvals have been or shall be issued by all entities responsible for issuing permits and for the operation and maintenance of the system. Where use of on-lot water supply systems is intended, there shall be presented sufficient and satisfactory evidence that the potable water supply will be adequate and safe for the proposed or likely uses of the lots.

404.9 *Storm Water Management.* For a major subdivision, major land development and for minor subdivisions and minor land developments where storm water management considerations are determined to be critical by the Township Engineer, a storm water management plan meeting, the requirements of Article V shall be submitted.

404.10 *Assurance for Future Maintenance.* Where the subdivider or developer intends to assure that subdivision and land development improvements or open or common space will be maintained through a homeowners' association, or similar entity, documents shall be drafted and prepared for filing with the County Recorder's Office which provide for the legal creation of such an association and which shall have statements concerning its organization and responsibilities, and legally adequate and proper provisions for its continuing existence and for carrying out the continuing maintenance responsibilities.

404.11 *Land Development Requirements.* In addition to other requirements, land developments involving construction of commercial, industrial, institutional or recreational facilities; apartment complexes, mobile home and recreational vehicle parks; campgrounds and cluster developments and similar developments shall include the following:

(a) plans for parking, deliveries, and vehicle access with information about the estimated parking demands and traffic flow. Final approval shall not be granted unless it can be concluded that such facilities are adequate and will provide for safe traffic movement;

(b) a landscaping plan that includes a plan for a landscaped transition to adjoining properties.

404.12 *Other Governmental Permits.* Evidence of approvals by all public or governmental authorities or agencies as may be required including, but not limited to, occupancy permits for any planned road entrances onto an existing public road or highway obtained from the Township or state officials having jurisdiction, and permits from the DEP as applicable, shall be provided.

404.13 *Staged Development.* A statement shall be provided concerning the planned stages or phases of development as appropriate. Each phase, except for final, shall contain at least 25% of the proposed total dwelling units.

404.14 *Compliance Information.* All reports and information necessary to determine compliance with the design and construction specifications shall be provided.

**ARTICLE V.
STORMWATER MANAGEMENT REQUIREMENTS**

500. Stormwater Management Requirements.

500.1 For Major Subdivisions and Major Land Developments, and for Minor Subdivision and Minor Land Developments where storm water management considerations are determined to be critical, no final plan approval shall be given until a storm water management plan meeting the requirements of this Ordinance have been prepared, submitted and approved by the Township.

500.2 Professional Certification. The stormwater management plan (including all calculations) must be prepared by and sealed by a registered professional Engineer, surveyor or architect with training and expertise in hydrology and hydraulics. Documentation of qualifications may be required by the Township.

501. Storm Water Plan Requirements.

501.1 Plan Requirements. Stormwater plan drawings shall be prepared and submitted, and show the following:

(a) *Watershed Location.* Provide a key map showing the location of the development site within the watershed(s). On all site drawings, show the boundaries of the watershed(s) and sub-areas as they are located on the development site, and identify watershed names(s) and sub-area number(s).

(b) *Floodplain Boundaries.* Identify 100-year floodplains on the development site (as appropriate) based on the Township Flood Insurance Study Maps.

(c) *Natural Features.* Show all bodies of water (natural and artificial), watercourses (permanent and intermittent), swales, wetlands and other natural drainage courses on the development site, or which will be affected by runoff from the development.

(d) *Soils.* Provide an overlay showing soil types and boundaries within the development site (consult the Soil Survey of Crawford County, 1979, available at the County Planning Office, the Crawford Conservation District and other locations).

(e) *Contours.* Show existing and revised contours at intervals of two (2) feet; in areas with slopes greater than fifteen (15) percent, five (5) foot contour intervals may be used. USGS data may be used for this data.

(f) *Land Cover.* Show existing and final land cover classifications as necessary to support and illustrate the runoff calculations performed.

(g) *Drainage Area Delineations.* Show the boundaries of the drainage areas employed in the runoff calculations performed.

(h) *Stormwater Management Controls.* Show any existing stormwater management or drainage controls and/or structures, such as storm sewers, swales, culverts, etc. which are located on the development site, or which are located off-site but will be affected by runoff from the development.

501.2 Runoff Calculations. Calculations for determining pre- and post-development discharge rates and for designing proposed stormwater control facilities must be submitted with the stormwater management plan. All calculations shall be prepared using the methods and data prescribed by this Ordinance.

501.3 Stormwater Controls. All proposed stormwater runoff control measures must be shown on the plan including methods for collecting, conveying and storing stormwater runoff on-site, which are to be used both during and after construction. Erosion and sedimentation controls shall be shown in accordance with applicable Township and County Conservation District requirements. The plan shall provide information on the exact type, location, sizing, design and construction of all proposed facilities and relationship to the existing watershed drainage system.

(a) If the development is to be constructed in stages, the applicant must demonstrate that stormwater facilities will be installed to manage stormwater runoff safely during each stage of development.

501.4 Easements, Rights-of-Way, Deed Restrictions: All existing and proposed easements and rights-of-way for drainage and/or access to stormwater control facilities shall be shown and the proposed owner identified.

501.5 Other Permits/Approvals. A list of any approvals/permits relative to stormwater management that will be required from other governmental agencies (*e.g.*, an obstruction permit from Pennsylvania DEP) and anticipated dates of submission/receipt should be included with the stormwater plan submission. Copies of permit applications may be requested by the Township where they may be helpful for the plan review.

501.6 Maintenance Program. A proposed maintenance plan for all stormwater control facilities shall:

(a) Identify the proposed entity (*e.g.*, municipality, property owner, homeowner's association, or other entity) to be responsible for maintenance.

(b) Include a maintenance program for the facilities, outlining the type of maintenance activities, probable frequencies, personnel and equipment requirements and estimated annual maintenance costs.

(c) Identify method of financing continuing operation and maintenance if the facility is to be owned by other than the Township or some other governmental agency.

(d) Include any legal agreements or instruments required to implement the maintenance program.

502. Stormwater Management Performance Standards.

502.1 General Standards. For all subdivisions and land developments which may affect stormwater runoff characteristics, developer shall implement such measures as reasonably necessary, and consistent with the requirements of this Ordinance and recognized engineering practice:

(a) To assure that the maximum rate of stormwater runoff is not greater after development than prior to development activities; or

(b) To manage the quantity, velocity and direction of resulting stormwater runoff in a manner which otherwise adequately protects persons and property from possible injury.

502.2 Stormwater Calculations. Stormwater runoff shall be calculated on the basis of a 24 hour duration rainfall and a 50 year frequency storm. 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.

502.3 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 storm water shall be gathered and concentrated in newly formed swales and waterways within a subdivision or land development and discharged or drained over lands beyond the boundaries of the subdivision or land development, the applicant shall reserve or obtain easements over all lands affected thereby. Where this cannot be done, the water shall be diffused so that it does not enter the adjacent property in a concentrated flow pattern where it did not do so in its natural state.

503. Design Criteria for Stormwater Management Controls.

503.1 General Criteria

(a) Developers may select control techniques, or a combination of techniques, which are most suitable to control runoff from the development site consistent with recognized engineering standards. All controls are subject to approval of the Township and its Engineers. The Township and its Engineers shall be provided specific information on design and/or operating features of the proposed stormwater controls as necessary to determine their suitability and adequacy in terms of the standards of this Ordinance.

(b) The effect of the proposed stormwater management techniques on any special soil conditions or geological hazards which may exist on the development site should be addressed.

(c) The stormwater management practices to be used in developing a stormwater management plan for a particular site shall be selected according to the following order of preference:

(1) Infiltration of runoff on-site.

(2) Flow attenuation by use of open vegetated swales and natural depressions.

(3) Stormwater detention/retention structures.

(d) Infiltration practices shall be used to the extent practicable to reduce volume increases and promote groundwater recharge. Infiltration systems shall be sized and designed based upon local soil and groundwater conditions and in accordance with good Engineering practice.

503.2 Criteria for Flow Attenuation Facilities

(a) If flow attenuation facilities are employed to assist in the control of peak rates of discharge, their effects must be quantified using the SCS Technical Release (TR) 55 Urban Hydrology for Small Watersheds, or other accepted method. The effects of the flow attenuation facilities on travel time should be reflected in the calculations as outlined in the manuals of the TR55 or other accepted method.

(b) Flow attenuation facilities such as swales and natural depressions should be properly graded to insure positive drainage and avoid prolonged ponding of water.

(c) Swales shall be properly vegetatively stabilized or otherwise lined to prevent erosion.

(d) The design of swales shall be in accordance with the recommendations contained in the Commonwealth of Pennsylvania Erosion and Sediment Pollution Control Program Manual.

503.3 *Criteria for Stormwater Detention Facilities*

(a) If detention facilities are utilized for the development site, the facility(ies) shall be designed such that post-development peak runoff rates from the developed site are controlled to those rates defined by the sub-area release rate percentage for the 2-, 10-, 25- and 100-year storm frequencies. All detention facilities shall be equipped with outlet structures to provide discharge control for the four designated storm frequencies. Provisions shall also be made to safely pass the post-development 100-year storm runoff without damaging (*i.e.*, impairing the continued function of) the facilities.

(b) Any stormwater management facilities utilizing dams and/or resulting in water obstructions and encroachments shall obtain necessary permits as may be required under applicable Pennsylvania Department of Environmental Protection Dam Safety and Waterway Management Rules and Regulations, Chapter 105. Facilities shall be designed in accordance with and meet the regulations of Chapter 105 concerning dam safety. Documentation showing compliance with said Rules and Regulations shall be submitted to the Township.

(c) Shared-storage facilities, which provide detention of runoff for more than one development site within a single sub-area may be considered and are encouraged. Such facilities shall meet the criteria contained in this section. In addition, runoff from the development sites involved shall be conveyed to the facility in a manner that avoids adverse impacts (such as flooding or erosion) to channels and properties located between the development site and the shared-storage facilities. The rights and obligations of all parties to the shared storage facility shall be set forth in writing and be recorded in the Register and Recorder's Office of Crawford County, Pennsylvania.

(d) Where detention facilities will be utilized, multiple use facilities, such as wetlands, lakes, ballfields or similar recreational open space uses are encouraged wherever feasible, subject to the approval of the municipality and the Pennsylvania Department of Environmental Protection Chapter 105 regulations for such facilities as are regulated under Chapter 105.

(e) Standpipes shall be structurally designed for the loading conditions to which they will be subjected, shall be constructed of a resistant material such as reinforced, cast-in-place, or pre-cast concrete, concrete block, PVC or HDPE, and shall be provided with debris grates.

(f) Inflow and outflow structures, pumping stations, and other structures shall be designed and protected to minimize safety hazards

(g) The water depth at the perimeter of a storage pond should be limited to that which is safe for children. This is especially necessary if bank slopes are steep or if ponds are full and recirculating in dry periods.

(h) Side slope of storage ponds shall not exceed a ratio of two to one (2:1) horizontal to vertical dimension. Restriction of access (fence, walls, etc.) may be required depending on the location of the facility. Unless otherwise approved, the maximum planned water depth shall not exceed four (4) feet. All embankments shall be designed according to sound Engineering practice for such structures. Landscaping shall be provided for the facility which harmonizes with the surrounding area.

(i) The facility shall be located to facilitate maintenance, considering the frequency and type of equipment that will be required. All detention facilities shall be provided with an avenue for access for maintenance purposes.

503.4 *Criteria for Collection/Conveyance Facilities.* All stormwater runoff collection or conveyance facilities, whether storm sewers or other open or closed channels, shall be designed in accordance with the following basic standards:

(a) Local stormwater collection/conveyance facilities shall be designed to convey the runoff from what has been calculated to be a 10-year storm for this vicinity as shown on the Pennsylvania Department of Transportation's rainfall charts. A copy of the Field Manual of Pennsylvania Department of Transportation Storm Intensity - Duration-Frequency Charts which contains this information is available from the Pennsylvania Department of Transportation.

Culverts carrying a stream under or through an embankment or fill are regulated by the Pennsylvania Department of Environmental Protection Chapter 105 Dam Safety and Waterway Management Rules and Regulations and shall be designed and constructed in accordance with Chapter 105.

(b) Swales or ditches shall be required along both sides of the road in all new subdivisions and land developments. Storm sewers may be permitted by the Township if approved by the Township Engineer.

(c) Drainage swales and open channels shall be suitably lined to prevent erosion and designed to avoid excessive velocities.

(d) Storm sewers shall be designed in accordance with recognized engineering standards and shall be approved by the Township Engineer.

(e) Storm sewers shall be designed to adequately handle then anticipated stormwater flow and be economical to construct and maintain. The minimum pipe size shall be twelve (12) inches in diameter and a minimum grade of 0.5 percent.

(f) Drain pipe, trenching, bedding and backfilling requirements shall conform to the requirements of the Township and/or applicable PennDOT Specifications, Form 408.

(g) Storm inlets and structures shall be designed to be adequate, safe, self-cleaning and unobtrusive. Inlets shall be constructed of precast or cast-in-place concrete of a design approved by the Township and its Engineer(s). A 2' x 2' precast inlet shall be permitted where pipe diameter is twelve (12) inches or less and where no more than two (2) pipes are inserted into the inlet. The size and design of larger inlets shall be as approved by the Township and its Engineer(s).

(h) Appropriate grates shall be designated for all catch basins, stormwater inlets and other entrance appurtenances.

(i) Manholes shall be installed not more than 400 feet apart where pipe sizes of 24 inches or less are used and not more than 450 feet apart where larger sizes are installed. When approved by the Township Engineer inlets may be substituted for manholes.

(j) Manholes shall be designed so that the top shall be at finished grade and sloped to conform to the slopes of the finished grade.

(k) Storm sewer outfalls shall be equipped with energy dissipation devices to prevent erosion and conform with applicable requirements of the Pennsylvania DEP for stream encroachments.

(l) Where drainage ditches or swales have gradients greater than eight percent or where soil conditions provoke greater than normal surface runoff, drainage ditches shall be rip-rapped or paved.

(m) Drainage culverts, where used, shall be constructed of galvanized or concrete pipe and shall be a minimum of 15 inches in diameter. Head walls should be constructed at the ends of culverts wherever possible.

504. Maintenance Responsibilities

504.1 The stormwater management plan for the site shall contain an operation and maintenance plan prepared by the developer. The operation and maintenance plan shall outline routine maintenance actions and schedules necessary to insure proper operation of the facility(ies).

504.2 The stormwater management plan shall establish responsibilities for the continuing operation and maintenance of all proposed stormwater control facilities, consistent with the following principles: stormwater control improvements within road rights-of-way or which may have a substantial impact on road drainage should be dedicated to and maintained by the Township. Otherwise, the ownership and maintenance of stormwater control facilities should be the responsibility of the owner or private management entity created by the developer for this purpose.

504.3 The owner shall convey to the Township easements and/or rights-of-way as may be necessary as determined by the Township Engineer to assure access for periodic inspections by the Township and maintenance if required to protect the public health and safety.

505. Stormwater Facilities Construction Requirements. All stormwater facilities shall be constructed in accordance with the stormwater management plan approved by the Township Supervisors that meets the design and construction standards and requirements set forth in this Ordinance and other applicable regulations and in accordance with current accepted Engineering practice.

ARTICLE VI.
DESIGN STANDARDS AND REQUIREMENTS

600. General Design Principles. In planning a subdivision or land development, the applicant shall be guided by the following principles:

600.1 In planning and executing a subdivision or land development, the applicant shall comply with any and all other laws, codes, rules, and ordinances of the Township, the county, the state and federal governments and all duly constituted agencies thereof.

600.2 In planning and executing a subdivision or land development, the applicant shall be guided by the currently approved comprehensive plans of the Township, where they exist, and where applicable, the county, particularly in regard to the location of the roads.

600.3 Every possible effort shall be made to preserve and maintain the integrity of sites of historic, cultural or physiographic value including but not limited to sites listed on the Crawford County Register of Significant Sites, or any other historic or similar register.

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

600.5 In planning a subdivision or land development, 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.

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

601. Design Standards for Lots and Blocks.

601.1 Lotting plans shall be worked out with due regard for the topography and the necessity for accommodating sewer and water utilities, whether of on-lot construction or otherwise. Each lot shall allow for convenient driveway access from a public road.

Lotting arrangements shall be developed 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. Lot lines shall follow municipal boundaries rather than cross them.

601.2 Lot lines shall be generally at right angles to the public road and shall follow municipal boundaries rather than cross them whenever possible. Corner lots shall have adequate width to accommodate building setbacks from two roads.

601.3 Lot lines shall be drawn to allow for the road right-of-way. Where the subdivision or land development occurs only on one side of the road a distance of one-half of the road right-of-way from the centerline of the road shall be allowed for the public right-of-way.

601.4 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 and not arterial roads.

601.5 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.

601.6 Subdivisions or land developments should contain no useless remnants of land.

601.7 Block lengths in residential areas generally should not exceed 1,500 feet.

602. Lot Area, Width and Setback Requirements. Lot area, lot width, and setback requirements shall be those set forth in the Zoning Ordinance.

603. Easements.

603.1 Electric power, telephone and similar utility easements, where located at rear or side lot lines, should be centered on these rear or side lot lines. Utility easements along side and rear property lines shall be a minimum of 15 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 10 feet in width. All utility easements shall be shown on the final plat.

603.2 Where a subdivision or land development is traversed by a watercourse, a drainage easement of sufficient width to accommodate the 24 hour duration 50 year frequency storm shall be established and shown on the final plat or plan.

603.3 Easements for fencing and/or tree and shrub plantations for purposes of screening may be required between residential lots and commercial or industrial lots and along arterial highway frontages.

603.4 Whenever a road, planned to have continuity beyond the proposed subdivision or land development, is temporarily stubbed or dead-ended awaiting the subdivision or land development of adjacent land, a cul-de-sac 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, and a statement to this effect shall be entered on the final plat.

604. Curbs and Sidewalks. Where the gross residential density of a subdivision or land development is 4.0 (dwelling units per gross acre) or greater, the Township Supervisors may require the construction of curbed roads and sidewalks.

605. Roadside Trees. The subdivider 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.

606. Electric Power, Telephone and Cable Television Lines. Wherever feasible, electric power, telephone and cable television lines shall be placed in underground conduits.

ARTICLE VII
STREET (ROAD) DESIGN AND CONSTRUCTION STANDARDS

700. Intent. All street design and construction shall conform to the standards and specifications that follow in this Ordinance. It is the intent of these specifications to designate acceptable quality, and any substitutions of design, construction, materials, and/or methods must be approved by the Township at the recommendation of the Township Engineer.

701. Technical References. Where particular aspects of street design and construction are not specified in this Ordinance, street design and construction shall conform to the standards and specifications outlined in the most current editions of the American Association of State Highway and Transportation Officials (AASHTO) publication "A Policy on Geometric Design of Highways and Streets," Pennsylvania Department of Transportation (PennDOT) Design Manual Part 2 "Highway Design," PennDOT Publication 70, "Guidelines for the Design of Local Roads and Streets," and PennDOT Publication 408, "Specifications."

702. General Requirements.

702.1 *Conformity with Related Plans and Ordinances.* The location and function of all streets and improvements in street right-of-ways shall conform to the Township's Comprehensive Plan, Official Map, Transportation Plan, and to other applicable ordinances and plans adopted by the Township. In addition, where street right-of-ways are shown on the Official Map to be located in the property proposed for subdivision or land development, the streets shall be built to the specifications of this Ordinance in the locations shown on the Official Map as part of the subdivision or land development project.

702.2 *Roadway Integration.* Proposed roads shall also be designed in relation to topography, natural drainage, the surrounding road network and the uses designed to be served in the development. 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 to accommodate prospective traffic, to facilitate fire protection and emergency response, and to meet recognized traffic safety design standards.

702.3 *Public Roads.* All new roads being proposed to provide access to property within a subdivision shall be public roads, properly dedicated for public use. There shall be no private roads except in land developments or subdivisions where adequate means of assuring continuous future maintenance has been established.

702.4 *Bituminous Road Surface.* All new roads, both public and private, proposed as part of a subdivision or land development shall be constructed with a bituminous road surface meeting the requirements of this Ordinance, except that a gravel surfaced road may be approved if the road is approved as a private road and if the road is constructed with

subgrade, subbase, subdrains, and surface meeting the requirements of this Ordinance, and PennDOT approved standards, or other recognized standards.

702.5 Plan Requirements. Street plans, profiles, and typical cross-sections shall be submitted to the Township by the developer in accordance with Section 402 of this Ordinance, Preliminary Plan Stage, and Section 404 of this Ordinance, Final Plan Stage. Street plans, profiles, and typical cross-sections shall be approved by the Township in consultation with the Township Engineer.

702.6 Traffic Impact Study. A Traffic Impact Study shall be prepared for any subdivision or land development by a registered professional engineer, when in the opinion of the Township Engineer the proposed project will significantly affect the system of streets of the Township. The study must detail the effect of the subdivision or land development on existing traffic patterns, including estimates of traffic volumes on all roads in the vicinity of the site before and after development. The traffic study must also identify potential problems due to the subdivision or land development and propose solutions to those problems, including review and written comments by the Pennsylvania Department of Transportation. All improvements required as a result of the Traffic Impact Study shall be the responsibility of the developer.

702.7 Design Speed. The subdivision or land development plan shall state the proposed design speed of all proposed streets. The proposed design speed shall be approved by the Township at the recommendation of the Township Engineer.

702.8 Street Classification. The subdivision or land development plan shall designate the classification of streets based on their proposed functions. Street classifications and function shall be approved by the Township at the recommendation of the Township Engineer. Streets shall be classified as follows:

(a) *Arterial Roads.* These 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 Functional Classification System and as set forth and discussed in the Crawford County Comprehensive Plan.

(b) *Collector Roads.* These 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. This category of road is set forth and discussed in the Crawford County Comprehensive Plan.

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

(d) *Alleys.* Alleys may be provided in commercial and industrial subdivisions or land developments or cluster developments, in order to facilitate service access to the proposed buildings. Alleys shall remain privately owned and maintained roadways and the developer shall provide adequate means for their maintenance and repair.

702.9 *Access to Abutting Properties.* Proposed roads except those clearly designed for internal circulation only shall be extended to the boundary lines of the tract to be subdivided or developed unless prevented by topographic or other physical conditions, or unless in the opinion of the Township 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 development of adjacent tracts.

702.10 *Access to Arterial Roads.* Where a subdivision borders on, or contains, an existing or proposed arterial road, the Township may require that access points to the road be limited by one of the following means or some acceptable alternative:

(a) The lot pattern in the subdivision or land development should be so organized that the backyards of lots abut the arterial road and the front yards abut a local or collector road essentially parallel to the 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 arterial road. Access from the arterial to the subdivision or land development shall be by means of a public road intersection(s).

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

702.11 *Abutting Municipalities.* Where streets and sidewalks continue into abutting municipalities, the developer shall coordinate the design with both municipalities in order to ensure uniform design and construction.

702.12 *Existing Streets.* Where a subdivision or land development abuts an existing street of improper width or alignment, the Township may require the dedication of additional right-of-way sufficient to widen the street or correct the alignment.

702.13 *Streets in Flood-Prone Areas.* The finished grade elevation of all proposed streets shall not be lower than 1 foot below the regulatory flood elevation.

702.14 *Driveway Access to Streets.* For all proposed lots, the developer shall demonstrate the feasibility of safe driveway access to a public street in compliance with the Township Driveway Permit or the Pennsylvania Department of Transportation Highway Occupancy Permit.

702.15 *Names of Streets.* Names of new streets shall not duplicate or approximate the names of existing or platted streets, or approximate such names by the use of a different suffix such as "lane," "way," "drive," "court," or "avenue." In approving the names of

proposed streets, consideration should be given to existing or platted street names within the area served by the local post office. New streets shall bear the same name of any continuation or alignment with an existing or platted street.

702.16 Street Signs. Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by the Township.

703. Cross Section Elements. Typical cross sections shall conform to Figure 1. Cross sectional elements shall also conform to the following requirements.

703.1 Right-of-Way Width. The width of street right-of-ways shall be in accordance with Table 1. Provisions for additional right-of-way may be required by the Township in specific cases for additional cartway width, parking, or future widening of the street.

703.2 Cartway Paving Width. The width of street cartways shall be in accordance with Table 1. Travel lanes shall slope away from the roadway centerline at a rate of 2 percent, except where superelevated in accordance with the AASHTO publication "A Policy on the Geometric Design of Highways and Streets." Provisions for additional cartway paving width may be required by the Township in specific cases for public safety and convenience or parking.

703.3 Shoulders. The width of shoulders shall be in accordance with Table 1. Shoulders shall slope away from the roadway centerline at a rate of 6 percent, except where the roadway is superelevated in accordance with the AASHTO publication "A Policy on the Geometric Design of Highways and Streets."

703.4 Curbs. Use of curbs in lieu of shoulders must be approved by the Township in consultation with the Township Engineer. Curbs shall be constructed in accordance with Figure 2, PennDOT Publication 408, and the following requirements.

- (a) An additional 4 feet of cartway paving width is required along all curbs.
- (b) The transition from streets with curb to streets without curb shall only occur at street intersections.
- (c) Expansion joints shall be placed at intervals of not less than 30 feet.
- (d) Curb cut ramps shall be constructed to conform to the requirements of the American Disabilities Act.
- (e) The minimum curb radius at the intersection of two roads shall be 15 feet.

703.5 Sidewalks. If required by the Township or proposed by the developer, sidewalks shall be constructed in accordance with Figure 3, PennDOT Publication 408, and the following requirements.

- (a) Sidewalks shall be graded to have a transverse slope of 1/4 inch per foot.
- (b) Transverse expansion joints shall be placed at intervals of not less than 30 feet. Expansion joints shall also be placed where the sidewalk meets existing walks, driveways, curbs, catch basins, utility castings and other rigid structures.
- (c) All utility castings for water and gas stops, manholes, etc. shall be adjusted by the developer's contractor to be flush with the surface of the finished sidewalk.
- (d) All sidewalks shall conform to the requirements of the American Disabilities Act.

704. Horizontal Alignment

704.1 Curves. Horizontal curves and, if necessary, superelevation shall be designed in accordance with the AASHTO publication "A Policy on the Geometric Design of Highways and Streets," based on the approved design speed for the street.

704.2 Sight Distance. Sight obstructions such as walls, cut slopes, trees, shrubs, tall crops, and buildings shall be offset from a horizontal curve in order to provide sufficient stopping sight distance for that curve. Sufficient stopping sight distance is defined in the AASHTO publication "A Policy on the Geometric Design of Highways and Streets," based on the approved design speed for the street.

704.3 Tangent Sections. Straight sections of streets must be tangent to the beginning or end of adjacent curves. Tangent sections between curves shall be designed in accordance with the AASHTO publication "A Policy on the Geometric Design of Highways and Streets."

704.4 Cul-de-sac Streets. There shall be no dead end streets. Where a street does not run into another street, a cul-de-sac shall be used. There shall be no limitations on the length of a cul-de-sac street. However, cul-de-sac streets up to 600 feet in length as measured from the centerline of the intersecting street to the end of the paved cul-de-sac shall have a minimum right of way for the turnaround area of 100 feet in diameter with a minimum paved cartway of 70 feet in diameter while cul-de-sac streets longer than 600 feet in length shall have a minimum right of way for the turnaround area of 120 feet in diameter with a minimum paved cartway of 80 feet in diameter. Cul-de-sacs generally shall be circular in shape and shall contain no islands or center planting. The Township may authorize alternative turnaround arrangements other than the circular form providing it is shown the alternatives can accommodate equally safe and convenient turning movements. Temporary cul-de-sacs on streets planned to become through streets in the future shall meet the same standards as permanent cul-de-sacs.

705. Vertical Alignment.

705.1 Street Grade. For all streets, the minimum grade shall be 0.5 percent. Maximum street grades shall be in accordance with Table 1.

705.2 Vertical Curves. Vertical curves shall be parabolic, centered on the intersection of vertical tangents, and of sufficient length to provide for sufficient sight distance. The minimum length of vertical curves shall be in accordance with the AASHTO publication "A Policy on the Geometric Design of highways and Streets," based on the approved design speed.

706. Intersections.

706.1 Number of Streets. No intersection shall involve the junction of more than two streets.

706.2 Existing Streets. Proposed new intersections along one side of an existing road shall coincide with existing intersections on the opposite side of said road.

706.3 Clear Sight Triangle. Obstructions such as walls, cut slopes, trees, shrubs, tall crops, and buildings which obscure visibility at the intersection of two streets shall not be located within the clear sight triangle. The sides of a clear sight triangle are measured along the centerlines of the intersecting streets as shown on Figure 4. The sides of a clear sight triangle shall not be shorter than the values specified in Table 1. Whenever a portion of the clear sight triangle occurs within the proposed building setback line, such portion shall be shown on the final plan of the subdivision or land development and shall be considered a building setback line.

706.4 Sight Distance for Stop Control Intersections. Intersections with stop control shall be designed and constructed such that stopped drivers have sufficient sight distance to make a safe departure through the intersection area. Sufficient sight distance for intersections with stop control is defined in the AASHTO publication "A Policy on the Geometric Design of Highways and Streets," based on the approved design speed for the through street.

706.5 Angle of Intersection. The horizontal angle between intersecting streets shall be 90 degrees wherever possible. In no instance, however, shall streets intersect at angles less than specified in Table 1.

706.6 Approaches to Intersection. Within 50 feet of the intersection of the street centerlines, approaching streets shall follow a straight line and have a maximum grade of 3 percent.

706.7 Minimum Distance Between Intersections. The minimum distance between intersections shall be as specified in Table 1. The distance between intersections is measured along the centerline of the street, from the centerline of one intersecting street to the centerline of the second intersecting street.

706.8 Corner Radii. The radii of the edge of pavement (or curb, if required) at the corners of intersecting streets shall be designed in accordance with the AASHTO publication "A Policy on Geometric Design of Highways and Streets."

707. Street Grading and Paving Standards. Drainage facilities, side slopes, subgrade, subbase, and pavement shall conform to the typical section shown in Figure 1 and to the following requirements. It is the intent of these specifications to designate acceptable quality and any substitutions of materials or methods must be approved by the Township in consultation with the Township Engineer.

707.1 Drainage Facilities. Ditches shall be installed on the sides of all streets except in fill sections where the topography clearly allows surface water to drain away from the street. Ditches shall be constructed to allow the subbase to drain freely. The use of storm sewers and subdrains in lieu of ditches must be approved by the Township in consultation with the Township Engineer. Subdrains shall outfall to storm sewer catch basins or manholes, or to natural drainage channels. All subdrains shall parallel the roadway as nearly as possible and shall be constructed in accordance with the standard shown in Figure 5. The Township may direct that additional subdrains be added where conditions warrant based on the recommendation of the Township Engineer. All storm sewers and ditches must be constructed in accordance with the Stormwater Management Plan for the site as approved by the Township.

707.2 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 in accordance with the latest edition of PennDOT Publication 408.

707.3 Side Slopes. Side slopes for fills shall slope away from the outside edge of the shoulder at maximum rate of 3 feet horizontal to 1 foot vertical. For fills greater than 15 feet in depth a guide rail shall be installed in accordance with Figure 1. Where required, ditches or storm sewers shall be constructed in accordance with Figure 1.

707.4 Subgrade. The subgrade shall be uniformly shaped to facilitate drainage, and any irregularities from planned grade shall be corrected by excavation or embankment of the subgrade. The subgrade shall be graded to drain toward and be extended through to the ditch, fill slope, or subdrain on the nearest side of the street. Fill material and subgrade excavation, embankment, and compaction shall be performed in accordance with the latest edition of PennDOT Publication 408. The prepared subgrade shall be protected from undue rutting by trucks or other equipment and if such damage occurs, the subgrade shall be reshaped and compacted. The subgrade shall be inspected by an agent of the Township prior to placement of geotextile fabric.

707.5 Subgrade Drains. Where poor drainage and/or soft subgrade conditions exist as determined by the Township Engineer, a subdrain system consisting of subgrade drains and pavement base drains may be required. Subdrainage facilities shall be constructed in accordance with the latest edition of PennDOT Publication 408.

707.6 Geotextile Fabric. Prior to the placement of subbase material, Class 4 geotextile fabric shall be installed over the subgrade in accordance with the latest edition of PennDOT Publication 408.

707.7 Subbase. Street subbase shall be constructed in accordance with the latest edition of PennDOT Publication 408, with a minimum depth of 8 inches of PennDOT approved No. 2A coarse aggregate, spread and compacted in 4 inch layers. If paving does not immediately follow installation of the subbase, the subbase shall, if recommended by the Township Engineer, be regraded and new material added and compacted to provide an even and properly graded surface for the pavement. The subbase shall be inspected by an agent of the Township prior to construction of the pavement.

707.8 Pavement. Bituminous prime coat and pavement base courses, binder courses, and wearing courses shall be constructed in accordance with the latest edition of PennDOT Publication 408.

(a) Local Access Streets Serving Residential Properties. For minor streets serving residential properties, the minimum pavement design shall consist of one of the following four alternatives:

1. 6 inches crushed aggregate base course, bituminous prime coat, 2 inches ID-2 binder course, 1.5 inches ID-2 wearing course
2. 5 inches aggregate-cement base course, bituminous prime coat, 2 inches ID-2 binder course, 1.5 inches ID-2 wearing course
3. Bituminous prime coat, 4.5 inches bituminous concrete base course, 1.5 inches ID-2 wearing course
4. Bituminous prime coat, 5 inches aggregate-bituminous base course, 1.5 inches ID-2 wearing course

(b) All Other Streets. For minor streets serving commercial and industrial properties, marginal access streets, collector streets and arterial streets, the minimum pavement design shall consist of one of the following four alternatives:

1. 8 inches crushed aggregate base course, bituminous prime coat, 2 inches ID-2 binder course, 1.5 inches ID-2 wearing course
2. 5 inches aggregate-cement base course, bituminous prime coat, 2 inches ID-2 binder course, 1.5 inches ID-2 wearing course
3. Bituminous prime coat, 4 inches bituminous concrete base course, 2 inches ID-2 binder course, 1.5 inches ID-2 wearing course
4. Bituminous prime coat, 5 inches aggregate-bituminous base course, 2 inches ID-2 binder course, 1.5 inches ID-2 wearing course

(c) Shoulders. Shoulders shall be constructed of PennDOT approved No. 2A coarse aggregate, spread and compacted in 4 inch layers to match the grade of the adjacent pavement. The coarse aggregate shall be placed over the compacted subbase aggregate.

(d) Additional Pavement Design Requirements. For streets that are proposed to serve industrial and commercial developments or other developments which may generate extremely heavy traffic loads, the Township, at the recommendation of the Township

Engineer, may require pavement design calculations and alternative pavement design as needed to accommodate the traffic anticipated by the proposed development.

- 708. Storm Sewer Standards.** All storm sewers and storm sewer construction within street right-of-way, storm sewers which serve as outlet systems to storm sewers within street rights-of-way, and other storm sewers proposed to be dedicated to the Township shall meet the following requirements.

708.1 Design Submittal. The subdivision and/or land development submittal shall include plan, profile, section, and cross section views of the proposed storm sewers, catch basins, inlets, and manholes, and shall include a report on the hydraulic design of the system components. The hydraulic design shall correlate to the Storm water Management Plan for the subdivision and/or land development.

708.2 Storm Sewer Pipe. Pipe shall conform to the applicable ASTM Specifications and PennDOT Publication 408 the following types of pipe are approved for use:

- (a) Reinforced Concrete Pipe (RCP), Class IV, ASTM C-76 or C-507.
- (b) Corrugated High Density Polyethylene Pipe (HDPE), smooth bore, AASHTO M-252 and M-294. Fittings must be gasketed fittings.

708.3 Bedding. Bedding material shall be AASHTO No. 8 as specified in PennDOT Publication 408. Bedding shall be placed to a depth of six (6) inches below the pipe.

708.4 Backfill Over Pipe. The space between the pipe and the side of the trench and the space above the pipe to a height of six (6) inches above the top or crown of the pipe shall be backfilled with no. 2A, type C material or select granular material (2RC) meeting the requirements of PennDOT Publication 408. The material shall be placed in four (4) inch layers with each layer thoroughly mechanically tamped.

708.5 Backfill to Grade. Trenches shall be backfilled in compacted layers from the point six (6) inches above the crown of the pipe to the surface grade with materials and methods as follows:

(a) All backfill located within the cartway and shoulders shall be No. 2A, Type C material or select granular material (2RC) meeting the requirements of PennDOT Publication 408. The material shall be placed in eight (8) inch lifts and compacted with mechanical equipment to a minimum compaction of 95% maximum density (ASTMD698-91).

(b) All backfill located outside the cartway and shoulders may be backfilled with excavated native materials if approved by the Township Engineer. The materials must be free of roots, organic material, and excessive clay or rock. Frozen material shall not be used. The material used to a point 24 inches above the crown of the pipe shall not contain stone larger than 2 inches in size. No heavy rock or boulders more than six (6) inches in diameter shall be placed within the three feet of the pipe.

708.6 Excavation. Excavation shall not be carried below the required level to install the sewer to the lines and grades. Unstable soil shall be removed. Excess excavation shall be backfilled with sand, gravel, or concrete and thoroughly compacted. In rock, excavation shall be carried to eight (8) inches below the bottom of the pipe and select material shall be used to establish the proper grade.

708.7 Pipe Installation. All storm sewers shall be laid true to line and grade with a completed smooth and uniform invert. The pipe shall be kept clean for proper jointing. Each length of pipe shall be inspected for defects before being lowered into the trench and if there are defects even after laying of the pipe is completed, the length of pipe shall be removed and replaced with a new pipe. No water shall be allowed in the trench while pipe is being laid, and the exposed end shall be capped if left in the trench for more than one hour without installing the next section. No more than 100 feet of trench shall be opened in advance of pipe laying unless permitted by the Township Engineer.

708.8 Manholes, Inlets.

(a) *Manholes.* Manholes shall be precast reinforced concrete construction with aluminium or polypropylene manhole steps and O-ring rubber gaskets. Precast manholes shall meet or exceed ASTM Specification C-478. Eccentric cone top sections shall be used unless a variance or waiver is furnished in writing by the Township Engineer.

Manhole frames and covers shall be equal to Allegheny Foundry Co., frame pattern 650 and cover casing shall have the metal bearing areas that come in contact machine ground to fix in pairs, shall be marked as pairs, and shall be delivered in pairs.

(b) *Inlets.* Inlets shall be precast concrete construction. Inlets, frames, and grates shall be PennDOT Type C, Type S or Type M or approved equals.

Excavation for manholes and inlets shall extend six (6) inches below the bottom of the structure. A six (6) inch lift of PennDOT 2A coarse aggregate bedding shall be installed, leveled and compacted to form a stable base.

709. Construction Quality Control. Construction quality control shall be the responsibility of the developer. All testing as specified in PennDOT Publication 408 and all additional testing required by the Township Supervisors shall be undertaken by the developer. The developer shall maintain accurate records of all test results and shall furnish to the Township a copy of all original field and laboratory test results as well as any analysis, interpretation, and/or review comments of the test results.

ARTICLE VIII
OTHER CONSTRUCTION SPECIFICATIONS

- 800. Road Construction After Utility Construction.** Absent extraordinary circumstances, no portion of the road base shall be constructed until after the stormwater facilities, sanitary sewer facilities, water supply facilities, and any other utilities to be constructed or installed under the road cartway and shoulders, have been constructed and installed in accord with the specifications and requirement of this Ordinance.
- 801. Erosion and Sedimentation Controls.** No improvements shall be constructed or installed until an erosion/sedimentation plan as required by and in accordance with the Pennsylvania Erosion/Sedimentation Regulations (25 Pa. Code, Chapter 102) and the standards and guidelines of the County Conservation District shall have been approved and submitted to the Township.
- 802. Other Permits.** No improvements shall be constructed or installed until all permits and governmental approvals required for such work have been obtained and evidence of such permits and approvals submitted to the Township.
- 803. 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.
- 804. Sanitary Sewerage Systems.** All individual, community or public sewerage system improvements shall be designed and constructed in accordance with the requirements of the Pennsylvania sewage facilities laws, applicable DEP regulations and all other applicable state and federal regulations. All public sewer system facilities shall be designed and constructed in accordance with the applicable regulations and specifications of the municipality or authority responsible for operation and maintenance of the public sewer system.
- 805. Water Supply and Distribution System.** All water system improvements shall be designed and constructed in accordance with DEP requirements and all other applicable laws and regulations. All public water system facilities shall be designed and constructed in accordance with the applicable regulations and specifications of the municipality or authority responsible for operation and maintenance of the public water system. Dead-end water lines shall be avoided. Wherever possible, water lines shall be looped.
- 806. Bridges and Culverts.** All bridges and culverts shall be constructed in accordance with plans and designs meeting PaDOT approved standards and specifications, which shall be reviewed and approved by the Township Engineer before construction is commenced.

807. Restoration. Where the construction or maintenance of any improvements required by this Ordinance disturbs private property outside of any right-of-way or easement, the disturbed property shall be returned to its original state by the party creating the disturbance.

ARTICLE IX.
REQUIREMENTS FOR COMPLETION OF PUBLIC
IMPROVEMENTS AND FINANCIAL ASSURANCES

900. Completed Improvements or Financial Security Required for Approval. No final plat or plan shall be approved unless the roads shown on the plat, walkways, curbs, roadway lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, and other improvements required by this Ordinance have been completed in accordance with the requirements of this Ordinance.

Alternatively, the final plat or plan may be approved if sufficient financial security, as required by this Ordinance, is deposited with the Township to cover the costs of completion of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.

901. Financial Security or Guarantee of Completion.

901.1 *Amount of Financial Security Required.*

(a) Amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer.

(b) Annually, the amount of the financial security may be adjusted by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110%.

(c) The amount of financial security 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 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 re-certified 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.

(d) If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each one-year period beyond the first anniversary date from posting of financial security 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 procedure.

901.2 *Kind of Financial Security Required.* Financial security for completion of improvements may be provided for in one of the following ways upon agreement of the Township and shall provide for and secure to the public and the Township the completion of any improvements which are required in accordance with the requirements of the Ordinance and Final Plan, on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. All financial security must be posted with a bonding company or federal or Pennsylvania chartered lending institution chosen by the party posting the security provided the bonding company or lending institution is authorized to conduct such business in the state of Pennsylvania.

- (a) Performance or surety bond
- (b) Irrevocable letter of credit
- (c) Restrictive or escrow accounts

901.3. *Public Utility or Municipal Authority Financial Security or Assurances.* If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included with the financial security otherwise required by this section. Evidence that such security has been provided may be required by the Township.

901.4 *Approval Conditioned Upon Receipt of Financing.* When required by the developer, in order to facilitate financing, the Township Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining satisfactory financial security. The final plat or record plan shall not be signed or recorded until the financial security for improvements has been provided as required. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the required financial security is not received within 90 days,

unless a written extension is granted by the Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

902. Construction of Improvements Before Final Plan Approval.

902.1 Certificate of Adequacy of Plan. Construction of required improvements may be commenced before Final Plat Approval only where the Board of Supervisors has provided written approval of the Preliminary Plan and a Storm Water Management Plan meeting the requirements of this Ordinance, and has provided a written statement authorizing early construction based upon the Supervisors' determination that the Engineering plans and specifications for the required improvements have been completed in sufficient detail to assure proper and actual construction in accordance with the requirements of this Ordinance. The developer is responsible for submitting sufficiently detailed plans to satisfy the Supervisors that the actual improvements will be properly completed. No work shall be permitted unless these requirements have been satisfied and all other required permits and government approvals have been obtained.

902.2 Work to be Completed in 24 Months. When construction of improvements is 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 developer, an extension of time may be granted by the Supervisors. Otherwise the developer shall reapply for Preliminary Plan approval.

903. Inspection of Improvements Construction.

903.1 Inspection of Roadway Construction. During the construction of road and stormwater improvements, the contractor shall be required to notify the Township Supervisors at least 24 hours before critical points in the construction process so the Supervisors, Township Engineer or qualified Township representative may make inspections. Critical inspection points should be specified by the Township Supervisors or the Township Engineer before construction activity takes place. The developer shall notify the Supervisors, at the minimum, before each of the following operations:

(a) For gravel roads before the gravel material is deposited on the compacted subgrade; for bituminous roads before the gravel base course and/or the aggregate subbase is deposited on the compacted subgrade.

(b) For gravel roads before the top course of gravel is laid and rolled in place; for bituminous roads before the wearing course and the binder course are laid in place on top of the required under-construction.

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

(d) The covering of stormwater drainage, sanitary sewage, water and other utility facilities in the road right-of-way areas.

903.2 *Expenses Incurred in Inspecting Improvements.* The Township Supervisors may prescribe that the developer reimburse the Township for the reasonable and necessary expenses incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Engineer (or consultant) for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the Engineer (or consultant) to the Township when fees are not reimbursed or otherwise imposed on developer. In the event the developer disputes the amount of any such expense in connection with the inspection of improvements, the dispute shall be resolved in accordance with applicable law.

904. Construction of Improvements by Stages. In the case where development is projected over a period of years, the Township 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.

905. Acceptance of Improvements and Release of Financial Security.

905.1. *Partial Release of or Reduction in Financial Security.* As the work of installing the required improvements proceeds, the party posting the financial security may request the Township Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Supervisors, and the Supervisors shall have 45 days from receipt of such request within which to allow the municipal Engineer to certify, in writing, to the governing body that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification, the Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the municipal Engineer fairly representing the value of the improvements completed or, if the Supervisors fail to act within said 45-day period, the Supervisors shall be deemed to have approved the release of funds as requested. The Supervisors may, prior to final release at the time of completion and certification by its Engineer, require retention of 10% of the estimated cost of the aforesaid improvements.

905.2 Release Upon Completion of Improvements.

(a) When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Township Supervisors, in writing, by certified or registered mail, of the completion of the improvements and shall send a copy thereof to the Township Engineer.

(b) The Supervisors shall, within ten days after receipt of such notice, direct and authorize the Engineer to inspect all of the improvements. The Engineer shall promptly inspect and file a report, in writing, with the Supervisors. He shall promptly mail a copy of the report to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Engineer of the authorization from the Supervisors. The report shall be detailed and shall indicate approval or rejection of the improvements, either in whole or in part, and if the improvements, or any portion thereof, shall not be approved or shall be rejected by the Engineer, the report shall contain a statement of reasons for such non-approval or rejection.

(c) The Township Supervisors shall notify the developer, within 15 days of receipt of the Engineer's report, in writing by certified or registered mail of the action of the Supervisors with relation thereto.

(d) If the Township 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.

(e) If any portion of the improvements shall not be approved or shall be rejected by the Township Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

905.3 Developer's Remedies. Nothing herein, however, shall be construed as a limitation of the developer's right to contest or question, by legal proceedings or otherwise, any determination of the Supervisors or Township Engineer.

906. Road Acceptance Requirements. The Township shall not accept any road or portion thereof constructed as part of a subdivision or land development unless all planned and necessary improvements which will impact the road have been finally constructed and unless the construction of buildings, residential or otherwise, projected for the development has been substantially completed on 50% or more of the lots in a subdivision or portion thereof.

907. Additional Security Required Upon Acceptance of Dedication of Public Improvements.

907.1 *Maintenance Assurances After Acceptance.* Where the Township Supervisors accept dedication of all or some of the required improvements following completion, the Supervisors may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Article with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

907.2 *Conduct Through the 18 Month Maintenance Period.* Once the Township Supervisors accept the improvements, the Township is responsible for the maintenance activities. Should financial security for a period of 18 months be obtained from the developer to assure the integrity of the improvements through this time period, the improvements should be monitored by the Supervisors. Should the Township determine that the developer performed inadequate, substandard construction work subsequent to the initiation of the 18 month period, the Township Supervisors shall give written notice to the developer documenting the deficiencies, no later than 90 days prior to the end of the 18 month "maintenance" period. Thereafter, should the parties be unable to reach a satisfactory agreement regarding the remedy for the deficiencies before the end of the 18 month period, the Township may take the necessary steps to utilize the funds in the financial security to remedy the deficiencies.

908. Remedies to Effect Completion of Improvements. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved final plat, the Township Supervisors shall enforce any 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 Supervisors may, at their 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 X
LAND DEVELOPMENT STANDARDS AND REQUIREMENTS

1000. Site Plan Requirements. In addition to the applicable requirements, including Stormwater Management Plan requirements, for Preliminary (Section 403) and Final (Section 404) Subdivision Plans outlined in this Ordinance, each land development site plan shall include the following:

1000.1 Existing site conditions (topography, drainage, tree clusters, buildings, utilities, streets, and adjacent properties).

1000.2 Proposed developments, including buildings (with frontal elevations), parking, vehicular and pedestrian access areas, landscaping and utility location and size.

1000.3 Property information with a boundary survey with bearings and distances completed by a Professional Land Surveyor.

1000.4 A parking and access plan with estimated parking demands and traffic flows.

1000.5 A complete landscaping plan that includes a complete interior landscape plan in addition to a landscaped transition to adjoining properties.

1000.6 Minor land developments may be approved without providing the information required by Sections 1000.1, 1000.4, and 1000.5.

1001. General Design Standards.

1001.1 Proposed parking and access shall be adequate for the traffic generated by the proposed development and provide safe access meeting accepted traffic design standards. Vehicular access connections to the surrounding existing street network layout shall be adequate for the traffic generated by the proposed development.

1001.2 Improvements necessary to the proper functioning of the development, including but not limited to, street access signs, water supply facilities, sewage disposal facilities and stormwater management devices shall be provided.

1001.3 The site plan shall provide for adequate visual screening and protection of noise from adjacent properties through building design, street layout, plantings and landscaping. Service and waste storage and disposal areas shall be planned and constructed such that they are not visible from adjacent uses.

1001.4 Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or other association or entity. Private streets shall meet Township standards regarding sub-grade preparation, base, and surfacing construction.

1001.5 Landscape treatment shall be provided to enhance architectural features, strengthen vistas, and provide shade, and provide adequate visual and noise buffering for adjacent properties.

1001.6 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.

1002. Design Standards for Apartment Complexes and Shopping Centers.

1002.1 Vehicular access connections to the surrounding existing road network shall be safe, shall have adequate sight distances, and shall have the capacity to handle the projected traffic.

1002.2 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.

1002.3 For shopping centers there shall be a minimum of 2,500 square feet of off-street parking space for each 1,000 square feet of building area including storage areas but excluding basement areas.

1002.4 For apartment complexes the maximum density in dwelling units per gross acre shall be 12.0.

1002.5 Service areas, including the locations for garbage and trash storage and pickup, for the land development shall be planned and constructed such that they are internal to the development and not a physical or visible nuisance to surrounding development.

1002.6 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.

1003. Design Standards for Cluster Developments.

1003.1 *Ownership.* Throughout the planning and approval process, land subject to cluster development shall be in single ownership, or in the case of multiple ownership, satisfactory evidence shall be presented indicating that the development will have a single, responsible administrative organization which can act for the multiple ownership. Upon approval of the development, dwellings may be sold in fee simple or through a cooperative or condominium arrangement; or the dwellings may be managed as rental properties. In

any event, a satisfactory organizational structure shall be established by the developer to maintain common areas designated in the development plan and improvements or utilities that are not accepted for public maintenance.

1003.2 *Permitted Uses.* A cluster development may include all housing types and uses normally ancillary thereto, recreation uses serving the development, and non-residential uses supportive to residences. More 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-dwellings including multi-story apartments and townhouse apartments; prefabricated homes including mobile homes in the double wide, stacked and expandable forms; churches, schools, non-profit 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 utilities serving the development.

1003.3 *Minimum Size of Development.* Cluster developments shall have a minimum gross area of 2 acres.

1003.4 *Density of Development.* Using the cluster development technique, the applicant may increase the residential density of development by 20% over what normally would be allowed based on the East Fairfield Township Zoning Ordinance.

1003.5 *Performance Requirements.* The development plan shall indicate how adequate privacy, light, air and protection from noise shall be achieved through building design, street layout, screening, plantings and special siting of buildings.

1003.6 *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 developer or a residents' association. Private roads shall meet local municipal standards for road construction set forth in this Ordinance. Off-street parking areas may be integrated with public road design and construction providing there is a properly formed and existing entity responsible for maintenance.

1003.7 *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 development. Where areas of common open space are proposed for improvements, they shall be improved by the developer. Unless the Township Supervisors agree to a public dedication of the open space and to its maintenance, the developer shall formulate an acceptable method for maintaining this land.

1003.8 *Required Improvements.* The developer shall make satisfactory provision for the community improvements necessary to the proper functioning of the development. These include, but are not limited to, roads, road signs, water supply facilities, sewage disposal facilities, storm water management devices, and open space improvements.

ARTICLE XI
STANDARDS FOR MOBILE HOME PARKS, RECREATIONAL
VEHICLE PARKS AND CAMPGROUNDS
(COLLECTIVELY REFERRED TO AS "DEVELOPMENTS")

- 1100. Compliance Requirements.** It shall be unlawful for a person to establish, construct, extend or enlarge a mobile home park, recreational vehicle park and campground (collectively referred to as "Developments"), unless such person obtains a valid permit issued by the Pennsylvania Department of Environmental Protection and approval under the provisions of this Ordinance as a Major Land Development.
- 1101. Minimum Area Requirements.** The minimum gross area of the site for mobile home park, recreational vehicle park and campground developments shall be five (5) contiguous acres of land.
- 1102. Required Facilities for Mobile Home Park.** Each mobile home stand shall contain only a one family unit and shall be supplied with connections to sanitary, water and electrical systems. Common sewage and water systems shall be provided in accordance with applicable laws and regulatory requirements. Each mobile home shall have a toilet, bathtub or shower, heating system, and kitchen in good working order. The mobile home park owner shall make adequate provisions for refuse handling and removal and shall be responsible for maintaining the site in a clean and sanitary condition. A Storm Water Management Plan shall be required and stormwater drainage facilities shall be installed and constructed in accord with such plan.
- 1103. Site Requirements for Mobile Home Park.**
- 1103.1** The locations of mobile homes shall be carefully related to the topography and shall be organized into a well conceived site plan, preserving as much of the natural site as possible.
- 1103.2** Mobile home lots within the park shall have a minimum of 4,800 square feet; double and triple wide mobile home lots shall have a minimum of 6,000 square feet. Lots and areas shall be directly accessible to the internal roadway system. There shall be provided on each mobile home lot a patio area of at least 100 square feet with a least dimension of 10 feet. There shall be provided on all lots one off-roadway 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 with a permanent, stable, dust free surface adequate for use during all seasons.
- 1103.3** There shall be, overall, a minimum of two (2) parking spaces for each mobile home stand in the mobile home park.

1103.4 Stands shall be constructed of an appropriate material, properly graded, placed, compacted; and drained so as to be durable and provide an adequate foundation for the support of the anticipated loads. Mobile homes shall be either permanently fastened to a foundation slab or footing or tied down to secure against uplift, 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%.

1103.5 There shall be a minimum distance of 30 feet between each mobile home, including accessory structures attached thereto, and any portion of any other structure in the development. There shall be a minimum distance of 15 feet between each mobile home and the boundary of the nearest abutting internal roadway or common area. There shall be a minimum distance of 200 feet between each mobile home and the development's boundary lines.

1103.6 Walks shall be planned and constructed so as to provide safe and convenient access throughout the mobile home park, connecting individual stands to common areas, to all facilities, and to each other. Connecting walks shall be at least three (3) feet wide and walks on individual lots shall be a minimum of 1 ½ feet wide. Walks shall provide an all-weather walking surface, and be reasonably free from mud, dust and standing water.

1103.7 A common area(s) 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 common area.

1103.8 Adequate storage facilities conveniently located to lots in the mobile home park shall be provided for storage of outdoor equipment, furniture and tools and such other material that may be used only infrequently and which cannot be conveniently stored in the typical mobile home.

1103.9 Where the mobile home park accommodates 20 or more mobile home lots, a roadway lighting system shall be constructed. In the event the park's initial development includes less than 20 lots, the roadway lighting system need not be installed at this initial development; however, where an expansion of the park to 20 or more mobile home lots is contemplated, the lighting shall be planned and installed when the expansion phases are reached. The developer shall indicate with plans and specifications how the roadway lighting system shall be constructed, showing in particular the method of mounting the lights.

1103.10 In the vicinity of the mobile home park roadway system and lots there shall be the equivalent of one shade tree per lot. Existing trees may be counted as meeting this requirement providing their trunks measure 2 ½ inches in diameter at a point two (2) feet from the ground. In meeting this requirement, newly planted trees shall be 2 ½ inches in diameter measured, again, two (2) feet from the ground.

1104. Skirting on Mobile Home. All mobile homes shall be covered or skirted around the entire base of the unit 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 unit and provide sufficient ventilation to inhibit decay and deterioration of the structure.

1105. Required Facilities and Length of Occupancy for Recreational Vehicle Park and Campground. Each recreational vehicle and each campground campsite area shall be located no more than 200 feet from a common service building containing water, toilet and bath facilities constructed and maintained in accord with all governmental and other applicable regulations and requirements. The developments shall make adequate provisions for refuse handling and removal and for the storage and supply of fuel where applicable. The owner shall be responsible for maintaining the site in a clean and sanitary condition. A Storm Water Management Plan shall be required and stormwater drainage facilities shall be installed and constructed in accord with such plan. The length of occupancy for any one customer shall be limited to no more than eight months.

1106. Site Requirements for Recreational Vehicle Parks and Campgrounds.

1106.1 The locations of recreational vehicle stands and campground campsite areas shall be carefully related to the topography and shall be organized into a well-conceived site plan, preserving as much as possible of the natural site.

1106.2 Recreational vehicle lots and campground campsite areas shall have a minimum of 1,500 square feet. Lots and areas shall be directly accessible to the internal roadway system. There shall be provided on all lots and campsite areas one off-roadway parking space which shall contain a minimum of 200 square feet with a least dimension of 10 feet. Driveways, parking spaces and patios (where installed) shall be constructed with a permanent, stable, dust free surface adequate for use during all seasons.

1106.3 There shall be a minimum of 1½ parking spaces for each recreational vehicle stand and campground campsite area. Additional off-roadway parking over and above that required on recreational vehicle lots and campground campsite areas shall be provided in specially constructed common parking lots.

1106.4 There shall be a minimum distance of 20 feet between each recreational vehicle unit, including accessory structures attached thereto, and any portion of any other structure in the park. There shall be a minimum distance of 15 feet between each recreational vehicle unit and the boundary of the nearest abutting internal roadway or common area. There shall be a minimum distance of 50 feet between each recreational vehicle unit and campground campsite area and the park's boundary lines; providing, however, where the development is adjacent to one of the residential districts as established in this Ordinance

the minimum distance between a recreational vehicle unit or a campground campsite area and the residential district boundary shall be 200 feet.

1106.5 Walks shall be planned and constructed so as to provide safe and convenient access throughout the development connecting individual stands or campsite areas to common areas, to all facilities, and to each other. Connecting walks shall be at least three (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.

1106.6 A common area(s) shall be provided to serve the residents of the development. A minimum of 10% of the gross acreage shall be established and developed as a common area(s).

1107. Access and Internal Road System for Developments.

1107.1 The minimum width of the portion of the site used for vehicular access to the Township's public roadway system shall be 60 feet.

1107.2 The internal roadway system shall be privately owned and maintained and shall be designed for safe and convenient access to all lots, stands, campsite areas and common facilities. Roadways shall provide a sound, all-weather driving surface, be reasonably smooth and free from mud, dust and standing water. Roadway paved surfaces shall be a minimum width of 14 feet for one-way roadways and 18 feet for two-way roadways. Where on-roadway parking is permitted, eight (8) feet of roadway surface shall be added to each side of the roadway on which on-roadway parking is permitted. Road surface widths as required herein do not include the road cross-section devoted to storm water drainage, which shall be accommodated satisfactorily. No internal roadway that is constructed as part of a development shall be located closer than 100 feet from a residential district as established in this Ordinance.

1108. Visual Relation to Surrounding Areas. Either partial or full screening may be required at the boundaries depending on the nature of the site and its relation to the uses in the surrounding area. Such screening may consist of walls, fences, plantings or terrain features, or any combination of these devices. If open fencing such as chain link fencing is used, it should be installed within plantings so as not to be easily visible from inside or outside of the development. The screening techniques required may be of the type that effectively block views immediately upon installation.

ORDAINED AND ENACTED INTO AN ORDINANCE this 29 day of Sept, 2000.

East Fairfield Township Board of Supervisors

By: Ted Conklin
Chairman

By: Robert C. O'Brien
Supervisor

By: Charles R. Merrill
Supervisor

Attest:
Charles R. Merrill
Secretary

Certification

I hereby certify the within to be a true and correct copy of the original ordinance duly enacted by the East Fairfield Township Supervisors on 9-29, 2000, a quorum being present for the transaction of business.

Charles R. Merrill
Secretary

APPENDIX I. SUBDIVISION AND/OR LAND DEVELOPMENT APPLICATION FORM
(See Section 400 of East Fairfield Township Subdivision and Land Development Ordinance)

- * Name of subdivision and/or land development: _____
- * Name of Landowners: _____
Address: _____ Tele.: _____
- * Name of Developer: _____
Address: _____ Tele.: _____
- * Location of Subdivision or Development: _____

- * Type of Development: _____
[residential, commercial, etc.]
- * Names, addresses and phone numbers of surveyor, architect or engineer: _____

- * Approximate number of lots: _____ Gross acreage: _____
- * General statements on the handling of:
Sewage: _____
Potable Water: _____
Storm drainage: _____

- Electricity: _____
Other Utilities: _____

- * Statement about new roads and other public improvements:

- * Provision of park and recreation space: _____

- * Zoning, if applicable: _____

- * Description of surrounding area: _____

- * Intended timing of development: _____

Date

Landowner/Developer

Landowner/Developer

For Official Use

1. The following were submitted on _____:
- 3 copies of preliminary plat/plan _____
 - 3 copies of narrative statements (if applicable) _____
 - fees for preliminary review _____

2. The preliminary plan was approved on _____.

3. The following were submitted on _____:
- 3 copies of final plat/plan _____
 - 3 copies of narrative statements (if applicable) _____
 - fees for preliminary review _____

4. The final plan was approved on _____.

5. Comments about time extensions:

6. Comments about financial security for new roads and public improvements:

APPENDIX II. 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. Township Supervisor's Statement

This plat was given final approval by the supervisors of East Fairfield Township 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]

3. Review Statement from the Crawford County Planning Commission

Reviewed by the Crawford County Planning Commission on _____, _____.
The signature hereon does not establish approval or disapproval of this subdivision, but indicates the Commission has made review comments which have been provided to the Township, and the developer and which are part of the public record.

[signature of authorized official]

4. Review Statement from the East Fairfield Township Planning Commission

This plat was reviewed by the East Fairfield Township Planning Commission on _____, _____, and the Township Commission's review comments are being provided to the Township and Developer and shall be part of the public record.

[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 Dedication:

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. 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.

[date]

[signature]

[signature]

Notary Signature and Seal

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. 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. All roads (park areas, if applicable) shown on this plat and not heretofore dedicated are hereby dedicated to the public. It is recognized and acknowledged that by approving the subdivision plat, the Township does not accept the roads hereby dedicated and that the roads will not be Township roads unless the dedicated roads are accepted by separate action of the Township Supervisors.

[date]

[signature]

[signature]

Notary signature and seal

APPENDIX III. EASEMENTS

Depending on the nature of the subdivision or land development, the following easements may be required on the plan and/or site plan. 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 main, 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 plantings 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 IV. STATEMENT OF PENNDOT HIGHWAY OCCUPANCY PERMITS

Where vehicular entry to lots which abut state or municipal maintained roadways is proposed, highway occupancy permits must be obtained from PennDOT or the municipality, as may be required. No building permits shall be issued by the Township and no building construction shall be initiated on said lots until highway occupancy permits are obtained. Approval of this plat by the Township does not guarantee that said highway occupancy permits will be issued.

APPENDIX V. STATEMENT/CERTIFICATION REGARDING NO SEWAGE-RELATED USE

We (I), landowner(s), hereby certify that this subdivision is not made for purposes of land development or improvement for any use that would involve construction of facilities for human occupancy including residential, business, recreational or institutional type uses. The lands have not been examined or tested for fitness or suitability for sanitary sewage system or disposal purposes. The lands may not be suitable for an on-lot sewage disposal system, and may not qualify for issuance of the necessary governmental approvals and permits. Construction of a properly permitted sewage disposal system on the lands may be impossible. Without proper sewage system permits and approvals by necessary and appropriate municipal or governmental officials, no permits can or shall be issued for any building construction or improvements unless demonstrated to the satisfaction of municipal officials that there shall be no human occupancy of the building or other improvement for any residential, business, recreational or institutional use.

