

CASS TOWNSHIP

**SUBDIVISION AND LAND
DEVELOPMENT
ORDINANCE**

**Adopted
July 25, 2013**

ORDINANCE NO. 2013-04

**AN ORDINANCE OF THE TOWNSHIP OF CASS, A
SECOND CLASS TOWNSHIP, TO APPROVE, ADOPT AND
ENACT AN ORDINANCE CODIFYING AN EXISTING
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
(SALDO) OF THE TOWNSHIP OF CASS, COUNTY OF
SCHUYLKILL, COMMONWEALTH OF PENNSYLVANIA.**

The Board of Supervisors of Cass Township, Schuylkill County, Pennsylvania (the "Township"), hereby enacts and ordains as follows:

WHEREAS, the Township of Cass has determined that the ordinances passed by it over the years should be codified for ease of administration and updating in general; and

WHEREAS, the Second Class Township Code, 53 P.S. §66601(d), specifically allows the Board of Supervisors to consolidate or codify the general body of township ordinances or the ordinances on a particular subject; and

WHEREAS, the Second Class Township Code, 53 P.S. §66601(d), permits a procedure to repeal or amend existing ordinances as may be necessary in the course of preparing a codification of the township ordinances. Codification will not change the presently existing ordinances unless the enacting ordinance specifically provides for amendments or appeal of same.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE Board of Supervisors of Cass Township, Schuylkill County, Pennsylvania, in accordance with the general powers permitted by the Second Class Township Code (53 P.S. §66601(d)), the codification of the SALDO Ordinance of the Township of Cass, including certain resolutions of a general and permanent nature, the Township of Cass, County of Schuylkill, Commonwealth of Pennsylvania, as revised, codified and consolidated into titles, chapters and sections is hereby approved, adopted, ordained and enacted as a single ordinance of the Township of Cass as follows:

TITLE X. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

CHAPTER 1. GENERAL PROVISIONS

Section 101. Title

An Ordinance providing for the regulation and control of the subdivision and/or the development of land and the approval of plans, plots, or replots of land within the jurisdiction of Cass Township, Schuylkill County, Pennsylvania. Pursuant to the authority set forth in Article V of the Pennsylvania Municipalities Planning Code, as amended, and setting forth procedures to be followed by the Township Planning Commission and the Township Supervisors in applying, administering, and amending these rules, regulations, and standards and prescribing penalties for the violation thereof.

Section 102. Short Title

This Ordinance shall be known and may be cited as the "Cass Township Subdivision and Land Development Ordinance" or "Cass Township SALDO".

Section 102.1. Citation

This ordinance may be cited as 10 Cass Code § 101, et seq.

Section 103. Purpose

The purpose of this ordinance shall be to guide and regulate the planning, subdividing and development of land in order to promote and protect the health, safety, morals, and general welfare of the citizens by:

Section 103.1. Assisting in the orderly and efficient integration of land developments within the Township.

Section 103.2. Ensuring conformance of land development plans with the Comprehensive Plan and other municipal documents.

Section 103.3. Ensuring coordination of inter-municipal and intra-municipal public improvement plans and programs.

Section 103.4. Ensuring sites are suitable for building purposes and human habitation.

Section 103.5. Facilitating the efficient movement of traffic.

Section 103.6. Securing equitable and just processing of all subdivision and land development plans by providing uniform procedures and standards.

Section 103.7. Providing for open spaces through efficient design and layout of the land.

Section 103.8. Securing the preservation of natural and historic features.

Section 103.9. Sediment and Erosion Control, Stormwater Management and Ground Water Recharge

Section 103.10. Planning and Design of Infrastructure such as Utilities and Roadways

Section 104. Application

Section 104.1. No subdivision or land development of any lot, tract, or parcel of land located within Cass Township shall be effected, and no street, sanitary sewer, water main, stormwater control facilities, gas, oil, or electric transmission line, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Ordinance.

Section 104.2. No lot in a proposed subdivision or land development may be sold, and no final permit to erect, alter or repair any building or structure upon land in a subdivision or land development may be issued unless and until:

Section 104.2.1. A Final Plan has been approved and recorded, and

Section 104.2.2. Either

Section 104.2.2.1. the Township has been guaranteed by means of a Development Agreement acceptable to the Township Supervisors that the improvements will subsequently be installed, or

Section 104.2.2.2. the required improvements in connection therewith have been constructed.

Section 104.3. All subdivisions and/or land developments, as defined in Chapter 2 of this Ordinance, shall be submitted for review by the Cass Township Planning Commission pursuant to the provisions of this Ordinance.

Section 104.4. A subdivision of any lot which has been involved in three (3) successive minor subdivisions shall comply with the requirements for a major subdivision.

Section 105. Exemptions

Section 105.1. Approved Subdivisions.

Section 105.1.1. From the time an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the Applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to adversely affect the right of the Applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.

Section 105.1.2. If final plan approval is preceded by preliminary plan approval, the five (5) year period shall be counted from the date of the preliminary plan approval.

Section 105.2. Provisions for exclusion from determination of land development:

Section 105.2.1. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into more than three residential units, unless such units are intended to be a condominium.

Section 105.2.2. The addition of an accessory residential building, including farm buildings, on a lot or lots subordinate to an existing principal building.

Section 105.2.3. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this sub-clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. The exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

Section 105.2.4. The excavation or grading of land for agricultural or mining purposes.

Section 105.3. Resubdivision

Section 105.3.1. Any replotting or resubdivision of land, including changes to record plans and/or the combination of two or more previously approved lots or parcels of land, shall be considered a subdivision and shall comply with the requirements of this ordinance, provided that where lot lines shown on a recorded plan will be changed and all resultant lots will conform to the applicable Zoning Ordinance and this ordinance and easements and rights-of-way will not be changed and street locations and block sizes will not be changed any utility locations will not be changed and open space and recreation areas will not be reduced and the number of lots will not be increased, the Supervisors may permit the subdivider to:

Section 105.3.1.1. Submit to the Township Planning Commission or Township Secretary or official designated by the Township ten (10) copies of the original plan, ten (10) copies of the revised plan and seven (7) copies of a report describing all changes which have been made. Four (4) copies of all plans and reports shall be submitted by the Township to the County Planning Commission and four (4) copies of all plans and reports to the Township Planning Commission. In addition, if deemed necessary by the Supervisors, plans shall be submitted to the Township Engineer/Planning Consultant, Township or County Zoning Officer and any other township officials. The Township Planning Commission shall, in writing; advise the subdivider and the township Secretary whether the revised plan complies with subsection 105.3.1.

Section 105.3.1.2. When the plan does comply with subsection 105.2.1., the subdivider shall submit the record plan to the Township Secretary for the endorsement of the Township Supervisors. The subdivider shall also submit the record plan to the County Planning Commission for its endorsement (which shall specifically identify the previous record plan and then record the plan if endorsement is secured. If the revised plan initially submitted to the Township Secretary complies with subsection 105.2.1., the Township Supervisors shall endorse the recorded plan within ninety (90) days after initial submission of the plan to the Township Secretary. If the plan does not comply with Subsection 105.3.1., this decision shall also be communicated to the subdivider by the Supervisors within ninety (90) days after submission of the plan to the township.

Section 105.3.2. The record plan shall be a clear and legible black-on-white or blue-on-white print on material acceptable to the Recorder of Deeds.

Section 105.3.3. When on-lot sewage disposal is intended to be utilized, the Supervisors or Planning Commission may require that a copy of the final plan be submitted to the Township Sewage Enforcement Officer for review.

Section 105.3.4.. If the revision of lot lines would result in the relocation modification or improvement of driveway access points approved by the Pennsylvania Department of Transportation, the supervisors may require submission of the revised plan to the Pennsylvania Department of Transportation for its comments.

Section 105.4. Auction Sale - In the case of the proposed subdivision of land by process of auction sale, the following procedure may be used by the subdivider:

Section 105.4.1. The subdivider shall prepare and submit sketch plans and, if required by the township, preliminary plans, in accordance with the requirements of this ordinance.

Section 105.4.2. The sketch plan, or the preliminary plan if a preliminary plan is required by the township, shall comply with the requirements of this ordinance and, in addition, contain the following notation:

“This property is intended to be sold by auction on or about (date), in whole or in part according to this plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no actual transfer of ownership or interest in such lots shall proceed until a final plan showing such division of property shall have been approved by the Township Supervisors, in accordance with the Township Subdivision Ordinance, and recorded in the office of the County Recorder of Deeds.”

Section 105.4.3. After approval of the sketch plan, and preliminary plan, if required, by the Township, the auction sale may then proceed in accordance with the above notation, after which the subdivider shall prepare and submit a final plan in accordance with this ordinance.

Section 105.5. Lot Annexations.

Section 105.5.1. Where the conveyance, sale or transfer of land from one parcel to an adjacent parcel is proposed for the sole purpose of increasing lot size, and not for the purpose of creating a separate new lot or a land development, the subdivider may submit only a Sketch Plan of Record to the township rather than submit sketch, preliminary and final plans. The sketch plan shall contain all information required by Section 401 of this ordinance and be submitted and reviewed in accordance with Section 302. The plan shall be labeled "**Sketch Plan of Record**".

Section 105.5.2. Precise bearing and distances from field survey shall be shown for the parcel being transferred, and evidence shall be submitted that the parcel from which the parcel is being transferred will not violate or further violate, any requirement of the applicable Zoning Ordinance or other Township regulations. If development is subsequently proposed for the parcel that has been increased in size, no building or zoning permit shall be issued unless all applicable requirements of township regulations are complied with.

Section 105.5.3. The subdivision plan shall contain the following notation.

"Parcel/Lot Number _____ of this subdivision is for the expressed purpose of annexation to the existing lands of _____, Deed/Record Book _____; Page Number _____ and is not to be considered a separate building lot."

Section 105.5.4. The following certification must be placed on the plan and contain the signature of the person(s) accepting the annexation parcel and notary seal and signature.

"On this, the _____ day of _____, 20____, before me the undersigned officer, personally appeared _____, who being duly sworn according to law, deposes and says that he/she is the owner of the property indicated to receive annexation Lot/Parcel Number _____ as shown on this plan. As owner of the property, he/she accepts the annexation of said parcel and acknowledges the requirements of annexation of the parcel to his/her existing lands, and that he/she acknowledges that the parcel is for annexation purposes only and is not to be considered a separate building lot.

_____ (1)

_____ (1)

(2)

_____ (3)

(4)

My Commission expires

- (1) signature(s) of individual(s), of partners, or of president of corporation
- (2) if necessary, corporate seal
- (3) signature and
- (4) seal of notary public or other officer
- (5) Proposed legal descriptions for the annexation parcel, annexation parcel combined with the existing parcel and remaining lands of the parcel being subdivided shall be submitted at the time the subdivision is submitted.

Section 106. Interpretation

Section 106.1. Standards

Section 106.1.1. The provisions of this Ordinance shall be interpreted and applied as to minimum requirements for the promotion of the public health, safety, comfort, and general welfare.

Section 106.1.2. Where provisions, standards, and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the greater restriction shall be controlling regardless of its source, unless specified to the contrary.

Section 106.2. Illustrations. The illustrations in this Ordinance are not a part of the Ordinance, but are included for purposes of explanation and clarification.

Section 107. Modifications and Exceptions

Section 107.1. Where, owing to special conditions pertaining to the land in question, a literal enforcement of this Ordinance or its accompanying regulations would result in undue hardship, the Township Supervisors may grant modifications and exceptions to one or more provisions, provided that such modification will not be contrary to the public interest and that the purpose and intent of this ordinance is observed.

Section 107.2. Proof of unnecessary hardship must be presented to the Township Supervisors by the developer. Any request shall be submitted in writing, citing the specific provision or standards from which relief is required, and should be part of the preliminary or final plan submission. The Township Supervisors and Planning Commission shall review the applicant's request and submit a written report to the Applicant.

Section 107.3. The request for an exception shall be reviewed at a public meeting of the Township Supervisors who shall make a decision consistent with the goals of the Comprehensive Plan and the intent of this Ordinance. The modification or exception will not have the effect of nullifying the intent and purposes of these regulations.

Section 107.4. Standards May Be Modified - The standards and requirements of these regulations may be modified by the Township Supervisors in the case of plans for complete communities or neighborhood units or other large scale developments which, in the judgment of the Township Supervisors, achieve substantially the objectives of the regulations contained

herein and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan.

Section 108. Waiver

Section 108.1. A subdivider may request a modification or deletion of a requirement of this Ordinance relative to a specific subdivision or land development.

Section 108.2. Applications for such waiver shall be in writing (see Section 108 & 306).

Section 108.3. The Township Supervisors shall grant or deny the request for such waiver considering the recommendations of the Planning Commission and/or Zoning Hearing Board.

Section 109. Fees

Section 109.1. The Cass Township Supervisors has established by resolution a schedule of fees and a collection procedure for all applications and other matters including inspections pertaining to this Ordinance.

Section 109.2. Plans shall not be considered for review until all fees are paid and the applications are properly signed.

Section 109.3. If the applicant disputes the fees, the applicant can appeal in accordance with Section 503 and Section 510 of the Pennsylvania Municipalities Planning Code, as amended.

Section 110. Revised Plans, Alternate Plans, and Resubdivisions

Section 110.1. Revised Plans. Until a submission is approved or rejected by the Township Supervisors or Planning Commission, the Applicant may withdraw the submission (or part thereof) and submit a Revised Plan following the submission and review procedures which apply to that plan.

Section 110.2. Alternate Plan. If, before a submission is approved or rejected by the Township Supervisors or Planning Commission, the Applicant submits a new plan submission for the subdivision or development of the same lands as the pending submission and does not withdraw the pending submission, the new plan shall be considered an Alternate Plan for which a new submission fee in accordance with the adopted fee schedule shall be required.

Section 110.3. Resubdivisions. A revision or resubdivision of a recorded plan or a Final Plan approved by the Township Supervisors shall be considered as a new subdivision and shall come under the jurisdiction of this Ordinance.

Section 111. Township Records

The Township Planning Commission and the Township Supervisors shall keep a record of the findings, decisions, and recommendations relative to all subdivision or land development plans filed for action by the Planning Commission and the Township Supervisors. Such records shall be open to the public for review upon written request.

Section 112. Amendments

Section 112.1. The regulations set forth in this Ordinance may, from time to time, be amended by the Township Supervisors.

Section 112.2. Amendments to the ordinance shall become effective only after a public hearing held pursuant to public notice.

Section 112.3. In the case of amendment other than that prepared by the Planning Commission, the Township Supervisors shall submit each proposed amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date set for the public hearing on such proposed amendment.

Section 112.4. Consideration - The Township Supervisors will give diligent consideration to changes or modifications suggested by any developer when such changes or modifications shall be in the best interests of the general public.

Section 113. Appeals to Court

Decisions of the Township Supervisors may be appealed in accordance with the Pennsylvania Municipalities Planning Code.

Section 114. Enforcement

Section 114.1. Inspectors. The Township Supervisors shall appoint one or more inspectors, included but not limited to the Township Planning Commission or the Township Engineer, to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications.

Section 114.2. Inspection. Inspection of actual construction under any approved subdivision or land development plan shall be the responsibility of the Township, which shall undertake reasonable measures to provide an adequate inspection to enforce the provisions of this Ordinance on all projects. The construction of the project to conform with the approved plans shall be the responsibility of the developer due to the absence of full time inspection by the Township. Any inspection requested by the Township of the improvements of any approved subdivision will be conducted on an hourly rate basis in accordance with the current Township

Engineer Retainer and shall be the financial responsibility of the developer as described in the Fee Schedule. The minimum items that require inspection include, but are not limited to, underground utilities, storm sewer installation, retention, detention and infiltration facilities, waterline installation, sewer line installation, seeding and landscaping, signage, lighting, sub base placement, paving placement, concrete curbs and sidewalks. Upon preliminary plan review, the Township Engineer will submit a proposal for the scope of work based on the size and complexity of the project.

Section 114.3. Remedies

Section 114.3.1. Any action inconsistent with the provisions of this Ordinance shall be subject to a cease and desist order and other appropriate measures by the Township Supervisors or appointed Township Official.

Section 114.3.2. In addition to other remedies, the Township Supervisors may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations; to prevent unlawful construction; to recover damages; and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

Section 114.3.3. The Township Supervisors shall 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 any ordinance adopted pursuant to this article. This authority to deny such a permit or approval shall apply to any of the following applicants:

Section 114.3.3.1. The owner of record at the time of such violation.

Section 114.3.3.2. 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.

Section 114.3.3.3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

Section 114.3.3.4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of 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.

Section 115. Penalties

Section 115.1. Any person, partnership, corporation, bureau or utility, or the partners or officers thereof, who or which violates any of the provisions of this SALDO shall, upon conviction thereof in a summary proceeding or upon verdict in a civil enforcement proceeding, be sentenced to pay a fine in accordance with 1 Cass Code §107, Penalties. In addition to the penalties contained in 1 Cass Code §107, Penalties, the sentence may also include reasonable attorney, engineering and other professional fees incurred by the Township as a result thereof.

Section 115.2. If any person, partnership, corporation, bureau or utility or the partners or officers thereof, who or which violates any of the provisions of this Ordinance, 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 Magistrate Judge 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 Magistrate Judge and thereafter each day that a violation continues shall constitute a separate violation.

Section 115.3. All fines collected for such violation shall be paid to Cass Township, Schuylkill County.

Section 116. Severability

It is hereby declared to be the legislative intent that:

Section 116.1. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

Section 116.2. If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any lot, building, structure, or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be effective.

Section 116.3. Cass Township, Schuylkill County hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

Section 117. Conditions

Section 117.1. Township Supervisors May Impose Conditions - In granting exceptions and modifications, the Township Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

Section 118. Repealer

All other Township ordinances or parts thereof that were adopted prior to this Ordinance and are in conflict with this Ordinance are hereby repealed.

Section 119. Effective Date

The amendments adopted pursuant to the Codification and notice of same shall become effective on _____, 20_____.

(SALDO Ordinance adopted April 26, 2007)

(Amendments adopted _____, 20_____)

Section 120. Overview

Section 120.1. A general overview and summary of the steps for SALDO review and approval which may be used as an introduction to any separate published version of the Cass SALDO for use by the general public is as follows:

Start by using the following parts of the Subdivision and Land Development Ordinance:

Turn to the **Table of Contents** to find the pages and sections that apply to your particular situation. You may wish to photocopy the Table of Contents to highlight the relevant sections.

Turn to **General Procedures** in Chapter 3, which indicates the general review and submittal process for a proposed subdivision and/or land development.

Regularly refer to the **Definitions** in Chapter 2 to determine the meaning of specific words.

There are three (3) types of plan submissions included in this Ordinance: Sketch, Preliminary and Final requirements for each plan are included in Chapters 6 through 10.

An outline of the Subdivision and Land Development review and approval procedures is included in Chapter 3. It is as follows:

MINOR AND MAJOR SUBDIVISIONS AND LAND DEVELOPMENT

- STEP 1 Subdivider meets informally with Commission to determine general conformance with Regulations, and to review Sketch Plan and development proposals. Determination if plan is major or minor subdivision is completed.
- STEP 2 Subdivider submits preliminary plan with supporting data to Commission and municipality.
- STEP 3 Commission reviews preliminary plan at a regular meeting.

- STEP 4 After review, Commission notifies subdivider and Board of Supervisors either that plan has been approved, approved with modifications, or disapproved. Subdivider revises plan, if necessary, for Commission approval.
- STEP 5 Following approval of the preliminary plan from the Commission, the plan is forwarded to the Board of Supervisors for review at their next regular meeting.
- STEP 6 After review, the Board of Supervisors notifies subdivider either that plan has been approved, approved with modifications, or disapproved. Subdivider revises plan, if necessary, and follows Steps 2 through 6.
- STEP 7 Within one (1) year, subdivider prepares and submits final plan for Commission review. Subdivider may submit only a portion of entire proposed plan as shown on approved preliminary plan, but entire portion must be submitted within five (5) years.
- STEP 8 Commission reviews final plan at regular meeting after having given proper notice for preliminary plans. Concurrently the applicant shall transmit plan to the Zoning Hearing Board to evaluate for conformance to Zoning regulations and notify the Commission of its evaluation. The applicant shall provide the commission with proof of the necessary zoning reviews and approvals. After review, the Commission notifies subdivider and Board of Supervisors of its action on the final plan.
- STEP 9 After plan concurrence by the Commission, the Commission submits plans to the County Planning Committee for review.
- STEP 10 Following approval of the final plan from the Township Commission, the plan is forwarded to the Board of Supervisors for review at their next regular meeting.
- STEP 11 After review, the Commission notifies subdivider of the Board of Supervisors action on the final plan. Subdivider revises plan, if necessary, and follows Steps 8 through 10.
- STEP 12 Not later than 90 days after Board of Supervisors action on the final plan, subdivider files his final plan for recording with the County Recorder of Deeds. Subdivider forwards notice of the recording to the Township.

The following two major considerations should be kept in mind when using this Ordinance:

- An applicant may apply to the Board of Supervisors for Modification or Exception if a literal enforcement of this Subdivision and Land Development Ordinance would result in undue hardship. See Chapter 1, Section 107, which includes the standards that must be met under State law in order to be granted, modification or exception. Generally, under the Pennsylvania Municipalities Planning Code, modification or exception are not

permitted unless an applicant proves a "Hardship" and remains consistent with the goals of this Ordinance and Comprehensive Plan.

- All of the requirements of the Schuylkill County Zoning Ordinance for Cass Township must also be adhered to when a proposed subdivision and land development plan is being designed, laid out and constructed.

CHAPTER 2. DEFINITIONS

Section 201. General Interpretation

For the purposes of this Ordinance, words and terms used herein shall be interpreted as follows:

Section 201.1. Words in the present tense shall include the future tense.

Section 201.2. The singular shall include the plural, and the plural shall include the singular.

Section 201.3. The masculine gender shall include the feminine and the neuter and vice-versa.

Section 201.4. The word "shall" is always mandatory, the word "should" means a suggested or preferred action, and the word "may" is always permissive.

Section 201.5. If a word is defined in both this Subdivision and Land Development Ordinance and another Township Ordinance, each definition shall apply to the provisions of each applicable Ordinance.

Section 201.6. The words "such as", "includes", "including", and "specifically" shall provide examples. These examples shall not, by themselves, limit a provision to the examples specifically mentioned if other examples would otherwise comply with the provisions.

Section 201.7. Any word or term not defined in this Subdivision and Land Development Ordinance shall be used with a meaning of standard usage.

Section 202. Definitions

When used in this Ordinance, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

ABUT - Areas of contiguous lots that share a common lot and line, except not including lots entirely separated by a street or a perennial waterway (see definition of "adjacent").

ACCESS DRIVE OR ACCESSWAY - A privately owned, constructed, and maintained vehicular access roadway accessing two (2) or more dwelling units or two (2) or more commercial, institutional or industrial principal uses (see definition of "driveway").

ACCESSORY BUILDING - A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building.

ADJACENT - Includes contiguous lots that share a common lot line or that are separated only by a street or waterway (see definition of "abut").

AGRICULTURE - Shall mean "crop farming", "plant nursery", and "raising of livestock" (see definition of each).

ALLEY - A right-of-way providing secondary access to the side or rear of one or more properties.

ANNEXATION - The act of adding or joining to; to incorporate into an existing parcel.

APPLICANT - A landowner or developer, as here in after defined, who has filed an application for a subdivision or land development, including his heirs, successors, and assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including, but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

BERM - An earthen embankment which serves purposes such as retaining/detaining the flow of surface water runoff, preventing soil erosion or supporting plant materials to aid in screening.

BLOCK - Property bounded on one side by a street, and on the other three (3) sides by a street, railroad right-of-way, public park, waterway, township lines, unsubdivided or developed area, or any combination thereof.

BLOCK FRONTAGE - That part of a block which fronts on a single street.

BUFFER YARD - A strip of land that is not occupied by any building, parking, outdoor storage or any other use than open space or approved pedestrian pathway. A buffer yard may be a part of the minimum setback distance, but land within an existing or future street, right-of-way shall not be used to meet buffer yard requirements.

BUILDING - Any structure having a permanent roof and intended for the shelter, work area, housing or enclosure of persons, animals, or property and that has a total volume under roof of greater than 50 cubic feet. "Building" is interpreted as including or part thereof (see the separate definition of "structure"). Any structure involving a permanent

roof (such as a covered porch or a carport) that is attached to a principal building shall be considered to be part of that principal building.

CARTWAY - The portion of a street or highway right-of-way, paved or unpaved, designed for vehicular use.

CATCH BASIN - An inlet which has a sump below the pipe to collect debris and is designed to intercept and redirect surface waters.

CHANNEL - An area which conveys the normal continuous or intermittent flow of water.

CLEAR SIGHT TRIANGLE - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

COLLECTOR STREET - A public street or road which, in addition to providing access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets.

COMMISSION - The Cass Township Planning Commission, unless otherwise noted.

COMMON OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

COMMONWEALTH - The Commonwealth of Pennsylvania, unless otherwise noted.

COMPREHENSIVE PLAN - The document entitled Comprehensive Plan for Cass Township, Schuylkill County, Pennsylvania or any part thereof, adopted by the Township Supervisors. In March of 1996 or later versions.

CONDOMINIUM - A set of individual dwelling units or other areas of buildings each owned by an individual person(s) in fee simple, with the owners assigned a proportionate interest in the remainder of the real estate which is designated for common ownership and which was created under either the Pennsylvania Unit Property Act of July 3, 1963 or the Pennsylvania Uniform Condominium Act of 1980, as amended.

CONSERVATION DISTRICT - The Schuylkill Conservation District, unless otherwise noted.

CONSTRUCTION - Includes the placing of construction materials in permanent position and fastening in a temporary or permanent position and the demolition of pre-existing building, provided that further construction be diligently carried on.

COUNTY - The County of Schuylkill, Commonwealth of Pennsylvania, unless otherwise noted.

COUNTY PLANNING COMMISSION - The Schuylkill County Planning and Zoning Commission, unless otherwise noted.

CROP FARMING - The cultivating, raising and harvesting of products of the soil and the storage of these products produced on the premises. "Crop farming" shall also include orchards and Christmas tree farms and raising of limited numbers of livestock as an accessory use, but shall not include intense raising of livestock, commercial forestry, riding academies or kennels.

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

CUL-DE-SAC STREET - A local street which is permanently terminated at one end by a vehicular turnaround and at the other end intersects another street.

CULVERT - A structure designed to convey water under a street or pedestrian walk.

DATUM - A reference point from which elevations are measured. The standard datum is sea level as established by the United States Geological Survey (USGS) and the existing Township Datum.

DEDICATION - The deliberate appropriation of land by its owner for any general and public use, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

D.E.P. (or DEP) - The Pennsylvania Department of Environmental Protection, or its successor, and its relevant subparts.

DERRICK - Any portable framework, tower mast and/or structure which required or used in connection with drilling or reworking a well for the production of oil or gas.

DETACHED BUILDING - A building that is surrounded on all sides by open yards and not attached to any other building.

DETENTION BASIN - A structure designed, built and used for the temporary storage of stormwater runoff.

DEVELOPER (SUBDIVIDER) - Any landowner, agent of such landowner, or tenant with permission from a landowner who makes or causes to be made a subdivision of land or land development.

DEVELOPMENT OF REGIONAL SIGNIFICANCE AND IMPACT - Any land development that, because of its character, magnitude, or location will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

DEVELOPMENT AGREEMENT - An agreement (in a form and manner acceptable to the Township) requiring a developer to install the improvements required by this Ordinance and any improvements or amenities which appear on the plan in accordance with the requirements of this Ordinance.

DITCH - A small drainage channel.

DIVERSION CHANNEL - A channel constructed on, across, or at the bottom of a slope.

DOUBLE FRONTAGE LOT - A lot extending between and having frontage on two streets.

DRILLING PAD - The area of surface operations surrounding the surface location of a well or wells. Such area shall not include an access road drilling pad.

DRIVEWAY - A privately owned, constructed, and maintained vehicular access from a street or access drive to one (1) dwelling unit, commercial unit, institutional or industrial principal use (see definition of access drive).

DWELLING (RESIDENCE, RESIDENTIAL STRUCTURE) - A building containing one (1) or more dwelling units. A building used as non-transient living quarters, but not including a boarding house, hotel, motel, hospital, nursing home, dormitory, fraternity, sorority house, automobile court, rooming house, tourist home, or other group residence. This Subdivision and Land Development Ordinance categorizes dwellings into the following:

- A. Conversion Apartment. A new dwelling unit created within an existing building within the standards of the applicable Zoning Ordinance.
- B. Apartment. Three or more dwelling units within a building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls (see definition of "townhouses" below). The individual dwelling units may be leased or sold for condominium ownership.
- C. Sectional or "Modular" Home. A type of dwelling that meets a definition of single family detached dwelling, single family semi-detached dwelling, townhouse or garden apartment that is substantially but not wholly produced in two or more major sections off the site and then is assembled and completed on the site, and that does not meet the definition of a "mobile/manufactured home" and that is supported structurally by its exterior walls and that rests on a permanent foundation.
- D. Single-Family Detached Dwelling. One dwelling unit in one building accommodating only one family and having open areas on all sides.
 1. Mobile/Manufactured Home. A type of single-family detached dwelling that meets all of the following requirements: a) is transportable, b) is designed for

permanent occupancy, c) is contained in a single piece, or two substantial pieces designed to be joined into one integral unit capable of again being separated for repeated towing, d) which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, e) is constructed so that it may be used with or without a permanent foundation, f) is not a "Recreation Vehicle", and g) includes a minimum of 300 square feet of interior floor space. The terms "mobile home" and "manufactured home" have the same meaning.

- E. Single Family Semi-Detached Dwelling Half of a Twin Dwelling. One dwelling unit accommodating one family that is attached to and completely separated by a vertical unpierced fire resistant wall to only one additional dwelling unit. One side yard shall be adjacent to each dwelling unit. This use is commonly known as one-half of a duplex. Each unit may or may not be on a separate lot.
- F. Townhouse. One dwelling unit that is attached to two or more dwelling units, and with each dwelling unit being completely separated from and attached to each other by unpierced vertical fire-resistant walls. Each dwelling unit shall have its own outside access. Side yards shall be adjacent to each end unit. Townhouses are also commonly referred to as "row houses" or "single-family attached dwellings".
- G. Two-Family Detached Dwelling. Two dwelling units accommodating one family each with both dwelling units within a single building on a single lot, and without the dwelling units being completely separated by a vertical wall. The building shall have two side yards.

DWELLING UNIT - A single habitable living unit occupied by only one "family" (see definition of "family"). Each dwelling unit shall have: a) its own toilet, bath or shower, sink, sleeping and cooking facilities, and b) a separate access to the outside or to a common hallway or balcony that connects to outside access at ground level. No dwelling unit shall include a separate living area that is completely separated by interior walls so as to prevent interior access from the remainder of the living area.

EASEMENT - A right-of-way granted for limited use of private land for a public, quasi-public, or private purpose and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

ENGINEER - A registered Professional Engineer licensed as such in the Commonwealth of Pennsylvania.

FAMILY - One or more persons living in a single dwelling unit and functioning as a common household unit. A family shall not include more than four persons who are not "related" to each other (see definition of "related"), except a higher number may be specifically permitted within the provisions for group homes. A "treatment center" shall not be considered a "family" or a "group home".

FOOT PATH - A cleared way for pedestrian usage which may be constructed of gravel, wood chips or paved material depending on the volume of use.

FRACKING – The process of injecting water, customized fluids, sand, steam or gas or any other media into a gas well under pressure to improve gas recovery.

GRADE - The elevation of finished ground or paving.

HALF (PARTIAL) STREET - A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street.

IMPERVIOUS SURFACE - An area or material, such as a building, structure, or pavement, which prevents or reduces the absorption of stormwater, thereby impeding groundwater recharge and fostering surface-water runoff.

IMPROVEMENT – Any change to land, or any building situated thereon, which adds value to or increases the value of land or property including, but not limited to, construction, renovation or site work such as excavating or grading of land, but excluding the excavating or grading of land for agricultural or mining purposes.

INFILTRATION STRUCTURES - A structure designed to direct runoff into the ground, e.g., French drains, seepage pits and seepage trench.

INFILTRATION TEST - A field test in accordance with criteria of the Pennsylvania Department of Environmental Protection conducted to determine the suitability of the soil for on-site storm water infiltration structures by measuring the infiltration capacity of the soil at a given location and depth.

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 or structure 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 streets, common areas, leaseholds, condominiums, building groups or other features; or
 3. Oil and natural gas improvement.
- B. A subdivision of land.

C. The following shall not be considered a land development:

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

LANDOWNER - The owner of a legal or equitable interest in land, including the holder of a written, signed and active option or contract to purchase; a person leasing the property (if authorized under the lease to exercise the right of the landowner and if such lease is for a remaining period of at least twelve (12) months); authorized officers of a partnership or corporation that is a "landowner"; or other person having a proprietary interest in land. A person who has clearly received formal notarized powers of attorney relating to a landowner may act in the capacity of the landowner, if legally authorized.

LANDSCAPED AREA - That portion of a lot in which plantings have been installed. The landscaped area includes the buffer planting strip, and plantings which serve a functional and/or aesthetic purpose when located around and between: buildings, streets, parking areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, and the like.

LANDSCAPE ARCHITECT - A licensed landscape architect in the Commonwealth of Pennsylvania.

LANDSCAPING PLAN - A plan for the installation and maintenance of a landscaped area.

LAND USE - The manner in which land is or may be used typically expressed in terms of the type of activity or development, such as: agricultural, residential, commercial, industrial, institutional, recreational, municipal and the like, whether such use is principal or accessory.

LEASE - A contract granting use or occupation of property during a specified period in exchange for a specified rent.

LIVESTOCK, INTENSIVE RAISING OF - "Raising of livestock" that involves the keeping of more than 100 animals that are routinely confined within a building, pens or cages or any dry lot feed farming operation or any keeping of garbage-fed livestock.

LIVESTOCK, RAISING OF - The raising and keeping of livestock, poultry or insects for any commercial purposes or the keeping of any animals for any reason beyond what is allowed under the "Dogs and Other Animals" or any other type section of the applicable Zoning Ordinance. This use shall not include a slaughterhouse nor a stockyard used for the housing of animals awaiting slaughter.

LOCAL STREET - A public street or road designed to provide access to abutting lots and to discourage through traffic.

LOT - Any parcel or tract of land regardless of size, intended as a unit of ownership, transfer of ownership, use, lease, rent, improvement or development. Contiguous nonconforming lots under common ownership shall be considered one lot. Lot shall also mean parcel, plot, site, or any similar term.

- A. Lot, Corner. A lot abutting on two (2) or more of the streets intersecting having an interior angle of intersection not greater than one hundred thirty-five (135°) degrees.
- B. Lot, Interior. A lot other than a corner lot whose sides do not abut a street.
- C. Lot, Reverse Frontage. Lots which front on one public street but provide vehicular access solely from another public street at the rear of the lot.
- D. Lot, Through. An interior lot having frontage on two (2) streets.
- E. Lot, Flag or Lot, Keyhole. An irregularly shaped lot characterized by an elongated extension which does not meet minimum lot width requirements of the Zoning Ordinance from a road to the principal part of the lot.

LOT AREA - The horizontal land area contained within the lot lines of a lot (measured in acres or square feet), but excluding the following:

- A. Areas within the existing legal rights-of-way of: 1) any proposed or existing public streets or alleys or 2) any proposed or existing commonly maintained private streets that serve three or more lots;
- B. Areas that exist as or will be required to be dedicated as common open space on a separate lot;
- C. Fifty percent of areas within rights-of-way or easements intended for overhead electrical lines of 35 kilovolts or higher which shall only be excluded for residential lots; and
- D. In flag lots, the area representing the "pole" position of the flag lot shall not be considered part of the lot area (see Figure 2-1).

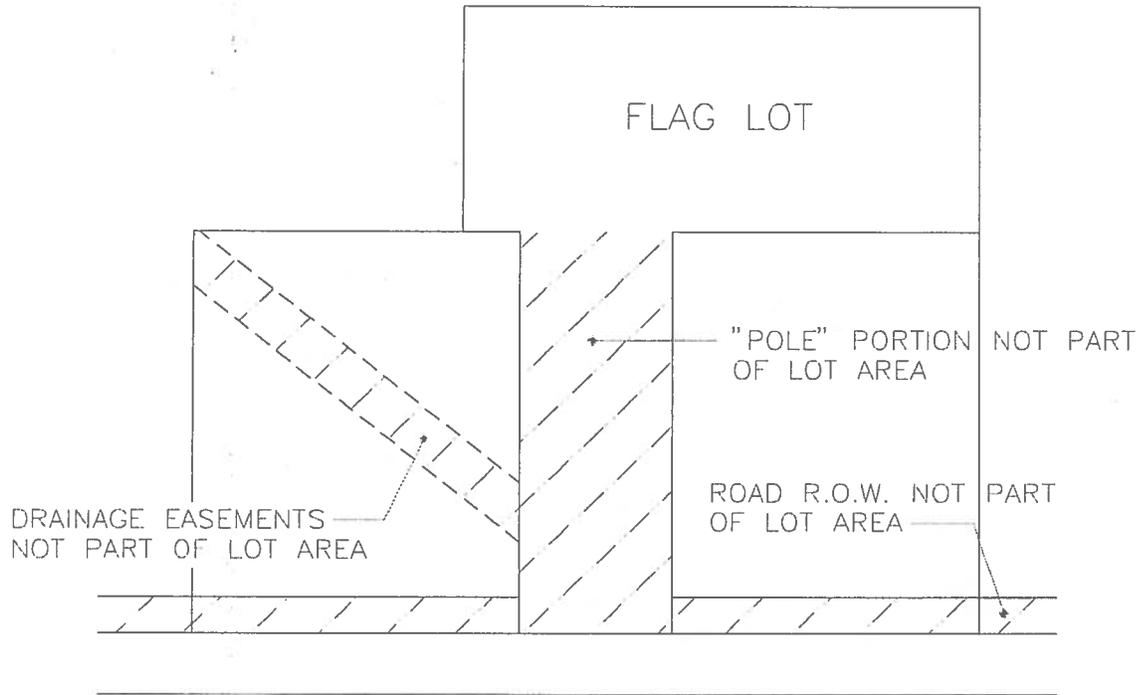


Figure 2-1

LOT DEPTH - The average horizontal distance between the front and the rear lot lines, measured through the approximate center of the lot.

LOT LINES - The property lines bounding the lot. Wherever a property line borders a public street, the lot line shall be considered to be the existing street right-of-way (see Figure 2-2).

- A. **Front Lot Line (Street Line)**. A lot line separating the lot from the street right-of-way. The front lot line shall be the same as an existing or future right-of-way (whichever establishes the greater width).
- B. **Rear Lot Line**. A lot line opposite and most distant from the front lot line (a three (3) sided lot has no rear lot line).
- C. **Side Lot Line**. Any lot other than a front or rear lot line. A "side street lot line" is a side lot line separating a lot from a street.

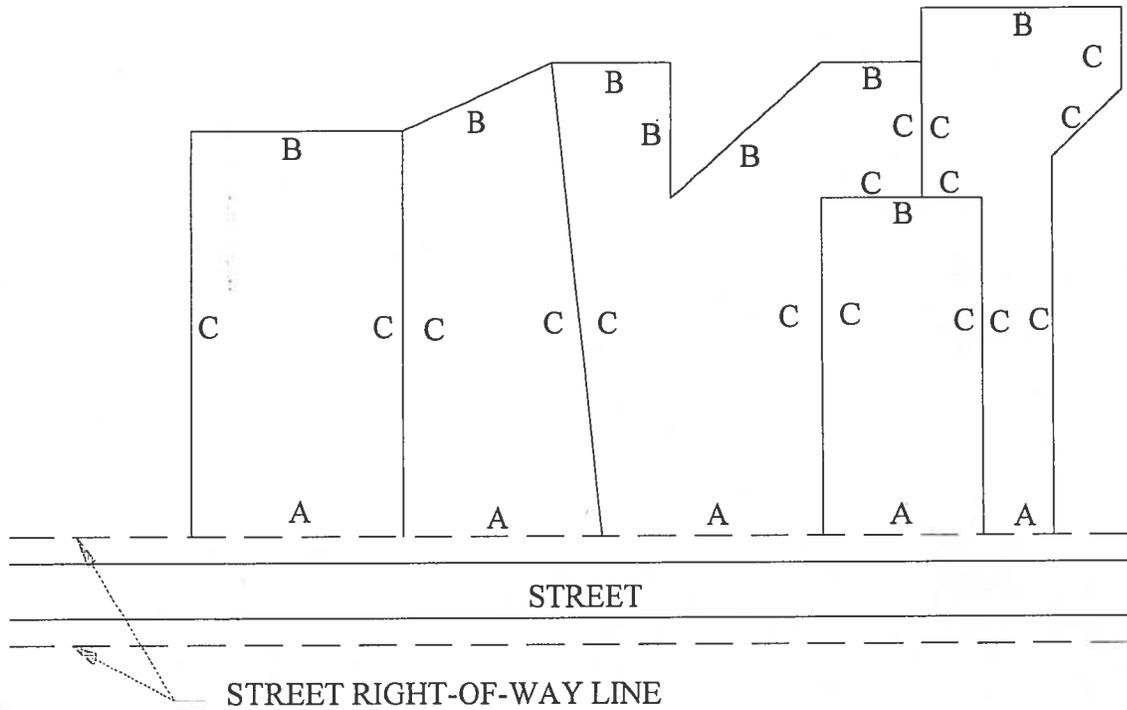


Figure 2-2

LOT WIDTH - The horizontal distance between the side lot lines measured at the minimum prescribed front yard setback line, unless otherwise stated. In the event of a curved lot line, the lot width shall be measured using a straight line from end to end. The lot width shall be measured facing a street (see Figures 2-3 and 2-4).

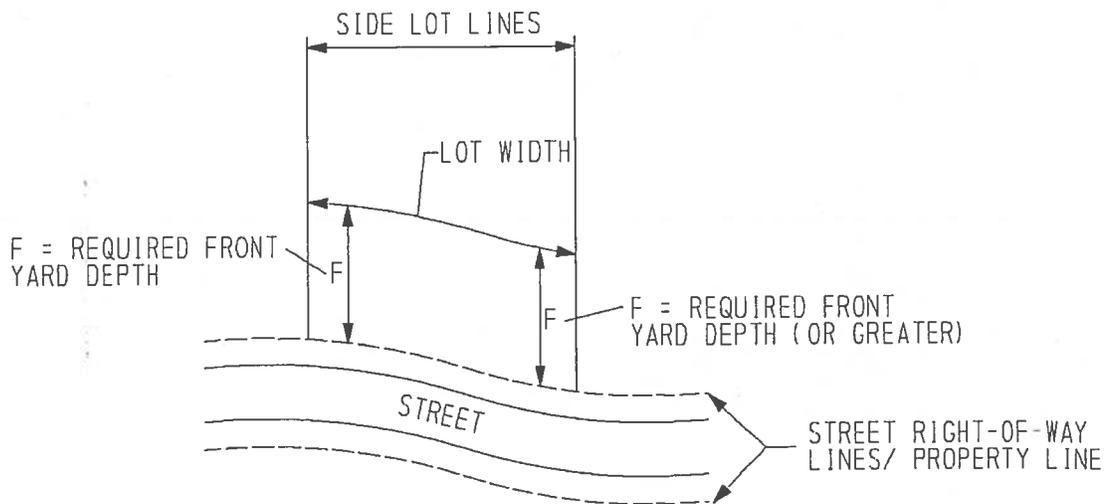


Figure 2-3

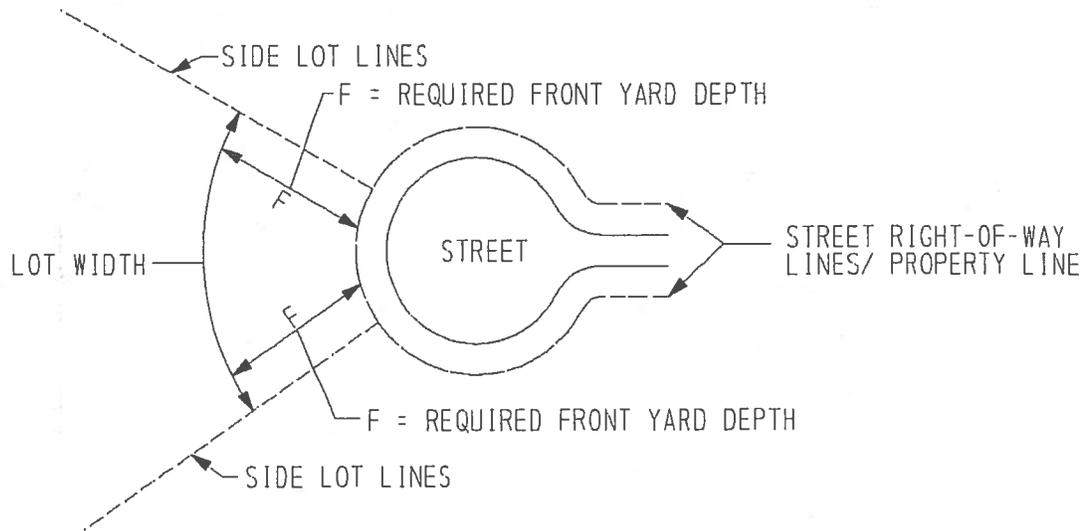


Figure 2-4

MAINTENANCE AGREEMENT - An agreement (in a form and manner acceptable to the Township) requiring the developer of improvements which have been dedicated to make any repairs or reconstructions and to maintain such improvements for a period not to exceed eighteen (18) months from the date of acceptance of dedication.

MAINTENANCE GUARANTEE - Financial security (which is acceptable to the Township) and the United States Department of Treasury's listing of approved Sureties (Circular 570) to secure the promise made by a developer in the Maintenance Agreement that dedicated improvements shall be maintained by the developer (including acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements.)

MOBILE HOME SPACE - A parcel of land in a mobile home park, improved with the necessary utility connection and other appurtenances necessary for the erection thereon of a single mobile home, which is leased or rented by the park owner to the occupants of the mobile home erected on the lot.

MOBILE/MANUFACTURED HOME PARK - A parcel of land under single ownership which has been planned and improved for the placement of three (3) or more mobile/manufactured homes for nontransient residential use. The individual manufactured homes may be individually owned. A development of mobile/manufactured homes with each dwelling on its own subdivided and approved individual lot of record shall not be considered to be a "mobile home park" but rather regulated in the same manner as a subdivision of site-built homes

MULTI FAMILY RESIDENTIAL - A structure intended for residential dwelling, including but not limited to row homes, duplexes, townhouses, apartment complexes, and condominiums.

MUNICIPALITY - Shall be construed to mean the political subdivision known as Cass Township, Schuylkill County, Pennsylvania, unless otherwise noted.

NATURAL GAS COMPRESSOR STATION – A facility designed and constructed to compress natural gas that originates from a gas well or collection of such wells operating as a midstream facility for delivery of gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one or more natural gas compressors, associated buildings, pipes, valves, tanks and other equipment.

NATURAL GAS PROCESSING PLANT – A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including the facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

NONCONFORMING LOT - A lot which does not conform with the minimum width, depth, or area dimensions specified for the district where such lot is situated, but was lawfully in existence at the time of enactment of the Zoning Ordinance or is legally established through the granting of a variance by the Zoning Hearing Board and which is not abutted by other undeveloped land owned by the same owner.

OIL AND GAS – Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well.

OIL AND GAS DEVELOPMENT OR DEVELOPMENT – The well site preparation, construction, drilling, redrilling, hydraulic fracturing, and/or site restoration associated with an oil or gas well of any depth; water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas. The definition does not include natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions.

OIL OR GAS WELL – A pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal.

OIL OR GAS WELL SITE – The location where facilities, structures, materials and equipment whether temporary or permanent, necessary for or incident preparation, construction, drilling, production or operation of an oil or gas well. This definition also includes exploratory wells.

OPEN SPACE - The area of a lot unoccupied by principal or accessory structures, streets, driveways, parking areas; but may include areas occupied by walkways, patios and porches without roofs, playgrounds, and other areas occupied by outdoor recreation or play apparatus, gardens and trees.

OPEN SPACE, COMMON - A parcel or parcels of land, which meets all of the following standards:

- A. Is designed, intended and suitable for active or passive recreation by residents of a development or the general public.
- B. If not intended to be publicly owned, is covered by a system for perpetual maintenance.
- C. Will be deeded to the Township or deed restricted to permanently prevent uses of land other than "common open space" and non-commercial recreation.
- D. Does not use any of the following areas to meet minimum open space requirements:
 - 1) existing or future street rights-of-way
 - 2) accessways
 - 3) buildings (other than accessory buildings and pools clearly intended for noncommercial recreation)
 - 4) off-street parking (other than that clearly intended for noncommercial recreation)
 - 5) any area needed to meet a requirement for an individual lot
 - 6) any area deeded over to an individual property owner for their own use
 - 7) land with rights-of-way intended for overhead electrical transmission of 35 kilovolts or greater capacity.

OPEN SPACE, USABLE - Open space of a lot or tract used for residential purposes, exclusive of required front and side yard areas, which is suitable for specified use(s) or as outdoor recreation for the residents (see Section 1126).

OPERATOR – The person designated as the well operator on the permit application or well registration.

ORDINANCE - The Cass Township Subdivision & Land Development Ordinance and any provisions or amendments thereof, enacted by the Township Supervisors, unless otherwise noted.

PARCEL - A tract, lot, or area of land.

PARKING FACILITIES - Outdoor areas or specially designed buildings or garages used for the storage of vehicles.

PATHWAY - A pedestrian accessway which is not adjacent to a street, access drive or driveway and conforms with this Ordinance.

PEDESTRIAN INTERIOR WALK - A right-of-way for pedestrian use extending from a street into a block or across a block to another street.

PENNDOT. The Pennsylvania Department of Transportation, or its successor, and its subparts.

PERFORMANCE GUARANTEE - Financial security (which is acceptable to the Township) and Circular 570 to secure the promise made by a developer in the Development Agreement that certain improvements shall be made by the developer (including acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

PERSON - An individual, partnership, organization, association, trust, or corporation. When used in a penalty provision, "person" shall include the members of such partnership, the trustees of such trust, and the officers of such organization, association, or corporation.

PLAN (OR PLAT) - A map of a land development or subdivision of land.

- A. Plan, Sketch. An informal plan indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision or land development lots and improvements.
- B. Plan, Preliminary. A tentative subdivision or land development plan, showing details on all proposed improvements and lot layout as a basis for consideration prior to preparation of a Final Plan.
- C. Final Plan. A complete and exact plan, identified as such with the title "Final Plan," prepared for official recording as required by this Ordinance to define property rights and proposed streets and other improvements.

PLANNING COMMISSION, OR MUNICIPAL PLANNING COMMISSION - The Planning Commission of Cass Township, Schuylkill County, Pennsylvania, unless otherwise noted.

PRIVATE STREET - A street that was intended for public use, but was not planned for dedication.

PUBLIC NOTICE - Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the

hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days before the date of the hearings.

RELATED OR RELATIVE - Persons who are closely related by blood, marriage, adoption or formal foster relationship to result in one of the following relationships; brother, sister, parent, child, grandparent, great-grandparent, grandchild, great-grandchild, uncle, aunt, niece, nephew, sister-in-law, brother-in-law, or parent-in-law. For the purposes of child day care regulations, "relative" may also include a first cousin. This term shall not include relationships such as second cousins or cousins further removed.

RESUBDIVISION - The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded, or the alteration of any streets or the establishment of any new streets within any such subdivision. Resubdivision does not include conveyances made so as to combine entire existing lots by deed or other instrument.

RESERVE STRIP - A piece of property dedicated for the purpose of future road expansion, utility easements or points of access. A parcel of ground in separate ownership separating a street from other adjacent properties, or from another street.

RETENTION BASIN - A reservoir, formed from soil or other material, which is designed to retain permanently a certain amount of stormwater from a catchment area and which also may be designed to detain, temporarily, additional stormwater runoff from the catchment area. Retention basins also may receive fresh water from year-round streams. Retention basins always contain water and thus shall be considered man-made lakes or ponds.

RIGHT-OF-WAY - Land reserved for the public or others for use as a street or other purpose. Unless otherwise stated, "right-of-way" shall mean the existing street right-of-way line.

- A. Right-of-Way, Existing or Legal. The line separating a lot from the established official street right-of-way that either the Township or the Commonwealth will own after the completion of any proposed subdivision or land development under this Subdivision and Land Development Ordinance.
- B. Right-of-Way, Future or Ultimate. Land that is dedicated or is required to be defined or reserved for future use as a street and for related public improvements. The terms "ultimate right-of-way", "right-of-way reserved for future dedication" and "future right-of-way" shall have the same meaning. If a future right-of-way is not required to be defined, then future right-of-way shall have the same meaning as existing right-of-way.

SCREEN - A fence or natural obstruction of sufficient height (but not less than six feet (6') high) to effectively visually obscure the area being screened from adjoining areas.

SEDIMENT - Deposited silt or other matter that is being or has been moved from its site of origin by water or other means of erosion.

SEDIMENT BASIN - A structure designed and built to retain sediment during construction.

SET-BACK OR BUILDING LINE

- A. The line within a lot defining the required minimum distance between any structure to be erected or use to be developed and the adjacent future street right-of-way or exterior lot line (when the property is not abutted by a right-of-way). Such line shall be typically measured at right angles from and parallel to the front lot line.
- B. Any building setbacks shall be measured from the foundation, exterior wall or other component of a structure that is closest to the right-of-way line or lot line from which the setback is being measured.
- C. Unless otherwise stated, setback distances are for both accessory and principal structures.
- D. Private Streets – For a building setback measured from a private street, the setback shall be measured from the existing right-of-way of such a street, if a right-of-way exists. If a private street does not have a right-of-way, the setback shall be measured from the edge of the cartway.

SEWAGE DISPOSAL SYSTEM - A system designed to collect, treat, and dispose of sewage from uses in compliance with regulations of the appropriate Local, State, and Federal agencies.

- A. Centralized Sewage Disposal System. A Sewage Disposal System serving a minimum of twenty (20) dwelling units or five (5) principal non-residential uses.
- B. On-Lot or Non-Public Sewer System. Any form of Sewage System permitted under Local, State, and Federal law that does not meet the definition of "centralized sewage disposal".
- C. Public Sewage Disposal System. A Centralized Sewage Disposal System owned and operated by a public authority.

SEWER CONNECTION - The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a dwelling or building to the inlet of the street or main collector sewer pipe of the sewerage system serving the subdivision or land development.

SIDEWALK - A pedestrian accessway which is adjacent to a street, access drive, or driveway and conforms to the regulations of this Ordinance.

SIGN - Any physical device for visual communication that is used for the purpose of attracting attention from the public and that is visible from beyond an exterior lot line, including all symbols, words, models, displays, banners, flags, devices or representations. This shall not include displays that only involve symbols that are clearly and entirely religious or decorative in nature, and which do not include advertising.

SIGHT DISTANCE - The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.

SILT - Finely divided particles of soil or rock, often carried in cloudy suspension in water and eventually deposited as sediment.

SITE ALTERATION - Includes regrading the existing topography, filling lakes, ponds, marshes or floodplains, clearing vegetation or altering watercourses.

SLOPE - The vertical change of an area of land divided by the horizontal change measured in percent.

SOIL CONSERVATION DISTRICT - The Soil and Water Conservation District for Schuylkill County, unless otherwise noted.

SOIL EROSION - The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind and ice.

SOIL EROSION AND SEDIMENTATION CONTROL PLAN - A plan and related narrative as required by this Ordinance.

SOIL PERCOLATION TEST - A field test in accordance with criteria of the Pennsylvania Department of Environmental Protection conducted to determine the suitability of the soil for on-site sewage disposal facilities and infiltration structures by measuring the absorptive capacity of the soil at a given location and depth.

SOIL SURVEY - A scientific survey of soil conditions and characteristics prepared by an engineer or soil scientist and approved or certified by the United States Soil Conservation Service.

SOLAR ACCESS - The capability of receiving direct sunlight between 9:00 a.m. and 3:00 p.m. (Solar Time) on any area of a lot not within required yard areas.

SOLICITOR - Unless otherwise stated, shall mean the appointed Solicitor to the Cass Township Planning Commission.

SOLID WASTE - Garbage, refuse or other discarded materials including, but not limited to, non-liquid waste materials resulting from industrial, commercial, institutional, agricultural and residential activities.

STAGE - A section or sections of which an applicant proposes to commence development at the same time, as part of a timetable for development of a planned residential development over a period of years.

STATE - The Commonwealth of Pennsylvania and its agencies.

STATE PLANNING CODE - The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and as may be further amended.

STORAGE WELL - A well used for and in connection with the underground storage of natural gas, including injection into or withdrawal from an underground storage reservoir for monitoring or observation of reservoir pressure.

STORM SEWER - A sewer that carries storm surface and groundwater drainage but excludes sewage and residential, commercial and industrial wastes.

STORMWATER - That water which accumulates from precipitation and is manifested in surface runoff.

STORMWATER DETENTION - Any storm drainage technique that retards or detains runoff, in rate, volume, or otherwise, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

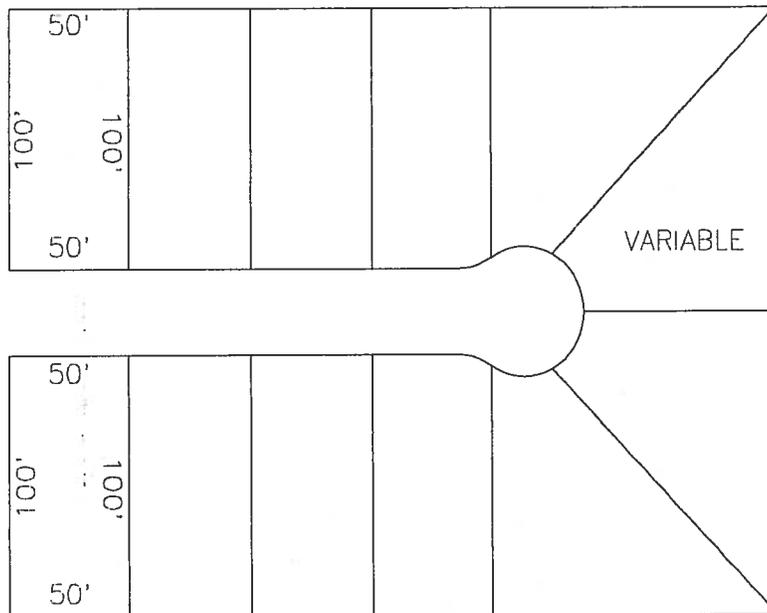
STORMWATER MANAGEMENT PLAN A plan for controlling surface water runoff so that it will preclude erosion or flooding and/or the adverse effects of impervious areas on surface water runoff as required by the Township ordinances, codes, regulations, plans and maps.

STREET - Any public or private thoroughfare intended to be used by vehicular or pedestrian traffic including street, avenue, court, expressway, arterial, road, highway, freeway, boulevard, parkway, lane, alley and viaduct.

- A. Arterial or Major Traffic Street. Streets designed primarily to carry medium to heavy volumes of traffic at moderate traffic speeds, and generally should not provide access to land which would interfere with their primary traffic functions. Arterial Streets are those streets which are so designated on the Official Street Classification Map and facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.
- B. Collector Street. Streets designed to carry a moderate volume of traffic between Local Streets and Arterials at moderate traffic speeds, and provide only limited vehicular access to the abutting properties.
- C. Local or Minor Street. Streets designed to provide direct access from abutting properties to Collector and Arterial Streets.

1. Cul-de-Sac Street. A cul-de-sac street is a local street which is permanently

terminated at one end by a vehicular turnaround and intersects another street at the other end (see Figure 2-5).



CUL-DE-SAC STREET

Figure 2-5

2. Marginal Access Street. A marginal access street is a local street which is parallel and adjacent to collector or arterial streets and provides access to abutting properties.

STRUCTURE - Any man-made object having an ascertainable, stationary location on or in land or water, whether or not affixed to the land. The term structure shall include: buildings, signs, stadiums, platforms, communication towers, walkways, porches or decks covered by a permanent roof, swimming pools (whether above or below ground); storage sheds, carports, garages, and similar structures. "Structure" shall be interpreted as including the words "or part thereof".

SUBDIVIDER - See "Developer".

SUBDIVISION - The division or redivision of a lot, tract, parcel, or area of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of rental or lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwellings shall be exempt. Existing leases shall also be exempt when existing lot lines will not be changed.

SUBDIVISION, MAJOR - Any subdivision which does not qualify as a minor subdivision.

SUBDIVISION, MINOR

A. A Minor Subdivision is:

1. Any subdivision:

- a) into not more than five (5) lots, including the residual tract or lot,
- b) which involves no major trunk line extension of public facilities, no new street, nor an extension or improvement of an existing street,
- c) which is not located in a commercial or industrial zoning district, and
- d) which provides for and does not adversely affect the potential development of the remainder of the tract, or

2. Any subdivision:

- a) for the purpose of joining or annexing a lot to an existing lot, parcel, or tract of land, and
- b) provides a covenant in the deed of the lot to be conveyed which joins it with and makes it an inseparable part of the parcel to which it is joined.

B. The subdivision of any lot or parcel of land which has previously received subdivision approval for at least five (5) lots shall comply with requirements of a major subdivision.

SUBDIVISION, NATURAL - Any tract or parcel of land divided into two (2) or more separate areas by one or more existing public streets.

SURVEYOR - A person duly registered by the Commonwealth of Pennsylvania to practice surveying.

TOWNSHIP - The political subdivision known as Cass Township, Schuylkill County, Pennsylvania, unless otherwise noted.

TOWNSHIP SUPERVISORS - The Township Supervisors of Cass Township, Schuylkill County, Pennsylvania, unless otherwise noted.

TRACT - In certain zoning districts, the tract is the minimum amount of adjacent land area (which may be separated by alleys, streets, or waterways) within the Township that is required to be approved as part of an overall preliminary subdivision or land development plan in order to allow either certain types of uses or to allow the creation of lots smaller than a certain specified lot area. An area of land shall meet the following requirements in order to be considered a "tract":

- A. Shall only include lands within a submitted preliminary plan that includes a well-defined internal circulation system, maximum coordination between lots and carefully limited points of vehicular access onto streets exterior to the tract; and
- B. Shall only include lands that at the time of the approval of the preliminary plan have

one "landowner" (as defined by Chapter 2), unless the applicant proves to the satisfaction of the Township that there is a legally binding commitment between two or more "landowners" to coordinate the access and development of the tract as shown in the approved preliminary plan.

USE - Any purpose, activity, occupation, business, or operation for which land or a structure is designed arranged, intended, occupied or maintained.

WAIVER - A modification or deletion of a requirement of this Ordinance recommended by the Planning Commission granted by the Township Supervisors relative to a specific subdivision or land development. (See section 108 & 306)

WATER CONNECTION - The connection consisting of all pipes, fittings and appurtenances from the water pipe to the inlet pipe of the distribution system within the dwelling or non residential unit.

WATERCOURSE - A discernable, definable natural course or channel along which water is conveyed ultimately to streams and/or rivers at lower elevations. A watercourse may originate from a lake or underground spring(s) and be permanent in nature or it may originate from a temporary source such as runoff from rain or melting snow. The term watercourse shall include but is not limited to a channel, creek, ditch, drain, dry run, spring, stream or river.

WATER SUPPLY SYSTEM - A system designed to transmit water from a source to users in compliance with the requirements of the appropriate state agencies and the Township.

- A. Centralized Water Supply System. A Water Supply System which transmits water from a common source to more than thirty (30) dwellings principal use.
- B. On-Lot or Non-Public Water Supply System. A Water Supply System which transmits water from a source on the lot to one (1) dwelling, principal use, or lot.
- C. Public Water Supply System. A Centralized Water Supply System owned and operated by a public authority.

WETLANDS - An area of land or water meeting one or more definitions of a "wetland" under Federal or Pennsylvania law or regulations.

(NOTE. – As of 2004, the following was the official United States Army Corps of Engineers' definition of wetlands: "Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas." Wetlands are technically defined on the basis of types of vegetation and soils and the level of the water table below the surface. As of 2004, the United States Army Corps of Engineers and DEP enforce the wetlands regulations.)

YARD - An area not covered by buildings on the same lot with a structure (or a group of structures) which lies between the structure (or group of structures) and a lot line and which is unoccupied and unobstructed from the ground upward except as permitted in the applicable Zoning Ordinance.

- A. Front Yard. A yard extending the full width of the lot between a structure and the front lot line or side street lot line measured from the front lot line (which is the future or existing street right-of-way and where it abuts a street).
- B. Rear Yard. A yard extending the full width of the lot measured from the rear lot line and that stretches between the side lot lines parallel to the rear lot line.
- C. Side Yard. A yard measured from the side lot line, and extending from the front lot line to the rear lot line.

ZONING ORDINANCE - The Schuylkill County Zoning Ordinance, as amended, unless otherwise superseded by the creation of a Township Zoning Ordinance.

CHAPTER 3. GENERAL PROCEDURES

Section 301. Purpose

This Article provides an overview of the general procedure for the Township review of proposed subdivisions and land developments (Section 302) and of the general procedures for submitting plans to the Township (Section 303). An outline is included at the end of this Chapter to show the general subdivision process for Minor and Major Subdivisions.

Section 302. General Procedure for Subdivisions and Land Developments

Section 302.1. Review and Approval Stages

Section 302.1.1. Three (3) types of plan submissions are included in the procedure for filing and approving subdivision and land development plans: Sketch, Preliminary, and Final.

Section 302.1.2. These submissions enable the Planning Commission and Township Supervisors to have an adequate opportunity to review the submission to ensure that their formal recommendations are reflected in the Final Plan and that it is prepared in accordance with this Chapter prior to recording.

Section 302.1.3. The table below outlines the stages for the different types of proposed subdivision or land development.

STAGE	SUBDIVISION ORDINANCE CHAPTER	TYPE OF PROPOSED SUBDIVISION OR LAND DEVELOPMENT*		
		LAND DEVELOPMENT	MAJOR SUBDIVISION	MINOR SUBDIVISION
Sketch Plan	6	RECOMMENDED	RECOMMENDED	RECOMMENDED
Preliminary Plan	7	REQUIRED	REQUIRED	NOT REQUIRED
Final Plan	8	REQUIRED	REQUIRED	REQUIRED**
Guarantee of Improvements Installation	9	REQUIRED	REQUIRED	REQUIRED
Recording of Final Plan	10	REQUIRED	REQUIRED	REQUIRED

* See Chapter 2 for precise definitions.

** See Chapter 5 for Minor Subdivision Final Plan filing and review requirements (Chapter 4 for boundary line adjustments and Chapter 5 provides a simplified procedure for reviewing minor subdivisions).

Table 3-1

Section 302.2. Sketch Plan

Section 302.2.1. While Sketch Plans are not required for major and minor subdivisions or land developments, it is recommended that they be filed to allow the Applicant to consult early and informally with the Planning Commission before preparing a Preliminary Plan in order to resolve potential differences and avoid unnecessary expense and delay.

Section 302.2.2. The Sketch Plan will also be used to classify the subdivision as a major subdivision, minor subdivision, or land development.

Section 302.2.3. Comments made by the Planning Commission on the Sketch Plan are only recommendations and are not binding.

Section 302.3. Preliminary Plan

Section 302.3.1. Except for any Sketch Plan which is filed, the initial plan filed with the Township for formal review of a major subdivision or land development shall be considered the official Preliminary Plan.

Section 302.3.2. A Preliminary Plan Submission is not required for Minor subdivisions.

Section 302.3.3. The purpose of the Preliminary Plan is to achieve formal approval by the Planning Commission of the overall development scheme proposed in order to minimize the need for any revisions of Final Plans.

Section 302.4. Final Plan

Section 302.4.1. After approval of the Preliminary Plan of a major subdivision or land development, the Applicant submits a Final Plan.

Section 302.4.2. The purpose of the Final Plan is to receive formal approval by the Planning Commission and Township Supervisors before plans for all subdivisions and land developments are recorded.

Section 302.5. Guarantee of Improvements Installation. Where improvements are required by this Ordinance, the Township and Applicant shall enter into a development agreement, and the Applicant shall post financial security acceptable to the Township in an amount sufficient to cover the costs of any improvements which may be required.

Section 302.6. Recording of Final Plan

Section 302.6.1. Deadline. The applicant shall record the Final Plan approved by Township Supervisors in the Office of the Recorder of Deeds of the County within ninety (90) days of such final approval, unless an extension has been granted in writing by Township Supervisors.

Section 302.6.2. Failure to Record. If the plan is not recorded within the required time period, the approval shall lapse and become void.

Section 302.6.3. Township Copies. Three (3) copies of the recorded plan with supporting data shall be submitted to the Township Secretary.

Section 302.6.4. Plans Considered at Regular Meetings. Plans will be reviewed at regularly scheduled meetings of the Commission, provided that such plans are submitted at least ten (10) business days prior to the meeting at which review is desired.

Section 302.6.5. Commission May Take Final Action. The initial plan filed with the Commission may proceed to final action at the first consideration of a plan for a small subdivision involving no new streets, provided that the plan and supporting data comply in all respects with the requirements for final plans.

Section 303. General Plan Submission Procedures

Section 303.1. Submission

Section 303.1.1. Applicants with minor subdivision Final Plans shall submit the required number of plans to the Township by certified mail or by delivery in person. Said plans shall be filed at least ten (10) business days prior to the regularly scheduled Planning Commission Meeting at which the plan will be reviewed.

Section 303.1.2. Applicants with Preliminary and Final Plans for major subdivisions and land development shall submit the required number of plans and supporting data to the Township by certified mail or by delivery in person. Said preliminary and final plans shall be submitted at least ten (10) business days prior to the regularly scheduled Planning Commission Meeting at which the plan will be reviewed.

Section 303.1.3. Plans to be Filed with County. Sketch Plans for Record and Final Plans shall also be concurrently submitted to the appropriate officials of the County. The Township Planning Commission shall forward the necessary plans and fees to County Planning Commission as required by the Schuylkill County Planning and Zoning Department. Preliminary plans are to be submitted to the Schuylkill County Planning and Zoning Department at the discretion of the Schuylkill County Planning and Zoning Department.

Section 303.2. Receipt by Commission

Section 303.2.1. The Commission shall review the submission at the next regularly scheduled meeting.

Section 303.2.2. If the submission is incomplete, the Commission may disapprove the subdivision.

Section 303.3. Attendance

Section 303.3.1. The Applicant or his duly authorized representative should endeavor to attend the Commission meeting to discuss the submitted plans.

Section 303.3.2. The Commission may request such attendance, and failure to appear when so requested may result in plan disapproval.

Section 303.4. Action by the Commission and the Township Supervisors. Within ninety (90) days following the date of the regular meeting of the Commission, next following the date the application is filed, the Commission shall recommend to the Township Supervisors and the Township Supervisors shall act to approve or disapprove the plan.

Section 303.5. Public Hearing. The Township Supervisors may hold a public hearing prior to rendering their decision on any Final Plan.

Section 303.6. Notification of Applicant. The Township Supervisors shall communicate their decision in writing to the Applicant either personally or by certified or registered mail to his last known address, not later than fifteen (15) days following the day such decision has been made.

Section 304. Procedures for Preliminary Plans

Section 304.1. Changes and Modifications. The Commission and Township Supervisors may require or recommend changes and modifications of the preliminary plan before approval of the final plan is granted.

Section 304.2. Approval of Preliminary Plans. Approval, or recommended approval of the preliminary plan, subject to conditions, revisions and modifications as stipulated or suggested by the Commission and Township Supervisors, shall constitute conditional Commission and Township Supervisors approval of the subdivision as to the character and intensity of the development, and the general layout and approximate dimensions of streets, lots, and other proposed features.

Section 305. Procedures for Final Plans

Section 305.1. Final Plan to be Submitted. Within one (1) year after The Township Supervisors and Planning Commission action on the preliminary plan, a final plan with supporting data shall be submitted to the Township for approval or review; provided, that an extension of time may be granted by the Township Supervisors upon written request. Otherwise, the plan submitted shall be considered as a new preliminary plan.

Section 305.2. Plan May be Submitted in Sections. The Township Supervisors may permit submission of the final plan in sections each covering a portion of the entire proposed subdivision as shown and approved on the preliminary plan.

Section 305.3. Final Plan Shall Conform with Preliminary Plan. The final plan shall conform in all important respects with the preliminary plan as previously reviewed by the Township and shall incorporate revisions and modifications specified or suggested by the Township in its conditional approval of the preliminary plan. Otherwise, the plan submitted shall be considered as a revised preliminary plan.

Section 305.4. Reasons for Disapproval to be Stated. Whenever a plan is disapproved, the Planning Commission and/or Township Supervisors shall explicitly state its reasons for such action or recommendation.

Section 305.5. Time Limit on Recording. Within ninety (90) days after final action by the Township Supervisors, the final plan or section thereof shall be filed for recording with the County Recorder of Deeds, and shall be a clear and legible white print on linen or microfilm. If the plan is not recorded within such period, the action of the Township Supervisors shall become null and void, unless an extension of time is granted by the Township Supervisors upon written request.

Section 306. Consideration of Waiver of Provisions of this Ordinance

All requests for waivers shall be made in accordance with the following procedure:

Section 306.1. All requests for waivers shall be made in writing and shall accompany and be a part of the application for plan review. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, or the alternative standard proposed to provide equal or better results, the section or sections of this Ordinance which are requested to be waived, and the minimum modification necessary.

Section 306.2. All waiver requests, including section number and brief description of the requested waiver, must be labeled on the plan.

Section 306.3. Should a revision to a submitted plan require a waiver which was not apparent at the time of initial plan submission, the request for a waiver shall be submitted in accordance with subsections 306.1 & 306.2 above, at the time of submission of the revised plan.

Section 306.4. Requests for waivers shall be considered by the Planning Commission at the public meeting which is at least twenty-one (21) days after the submission of the waiver request.

Section 306.5. At the scheduled public meeting the Planning Commission shall review the request to determine if the literal compliance with any mandatory provision of the Ordinance is demonstrated by the applicant to exact undue hardship or to be unreasonable, or that an alternative standard has been demonstrated to provide equal or better results, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed. The applicant shall demonstrate that the alternative proposal represents the minimum modification necessary. If the Planning Commission determines that the applicant has met his burden, it may recommend to the Board of Supervisors a waiver from the literal compliance with the terms of this Ordinance.

Section 306.6. The Board of Supervisors shall review all recommendations from the Planning Commission regarding the request. The Board of Supervisors by motion shall act on all waiver requests at the regularly scheduled monthly meeting following the review by the Planning Commission.

Section 306.7. If the Board of Supervisors denies the request, the Board of Supervisors will notify the applicant, Planning Commission, Engineer and Solicitor, in writing, of the justification for denial. If the Board of Supervisors recommends granting the request, the Final Plan shall include a list of all waivers granted by the Board of Supervisors and the dates of their approval by the Board of Supervisors.

CHAPTER 4. BOUNDARY LINE ADJUSTMENTS

Section 401. Purpose

Where no new, additional, or substandard lot will be created and the resultant action will not adversely affect the future development of property. In this situation the Final Plan submission shall comply with the drafting standards and required information of Sections 401.1-401.4. See Section 401.5 for examples of boundary line adjustments. The submission and review procedure for boundary line adjustments shall be the same as minor subdivisions except use the Boundary Line Adjustment checklist. See Section 502 for clarification.

Section 401.1. Drafting Standards

Section 401.1.1. Plans shall be prepared on a standard sheet no larger than 24" x 36".

Section 401.1.2. All information shall be legibly and accurately presented.

Section 401.1.3. Plans shall be drawn at a scale of one inch (1") equals fifty feet (50') or one inch (1") equals one hundred feet (100'). The Planning Commission may approve other acceptable scales.

Section 401.1.4. All dimensions shall be set in feet and decimal parts thereof, and bearings in degrees, minutes, and seconds.

Section 401.1.5. Each sheet shall be numbered and shall show its relationship to the total number of sheets.

Section 401.1.6. Plans shall be prepared and shall bear an adequate legend to indicate clearly which features or locations are existing and which are proposed.

Section 401.1.7. When the plan is a revision of a previously approved plan, note the revisions.

Section 401.2. General Information

Section 401.2.1. Name of subdivision.

Section 401.2.2. Name and addresses of:

- a. Landowner
- b. Developer

Section 401.2.3. Certificate of Ownership (see Appendix F & G):

Section 401.2.3.1. The owner shall acknowledge said statement before an officer authorized to take acknowledgements.

Section 401.2.3.2. The seal of a notary public or other qualified officer shall be impressed to the plan acknowledging owner's statement of intent.

Section 401.2.4. Names, addresses, signatures, license numbers and seals of the Professional Engineer, Landscape Architect, or Surveyor responsible for the preparation of the plan shall be indicated in the Certification of Accuracy (see Appendix D).

Section 401.2.5. Approval/review signature blocks for:

Section 401.2.5.1. Township Planning Commission

Section 401.2.5.2. Township Supervisors

Section 401.2.5.3. County Planning Commission

Section 401.2.5.4. Recorder of Deeds

Section 401.2.6. Location map at a suitable scale showing the relation of the site to adjoining properties and streets.

Section 401.2.7. North arrow.

Section 401.2.8. Graphic scale and written scale.

Section 401.2.9. Date of plan and all subsequent revision dates.

Section 401.2.10. Boundaries of all adjoining properties with names of landowners and Deed Book volume and page number.

Section 401.2.11. The Deed Book volume and page number, as entered by the County Recorder, referencing the latest source of title to the land being subdivided.

Section 401.2.12. Tax map sheet, block, and lot number for the tract being subdivided.

Section 401.2.13. Lot size(s) in acres and square feet and the residual lot site.

Section 401.2.14. Indicate all monuments as set or found.

Section 401.2.15. Zoning Requirements (From applicable Zoning Ordinance)

Section 401.2.15.1. Applicable district.

Section 401.2.15.2. Lot size and yard requirements.

Section 401.2.15.3. Building setback line.

Section 401.3. Upon approval of the boundary line adjustment, the applicant will have the deed(s) rewritten so that the description of the metes and bounds for the property will include the new area(s) and submit a copy to the Township.

Section 401.4. Additional Information. The Township may require the submission of additional information.

Section 401.5. Examples of Typical Boundary Line Adjustments:

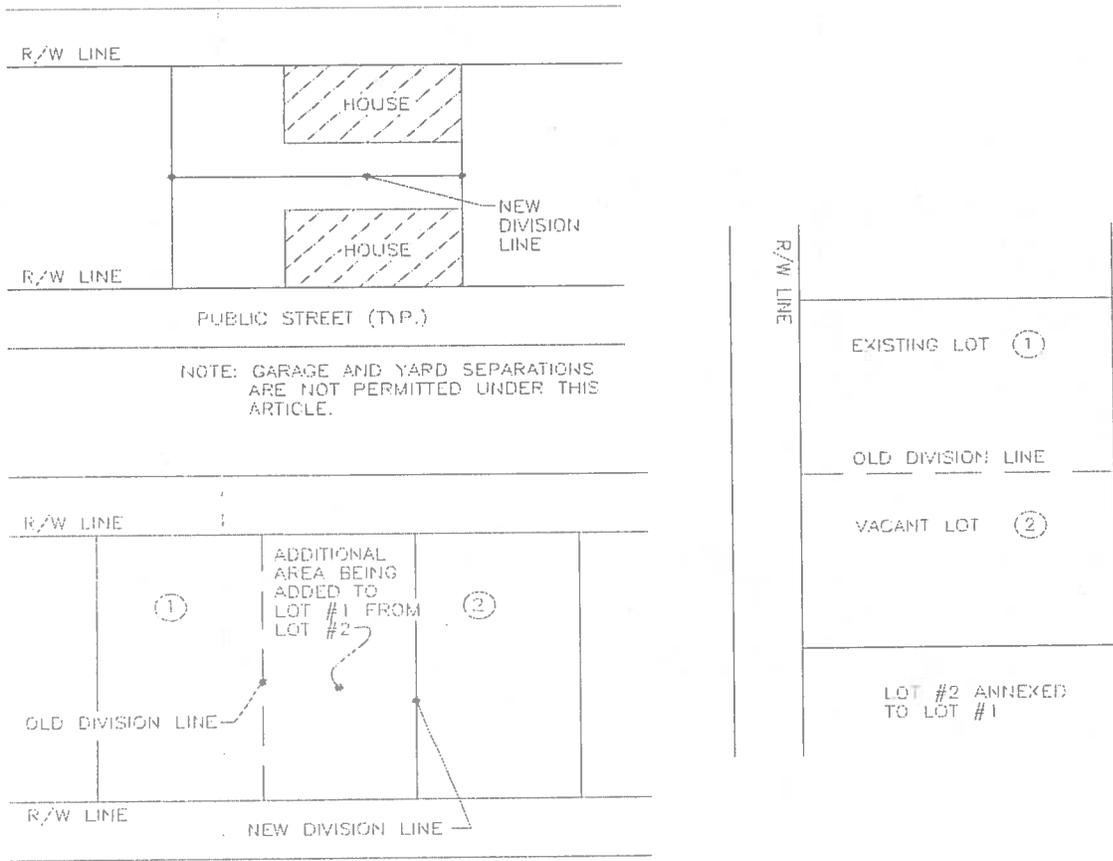


Figure 4-1

CHAPTER 5. MINOR SUBDIVISIONS

Section 501. Purpose

The purpose of Minor Subdivision requirements are to permit applicants and the Township to use a simplified procedure for reviewing minor subdivisions prior to approval for recording.

Section 502. Submission and Review Procedure

Section 502.1. Final Plan Submission Required. A Final Plan Submission for each Minor Subdivision must be filed by the Applicant and reviewed in accordance with the provisions of Chapter 5.

Section 502.2. Required Submission

Section 502.2.1. The Applicant shall file the Plan at least ten (10) business days prior to a regularly scheduled Planning Commission meeting and shall include the following:

Section 502.2.1.1. Filing Fee, as set by resolution of Township Supervisors (See Fee Schedule available at Township Building), and the filing fee set forth by the Schuylkill County Planning Commission for review of the plan.

Section 502.2.1.2. Two (2) copies each of the

- (i) Application Form (included in Appendix B).
- (ii) Final Plan Checklist for Minor Subdivision (included in Appendix C-2).

Section 502.2.1.3. * Minimum of ten (10) copies of the Final Plan

Section 502.2.1.4. * Minimum of four (4) sets of Supportive Documents.

*Note: The Township may require additional copies of the final plan and/or the Supportive Documents.

Section 502.2.2. If a State road is involved, no subdivision or land development which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the submission contains a receipt that a highway occupancy permit has been approved pursuant to Section 420 of the Act of June 1, 1945, known as the State Highway Law before driveway access to a State highway is permitted. Permission to connect to a Township or County road shall be requested from the Township or County.

Section 502.2.3. Each Final Plan filed for minor subdivisions shall provide the information required by Section 504.

Section 502.2.4. All sheets shall be folded to 9" x 12" size in such a manner that the title of the sheet faces out.

Section 502.2.5. Sewer Planning Module.

Section 502.3. Review by Various Agencies

Section 502.3.1. The final plan is reviewed by the Township Engineer, Township Code Enforcement Officer, County Planning Commission, and, if deemed necessary, other officials. These reviewers will report their findings to the Township Planning Commission and Township Supervisors.

Section 502.3.2. All plan reviews of the Final Plan Submission shall be based on the objectives and requirements of this Ordinance, as well as, other applicable ordinances and statutes.

Section 502.3.3. The Reviewing Agencies may make additional reports and recommendations to the Planning Commission and Township Supervisors during review of the Plan.

Section 502.3.4. Applicant should solicit reviews and reports from adjacent municipalities and other government agencies affected by the plan.

Section 502.4. Review by Township Planning Commission. Within ninety (90) days following the date of the regular Township Planning Commission meeting which the plan was submitted for review (unless the Applicant grants a written extension of time for the entire Township review of such Submission), the Township Planning Commission shall:

Section 502.4.1. Review all applicable reports received from the appropriate review agencies and officers.

Section 502.4.2. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.

Section 502.4.3. Review the Final Plan Submission with the Applicant, his agent, or representative and recommend any needed revisions so that the Submission will conform to this Ordinance, other ordinances, and statutes.

Section 502.4.4. Recommend approval, conditional approval, or disapproval of the Final Plan Submission in a written report to The Township Supervisors, specifying and recommending conditions for approval, identifying any defects found by the application, describing any requirements which have not been met, citing the provisions of any ordinance or statute relied upon.

Section 502.5. Review by the Township Supervisors. The Township Supervisors shall:

Section 502.5.1. Review the report of the Commission.

Section 502.5.2. Review the report of all other reviewing agencies received within forty-five (45) days from the date the Submission was forwarded to such agencies (the Township Supervisors may review the reports of such agencies received after the forty-five (45) day period).

Section 502.5.3. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.

Section 502.5.4. Approve or reject the Final Plan Submission within the time required by the Pennsylvania Municipalities Planning Code Act 247 (Currently the Act requires the Township Supervisors to act not later than ninety (90) days following the date of the first regular meeting of the Township Planning Commission held after it has accepted the submission as being filed for review; but in no case shall the Township Supervisors' decision be made later than one hundred twenty (120) days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time).

Section 502.6. Decision by Township Supervisors

Section 502.6.1. The decision of the Township Supervisors shall be in writing and shall be communicated to the Applicant personally or by mail to his last known address, not later than fifteen (15) days following the decision.

Section 502.6.2. Offers of Dedication

Section 502.6.2.1. The approval of the Final Plan shall not constitute an acceptance of the dedication of any street or other proposed public way, space, or area shown on the Final Plan.

Section 502.6.2.2. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.

Section 502.6.2.3. If the Township Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the County or Township. Such instruments shall state that the title thereof is free and unencumbered.

Section 502.6.3. When the Final Plan Submission is disapproved, the decision shall specify the defects found in the Submission, shall describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.

Section 502.6.4. Failure of the Township Supervisors to render a decision and communicate it to the Applicant within the time and in the manner required by the

Pennsylvania Municipalities Planning Code Act 247, shall be deemed an approval of the Plan as presented, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of communication of the decision.

Section 502.6.5. At the request of the Applicant, the Township shall furnish the Applicant with a signed copy of a resolution indicating approval of the Applicant's Final Plan contingent upon the Applicant obtaining a satisfactory financial security. The Final Plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Township.

Section 502.6.6. For all land developments where the lots are to be served by other than individual wells, the Applicant shall present evidence to the Township that the subdivision or land development is to be supplied by a certified 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.

Section 503. Recording Plans Submitted Under Chapter 5

If the Plan submitted under the provisions of Chapter 5 can be clearly drawn on a sheet no larger than 24" x 36", the Plan may be recorded as an attachment to the deed. (NOTE: See Chapter 10 for other provisions regarding the recording of Final Plans.)

Section 504. Minor Subdivision Final Plan Requirements

Section 504.1. Drafting Standards

Section 504.1.1. Plans shall be prepared on a standard sheet no larger than 24" x 36" except when the Planning Commission approves of other size plans.

Section 504.1.2. All information shall be legibly and accurately presented.

Section 504.1.3. Plans shall be drawn at a scale of one inch (1") equals fifty feet (50') or one inch (1") equals one hundred feet (100'). Under special circumstances the Planning Commission may approve other acceptable scales.

Section 504.1.4. All dimensions shall be set in feet and decimal parts thereof, and bearings in degrees, minutes, and seconds.

Section 504.1.5. Each sheet shall be numbered and shall show its relationship to the total number of sheets.

Section 504.1.6. Plans shall be prepared and shall bear an adequate legend to indicate clearly which features are existing and which are proposed.

Section 504.1.7. When the plan is a revision of a previously approved plan, note the revisions.

Section 504.2. Information to be shown on Minor Subdivision Final Plan

Section 504.2.1. Boundary Lines of Tract

Section 504.2.1.1. The total tract boundary lines of the area being subdivided showing bearings and distances and a statement of total tract acreage.

- (i) The boundaries of the lots being newly created shall be determined by accurate field survey, closed with an error not to exceed one in five thousand and balanced.
- (ii) The boundaries of any residual tract which is ten (10) acres or less shall be determined by accurate field survey, closed with an error not to exceed one in five thousand and balanced.
- (iii) The boundaries of any residual tract which is greater than ten (10) acres may be determined by deeds.

Section 504.2.1.2. Indicate all monuments as set or found.

Section 504.2.2. Name of subdivision.

Section 504.2.3. Name and addresses of the record owner (and subdivider) of the tract, and the source(s) of title to the land being subdivided as shown by the records of the Schuylkill County Recorder of Deeds. Tax map sheet, block and lot number for the tract being subdivided.

Section 504.2.4. Names, addresses, signatures, license numbers, and seals of the Professional Engineer, Landscape Architect or Surveyor responsible for the preparation of the plan shall be indicated in the Certificate Accuracy (see Appendix D).

Section 504.2.5. Date, including month, day and year that the final plan was completed and the month, day and year for all subsequent revision dates.

Section 504.2.6. North arrow, graphic scale and written scale.

Section 504.2.7. Location of Natural Features on the Site and Within One Hundred Feet (100') of the Site

Section 504.2.7.1. Contour lines at an interval of not more than two feet

(2') shall be shown as follows:

- (ii) 0% to 15% slope - may be accurately superimposed from the latest USGS quadrangle map.
- (iii) 15% or greater - shall be based on a field survey or photogrammetric procedure at a scale of 1" = 100' or larger.

Section 504.2.7.2. Permanent and seasonal high water table areas, if any, should be noted.

Section 504.2.7.3. Watercourses, lakes, flood-prone areas and wetlands with names, if any.

Section 504.2.7.4. Location and extent of various soil types with Soil Conservation Service (SCS) definitions and Department of Environmental Protection (DEP) classifications for each.

Section 504.2.7.5. Rock outcrops and stone fields, if any, should be noted.

Section 504.2.7.6. Any other significant topographical features.

Section 504.2.8. Location of existing Manmade Features on the Site and Within One Hundred Feet (100') of the Site

Section 504.2.8.1. Sufficient bearings, lengths of lines, radii, arc lengths, street widths, right-of-way and easement widths of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.

Section 504.2.8.2. Existing lot layout on the site, including lot numbers.

Section 504.2.8.3. Historic sites or structures, including name and description.

Section 504.2.8.4. Sewer lines, storm water drains and culverts, water lines and electric lines, including size, location, and invert elevations of each as applicable.

Section 504.2.8.5. Utility easements and restrictive covenants and easements for purposes which might affect development.

Section 504.2.8.6. Names and numbers of streets within and adjacent to the subdivision.

Section 504.2.9. Location map at a suitable scale showing the relation of the site adjoining properties and streets within one thousand feet (1000'), and all zoning district and municipal boundaries within one thousand feet (1000').

Section 504.2.10. Proposed Layout.

Section 504.2.10.1. Total acreage of site.

Section 504.2.10.2. Proposed lot layout with identification number and total number of lots.

Section 504.2.10.3. Lot width, depth and area.

Section 504.2.10.4. Rights-of-way, restrictive covenants, and easements for all drainage, utilities, and other purposes which might affect development, with designation of areas to be dedicated to the public use.

Section 504.2.10.5. Certification by the Pennsylvania Department of Environmental Protection (DEP) when individual sewerage disposal systems are to be installed (Sewer Planning Module).

Section 504.2.10.6. The following items shall be shown on the plan using the symbols shown:

- | | | | |
|-----|---------------------------|---|---------------------|
| ° | Proposed Well | ■ | Existing Well |
| ★ | Primary Absorption Field | ▲ | Soil Probe Location |
| ... | | | |
| ... | Percolation Test Location | | |

Section 504.2.10.7. Any storm drainage facilities or structures.

Section 504.2.10.8. Location and type of all existing or set monuments.

Section 504.2.10.9. All lots shall front on a public street, existing or proposed.

Section 504.2.10.10. Lots for annexation or not for development shall be so noted. Required note for residue acreage "[Residue] is not for further development without the prior approval of the governing body responsible for the approval of the subdivision and land development."

Section 504.2.10.11. A note identifying by lot number the subdivided lots without adequate street frontage that cannot be further subdivided.

Section 504.2.10.12. Intended use of subdivision.

Section 504.2.11. Boundaries of all adjoining properties with names of landowners and Deed Book volume and page number.

Section 504.2.12. Zoning Requirements (From applicable Zoning Ordinance)

- a. Applicable district.
- b. Lot size and yard requirements.
- c. Required open space.
- d. Building setback lines.
- e. Land use.

Section 504.2.13. Certificate of Ownership (see Appendix F&G):

Section 504.2.13.1. The owner shall acknowledge said statement (see Appendix F&G) before an officer authorized to take acknowledgements.

Section 504.2.13.2. The seal of a notary public shall be impressed to the plan acknowledging owner's statement of intent.

Section 504.2.14. Certificate of Township Approval of the plan by the Township Supervisors and Township Planning Commission shall be lettered on the plan using the form in Appendix H.

Section 504.2.15. A blank space measuring three and one-half (3-1/2") inches square shall be left, preferably adjacent to the Municipal Certification, in which the endorsement stamp of the County Planning Commission may be applied.

Section 504.2.16. A blank space measuring three (3") inches square shall be left along the lower edge of the plan, in order that the Recorder of Deeds may acknowledge receipt of the plan.

Section 504.2.17. The following general notes shall be placed on the plan for informational purposes:

Greater than 1 acres earth disturbance over the entire life of the project:

"The owner/developer must submit all NPDES permit applications for Stormwater Discharge from construction activities including, but not limited to, a complete erosion and sedimentation control plan as per the PA Clean Streams Law, Chapter 102, to the Schuylkill County Conservation District (SCCD). No earthmoving activities shall be initiated until an NPDES permit is issued."

Section 504.3. Covenants

Section 504.3.1. All private deed restrictions already imposed or to be imposed as a condition to sale with references to the drawing.

Section 504.3.2. The Township may require the inclusion of any specific restrictive covenants which will carry out the purposes of this Ordinance.

Section 504.4. Additional Information. The Township may require the submission of additional information.

CHAPTER 6. MAJOR SUBDIVISION SKETCH PLAN

Section 601. Pre-Plan Consultation

Prior to the submission of a Preliminary Plan, developers are encouraged to submit a Sketch Plan in person at a regular or special meeting of the Planning Commission. When submitted, Sketch Plans shall include the items in Section 602.

Section 602. Sketch Plan Submission and Drawing Requirements

Section 602.1. Submission Requirement. Six (6) print copies of the Sketch Plan shall be submitted in accordance with the provisions of this Article.

Section 602.2. Drawing Requirements. The Sketch Plan may be a scaled free-hand drawing and shall generally include:

Section 602.2.1. Approximate location of tract boundaries (may be obtained from County Tax Map or similar sources).

Section 602.2.2. Name of subdivision.

Section 602.2.3. Name, address, license number and seal of professional engineer, landscape architect, or surveyor responsible for the plan.

Section 602.2.4. Date, including the month, day, and year that the sketch plan was completed.

Section 602.2.5. North arrow, graphic scale, and written scale.

Section 602.2.6. Significant topographical and manmade features.

Section 602.2.7. A statement of the total acres of the tract.

Section 602.2.8. A location map showing the general location of the subject property, with sufficient information to enable the location with respect to the Township.

Section 602.2.9. Proposed street, parking, building, lot layout, landscaping, recreational facilities and other planned features with dimensions to nearest foot.

Section 602.2.10. Statement telling methods of liquid and solid waste management and water supply.

A statement of the intended use of lots and/or buildings within the development.

Zoning data including all of the following, if applicable:

Section 602.2.10.1. Existing zoning regulations, including district designation, requirements for lot size, yards, lot coverage and building height limitations, and any zoning boundary lines traversing the property.

Section 602.2.10.2. Any variances to be requested by the subdivider or land developer.

Section 602.2.10.3. Any Township regulations, other than zoning, governing lot size and/or yard requirements.

Section 602.2.11. Proposed water, sewer, and electric source.

Section 602.2.12. Proposed stormwater management.

Section 602.2.13. Proposed driveway locations.

CHAPTER 7. Major Subdivision or Land Development Preliminary Plan

Section 701. Purpose

The purpose of the Preliminary Plan is to receive formal approval of the overall development scheme proposed in order to minimize the need for any revisions of Final Plans.

Section 702. Submission and Review Procedure

Section 702.1. Preliminary Plan Submission Required

Section 702.1.1. A Preliminary Plan Submission for a Major Subdivision or Land Development must be filed by the Applicant and reviewed in accordance with the provisions of Chapter 7.

Section 702.1.2. A Preliminary Plan Submission need not be filed for a Minor Subdivision or Boundary Line Adjustment (see Chapters 4 & 5).

Section 702.2. Required Submission

Section 702.2.1. All of the information required in Article 6 for a Sketch Plan must also be included for Preliminary Plan.

Section 702.2.2. The applicant shall file the plan at least ten (10) business days prior to a regularly scheduled Planning Commission meeting and all applications shall include the following:

Section 702.2.2.1. Filing fee, as set by resolution of The Township Supervisors (see fee schedule available at Township Building), and the filing fee set forth by the Schuylkill County Planning Commission for review of the plan.

Section 702.2.2.2. Two (2) copies each of the:

- (i) Application Form (included in Appendix B)
- (ii) Preliminary Plan Checklist (included in Appendix C.3).

Section 702.2.2.3. *A minimum of ten (10) copies of the preliminary plan.

Section 702.2.2.4. *A minimum of four (4) sets of supportive documents.

* Note: The Township may require additional copies of the Final Plan and/or the supportive documents.

Section 702.2.3. The Applicant shall forward plans to the following agencies when required and obtain their comments and approval prior to Preliminary Plan Approval:

Section 702.2.3.1. Municipal Authority (if applicable).

Section 702.2.3.2. County Conservation District.

Section 702.2.3.3. PA Department of Transportation if State roads are involved (if State roads are involved, Highway Occupancy Permits must be filed).

Section 702.2.3.4. Appropriate utility companies.

Section 702.2.3.5. Sewage Enforcement Officer.

Section 702.2.3.6. Department of Environmental Protection.

Section 702.2.4. Each Preliminary Plan filed shall:

Section 702.2.4.1. Provide the information required by Section 703.

Section 702.2.4.2. Conform to any changes recommended during the Sketch Plan procedure.

Section 702.2.4.3. All sheets of Supportive documents shall provide the information required by Section 704.

Section 702.3. Review by Various Agencies

Section 702.3.1. The preliminary plan is reviewed by the Township Engineer, Township Code Enforcement Officer, County Planning Commission, Zoning Officer and if deemed necessary other Officials. These reviewers will report their findings to the Planning Commission and Township Supervisors.

Section 702.3.2. All plan reviews of the Preliminary Plan Submission shall be based on the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.

Section 702.3.3. The Reviewing Agencies may make additional reports and recommendations to the Planning Commission and Township Supervisors during review of the plan.

Section 702.3.4. Applicant should solicit reviews and reports from adjacent municipalities and other government agencies affected by the plan

Section 702.4. Review by Township Planning Commission. Within ninety (90) days following the date of the regular Township Planning Commission meeting the Preliminary Plan

was submitted for review (unless the Applicant grants a written extension of time for the Township review of such Submission), the Township Planning Commission shall:

Section 702.4.1. Review all applicable reports received from the agencies and officers.

Section 702.4.2. Determine whether the Preliminary Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.

Section 702.4.3. Review the Preliminary Plan Submission with the Applicant, his agent, or representative and recommend any needed revisions so that the Submission will conform to this Ordinance, other ordinances, and statutes.

Section 702.4.4. Recommend approval, conditional approval, or disapproval of the Preliminary Plan Submission in a written report to the Township Supervisors, specifying and recommended conditions for approval, identifying any defects found by the application, describing any requirements which have not been met, citing the provisions of any ordinance or statute relied upon.

Section 702.5. Review by The Township Supervisors. The Township Supervisors shall:

Section 702.5.1. Review the report of the Commission.

Section 702.5.2. Review the report of all other reviewing agencies received within forty-five (45) days from the date the Submission was forwarded to such agencies (the Township Supervisors may review the reports of such agencies received after the forty-five (45) day period).

Section 702.5.3. Determine whether the Preliminary Plan Submission meets the objectives and requirements of this Ordinance as well as other applicable ordinances and statutes.

Section 702.5.4. Approve or reject the Preliminary Plan Submission within the time required by the Pennsylvania Municipalities Planning Code Act 247 (Currently the Act requires the Township Supervisors to act not later than ninety (90) days following the date of the first regular meeting of the Township Planning Commission held after it has accepted the Submission as being filed for review; but in no case shall the Township Supervisors' decision be made later than one hundred twenty (120) days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time).

Section 702.6. Decision by The Township Supervisors

Section 702.6.1. The decision of the Township Supervisors shall be in writing and shall be communicated to the Applicant personally or by mail at his last known address not later than fifteen (15) days following the decision.

Section 702.6.2. Approval of the Preliminary Plan Submission shall constitute conditional approval of the subdivision or land development as to the character and intensity, but shall not constitute approval of the Final Plan or authorize the sale of lots or construction of buildings.

Section 702.6.3. When the Preliminary Plan Submission is disapproved, the decision shall specify the defects found in the Submission, shall describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.

Section 702.6.4. Failure of the Township Supervisors to render a decision and communicate it to the Applicant within the time and in the manner required by Pennsylvania Municipalities Planning Code, Act 247 shall be deemed an approval of the plan as presented, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of communication of the decision.

Section 702.7. Development in Stages

Section 702.7.1. The preliminary plan will provide a plan for the entire subdivision. If requested by the Applicant, the Township Supervisors may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision as shown on the Preliminary Plan.

Section 702.7.2. The undertaking of any improvements cannot commence until Final Approval is obtained for the section for which plans have been submitted for.

Section 702.7.3. If the Final Plan is to be filed in sections or stages, each section or stage shall relate logically to provide continuity of access, extension of utilities, and availability of amenities.

Section 702.7.4. The Township Supervisors shall approve the boundaries and configuration of stages or sections of a development.

Section 702.8. Final Plan Submission Deadline

Section 702.8.1. An Applicant shall file a Final Plan within one (1) year from the date of the approval of the Preliminary Plan by the Township Supervisors, unless an extension in writing has been granted by the Township Supervisors.

Section 702.8.2. Failure to comply with this requirement shall render the Preliminary Plan null and void, and a new Preliminary Plan shall be submitted.

Section 703. Preliminary Plan Requirements

Section 703.1. Plans Required

Section 703.1.1. The following plans shall be required for all major subdivisions and land developments and shall show the information set forth in Sections 703.2 through 703.11, as applicable:

Section 703.1.1.1. Layout Plan (see Sections 703.2, .703.3, 703.4. and 703.5)

Section 703.1.1.2. Grading and Storm Drainage Plan (see Sections 703.2, 703.3, 703.4, and 703.5)

Section 703.1.1.3. Utility Plan (see Sections 703.2, 703.3, 703.4, and 703.7)

Section 703.1.1.4. Erosion and Sedimentation Plan (see Sections 703.2, 703.3, 703.4, and 703.8)

Section 703.1.1.5. Road Profiles (see Sections 703.2, 703.3, and 703.9)

Section 703.1.1.6. Sanitary Sewer Profiles (see Sections 703.2, 703.3, and 703.10)

Section 703.1.1.7. Storm Sewer Profiles (see Sections 703.2, 703.3, and 703.10)

Section 703.1.1.8. Construction Details (see Sections 703.2, 703.3, and 703.11)

Section 703.1.1.9. Key Plan, if Preliminary Plan contains more than one sheet.

Section 703.1.2. The Plans listed in Section 703.1.1 may be combined if, in the discretion of the Planning Commission, clarity of such plans will not be impaired.

Section 703.1.3. In addition to the requirements listed in Section 703.1.1 above, oil and natural gas development shall include the information set forth:

Section 703.1.3.1. NARRATIVE OVERVIEW. A narrative describing an overview of the project including the number of acres to be involved, the number of wells to be drilled, and the location and number and description of equipment and structures to the extent known. A narrative describing an overview of the project as it relates to natural gas compressor stations or natural gas processing plants.

Section 703.1.3.2. LOCATION MAP. A location map of the oil or gas well site showing the approximate location of derricks, drilling rigs, equipment and structures and all permanent improvements to the site and any post construction surface disturbance in relation to natural and other surroundings. Included in this map shall be an area within the development site for the location

and parking of vehicles and equipment used in the transportation of personnel and/or development and use of the site. Such location shall be configured to allow the normal flow of traffic on public streets shall be undisturbed. A location map of the natural gas compressor station or natural gas processing plant including any equipment and structures and all permanent improvements to the site.

Section 703.1.3.3. TRANSPORTATION AND DELIVERY MAP. A narrative and map describing the manner and routes for the transportation and delivery of equipment, machinery, water, chemicals and other materials used in the siting, drilling, construction, maintenance and operation of the oil or gas well site.

Section 703.1.3.4. BONDING, PERMITS AND ROADWAY MAINTENANCE. A certification or evidence satisfactory to the township that, prior to commencement of any activity at the oil or gas well site, the applicant shall have accepted and complied with any applicable bonding and permitting requirements; and shall have entered into a township roadway maintenance and repair agreement with the township, in a form acceptable to the township solicitor, regarding the maintenance and repair of the township streets that are to be used by vehicles for site construction, drilling activities and site operations. A description of, and commitment to maintain, safeguards that shall be taken by the applicant to ensure that Township streets utilized by applicant shall remain free of dirt, mud and debris resulting from development activities; and the applicant's assurance that such streets will be promptly swept or cleaned if dirt, mud and debris occur as a result of applicant's usage.

Section 703.1.3.5. ENVIRONMENTAL IMPACT. A copy of the documents submitted to the Pennsylvania Department of Environmental Protection or the Federal Environmental Protection Agency, or if no document has been submitted to the department, a narrative describing the environmental impacts of the proposed project on the site and surrounding land and measures proposed to protect or mitigate such impacts. A copy of all permits and plans from appropriate regulatory agencies authorities issued in accordance to environmental requirements.

Section 703.1.3.6. REGULATORY AGENCIES. A copy of all permits and plans from the appropriate regulatory agency or authorities issued in accordance with applicable laws and regulations for the proposed use.

Section 703.2. Drafting Standards Required for All Plans

Section 703.2.1. Plans shall be prepared on a sheet no larger than 24" x 36".

Section 703.2.2. All information shall be legibly and accurately presented.

Section 703.2.3. Appropriate Scales

Section 703.2.3.1. Plans shall be drawn at a scale of:

- (i) One inch (1") equals fifty feet (50'); or
- (ii) One inch (1") equals one hundred feet (100').

Section 703.2.3.2. Profiles shall be drawn at a vertical scale of:

- (i) Five feet (5') per inch or ten feet (10') per inch (for horizontal scale of 1"=50'); or
- (ii) Ten feet (10') per inch (for horizontal scale of 1"=100').

Section 703.2.3.3. The Township Supervisors may approve other acceptable scales.

Section 703.2.4. All dimensions shall be set in feet and decimal parts thereof, and all bearings shall be set in degrees, minutes, and seconds.

Section 703.2.5. Each sheet shall be numbered and shall show its relationship to the total number of sheets. If match lines are employed, a legend showing sheet relationship shall be provided.

Section 703.2.6. Plans shall be so prepared and shall bear an adequate legend to indicate clearly which features are existing and which are proposed.

Section 703.2.7. Where any revision is made, or when the plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the currently proposed features. Notations of revisions shall be dated.

Section 703.3. General Information Required on All Plans

Section 703.3.1. Title of Submission (e.g. "Preliminary Plan", "Final Plan").

Section 703.3.2. Sheet title (e.g. "Layout Plan").

Section 703.3.3. Name of subdivision or land development.

Section 703.3.4. Name and address, license number, signature and seal to Engineer's Statement (see Appendix D) of the professional engineer, architect, landscape architect, or surveyor responsible for the preparation of the plan.

Section 703.3.5. Date including month, day, and year of plan completion and all subsequent revision dates.

Section 703.3.6. Graphic and/or written scales.

Section 703.3.7. The following general notes shall be placed on the plan for informational purposes:

Greater than 1 acres earth disturbance over the entire life of the project:

"The owner/developer must submit all NPDES permit applications for Stormwater Discharge from construction activities including, but not limited to, a complete erosion and sedimentation control plan as per the PA Clean Streams Law, Chapter 102, to the Schuylkill County Conservation District (SCCD). No earthmoving activities shall be initiated until an NPDES permit is issued."

Section 703.4. Information Required on All Layout Plans, Grading and Storm Drainage Plans, Utility Plans, and Erosion and Sedimentation Plans

Section 703.4.1. General information:

Section 703.4.1.1. north arrow

Section 703.4.1.2. site boundaries with closure of 1 in 10,000

Section 703.4.1.3. boundaries of all adjoining properties with names of landowners

Section 703.4.1.4. location, type, material, and size of all existing or set monuments

Section 703.4.2. Natural features:

Section 703.4.2.1. generalized slope areas

- (i) 15-25%
- (ii) over 25%

Section 703.4.2.2. location and extent of various soil types with SCS classification and DEP definition for each

Section 703.4.2.3. forested areas

Section 703.4.2.4. watercourses, lakes, flood-prone areas, and wetlands (together with names, if any)

Section 703.4.3. Location of existing man-made features on the site and within one hundred feet (100') from the site being subdivided or developed.

Section 703.4.3.1. streets and rights-of-way (including name and right-of-way widths) on the site and on immediately adjacent tracts

Section 703.4.3.2. existing lot layout on the site or on immediately adjacent tracts, including lot number

Section 703.4.3.3. historic sites or structures, including name and description

Section 703.4.3.4. sewer lines, storm drains, and culverts including, but not limited to, water lines and electric

Section 703.4.3.5. bridges

Section 703.4.3.6. utility easements, restrictive covenants, and easements for purposes which might affect development

Section 703.4.4. Proposed features:

Section 703.4.4.1. layout of streets with centerlines, cartways and right-of-ways, and proposed names

Section 703.4.4.2. layout of lots with identification number

Section 703.4.4.3. building setback lines from all lot lines

Section 703.4.4.4. in non-residential developments and planned residential developments, the arrangement and use of buildings and parking areas, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)

Section 703.4.4.5. rights-of-way, restrictive covenants, and easements for all drainage, utilities, or other purposes which might affect development

Section 703.4.4.6. sidewalks and pedestrian paths

Section 703.4.4.7. open space areas

Section 703.4.4.8. recreation facilities

Section 703.4.4.9. proposed monuments with reference to proposed improvements

Section 703.4.4.10. The following items shall be shown on the plan using the symbols shown:

- Proposed Well
- ▲ Soil Probe Location
- Existing Well
- Percolation Test Location
- ★ Primary Absorption Field
- ▲

●●●

Section 703.5. Layout Plan

Section 703.5.1. Names and addresses of:

Section 703.5.1.1. landowner

Section 703.5.1.2. developer

Section 703.5.1.3. adjoining property owners, including those across adjacent roads

Section 703.5.2. Location map at a scale of 1"=2000' or larger showing the relation of the site to adjoining properties, streets, zoning district boundaries, and municipal boundaries within one thousand feet (1000').

Section 703.5.3. Project summary list - the following information shall be listed on the Plan:

Section 703.5.3.1. total acreage of site

Section 703.5.3.2. applicable zoning district(s)

Section 703.5.3.3. total number of lots in this development

Section 703.5.3.4. density of dwelling units per acre

Section 703.5.3.5. required lot size (from Zoning Ordinance)

Section 703.5.3.6. proposed lot size, maximum, minimum, and average

Section 703.5.3.7. open space required

Section 703.5.3.8. open space proposed

Section 703.5.3.9. type of water systems

Section 703.5.3.10. type of sanitary disposal systems

Section 703.5.3.11. lineal feet of new road

Section 703.5.3.12. deed source: volume and page

Section 703.5.3.13. tax map: block and lot

Section 703.5.3.14. required building setbacks

Section 703.5.3.15. intended usage

Section 703.5.3.16. parcels of land to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public, or community purposes must be noted on plans

Section 703.5.3.17. provision for pedestrian circulation throughout the tract, when provided by means other than sidewalks

Section 703.5.4. Proposed or Existing Features:

Section 703.5.4.1. approximate dimensions, and areas of lots expressed in both square feet and acres

Section 703.5.4.2. streets

- (i) cartway and right-of-way width
- (ii) centerline with bearings, distances, horizontal curve data and stations corresponding to the profile
- (iii) right-of-way and curb lines with horizontal curve radii at intersections
- (iv) beginning and end of proposed construction
- (v) tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartway and right-of-way
- (vi) name

Section 703.5.4.3. curve data for all curves included in the plans

Section 703.5.4.4. clear sight triangles for all intersections

Section 703.5.5. Owner's Statement of Acknowledgement (see Appendix F &

G):

Section 703.5.5.1. The owner shall acknowledge the statement contained in Appendix F & G before an officer authorized to take acknowledgements.

Section 703.5.5.2. The seal of the notary public or other qualified officer acknowledging the owner's statement shall be impressed to the Plan and the signature of the owner on each cover sheet.

Section 703.5.6. Certificate of Municipal Approval of the Plan by the Township Supervisors and Township Planning Commission shall be lettered on the plan, using the form in the Appendix.

Section 703.5.7. A blank space measuring three and one-half inches (3-1/2") square shall be left, preferably adjacent to the Municipal Certification, in which the endorsement stamp of the County Planning Commission may be applied.

Section 703.5.8. A blank space measuring three inches (3") square shall be left along the lower edge of the plan, in order that the Recorder of Deeds may acknowledge receipt of the plan.

Section 703.5.9. The names of any abutting subdivisions and land developments and the book and page numbers where recorded.

Section 703.6. Grading and Storm Drainage Plan

Section 703.6.1.

Section 703.6.1.1. Existing and proposed contour lines at intervals of:

- (i) Two feet (2') (if slope is between 0% and 15%)
- (ii) Five feet (5') (if slope is over 15%)

Section 703.6.1.2. These contour intervals shall be based on a field survey or photogrammetric procedure at a scale of 1"=100' or larger. Extrapolation from USGS maps shall not be acceptable. The datum to which elevations refer shall be stated.

Section 703.6.1.3. The Planning Commission may waive the contour requirements or require a lessor interval to provide for proper design or slope delineation.

Section 703.6.2. Street centerline data and stations corresponding to the profile.

Section 703.6.3. Storm drainage:

Section 703.6.3.1. location and size of facilities with stations corresponding to the profile

Section 703.6.3.2. location of inlets with invert elevation of flow line and grade at the top of each inlet

Section 703.6.3.3. watershed areas for each drainage structure or swale

Section 703.6.3.4. property lines and ownership, with details of easements where required

Section 703.6.3.5. beginning and end of proposed construction

Section 703.6.3.6. location of all other drainage facilities and public utilities in the vicinity of storm drain lines

Section 703.6.3.7. hydraulic design standards for culverts, bridge structures, and/or other storm facilities

Section 703.6.4. Location and size of proposed drainage swales.

Section 703.7. Utility Plan

Section 703.7.1. If on-lot sanitary sewage disposal systems are being proposed:

Section 703.7.1.1. existing and proposed contour lines at intervals of:

- (i) Two feet (2') (if slope is between 0% and 15%)
- (ii) Five feet (5') (if slope is over 15%)

(NOTE: These contour intervals shall be based on a field survey or photogrammetric procedure at a scale of 1"=100' or larger. Extrapolation from USGS maps shall not be acceptable. The Township Supervisors may waive the contour requirements or require a lesser interval to provide for proper design or slope delineation.)

Section 703.7.1.2. proposed location of wells

Section 703.7.1.3. proposed or typical location of dwelling

Section 703.7.1.4. proposed location of subsurface disposal field

Section 703.7.1.5. location of percolation test holes and soil probe pit

Section 703.7.2. If centralized sanitary sewers are being proposed:

Section 703.7.2.1. location and size of line with stations corresponding to the profile

Section 703.7.2.2. location of manholes with invert elevation of flow line and grade at the top of each manhole

Section 703.7.2.3. property lines and ownership, with details of easements where required

Section 703.7.2.4. beginning and end of proposed construction

Section 703.7.2.5. location of laterals

Section 703.7.2.6. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines

Section 703.7.3. If centralized water system is being proposed:

Section 703.7.3.1. location and size of waterline

Section 703.7.3.2. plans pertaining to water source

Section 703.7.3.3. An engineer's report shall be prepared and shall contain complete and accurate information relating to said community water supply. This report shall include, but shall not be limited to the following: mains, submains, valves, location and type of fire hydrants, water pressure to be delivered to the proposed properties, and a statement from the water company that said company can and will supply the water as proposed in the developer's plan.

Section 703.7.4. If on-lot water system is being proposed, location of all wells (existing and proposed).

Section 703.7.5. Street lighting.

Section 703.7.6. Gas mains, electric, telephone, and cable lines should be shown.

Section 703.8. Erosion and Sedimentation Plan

Section 703.8.1. Shall comply with the DEP Soil Erosion and Sedimentation Control Manual and be in accordance with the regulations of the Schuylkill Conservation District.

Section 703.8.2. All storm water runoff calculations shall be governed by the parameters set forth in Appendix I.

Section 703.9. Road Profiles

Section 703.9.1. Profile of existing ground surface along centerline of street.

Section 703.9.2. Proposed centerline grade with percent on tangents and elevations at fifty foot (50') intervals.

Section 703.9.3. All vertical curve data including length, elevations, and minimum sight distance as required by Chapter 11.

Section 703.10. Sanitary Sewer and Storm Drain Profiles

Section 703.10.1. Profile of existing ground surface with elevations at top of manholes or inlets.

Section 703.10.2. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole, and inlet locations, and invert elevations along flow line.

Section 703.10.3. All line crossings of other utilities.

Section 703.10.4. Invert elevations along flow line at manholes, inlets, and at line crossing of other utilities.

Section 703.11. Construction Details

Section 703.11.1. Typical cross-section and specifications for street construction as required by Article 11.

Section 703.11.2. Drainage swale cross-section and construction materials.

Section 703.11.3. Pipe bedding details.

Section 703.11.4. Storm drainage structures (including) ponds.

Section 703.11.5. Sanitary sewer structures.

Section 703.11.6. Water line details.

Section 703.11.7. Other utility details

Section 703.11.8. Curb and sidewalk details.

Section 703.11.9. Any other details required by this Subdivision and Land Development Ordinance.

Section 703.12. No subdivision or land development plan which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the submission contains a receipt that a highway occupancy permit has been approved pursuant to Section 420 of the Act of June 1, 1945, known as the State Highway Law before driveway access to a State highway is permitted.

Section 704. Supportive Documents and Information

Section 704.1. General Information

Section 704.1.1. All private deed restrictions or covenants already imposed or to be imposed as a condition of sale shall be provided.

Section 704.1.2. A map of all property holdings of the owner within one thousand feet (1000') of the proposed subdivision, indicating the site of proposed subdivision shall be provided. A sketch plan of a proposed road system with any property holdings contiguous to the proposed subdivision.

Section 704.2. Certification of a Centralized Sewage Disposal System

Section 704.2.1. Public. If the subdivision or land development is to be served by an existing sewer company or authority, the developer shall submit a copy of a letter from the company or authority which states that the company or authority can adequately serve the subdivision and which states any conditions required by the company or authority for the provision of services.

Section 704.2.2. Private. If the subdivision or land development is to be served by a private centralized sewage disposal system, the developer shall submit a copy of a completed Planning Module for Land Development.

Section 704.3. Certification of On-Lot Sewage System. When the subdivision or land development is to be served by individual on-lot sewage disposal systems the developer shall submit a copy of a completed Planning Module for Land Development, Method of Maintenance and Billing, Ownership, etc.

Section 704.4. Certification of Public Water Supply System. If the subdivision or land development is to be served with water by an existing water company or authority, the developer shall submit a copy of a letter from such water company or authority which states that the company or authority can adequately serve the subdivision and which states any conditions required by the company or authority for the provision of services.

Section 704.5. Storm Drainage Calculations. All calculations (which shall be in accordance with Section 1123) relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Township Engineer.

Section 704.6. Development Statement and Schedule. A statement setting forth in detail the character of the improvements the Applicant proposes to make on the property to be developed and a development schedule indicating the approximate date when construction can be expected to begin and be completed.

Section 704.7. Highway Occupancy Permit. When required, a copy of the Highway Occupancy Permit approved by PENNDOT for access to any adjoining State highway and

written comments indicating approval of occupancy permits at locations designated on submitted plans shall be provided to the Township.

Section 704.8. Current Deed of Tract Being Subdivided. A copy of the current deed of the tract being subdivided shall be submitted.

Section 704.9. Protective Covenants. A description of the protective covenants or private restrictions to be incorporated in as though a part of the subdivision shall also be presented to the Township.

Section 704.10. Preliminary design of any bridges or culverts meeting the applicable requirement of the Pennsylvania Department of Transportation and Pennsylvania Department of Environmental Protection shall be provided for review by the Township Engineer.

Section 704.11. A complete report on subsurface coal conditions must be filed for areas underlaid by coal. Such a report shall show conditions of mining, if any, and a statement that no possibility of subsidence exists. All strip mines, spoil banks and bodies of water in abandoned stripping pits within one-half (1/2) mile of any development must also be accurately located and shall be so shown.

CHAPTER 8. Major Subdivision or Land Development – Final Plan

Section 801. Purpose

The purpose of the Final Plan is to receive formal approval before plans for all major subdivisions and land developments are recorded.

Section 802. Submission and Review Procedure

Section 802.1. Final Plan Submission Required

Section 802.1.1. A Final Plan Submission for each major subdivision or land development must be filed by the Applicant and reviewed in accordance with the provisions of Chapter 8.

Section 802.1.2. A Final Plan for a minor subdivision shall be filed by the Applicant and reviewed in accordance with the provisions of Chapter 5.

Section 802.2. Submission Deadline

Section 802.2.1. An Applicant shall file a Final Plan Submission within one (1) year from the date of the approval of the Preliminary Plan by the Planning Commission, unless an extension in writing has been granted by the Planning Commission.

Section 802.2.2. Failure to comply with this requirement shall render the Preliminary Plan Submission null and void, and a new Preliminary Plan Submission must be filed.

Section 802.3. Required Submission

Section 802.3.1. The Final Plan itself shall contain all of the information required for Preliminary Plan Approval in addition to the information required in accordance with the Provision of Chapter 8.

The applicant shall file the plan at least ten (10) business days prior to the regularly scheduled Planning Commission meeting and all applications shall include the following:

Section 802.3.1.1. Filing fee, as set by resolution of the Township Supervisors (see fee schedule available at Township Building), and the filing fee set forth by the Schuylkill County Planning Commission for review of the plan.

Section 802.3.1.2. Two (2) copies each of the:

- (i) Application form (included in Appendix B).
- (ii) Final Plan checklist for major subdivision or land development (included in Appendix C.4).

Section 802.3.1.3. *A minimum of ten (10) copies of the Final Plan.

Section 802.3.1.4. *A minimum of four (4) copies of the supportive documents.

*Note: The Township may require additional copies of the Final Plan and/or the supportive documents.

Section 802.3.2. The Applicant shall forward plans to the following agencies when required and obtain their comments and approval prior to Final Plan Approval (where applicable):

Section 802.3.2.1. Municipal Authority (if applicable).

Section 802.3.2.2. County Conservation District.

Section 802.3.2.3. PA Department of Transportation if State roads are involved (if State roads are involved, Highway Occupancy Permits must be filed).

Section 802.3.2.4. Appropriate utility companies.

Section 802.3.2.5. Sewage Enforcement Officer.

Section 802.3.2.6. Department of Environmental Protection.

Section 802.3.3.

Section 802.3.3.1. Each Final Plan filed shall:

- (i) provide the information required by Section 703.
- (ii) conform with the approved Preliminary Plan and any changes recommended during the Preliminary Plan review.

Section 802.3.3.2. All sheets of Supportive Documents shall provide the information required by Section 804.

Section 802.4. Review by Various Agencies

Section 802.4.1. The final plan may be reviewed by the Township Engineer, Township Code Enforcement Officer, County Planning Commission, and if deemed necessary other officials. These reviewers will report their findings to the Township Planning Commission and Township Supervisors.

Section 802.4.2. All plan reviews of the Final Plan Submission shall be based on the objectives and requirements of this Ordinance, as well as other applicable ordinances and statutes.

Section 802.4.3. The Reviewing Agencies may make additional reports and recommendations to the Planning Commission and Township Supervisors during review of the Plan.

Section 802.4.4. Applicant should solicit reviews and reports from adjacent municipalities and other government agencies affected by the plan

Section 802.5. Review by Commission. Within ninety (90) days following the date of the regular Township Planning Commission meeting after the final plan was submitted for review (unless the Applicant grants a written extension of time for the Township review of such Submission), the Township Planning Commission shall:

Section 802.5.1. Review all applicable reports received from the agencies and officers.

Section 802.5.2. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as other applicable ordinances and statutes.

Section 802.5.3. Review the Final Plan Submission with the Applicant, his agent, or representative and recommend any needed revisions so that the Submission will conform to this Ordinance, other ordinances, and statutes.

Section 802.5.4. Recommend approval, conditional approval, or disapproval of the Final Plan Submission in a written report to The Township Supervisors, specifying and recommending conditions for approval, identifying any defects found by the application, describing any requirements which have not been met, citing the provisions of any ordinance or statute relied upon.

Section 802.6. Review by the Township Supervisors. The Township Supervisors shall:

Section 802.6.1. Review the report of the Commission.

Section 802.6.2. Review the report of all other reviewing agencies received within forty-five (45) days from the date the Submission was forwarded to such agencies (Township Supervisors may review the reports of such agencies received after the forty-five (45) day period).

Section 802.6.3. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as other applicable ordinances and statutes.

Section 802.6.4. Approve or reject the Final Plan Submission within the time required by the Pennsylvania Municipalities Planning Code Act 247 (Currently the Act requires the Township Supervisors to act not later than ninety (90) days following the date of the first regular meeting of the Township Planning Commission held after it has accepted the submission as being filed for review; but in no case shall the Township

Supervisors' decision be made later than one hundred twenty (120) days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time).

Section 802.7. Decision by The Township Supervisors

Section 802.7.1. The decision of the Township Supervisors shall be in writing and shall be communicated to the Applicant personally or by certified or registered mail to his last known address, not later than fifteen (15) days following the decision.

Section 802.7.2. Offers of Dedication

Section 802.7.2.1. Approval of the Final Plan Submission shall not constitute an acceptance of the dedication of any street or other proposed public way, space, or area shown on the Final Plan.

Section 802.7.2.2. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.

Section 802.7.2.3. If the Township Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the County or Township. Such instruments shall state that the title thereof is free and unencumbered.

Section 802.7.3. When the Final Plan Submission is disapproved, the decision shall specify the defects found in the Submission, shall describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.

Section 802.7.4. Failure of the Township Supervisors to render a decision and communicate it to the Applicant within the time and in the manner required by the Pennsylvania Municipalities Planning Code Act 247, shall be deemed an approval of the Plan as presented, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of communication of the decision.

Section 802.7.5. At the request of the Applicant, the Township Supervisors shall furnish the Applicant with a signed copy of a resolution indicating approval of the Applicant's Final Plan contingent upon the Applicant obtaining a satisfactory financial security. The Final Plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Township.

Section 802.7.6. For all subdivisions where the lots are to be served by other than individual wells, for a land development to be served by other than an individual well, the Applicant shall present evidence to the Township that the subdivision or land development is to be supplied by a certified 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.

Section 803. Final Plan Requirements

Section 803.1. All Final Plan Requirements shall be in accordance with Section 703, Preliminary Plan requirements and the additional items listed below in Section 803.2.

Section 803.2. Additional Requirements

Section 803.2.1. A property survey shall be performed of the entire tract to be developed if it is less than ten (10) acres in size. In cases where the tract is over ten (10) acres and only a portion of it is to be developed, only that portion to be developed need be surveyed.

Section 803.2.2. Protective covenants providing for:

Section 803.2.2.1. Building setbacks

Section 803.2.2.2. Clear sight triangle easements

Section 803.2.2.3. Utility, drainage, and slope easements

Section 803.2.2.4. Well and sewage disposal systems shall be constructed in accordance with recommended standards of the Pennsylvania Department of Environmental Protection (if applicable).

Section 803.2.2.5. Individual owners of lots must apply to the Municipality for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system (if appropriate).

Section 803.2.2.6. The Planning Commission has not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system (if appropriate).

Section 803.3. Landscape Plan

Section 803.3.1. This Plan shall show:

Section 803.3.1.1. existing vegetation to be removed

Section 803.3.1.2. existing vegetation to be preserved

Section 803.3.1.3. proposed planting schedule, including the locations, species, and sizes of plantings

Section 803.3.1.4. existing and proposed grades

Section 803.4. Other Additional Information

Section 803.4.1. If the subdivision or land development proposes a new street or driveway intersection with a State Road, a letter from PENNDOT indicating approval of such intersection must be received.

Section 803.4.2. A copy of all permits from PADEP for affecting water courses, bodies of water, or water obstructions must be obtained.

Section 803.4.3. A letter from the Schuylkill Conservation District indicating that the erosion and sedimentation control measures detailed on the plan will be acceptable.

Section 803.4.4. A street lighting plan indicating location, type, height of fixture, and illumination area specified in accordance with acceptable lighting standards published by the Lighting Engineers Society must be shown on the plan.

Section 803.4.5. The proposed location and type of traffic control devices, such as stop bars, signs, line painting, street names, islands, etc. must be shown on the plan.

Section 803.4.6. In the case of sewage disposal proposed by sub-surface or alternate methods, all approved local and state permits and planning modules must be submitted.

Section 804. Supportive Documents and Information

Section 804.1. Deed Restrictions. All private deed restrictions or covenants already imposed or to be imposed as a condition to sale shall be provided.

Section 804.2. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8.5" x 11" plan of each such improvement.

Section 804.3. Nondedicated Streets Agreement.

Section 804.3.1. Agreement for any street not offered for dedication.

Section 804.3.2. Such agreement shall state who is responsible for the improvement and maintenance of such streets until dedicated to the Township.

Section 804.3.3. If an association of lot owners is made responsible, such association must be legally organized prior to plan approval.

Section 804.4. Open Space Agreement. A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space, bearing the certificate of approval of the Township Solicitor.

Section 804.5. Utilities Agreements and Permits.

Section 804.5.1. All signed agreements or contracts with utility companies, water companies or authorities, or sewage companies or authorities for the provision of services to the subdivision.

Section 804.5.2. Approval letters from all appropriate Federal and State agencies of any private centralized water supply system or sewage disposal system.

Section 804.6. Storm Drainage Calculations. All calculations relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Township Engineer (see Appendix I and Section 1123).

Section 804.7. Development Statement and Schedule. A statement setting forth in detail the character of the improvements the Applicant proposes to make on the property to be developed and a development schedule indicating the approximate date when construction can be expected to begin and be completed.

Section 804.8. Current Deed of Tract Being Subdivided. A copy of the current deed of the tract being subdivided shall be submitted for review by the Township.

Section 804.9. Guarantee of Improvement Installation – See Section 901

Section 804.10. Traffic Impact Study – See Section 1212.

CHAPTER 9. GUARANTEE OF IMPROVEMENTS INSTALLATION

Section 901. Guarantee of Improvements Installation Required

Before approving a subdivision or land development plan for recording, the Township Planning Commission and Township Supervisors require that the Township be assured (by means of a proper Development Agreement and Performance Guarantee) that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance.

Section 902. Improvements to be Provided by the Applicant

Section 902.1. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.

Section 902.2. The Township Engineer or the Township's designee shall make such inspections of the required improvements to assure compliance with this Ordinance. The reasonable costs of such inspection shall be borne by the subdivider or land developer.

Section 903. Development Agreement

Section 903.1. Development Agreement Required

Section 903.1.1. All Applicants proposing any subdivision or land development which provide for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the plan shall be required to enter into a legally binding Development Agreement with the Township prior to Final Plan Approval. A copy of this agreement is provided in Appendix J.

Section 903.1.2. The Development Agreement shall guarantee the installation of said improvements in strict accordance with all Township requirements.

Section 903.1.3. The Final Plan shall not be approved by the Township Planning Commission or Township Supervisors prior to the execution of this agreement and the delivery of the Performance Guarantee.

Section 903.2. Terms of Development Agreement. The Development Agreement shall be in the manner and form approved by the Township Solicitor and it shall consist of the following terms, where applicable:

Section 903.2.1. Required Improvements

Section 903.2.1.1. Setting Property corners.

Section 903.2.1.2. The construction of streets with related curbs, street signs, drainage facilities, and related improvements.

Section 903.2.1.3. The installation of utility lines and lighting.

Section 903.2.1.4. The construction depicted upon the approved plans in itemized format.

Section 903.2.1.5. Top soil, seeding and soil supplements.

Section 903.2.2. Schedules

Section 903.2.2.1. A work schedule prepared by the developer's engineer setting forth the beginning and ending dates and such other details as the Township deems fit and appropriate for the improvements covered by the Development Agreement.

Section 903.2.2.2. An inspection schedule approved by the Township Engineer (the developer shall provide the Township Engineer with notice at least forty-eight hours prior to scheduling inspections).

Section 903.2.3. Performance Guarantee

Section 903.2.3.1. The provision of a Performance Guarantee for completion of required improvements which complies with Section 904.

Section 903.2.3.2. The estimated cost of the improvements, including a detailed breakdown in a form acceptable to the Township Planning Commission and Township Supervisors and amount of the Performance Guarantee.

Section 903.2.3.3. All improvements subject to the Development Agreement shall be approved according to the approved inspection schedule and Section 904.

Section 903.2.4. Liability

Section 903.2.4.1. The developer's responsibilities for damage to other property.

Section 903.2.4.2. The developer shall secure or maintain public liability insurance for the duration of improvements construction. A copy (of other evidence of coverage) shall be submitted to the Township.

Section 903.2.4.3. A save harmless clause to protect the Township from liability.

Section 903.2.4.4. The prevention of erosion, sedimentation, and water damage to the subject and adjacent properties.

Section 903.2.5. The dedication of streets, transfer of water and sewer lines and easements.

Section 903.2.6. The developer shall provide the Township with a set of "record drawings" plans prepared and certified by a Professional Engineer or Licensed Surveyor registered in the State of Pennsylvania depicting all streets, storm and sanitary sewers, and water distribution facilities.

Section 903.2.7. The developer shall be responsible for all reasonable engineering and legal costs and expenses for review, inspection, consultations, and preparation of agreements.

Section 903.2.8. The provisions for violation of the Development Agreement.

Section 903.2.9. Any other lawful terms which the Township Solicitor may require to carry out the provisions of this Ordinance.

Section 904. Performance Guarantee

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

Section 904.1. Security

Section 904.1.1. The Guarantee shall be secured by the credit of any of the following:

Section 904.1.1.1. An irrevocable and unconditional letter of credit of a Federal or Commonwealth chartered lending institution.

Section 904.1.1.2. A restrictive or escrow account in a Federal or Commonwealth chartered lending institution.

Section 904.1.1.3. Such other financial security approved by the Township (which approval shall not be unreasonably withheld).

Section 904.1.2. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or the date fixed in the Development Schedule for the completion of such improvements.

Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security executed by such sureties as are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570 (amended) by the Audit Staff, Bureau of Government Financial Operations, US Treasury Department.

Section 904.2. Amount

Section 904.2.1. The amount of financial security shall be equal to one hundred ten percent (110%) of the cost of the required improvements for which financial security is to be posted.

Section 904.2.2. Cost of Improvements

Section 904.2.2.1. The cost of the improvements shall be established by an estimate prepared by the developer's professional engineer, submitted for approval from the Township upon the recommendation of the Township Engineer. The estimate will be based on the situation that the Township was requesting bids and completing the work.

Section 904.2.2.2. The cost of such improvements shall be the cost as of ninety (90) days following the projected date of completion of such improvements plus ten percent (10%) of such cost. Annually, the Township may adjust the amount of bond required to ensure it remains equal to the said one hundred and ten percent (110%) referenced in this subsection.

Section 904.2.3. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security shall be increased by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as re-established on or about the expiration of the preceding one-year period by using the above bonding procedure.

Section 904.3. Multi-Year or Multi-Stage Development. In the case where development is projected over a period of years, the Township Supervisors may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

Section 905. Approval of Improvements

Section 905.1. In General. 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, such portions of the financial security necessary for payment to the contractor or contractors performing the work.

Section 905.2. Notice of Completion. When the developer has completed an improvement, the developer shall notify the Township Supervisors in writing by certified or registered mail of such completion and request for release and shall send a copy thereof to the Township Engineer.

Section 905.3. Township Engineer's Report

Section 905.3.1. Within thirty (30) days of the receipt of such request, the Township Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the Township Supervisors and mail a copy of such report by certified or registered mail to the developer at his last known address.

Section 905.3.2. This report shall be based on the inspections made according to the approved inspection schedule included in the Development Agreement and shall recommend approval or rejection of the improvements, either in whole or in part.

Section 905.3.3. If the Township's Engineer finds any or all of the improvements to be not as required, the report shall include a statement of the reasons for recommending rejection.

Section 905.4. Decision by The Township Supervisors

Section 905.4.1. At its first regularly scheduled meeting after receiving the Township Engineer's Report (but not later than forty-five (45) days of the receipt of the request) the Township Supervisors shall review the Township Engineer's Report and shall authorize release of an amount as estimated by the developer's engineer fairly representing the value of the improvements completed after review and approval by the Township Engineer.

Section 905.4.2. The Township Supervisors shall be deemed to have approved the release of funds as requested if the Township Supervisors fails to act within forty-five (45) days of receipt of the developer's request.

Section 905.4.3. Until final release (completion of all improvements), the Township Supervisors shall require retention of ten percent (10%) of the cost of each completed improvement.

Section 905.4.4. The Township Supervisors shall notify the developer in writing by certified or registered mail of the decision.

Section 905.5. Completion of Unapproved Improvements. The developer shall proceed to complete any improvements not approved by the Township Supervisors and, upon completion, request approval in conformance with the procedures specified in Section 905.

Section 905.6. Final Release

Section 905.6.1. When the developer has completed all of the necessary and appropriate improvements, the developer shall request Final Approval in conformance with the procedures specified in Section 905.

Section 905.6.2. Such Final Release shall include all monies retained under Section 905.4.3.

Section 905.7. Appeal. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Township Supervisors or the Township Engineer.

Section 906. Remedies to Effect Completion of Improvements

Section 906.1. Enforcement of Security. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan, the Township Supervisors is hereby granted the power to enforce any corporate bond (or other security) by appropriate legal and equitable remedies.

Section 906.2. Completion by Township. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Township Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.

Section 906.3. Proceeds for Installation of 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 Township purpose.

Section 907. Maintenance Agreement

Section 907.1. Maintenance Agreement Required

Section 907.1.1. All Applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Ordinance or any improvements or amenities which appear on the Plan shall be required to enter into a legally binding Maintenance Agreement with the Township prior to acceptance of dedication by the Township.

Section 907.1.2. The dedication of any improvement shall not be accepted by the Township prior to the execution of a Maintenance Agreement and the delivery of the Maintenance Guarantee.

Section 907.2. Terms of Maintenance Agreement

Section 907.2.1. The Maintenance Agreement shall be in the manner and form approved by the Township Solicitor.

Section 907.2.2. The Maintenance Agreement shall require the Applicant to make any repair or reconstruction of any improvement stipulated in the Maintenance Agreement which is specified by the Township Supervisors as necessary by reason of faulty construction, workmanship, or materials prior to acceptance of such improvement by the Township.

Section 907.2.3. The Maintenance Agreement shall require the Applicant to maintain at his own cost all improvements stipulated in the Maintenance Agreement for a period of eighteen (18) months from the date of acceptance or dedication by the Township.

Section 907.2.4. The Maintenance Agreement shall 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 of eighteen (18) months from the date of acceptance of dedication.

Section 907.3. Nothing herein shall be construed as obligating the Township to accept dedication of any roadway.

Section 907.4. Public Utilities and Authorities. 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 within the financial security as otherwise required by this Section.

Section 908. Maintenance Guarantee

Section 908.1. Security. The Maintenance Guarantee shall be secured by the credit of any of the following:

Section 908.1.1. An irrevocable and unconditional letter of credit of a Federal or Commonwealth chartered lending institution.

Section 908.1.2. A restrictive or escrow account in a Federal or Commonwealth chartered lending institution.

Section 908.1.3. Such other financial security approved by the Township Supervisors (which approval shall not be unreasonably withheld) and executed by such sureties as are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as

published in Circular 570 (amended) by the Audit Staff, Bureau of Government Financial Operations, US Treasury Department.

Section 908.2. Terms. Such Maintenance Guarantee shall be in the form approved by the Township Solicitor, payable to the Township, to guarantee the maintenance and repair of the streets and other improvements in the subdivision for eighteen (18) months from the date of acceptance thereof by the Township.

Section 908.3. Amount. The amount of the Maintenance Guarantee shall be determined by the Township, shall not exceed fifteen percent (15%) of the actual cost of installation of such improvements.

Section 908.4. Release. After the expiration of eighteen (18) months from the date of acceptance of said improvements, the Township shall release said Maintenance Guarantee to the developer (or party posting said Maintenance Guarantee) if all improvements are in satisfactory condition.

CHAPTER 10. RECORDING OF FINAL PLAN

Section 1001. Recording of Final Plan

Section 1001.1. Deadline. The Applicant shall record the Final Plan approved by the Township Supervisors in the Office of the Recorder of Deeds of the County within ninety (90) days of such final approval, unless an extension has been granted in writing by the Township Supervisors.

Section 1001.2. Notification. Within fifteen (15) days of recording, the Applicant shall notify the Township Supervisors and Township Planning Commission in writing of the date of such recording and the plan book and page wherein such plan is recorded (a copy of the receipt of the recording is acceptable).

Section 1001.3. Failure to Record. If the plan is not recorded within the required time period, the approval shall lapse and become void.

Section 1002. Recording of Plan

The Record Plan shall be two (2) clear and legible blue or black line prints of the Approved Final Plan and shall be submitted to the County Recorder of Deeds (see Table 10-1).

Section 1003. Effect of Recording

Section 1003.1. Official Map. After a subdivision or land development has been duly recorded, the streets, parks, and other public improvements shown thereon shall be considered to be a part of any Official Map of the County and Township without a Public Hearing.

Section 1003.2. Improvements Private. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, park, or improvement until such time as:

Section 1003.2.1. it has been offered for dedication to the Township and accepted, by resolution and recorded; or

Section 1003.2.2. it has been condemned for use as a public street, park, or improvement.

Section 1003.3. Dedication of Improvements. Streets, parks, and other public improvements shown on a subdivision or land development plan to be recorded:

Section 1003.3.1. May be offered for dedication to the Township by formal notation thereof on the plan; or

Section 1003.3.2. The owner shall note on the plan that such improvements have not been offered for dedication to the Township.

TABLE 10-1

PLAN RECORDING REQUIREMENTS FOR THE SCHUYLKILL COUNTY RECORDER OF DEEDS		
- Final Plan Shall Be No Larger Than 24" x 36"		
- 2 Original Plans With The Following Conditions:		
	YES	NO
• Owner's Original Signature	X	
• Notary Public's Signature with Raised Seal	X	
• Sewage Enforcement Officer's Signature ¹		X
• Engineer's, Surveyor's - Seal Number ² - Signature ²		X X
• Township Planning Commission Approval	X	
• Township Supervisors Approval	X	
• County Planning Commission Approval	X	

1. Planning Module Required by Township
2. Required by Township

CHAPTER 11. DESIGN STANDARDS

Section 1101. Application

Section 1101.1 Standards to be Applied. The following design standards and requirements will be applied by the Township Planning Commission and the Township Supervisors in evaluating plans for proposed subdivisions.

Section 1101.2. Minimum Provisions. The standards and requirements contained in Article 11 are intended as the minimum design standards for promotion of the public's health, safety, and general welfare. Whenever developments increase these minimum standards, the developer is assured of increased benefits to himself and to potential purchasers. The Township recommends increases above these minimum standards and favors such increases whenever possible.

Section 1101.3. Municipal Regulations to Govern. Whenever another municipal regulation or ordinance imposes more restrictive standards and requirements than those contained herein, the more stringent shall control the design.

Section 1101.4. Additional Improvements. Additional or higher type improvements may be required in specific cases where, in the opinion of the Township Planning Commission and the Township Supervisors, they are necessary to create conditions essential to the health, safety, morals, and general welfare of the citizens of the Township, to protect the environment of the Township, or to carry out the purposes of this Ordinance.

Section 1101.5. Modifications and Exceptions

Section 1101.5.1. If any mandatory provisions of these regulations are shown by the applicant to the satisfaction of the Township Supervisors to be unreasonable, to cause undue hardship, or that an alternate standard can provide equal or better results, the Township Supervisors may grant a modification to that provision. A modification may be granted provided that such modification will not be contrary to public interest and that the purpose and intent of this Ordinance is observed.

Section 1101.5.2. Any request for modification shall be submitted in writing, citing the specific observations or standards from which relief is requested, and should be part of the preliminary or final plan submission.

Section 1101.5.3. It is not sufficient proof of hardship to show that greater profit would result if the modification were granted. Furthermore, hardship cannot be claimed by one who purchases with or without knowledge of restrictions; it must be from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of a modification granted under similar circumstances shall not be considered.

Section 1101.5.4. In granting modifications, the Township Supervisors may impose such conditions that will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

Section 1101.5.5. The Township shall keep a written record of all requests for modifications.

Section 1101.5.6. If a modification is granted, it shall be referenced in the Conditions of Approval of the plan and shall apply only to that plan.

Section 1102. Design Standards

Section 1102.1. Land Requirements. Land shall be suited to the purpose for which it is to be divided. In general, the Township shall take the following factors into consideration:

Section 1102.1.1. Land subject to periodic flooding or other hazards to life, health, and/or property shall not be subdivided for residential purposes unless adequate safeguards against such hazards are provided by the plan.

Section 1102.1.2. Areas within the parcel characterized by slopes in excess of fifteen percent (15%), rock formations, or other such features shall not be subdivided or developed for any purposes.

Section 1102.1.3. Areas subject to subsidence, settling, or within five hundred feet (500') of any stripping holes shall not be subdivided for residential purposes unless a waiver of responsibility is clearly stated, supported by documentation on the plan and accepted by applicant.

Section 1102.2. Natural and Historic Feature Preservation

Section 1102.2.1. The Township Planning Commission and Township Supervisors may require that the design and development of subdivisions and land developments shall preserve, insofar as possible, natural, scenic, and historic features, which will add attractiveness by providing parks, adequate open space for recreation, light and air by proper distribution of population thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens and for the harmonious development of the Township.

Section 1102.2.2. Some of these features are natural terrain and natural drainage, large trees or groves, watercourses and falls, historic areas and structures, scenic views and landmarks, and other community assets.

Section 1103. Community Facilities and Comprehensive Plan Requirements

The Township Supervisors will consider the adequacy of existing or proposed community facilities to serve the uses proposed in the subdivision. Where a proposed park, playground, school, or other public use shown in the Cass Township Comprehensive Plan is located in whole or in part in a subdivision, the Township Supervisors may require the provision or reservation of such area as may be deemed reasonable, provided that such provision or reservation is acceptable to the Township.

Section 1103.1. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping, and off-street parking as appropriate to the use proposed.

Section 1103.2. The layout of the proposed subdivision shall be in general conformity with the features or developments proposed in the Cass Township Comprehensive Plan.

Section 1103.3. The use of the land in the subdivision or land development shall conform to the applicable Zoning Ordinance.

Section 1103.4. A subdivision or land development and its street pattern shall be coordinated with existing nearby developments or neighborhoods so that the area as a whole may be developed harmoniously.

Section 1104. Lots and Lots Sizes

Section 1104.1. All lots shall front on an existing or proposed public street or on a private street if such street conforms to the standards contained in this Ordinance and are approved as such by the Township Supervisors.

The width of required frontage for any particular lot is dictated by the applicable Zoning Ordinance. Any variation from the required width must be addressed by the Zoning Hearing Board.

Section 1104.2. Side lots lines shall be at right angles with straight street lines or radial to curved street lines.

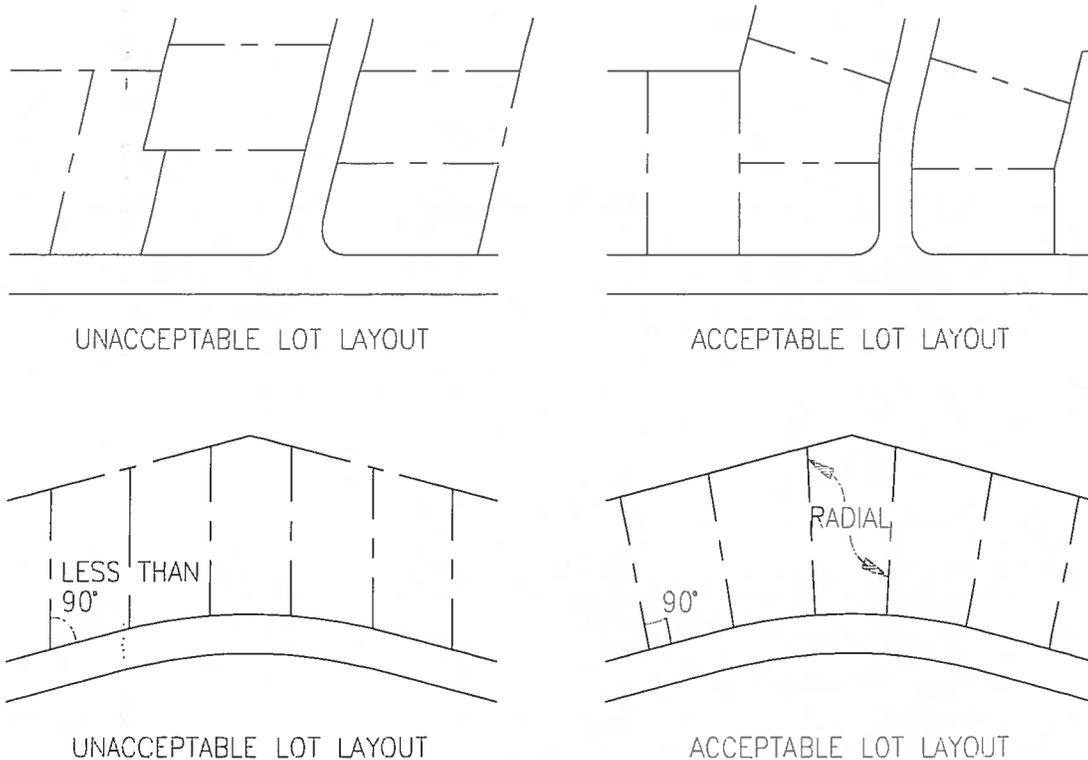


FIGURE 11-1

Section 1104.3. If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, or dedicated to public use if acceptable to the Township Supervisors.

Section 1104.4. Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.

Section 1104.5. Depth and width of parcels laid out or reserved for nonresidential use shall be sufficient to provide satisfactory space for off-street parking, loading and unloading, required setbacks, landscaping, etc.

Section 1104.6. In order to avoid problems of jurisdiction, the lot lines, where feasible, shall follow Township boundary lines rather than cross them. In the event that lot lines cross municipal boundaries, the affected adjoining municipality will be offered to make comments concerning the development.

Section 1104.7. In general, the depth of lots in residential subdivisions should not be less than one (1) nor more than three (3) times their width.

Section 1104.8. A cluster form of development is a commonly used alternative to the typical lot layout. The Township Supervisors may permit the alternative design at their discretion.

Section 1104.9. Lot dimensions, areas, yards and building set-back lines shall not be less than that specified by the provisions of the zoning regulations and/or the provisions contained in this section.

Section 1105. Lot Access

Section 1105.1 Direct access from residential lots to arterial streets shall be avoided whenever possible. Where such direct access cannot be avoided, adequate turnaround space shall be provided behind the right-of-way line.

Section 1105.2. A valid Highway Occupancy Permit issued by the Pennsylvania Department of Transportation must be displayed to prove that access to a state road or highway has been authorized. Driveways serving single family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways or access roads shall intersect streets at right angles, where possible, and in no instance shall such intersection be less than seventy-five degrees (75°).

Section 1105.3. The width of access roads or driveways shall be in accordance with the following:

Section 1105.3.1. For all multi-family residential and non-residential subdivisions, access roads shall be no less than twenty-two feet (22') in width at the street line, and shall clearly be defined by the use of curbing.

Section 1105.3.2. For single family residential subdivisions, individual driveways shall be not less than ten feet (10') in width and no greater than twenty feet (20') in width at the street line.

Section 1105.4. In order to provide for safe and convenient ingress and egress points, access roads and driveway entrances shall be rounded at the following radius:

Section 1105.4.1. For multi-family residential and all non-residential subdivisions, access road entrances shall be rounded at a minimum radius of ten feet (10').

Section 1105.4.2. For single family residential subdivisions, driveway entrances shall be rounded at a minimum radius of five feet (5').

Section 1105.5. The grades on access roads or driveways shall not exceed the following:

Section 1105.5.1. Eight percent (8%) when access is to an arterial street.

Section 1105.5.2. Twelve percent (12%) when access is to a collector or minor street.

Section 1105.6. The minimum distance from the centerline of an access road or driveway, at its point of access to a street, to the centerline of the intersecting street shall not be less than the following (for single family residential subdivisions):

Section 1105.6.1. One hundred fifty feet (150') if the intersecting street is an arterial street.

Section 1105.6.2. One hundred feet (100') if either street is a collector street.

Section 1105.6.3. Seventy-five feet (75') if both streets are minor streets.

Section 1105.7. The minimum distance from the centerline of an access road or driveway, at its point of access to a street, to the centerline of the intersecting street shall not be less than the following (for multi-family residential and all non-residential subdivisions):

Section 1105.7.1. Three hundred feet (300') if either street is an arterial street.

Section 1105.7.2. Two hundred feet (200') if either street is a collector street.

Section 1105.7.3. One hundred fifty feet (150') if both streets are minor streets.

Section 1105.8. All driveways will be designed to permit unimpeded drainage flows.

Section 1106. Easements

Section 1106.1. Easements with a minimum width of ten feet (10') plus the width of any required pipe or other improvements shall be provided as necessary for utilities.

Section 1106.2. To the fullest extent possible, easements shall be adjacent to rear or side lot lines.

Section 1106.3. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

Section 1106.4. A description of the easement shall be created and recorded in order to accommodate easements of an odd shape or through the interior of a parcel.

Section 1107. Block Design Standards

Section 1107.1. Block Layout

Section 1107.1.1. The length, width and shape of blocks shall be determined with respect to the following:

Section 1107.1.1.1. The provision of adequate sites for the type of building being proposed.

Section 1107.1.1.2. The applicable Zoning Ordinance.

Section 1107.1.1.3. The existing topographical features.

Section 1107.1.1.4. The requirements for safe and convenient vehicular and pedestrian circulation.

Section 1107.2. Block Length

Section 1107.2.1. Unless permitted by Township Supervisors, blocks in residential subdivisions shall generally be no less than five hundred feet (500') in length or no more than:

Section 1107.2.1.1. one thousand eight hundred feet (1800') in length in subdivisions using an average lot size of one (1) acre or larger, or

Section 1107.2.1.2. one thousand two hundred feet (1200') in length in subdivisions using an average lot size of less than one (1) acre.

Section 1107.2.2. In the design of blocks longer than one thousand feet (1000'), special consideration shall be given to the requirements of satisfactory fire protection.

Section 1107.2.3. Blocks along collector streets, where feasible, shall not be less than one thousand feet (1000') in length.

Section 1107.2.4. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than ten feet (10') and a paved walk of not less than five feet (5').

Section 1107.3. Block Depth

Section 1107.3.1. Block depth in residential subdivisions shall be sufficient to accommodate two (2) tiers of lots, except:

Section 1107.3.1.1. Where prevented by the size, topographical conditions, or other conditions inherent in the property, in which instance a single tier of lots may be approved by the Township Planning Commission.

Section 1107.4. Industrial Blocks

Section 1107.4.1. Blocks in industrial subdivisions may vary from the design elements as detailed above provided that adequate provision is made for traffic circulation, off-street parking, loading areas, and fire protection.

Section 1108. Street Design Standards

Section 1108.1. General Requirements

Section 1108.1.1. Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the Township and they should further conform to the road and highway plans of both the State and the County. Proposed streets shall be designed to provide adequate vehicular access to all lots or parcels and with due regard to existing topographic conditions, projected traffic volumes, and the possibility of future subdivision activity in the area.

Section 1108.1.2. The proposed street layout shall provide for the continuation or projection of existing streets in the surrounding area unless the Township Supervisors deems such extension undesirable for specific reasons of topography or design.

Section 1108.1.3. The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions which includes collector and minor streets.

Section 1108.1.4. Streets shall be logically related to the topography to produce usable lots and reasonable grades.

Section 1108.1.5. The street system of a proposed subdivision or land development shall be designed to minimize street intersections and pedestrian and vehicular conflict points.

Section 1108.1.6. Proposed minor streets shall be designed to discourage through traffic and excessive speeds. However, the developer shall give adequate consideration to the provision for the extension and continuation of collector streets into and from adjacent properties.

Section 1108.1.7. Proposed streets shall be extended to provide access to adjoining property where necessary.

Section 1108.1.8. Adequate street rights-of-way shall be provided as necessary where lots in the proposal are large enough to permit resubdivision, or if a portion of the tract is not subdivided.

Section 1108.1.9. Where a subdivision abuts or contains an existing or proposed major traffic street, the Township Supervisors may require marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.

Section 1108.1.10. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements

and standards contained herein and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.

Section 1108.1.11. Where a subdivision abuts an existing street of inadequate width or alignment, the Township Supervisors may require the owner to dedicate sufficient land to widen the street or correct the alignment.

Section 1108.1.12. Private streets, which are not to be offered for dedication, shall be approved only if they conform to the street design and improvement standards as established in this Ordinance.

Section 1108.1.13. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

Section 1108.1.14. Dead-end streets shall be prohibited except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.

Section 1108.1.15. New reserve strips, including those controlling access to streets, shall be avoided.

Section 1108.1.16. See section 1212 for Traffic Impact Study Requirements.

Section 1109. Street Right-of-Way and Cartway Widths

Section 1109.1. Street right-of-way and cartway (pavement) widths in proposed subdivisions shall conform to the standards established in Table 11-1.

Section 1109.2. The general standards established in Section 1109.1 may be modified by the Township Supervisors upon the recommendation of the Township Engineer. Such modification may occur only after an analysis of proposed development densities, provisions for off-street parking, and projected volumes of traffic have been completed. The burden of proof for such modification shall be upon the developer to justify the adequacy of rights-of-way or cartway widths which are less than those established in Section 1109.1.

Section 1110. Horizontal Curves

Section 1110.1. When the deflection of street centerlines is greater than five (5) degrees within five hundred feet (500'), an appropriate connection shall be made using horizontal curves.

Section 1110.2. Horizontal curves, designed to produce the following minimum sight distances shall be used:

Section 1110.2.1. Minor Streets – One hundred fifty feet (150').

Section 1110.2.2. Collector Streets – Three hundred feet (300').

Section 1110.2.3. Arterial Streets – Six hundred feet (600').

Section 1110.3. Tangents, with a minimum length of one hundred feet (100'), shall be used between curves on both collector and arterial streets and between a curve and a street intersection where one of the intersecting streets is a collector or an arterial street.

Section 1111. Street Grades

Section 1111.1. The minimum centerline grade on all streets shall be one (1.0) percent.

Section 1111.2. Unless approval is obtained from the Township Supervisors upon recommendation from the Township Engineer, the centerline grades shall not exceed the following:

Section 1111.2.1. Minor Streets – Twelve percent (12%).

Section 1111.2.2. Collector Streets – Eight percent (8%).

Section 1111.2.3. Arterial Streets – Six percent (6%).

Section 1111.3. Leveling areas, having a minimum length of seventy-five feet (75') as measured from the intersection of the centerlines, shall be provided at all intersections. The maximum grade for such leveling area shall not exceed four percent (4%).

Section 1111.4. Design and Construction Standards Grading

Section 1111.4.1. In general, streets shall be graded, improved, and surfaced to the grades and dimensions shown on plans, profiles, and cross-sections submitted by the developer and approved by the Township Supervisors.

Section 1111.4.2. Right-of-Way Grading

Section 1111.4.2.1. The entire right-of-way shall be graded to the approved cross-section. All trees, stumps, and other material deemed unsuitable by the Township Engineer shall be removed. The excavation shall be backfilled and suitably compacted to the satisfaction of the Township Engineer or inspector.

Section 1111.4.2.2. The finished road surface, both tangent and curve, shall be crowned at two percent (2%) away from the centerline.

Section 1111.4.2.3. A proper super-elevation (banked curves) shall be provided on arterials and collectors when the centerline curve radii are less than one thousand two hundred feet (1200') and when required by the Township Engineer.

Section 1111.4.3. Grading Beyond Right-of-Way

Section 1111.4.3.1. Where the approved profile of the centerline requires excavation or fill to a depth exceeding six inches (6"), the subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the proposed elevation of the abutting property.

Section 1111.4.3.2. Such grading beyond the right-of-way shall maintain the original conditions of slope and contours except where storm water runoff designs dictate or warrant improvement or alteration of the original slope and contours.

Section 1111.4.3.3. Approved plans, either preliminary or final, showing proposed grading, shall be a covenant running with the land, unless altered by written permission from the Township Planning Commission in conjunction with the Schuylkill Conservation District.

Section 1111.4.3.4. In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of one foot (1') vertical to two feet (2') horizontal.

Section 1111.4.4. Trench Excavation. All trenches excavated within the cartway of a public street or right-of-way shall be mechanically compacted to 97% Proctor Density with 2A Stone backfill acceptable to the Township Engineer.

Section 1111.5. Subgrade

Section 1111.5.1. The design and construction of the roadbed shall take into consideration the supporting capacities of the subgrade, with particular attention to those soils which are subject to frost heave.

Section 1111.5.2. Unsuitable soils shall be removed and replaced, drained, or otherwise stabilized to provide adequate support for the roadbed and anticipated loads.

Section 1111.5.3. Underdrains shall be used to provide adequate drainage in wet soil areas if required by the Township Engineer.

Section 1111.5.4. The applicant should indicate their subgrade on their pavement typical detail with reference to county soil survey and additional testing as necessary.

Section 1111.6. Subbase, Base, and Surface Course

Section 1111.6.1. As a minimum, pavement structure shall consist of the following:

Section 1111.6.1.1. Typical street cross-sections provided in Figures 11.2 a and b. and the latest PENNDOT Local Road Construction Standards (Publication 70 M).

Section 1111.6.1.2. All materials, construction procedures and other specifications shall be in conformance with the latest edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

Section 1111.7. Alternative Designs. Alternative roadbed designs may be prepared and will be considered. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above. Alternate designs will be reviewed by the Township Engineer and will be subject to approval of the Township Supervisors.

Section 1111.8. Extension of Existing Streets. The extension of existing streets which are presently constructed with a cartway different from the standards of this Ordinance shall be provided with a transition area, the design of which is subject to Commission approval.

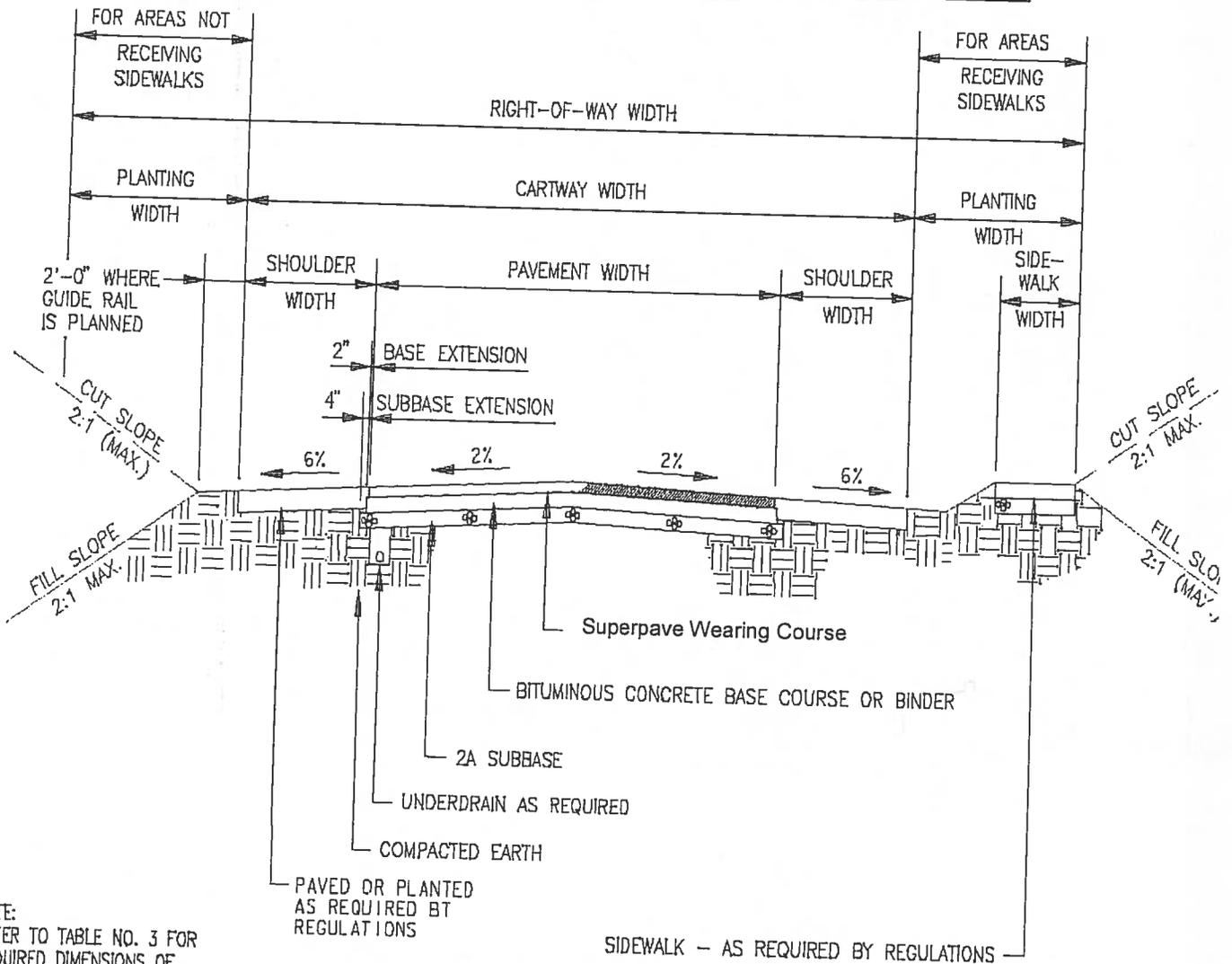
Section 1111.9. Street Provisions for Future Developments. Where appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. Areas reserved for future street usage will not be required to be improved; however, these areas shall be reserved for street improvements to be provided by the developer of the adjacent tract.

Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a tract being developed, the adjacent street shall be extended into the proposed project provided this use is not adverse to the man-made or natural features of the site.

Section 1111.10. Planting Area: Plans shall note homeowners are responsible for all maintenance up to paved edge.

CASS TOWNSHIP SUBDIVISION REGULATIONS MINIMUM STREET CONSTRUCTION STANDARDS

	FOR SUBDIVISION STREETS SERVING UP TO 250 LOTS	FOR SUBDIVISION STREETS SERVING 251 LOTS AND MORE
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NOTE:
REFER TO TABLE NO. 3 FOR
REQUIRED DIMENSIONS OF
STREET STANDARDS.

Figure 11-2a

- TYPE A 1-1/2" Superpave Wearing Course on
3" Bituminous binder course on a 6" compacted subbase
- TYPE B 1-1/2" wearing course on
4" Bituminous concrete base course on a 6"
compacted subbase

	WITH CURBS (a)	WITHOUT CURBS	WITH CURBS (a)	WITHOUT CURBS
Right-of-Way Width	50'	50'	PREVIOUSLY LISTED STANDARDS FOR STREETS SERVING 101 LOTS TO AND INCLUDING 250 LOTS SHALL APPLY, BUT FINAL STANDARDS SHALL BE DETERMINED BY THE PLANNING AND ZONING COMMISSION UPON ON-SITE INVESTIGATION	
Cartway Width	36'	36'		
Pavement Width	36'	24'		
Shoulder Width Each Side		4' paved 4' planting		
Sidewalk Width – When Required (b)	5'	5'		
Planting Width Each Side	8.5'	8.5'		
Minimum Radius Horizontal Curves (c)	300'	300'		
Maximum Grade – Percent Slope (d)	8	8		
Minimum Sight Distance (e)	See Section 1110.2	See Section 1110.2		
Superpave Wearing Course (g)	1-1/2"	1-1/2"		
Superpave Binder Course (g)	---	---		
Superpave Base Course	4"	4"		
2A Stone Subbase (f)	6"	6"		
2A Stone Shoulder(f)		6"		

- (a) When curbs are required, they shall be constructed in accordance with the latest edition of PENNDOT Form 408.
- (b) When sidewalks are required, they shall be constructed of concrete, a minimum of 4 inches in depth with WWF (welded wire fabric), on a 4 inch crushed aggregate base.
- (c) Whenever street centerlines are deflected in excess of five degrees, connection shall be made by horizontal curves. A tangent shall be required between curves.
- (d) To provide for adequate drainage, the minimum grade shall not be less than one-half of one percent (0.5%).
- (e) Vertical curves shall be used at changes of grade exceeding one percent and shall be designed in relation to the extent of grade change and to provide the minimum sight distance listed above.
- (f) All thickness specifications are for compacted materials.
- (g) See Table 11-1B for Design Standards.
- NOTE: Refer to typical cross-sections Figures 11.2a and 11.2b for standard street cross-sections related to the aforementioned dimensions.

Table No. 11-1a

Table No. 11-1b

Guidelines for Superpave Materials
Superpave Mixture Design Language

Superpave Asphalt Mixture Design, 9.5 mm, PG ____ - ____,
 Wearing Course, ____ to ____ million ESAL's, SRL ____, ____ Depth

Superpave Asphalt Mixture Design, 9.5 mm, PG ____, ____
 Scratch or Leveling Course, ____ to ____ million ESAL's, SRL ____, ____ lb/sy

Superpave Asphalt Mixture Design, 12.5 mm, PG ____ - ____,
 Wearing Course, ____ to ____ million ESAL's, SRL ____, ____ Depth.

Superpave Asphalt Mixture Design, 19.0 mm, PG ____, - ____ Depth
 Wearing Course, ____ to ____ million ESAL's, ____ Depth.

Superpave Asphalt Mixture Design, 19.0 mm, PG ____ - ____,
 Binder Course, ____ to ____ million ESAL's, ____ Depth.

Superpave Asphalt Mixture Design, 25.0 mm, PG ____ - ____,
 Binder Course, ____ to ____ million ESAL's, ____ Depth.

Superpave Asphalt Mixture Design, 25.0 mm, PG ____ - ____,
 Base Course, ____ to ____ million ESAL 's, ____ Depth.

Superpave Asphalt Mixture Design, 37.5 mm, PG ____ - ____,
 Base Course, ____ to ____ million ESAL 's, ____ Depth.

Example

Superpave Asphalt Mixture Design, 9.5 mm, PG 64 -22,
 Wearing Course, 0.0 to 0.3 million ESAL's, SRL M , 1 ½" Depth

<u>Mixture Comparison Chart Material Thickness</u>		<u>Superpave Material Thickness</u>		
<u>Superpave Paving Course</u>	<u>Corresponding PENNDOT Conventional Paving Course</u>	<u>Minimum Thickness</u>	<u>Maximum Thickness</u>	<u>Maximum Construction Lift</u>
Superpave 9.5 mm Wearing Course	Typical ID-2 Wearing Course	1 ½"*	1 ½"	1 ½"
Superpave 12.5 mm Wearing Course	Coarse-Graded ID-2 Wearing Course	1 ½"*	2"	2"
Superpave 19.0 mm Wearing Course	Typical ID-3 Wearing Course	2" *	3"	3"
Superpave 19.0 mm Binder Course	Fine-Graded ID-2 Binder Course	2"	3"	3"
Superpave 25.0 mm Binder Course	Typical ID-2 Binder Course	3"	4"	4"
Superpave 25.0 mm Base Course	Typical BCBC	3"	as designed	5"

*When used as a wearing course, not for Scratch or Leveling.
 Recommend using 9.5 mm for Scratch or Leveling; 60 to 100 lb/sy

ESAL DETERMINATION

<u>Practical ESAL's Comparison (20 year life)</u>	<u>ESAL's</u>	=	<u>Trucks / Day</u>
1 truck / day = 7,300 ESAL's	0.0 to 0.3 million		0 to 40
10 trucks / day = 73,000 ESAL's	0.3 to 3.0 million		0 to 40
100 trucks / day = 730,000 ESAL's	3.0 to 30.0 million		400 to 3,900
	over 30.0 million		over 3,900

Note: Truck / Day calculations utilizing a 1 ESAL truck, however different truck configurations have different ESAL values.

PG Grade Determination

- PG 58-28 Use where AC-10 was specified in the past (cold weather climates). Do not use on steep down or up grades or in heavy truck traffic areas.
- PG 64-22 Use where AC-20 was specified in the past (most common in Pennsylvania). Can be used in any part of the state under most traffic conditions.
- PG 76-22 Use where Polymer Modified Asphalt Cement is specified. Can be used in any part of the State under heavy traffic conditions, at intersections, or at locations where rutting has occurred in the past.

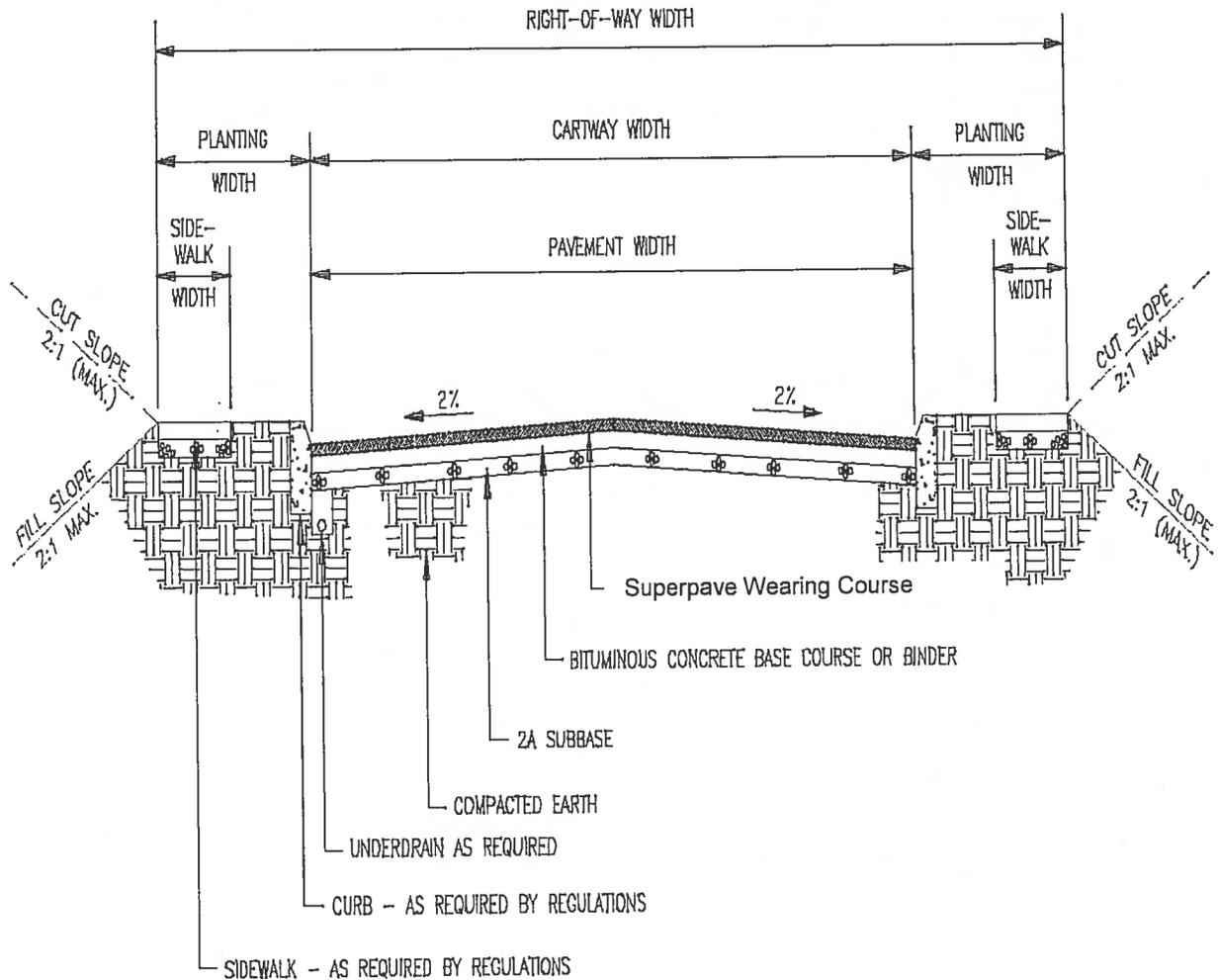
Skid Resistance Level (SRL) Determination

<u>Average Daily Traffic</u>	<u>SRL</u>	<u>Alternates</u>
20,000 and Above	E	None
5,000 to 20,000	H	E, H, Blend of E and M, Blend of E and G
3,000 to 5,000	G	E, H, G, Blend of H and L, Blend of E and L
1,000 to 3,000 and L	M	E, H, G, M, Blend of H and L, Blend of G and L, Blend of E
1,000 and Below	L	Any

Note: All blends are 50% by weight and shall be accomplished by an approved method.

Other statement that should be added to the Plan Notes:

The Contractor is responsible to insure that the proper material is provided by supplying a copy of an approved PENNDOT Bituminous Asphalt Mixing Design a minimum of 5 working days prior to the start of the work or at the pre-construction meeting. The contractor will also supply the municipality with a Daily Bituminous Material



NOTE:
REFER TO TABLE NO. 3 END

Certification on a TR-465 or CS-4171 within 24 hours of placing the bituminous material for each day's placement.

Figure 11-2b

Section 1112. Vertical Curves

Section 1112.1. When changes in grade in excess of one percent (1%) occur, vertical curves shall be used.

Section 1112.2. Vertical curves shall be designed to conform to the following minimum sight distances:

Section 1112.2.1. Minor Streets – One hundred fifty feet (150').

Section 1112.2.2. Collector Streets – Three hundred feet (300').

Section 1112.2.3. Arterial Streets – Six hundred feet (600').

Section 1112.3. The developer shall provide all computations to verify that the minimum sight distance is achieved in both horizontal and vertical geometry for all proposed streets.

Section 1113. Street Intersections

Section 1113.1. Whenever possible, streets shall intersect at right angles. When minor streets intersect with collector or arterial streets, the angle of intersection at the street centerlines shall in no case be less than seventy-five (75) degrees. No two streets shall intersect with an angle of intersection at the centerlines of less than sixty (60) degrees.

Section 1113.2. Multiple intersections, which involve the intersection of more than two streets, shall be prohibited.

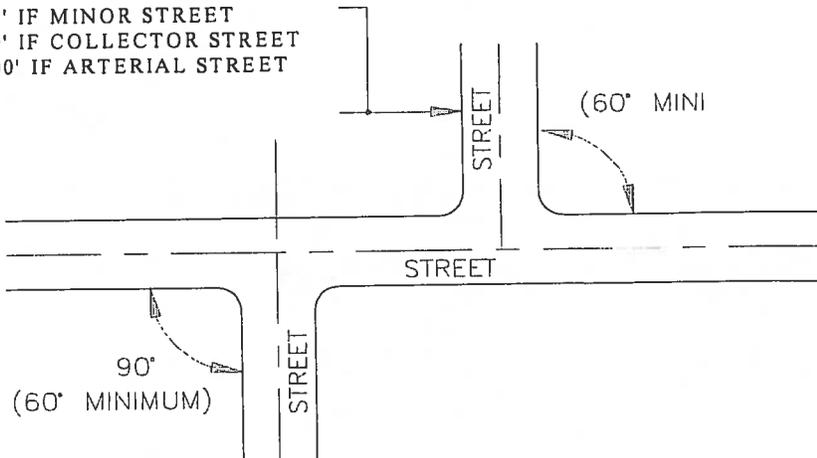
Section 1113.3. When two streets intersect a third street from opposite sides, they shall either intersect with a common centerline or their centerlines shall be offset in accordance with the following standards (see Figure 11-3):

Section 1113.3.1. When all three streets involved are minor streets, the two streets shall be separated by a minimum distance of one hundred fifty feet (150') between centerlines as measured along the centerline of the street being intersected.

Section 1113.3.2. When one or more of the streets involved is a collector street, the two streets shall be separated by a minimum distance of four hundred feet (400') between centerlines as measured along the centerline of the street being intersected.

Section 1113.3.3. When one or more of the streets involved is an arterial street, the two streets shall be separated by a minimum distance of one thousand feet (1000') between centerline as measured along the centerline of the street being intersected.

AT LEAST 150' IF MINOR STREET
AT LEAST 400' IF COLLECTOR STREET
AT LEAST 1000' IF ARTERIAL STREET



STREET INTERSECTION
ACCEPTABLE HORIZONTAL OFFSET

Figure 11-3

Section 1113.4. Curbs at street intersections shall be rounded by an arc with a minimum radius as follows:

Section 1113.4.1. For intersection involving only minor streets – twenty feet (20').

Section 1113.4.2. For intersection involving a collector street – thirty feet (30').

Section 1113.4.3. For intersections involving an arterial street – forty feet (40').

Section 1113.5. At intersections, the right-of-way of street lines shall be parallel to the curb arcs.

Section 1113.6. Clear Sight Triangles

Section 1113.6.1. Clear sight triangles shall be provided at all street intersections. Within such triangles, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede the vision between a height of two and one-half feet (2½') and ten feet (10') above the centerline grades of the intersecting streets in the area bound by the street lines of such corner lots and a line joining points along said street lines.

Section 1113.6.2. When a portion of the line of such sight triangles occurs within the proposed building setback line, such portion shall be shown on the Final Plan of the subdivision, and shall be considered as a building setback line.

Section 1113.6.3. Such triangular area shall be bounded by the intersecting street centerlines and a diagonal connecting two points. These points are a distance from each end of the centerline of each street of (see Figure 11-4):

Section 1113.6.3.1. One hundred and fifty feet (150') from the intersection of such street centerlines if either street is an arterial street.

Section 1113.6.3.2. One hundred feet (100') from the intersection of such street centerlines if either street is a collector street.

Section 1113.6.3.3. Seventy-five feet (75') from the intersection of such street centerlines if both streets are minor streets.

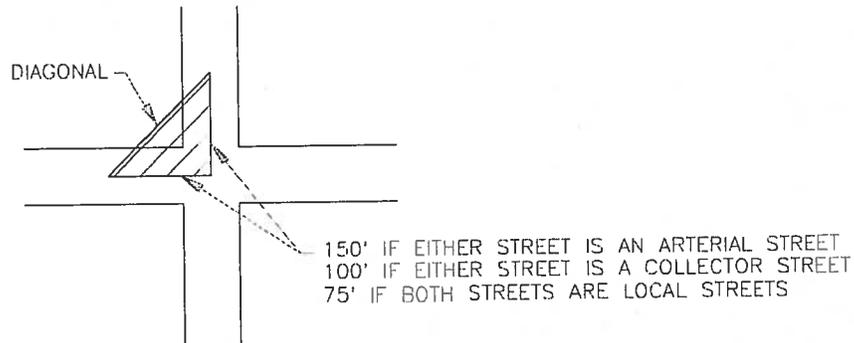


Figure 11-3b

Section 1113.7. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred fifty feet (150') between their centerlines (see Figure 11-b).

Section 1113.8. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width in conformance with Table 11-1 will be required.

Section 1113.9. At street intersections, the property line shall be rounded by arcs with radii of not less than fifteen feet (15'). For streets other than local streets, the Township Supervisors may require a larger radius (see Figure 11-4)

Type of Street	Minimum Radius of Arc At Intersection of Pavement Edge or Curb Line (in Feet)	Minimum Radius of Arc At Intersection of Right-of-Way (in Feet)
Arterial	40 (or more as may be required)	20 (or more as may be required)
Major Collector	30 (or more as may be required)	Concentric with Edge of Road
Minor Collector	20 (or more as may be required)	Concentric with Edge of Road
Local	15 (or more as may be required)	Concentric with Edge of Road

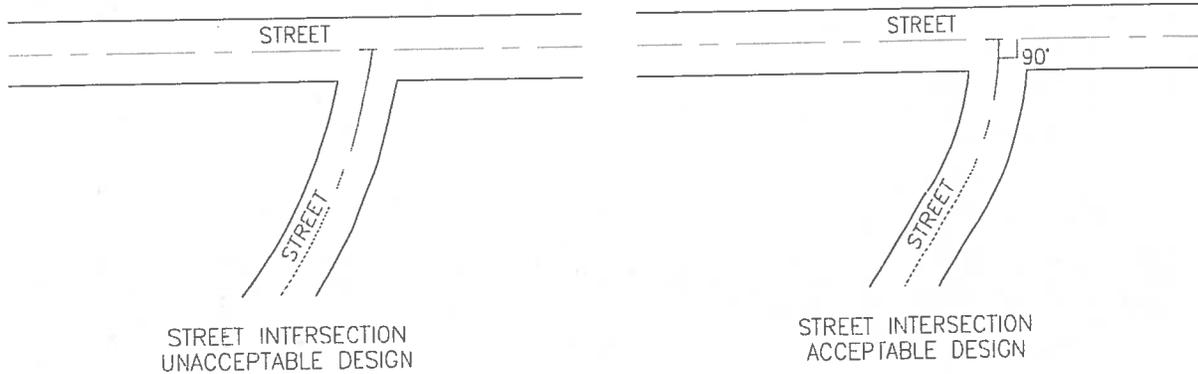


Figure 11-4

Section 1114. Cul-de-Sacs

Section 1114.1. Dead end streets are prohibited unless they are designed as cul-de-sac streets or designed to provide future access to adjacent property.

Section 1114.2. When dead end streets are constructed to provide future access to adjacent property or because of authorized phase development, and when such street is open to traffic and exceeds two hundred feet (200') in length, the dead end street shall be provided with a temporary, all-weather turnaround. The turnaround shall be completely within the boundaries of the subdivision and the use of the turnaround shall be guaranteed to the public until such time as the street is extended.

Section 1114.3. Cul-de-sac streets, permanently designed as such, shall be limited in length to a maximum of eight hundred feet (800'). Such cul-de-sac streets shall not provide access to more than twenty (20) dwelling units.

Section 1114.4. The closed end of all cul-de-sac streets, whether permanently or temporarily designed, shall be provided with a fully paved turnaround or tear drop.

Section 1114.5. Unless future extension is clearly impractical or undesirable, a turnaround right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.

Section 1114.5.1. The minimum radius to the curb line or edge of pavement shall be fifty feet (50') and the minimum right-of-way radius shall be sixty feet (60'). Parking will not be permitted on the turnaround.

Section 1114.5.2. The circular right-of-way of the cul-de-sac shall be connected to the approach right-of-way by an arc having a radius of not less than fifteen feet (15'). The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than twenty-five feet (25') (see Figure 11-5). Other turnaround designs must be approved by the Township Supervisors.

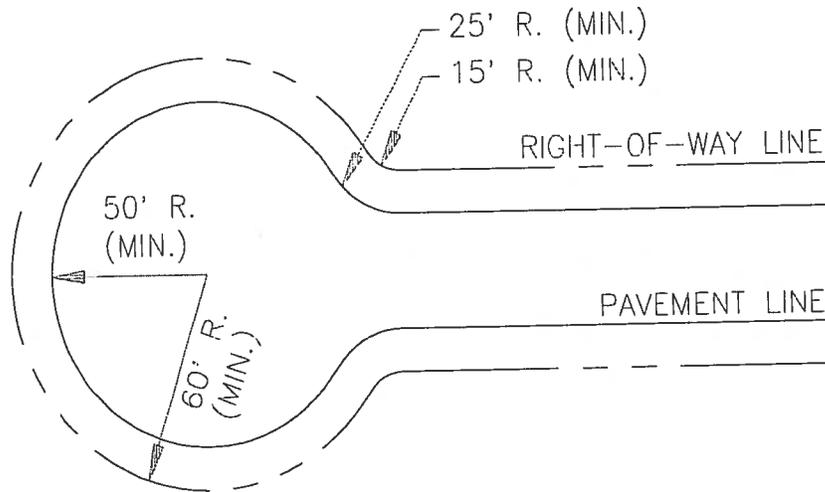


Figure 11-5

Section 1114.6. The centerline grade on a cul-de-sac street shall not exceed twelve percent (12%), and the grade of the diameter of the turnaround shall not exceed five percent (5%).

Section 1115. Half Streets

Section 1115.1. Half streets at the perimeter of a new subdivision are prohibited.

Section 1115.2. The subdivider is responsible for providing the entire required right-of-way, or as much thereof as possible, within his property, along all existing streets, which traverse or abut the property.

Section 1116. Street Names

Section 1116.1. Proposed streets, which are in alignment with others already existing and named, shall bear the names of such existing streets.

Section 1116.2. The street name of a proposed street shall not be duplicated by an existing street name in the Township.

Section 1116.3. The Township Supervisors shall approve all proposed street names.

Section 1117. Access Drives and Driveways

Section 1117.1. Access Drives. Access drives shall be constructed to conform to all requirements of this Ordinance for local streets for less than 10 lots, except that no right-of-way must be provided and Section 1117.2, 1117.3, 1117.4 and 1117.5 shall apply.

Section 1117.2. Access. Access drives and driveways shall not be permitted to have direct access to state highways unless authorized by the Pennsylvania Department of Transportation through issuance of a highway occupancy permit.

Section 1117.3. Location. The minimum distance between an access drive or driveway to a street shall be as illustrated in Table 11-2:

TYPE OF SUBDIVISION OR LAND DEVELOPMENT	DISTANCE BETWEEN CENTERLINES OF ACCESS DRIVE OR DRIVEWAY AND NEAREST INTERSECTING ROAD BY TYPE OF INTERSECTING ROAD		
	Arterial	Collector	Minor
Residential	150 ft.	100 ft.	75 ft.
Nonresidential or Mixed	300 ft.	200 ft.	150 ft.

Table 11-2

Section 1117.4. Sightlines at Intersections of Driveways or Access Drives with Streets

Section 1117.4.1. A triangular area as defined in Section 1117.4.3 shall be graded and free of sight obstructions so that vision between a height of two and one half feet (2-1/2') to ten feet (10') above the centerline grades of the intersecting driveway, accessway, or streets is not obscured.

Section 1117.4.2. By means of deed restriction, lease restriction, or plan amendment (whichever method is applicable), vegetation shall not be planted or allowed to grow in such a manner so as to obscure vision between a height of from two and one half (2-1/2') to ten (10') feet above the centerline grades of the intersecting driveway, accessway, or streets within the triangular area defined in Section 1117.4.3.

Section 1117.4.3. Such triangular area shall be bounded by the intersecting driveway, accessway, or street centerlines and a diagonal connecting two points, one which is at each end of the centerline of each driveway, accessway, or street thirty feet (30') from the intersection of such centerline.

Section 1117.5. Grades. Grades of access drives or driveways shall not exceed fourteen percent (14%); however, the initial twenty feet (20') from the edge of the cartway shall not exceed five percent (5%).

Section 1117.6. Street Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a public street where intersected by an access drive or driveway.

NOTES:

1. Additional right-of-way and cartway widths may be required by the Township for the purpose of promoting the public safety and convenience and for providing for proposed traffic volumes.

Section 1118. Curbing

Section 1118.1. Curbs shall be required in all residential subdivisions with an average density of three (3) dwelling units per acre.

Section 1118.1.1. When curbs are used on Minor Streets, one (1), eight-foot (8') parking lane is also required.

Section 1118.1.2. When curbs are used on Collector Streets, two (2), eight-foot (8') parking lanes are required.

Section 1118.1.3. In lieu of the required parking lanes, the subdivider may provide, at his option, an equivalent number of off-street parking spaces.

Section 1118.2. Curbs shall be required in all industrial and commercial subdivisions but may be deleted at the discretion of the Township Supervisors.

Section 1118.3. Curbs shall be constructed in accordance with standards set forth by PENNDOT Roadway Construction Standards. The construction of an alternative mountable or rolled concrete curb design may be permitted at the discretion of the Township Supervisors.

Section 1119. Water Supply

Section 1119.1. The subdivision shall be provided with a complete water distribution system connected to the public water supply, including a connection for each lot.

Section 1119.2. All water lines shall be located between centerline of roadway and curb line opposite other utilities such as gas, electric, telephone, and communication.

Section 1119.3. The distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations to meet the specifications of the Cass Township Fire Chief and applicable water authority. A letter from the appropriate utility company approving the system design shall be submitted with the Final Plan.

Section 1119.3.1. Hydrants shall be spaced to provide necessary fire flow, and the average area per hydrant typically should not exceed one hundred twenty thousand (120,000) square feet. In addition, hydrants shall be spaced so that each residence shall be within six hundred feet (600') of a hydrant. Hydrant connections shall be coordinated with the local fire chief.

Section 1119.3.2. A hydrant shall be located at all low points and at all high points with adequate means of drainage provided.

Section 1119.3.3. If an approved water system will be extended to the subdivision within six (6) years, the Planning Commission may require installation of a capped water distribution system.

Section 1119.3.4. Minimum water distribution main size shall be 8 inches. A modeling of the water distribution system shall be completed to determine if a larger main size is required.

Section 1119.3.5. An engineer's report shall be prepared and shall contain complete and accurate information relating to said community water supply. This report shall include, but shall not be limited to the following: mains, submains, valves, location and type of fire hydrants, water pressure to be delivered to the proposed properties, and a statement from the water company that said company can and will supply the water as proposed in the developer's plan. This report shall be sealed by a professional engineer registered in the state of Pennsylvania and approved by the appropriate utility company.

Section 1119.4. 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, applicants shall present evidence to the governing body or planning agency, as the case may be, that the subdivision or development is to be supplied by a certificated public authority, 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.

Section 1120. Aquifer Test Required

Section 1120.1. Prior to installation of any new water system or the subdivision of land into lots which would be served by individual wells in areas or in proximity to areas of known groundwater contamination or inadequate yields of potable supplies, and all subdivisions of ten lots or more (including commercial and industrial uses using in excess of two thousand gallons of water per day on average) to be served by individual on-lot or a community water supply, shall, perform an aquifer and water quality tests and submit the results to the Planning Commission.

Areas of known ground water problems shall include:

- (1) Areas underlain by serpentinic or schistostic geologic formations.
- (2) Areas in proximity (one (1) mile) of sinkholes, ghost lakes, or drainage entering the ground.
- (3) Contaminated aquifers, including designated clean-up sites.

- (4) Other areas with documented water quantity or quality problems, including pollutants in excess of federal safe drinking water standards.

Section 1120.2. Aquifer Test Standards and Procedures. No person shall develop land within an area of known groundwater quantity problems or at densities or water consumption rates as listed in Section 1120.1 above without administering and passing on said land the aquifer test required by this Section in compliance with the following objectives, standards, methods and procedures:

Section 1120.2.1. Test Objective. The objectives of an aquifer test shall be one or more of the following:

Section 1120.2.1.1. To obtain sufficient data for the calculations of aquifer performance, including the coefficients of transmissibility and storage, permeability, and specific yield.

Section 1120.2.1.2. To determine the location and character of geologic boundaries.

Section 1120.2.1.3. To ascertain the effects of well interference.

Section 1120.2.1.4. To provide a guide in the spacing of wells for the development of a well field.

Section 1120.2.2. Test Standard. The aquifer test shall establish that the proposed well is capable of supplying potable water at the minimum rate of four hundred (400) gallons per day per unit at a demand rate of not less than eight (8) gallons per minute for one (1) hour, either with or without the use of a storage system.

Section 1120.2.3. Test Supervision and Evaluation. The aquifer test shall be conducted under the supervision of a qualified geologist or professional engineer, using testing procedures hereinafter set forth. The geologist or engineer shall be responsible for notifying the Planning Commission five (5) working days prior to the start of the test. He or she will also summarize the test and its significance and make recommendations as to the suitability of the well or wells for the intended uses. The final report of the supervising person shall include an opinion as to whether the proposed use of the well will have an impact upon other existing wells in the immediate surrounding area. The supervising person shall provide the Planning Commission with a copy of all field notes and test results.

Section 1120.2.4. Test Method. The method for conducting the aquifer test shall be as follows:

An aquifer test shall be conducted for a minimum of twelve (12) hours at a constant rate of pumping. The pumped well shall be the one proposed for the specific subdivision or land development for which the test is conducted. Two (2) observation wells which have hydraulic continuity with the pumped well are required. The preferred method of analysis of the aquifer test data is the non-equilibrium formula, although other methods are available and may be used. These include various methods of analysis of either the drawdown or recovery data.

Section 1120.2.5. Collection of Data. Data shall be collected in conjunction with the aquifer test as follows:

Section 1120.2.5.1. Prior to the test:

Section 1120.2.5.1.1. Collection of geologic data of the area to be tested including well logs, if available.

Section 1120.2.5.1.2. History of water level fluctuations in the area when available.

Section 1120.2.5.1.3. The location, relative elevations and static water levels in the pumped well and the observation well or wells.

Section 1120.2.5.1.4. The expected discharge of the pumped well.

Section 1120.2.5.2. During the test: A standard aquifer test field data sheet will be required for a pumped well and each observation well. The data sheet shall include columns for listing:

- (1) The date.
- (2) Clock time.
- (3) Elapsed time since pumping started/stopped (in minutes + seconds)
- (4) Depth to water below land surface.
- (5) Drawdown or recovery (in feet) + 10ths.
- (6) Observed discharge at specified intervals

Section 1120.2.5.3. Following the test:

In accordance with recognized principles of well hydraulics, graphs shall be prepared to show time drawdown and time recovery for the pumped well and the observation wells. A distance drawdown graph will be required for anticipated rates of pumping. Computation of the coefficients of transmissibility and storage as well as the rate of pumping, time and drawdown are required as well as other data which may be considered necessary to satisfy the test objectives.

Section 1121. Water Quality Test

No person shall develop land within an area of known groundwater quality problems or at densities or water consumption rates as listed in Section 1120.1 above without conducting a water quality test. In addition, a water quality test shall be conducted concurrently with any aquifer test required in Section 1120 of this Ordinance. Such tests shall be conducted by a certified laboratory. The quality of the water tested shall meet the minimum public health drinking water standards as set forth in the National Safe Drinking Water Regulations of the Environmental Protection Agency as it presently exists or may hereafter be amended, or be capable of treatment to attain said standard of quality. No person shall divide or use land unless the water to be supplied by the proposed water system meets the minimum standards set forth herein.

Section 1122. Sanitary Sewer System

Section 1122.1. Provision of Sewer System. Each property located in areas designated for public sanitary sewage facilities shall connect with an approved public or community sewer system in accordance with the Township Official Sewage Facilities Act 537. Where the public sanitary sewer line system, in the opinion of the Township, is reasonably accessible, sanitary sewers shall be installed to adequately serve all lots with connections to the public system. Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes as provided in the Zoning Ordinance. In addition, any on-lot septic system or community disposal system, shall be approved by the Township Sewage Enforcement Officer in accordance with the PA Code Title 25, Chapters 71, 72, & 73.

Section 1122.2. Capped Sewers. Where a municipality has a plan for extending the public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by the public system within a period of five (5) years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision as well as provisions set forth in Section 1119.A above.

Section 1122.3. Sanitary sewers shall be installed and shall be located as nearly to the centerline of any street right-of-way as is reasonably possible and all sanitary sewer lines shall provide, to every lot, service connections to the property line, and said service connections being properly capped.

Section 1122.4. Sanitary sewer manholes shall be installed at all changes in grade, at all changes in direction and in no instance shall manholes be any greater than four hundred feet (400') apart.

Section 1122.5. Combined sanitary and storm sewer systems are prohibited under the provisions of these regulations.

Section 1122.6. All sewage collection systems shall conform in all respects to the minimum requirements of the Pennsylvania Department of Environmental Protection, and all ordinances, rules, and regulations of the Township.

Section 1122.7. Whenever approval by the Pennsylvania Department of Environmental Protection is required for the sewage collection system for a proposed subdivision, the Township shall require that a copy of such approval certification shall be submitted prior to recording of a plan.

Section 1122.8. When a subdivision is increasing demand onto an existing sewer system or connecting to an existing sewer system, the Planning Modules shall be provided to the Township before Final Approval.

Section 1122.9. If the subdivision has an existing on-lot sewer system or a proposed on-lot system, the Sewage Enforcement Officer (SEO) approval needs to be in a report form with a copy of the signed Planning Module(s) and Site Investigation and Percolation Test Report.

Section 1122.9.1. Soil Percolation Test Requirements

Section 1122.9.1.1. Soil percolation tests shall be performed for all subdivisions in which buildings, at the time of construction, will not be connected to an operating public or community sanitary sewage disposal system.

Section 1122.9.1.2. Soil percolation tests shall be made in accordance with the procedures required by the Pennsylvania Department of Environmental Protection and the Township Sewage Enforcement Officer.

Section 1122.9.1.3. Soil percolation tests shall be performed at the site of the proposed on-site sanitary sewage disposal facilities. At least two (2) test shall be performed on each lot within the subdivision. If the soil percolation tests are performed at a site which the township believes is not a feasible location for an on-site system, given the proposed lot and street layout, topography and intended use of the lot, the township may require soil percolation tests to be performed at a location which it deems feasible.

Section 1122.9.1.4. The results of the soil percolation tests shall be analyzed by the township and by the Pennsylvania Department of Environmental Protection, as necessary, and the final plan lot layout shall be based on this analysis. If the analysis of the soil percolation test results reveal that the soil is unsuitable, the township may require that the lot size(s) originally proposed, be increased in accordance with the test results.

Section 1123. Stormwater Management

Section 1123.1. The goals for stormwater management in Cass Township are:

Section 1123.1.1. To protect the health, safety, and general welfare of the Township residents by protecting the surface and groundwater of the Township through effective stormwater management and control of sedimentation and erosion, as provided in this Ordinance.

Section 1123.1.2. To limit the negative impacts of development that occur with inadequately managed stormwater. These negative impacts include but are not limited to, altered hydrology, lowering of the groundwater table, physical stream impacts, and biological impacts to nonpoint source pollutants.

Section 1123.2. Purpose

The purpose of stormwater management in Cass Township is:

Section 1123.2.1. To maintain the pre-development water balance in the watersheds in the Township, and to work to restore natural hydrologic regimes wherever possible throughout the stream system;

Section 1123.2.2. To maintain the pre-development volume of groundwater recharge;

Section 1123.2.3. To prevent significant increase in surface runoff volumes, pre-development to post-development, thereby mitigating flooding downstream in the watershed, enlarging floodplains, eroding stream banks, and creating other flood-related health-welfare-property losses, and to work to reduce runoff volumes to natural levels;

Section 1123.2.4. To maintain pre-development peak rates of discharge, site-by-site, so as not to worsen flooding adjacent to downstream sites, and to work to restore peak runoff rates to natural levels;

Section 1123.2.5. To minimize nonpoint source pollutant loading to ground and surface waters generally throughout Cass Township;

Section 1123.2.6. To minimize impacts on stream temperatures;

Section 1123.2.7. To minimize aesthetic impacts;

Section 1123.2.8. To manage stormwater through approaches and practices that rely on natural process to the greatest extent possible and require a minimum of structures.

Section 1123.3. Applicability

The provisions of this Section shall apply to all subdivisions and land developments as defined by this Ordinance, or as otherwise required by the Township;

Section 1123.4. General Provisions

The following provision shall be followed and incorporated into the development review and construction process:

Section 1123.4.1. The choice and design of stormwater management systems used to meet the requirements of this Section shall be based on the system types and specifications set forth in the Pennsylvania Handbook of Best Management Practices for Developing Areas, published by the Commonwealth of Pennsylvania. The use of other control methods, that meet the criteria established in this Section, may be permitted if approved by the Township Engineer. Various combinations of methods should be tailored to suit the particular requirements for the type of development and the local site conditions.

Section 1123.4.2. The choice and design of stormwater management systems are to be developed through a procedure that selects and locates Best Management Practices, viewing components in the following priority:

Section 1123.4.2.1. Seeking to control runoff at its source through infiltration;

Section 1123.4.2.2. Improving the quality of the stormwater during conveyance;

Section 1123.4.2.3. Providing for detention.

Section 1123.4.3. The selection of a competent and creative design engineer by the applicant clearly is critical to the success of an approach that emphasizes the use of Best Management Practices. In order to achieve the standards and construction and maintenance cost reductions which are intended in this Ordinance, additional time and money is required in the process in preliminary engineering and design. Review and approval of the stormwater management plan will be heavily dependent on the technical review by the Township Engineer and compliance with this Ordinance.

Section 1123.4.4. The applicant or applicant's agent shall design, construct and/or install drainage facilities to prevent soil erosion, damage and siltation, and to manage stormwater in order to prevent the impairment of public safety or physical damage due to concentration of the stormwater runoff onto adjacent properties in accordance with this Ordinance and applicable rules and regulations of the Pennsylvania Department of Environmental Protection, and the Schuylkill County Conservation District. All land areas shall be graded to secure proper drainage away from buildings, on-site sewage disposal systems, and to prevent the uncontrolled collection of stormwater in pools. The system shall be designed to collect and recharge water to the greatest extent possible.

Section 1123.4.5. The rate of stormwater runoff from any proposed subdivision or land development shall not exceed the rate of runoff prior to development. Requirements for design of stormwater management systems that incorporate groundwater recharge as an essential element in order to control quantity of discharge is outlined in this Ordinance. The distribution of drainage discharge from the developed properties shall replicate that of before development conditions to the maximum extent possible. The methodology and facilities used shall be based on the anticipated flows and conditions of each particular site.

Section 1123.4.6. The stormwater management plan for each subdivision or land development proposal shall take into account and provide for the peak rate and volume flows of other areas in the watershed to ensure that cumulative problems are not increased as a result of flows from the proposed project. This analysis shall also explore possibilities to share stormwater management facilities with other areas in the watershed, in which case, consultation with the Township shall be required prior to design.

Section 1123.4.7. Recharge facilities, detention facilities, storm sewers, culverts, bridges and related drainage installation shall be designed and constructed to meet the following purposes:

Section 1123.4.7.1. To permit unimpeded flow of natural watercourses. Such flow may be redirected as required, subject to the approval of the Pennsylvania Department of Environmental Protection;

Section 1123.4.7.2. To insure adequate drainage of all low points as may be related to streets;

Section 1123.4.7.3. To intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained to prevent flow of stormwater across intersections during the design storm;

Section 1123.4.7.4. To insure adequate and unimpeded flow of stormwater under driveways in, near, or across natural watercourses or drainage swales. Properly sized pipes or other conduits shall be provided as necessary;

Section 1123.4.7.5. To prevent excessive flow on or across streets, sidewalks, drives, parking areas, and any other paved surface or accessway;

Section 1123.4.7.6. To lead stormwater away from springs.

Section 1123.4.8. To this end, the storm drainage system serving the street shall be designed to collect water at any point where three (3) to five (5) cubic feet per second is accumulated, and the bottom of all vertical grades, and immediately upgrade of all street intersections. The system shall discharge any collected water which is not recharged into the nearest practical natural drainage channel or stormwater system.

Section 1123.4.9. All natural streams, channels, swales, drainage systems, and/or areas of concentration of surface water shall be maintained in their existing condition, unless alteration is approved by the Township. In any event, all encroachment activities shall comply with Chapter 105 of the Commonwealth of Pennsylvania's Department of Environmental Protection Dam Safety and Waterway Management Rules and Regulations.

Section 1123.4.10. Man-made structures shall be kept to a minimum and bridges, culverts, or rip-rap shall be constructed to maintain natural characteristics of the stream and shall meet the approval of the Township.

Section 1123.4.11. For the purpose of this subsection, streams and intermittent streams are defined as those watercourses depicted on the Zoning Map, the USGS Quadrangle maps of the area, and/or determined as such pursuant to an on-site survey by the Township or their representatives.

Section 1123.4.12. Retention/detention basins shall be designed to utilize the natural contours of the land. When such design is impracticable, the construction of the basin design shall utilize slopes as shallow as possible to blend the structures into the existing terrain. The use of multiple retention/detention facilities, which are smaller and less intrusive on the site, is encouraged to meet the requirements of this Section.

Section 1123.4.13. All areas containing lakes, ponds, wetlands and watercourses shall be considered to be reserved for permanent open space. Any alteration, development, filling, piping, or diverting of such water resources shall be in strict compliance with the provision of the Zoning Ordinance, especially those pertaining to the Floodplain Region, and all prevailing rules and regulations of federal and State agencies. The Township recognizes the use of wetlands as potential components of stormwater management facilities and encourages such innovative use if assurances are met that conservation measures are adequate and that all federal and State requirements are satisfied.

Section 1123.4.14. The Township may require that a landowner or development provide reasonable corrective measures to alleviate any existing off-site drainage problem which may be affected by the proposed subdivision and/or land development. It shall be the responsibility of the landowner or developer to obtain all drainage easements on, over, or through other properties, and the Township, its agents, workmen, and employees shall be indemnified and held harmless from any liability.

Section 1123.4.15. Any water originating from non-natural sources, such as swimming pools, air conditioning units, sump pumps, roof drains, or other similar flow, shall be properly discharged into a recharge facility or natural watercourses on the property or connected to an existing or proposed storm drainage system as approved by the Township. Polluting matter from such sources may not be deposited into natural watercourses or storm drains.

Section 1123.4.16. Any water originating from non-natural sources, as referenced above, shall not be discharged onto any street or other public right-of-way used for pedestrian or vehicular access.

Section 1123.4.17. All building foundations, grade slabs, and cellar floors located in soils that have a community development limitation degree of moderate to severe seasonal high water table (as defined in the Schuylkill County Soil Survey) shall be provided with an underdrain system. This system shall provide for drainage of the enclosed volume above the slab, and relief of subsurface water to a depth of not less than eighteen (18) inches below the slab or foundation field of the herringbone or gridiron configuration in course, gravel-filled trenches that are in direct contact with the slab or foundation subbase. The excavation shall provide a minimum of five one-hundredths (0.05) foot/foot slopes to the gravel-filled trenches.

Section 1123.4.18. To mitigate the potential polluting of surface and ground waters by pollutants such as salt, petroleum products, and anti-freeze flowing from paved parking lots, pre-treatment of the runoff shall be required. The extent of the treatment shall be set by the Township Engineer and will be determined by such factors as the area of the parking lot and the course of the runoff as it is recharged or flows into natural waterways.

Section 1123.5. General Requirements

Section 1123.5.1. A site drainage plan shall be prepared for the proposed subdivision tract which illustrates the following information:

Section 1123.5.1.1. The mapping of the watershed area or areas in which the proposed subdivision is located;

Section 1123.5.1.2. Calculations of runoff for all points of runoff concentration;

Section 1123.5.1.3. The complete drainage system for the subdivision including the identification of all existing drainage features which will be incorporated into the design. If the subdivision is to be developed in phases, a general drainage plan for the entire subdivision shall be submitted with the first phase and appropriate development phases for the drainage system shall be indicated.

Section 1123.5.2. The existing points of natural drainage discharge onto adjacent property shall not be altered without the written agreement of the affected landowners.

Section 1123.5.3. Stormwater runoff or natural drainage water shall not be diverted so as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without approved provisions being made by the developer for properly handling such conditions.

Section 1123.5.4. Facilities for storm drainage should be designed to handle the anticipated peak discharge from the property being subdivided as well as to handle the anticipated increase in runoff that will occur when all the property at a higher elevation in the same watershed area is fully developed.

Section 1123.5.5. Where a watercourse runs across or through a subdivision, a drainage easement, which conforms with the line of such watercourse, shall be provided at such a width as will be adequate to preserve the unimpeded flow of natural drainage.

Section 1123.5.6. All drainage structures that are located on the rights-of-way of State highways shall be approved by the Pennsylvania Department of Transportation and a letter of approval from that office shall be directed to the Township.

Section 1123.5.7. All streets shall be designed so that surface water is discharged from their rights-of-way. The slope of the crown on proposed streets shall be 2 %.

Section 1123.6. Calculation Methodology

Section 1123.6.1. Any stormwater runoff calculations involving drainage areas greater than 20 acres, including on- and off-site areas, shall use any generally accepted calculation technique that is based on the SCS Soil-Cover Complex method.

Section 1123.6.2. The Township Engineer may recommend approval for the use of the Rational Method to estimate peak discharges from drainage areas that contain up to 100 acres.

Section 1123.6.3. The design of any stormwater detention facility intended to meet the performance standards of this Ordinance shall be verified by routing the design storm hydrograph through these facilities using the Multi-Stage Routing Method or approved Routing Method. For drainage areas greater than twenty (20) acres in size, the design storm hydrograph shall be computed using a calculation method that produces a full hydrograph. The Township Engineer may recommend approval for the use of any generally accepted full hydrograph approximation technique for drainage areas that contain less than twenty (20) acres. Any full hydrograph approximation technique shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.

Section 1123.6.4. All calculations consistent with this Ordinance using the Soil-Cover Complex method shall use the appropriate design rainfall depths for the various return period design storms (design storm regions with uniform rainfall are shown on Figure I-1 in Appendix I of this Ordinance). If a hydrologic computer model such as PSRM or HEC-1 is used for stormwater runoff calculations, then the minimum duration of rainfall shall be six (6) hours.

Section 1123.6.5. All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times of concentration for overland flow and return periods from the Soil Conservation Service design charts for the area. Times of concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of *Urban Hydrology for Small Watersheds*, SCS, TR-55 (as amended or replaced from time to time by SCS). Times of concentration for channel and pipe flow shall be computed using Manning's equation.

Section 1123.7. Stormwater Management Performance Standards. Peak post-development stormwater flow rates shall be limited using the most restrictive of the following criteria:

Section 1123.7.1. Post-development peak flows shall not exceed pre-development peak flows for 2, 5, 10, 25, 50, and 100-year return period design storms.

Section 1123.7.2. Where the Township Engineer has identified downstream flow constrictions, the Township may require post-development flows be reduced to match the capacity of the downstream constrictions.

Section 1123.8. Design Criteria for Stormwater Management Facilities

Section 1123.8.1. Any stormwater management facility required or regulated by this Ordinance shall be designed to meet the performance standards presented in Section 1121 of this Ordinance.

Section 1123.8.2. Any stormwater management facility required or regulated by this Ordinance shall be designed to provide a minimum one foot (1.0') of freeboard above the maximum 100-year water surface elevation for post-development conditions. All emergency spillways are to be designated to handle a 100-year storm. Should any stormwater management facilities qualify as a dam under PADEP Chapter 105, the facility shall be designed in accordance with Chapter 105 and meet the regulations of Chapter 105 concerning dam safety.

Section 1123.9. Hydraulic Capacity. Any hydraulic capacity analysis conducted in accordance with this Ordinance shall use the following criteria to determine if adequate hydraulic capacity exists:

Section 1123.9.1. Open channels must be able to convey post-development runoff from a 10-year design storm within their banks at velocities that would not erode the channel bed or banks. Acceptable velocities shall be based on criteria included in the PADEP *Soil Erosion and Sedimentation Control Manual* (as amended or replaced from time to time by PADEP) and presented in Table I-3 in Appendix I of this Ordinance.

Section 1123.9.2. Open channels must be able to convey post-development runoff from a 10-year design storm within their banks with a minimum half foot (0.5') freeboard and not create a hazard to any persons or property.

Section 1123.9.3. Roadway crossings, including pipes, bridges, storm sewers, or any other drainage conveyance facility, must be able to convey, without damage to the drainage structure or roadway, runoff from the 25-year design storm with a minimum one foot (1.0') of freeboard measured below the lowest point along the top of the roadway. Roadway crossings located within designated floodplain areas must be able to convey runoff from a 100-year design storm with a minimum one foot (1.0') of freeboard measured below the lowest point along the top of the roadway. Any facilities that constitute stream enclosures, as described in PADEP Chapter 105 regulations (as amended or replaced from time to time by PADEP), shall be designed in accordance with Chapter 105 and will require a permit from PADEP. Any facility located within PENNDOT right-of-way must meet PENNDOT minimum design standards and permit submission requirements.

Section 1123.9.4. Storm sewers must be able to convey post-development runoff from a 25-year design storm without surcharging inlets. Storm sewers which convey water originating from off site through the proposed development shall be designed to convey the post-development runoff from a 50-year design storm without surcharging the inlets.

Section 1123.9.5. Storm sewer inlet spacing and road cross-section design must ensure that post-development runoff resulting from a 10-year design storm does not flood more than one half of a driving or parking lane.

Section 1123.10. Runoff Curve Numbers (CN) for both existing and proposed conditions to be used in the soil cover complex method shall be obtained from Table I-2 in Appendix I of this Ordinance.

Section 1123.11. Runoff coefficients (C) for both existing and proposed conditions for use in the Rational Method shall be obtained from Table I-1 in Appendix I of this Ordinance.

Section 1123.12. Where uniform flow is anticipated, the Manning equation shall be used for hydraulic computations and to determine the capacity of drainage ways, channels, streams, swales, pipes, and storm sewers. Where non-uniform flow is anticipated, the hydraulic effects of "backwater" caused by hydraulic obstructions (e.g. culverts, bridges, dams, reservoirs, etc.) shall be evaluated using the standard step method for determining water surface profiles. Values for Manning's roughness coefficient (n) shall be consistent with Table I-2 in Appendix I of this Ordinance and PADEP Erosion and Sediment Pollution Control Program Manual.

Section 1123.13. Outlet structures for stormwater management facilities shall be designed to meet the performance standards of this Ordinance using any generally-accepted hydraulic analysis technique or method.

Section 1123.14. Specific Infiltration System Design Criteria

Section 1123.14.1. Infiltration devices shall be selected based on suitability of soils and site conditions. Measures may include porous pavement with underground

infiltration beds, vegetated infiltration beds, swales and trenches, or other seepage structures as proposed in the Pennsylvania Handbook of Best Management Practices for Developing Areas Latest Edition and related references prepared by the USEPA, the Soil Conservation Services, the PA Department of Environmental Protection (PADEP), or other guidance documents.

Section 1123.14.2. Soil infiltration tests shall be performed for all proposed infiltration areas; these tests shall include evaluation of selected soil horizons by deep pits and Infiltration measurements. Testing shall be reviewed and approved by the Township Engineer. The soil infiltration rate of discharge from the infiltration area being used in the proposed design shall be based on these measurements.

Section 1123.14.2.1. Surface infiltration rates

Surface infiltration rates shall be established using standard procedures for double ring infiltrometer tests. In areas underlain by carbonate geology, a qualified engineer, geologist, or soil scientist shall certify as to the appropriateness of the proposed infiltration facility.

Section 1123.14.2.2. Subsurface percolation rates

Subsurface percolation rates may be determined using standard percolation test procedures (as defined by the Pennsylvania Department of Environmental Protection for on-lot septic systems), or hydraulic conductivity tests.

Subsurface infiltration strategies should not be used if subsurface percolation rates at the level of the infiltration structure are less than 0.5 inches per hour. In area underlain by carbonate geology, a qualified engineer, geologist, or soil scientist shall certify as to the appropriateness of the proposed infiltration facility.

The use of infiltration facilities shall be limited to areas where the soils are suitable to allow infiltration.

Section 1123.14.2.3. Retention times

All structural infiltration BMP's shall be designed to drain within 72 hours.

Section 1123.14.2.4. Computational methods for assessing infiltration losses

Infiltration losses through structural and non-structural infiltration BMP's can be provided for in hydrologic modeling to determine site runoff characteristics for pre- and post-development comparisons. Computational methods for assessing these losses shall be as specified in the *Pennsylvania Stormwater Management Manual* (under development at the time of this writing).

Section 1123.14.3. The lowest elevation of the infiltration area shall be at least two feet (2') above the Seasonal High Water Table (SHWT) and bedrock, except in the case of limestone formation, in which case the distance shall be three feet (3').

Section 1123.14.4. All roof drains shall discharge to infiltration systems with appropriate measures such as leaf traps and cleanouts taken to prevent clogging by vegetation.

Section 1123.14.5. All infiltration systems shall have appropriate positive overflow controls to prevent storage within one (1) foot of the finished surface or grade.

Section 1123.14.6. All infiltration systems shall have a minimum setback of fifteen feet (15') from all residential structures. Care should be taken to prevent any seepage into subgrade structures.

Section 1123.14.7. All infiltration systems shall be designed to infiltrate the stored volume within forty-eight (48) hours.

Section 1123.14.8. All surface inflows shall be treated to prevent the direct discharge of sediment into the infiltration system; accumulated sediment reduces stormwater storage capacity and ultimately clogs the infiltration mechanism. No sand, cinders or other particulate matter may be applied to a pervious surface for winter ice conditions.

Section 1123.14.9. During site construction, all recharge system components shall be protected from compaction due to heavy equipment operation or storage of fill or construction material. Recharge areas shall also be protected from sedimentation. All areas designated for recharge shall not receive runoff until the contributory drainage area has achieved final stabilization.

Section 1123.14.10. The following procedures and materials shall be required during the construction of all subsurface facilities.

Section 1123.14.10.1. Excavation for the infiltration facility shall be performed with equipment which will not compact the bottom of the seepage bed/trench, or like facility.

Section 1123.14.10.2. The bottom of the bed and/or trench shall be scarified prior to the placement of aggregate.

Section 1123.14.10.3. Only clean aggregate, free of fines, shall be allowed.

Section 1123.14.10.4. The top and sides of all seepage beds, trenches, or like facilities shall be covered with drainage filtration fabric. Fabric shall meet the specifications of PENNDOT Publication 408, Section 735, Construction Class 1.

Section 1123.14.10.5. Perforated distribution pipes connected to centralized catch basins and/or manholes with provision for the collection of debris shall be provided in all facilities. The perforated pipes shall distribute stormwater throughout the entire seepage bed/trench, or like facility.

Section 1123.14.11. All infiltration facilities which service more than one (1) lot and are considered a common facility shall have an easement provided to the Township for future access if necessary.

Section 1123.14.12. Infiltration structures shall not be located within 100 lineal feet of the edge of any roadway to prevent percolation under the roadway structure.

Section 1123.14.13. Infiltration structures shall not be located on the upstream side of any roadway to prevent the introduction of water under the roadway.

Section 1123.14.14. In the case of infiltration trenches, a stormwater collection system consisting of pipes and inlets shall be designed to introduce runoff into the infiltration trench.

Section 1123.14.15. All calculations for infiltration structures shall assume a 40% void of the aggregate.

Section 1123.14.16. It will be the responsibility of the developer to maintain all infiltration structures which control runoff from roadways. The developer is responsible for creating deed restrictions or enter into an agreement which has the township take responsibilities for the improvements. The plan and deed should clearly indicate that the homeowner is responsible for individual on-lot infiltration area installation, maintenance, and repair.

Section 1123.14.17. A minimum of one infiltration test shall be conducted for each detention basin or infiltration area, unless the detention area is greater than 1 acre, in which case one infiltration shall be conducted for each detention area acre.

Section 1123.15. Additional Stormwater Detention/Retention Facilities Design Requirements

Section 1123.15.1. The following setbacks are required for stormwater management facilities:

Section 1123.15.1.1. Stormwater retention or detention basins shall be located at least fifty feet (50') from any structure, whether existing or proposed.

Section 1123.15.1.2. Stormwater retention or detention basins shall be located at least fifty feet (50') from any property boundary or right-of-way.

Section 1123.15.1.3. Stormwater retention or detention basins shall be located at least fifty feet (50') from existing wetlands, or the banks of existing streams.

Section 1123.15.1.4. Recharge systems greater than three feet (3') deep shall be located at least fifteen feet (15') from any basement wall and twenty-five feet (25') from wastewater treatment areas.

Section 1123.15.1.5. Any recharge system designed to handle run-off from any commercial or industrial impervious parking or outside storage area shall be a minimum of fifty feet (50') from any water supply well or any wastewater treatment area.

Section 1123.15.2. Riser. A riser or other acceptable outfall shall be provided at the outlet of all detention basins. The riser shall be constructed of precast or poured in place concrete with controlled orifices. The riser shall extend to an elevation one foot (1') below the invert elevation of the emergency spillway. The riser shall be designed so that the rate of outflow is controlled by the pipe barrel through the basin berm when the depth of water within the basin exceeds the height of the riser. A trash rack or similar appurtenance shall be provided to prevent debris from entering the riser. All risers shall have a concrete base attached with a watertight connection. The base shall be of sufficient weight to prevent flotation of the riser. An anti-vortex device, consisting of a thin vertical plan normal to the basin berm, shall be provided on the top of the riser.

Section 1123.15.3. Landscaping. All stormwater control systems, whether existing or proposed, shall be planted to effectively naturalize areas so as to become an integral and harmonious element in the local landscape. No trees shall be planted in dams more than fifteen feet (15') high.

Section 1123.15.4. Emergency Spillway. Whenever possible, the emergency spillway for detention basins shall be constructed on undisturbed ground. Emergency spillways shall be designed according to the Soil Conservation Service Engineering Field Manual. All emergency spillways shall be constructed so that the detention basin berm is protected against erosion. The minimum capacity of all emergency spillways shall be such that the combined capacity of the emergency spillway and the principal pipe barrel equal the peak flow rate from the one hundred (100) year design storm. Emergency spillways shall extend along the upstream and downstream berm embankment slopes. The upstream edge of the emergency spillway shall be a minimum of two feet (2') below the spillway crest elevation. The downstream edge of the spillway shall, at minimum, extend to the toe of the berm embankment. The emergency spillway shall not discharge over earthen fill and/or easily erodible material.

Section 1123.15.5. Anti-Seep Collars. Anti-seep collars shall be installed around the principal pipe barrel within the normal saturation zone of the detention basin berms. The anti-seep collars and their connections to the pipe barrel shall be watertight. The anti-seep collars shall extend a minimum of two feet (2') beyond the outside of the

principal pipe barrel. The maximum spacing between collars shall be fourteen (14) times the minimum projection of the collar measured perpendicular to the pipe.

Section 1123.15.6. Freeboard. Freeboard is the difference between the design flow elevations in the emergency spillway and the top of the settled detention basin embankment. The minimum freeboard shall be one and one half feet (1.5').

Section 1123.15.7. Slope of Detention Basin Embankment. The maximum slope of earthen detention basin embankments shall meet the requirements contained in this subsection. Whenever possible, the side slopes and basin shape shall be amenable to the natural topography. Straight side slopes and rectangular basins shall be avoided.

Section 1123.15.8. Width of Berm. The minimum top width of detention basin berms shall be ten feet (10').

Section 1123.15.9. Slope of Basin Bottom. In order to insure proper drainage of the detention basin, a minimum grade of two (2) percent shall be maintained for all sheet flow. A minimum grade of one (1) percent shall be maintained for all channel flow.

Section 1123.15.10. Energy Dissipaters. Energy dissipating devices (rip-rap, end sills, etc.) shall be placed at all basin outlets. Any pipe or other component which discharges directly into the basin shall be equipped with energy dissipating devices and shall outlet into the bottom of the basin.

Landscaping and Grading of Detention Basin. All landscaping and grading standards shall be as follows:

Section 1123.15.10.1. Cuts. No excavation shall be made with a cut face steeper than three (3) horizontal to one (1) vertical, except under the condition that the material in which the excavation is made is sufficiently stable to sustain a slope of steeper than three (3) horizontal to one (1) vertical. A written statement to that effect is required from an engineer and must be submitted and approved by the Township Engineer. The statement shall affirm that the site has been inspected and that the deviation from the slope should not result in injury to persons or damage to property. Retaining walls shall be required if a stable slope cannot be maintained. Any retaining wall design must be approved by the Township Engineer. The toe of the slope or headwall of any cut must be located a minimum of five feet (5') from property lines.

Section 1123.15.10.2. Fills. No fills shall be made which creates any exposed surfaces steeper in slope than three (3) horizontal to one (1) vertical, except where the fill is located so that settlement, sliding, or erosion will not result in property damage or be a hazard to adjoining property, streets, or buildings. A written statement is required from an engineer certifying that s/he has inspected the site and that any proposed deviation from the slope specified above should not endanger any property or result in property damage, and must be submitted to and approved by the Township Engineer.

- 1) A concrete or stone masonry wall designed and constructed in accordance with these specifications and standards may be required to support the face of the fill where the above specified slopes are exceeded.
- 2) The top of any fill or toe of the slope of any fill shall be located twenty-five feet (25') from any property line with the exception of a downstream property line where the toe of the embankment shall be placed a sufficient distance to allow for energy dissipating devices, but in no case less than forty feet (40') unless approved otherwise by the Township.

Section 1123.15.10.3. Planting Requirements. All areas proposed for recreational use, whether active or passive, shall be planted to effectively naturalize the areas to become an integral and harmonious element in the natural landscape.

Section 1123.15.10.4. Drainage Channels and Retention Areas. All storm drainage channels and retention areas, whether existing or proposed, shall be graded and planted to effectively naturalize areas so as to become an integral and harmonious part of the landscape by contour and type of plant material employed.

Section 1123.15.10.5. Fence or Screening. A fence and suitable vegetation screen shall be provided around all detention basins as required by the Township Engineer. All vegetative screening shall be at least three and one-half feet (3 ½') in height and shall be composed of the following shrubs: Barberry (Barberis species); Eleagnus (Eleagnus species); Firethorn (Pyracantha species); or Rose (Rose species). All vegetative screening shall provide a barrier to prevent entrance to the detention basin area. The fencing and vegetative screening requirement shall be waived only upon approval by the Township.

Section 1123.15.11. Detention Basin Low Flow Channels must be constructed using permanent liner by Scour Stop™ or approved equal.

Section 1123.15.12. Easements for all basins and storm pipes not located with the public street right-of-way shall be provided

Section 1123.16. Stormwater Drainage System Design Requirements

Section 1123.16.1. Grates. All inlets must be provided with bicycle safe grates to protect the public from any harm.

Section 1123.16.2. Existing Storm Sewers. Where existing storm sewers are reasonably accessible and of adequate capacity, subdivisions and land developments may connect to the existing storm sewers if the developer can prove that the existing system

can handle the additional flow and that the discharge point will not be changed by this additional flow. The calculations to substantiate the connection must follow the guidelines of this ordinance.

Section 1123.16.3. Straight Pipe Selections. Wherever possible, all storm drain pipes shall be designed to follow straight courses. No angular deflections of storm sewer pipe sections in excess of five (5) degrees shall be permitted. No vertical curves shall be permitted in the storm drain pipe system.

Section 1123.16.4. Minimum Grade and Size. All storm drain pipes are recommended to maintain a 1% slope however a minimum grade of one-half (1/2) percent can be used. All storm pipes shall have a minimum inside diameter of fifteen (15) inches, except that pipes under a twenty-five (25) foot or greater fill shall not be less than twenty-four (24) inches, or a cross-sectional area of four hundred fifty-three (453) square inches.

Section 1123.16.5. Pipe Material and Thickness. All storm sewers shall be Reinforced Concrete Pipe (RCP) or Smooth Lined Polyethylene Corrugated Plastic Pipe (SLCPP).

Section 1123.16.6. Pipe Capacity. The capacity of all pipe culverts shall, as a minimum, provide the required carrying capacity as determined by the following source:

Hydraulic Engineering Circular No. 5

Hydraulic Charts for the Selection of Highway Culverts

Section 1123.16.7. Pipe Arches. Where headroom is restricted, equivalent pipe arches may be used in lieu of circular pipes.

Section 1123.16.8. Allowable Headwater Depth. At all inlets or manholes, the maximum allowable headwater depth shall be one (1) foot below the top of the inlet grate of the manhole cover.

Section 1123.16.9. Horizontal Pipe Deflections. A manhole or inlet shall be provided at all horizontal deflections in the storm pipe system exceeding five (5) degrees.

Section 1123.16.10. Minimum and Maximum Cover. A minimum of eighteen (18) inches of cover shall be maintained over all storm drain pipes. The top of storm drain pipes shall be at least one-half (1/2) foot below subgrade elevation.

Section 1123.16.11. Diversion or Runoff. All storm drain pipes shall be designed to carry the runoff into a detention basin or similar facility utilized to control the rate of runoff. No discharge at the top or side of basin embankments shall be permitted.

Section 1123.16.12. Culverts and Drainage Channels.

Section 1123.16.12.1. Erosion Prevention. All drainage channels shall be designed to prevent the erosion of the bed and bank areas. The flow velocity in all vegetated drainage channels shall not exceed three feet (3') per second to prevent erosion unless special provisions are made to protect banks and channel bottoms against erosion. Suitable bank stabilization shall be provided where required to prevent erosion of the drainage channels. Where storm sewers discharge into existing drainage channels at an angle greater than thirty (30) degrees from parallel with the downstream channel flow, the far side bank shall be stabilized by the use of rip-rap or masonry, and/or concrete walls. The stabilization shall be designed to prevent erosion and frost heave under and behind the stabilizing media. For grass swales and roadside gutters two (2) design considerations shall be met:

- (1) Temporary condition
- (2) Permanent condition

Section 1123.16.13. All drainage facilities shall be designed to adequately handle surface runoff and carry it to suitable outlets.

Section 1123.16.13.1. Drainage structures that are to be located within state highway rights-of-way shall be approved by the Pennsylvania Department of Transportation, and a letter from that Department indicating such approval shall be submitted to the Township.

Section 1123.16.13.2. Where applicable, a right-of-way or easement of sufficient width to include a ten-foot (10') access strip in addition to the width of the ditch from bank top shall be created for drainage and maintenance purposes. The supervisors may require a wider ditch right-of-way or easement where deemed necessary.

Section 1123.16.13.3. Subsurface drainage systems shall have curb inlets located at curb tangents on the uphill side of street intersections and at other locations as may be required by the Supervisors as necessary to intercept runoff. Design and location of curb inlets shall be in accordance with Pennsylvania Department of Transportation Design Manual Part 2 and be approved by the Supervisors. Inlets shall be designed and located to prevent hazards to vehicles, bicycles and pedestrians.

Section 1123.16.13.4. Ductile iron culvert pipe shall be used for all storm sewer lines that pass through any permanent structures such as wall, footings, or buildings.

Section 1123.16.13.5. All drainage facilities are to be maintained by the owner to retain their design capacity. A note shall be placed on the plan indicating the maintenance responsibilities.

Section 1123.16.14. Curb, gutter, and roadside swale depths shall comply with the following requirements:

Section 1123.16.14.1. If a proposed lot or development site is to be graded so as to redirect post development flow into a gutter or swale along an existing street where no curbs exist, or when an existing gutter or swale is to be integrated into the proposed storm water conveyance system, a maximum depth of six (6) inches shall be permitted in the roadside gutter or swale.

Section 1123.16.14.2. All drive intersections shall be designed so that flows do not enter the site from the adjacent street and no additional flows are diverted onto the adjacent street.

Section 1124. Underground Utilities and Easements

Section 1124.1. In accordance with a Pennsylvania Public Utility Commission order of July 8, 1970, all electric utility distribution lines shall be installed underground in subdivisions or land development of five (5) or more proposed dwelling units. The following design standards shall also be observed.

Section 1124.1.1. Whenever possible, telephone and cable television utilities shall also be installed underground.

Section 1124.1.2. Whenever possible, electric, and communications utilities shall jointly occupy the same trenches in the utility easements.

Section 1124.1.2.1. A utility service plan for the proposed subdivision or land development shall be prepared and provided by the developer in cooperation with the appropriate public utility companies and governmental agencies.

Section 1124.1.2.2. Electric, gas and communications if located in the street right-of-way should be between centerline of the roadway and curb line opposite water service.

Section 1124.1.2.3. All utilities shall have minimum separation distances as established in PADEP domestic wastewater facilities manual or the public or private Authority Regulations owning the utility. The more stringent requirements will apply.

Section 1124.1.2.4. Gas utilities must be located in a trench separate from all other utilities.

Section 1124.2. Utility Easements

Section 1124.2.1. Utility easements shall be provided for wires, conduits, storm and sanitary sewers, gas and water mains, and/or other utility lines intended to service the abutting lots. Within such easements, no structures shall be permitted to locate. The developer shall consult the local utility company when locating the utility easements.

Section 1124.2.2. The location of utility easements shall be either:

Section 1124.2.2.1. Abutting the street right-of-way in which case an easement with a minimum width of ten feet (10') shall be required.

Section 1124.2.2.2. Along the rear or side lot lines in which case an easement with a minimum width of twenty feet (20') shall be required—ten feet (10') on each side of the lot line. The Township Supervisors may require an easement with a minimum width of fifteen feet (15') where the lot line coincides with the subdivision property line.

Section 1125. Erosion and Sediment Controls

Section 1125.1. General Standards

Section 1125.1.1. A plan for minimizing erosion and sedimentation control within a proposed subdivision or land development tract shall be prepared by the developer and submitted to and reviewed by the Schuylkill Conservation District and reviewed and approved by the Township Supervisors prior to any changes being made in the contour of the land and prior to grading, excavating, removal, or destruction of the topsoil, trees or other vegetative cover of the land.

Section 1125.1.2. Measures used to control erosion and reduce sedimentation shall meet the standards and specifications of the Schuylkill Conservation District as established in the latest Schuylkill County Erosion and Sediment Control Handbook. The Township Engineer, or other designated official, shall ensure compliance with the appropriate specifications, copies of which are available from the District.

Section 1125.1.3. All areas of the subdivision shall be stabilized in accordance with the approved Erosion and Sedimentation Control Plan.

Section 1125.1.4. The Township Supervisors may determine that such plans are not necessary. In such case, the plan shall indicate that individual lot owners are responsible for the preparation of erosion and sedimentation controls for their individual lots.

Section 1125.2. Performance Principles. The measures which follow are effective in minimizing erosion and sedimentation and shall be included, where applicable, in the control plan:

Section 1125.2.1. Stripping of vegetation and grading shall be kept to a minimum.

Section 1125.2.2. All development plans shall strive to preserve significant natural features, keep cut and fill operations to a minimum, and ensure conformity with the existing topographic features in order to create the least possible erosion potential and to adequately handle the volume and velocity of surface water runoff.

Section 1125.2.3. Whenever possible, the natural vegetation should be retained, protected and if required, supplemented.

Section 1125.2.4. The area which is disturbed and the duration of such exposure shall be kept to a minimum.

Section 1125.2.5. Permanent vegetation and/or mechanical erosion control and drainage measures shall be used to stabilize disturbed soils. Such measures shall be employed as soon as possible in the development process.

Section 1125.2.6. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.

Section 1125.2.7. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff shall be mechanically retarded.

Section 1125.2.8. Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps, or similar measures.

Section 1125.3. Grading for Drainage. In order to preserve more suitable sites for building and other uses, improve surface drainage, and control erosion, the following grading requirements shall be met:

Section 1125.3.1. Proper drainage shall be provided away from buildings on all lots, tracts, or parcels within a proposed subdivision or land development. The resulting surface water shall be disposed of without ponding. Natural drainage patterns shall be preserved whenever possible.

Section 1125.3.2. All provisions for drainage shall be designed to adequately handle the surface runoff and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural watercourse. Drainage swales used to divert surface water away from buildings shall be sodded or planted as required and shall be of such a slope, shape, and size as to be in conformance with the requirements of the Township Supervisors.

Section 1125.3.3. The concentration of surface water runoff shall be permitted only on swales or watercourses.

Section 1125.3.4. A maximum slope of 2:1 shall be maintained on all cut and fill slopes unless they are stabilized by a retaining wall or cribbing or except as approved by the Township Supervisors and handled under special conditions.

Section 1125.3.5. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills. Cut and fill slopes shall not endanger adjacent property.

Section 1125.3.6. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.

Section 1125.3.7. Fill embankments shall not encroach on natural watercourses or constructed channels.

Section 1125.3.8. Fills, when placed adjacent to natural watercourses or constructed channels, shall have suitable protection against erosion during periods of flooding.

Section 1125.3.9. Grading shall not be performed in such a way as to divert water onto the property of another landowner unless the expressed written consent of that landowner is secured.

Section 1125.3.10. During grading operations, necessary measures for dust control will be exercised.

Section 1126. Open Space and Recreation Areas

Section 1126.1. Purpose. All residential subdivisions or land development plans shall provide for suitable and adequate open space/recreation areas in order to:

Section 1126.1.1. Ensure adequate recreational areas and facilities to serve residents of the Township.

Section 1126.1.2. Allow for orderly acquisition and development of additional recreation areas and open spaces.

Section 1126.2. Exemptions. Any residential subdivision or land development plan that contains fewer than five (5) dwelling units is exempt from the open space/recreation requirements of this section. Residential subdivisions or land development plans that are submitted in phases shall meet open space/recreation requirements when the sum of the dwelling units of all phases exceeds five (5) dwelling units. The fee shall be based on the total number of dwelling units for the current phase under land development or subdivision.

Section 1126.3. Amount of Land, Residential Developments. Two thousand (2,000) square feet of open space and recreation area per dwelling unit shall be set aside for open space or recreation.

Section 1126.4. Amount of Land, Non-residential Developments. The amount of land or cash from non-residential subdivisions and land developments shall be determined by the number of dwelling units that would result if eighty percent (80%) of the tract were occupied by one (1) acre lots for single family dwellings (i.e., 100-acre tract = 80 dwelling units). When the computation of dwelling units results in a fractional number, only the fraction of one-half or more shall be counted as one.

Section 1126.5. Fee in Lieu of Land

Section 1126.5.1. If mutually acceptable to the Township Supervisors and the developer, a fee of \$1000 per dwelling unit can be paid in lieu of dedicating land for open space and recreation as per Section 1123.3 or 1123.4.

Section 1126.5.2. All monies paid to the Township pursuant to this section shall be kept in an interest-bearing capital reserve fund, and all interest earned on such accounts shall become funds of that account. Monies in such fund shall be used only for the acquisition of land or capital improvements for park and recreation purposes.

Section 1126.6. Characteristics of Open Space and Recreation Areas

Section 1126.6.1. Twenty-five percent (25%) of the land set aside for open space and recreation areas shall be less than five percent (5%) slope and be suitable for active recreation uses.

Section 1126.6.2. These areas may be dedicated in fee-simple to the Township if dedication is acceptable.

Section 1126.6.3. If these areas are not dedicated to the Township, a legal entity shall be provided to operate and/or maintain the open space and recreation areas. This entity may include but not be limited to a condominium, cooperative, homes' association, trust, or corporation. This area shall be open to the public.

Section 1126.7. Dedication of Land to the Township

Section 1126.7.1. The Township Supervisors may accept any portion of the open space/recreation area, provided that no cost is involved and the Township agrees to and has access to maintain such lands.

Section 1126.7.2. Such area dedicated to the Township for public use shall be suitable for recreational purposes by reasons of size, shape, location, topography, and access.

Section 1127. Off-Street Parking and Loading

Section 1127.1. Every land development or subdivision shall provide the minimum number of off-street parking and loading spaces required by the Zoning Ordinance.

Section 1127.2. Off-street parking or loading spaces may be in an individual garage, carport, or driveway or in a common parking area outside the street right-of-way, convenient to the dwelling units or use to be served, and shall be installed concurrently with the construction of the dwelling units.

Section 1127.3. General Design Requirements for Off-Street Parking

Section 1127.3.1. Every parking facility shall be designed so that its use does not constitute a nuisance, hazard, or unreasonable impediment to traffic.

Section 1127.3.2. Every parking area shall be arranged for orderly, safe movement.

Section 1127.3.3. No parking area shall be designed to require or encourage parked vehicles to back into a public street in order to leave a parking space, except those of a single family or two family dwelling onto streets other than major or minor arterial streets.

Section 1127.3.4. Every parking area shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle, except those of a single family or two-family dwelling.

Section 1127.3.5. No parking area shall be located in a required buffer yard.

Section 1127.3.6. No parking area shall be located within ten feet (10') of a septic system absorption area.

Section 1127.3.7. All commercial/industrial parking areas shall have adequate lighting to provide for safety and comfort of persons using the area.

Section 1127.3.8. For Commercial/Industrial parking, paving depths shall at least match local roads paving depths unless heavy truck traffic is anticipated in which extra depth paving will be required.

Section 1127.4. Parking Spaces

Section 1127.4.1. Each parking space shall have a stall width of nine feet (9').

Section 1127.4.2. Each parking space shall have a stall depth of:

- a. at least twenty feet (20') for all angle parking, or
- b. at least twenty-two feet (22') for parallel parking.

Section 1127.4.3. All spaces shall be marked so as to indicate their location, except those of a single family or two-family dwelling.

Section 1127.5. Aisles

Section 1127.5.1. Each aisle providing access to stalls for one-way traffic only shall be at least the minimum aisle width specified as follows:

Angle of Parking	Minimum Aisle Width	
	One Way	Two Way
Parallel	12 feet	20 feet
30 degrees	12 feet	20 feet
45 degrees	15 feet	20 feet
60 degrees	18 feet	20 feet
90 degrees	20 feet	24 feet
	Aisle width for one-way traffic	

Table 11-3

Section 1127.5.2. No aisle shall exceed two hundred fifty feet (250') in length.

Section 1128. Sidewalks, Pathways, and Drive Aprons

Section 1128.1. Sidewalks or pathways shall be required in all residential developments where density exceeds three (3) dwelling units per acre or when the total number of lots, regardless of phasing, is greater than 30 lots.

Section 1128.2. In other subdivisions or land developments, sidewalks or pathways may also be required by the Township Supervisors.

Section 1128.3. Location

Section 1128.3.1. Sidewalks, where required or provided, shall be located within the street right-of-way and not closer than one foot (1') from the right-of-way line nor closer than three feet (3') from the curb line.

Section 1128.3.2. A grass planting strip shall be planted between the curb and sidewalk.

Section 1128.4. Sidewalks/pathways shall have a minimum width of five feet (5').

Section 1128.5. Required Construction

Section 1128.5.1. Sidewalks and crosswalks shall be constructed of Class A cement concrete at least four inches (4") thick underlain by four inches (4") of compacted gravel or crushed stone.

Section 1128.5.2. Sidewalks at driveway crossings and driveway aprons shall be at least six inches (6") thick reinforced and underlain by four inches (4") of compacted gravel or crushed stone. The reinforcing shall be one (1) layer of six inch (6") by six inch (6") number nine (9) wire.

Section 1128.5.3. Pathways shall be Portland cement concrete or bituminous of at least four inches (4") thick underlain by three inches (3") of compacted gravel or crushed stone.

Section 1128.6. Handicapped Ramps. In addition to the preceding requirements, all sidewalks shall provide ramps for adequate and reasonable access for the safe and convenient movement of the physically handicapped persons, including those in wheelchairs, across curbs at all pedestrian crosswalks. These facilities shall be constructed in accordance with Chapter 8, "Pedestrian Facilities" of the PENNDOT Design Manual Part 2 and **The Americans With Disabilities Act (ADA)**.

Section 1128.7. Adequate lighting shall be provided for pathways and sidewalks.

Section 1129. Street Lighting

Section 1129.1. Purpose. This section sets forth minimum criteria for the installation, use and maintenance of exterior lighting, the purposes of which are to:

Section 1129.1.1. Require lighting in outdoor public places where safety and security are concerns.

Section 1129.1.2. Protect drivers and pedestrians on nearby travelways from disabling glare from nonvehicular light sources that shine directly into their eyes and thereby impair safe travel.

Section 1129.1.3. Shield neighboring properties from nuisance glare resulting from nonexistent or improperly directed or shielded light sources.

Section 1129.1.4. Limit the height of light standards to preclude or lessen light pollution.

Section 1129.1.5. Promote efficient design and operation with regard to energy conservation.

Section 1129.2. In accordance with the conditions to be agreed upon by the subdivider, the Township Supervisors, and the appropriate public utility, street lights are required to be installed in all subdivisions and residential land developments which propose the construction of new roadways or when the Township Supervisors deems them necessary to provide safe traffic circulation.

Section 1129.3. Plan submission.

Section 1129.3.1. Lighting plans submitted for review and approval for subdivisions and land developments in connection with any use identified in subsection B of this section shall include a schematic layout of all proposed exterior fixture locations, ISO footcandle data, and a plat demonstrating adequate intensities and uniformities within the limitations established in Subsection 1129.3.4. of this section, and manufacturer's description of the equipment (catalog cuts), glare control devices, lamps, mounting heights and means, proposed hours of operation of the lighting, and maintenance schedule. Illumination intensities shall be plotted on a ten-foot by ten-foot grid.

Section 1129.3.2. When requested by the Board of Supervisors, the applicant shall submit a visual impact photometric plan that demonstrates both light coverage and light spillage resulting from the proposed lighting plan and the provision for adequate measures to mitigate nuisance from light pollution and disabling glare, both on the use or development site and on adjacent properties.

Section 1129.3.3. The Township shall approve the final location, number and type of lighting fixture.

Lighting for roadway safety shall be required for all street intersections, cul-de-sacs, entryways to commercial and industrial land developments, and in parking lots.

When lighting is required, it shall be provided in accordance with an illumination plan designed in conformance with the standards provided as a maximum, have the intensities and uniformity ratios in the Lighting Handbook of the Illuminating Engineering Society of North America (IESNA) in the latest Lighting Handbook or as follows:.

Use/Task	Maintained Footcandles	Uniformity Avg.: Min.
Parking, multifamily		
Low vehicular/pedestrian activity	0.2 min.	4:1
Medium vehicular/pedestrian activity	0.6 min.	4:1
Parking, and industrial/commercial/institutional, municipal		
High activity, e.g., regional shopping centers, fast-food facilities, major athletic/ civic cultural events	0.9 min.	4:1
Medium activity, e.g., community shopping centers, office parks, hospitals, commuter lots, cultural/ civic/recreational events	0.6 min.	4:1

Low activity, e.g., neighborhood shopping, industrial employee parking, schools, church parking	0.2 min.	4:1
Nonresidential walkways and bikeways	0.5 avg.	5:1
Building entrances	5.0 avg.	--

Section 1129.3.4. In the application of the above standards, the following regulations shall apply:

Section 1129.3.4.1. Illumination levels shall be defined as maintained horizontal footcandles on the task; for example, the pavement or area surface.

Section 1129.3.4.2. Uniformity ratios dictate that average illumination values shall not exceed minimum values by more than the product of the minimum value and the specified ratio. For example, in the case of commercial parking high activity, the average footcandles shall not be in excess of 3.6 (0.9 x 4).

Section 1129.3.4.3. In no case shall illumination exceed 0.2 footcandle measured at the property lines; and the amount of illumination projected onto a residential-zoned property or use from another property shall not exceed 0.1 footcandle at the property line.

Section 1129.3.4.4. Lighting standards in parking areas shall be located no more than 100 feet (100') apart.

The maximum height of standards shall not exceed the maximum building height permitted, or twenty-five feet (25') , whichever is less.

The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or nuisance to residents and the design of lighting standards shall be of a type appropriate to the development and the municipality.

Section 1129.4. Spotlights, if used, shall be placed on standards pointing toward the buildings and positioned so as not to blind the residents, rather than on the buildings and directed outward which creates dark shadows adjacent to the buildings.

Section 1129.5. Glare control

Section 1129.5.1. All lighting fixtures shall meet IESNA cutoff criteria. No lighting shall be permitted which shines directly into residential units, or results in glare beyond an angle of 30° from a vertical plane, measured from the light source.

Section 1129.5.2. All lighting shall be effectively shielded and shall be installed and/or aimed so as to shield nearby public or private streets and neighboring properties from direct glare, light radiation, or light pollution which may create a safety hazard or a nuisance.

Section 1129.5.3. Illuminated signs shall have an indirect lighting source or shielded source.

Section 1129.5.4. Glare control shall be accomplished primarily through the proper selection and application of lighting equipment. Only after those means have been exhausted shall vegetation, fences and similar screening methods be considered acceptable for reducing glare.

Section 1129.5.5. Fixtures used for architectural lighting, such as facade, feature and landscape lighting, shall be aimed or directed so as to preclude light projection beyond the immediate objects intended to be illuminated.

Section 1129.6. Installation and maintenance

Section 1129.6.1. The applicant shall install or cause to be installed all lighting fixtures and facilities at the applicant's expense. The applicant shall be responsible for all costs involved in the maintenance, upkeep and operation of all lighting of parking and loading areas. Lighting fixtures which are located in the road right-of-way shall be offered for dedication to the Township. The lighting fixtures shall be operational once the roadway is open for public use. The developer shall pay for the maintenance, upkeep, and operation of the lighting fixtures until such time that they are accepted by the Board of Supervisors.

Section 1129.6.2. Electrical feeds to lighting standards shall be run underground, not overhead

Section 1130. Identification Signs

Section 1130.1. The developer shall provide the subdivision or land development with adequate street signs at the intersections of all streets and with any other signs required.

Section 1130.2. Sign style, color, and lettering shall be subject to the approval of the Township Supervisors.

Section 1131. Regulatory Signs

Section 1131.1. The developer shall be required to provide traffic regulatory signs that shall meet current design standards as established by the Pennsylvania Department of Transportation.

Section 1132. Landscaping

Section 1132.1. The need for landscaping will be determined by the Township Supervisors dependent upon size, location, and specifics of each subdivision. However, landscaping shall be provided, consistent with the standards of this Ordinance, in all subdivisions and land developments, except when the township has adopted more restrictive specifications by separate ordinance.

Section 1132.2. Natural Features and Topsoil

Section 1132.2.1. Wherever feasible, subdivisions and land developments shall be designed to preserve natural features such as trees greater than one (1) foot in diameter, watercourses, rock outcroppings, wooded areas, natural watercourses and bodies of water.

Section 1132.2.2. Topsoil shall not be removed from the subdivision site nor used as structural fill without the permission of the Supervisors. Topsoil may be removed from areas of earthmoving activity, but shall be stored elsewhere within the subdivision and stabilized to minimize erosion. Upon completion of construction, the topsoil shall be redistributed on the site.

Section 1132.2.3. Street and lot designs of tracts shall be such to minimize alterations of the natural landscape.

Section 1132.3. Ground Cover Requirements

Section 1132.3.1. Exposed ground surface in all parts of the subdivision shall be paved or covered with stone screenings, or other solid material, or protected with a vegetative growth, consisting of spreading plants including sods and grasses less than eighteen (18) inches in height, that is capable of preventing soil erosion and the emanation of dust during dry weather.

Section 1132.3.2. The vegetative cover shall not be poisonous in nature.

Section 1132.4. Buffer Yards. The Township Supervisors may require the provision of a buffer yard meeting the requirements of this Section in order to reduce conflicts between proposed subdivision or land development and other developments or areas.

Section 1132.4.1. Size, Location

Section 1132.4.1.1. A twenty foot (20') buffer yard shall be required, unless otherwise indicated in this Ordinance.

Section 1132.4.1.2. The buffer yard shall be measured from the district boundary line or from the street right-of-way line (where a street serves as the district boundary line). Buffer yards shall not be within an existing or future street right-of-way and shall be in addition to that right-of-way.

Section 1132.4.1.3. The buffer yard may be coterminous with a required front, side or rear yard, provided the larger yard requirement shall apply in case of conflict.

Section 1132.4.2. Characteristics

Section 1132.4.2.1. The buffer yard shall be a landscaped area free of structures, manufacturing or processing activity, materials, or vehicular parking. No driveways or streets shall be permitted in the buffer yards except at points of ingress or egress.

Section 1132.4.2.2. In all buffer yards, all areas not within the planting screen shall be planted with grass seed, sod, or ground cover and shall be maintained and kept clean of all debris, rubbish, grass more than twelve inches (12") in height, or weeds.

Section 1132.4.3. Planting Screen

Section 1132.4.3.1. Each buffer yard shall include a planting screen of trees, shrubs, and/or other plant materials extending the full length of the lot line to serve as a barrier to visibility, airborne particles, glare, and noise.

Section 1132.4.3.2. Each Planting Screen shall be in accordance with the following requirements:

- (i) Plant materials used in the Planting Screen shall be of such species and size as will produce, within two (2) years, a complete year-round visual screen of at least eight feet (8') in height.
- (ii) The Planting Screen shall be permanently maintained by the landowner and any plant material which does not live shall be replaced within one (1) year.
- (iii) The Planting Screen shall be so placed that at maturity it will be at least three feet (3') from any street or property line.

- (iv) The Planting Screen shall be broken only at points of vehicular or pedestrian access and shall comply with Sections 1113 and 1117.4.

Section 1132.4.4. Existing Wooded Areas

Existing wooded areas shall be protected to prevent unnecessary destruction. At least twenty-five (25%) percent of the number of trees (minimum trunk caliper of five (5) inches at six (6) inches above ground) that exist at the time of Plan submission shall be maintained or replaced immediately following construction. Replacement trees shall be a minimum trunk caliper of two (2) inches at a height of six (6) inches above finished grade and located within unbuildable sections of the site (i.e., floodplain, steep slope, and setback areas). Plans shall be submitted showing existing trees and proposed construction and which indicate conformance with this Section.

Section 1132.4.5. Street Trees

Street trees shall be provided in all residential subdivisions with densities greater than one (1) dwelling per acre and all commercial developments. All street trees shall be provided by the applicant in accordance with the following standards:

Section 1132.4.5.1. The trees shall be nursery grown in a climate similar to that of the locality of the project. Varieties of trees shall be subject to the approval of the township.

Section 1132.4.5.2. All trees shall have a normal habit of growth and shall be sound, healthy, and vigorous; they shall be free from disease, insects, insect eggs, and larvae.

Section 1132.4.5.3. The trunk diameter, measured at a height of six (6) inches above finish grade, shall be a minimum of two (2) inches.

Section 1132.4.5.4. Trees shall be planted between the street right-of-way line and the building setback line except where the township have authorized placement of trees within the street right-of-way. The trees' growth shall not interfere with the street cartway, sidewalk, or utility line. Street tree branching shall not interfere with clear sight triangles. Typical branching shall not be within ten (10') feet of ground level after ten (10) years of growth.

Section 1132.4.5.5. All planting shall be performed in conformance with good nursery and landscape practice and to the standards established by the authority which accepts ownership of the planting.

Section 1132.4.5.6. Requirements for the measurements, branching, grading, quality, balling, and the burlapping of trees shall follow the code of standards recommended by the American Association of Nurserymen, Inc., in the American Standard for Nursery Stock, ANSIZ60, current edition, as amended.

Section 1132.4.5.7. A minimum of two (2) canopy street trees shall be provided for every one hundred feet (100') of public right-of-way. Street trees shall be placed a minimum of forty feet (40') apart along the right-of-way, and shall be located so as to maximize the growth potential of the plant material, minimize the potential for root interference with public infrastructure, and enhance the quality of the development. Recommended street trees shall be one of the following species:

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>
Acer campestre	Hedge Maple
Acer platanoides	Norway Maple
Acer rubrum cultivars	Red Maple
Acer saccharum	Sugar Maple
Aesculus hippocastanum	Common Horse Chestnut
Aesculus x cornea	Red Horsechestnut
Cladrastus lutea American	Yellowwood
Fraxinus Pennsylvania	Green Ash
Gleditsia triacanthos inermis	Thornless Honey Locust
Gingko biloba	Gingko
Liquidambar styraciflua	Sweet Gum
Ostrya virginiana	Hop Hornbeam
Quercus acutissima	Sawtooth Oak
Quercus palustris	Pin Oak
Quercus rubra	Red Oak
Sophora japonica	Scholar-Tree
Tilia cordata	Littleleaf Linden
Tilia x euchlora	Crimean Linden
Tilia tomentosa	Silver Linden
Ulmus parvifolia	Lacebark Elm
Zelkova serrata	Japanese Zelkova

Other tree species may be used provided acceptable information is submitted to indicate that the species are hardy street trees. No one species shall comprise more than twenty-five (25%) percent of the entire number of street trees in a particular development.

Section 1132.4.5.8. Street trees are to be installed by the lot owner, by deed restriction, or by the developer and maintained and guaranteed for a minimum of two years. Planting of trees shall occur

within the standard planting season (March through November). No more than one-third (1/3) of the tree shall be damaged or dead without replacement. Replacement trees shall conform to all requirements of this section and shall be maintained and guaranteed for a minimum of two planting seasons.

Section 1133. Flood Plains

Section 1133.1. General Standards

Section 1133.1.1. Floodplains shall be shown on all subdivision and land development plans. The floodplain controls established by the Township Floodplain Ordinance and enacted in accordance with the Federal Emergency Management Agency shall be applied to all subdivisions and land developments.

Section 1133.2. No watercourse shall be altered or relocated unless approved by the Township Supervisors and, where applicable, the appropriate state and federal agencies.

Section 1133.3. No watercourses shall be altered or relocated unless the person proposing the alteration or relocation submits calculations assuring that the flood carrying capacity within the altered or relocated portion of the watercourse shall be designed to be not less than the flood-carrying capacity of the watercourse prior to the proposed alteration or relocation.

Section 1133.4. No encroachment shall be made on a floodplain or watercourse which will increase flood levels within the township during the occurrence of the one-hundred-year flood discharge. With any proposal for an encroachment, calculations which will indicate compliance with these requirements shall be submitted to the township. All encroachments are subject to Supervisors approval.

Section 1133.5. Any fill permitted by the Supervisors is subject to the following:

Section 1133.5.1. Fills shall consist of soil or rock materials only. Sanitary landfills shall not be permitted.

Section 1133.5.2. Adequate provisions shall be made to prevent surface water from damaging the sloping surfaces of fills.

Section 1133.5.3. Fills shall be placed and mechanically compacted to minimize sliding and erosion of soil.

Section 1133.5.4. Fill slopes shall be no steeper than one (1) vertical unit to two (2) horizontal units.

Section 1133.6. Any changes in an existing drainage way shall be subject to the approval of the Pennsylvania Water and Power Resources Board, Division of Dams and Encroachments, Department of Environmental Protection or the Army Corps of Engineers when either or both have jurisdiction.

Section 1134. Growing Greener Design Standards

Section 1134.1. At the discretion of the developer, the option to utilize these standards is to be discussed with the Township if this type of development is to be considered but not specifically outlined in this ordinance.

Section 1135. Renewable Energy System

Section 1135.1. The Township encourages the use of renewable energy systems and energy conservation building design. Individual standards are to be reviewed on a case by case basis.

CHAPTER 12. REQUIRED IMPROVEMENTS

Section 1201. Introduction

Section 1201.1. Minimum improvements and construction standards required of all subdivisions shall be as set forth in this section. Where not set forth, they shall be in accordance with the prevailing standards as established by the Township or Commission Engineer. Alternate improvement standards may be permitted if the Township Supervisors or Planning Commission deems them equal or superior in performance characteristics to the specified improvements. Additional or higher type improvements may be required in specific cases where the Township Supervisors or Commission believes it necessary to create conditions essential to the health, safety, morals, and general welfare of the citizens of the Township.

Section 1202. General Requirements

Section 1202.1. The provision, construction, and installation of all physical improvements in the proposed subdivision tract shall be as noted on the Record Plan and shall also be in accordance with the requirements of the Township Supervisors.

The developer shall arrive at an agreement with the Township as to the installation of all improvements shown on the Plan and as required by this Ordinance. This agreement shall be made prior to review of the Final Plan by the Township Planning Commission and the Township Supervisors. A completed and executed original copy of the Subdivision Improvements Agreement shall be submitted to the Township prior to the Township Planning Commission and Township Supervisors endorsement of the Record Plan.

The developer shall install and construct all improvements in accordance with the design specifications of the Township. If there are no Township specifications furnished, the Township may require the developer to have specifications prepared by a Registered Professional Engineer at the developer's expense.

It shall be the responsibility of the Township or of the appropriate State regulatory agency to supervise the installation of those improvements required by this Ordinance.

Section 1203. Streets

Section 1203.1. Required improvements and construction standards shall be in accordance with Chapter 11 of this Ordinance.

Section 1203.2. Streets shall be graded, surfaced, and improved to the grades and dimensions shown on plans, profiles, specifications, and cross-sections submitted by the subdivider and approved by the Township Supervisors.

Section 1203.3. All paving shall meet the current specifications of the Pennsylvania Department of Transportation as set forth in Chapter 11 of these Regulations.

Section 1204. Sidewalks

Section 1204.1. Standards for the provision and installation of sidewalks shall be in accordance with Chapter 11 of these Regulations.

Section 1204.2. However, where abutting residential lots have frontage measured at the building line of not less than one hundred feet (100') and an area of not less than twenty thousand (20,000) square feet, or where the rural character of the proposed subdivision and its surroundings justifies less intensive development, the installation of sidewalks may be waived based on the suggestion of the Township Planning Commission and approval of the Township Supervisors.

Section 1205. Street Signs

Section 1205.1. The developer shall provide adequate street signs at the intersections of all streets. The type, height, and design shall be approved by the Township Supervisors and shall match township standards.

Section 1205.2. Street Signs shall be made of flat sheet metal, green with white reflective letters mounted on breakaway posts consistent with latest version of PENNDOT standards, and meeting the minimum requirements in the latest version of the Manual on Uniform Traffic Control Devices (MUTCD) standards.

Section 1206. Water Supply

Section 1206.1. The installation of all water supply and distribution systems shall be in accordance with the design standards and requirements established in Section 1119 of this Ordinance.

Section 1206.2. The minimum size of the water distribution mains within the subdivision shall be eight inches (8") in diameter or larger if necessary based on water modeling.

Section 1206.3. Fire hydrants shall be provided as an integral part of the water supply system. Fire hydrants shall be installed within six hundred feet (600') of all structures, as measured by way of accessible streets.

Section 1207. Sanitary Sewer System

Section 1207.1. The installation of all sanitary sewers shall be in accordance with the design standards and requirements established in Section 1122 of this Ordinance.

Section 1207.2. The minimum size of the sewer mains within the subdivision shall be eight inches (8") in diameter, or larger based on design calculations.

Section 1208. Storm Drainage Systems

Section 1208.1. The installation of all storm drainage systems shall be in accordance with the design standards and requirements established in Section 1123 of this Ordinance.

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Section 1208.2. All drainage structures, culverts, boxes, grates, etc., shall conform to the current specifications of the Pennsylvania Department of Transportation as approved by the Township Supervisors upon review and recommendation of the Township Engineer.

Section 1209. Underground Utilities and Easements

Section 1209.1. The installation of other utilities, including electric, telephone, gas, and cable television, shall be in accordance with the design standards and requirements established in Section 1124 of this Ordinance.

Section 1209.2. Utilities serving the area of the proposed subdivision shall be consulted with respect to location, size, and use of easements for utility purposes.

Section 1210. Erosion and Sedimentation Plan

Section 1210.1. The installation of all erosion and sedimentation plan shall be in accordance with the design standards and requirements established in Section 1125 of this Ordinance.

Section 1210.2. All erosion and sedimentation control structures and other devices shall conform to the requirements of the Department of Environmental Protection *Erosion and Sediment Pollution Control Program Manual* in its latest edition.

Section 1211. Monuments and Markers

Section 1211.1. Material and Size - Monuments and markers shall be constructed as follows:

	Construction	Minimum Size
Monument*	Concrete or Stone	4" x 4" x 24"
Marker	Iron Pipes or Iron or Steel Bars	36" x 5/8" dia.

* Monuments shall be marked on top with a copper or brass dowel.

Section 1211.2. Placement, Marking - Monuments and markers must be placed by a registered engineer or surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.

Section 1211.3. Monuments, Location of - Monuments must be set at:

Section 1211.3.1. One corner of a lot comprising a single lot subdivision, or at one predominant intersection of a street and a property line of a lot in a subdivision comprised of not more than five (5) contiguous lots or parcels.

Section 1211.3.2. At least three (3) predominant line intersections or line angles in subdivisions of more than five (5) lots or parcels, and in any land development

program. When any program of development and/or subdivision encompasses more than twenty (20) acres, the Planning Commission upon recommendation of the Township or Commission Engineer or their own accord may require additional monuments at designated points.

Section 1211.3.3. Such other points as may be required by Township or Commission Engineer and Planning Commission when unusual conditions may create sight problems or cause unusual deviation from normal surveying practice.

Section 1211.4. Markers, Location of - Markers must be set:

Section 1211.4.1. At the beginning and ending of curves along street property lines if not monumented.

Section 1211.4.2. At points where lot lines intersect curves either front or rear.

Section 1211.4.3. At angles in property lines of lots.

Section 1211.4.4. At all other lot corners.

Section 1211.5. Township Datum – If at the time of preliminary plan submission, an existing township datum has been established, the developer must tie into the datum. Also, at preliminary and final plan stage the layout plans for the development must be submitted as electronic files

Section 1212. Traffic Impact Studies

Section 1212.1. Whenever a proposed project will generate one hundred (100) new vehicle trips in the peak direction (inbound or outbound) during the site peak traffic hour, the applicant shall perform a traffic impact study. Based on this study, certain improvements may be identified to provide safe and efficient access to the development.

Section 1212.2. In addition, a traffic impact study shall be prepared whenever either one of the following conditions exist within the impact study area:

Section 1212.2.1. Current traffic problems exist in the local area, such as a high-accident location, confusing intersection, or a congested intersection which directly affects access to the development.

Section 1212.2.2. The ability of the existing roadway system to handle increased traffic or the feasibility of improving the roadway system to handle increased traffic is limited.

Section 1212.3. Area of Traffic Impact Study -The traffic impact study area shall be based on the characteristics of the surrounding area. The intersections to be included in the study shall be adjacent to the site or have direct impact upon the access to the site. The intersections shall be mutually agreed upon by the municipalities in which the proposed project is located and the traffic engineer preparing the study. The County Planning Commission shall be called upon to resolve any disputes between the municipality and the traffic engineer.

Section 1212.4. Preparation by Transportation Engineer Required. -Traffic impact studies shall be prepared under the supervision of qualified and experienced professional engineers with specific training in traffic and transportation engineering and at least 5 years of experience related to preparing traffic studies for existing or proposed developments.

Section 1212.5. Time Period - The traffic forecasts shall be prepared for the existing conditions anticipated build year of the development and future year (Ten year projection); assuming full build out and occupancy. This year shall be referred to as the horizon year in the remainder of this ordinance.

Section 1212.6. Non-Site Traffic Estimates - Estimates of non-site traffic shall be made, and will consist of through traffic and traffic generated by all other developments within the study area for which preliminary or final plans have been approved. Non-site traffic may be estimated using any one of the following three methods: "Build-up" technique, area transportation plan data or modeled volumes, and trends or growth rates.

Section 1212.7. Trip Generation Rates Required - The traffic impact study report shall include a table showing the categories and quantities of land uses, with the corresponding trip generation rates or equations (with justification for selection of one or the other), and resulting number of trips. The trip generation rates used must be either from the latest edition of Trip Generation by ITE, or from a local study of corresponding land uses and quantities. All sources must be referenced in the study.

Section 1212.8. Consideration of Pass-By Trips - If pass-by trips or shared-trips are a major consideration for the land use in question, studies and interviews at similar land uses must be conducted or referenced.

Section 1212.9. Rate Sums - Any significant difference between the sums of single-use rates and proposed mixed-use estimates must be justified in the study report.

Section 1212.10. Explanations Required - The reasoning and data used in developing a trip generation rate for special/unusual generators must be justified and explained in the report.

Section 1212.11. Definition of Influence Area - Prior to trip distribution of site-generated trips, an influence area must be defined which contains eighty (80%) percent or more of the trip ends that will be attracted to the development. A market study can be used to establish the limits of an influence area, if available. If no market study is available, an influence area should be estimated based on a reasonable documented estimate. The influence area can also be based on a reasonable maximum convenient travel time to the site, or delineating area boundaries based on locations of competing developments.

Other methods such as using trip data from an existing development with similar characteristics or using an existing origin-destination survey of trips within the area can be used in place of the influence area to delineate the boundaries of the impact.

Section 1212.12. Estimates of Trip Distribution Required - Trip distribution can be estimated using any one of the following three methods:

1. Analogy
2. Trip distribution model
3. Surrogate data

Whichever method is used, trip distribution must be estimated and analyzed for the horizon year. A multi-use development may require more than one distribution and coinciding assignment for each phase (for example, residential and retail phases on the same site). Consideration must also be given to whether inbound and outbound trips will have similar distributions.

Section 1212.13. Trip Assignments - Assignments must be made considering logical routings, available roadway capacities, left turns at critical intersections, and projected (and perceived) minimum travel times. In addition, multiple paths should often be assigned between origins and destinations to achieve realistic estimates rather than assigning all of the trips to the route with the shortest travel time. The assignments must be carried through the external site access points and in large projects (those producing five hundred (500) or more additional peak direction trips to or from the site during the development's peak hour) through the internal roadways. When the site has more than one access driveway, logical routing and possibly multiple paths should be used to obtain realistic driveway volumes. The assignment should reflect conditions at the time of the analysis. Assignments can be accomplished either manually or with applicable computer models.

If a thorough analysis is required to account for pass-by trips, the following procedure should be used:

Section 1212.13.1. Determine the percentage of pass-by trips in the total trips generated.

Section 1212.13.2. Estimate a trip distribution for the pass-by trips.

Section 1212.13.3. Perform two separate trip assignments, based on the new and pass-by trip distributions.

Section 1212.13.4. Combine the pass-by and new trip assignment.

Upon completion of the initial site traffic assignment, the results should be reviewed to see if the volumes appear logical given characteristics of the road system and trip distribution. Adjustments should be made if the initial results do not appear to be logical or reasonable. These adjustments should be clarified in the study.

Section 1212.14. Total Traffic Impacts - Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's redevelopment, but also the trips subtracted from the traffic stream because of the removal of a land use. The traffic impact report should clearly depict the total traffic estimate and its components.

Section 1212.15. Capacity Analysis - Capacity analysis must be performed at each of the major street and project site access intersection locations (signalized and unsignalized) within the study area. In addition, analyses must be completed for roadway segments, deemed sensitive to

site traffic within the study area. These may include such segments as weaving sections, ramps, internal site roadways, parking facility access points, and reservoirs for vehicles queuing off site and on site. Other locations may be deemed appropriate depending on the situation.

The recommended level-of-service analysis procedures detailed in the most recent edition of the Highway Capacity Manual must be followed. The Planning Commission considers the overall level-of-service ratings A, B, C and D to be acceptable for signalized intersections (Levels C or better are considered desirable); level-of-service E or F is considered to be unacceptable. Other Capacity Software Programs will be considered on a case by case basis,

The operational analyses in the Highway Capacity Manual should be used for analyzing existing conditions, traffic impacts, access requirements, or other future conditions for which traffic, geometric, and control parameters can be established. Future condition year will be ten year minimum operation.

Section 1212.16. Required Levels of Service - The recommendations of the traffic impact study shall provide safe and efficient movement of traffic to and from and within and past the proposed development, while minimizing the impact to non-site trips. The current levels of service must be maintained if they are C or D, not allowed to deteriorate to worse than C if they are currently A or B, and improved to D if they are E or F. The overall goal of this section will be to detail necessary improvements to the study area roadway network which will provide for a level of service for the design year(s) with the development which is at least equivalent to the projected level of service for the design year(s) without the proposed development.

Section 1212.17. Documentation Required - A traffic impact study report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the study.

Section 1212.17.1. The documentation for a traffic impact study shall include, at a minimum:

Section 1212.17.1.1. Study purpose and objectives.

Section 1212.17.1.2. Description of the site and study area.

Section 1212.17.1.3. Existing conditions in the area of the development.

Section 1212.17.1.4. Recorded or approved nearby development.

Section 1212.17.1.5. Trip generation, trip distribution, and modal split.

Section 1212.17.1.6. Projected future traffic volumes (10 year).

Section 1212.17.1.7. An assessment of the change in roadway operating conditions resulting from the development traffic.

Section 1212.17.1.8. Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable level of service.

Section 1212.17.2. The analysis shall be presented in a straight forward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations.

Section 1212.17.3. Data shall be presented in tables, graphs, maps, and diagrams wherever possible for clarity and ease of review.

Section 1212.17.4. The recommendations shall specify the time period within which the improvements should be made (particularly if the improvements are associated with various phases of the development construction), and any monitoring of operating conditions and improvements that may be required.

Section 1212.17.5. To facilitate examination by the Township Planning Commission, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, conclusions, and recommendations.

Section 1212.17.6. The report documentation outlined above provides a framework for site traffic access/impact study reports. Some studies will be easily documented using this outline. However, the specific issues to be addressed, local study requirements, and the study results may warrant additional sections.

Section 1212.18. At the direction of the Township and Engineer other additional analysis such as Queue Length Analysis and traffic signal warrant analysis from PENNDOT Publication 282, latest addition. May be required to be completed and submitted.

CHAPTER 13. COMMERCIAL OR INDUSTRIAL DEVELOPMENTS

Section 1301. Application

Section 1301.1. Proposed subdivisions or developments of land that contain areas reserved for commercial or industrial uses, or that contain lots or parcels fronting on existing or proposed major traffic streets will be subject to individual review and determination in each case. In general, however, the Township Supervisors will apply all of the standards in Chapters 11 and 12 and the following requirements.

Section 1302. Commercial and Industrial Subdivisions

Section 1302.1. Size. Approval of lot or parcel size will be determined by the following factors:

Section 1302.1.1. The total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping and other facilities. In no instance shall there be less than four (4) square feet of off-street parking for each one (1) square foot of building use.

Section 1302.1.2. Whenever possible, commercial parcels should include enough land to provide for a group of commercial establishments, planned, developed, owned and managed as a unit. In no case will narrow, highway ribbon developments be approved.

Section 1302.2. Street System

Section 1302.2.1. Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.

Section 1302.2.2. The design of streets, service drives, and pedestrian ways should provide for safe and hazard free internal circulation.

Section 1302.3. Setback - Building setback lines shall be as specified by the applicable Zoning Ordinance.

Section 1302.4. Utilities

Section 1302.4.1. Where possible, commercial and industrial subdivisions should be located close to public utilities. In all cases, subdivisions should be provided with such utilities as are necessary to maintain adequate health standards and to dispose of commercial and industrial wastes.

Section 1302.5. Location

Section 1302.5.1. In general, commercial and industrial subdivisions should be located adjacent or close to major highways and transportation facilities.

Section 1302.5.2. Commercial and industrial subdivisions may not be located in predominately residential areas or areas that are better suited to residential development. A commercial parcel designed as an integral part of a residential subdivision will be permitted; provided that said site shall be in conformance with the applicable Zoning Ordinance.

Section 1302.6. Site Development

Section 1302.6.1. Commercial and industrial sites shall be designed so as to provide maximum protection to adjacent residential properties and shall consist of not less than: an eight foot (8') high fence of permanent character, maintained at all times and free from any advertising materials of any type; lighting so as to be readily visible for police protection; and of such character of construction as to prevent any unreasonable decay or deterioration of said structures.

CHAPTER 14. MOBILE HOME PARK

Section 1401. Mobile Home Parks

Section 1401.1. Application - For the purpose of these regulations, all mobile home parks, as defined in Chapter 2 hereof, shall be subject to all of the specifications of Chapters 11 and 12 and the following requirements.

Section 1401.2. Spacing of Mobile Home Units - No mobile home shall be located closer than twenty-five feet (25') to any portion of any other mobile home or permanent building in the Mobile Home Park.

Section 1401.3. General Standards and Requirements

Section 1401.3.1. All mobile home parks shall be located on land where the average natural slope of the area of the site intended for development shall not exceed twelve percent (12%).

Section 1401.3.2. All mobile home parks shall have centralized sewer and water.

Section 1401.3.3. All mobile home parks shall have a twenty foot (20') wide planter buffer yard around the perimeter of the site. The buffer yard shall be provided in accordance with Section 1132.4. No home shall be placed within twenty-five feet (25') of a perimeter property line of the tract, or thirty feet (30') from an abutting public street right-of-way.

Section 1401.3.4. No proposed homes within the proposed mobile home park shall be placed in flood prone or flood hazard areas. The proposed mobile home park shall have access to paved public streets or roads.

Section 1401.3.5. All mobile homes shall be constructed in accordance with the Safety and Construction Standards of the US Department of Housing and Urban Development.

Section 1401.3.6. The mobile home park shall be in conformance with all applicable provisions of the applicable Zoning Ordinance, except for those requirements specifically outlined herein.

Section 1401.4. Site Location

Section 1401.4.1. All mobile home parks shall be located on high and well drained lands and shall have not less than a total land area of ten (10) acres and a maximum overall density of no more than five (5) mobile homes per acre.

Section 1401.4.2. All mobile home parks shall have paved access roads to and from any such site and in no instance shall such sites be in conflict with any other Ordinance of the Township.

Section 1401.5. Minimum Site Improvement. Minimum site improvements for all mobile home parks shall include, but shall not be limited to the following:

Section 1401.5.1. Streets

Section 1401.5.1.1. All streets within any mobile home park shall not have less than a fifty foot (50') right-of-way with a paved width of not less than thirty-three feet (33') and shall meet minimum paving thickness and other requirements as set out in Chapter 11 hereof for minor streets. All streets shall be properly drained and shall be kept free of debris or other obstructions to provide clear access for fire, police, or other emergency access.

Section 1401.5.2. Open Space

Section 1401.5.2.1. All mobile home parks shall provide not less than twenty-five percent (25%) of the total land area for public open space purposes and such lands shall be improved whereby the same will be accessible to all families within said tract and whereby such open space may be used for recreational purposes.

Section 1401.5.2.2. At least one-half (1/2) of the required common open space shall consist of areas of adequate size, shape, slope, soil type, and other physical characteristics suitable for outdoor passive and active recreational use or be improved to ensure suitability for such use.

Section 1401.5.2.3. The area provided for common open space shall be in addition to the required buffer yard around the perimeter of the mobile home park.

Section 1401.5.3. Parking

Section 1401.5.3.1. Every mobile home space shall be provided with a minimum of two (2) paved off-street parking spaces, with a minimum width of ten feet (10') and a minimum length of twenty feet (20') per parking space.

Section 1401.5.3.2. Parking parks may be used to meet the off-street parking requirements. All parking parks shall be located in close proximity to the mobile homes.

Section 1401.5.3.3. These parking areas shall have the same pavement depths as the streets.

Section 1401.5.4. Utility Improvements. All mobile home parks shall provide to each lot line a continuing supply of safe and palatable water as approved by the Pennsylvania Department of Environmental Protection as well as a sanitary sewerage disposal system in accordance with and approved by the Pennsylvania Department of Environmental Protection.

Section 1401.5.5. Other Site Improvements

Section 1401.5.5.1. There shall be provided in each mobile home park such other improvements as the Township Supervisors may require whereby such requirements shall at all times be in the best interests of the public's health, safety, and general welfare and may include, but shall not be limited to, garbage and trash collection and disposal facilities and an adequate park lighting system.

Section 1401.5.5.2. Every mobile home space shall be graded to provide a level, stable, and well-drained stand for the mobile home.

Section 1401.5.5.3. Ten inch (10") diameter concrete piers, or equivalent, shall be installed from ground level to below the frost line (48 inches minimum) and shall be placed on ten feet (10') centers along each of the two main longitudinal frame sections for each section of the home. A concrete slab that covers the entire area beneath the unit consisting of concrete on a four inch (4") crushed stone base. Grouted concrete blocks shall be used to support the home on the concrete piers and wood shims may be used for final leveling.

Section 1401.5.5.4. Every mobile home in the park shall be enclosed from the bottom of the mobile home to the ground or stand using industry-approved skirting material compatible with the home.

Section 1401.5.5.5. Every mobile home space in the mobile home park shall be provided with connections to an adequate supply of potable water and to a centralized sewage disposal system which conforms to the standards required in Chapter 11 of this Ordinance.

Section 1401.5.5.6. Every space shall be provided with underground electric, telephone, and television cable (if available) service.

Section 1401.5.5.7. All fuel storage (oil, propane, coal, etc.) and supply systems may be underground and shall be constructed and maintained in conformity with the regulations of all authorities having jurisdiction, or if above ground shall adequately be screened with landscaping or a screen wall compatible with the home.

Section 1401.5.5.8. Every mobile home shall be securely anchored or tied-down on at least the four (4) corners and also in accordance with the manufacturers recommendations furnished with each home.

Section 1401.6. Uses Fronting on Major Traffic Streets

Section 1401.6.1. Service Streets. Where a non-residential subdivision fronts or abuts a major street as defined in Chapter 2, the Township Supervisors may require a service street approximately parallel to the major street at a distance suitable for the appropriate use of the intervening land.

Section 1401.6.2. Controlled Access

Section 1401.6.2.1. Entrances and exits to non-residential subdivisions shall be designed so as not to interfere with through traffic. In general, entrance and exit points shall not be located closer to one another than fifty feet (50'), and when combined, shall be restricted to one combined access point per one hundred feet (100'). Access points shall not exceed twenty-four feet (24') in width at any such point.

Section 1401.6.2.2. Access to mobile home spaces shall be from interior driveways, access drives, or private streets and shall not be from public streets or roads. Entrance roads shall have a paved cartway width of at least twenty-four feet (24') and access drives shall have a paved cartway width of at least twenty feet (20'). Access drives and driveways shall conform to the requirements of Section 1117.

Section 1401.6.2.3. All streets within the mobile home park shall be private and be maintained as part of the mobile home park. All construction shall conform to the requirements for streets contained in Section 1108.

Section 1401.7. Provide copies of all deed restrictions and or maintenance plans for the said park.

CHAPTER 15. OIL AND NATURAL GAS DEVELOPMENT

Section 1501. Application

Section 1501.1. Proposed subdivisions or developments of land that contain areas reserved or zoned for oil and natural gas development or that contain lots or parcels fronting on existing or proposed major traffic streets will be subject to individual review and determination in each case. In general, however, the Township Supervisors will apply all of the standards in Chapters 11 and 12 and any additional standards listed in **Section _____**.

Section 1502. Oil and Natural Gas Subdivision/Development

See Section 1302 (1302.1-1302.6) of the original SALDO.

Section 1503. Structure Height

Section 1503.1. Permanent structures associated with an oil and gas site, both primary and accessory, shall comply with the height regulations for the zoning district in which the oil or gas well site is located.

Section 1503.2. Permanent structures associated with natural gas compressor stations or natural gas processing plants shall comply with the height regulations for the zoning district in which the natural gas compressor station or natural gas processing plant is located.

Section 1503.3. There shall be an exemption to the height restrictions contained in this section for the temporary placement of drilling rigs, drying tanks, other accessory uses necessary for the actual drilling or re-drilling of an oil or gas well.

Section 1503.3.1. The duration of such exemption shall not exceed the actual period of drilling or re-drilling of an oil or gas well.

Section 1503.3.2. Provided further the time period of such drilling and exemption shall not exceed 6 months.

Section 1503.3.3. The operator shall give the Township prior written notice of beginning date for its exercise of the exemption.

Section 1504. Setbacks

Section 1504.1. Drilling rigs shall be located a minimum setback distance of 1.5 times their height from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.

Section 1504.2. The drilling pad for the oil or gas well site shall comply with all setback and buffer requirements of the zoning district in which the oil or gas site is located.

Section 1504.3. Natural gas compressor stations or natural gas processing plants comply with all setback and buffer requirements of the zoning district which the natural gas compressor station or natural gas processing plant is located.

Section 1504.4. Exemption from the standards established in this subsection may be granted by the Township upon a showing by the operator that it is not feasible to meet the setback requirements from surface tract property lines and that adequate safeguards have or will be provided to justify the exemption.

Section 1504.5. Drilling pads, natural gas compressor stations or natural gas processing plants shall be set back 200 feet from buildings or sites registered eligible for registration on the National Register of Historic Places or the Pennsylvania Register of Historic Places.

Section 1505. Screening and Fencing

Section 1505.1. Security fencing shall not be required at oil or gas well sites during initial drilling, or redrilling operations, as long as manned 24-hour supervision and security are provided.

Section 1505.2. Upon completion of drilling or redrilling security fencing consisting of a permanent chain link fence shall be promptly installed at the oil or gas well site to secure well heads, storage tanks, separation facilities or liquid impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.

Section 1505.3. Security fencing shall be at least 6 feet in height equipped with lockable gates at every access point and having openings no less than 12 feet wide.

Section 1505.4. Emergency Responders shall be given means to access oil or gas well site in case of an emergency.

Section 1505.5. Warning signs shall be placed on the fencing surrounding the oil well site providing notice of the potential dangers and the contact information in case of an emergency.

Section 1505.6. In construction of oil or gas well sites the natural surroundings should be considered and attempts made to preserve existing trees and other native vegetation.

Section 1506. Lighting

See Section 1129 of the original ordinance. Incorporate by reference.

Section 1507. Design Standards

Section 1507.1. See Section 1104 of original ordinance. Incorporate last section – A, B, E, F, I

Section 1507.2. See Section 1105 of original ordinance. Incorporate A, B, C(1), D(1), E, G (1, 2, 3), H

Section 1507.3. See Section 1106 of original ordinance. Incorporate Easements A through D

Section 1507.4. See Section 1108 of original ordinance. Incorporate streets A (1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 - see 1212 for traffic impact study requirements)

Section 1507.5. See Section 1109 A & B of original ordinance.

Section 1507.6. See Section 1110 of original ordinance. Incorporate all (V).

Section 1507.7. See Section 1111 of original ordinance. Incorporate all.

Section 1507.8. See Section 1112 of original ordinance. Incorporate all.

Section 1507.9. See Section 1113 of original ordinance. Incorporate all.

Section 1507.10. See Section 1114 of original ordinance. Incorporate all, see pp 11-21 – C – delete

Section 1507.11. See Section 1115 of original ordinance– checkmarks

Section 1507.12. See Section 1116 of original ordinance – checkmarks

Section 1507.13. See Section 1117 of original ordinance– see pp 11-122 – all

Section 1507.14. See Section 1118 of original ordinance– see pp 11-24 – B & C as noted

Section 1507.15. See Section 1119 of original ordinance– all as shown on 11-24

Section 1507.16. See Section 1120 of original ordinance – See pp 11-25 – all

Section 1507.17. See Section 1121 of original ordinance – Water quality, need all new sections dealing with ground water and “mine pool”.

Section 1507.18. See Section 1122 of original ordinance – Sanitary Sewer System

Section 1507.19. See Section 1123 of original ordinance – Stormwater Management

Section 1507.20. See Section 1124 of original ordinance.

Section 1507.21. See Section 1125 of original ordinance.

Section 1507.22. See Section 1126 of original ordinance. Incorporate A, D, E, F, G.

Section 1507.23. See Section 1127 of original ordinance. Incorporate all.

G, Section 1507.24. See Section 1128 of original ordinance. Incorporate B, C, D, E, F,

Section 1507.25. Street Lighting. Put all prior sections found in Section 1129 of original ordinance.

Section 1507.26. Identification Signs. See Section 1130 of original ordinance.

Section 1507.27. Regulatory Signs. See Section 1131 of original ordinance

Section 1507.28. Landscaping. See Section 1132 of original ordinance. Incorporate A, B, C 1.2, D (see pp 11-60 on with changes noted)

Section 1507.29. Floodplain. See Section 1133 of original ordinance.

Section 1508. Required Improvements

Section 1508.1. See Section 1201 of original ordinance. Include all of page 12-1, on.

CHAPTER 16. WIND ENERGY FACILITIES

Section 1601. Application

Section 1601.1. The purpose of this Chapter is to provide for the land development, construction, operation and decommissioning of Wind Energy Facilities in Cass Township, subject to reasonable conditions that will protect the public health, safety and welfare.

Section 1601.2. This Chapter applies to all land development plans which provide for Wind Energy Facilities to be constructed after the effective date of the Ordinance adding this Chapter to the Cass Code, except that this Chapter is not intended to apply to stand-alone Wind Turbines constructed primarily for residential or farm use.

Section 1601.3. Wind Energy Facilities constructed prior to the effective date of this Chapter shall not be required to meet the requirements of this Chapter; provided that any physical modification to an existing Wind Energy Facility that materially alters the size, type and number of Wind Turbines or other equipment shall comply with the provisions of this Chapter.

Section 1602. Definitions

APPLICANT – is the person or entity filing an application under this Chapter.

FACILITY OWNER – means the entity or entities having an equity interest in the Wind Energy Facility, including their respective successors and assigns.

OPERATOR – means the entity responsible for the day-to-day operation and maintenance of the Wind Energy Facility.

HUG HEIGHT – means the distance measured from the surface of the tower foundation to the height of the Wind Turbine hub, to which the blade is attached.

OCCUPIED BUILDING – means a residence, school, hospital, church, public library or other building used for public gathering that is occupied or in use when the permit application is submitted.

TURBINE HEIGHT – means the distance measured from the surface of the tower foundation to the highest point of the turbine rotor plane.

WIND TURBINE – means a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformer, if any.

WIND ENERGY FACILITY – means an electric generating facility, whose main purpose is to supply electricity, consisting of one or more Wind Turbines and other accessory structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

NON-PARTICIPATING LANDOWNER – means any landowner except those on whose property all or a portion of a Wind Energy Facility is located pursuant to an agreement with the Facility Owner or Operator.

Section 1603. Land Development Requirements

Section 1603.1. No land development plan providing for the construction or erection of a Wind Energy Facility or addition of a Wind Turbine to an existing Wind Energy Facility shall be approved unless such plan has complied with the requirements of this Chapter.

Section 1603.2. Any physical modification to an existing and permitted Wind Energy Facility that materially alters the size, type and number of Wind Turbines or other equipment shall require land development approval under the Subdivision and Land Development Ordinance of Cass Township. Like-kind replacements shall not require a permit modification.

Section 1604. Additional Land Development Plan Requirements

Section 1604.1. The land development plan shall demonstrate that the proposed Wind Energy Facility will comply with this Chapter and the PA Uniform Construction Code, Act 45 of 1999, as amended, and the regulations adopted by the Department of Labor and Industry.

Section 1604.2 The land development plan, in addition to the other requirements of the Subdivision and Land Development Ordinance of Cass Township shall contain the following:

Section 1604.2.1. A narrative describing the proposed Wind Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the Wind Energy Facility; the approximate number, representative types and height or range of heights of Wind Turbines to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.

Section 1604.2.2. An affidavit or similar evidence of agreement between the property owner and the Facility Owner or Operator demonstrating that the Facility Owner or Operator has the permission of the property owner to apply for necessary permits for construction and operation of the Wind Energy Facility.

Section 1604.2.3. Identification of the properties on which the proposed Wind Energy Facility will be located, and the properties adjacent to where the Wind Energy Facility will be located.

Section 1604.2.4. A site plan showing the planned location of each Wind Turbine, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the Wind Energy Facility to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.

Section 1604.2.5. Documents related to decommissioning, including a schedule for the decommissioning and financing security.

Section 1604.2.6. Other relevant studies, reports, certifications and approvals as may be reasonably requested by Cass Township to ensure compliance with this Chapter.

Section 1605. Design and Installation

Section 1605.1. Uniform Construction Code. To the extent applicable, the Wind Energy Facility shall comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended, and the regulations adopted by the Department of Labor and Industry.

Section 1605.2. Design Safety Certification. The design of the Wind Energy Facility shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories, Det Norske Veritas, Germanischer Lloyd Wind Energies, or other similar certifying organizations.

Section 1605.3. Controls and Brakes. All Wind Energy Facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.

Section 1605.4. Electrical Components. All electrical components of the Wind Energy Facility shall conform to relevant and applicable local, state and national codes, and relevant and applicable international standards.

Section 1605.5. Visual Appearance; Power Lines

Section 1605.5.1. Wind Turbines shall be a non-obtrusive color such as white, off-white or gray.

Section 1605.5.2. Wind Energy Facilities shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

Section 1605.5.3. Wind Turbines shall not display advertising, except for reasonable identification of the turbine manufacturer, Facility Owner and Operator.

Section 1605.5.4. On-site transmission and power lines between Wind Turbines shall, to the maximum extent practicable, be placed underground.

Section 1605.6. Warnings

Section 1605.6.1. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

Section 1605.6.2. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten feet from the ground.

Section 1605.7. Climb Prevention/Locks

Section 1605.7.1. Wind Turbines shall not be climbable up to fifteen (15) feet above ground surface.

Section 1605.7.2. All access doors to Wind Turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.

Section 1606. Setbacks

Section 1606.1. Occupied Buildings

Section 1606.1.1. Wind Turbines shall be set back from the nearest Occupied Building a distance not less than the greater of the maximum setback requirements for that zoning classification where the turbine is located or 1.1 times the Turbine height, whichever is greater. The setback distance shall be measured from the center of the Wind Turbine base to the nearest point on the foundation of the Occupied Building.

Section 1606.1.2. Wind Turbines shall be set back from the nearest Occupied Building located on a Non-participating Landowner's property a distance of not less than five (5) times the Hub Height, as measured from the center of the Wind Turbine base to the nearest point on the foundation of the Occupied Building.

Section 1606.2. Property lines: All Wind Turbines shall be set back from the nearest property line a distance of not less than the greater of the maximum setback requirements for that zoning classification where the turbine is located or 1.1 times the Turbine Height, whichever is greater. The setback distance shall be measured to the center of the Wind Turbine base.

Section 1606.3. Public roads: All Wind Turbines shall be set back from the nearest public road a distance of not less than 1.1 times the Turbine Height, as measured from the right-of-way line of the nearest public road to the center of the Wind Turbine base.

Section 1607. Waiver of Setbacks

Section 1607.1. Upon request, the governing body may grant partial waivers of setback requirements hereunder where it has determined that literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question and provided that such waiver will not be contrary to the public interest.

Section 1607.2. The governing body may take into consideration the support or opposition of adjacent property owners in granting waivers of setback requirements hereunder.

Section 1608. Use of Public Roads

Section 1608.1. The Applicant shall identify all state and local public roads to be used within Cass Township to transport equipment and parts for construction, operation or maintenance of the Wind Energy Facility.

Section 1608.2. The Cass Township engineer or qualified third party engineer hired by Cass Township and paid for by the Applicant shall document road conditions prior to construction. The engineer shall document road conditions again thirty (30) days after construction is complete or as weather permits.

Section 1608.3. Cass Township may bond the road in compliance with state regulations.

Section 1608.4. Any road damage caused by the Applicant or its contractors shall be promptly repaired at the Applicant's expense.

Section 1608.5. The Applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged roads.

Section 1609. Local Emergency Services

Section 1609.1. The Applicant shall provide a copy of the project summary and site plan to local emergency services, including paid or volunteer fire department(s).

Section 1609.2. Upon request, the Applicant shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the Wind Energy Facility.

Section 1610. Noise and Shadow Flicker

Section 1610.1. Audible sound from a Wind Energy Facility shall not exceed fifty-five (55) dBA, as measured at the exterior of any Occupied Building on a Non-participating Landowner's property. Methods for measuring and reporting acoustic emissions from Wind Turbines and the Wind Energy Facility shall be equal to or exceed the minimum standards for precision described in AWEA Standard 2.1 – 1989 titled *Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume 1: First Tier*. The municipality may grant a partial waiver of such standards where it has determined that literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question and provided that such waiver will not be contrary to the public interest.

Section 1610.2. The Facility Owner and Operator shall make reasonable efforts to minimize shadow flicker to any Occupied Building on a Non-participating Landowner's property.

Section 1610.3. The governing body may take into consideration the support or opposition of adjacent property owners on granting waivers of noise and shadow flicker restrictions.

Section 1611. Signal Interference

The Applicant shall make reasonable efforts to avoid any disruption or loss of radio, telephone, television or similar signals, and shall mitigate any harm caused by the Wind Energy Facility.

Section 1612. Liability Insurance

There shall be maintained a current general liability policy covering bodily injury and property damage with limits of at least \$1 million per occurrence and \$1 million in the aggregate. Certificates shall be made available to Cass Township upon request.

Section 1613. Decommissioning

Section 1613.1. The Facility Owner and Operator shall, at its expense, complete decommissioning of the Wind Energy Facility, or individual Wind Turbines, within twelve (12) months after the end of the useful life of the Facility or individual Wind Turbines. The Wind Energy Facility or individual Wind Turbines will presume to be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months.

Section 1613.2. Decommissioning shall include removal of Wind Turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities.

Section 1613.3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.

Section 1613.4. An independent and certified Professional Engineer shall be retained to estimate the total cost of decommissioning ("Decommissioning Costs") without regard to salvage value of the equipment, and the cost of decommissioning net salvage value of the equipment ("Net Decommissioning Costs"). Said estimates shall be submitted to Cass Township after the first year of operation and every fifth year thereafter.

Section 1613.5. The Facility Owner or Operator shall post and maintain Decommissioning Funds in an amount equal to Net Decommissioning Costs; provided, that at no point shall Decommissioning Funds be less than twenty-five percent (25%) of Decommissioning Costs. The Decommissioning Funds shall be posted and maintained with a bonding company or Federal or Commonwealth chartered lending institution chosen by the Facility Owner or Operator and participating landowner posting the financial security, provided that the bonding company or lending institution is authorized to conduct such business within the Commonwealth and is approved by Cass Township.

Section 1613.6. Decommissioning Funds may be in the form of a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance as may be acceptable to Cass Township.

Section 1613.7. If the Facility Owner or Operator fails to complete decommissioning within the period prescribed by Section 1613.1, then the landowner shall have six (6) months to complete decommissioning.

Section 1613.8. If neither the Facility Owner or Operator, nor the landowner complete decommissioning within the periods prescribed by Section 1613.1 and 1613.7, then Cass Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a Participating Landowner agreement to Cass Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that Cass Township may take such action as necessary to implement the decommissioning plan.

Section 1613.9. The escrow agent shall release the Decommissioning Funds when the Facility Owner or Operator has demonstrated and the municipality concurs that decommissioning has been satisfactorily completed, or upon written approval of the municipality in order to implement the decommissioning plan.

Section 1614. Public Inquiries and Complaints

Section 1614.1. The Facility Owner and Operator shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.

Section 1614.2. The Facility Owner and Operator shall make reasonable efforts to respond to the public's inquiries and complaints.

Section 1615. Remedies

Section 1615.1. It shall be unlawful for any person, firm, or corporation to violate or fail to comply with or take any action which is contrary to the terms of the ordinance, or any permit issued under the ordinance, or cause another to violate or fail to comply, or to take any action which is contrary to the terms of the ordinance or any permit issued under the ordinance.

Section 1615.2. If Cass Township determines that a violation of the Ordinance or the permit has occurred, Cass Township shall provide written notice to any person, firm, or corporation alleged to be in violation of this Ordinance or permit. If the alleged violation does not pose an immediate threat to public health or safety, Cass Township and the parties shall engage in good faith negotiations to resolve the alleged violation. Such negotiations shall be conducted within thirty (30) days of the notice of violation.

Section 1615.3. If, after thirty (30) days from the date of the notice of violation, Cass Township determines, in its discretion, that the parties have not resolved the alleged violation, Cass Township may institute civil enforcement proceedings or any other remedy at law or in equity to ensure compliance, as provided in the Cass Township Subdivision and Land Development Ordinance (SALDO).

CHAPTER 17. LARGE-SCALE SOLAR ELECTRIC ENERGY FACILITIES

Section 1701. Application.

Section 1701.1. The purpose of this Chapter is to provide for the construction, installation, operation and decommissioning of Large-Scale Solar Electric Facilities in Cass Township, subject to reasonable conditions that will protect the public health, safety and welfare.

Section 1701.2. This Chapter applies to any Solar Electric Facility of two (2) acres or more proposed to be constructed after the effective date of this Ordinance adding this Chapter to the Cass Code.

Section 1701.3. A Solar Electric Energy Facility constructed prior to the effective date of this Chapter shall not be required to meet the requirements of this Chapter; provided that any physical modification or alteration to an existing Solar Electric Energy Facility that materially alters the size, type or components of the Solar Electric System shall require a permit under this Chapter. Routine operation and maintenance or like-kind replacements do not require a permit.

Section 1701.4. No land development plan providing for the construction or installation of a Solar Electric Energy Facility or addition of a Solar Electric System to an existing Solar Electric Energy Facility shall be approved unless such plan has complied with the requirements of this Chapter.

Section 1702. Definitions

APPLICANT – is the Landowner or Developer, as those terms are defined in the Municipalities Planning Code and including their heirs, successors and assigns, who has filed an application for development of a Solar Electric Energy Facility under this Chapter.

FACILITY OWNER – means the person or entity having an equity interest in the Solar Electric Energy Facility, including their heirs, successors and assigns.

OPERATOR – means the entity responsible for the day-to-day operation and maintenance of the Solar Electric Energy Facility.

SOLAR ELECTRIC SYSTEM – means the components and subsystems that, in combination, convert solar energy into electric energy suitable for use. The term includes, but is not limited to, photovoltaic and concentrated solar power systems.

SOLAR ELECTRIC ENERGY FACILITY – means a Large-Scale Solar Electric Generating Facility, whose main purpose is to generate and supply electricity and consists of one or more Solar Electric Systems and other accessory structures and buildings, including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. These facilities shall not include Solar Electric Energy Systems meant for residential or commercial use.

Section 1703. Additional Land Development Plan Requirements

Section 1703.1. Applications filed pursuant to this Chapter shall comply with the Subdivision and Land Development Ordinance of Cass Township shall contain the following:

Section 1703.1.1. A narrative describing the proposed Solar Electric Energy Facility, including an overview of the project; the project location; the approximate generating capacity of the Solar Electric Energy Facility, the approximate number, representative types and height or range of heights of the panels or other Solar Electric System equipment to be constructed, including their generating capacity, dimensions and respective manufacturers, and a description of all ancillary facilities.

Section 1703.1.2. An affidavit or similar evidence of agreement between the Landowner of the real property on which the Solar Electric Energy Facility is to be located and the Facility Owner, demonstrating that the Facility Owner has permission of the Landowner to apply for necessary permits or approvals for construction and operation of the Solar Electric Facility (“Participating Landowner Agreement”).

Section 1703.1.3. Identification of the properties or portions thereof on which the proposed Solar Electric Energy Facility will be located, and the properties adjacent to where the Solar Electric Energy Facility will be located.

Section 1703.1.4. A site plan showing the planned location of each Solar Electric Facility property lines, setback lines, access roads and turnout locations, substation(s), electrical cabling from the Solar Electric System to the substation(s), ancillary equipment, buildings and structures, including associated distribution and/or transmission lines, and layout of all structures within the geographical boundaries of any applicable setback.

Section 1703.1.5. Documents related to decommissioning, including a schedule for decommissioning.

Section 1703.1.6 Other relevant studies, reports, certifications and approvals as may be provided by the Applicant or required by Cass Township to ensure compliance with this **Ordinance**.

Section 1703.2. Within thirty (30) business days after receipt of a land development application Cass Township will determine whether the application is complete and advise the applicant accordingly.

Section 1704. Design and Construction

Section 1704.1. Design Safety Certification: The design of the Solar Electric Energy System shall conform to applicable industry standards, including those of the American National Standards Institute. The Applicant shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories (UL), IEEE, Solar Rating and Certification Corporation (SRCC), ETL, Florida Solar Energy Center (FSEC) or other similar certifying organizations.

Section 1704.2. Uniform Construction Code: The Solar Electric Energy Facility and the Solar Electric System shall be constructed to and comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended, and any regulations adopted by the Pennsylvania Department of Labor and Industry as they relate to the UCC, except where an applicable industry standard has been approved by the Department of Labor and Industry under its regulatory authority.

Section 1704.3. Visual Appearance: Power Lines

Section 1704.3.1. Solar Electric Energy Facilities shall not be artificially lighted, except to the extent required by safety or by any applicable federal, state or local authority.

Section 1704.3.2. Solar Electric Energy Facilities shall not display advertising, except for reasonable identification of the panel, inverter or other equipment manufacturer, and the Facility Owner.

Section 1704.3.3. On-site transmission and power lines shall, to the maximum extent practicable, be placed underground.

Section 1704.4. Warnings

Section 1704.1. A Solar Electric Energy Facility shall be enclosed by a fence, barrier or other appropriate means to prevent or restrict unauthorized persons or vehicles from entering the property.

Section 1704.2. Clearly visible warning signs shall be placed on the fence, barrier or Solar Electric Energy Facility perimeter to inform individuals of potential voltage hazards.

Section 1705. Setbacks

Section 1705.1. Property Lines: All Solar Electric Energy Systems shall be set back from the nearest property line a distance of not less than the maximum set back requirements for that zoning classification where the System is located. The setback distance shall be measured from the closest edge of the Solar Electric Energy System to the property line.

Section 1705.2. A Solar Electric Energy Facility shall be sited in such a way that it presents no threat to traffic or to public health and safety.

Section 1706. Decommissioning

Section 1706.1. The Facility Owner and Operator shall, at their expense, complete decommissioning of the Solar Electric Energy Facility or individual Solar Electric Systems within twelve (12) months after the end of the useful life of such Facility or System. A Solar Electric Energy Facility or System will be presumed to be at the end of its useful life if no electricity is generated for a continuous period of twelve (12) months.

Section 1706.2. Decommissioning shall include removal of all Solar Electric Energy Systems, buildings, cabling, electrical components, roads, foundations and any other associated facilities.

Section 1706.3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.

Section 1707. Remedies

Section 1707.1. It shall be unlawful for any person, firm or corporation to violate or fail to comply with or take any action that is contrary to the terms of this Chapter or a permit issued under this Chapter or cause another to violate or fail to comply, or take any action which is contrary to the terms of this Chapter or a permit issued under this Chapter.

Section 1707.2. If, after thirty (30) days from the date of the notice of violation, Cass Township determines, in its discretion, that the parties have not resolved the alleged violation, Cass Township may institute civil enforcement proceedings or any other remedy at law or inequity to ensure compliance as provided in the Cass Township Subdivision and Land Development Ordinance (SALDO).

APPENDICES

APPENDIX A
RESOLUTION

APPENDIX A

RESOLUTION

A Resolution by the Cass Township Supervisors providing for the control of the subdivision of land within the Township by requiring the submission and approval or review of all plans; establishing a procedure for review and approval; establishing minimum layout and design standards; requiring minimum improvements to be made by the subdivider; establishing a fee for processing plans; requiring filing and recording of all plans with the County Recorder of Deeds; establishing a uniform size and scale for plans to be recorded and establishing the method for recording; defining the dedication and acceptance of streets and roads; requiring a review and report on plans located in Cass Township, Schuylkill County by the Cass Township Planning Commission; and providing for penalties and remedies for violations of the provisions contained herein.

WHEREAS, Article XVI - Section 1671 of the Township Code of the Commonwealth of Pennsylvania as amended that the attached Subdivision and Land Development Ordinance are thereby adopted and the same shall be in effect from and after the date of adoption.

WHEREAS, it is the desire of the Cass Township Supervisors to establish a uniform system of regulations and a procedure of reviewing and approving subdivision plans as part of the Comprehensive Master Plan for Cass Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Supervisors of Cass Township, Schuylkill County, pursuant to Article 247, the Municipalities Planning Code of the Commonwealth of Pennsylvania, as amended, that the following Subdivision and Land Development Regulations are hereby adopted and shall be in effect from and after the date of adoption.

Passed and adopted this _____ day of _____, 20__.

Township Supervisor Chairperson
Cass Township

ATTEST: _____
Secretary, Cass Township

Chairperson, Cass Township

APPENDIX B

APPLICATION FOR SUBDIVISION PLAN APPROVAL

APPENDIX B- APPLICATION FOR SUBDIVISION PLAN APPROVAL

SECTION 1. PROJECT NAME & LOCATION

Project Name

Condor Pump Station

Street Address (If Any):

Condor Lane and Low Road

Uniform Parcel Identifier	<u>05-13-91.1</u>	Zoning Classification:	<u>Multi-Family Residential</u>
Deed Book No.	<u>1346</u>	Page No.:	<u>333</u>
Total Project Acres:	<u>.2546</u>	Total Disturbed Acres:	<u>.1237</u>
Number of Lots Proposed including residue):	<u>2</u>	Plan Stage (Sketch, Preliminary, Final):	<u>Final</u>

SECTION 2. APPLICANT INFORMATION

Owner's Last Name	First Name	Phone	Unlisted
Butler	Anna	FAX	
Mailing Address	City	State	ZIP + 4
103 Condor Lane	Pottsville	PA	17901
Developer's Last Name (If Different From Owner)	First Name	Phone	
		FAX	
Mailing Address	City	State	ZIP + 4

SECTION 3. CONSULTANT FOR THIS PROJECT

Last Name	First Name	MI	
Stone	Michael	J	
Title	Consulting Firm		
Professional Surveyor	benesch		
Mailing Address			
400 One Norwegian Plaza			
City	State	ZIP+4	
Pottsville	PA	17901	
Email	Phone	570-622-4055	Ext
	FAX	570-622-1232	Cell

SECTION 4. TYPE OF DEVELOPMENT

<input type="checkbox"/> Single Family	<input type="checkbox"/> Multi-Family (Townhouse)	<input type="checkbox"/> Commercial
<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Not For Development	<input type="checkbox"/> Annexation
<input type="checkbox"/> Other (Specify)		

SECTION 5. TYPE OF WATER SUPPLY

Public (Municipal) System	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Semi-Public (Community) System	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Individual On-Site	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed

SECTION 6. TYPE OF SEWER SUPPLY

Public (Municipal) System	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Semi-Public (Community) System	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed
Individual On-Site	<input type="checkbox"/> Existing	<input type="checkbox"/> Proposed

SECTION 7. PROPOSED IMPROVEMENTS

<input type="checkbox"/> Streets	<input type="checkbox"/> Stormwater System	<input type="checkbox"/> Other Utilities
<input type="checkbox"/> Water System	<input type="checkbox"/> Sidewalks	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> Sanitary Sewer System	<input type="checkbox"/> Curbs	

SECTION 8. ATTACHMENTS AND ENCLOSURES

<input checked="" type="checkbox"/> Application for Subdivision Plan Approval	<input type="checkbox"/> Minor Subdivision Final Plan Checklist	<input type="checkbox"/> Deed Restrictions (If Any)
<input checked="" type="checkbox"/> Subdivision Plan (16 copies)	<input type="checkbox"/> Major Subdivision Preliminary Plan Checklist	<input type="checkbox"/> Improvements Agreement (If Any)
<input type="checkbox"/> Boundary Line Adjustment Checklist	<input type="checkbox"/> Major Subdivision Final Plan Checklist	<input type="checkbox"/> Other (Specify)
<input type="checkbox"/> Review Fee Amount	<input type="checkbox"/> Sketch Plan of Record	Check #:

SECTION 9. CERTIFICATION

Verify under penalty of law that this application and all related attachments were prepared by me or under my direction or supervision by qualified personnel to properly gather and evaluate the information submitted. Based on my own knowledge and on inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.

John Andruchek, Chairman BCRSA
Print Name and Title of Applicant

Print Name and Title of Co-Applicant

Signature of Applicant

Signature of Co-Applicant

Date Application Signed

SECTION 10. FOR TOWNSHIP USE ONLY

RECEIVED BY PLANNING COMMISSION :

Date: _____

Fee Paid: _____

Secretary Signature _____

REVIEWED BY PLANNING COMMISSION

Date: _____

PLANNING COMMISSION ACTION:

Approved	Date: _____	
Approved Subject with Modifications:	Date: _____	List of Modifications: _____ _____ _____ _____ _____ _____ _____
Disapproved for the Following Reasons:	Date: _____	List Reasons for disapproval: _____ _____ _____ _____ _____ _____ _____

ATTEST:

Secretary Signature

Chairman, Township Planning Commission

Notes from Planning Commission for Board of Supervisors Review:

REVIEWED BY BOARD OF SUPERVISORS

Date: _____

**APPENDIX C.1
BOUNDARY LINE ADJUSTMENT CHECKLIST**

**APPENDIX C.2
MINOR SUBDIVISION FINAL PLAN CHECKLIST**

**APPENDIX C.3
MAJOR SUBDIVISION OR LAND DEVELOPMENT PRELIMINARY
PLAN CHECKLIST**

**APPENDIX C.4
MAJOR SUBDIVISION OR LAND DEVELOPMENT FINAL PLAN
CHECKLIST**

APPENDIX C

CASS TOWNSHIP SUBDIVISION REGULATIONS

**C.1 BOUNDARY LINE ADJUSTMENT
CHECKLIST**

GENERAL SUBMISSION ITEMS - Does the submission include:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	1. Two (2) copies of completed Application Form?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	2. Two (2) copies of the Checklist?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	3. Sixteen (16) copies of Final Plan (prints)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	4. Four (4) sets of Supportive Documents?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	5. The required fee (in accordance with Township Fee Schedule)?
SPECIFIC PLAN REQUIREMENTS			
Drafting Standards - Does the Plan have:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	6. Plan drawings at a size no larger than 24" x 36"?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	7. A scale of 1"=50', 1"=100' or other approved scale?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	8. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	9. Sheets numbered and show relationship to the total number of sheets?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	10. Revisions noted, if Plan is a revision of previously approved Plan?
General Information - Does the Plan have:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	11. Name and location of line adjustment?
			12. Names and addresses of:
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• landowner?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• developer?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• adjoining property owners?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	13. Owners Statement of Intended Use?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	14. Names, addresses, signatures and seals of the licensed engineer and/or surveyor?
			15. Approval/review signature blocks for:
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• Township Planning Commission?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• Board of Supervisors?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• County Planning Commission?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• Record of Deeds?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	16. Location Map at a suitable scale showing the relationship of the site to adjoining properties and streets.
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	17. Graphic and/or written scale?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	18. North arrow?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	19. Date of plan and all subsequent revision dates?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	20. Boundaries of all adjoining properties with names of landowners, and Deed Book Volume and page numbers?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	21. The Deed Book volume and page number, as entered by the County Recorder, referencing the latest source of title to the land being subdivided?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	22. Tax map sheet, block and lot number for the tract being subdivided?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	23. Signed Owners Affidavit?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	24. Notarized consent for the subdivision executed by the Owner or Equitable Owner?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	25. Lot size(s) in acres?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	26. Indicate all monuments as set or found?

CASS TOWNSHIP SUBDIVISION REGULATIONS

C.2 MINOR SUBDIVISION FINAL PLAN CHECKLIST

GENERAL SUBMISSION ITEMS - Does the submission include:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	1. Two (2) copies of completed Application Form?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	2. Two (2) copies of Final Plan Checklist?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	3. Sixteen (16) copies of Final Plan (prints)?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	4. Four (4) sets of Supportive Documents?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	5. Approval letter from PENNDOT and Highway Occupancy Permit and notice on Plan (if applicable)?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	6. Review letter from Soil Conservation District?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	7. The required fee (in accordance with Township Fee Schedule)?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	8. Planning Module(s)
SPECIFIC PLAN REQUIREMENTS						
Drafting Standards - Does the Plan have:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	8. Plan drawings at a size no larger than 24" x 36"?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	9. A scale of 1"=50', 1"=100' or other approved scale?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	10. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	11. Sheets numbered and show relationship to the total number of sheets?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	12. Revisions noted, if Plan is a revision of previously approved Plan?
General Information - Does the Plan have:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	13. Name of Subdivision?
14. Names and addresses of:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• landowner?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• developer?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• adjoining property owners?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	15. Owners Statement of Intended Use of Subdivided Lot?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	16. Names, addresses, signatures and seals of the licensed engineer and/or surveyor?
17. Approval/review signature blocks for:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• County Planning Commission?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• Township Planning Commission?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• Board of Supervisors?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• Record of Deeds?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	18. Location Map at a suitable scale showing the relationship of the site to adjoining properties and streets within one thousand feet (1000'), and all zoning district and municipal boundaries within one thousand feet (1000')?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	19. Graphic and/or written scale?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	20. North arrow?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	21. Date of plan and all subsequent revision dates?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	22. Boundaries of all adjoining properties with names of landowners, tax numbers, Deed Book Volume and page numbers?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	23. The Deed Book Volume and page number, as entered by the County Recorder, referencing the latest source of title to the land being subdivided?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	24. Tax map sheet, block and lot number for the tract being subdivided?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	25. Signed Owners Affidavit?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	26. Notarized consent for the subdivision executed by the Owner or Equitable Owner?
Natural Features - Does the Plan have the location of the following natural features on the site and within 100 feet of the site:						

- Yes NO N/A 27. Contour lines as required with elevation datum indicated?
- Yes NO N/A 28. Watercourses, lakes, flood-prone, or flood-plain areas and wetlands with names, if any? Also, drainage easement where applicable.
- Yes NO N/A 29. Rock outcrops, stone fields or other significant topographical features?

Boundary Lines of Tract - Does the Plan show:

- Yes NO N/A 30. Boundary lines of the area being subdivided with bearings and distances?
- Yes NO N/A 31. Location and type of all existing monuments?

Man-Made Features - Does the Plan include the location of the following man-made features on the site and within 100 feet of the site:

- Yes NO N/A 32. Sufficient bearings, length of lines, radii, arc lengths, street widths, right-of-way and easement widths of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground?
- Yes NO N/A 33. Existing lot layout on the site?
- Yes NO N/A 34. Historic sites or structures, including name and description?
- Yes NO N/A 35. Sewer lines, stormwater drains and culverts, including but not limited to water lines and electric lines? Also, the size and invert elevation of all sewers, including location of manholes, inlets and culverts.
- Yes NO N/A 36. Minimum utility easements and restrictive covenants and easements for purposes which might affect development?

Zoning Requirements - Does the Plan include the following zoning information:

- Yes NO N/A 37. Applicable zoning district?
- Yes NO N/A 38. Lot size and yard requirements?
- Yes NO N/A 39. Building setback line or building placement?

Proposed Layout - Does the Plan include the following items and information regarding the proposed layout:

- Yes NO N/A 40. Area in acres of parent tract, each subdivided lot and residue?
- Yes NO N/A 41. Proposed lot layout with identification number and total number of lots?
- Yes NO N/A 42. Lot width, depth and area?
- Yes NO N/A 43. Rights-of-way, restrictive covenants and easements for all drainage, utilities and other purposes which might affect development, with designations of areas to be dedicated to the Municipality?
- Yes NO N/A 44. Well location?
- Yes NO N/A 45. Primary leach field?
- Yes NO N/A 46. Soil probe location?
- Yes NO N/A 47. Percolation test location?
- Yes NO N/A 48. Storm drainage facilities or structures?
- Yes NO N/A 49. Private deed restrictions already imposed or to be imposed as a condition to sale?
- Yes NO N/A 50. All lots shall front on a public street?
- Yes NO N/A 51. Lots for annexation or not for further development shall be so noted.
- Yes NO N/A 52. A note identifying by lot number the subdivided lots without adequate street frontage that cannot be further subdivided.

SUPPORTIVE DOCUMENTS AND INFORMATION - Are the following items included in the submission:

- Yes NO N/A 53. Residual lands sketch?
- Yes NO N/A 54. Current deed of tract being subdivided?
- Yes NO N/A 55. Type of water system proposed with a letter of approval from the governing water authority when public water is proposed?
- Yes NO N/A 56. Type of sanitary sewer system proposed with a letter of approval from the governing sewer authority when public sewage is proposed?

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY THE CASS TOWNSHIP AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER

MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE PREPARATION OF THE
PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

CASS TOWNSHIP SUBDIVISION REGULATIONS

C.3 MAJOR SUBDIVISION PRELIMINARY PLAN CHECKLIST

GENERAL SUBMISSION ITEMS - Does the submission include:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	1. Two (2) copies of completed Application Form?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	2. Two (2) copies of Preliminary Plan Checklist?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	3. Sixteen (16) copies of Preliminary Plan (prints)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	4. Four (4) sets of Supportive Documents?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	5. Review letter from Soil Conservation District?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	6. Review letter from PENNDOT (if applicable)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	7. Review letter from appropriate Utility Companies?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	8. The required fee (in accordance with Township Fee Schedule)?
SPECIFIC PLAN REQUIREMENTS			
Drafting Standards for All Plans - Do the Plans have:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	9. Plan drawings at a size no larger than 24" x 36"?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	10. A scale of 1"=50', 1"=100' or other approved scale?
11. Profiles drawn at a vertical scale of			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• Five feet (5') per inch or ten feet (10') per inch (for horizontal scale of 1"=50'),
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• Ten feet (10') per inch (for horizontal scale of 1"=100') or
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	• Other approved scale?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	12. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	13. Sheets numbered and show relationship to the total number of sheets?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	14. An adequate legend indicating clearly which features are existing and which are proposed?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	15. Revisions noted and dated?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	16. A boundary line shown as a heavy line?
General Information Required on all Plans - Do the Plans have:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	17. A title "Preliminary Plan"?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	18. Sheet Title (e.g., "Layout Plan")?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	19. Name and location of subdivision or land development?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	20. Graphic and/or written scales?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	21. Date of Plan and all subsequent revision dates?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	22. Names and addresses, signatures and seals of Engineer's and Surveyor's Statement of the licensed engineer, surveyor, architect or landscape architect responsible for preparation of the Plan?
INFORMATION REQUIRED ON ALL LAYOUT PLANS, GRADING AND STORM DRAINAGE PLANS, UTILITY PLANS AND EROSION AND SEDIMENTATION PLANS			
General Information - Do the Plans have:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	23. North arrow?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	24. Site boundaries with closure of 1 in 10,000?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	25. Boundaries of all adjoining properties with names of landowners and tax numbers?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	26. Location and type of existing monuments?
Natural Features - Do the Plans show:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	29. Contour lines with elevation datum indicated?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	30. Generalized slope areas (15%-25%, over 25%)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	31. Location and extent of various soil types with S.C.S. classification and DEP definitions for each?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	32. Forested areas?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	33. Watercourses, lakes, flood-prone or flood-plain areas and wetlands (with names, if any)?
Man-Made Features - Do the Plans include the location of the following man-made features on the site being subdivided or developed:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	34. Streets and rights-of-way (including name and right-of-way widths) on the site and on

			immediately adjacent tracts?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	35. Existing lot layout on the site and on immediately adjacent tracts?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	36. Historic sites or structures, including name and description?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	37. Sewer lines, storm drains and culverts, including but not limited to water lines and electric lines?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	38. Bridges?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	39. Utility easements, restrictive covenants and easements for purposes which might affect development?
Proposed Features - Do the Plans show?			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	40. Layout of streets with centerlines, cartways and right-of-ways, and proposed names?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	41. Layout of lots with identification number?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	42. Building setback lines from all lot lines?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	43. The arrangement and use of buildings and parking areas in nonresidential developments and planned residential developments, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	44. Rights-of-way, restrictive covenants, and easements for all drainage, utilities or other purposes which might affect development?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	45. Sidewalks and pedestrian paths?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	46. Open space areas?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	47. Recreation facilities?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	48. Lot size and yard requirements?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	49. Applicable zoning district?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	50. All lots shall front on a public street.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	51. Proposed monuments with reference to proposed improvements?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	52. Well location?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	53. Primary leach field?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	54. Soil probe location?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	55. Percolation test location?
Layout Plan - Does the layout plan have:			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	56. Names and addresses of landowner?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	57. Names and addresses of developer?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	58. Names and addresses of adjoining property owners?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	59. Owners Statement of Acknowledgement?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	60. Approval/review signature blocks?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	61. Location map at a scale of 1"=2000' or larger showing the relation of the site to adjoining properties, streets, zoning district boundaries, and municipal boundaries within one thousand feet (1000')?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	62. Project Summary List?
Proposed Features - Does the Layout Plan show:			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	63. Approximate dimensions, and areas of lots expressed in both square feet and acres?
Streets			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	64. Cartway and right-of-way width?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	65. Centerline with bearings, distances, horizontal curve data and stations corresponding to the profile?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	66. Right-of-way and curb lines with horizontal curve radii at intersections?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	67. Beginning and end of proposed construction?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	68. Tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartway and right-of-way?
Grading and Storm Drainage Plan - Does the Plan indicate:			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	69. Existing and proposed contour lines at intervals of five feet (5') (if slope is between 0% and 15%) and ten feet (10') (if slope is over 15%)?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	70. Street centerline data and stations corresponding to the profile?

Storm Drainage

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|--|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 71. Location and size of facilities with stations corresponding to the profile? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 72. Location of inlets with invert elevation of flow line and grade at the top of each inlet? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 73. Watershed drainage areas for each drainage structure or swale? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 74. Property lines and ownership, with details of easements where required? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 75. Beginning and end of proposed construction? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 76. Location of all other drainage facilities and public utilities in the vicinity of storm drain lines? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 77. Hydraulic design standards for culverts, bridge structures and/or other storm facilities? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 78. Location and size of proposed drainage swales? |

Utility Plan - Does the Utility Plan show:**(If on-lot sanitary sewage disposal systems are proposed?)**

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|--|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 79. Existing and proposed contour lines at intervals of two feet (2') (if slope is between 0% and 15%) or five feet (5') (if slope is over 15%)? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 80. Proposed location of wells? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 81. Proposed or typical location of dwelling? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 82. Proposed location of subsurface disposal field? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 83. Location of percolation test holes and soil probe pit? |

(If centralized sanitary sewers are proposed?)

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|---|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 84. Location and size of line with stations corresponding to the profile? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 85. Location of manholes with invert elevation of flow line and grade at the top of each manhole? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 86. Property lines and ownership, with details of easements where required? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 87. Beginning and end of proposed construction? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 88. Location of laterals? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 89. Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines? |

(If centralized water system is being proposed?)

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|---------------------------------------|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 90. Location and size of waterline? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 91. Plans pertaining to water source? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 92. Fire hydrants? |

(If on-lot water system is being proposed?)

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|--|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 93. Location of all wells (existing and proposed)? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 94. Street lighting? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 95. Water modeling Output? |

Erosion and Sedimentation Plan (If required) - Does the Plan:

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|---|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 96. Comply with DEP Soil Erosion and Sedimentation Control Manual and regulations of the Schuylkill County Conservation District? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 97. Stormwater runoff calculations |

Road Profiles - Do the road profiles include:

- | | | | | | | |
|--------------------------|-----|--------------------------|----|--------------------------|-----|--|
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 98. Profile of existing ground surface along centerline of street? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 99. Proposed centerline grade with percent on tangents and elevations at fifty (50') foot intervals? |
| <input type="checkbox"/> | Yes | <input type="checkbox"/> | NO | <input type="checkbox"/> | N/A | 100. All vertical curve data including length, elevations, and minimum sight distance? |

Sanitary Sewer and Storm Drain Profiles - Do the profiles include:

- Yes NO N/A 101. Profile of existing ground surface with elevations at top of manholes or inlets?
- Yes NO N/A 102. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole and inlet locations, and invert elevations along flow line?
- Yes NO N/A 103. All line crossings of other utilities?
- Yes NO N/A 104. Invert elevations along flow line at manholes, inlets, and at line crossing of other utilities:

Construction Details - Are the following construction details included:

- Yes NO N/A 105. Typical cross-section and specifications for street construction?
- Yes NO N/A 106. Drainage swale cross section and construction materials?
- Yes NO N/A 107. Pipe bedding details?
- Yes NO N/A 108. Storm drainage structures?
- Yes NO N/A 109. Sanitary sewer structures?
- Yes NO N/A 110. Curb and sidewalk details?

SUPPORTIVE DOCUMENTS AND INFORMATION

- Yes NO N/A 111. Private deed restrictions or covenants already imposed or to be imposed as a condition of sale?
- Yes NO N/A 112. Map of all property holdings of the owner within one thousand feet (1,000') of the proposed subdivision, indicating the site of proposed subdivision?
- Yes NO N/A 113. A sketch plan of a proposed road system with any property holdings contiguous to the proposed subdivision?
- Yes NO N/A 114. Certification of Public Water Supply System?
- Yes NO N/A 115. Certification of a Centralized Sewage Disposal System?
- Yes NO N/A 116. Certification of On-Lot Sewage System?
- Yes NO N/A 117. Storm Drainage Calculations?
- Yes NO N/A 118. Development Statement and Schedule?
- Yes NO N/A 119. Statement of Compliance with Floodplain Regulations?
- Yes NO N/A 120. Current deed of Property being Subdivided?
- Yes NO N/A 121. Lots for annexation or not for further development shall be so noted.

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY CASS TOWNSHIP AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE PREPARATION OF THE PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

CASS TOWNSHIP SUBDIVISION REGULATIONS

C.4 MAJOR SUBDIVISION FINAL PLAN CHECKLIST

GENERAL SUBMISSION ITEMS - Does the submission include:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	1. Two (2) copies of completed Application Form?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	2. Two (2) copies of Final Plan Checklist?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	3. Sixteen (16) copies of Final Plan (prints)?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	4. Four (4) sets of Supportive Documents?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	5. Review letter from Soil Conservation District?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	6. Review letter from PENNDOT (if applicable)?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	7. Review letter from appropriate Utility Companies?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	8. The required fee (in accordance with Township Fee Schedule)?
SPECIFIC PLAN REQUIREMENTS						
Drafting Standards for All Plans - Do the Plans have:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	9. Plan drawings at a size no larger than 24" x 36"?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	10. A scale of 1"=50', 1"=100' or other approved scale?
11. Profiles drawn at a vertical scale of						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• Five feet (5') per inch or ten feet (10') per inch (for horizontal scale of 1"=50'),
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• Ten feet (10') per inch (for horizontal scale of 1"=100') or
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	• Other approved scale?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	12. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	13. Sheets numbered and show relationship to the total number of sheets?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	14. An adequate legend indicating clearly which features are existing and which are proposed?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	15. Revisions noted and dated?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	16. A boundary line shown as a solid heavy line?
General Information Required on all Plans - Do the Plans have:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	17. A title "Final Plan"?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	18. Sheet Title (e.g., "Layout Plan")?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	19. Name and location of subdivision or land development?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	20. Graphic and/or written scales?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	21. Date of Plan and all subsequent revision dates?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	22. Names and addresses, signatures and seals of the licensed Engineer, surveyor, architect or landscape architect responsible for preparation of the Plan?
INFORMATION REQUIRED ON ALL LAYOUT PLANS, GRADING AND STORM DRAINAGE PLANS, UTILITY PLANS AND EROSION AND SEDIMENTATION PLANS						
General Information - Do the Plans have:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	23. North arrow?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	24. Site boundaries with closure of 1 in 10,000?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	25. Boundaries of all adjoining properties with names of landowners?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	26. Location and type of existing monuments?
Natural Features - Do the Plans show:						
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	29. Contour lines with elevation datum indicated?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	30. Generalized slope areas (15%-25%, over 25%)?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	31. Location and extent of various soil types with S.C.S. classification and DEP definitions for each?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	32. Forested areas?
<input type="checkbox"/>	Yes	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	33. Watercourses, lakes, flood-prone or flood-plain areas and wetlands (with names, if any)?

Man-Made Features - Do the Plans include the location of the following man-made features on the site being subdivided or developed:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	34. Streets and rights-of-way (including name and right-of-way widths) on the site and on immediately adjacent tracts?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	35. Existing lot layout on the site and on immediately adjacent tracts?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	36. Historic sites or structures, including name and description?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	37. Sewer lines, storm drains and culverts, including but not limited to water lines and electric lines?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	38. Bridges?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	39. Utility easements, restrictive covenants and easements for purposes which might affect development?
Proposed Features - Do the Plans show?			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	40. Layout of streets with centerlines, cartways and right-of-ways, and proposed names?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	41. Layout of lots with identification number?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	42. Building setback lines from all lot lines?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	43. The arrangement and use of buildings and parking areas in nonresidential developments and planned residential developments, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	44. Rights-of-way, restrictive covenants, and easements for all drainage, utilities or other purposes which might affect development?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	45. Sidewalks and pedestrian paths?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	46. Open space areas?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	47. Recreation facilities?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	48. Proposed monuments with reference to proposed improvements?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	49. Lot size and yard requirements?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	50. Applicable zoning district?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	51. All lots shall front on a public street?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	52. Well location?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	53. Primary leach field?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	54. Soil probe location?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	55. Percolation test location?
Protective Covenants - Do the Plans have protective covenants providing for:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	56. Building setbacks?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	57. Clear sight triangle easements?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	58. Utility, drainage, and slope easements?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	59. "Well and sewage disposal systems shall be constructed in accordance with recommended standards of the Pennsylvania Department of Environmental Resources" (if appropriate)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	60. "Individual owners of lots must apply to the Township for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system" (if appropriate)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	61. "The Planning Commission has not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system" (if appropriate)?
Plot Plan and Layout Plan Additional Information - Does the Plot Plan and Layout Plan have:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	62. Names and addresses of landowner?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	63. Names and addresses of developer?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	64. Names and addresses of adjoining property owners?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	65. Owners Statement of Acknowledgement?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	66. Approval/review signature blocks?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	67. Location map at a suitable scale showing the relation of the site to adjoining properties, streets, zoning district boundaries, and municipal boundaries within one thousand (1000') feet?

<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	68. Project Summary List?
Proposed Features - Does the Plot Plan and Layout Plan show the following additional information:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	69. Layout of lots, with identification number?
Streets			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	70. Proposed names?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	71. Cartway and right-of-way width?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	72. Centerline with bearings, distances, curve data?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	73. Right-of-way and curb lines with radii at intersections?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	74. Beginning and end of proposed construction?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	75. Tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartway and right-of-way?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	76. Building setback lines?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	77. Rights-of-way, restrictive covenants, and easements for all drainage, utilities, or other purposes which might affect development?
Plot Plan Additional Information - Does the Plot Plan include the following additional information?			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	78. Site boundaries with closure of 1 in 10,000?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	79. Boundaries of all adjoining properties with names of landowners?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	80. Location and type of existing monuments?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	81. North arrow?
Location of Existing Man-Made Features within 100 feet from the Tract Being Subdivided			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	82. Streets and rights-of-way, including name and right-of-way widths, on the site and on immediately adjacent tracts?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	83. Existing lot layout on the site and on immediately adjacent tracts?
			84. Utility easements, restrictive covenants and easements for purposes which might affect development?
Grading and Storm Drainage Plan - Does the Plan indicate:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	85. Existing and proposed contour lines at intervals of two feet (2') (if slope is between 0% and 15%) and five feet (5') (if slope is over 15%)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	86. Street centerline data and stations corresponding to the profile?
Storm Drainage			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	87. Location and size of facilities with stations corresponding to the profile?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	88. Location of inlets with invert elevation of flow line and grade at the top of each inlet?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	89. Watershed areas for each drainage structure or swale?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	90. Property lines and ownership, with details of easements where required?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	91. Beginning and end of proposed construction?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	92. Location of all other drainage facilities and public utilities in the vicinity of storm drain lines?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	93. Hydraulic design standards for culverts, bridge structures and/or other storm facilities?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	94. Location and size of proposed drainage swales?
Utility Plan - Does the Utility Plan show:			
(If on-lot sanitary sewage disposal systems are proposed?)			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	95. Existing and proposed contour lines at intervals of five feet (5') (if slope is between 0% and 15%) or ten feet (10') (if slope is over 15%)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	96. Proposed location of wells?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	97. Proposed or typical location of dwelling?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	98. Proposed location of subsurface disposal field?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	99. Location of percolation test holes and soil probe pit?

(If centralized sanitary sewers are proposed?)			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	100. Location and size of line with stations corresponding to the profile?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	101. Location of manholes with invert elevation of flow line and grade at the top of each manhole?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	102. Property lines and ownership, with details of easements where required?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	103. Beginning and end of proposed construction?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	104. Location of laterals?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	105. Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines?
(If centralized water system is being proposed?)			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	106. Location and size of waterline?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	107. Plans pertaining to water source?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	108. Fire hydrants?
(If on-lot water system is being proposed?)			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	109. Location of all wells (existing and proposed)?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	110. Street lighting?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	111. Water modeling Output?
Erosion and Sedimentation Plan (If required) - Does the Plan:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	112. Comply with DEP Soil Erosion and Sedimentation Control Manual and regulations of the Schuylkill County Conservation District?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	113. Stormwater runoff calculations
Road Profiles - Do the road profiles include:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	114. Profile of existing ground surface along centerline of street?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	115. Proposed centerline grade with percent on tangents and elevations at fifty (50') foot intervals?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	116. All vertical curve data including length, elevations, and minimum sight distance?
Sanitary Sewer and Storm Drain Profiles - Do the profiles include:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	117. Profile of existing ground surface with elevations at top of manholes or inlets?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	118. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole and inlet locations, and invert elevations along flow line?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	119. All line crossings of other utilities?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	120. Invert elevations along flow line at manholes, inlets, and at line crossing of other utilities:
Construction Details - Are the following construction details included:			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	121. Typical cross-section and specifications for street construction?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	122. Drainage swale cross section and construction materials?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	123. Pipe bedding details?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	124. Storm drainage structures?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	125. Sanitary sewer structures?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	126. Curb and sidewalk details?
SUPPORTIVE DOCUMENTS AND INFORMATION			
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	127. Private deed restrictions or covenants already imposed or to be imposed as a condition of sale?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	128. Deed of dedication together with an 8 1/2" plan of each such improvement?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	129. Nondedicated Streets Agreement?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	130. Open Space Agreement?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	131. Utilities Agreements and Permits?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	132. Storm Drainage Calculations?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	133. Development Statement and Schedule?
<input type="checkbox"/> Yes	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	134. Current deed of Tract being Subdivided?

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY CASS TOWNSHIP AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE PREPARATION OF THE PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

APPENDIX D
CERTIFICATE OF ACCURACY

APPENDIX D

CASS TOWNSHIP

CERTIFICATE OF ACCURACY

I, hereby certify that the plat shown and described hereon as well as all drawings bearing my seal are true and correct as to accuracy as required by the Cass Township Subdivision and Land Development Ordinance and were prepared by me or under my direction and for which I accept full responsibility, and that the perimeter monuments have been accurately placed as required

(seal)

Signed this _____ day of _____, 20__

Registered Design Professional

My Pennsylvania registration license number is _____.

APPENDIX E

RECOMMENDED OFFER OF DEDICATION FORM

APPENDIX E

CASS TOWNSHIP

RECOMMENDED OFFER OF DEDICATION FORM
(to appear on the final plan)

I (we), the undersigned, owner(s) of the real estate shown and described herein, do hereby certify that I (we), have laid out, planned and subdivided the within plan, that the subdivisions shall be known and designated as _____ (Name of Subdivisions) and that all streets right of ways, or easements shown hereon are hereby dedicated to the public use forever.

Signature of Owner(s)

APPENDIX F
CERTIFICATION OF OWNERSHIP (INDIVIDUALS)

APPENDIX F

CASS TOWNSHIP

CERTIFICATE OF OWNERSHIP - INDIVIDUALS

(For Use by an Individual)

Commonwealth of Pennsylvania
County of Schuylkill
Cass Township

On this, the _____ day of _____, 20__, before me, the undersigned officer, personally appeared _____, who being duly sworn according to law, deposes and confirms that said _____ is the owner (or equitable owner) of the property shown on this plan.

Witness my hand and seal the day and date above written.

(Signature of Individual)

(Seal)

My Commission Expires (date)

(Notary Public or Other Officer)

APPENDIX G

CERTIFICATION OF OWNERSHIP (CORPORATION)

APPENDIX G

CASS TOWNSHIP

CERTIFICATE OF OWNERSHIP - CORPORATION

(For Use by a Corporation)

This plan is hereby executed and delivered by _____ (name of corporation) which is the owner (or equitable owner) of the property shown on this plan, and the said plan was made by the authority of the corporation.

In witness whereof _____ (named corporation) has duly caused this to be executed by its President, _____, and by its Secretary, _____, and its corporate seal to be affixed thereto this _____ day of _____, 20

Corporation

BY: _____
President

Secretary

ATTEST:

Corporate Seal

APPENDIX G

CASS TOWNSHIP

Commonwealth of Pennsylvania
County of Schuylkill
Cass Township

On the _____ day of _____ 20__, before me, the subscriber, a Notary Public for the Commonwealth of Pennsylvania, residing in the County of Schuylkill, personally appeared _____.

Secretary of _____ who being duly sworn according to law, affirms that said person was personally present at the execution of the within plan and saw the common or corporate seal of the said corporation duly affixed thereto, that the seal so affixed is the common or corporate seal of the said Corporation; that the said plan was duly sealed and delivered by _____, President of the said corporation as and for the act of deed of said Corporation for the uses and purposes therein mentioned, that the Corporation is the owner (or equitable owner) of the property shown on this plan, and that the names of this deponent as Secretary and of _____ as President of the said Corporation, subscribed to the within plan in attestation of its due execution and delivery, are in their and each of their respective handwritings.

Sworn and subscribed before me, the day and year aforesaid.

Witness my hand and seal.

Notary Public

Secretary

My Commission Expires
(Date)

APPENDIX H

CERTIFICATION OF MUNICIPAL APPROVAL

APPENDIX H

CASS TOWNSHIP

CERTIFICATE OF MUNICIPAL APPROVAL

The approval of the _____ by the Planning Commission and the Board of Supervisors must be indicated on the Record plan in substantially the following form:

At a meeting held on _____ (1) _____, 20 __, the
_____ (2) _____ by _____ (3) _____ duly enacted, approved the subdivision plan of
the property of
_____ (4) _____, as shown hereon.

_____ (5) _____

_____ (6) _____

- (1) Date
- (2) Cass Township Planning Commission or Cass Township Supervisors
- (3) Insert either a Resolution, Ordinance # or Motion
- (4) Insert name of property owner
- (5) Signatures of the Cass Township Planning Commission or Cass Township Supervisors
- (6) Municipal Seal

APPENDIX I

GENERAL HYDROLOGIC AND HYDRAULIC DATA

APPENDIX I

STORMWATER DRAINAGE RUNOFF CALCULATION

I.1 RATIONAL FORMULA

One method which may be used in estimating peak runoff for areas that contain up to 100 acres shall be the Rational Formula $Q = CIA$, in which "Q" is the storm flow in cubic feet per second, "C" is a coefficient indicating the degree of imperviousness of the drainage area, "I" is the intensity of rainfall in inches per hour for the particular frequency of storm used, and "A" is the drainage area in acres. Other formulae may be utilized with approval of the Township or Commission Engineer. Computations for storm water detention may utilize Soil Conservation Service Design material.

I.2 VALUES OF RUNOFF COEFFICIENT "C"

Coefficient "C" used for the calculation of runoff shall be based on the anticipated ultimate use of the land. Accepted "C" values to be used are as listed in Table I-1.

I.3 VALUES OF STORM INTENSITY "I"

The values of "I", in inches per hour, shall be in accordance with the Soil Conservation Service design charts for the area.

I.4 RUNOFF CURVE NUMBERS "CN"

Runoff curve numbers shall be in accordance with the latest edition of Technical Release #55 of the *Urban Hydrology for Small Watersheds Handbook*.

I.5 VELOCITY OF FLOW IN OPEN CHANNELS

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

$$v = \text{velocity in feet per second}$$
$$n = \text{Manning's Roughness Coefficient}$$
$$a = \text{cross-sectional area of structure}$$
$$p = \text{perimeter of the wetted channel}$$
$$s = \text{slope in feet per foot}$$
$$q = \text{discharge (in cubic feet per second)}$$
$$v = \frac{1.49 (a/p)^{2/3} s^{1/2}}{n}$$

$$q = va$$

B. The coefficient of roughness, "n", shall be as given in Table I-2.

I.6 PERMISSIBLE STREAM VELOCITIES IN OPEN CHANNELS

As given per Table I-3.

I.7 CALCULATIONS - The Grading and Stormwater Drainage Plan shall include calculations indicating velocities of flow, grades, sizes, and capacities of water carrying structures, debris or sediment basins, and retention and detention structures and sufficient design information to construct such facilities.

TABLE I-1A

RUNOFF COEFFICIENTS FOR THE RATIONAL FORMULA												
LAND USE	A			B			C			D		
	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+
CULTIVATED LAND	0.08a	0.13	0.16	0.11	0.15	0.21	0.14	0.19	0.26	0.18	0.23	0.31
	0.14b	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
PASTURE	0.12	0.20	0.30	0.18	0.28	0.37	0.24	0.34	0.44	0.30	0.40	0.50
	0.15	0.25	0.37	0.23	0.34	0.45	0.30	0.42	0.52	0.37	0.50	0.62
MEADOW	0.10	0.16	0.25	0.14	0.22	0.30	0.20	0.28	0.36	0.24	0.30	0.40
	0.14	0.22	0.30	0.20	0.28	0.37	0.26	0.35	0.44	0.30	0.40	0.50
FOREST	0.05	0.08	0.11	0.08	0.11	0.14	0.10	0.13	0.16	0.12	0.16	0.20
	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
RESIDENTIAL LOT SIZE 1/8 ACRE	0.25	0.28	0.31	0.27	0.30	0.35	0.30	0.33	0.38	0.33	0.36	0.42
	0.33	0.37	0.40	0.35	0.39	0.44	0.38	0.42	0.49	0.41	0.45	0.54
LOT SIZE 1/4 ACRE	0.22	0.26	0.29	0.24	0.29	0.33	0.27	0.31	0.36	0.30	0.34	0.40
	0.30	0.34	0.37	0.33	0.37	0.42	0.36	0.40	0.47	0.38	0.42	0.52
LOT SIZE 1/3 ACRE	0.19	0.23	0.26	0.22	0.26	0.30	0.25	0.29	0.34	0.28	0.32	0.39
	0.28	0.32	0.35	0.30	0.35	0.39	0.33	0.38	0.45	0.36	0.40	0.50
LOT SIZE 1/2 ACRE	0.16	0.20	0.24	0.19	0.23	0.28	0.22	0.27	0.32	0.26	0.30	0.37
	0.25	0.29	0.32	0.28	0.32	0.36	0.31	0.35	0.42	0.34	0.38	0.48
LOT SIZE 1 ACRE	0.14	0.19	0.22	0.17	0.21	0.26	0.20	0.25	0.31	0.24	0.29	0.35
	0.22	0.26	0.29	0.24	0.28	0.34	0.28	0.32	0.40	0.31	0.35	0.46
INDUSTRIAL	0.67	0.68	0.68	0.68	0.68	0.69	0.68	0.69	0.69	0.69	0.69	0.70
	0.85	0.85	0.86	0.85	0.86	0.86	0.86	0.86	0.87	0.86	0.86	0.88
COMMERCIAL	0.71	0.71	0.72	0.71	0.72	0.72	0.72	0.72	0.72	0.72	0.72	0.72
	0.88	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.90	0.89	0.89	0.90
STREETS	0.70	0.71	0.72	0.71	0.72	0.74	0.72	0.73	0.76	0.73	0.75	0.78
	0.76	0.77	0.79	0.80	0.82	0.84	0.84	0.85	0.89	0.89	0.91	0.95
OPEN SPACE	0.05	0.10	0.14	0.08	0.13	0.19	0.12	0.17	0.24	0.16	0.21	0.28
	0.11	0.16	0.20	0.14	0.19	0.26	0.18	0.23	0.32	0.22	0.27	0.39
PARKING	0.85	0.86	0.87	0.85	0.86	0.87	0.85	0.86	0.87	0.85	0.86	0.87
	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97

- a. Runoff coefficients for storm recurrence intervals less than 25 years.
- b. Runoff coefficients for storm recurrence intervals of 25 years or more.

TABLE I-1B

RUNOFF CURVE NUMBERS FOR THE SCS METHOD				
LAND USE	A	B	C	D
CULTIVATED LAND	72	81	88	91
PASTURE	68	79	86	89
MEADOW	30	58	71	78
FOREST	45	66	77	83
RESIDENTIAL - LOT SIZE 1/8 ACRE	77	85	90	92
RESIDENTIAL - LOT SIZE 1/4 ACRE	61	75	83	87
RESIDENTIAL - LOT SIZE 1/3 ACRE	57	72	81	86
RESIDENTIAL - LOT SIZE 1/2 ACRE	54	70	80	85
RESIDENTIAL - LOT SIZE 1 ACRE	51	65	77	82
INDUSTRIAL	81	88	91	93
COMMERCIAL	89	92	94	95
STREETS	98	98	98	98
OPEN SPACE	68	79	86	89
PARKING	98	98	98	98

**ROUGHNESS COEFFICIENT "n"
FOR MANNING'S EQUATION**

TABLE I-2

DESCRIPTION	"n"
Smooth-wall Plastic Pipe	0.011
Concrete Pipe	0.012
Smooth-lined Corrugated Metal Pipe	0.012
Corrugated Plastic Pipe	0.024
Annular Corrugated Steel and Aluminum Alloy Pipe (Plain or Polymer Coated)	
2 2/3" x 1/2" Corrugations	0.024
3" x 1" Corrugations	0.027
5" x 1" Corrugations	0.025
6" x 2" Corrugations	0.033
Helically Corrugated Steel and Aluminum Alloy Pipe (Plain or Polymer Coated)	0.024
3" x 1", 5" x 1" Or 6"x 2" Corrugations	
Helically Corrugated Steel and Aluminum Alloy Pipe (Plain or Polymer Coated)	
2 2/3" x 1/2" Corrugations	
a. Lower Coefficients□	
18" Diameter	0.014
24" Diameter	0.016
36" Diameter	0.019
48" Diameter	0.020
60" Diameter or Larger	0.021
b. Higher Coefficients*	0.024
Annular or Helically Corrugated Steel or Aluminum Alloy Pipe Arches or Other Non-Circular Metal Conduit (Plain or Polymer Coated)	0.024
Vitrified Clay Pipe	0.012
Ductile Iron Pipe	0.013
Asphalt Pavement	0.015
Concrete Pavement	0.014
Grass Medians	0.050
Earth	0.020
Gravel	0.030
Rock	0.035
Cultivated Areas	0.030-0.050
Dense Brush	0.070-0.140
Heavy Timber (Little Undergrowth)	0.100-0.150
Streams:	
a. Some Grass and Weeds (Little or No Brush)	0.030-0.035
b. Dense Growth of Weeds	0.035-0.050
c. Some Weeds (Heavy Brush on Banks)	0.050-0.070

□ Use the lower coefficient if any one of the following conditions apply:

- a. A storm pipe longer than 20 diameters, which directly or indirectly connects to an inlet or manhole, located in swales adjacent to shoulders in cut areas, shoulders in cut areas or depressed medians.
- b. A storm pipe which is specially designed to perform under pressure.

* Use the higher coefficient if any one of the following conditions apply:

- a. A storm pipe which directly or indirectly connects to an inlet or manhole located in highway pavement sections or adjacent to curb or concrete median barrier.
- b. A storm pipe which is shorter than 20 diameters long.
- c. A storm pipe which is partly lined helically corrugated metal pipe.

In considering each factor more critical, judgment is necessary if it is kept in mind that any condition that causes turbulence and retards flow results in greater value of "n".

Outlet velocity for bituminous paved invert shall be determined based on a 25% reduction in Manning's roughness coefficient "n".

PERMISSIBLE VELOCITIES FOR CHANNELS

TABLE I-3

Channel Lining	Permissible Channel Velocity ¹ (feet per second)
Vegetation	
Alfalfa	2.5 to 3.5
Bermudagrass	4 to 8
Crabgrass	2.5 to 3.5
Crownvetch	3 to 5
Kentucky Bluegrass	4 to 7
Kentucky 31 Trail Fescue	2.5 to 7
Red Clover or Red Fescue	2.5 to 3.5
Reed Canary	3 to 5
Ryegrass	2.5 to 3.5
Small Grains	2.5 to 3
Smooth Brome	3 to 7
Sudan Grass or Timothy	2.5 to 3.5
Bare Earth, Easily Eroded	
Fine Sand	1.5
Sand Loam	1.75
Silt Loam or Alluvial Silts, Loose	2
Firm Loam	2.25
Bare Earth, Erosion Resistant	
Fine Gravel	2.5
Stiff Clay or Alluvial Silts, Firm	3
Loam to Cobbles (graded)	3.75
Silt to Cobbles (graded or Coarse Gravel)	4
Cobbles and Stones or Shales and Hardpans	5
Durable Bedrock	8
Other	
Plastic	4
6" Rip Rap	6
Asphalt	7
9" Rip Rap	8
12" Rip Rap or Wood	9
Concrete or Steel	12

These values, if applied to uniform, straight channels, may be considered in accordance with Chapter 102.12 of the Erosion Control Rules and Regulations. However, slope, soil condition, climate and management must be considered in channel design. If different channel linings exist in a channel, and size and slope do not change, design the channel for the lining with the lower velocity listed. Where velocity ranges are listed, the lower velocity is for design with easily eroded soils and slopes greater than 10%. The higher velocity is for design with erosion resistant souls and slopes less than 5%. Filtration and/or sedimentation in the channel is encouraged. However, this must be considered for velocity determination in the design of the channel cross-section.

Source: Pennsylvania Department of Environmental Protection, 1985, "Soil Erosion and Sedimentation Control Manual", Appendix 67.

**RATIONAL METHOD
STORM FREQUENCY AMOUNTS**

TABLE I-4

STORM FREQUENCY	INCHES OF RAINFALL
2 years	3.0 inches
5 years	3.9 inches
10 years	4.7 inches
25 years	5.3 inches
50 years	5.9 inches
100 years	6.5 inches

Stormwater runoff shall be based on the following 24-hour storm events:

APPENDIX J

**RECOMMENDED SUBDIVISION
AND LAND DEVELOPMENT AGREEMENT**

CASS TOWNSHIP, SCHUYLKILL COUNTY

RECOMMENDED SUBDIVISION AND LAND DEVELOPMENT AGREEMENT

In consideration of the mutual covenants contained herein, it is hereby agreed between the Cass Township, and _____, the subdivider of the property and shown on the plan of _____, dated _____, 20__, that in accordance with municipal requirements and specifications, the responsibility for the provision of the improvements shown on the plan will be as follows:

QUANTITY	UNIT	DESCRIPTION	UNIT COST	TOTAL
	LS	Mobilization		
	AC	Clearing and Grubbing		
	CY	Street/Right-of-Way grading		
	SY	Street base		
	SY	Street paving		
	LF	Curbs		
	LF	Sidewalks		
	EA	Street monuments		
	EA	Street Signs		
	EA	Street lights		
	LS	Landscaping/Trees		
	LS	Recreational facilities		
	LS	Parking lots or other facilities		
	LF	Underground electric service		
	EA	Township Inspections		
Storm Sewer Facilities				
	CY	Detention Pond Grading		
	EA	Outlet Structure		
	EA	Inlet		
	EA	Manhole		
	LF	15" Pipe		
	LF	18" Pipe		
	LF	24" Pipe		
	LF	36" Pipe		
	LF	42" Pipe		
	LF	48" Pipe		
	EA	Endwalls		
		? Area		

SUBDIVISION AND LAND DEVELOPMENT AGREEMENT (Cont'd)

Erosion and Sedimentation Control Facilities				
	LF	Silt Fencing		
	EA	Rock Filters		
	EA	Sediment Basin		
	EA	Sediment Trap		
	SY	Matting		
	SY	Rip Rap		
	EA	Inlet Protection		
Sanitary Sewers				
	EA	Manholes		
	LF	Gravity Mains		
	LF	Force Mains		
	EA	Pump Stations		
	EA	House Connections		
	EA	Grinder Pumps		
	EA	On-site sewage facilities		
Water Distribution				
	LF	Mains		
	EA	Meters		
	EA	Service Connections		
	EA	Fire hydrants		
	EA	Bends		
	EA	Tees		
	EA	Gate Valves		
	EA	Blow-offs		
	EA	On-site water supply (wells)		
TOTAL				
FINANCIAL SECURITY (110% OF TOTAL)				

I, hereby certify that the estimate shown and described hereon is true and correct as to accuracy and was prepared by me or under my direction and for which I accept full responsibility

(seal) Signed this _____ day of _____, 20__

Registered Design Professional
number

Pennsylvania registration license
number

SUBDIVISION AND LAND DEVELOPMENT AGREEMENT (Cont'd)

Both the Developer and the Township shall be bound by the provisions of all applicable local and State ordinances and regulations, the provisions of which are incorporated herein by reference thereto and made a part hereof.

The "Final Plan", as approved by the Township, is identified as follows: Wherever the words "Final Plan" appear hereafter in this Agreement, those words shall mean only those Plans as finally approved by the Board of Supervisors of the Township which form the basis for the issuance of building and other necessary permits, and shall be limited to the portion of the Final Plan relating to Cass Township.

The foregoing approved Plan, together with all conditions attached thereto and appearing thereon or annexed thereto, as well as all application forms and modules, shall comprise the "Final Plan" as approved.

The Developer agrees that all work in construction of the development and installation of all required improvements pursuant to the "Final Plan" approved and on file with the Township, as well as all permits issued by the Township or other regulatory authority pursuant thereto or in furtherance thereof, shall be in strict compliance with the various requirements of the Township, whether by ordinance, rule, or regulation heretofore adopted or promulgated, as well as in accordance with good and accepted engineering and construction practices. Any change or amendment to the "Final Plan", or any permit or other document issued in furtherance thereof, shall not be valid until the Township's approval thereof is endorsed in writing thereon, together with the date of such endorsement.

Developer agrees and hereby specifically represents that the completion of all construction and all improvements shall be performed in accordance with the "Final Plan" approval, subject to all conditions thereof, and the terms and conditions of this Agreement, and shall be in compliance with all pertinent statutes of the Commonwealth of Pennsylvania, all pertinent ordinances of the Township, including without limitation, soil sedimentation erosion control ordinances, as well as the Township Subdivision and Land Development Ordinance and the applicable Zoning Ordinance. Upon the requisite "Final Plan" approval, the execution of this Agreement and the deposit approved by the Township of the required financial security, but not before, Developer shall be entitled to apply for the issuance of building, grading, or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the "Final Plan". Construction and installation of all improvements shall be subject to inspection and approval by the Township Engineer.

In the event of the Developer's failure to timely construct the required improvements in a good and workmanlike manner consistent with accepted construction and engineering practices and in accordance with the "Final Plan" and the terms and conditions of this Agreement, the Township shall give written notice thereof to the Developer specifically describing those conditions or improvements which are not in compliance therewith, and shall provide the Developer a period of thirty (30) days to complete such improvements, except in case of emergency, in which event Developer shall correct such conditions immediately, but in no event later than forty-eight (48) hours after notice, either oral or written, or such further time as shall be agreed upon in writing by the Developer and the Township. Provided, failure of the Developer to cure at least fifteen

(15) days prior to the lapse of the financial security shall be a default entitling township to draw down said financial security without the necessity of prior thirty (30) days written notice to the Developer. Where the Developer has made written request to the Township to inspect improvements or stages of improvements which the Developer deems complete, the Township shall complete their inspections within the timeframes which municipalities are required to act pursuant to 53 Pa. C.S. 10510.

Developer agrees to notify the Township Engineer forty-eight (48) hours in advance of the commencement of any construction on the making of any improvements required by "Final Plan" approval and the terms of this Agreement in order to assure that adequate provision be made for appropriate by the Township, its agents, servants and employees.

Cost estimates may be reviewed on an annual basis on the anniversary date of this agreement at the written request of the developer to reduce the amount of financial security for those improvements installed and approved by the Township engineer. In addition, the Developer may request, in writing, that the Township release or authorize release, from time to time, such portions of the financial security necessary for the payment of the contractor or contractors performing the work or completing the installation and construction of the improvements.

For purposes of this Agreement, the total amount of financial security required by the Township to secure completion of the improvements required by the "Final Plan" is determined and established to be the sum of 110% of the cost estimates. No change or alteration in the amount hereof shall be authorized or valid unless and until approved by the Township in writing.

The Developer may select the form of financial security to be approved by the Township. In the event the Developer elects to establish financial security in the form of a cash escrow or restrictive account or Letter of Credit, the Developer and the selected Escrow Agent or Issuer, which must be a Federal or Commonwealth chartered lending institution authorized to conduct business within the Commonwealth of Pennsylvania, shall execute a Township approved Escrow Agreement.

If the improvements or any of them are not timely completed within any period required by this Agreement or the Final Plan approval or such other extension period as the Township may approve, the Developer shall be deemed in default of this Agreement, and the Township is authorized to cure the Developer's defective performance or non-performance and charge all construction and other costs thereof, including, but not limited to, labor and materials, directly to the Developer, payment for which shall be made by the Township's expending or drawing against the financial security, either before or after such cure posted by the Developer. By execution of this Agreement, the Developer authorizes, without limitation, any escrow agent, lending institution or bonding company holding or issuing the requisite financial security guaranteeing completion of improvements, as hereinabove described, to pay to the Township, without further order or approval of the Developer, any sum or sums demanded by the Township to cure Developer's defective performance or non-performance. Further, the Developer hereby remises, releases, and forever discharges the escrow agent, lending institution or bonding company from any and all liability with respect to any sum or sums so paid or released, and directs that the same shall be paid or released, at the Township's sole discretion and direction without further inquiry being made, and without any approval whatever by the Developer.

In the event of a default by the Developer, the Township may, in its discretion, but shall not be required to, exercise any one or more of the following additional remedies, which remedies shall be deemed cumulative and not exclusive:

- (1) Cause the removal of any contractor or subcontractor, material man or other person from the job and cause the work to be performed or materials furnished by other reputable persons or firms (without the necessity of submitting to public bid) paying the cost thereof to the extent same is available from the financial security.
- (2) Cause the removal of any contractor, material man, laborer or other person and enter into a contract or contracts for a substitution thereof in the name of and upon the sole credit of the Developer, without the necessity of submitting the same to public bid.
- (3) Any other remedy available at law or in equity.
 - a. In the event of the exercise of any of the foregoing remedies there shall be included within the amount due for cure of the default a reasonable attorney's fee, together with interest at the rate of two percent (2%) above the then current prima rate, plus costs.

Upon completion of all required improvements, and when the same shall have been approved by the Township Engineer, the Developer agrees to maintain the structural integrity of the improvements, as well as the functioning of said improvements, in accordance with their design and specifications.

Developer agrees that it will be responsible for the discarding of waste materials, including all construction waste materials and any other materials related to construction and development and agrees to prevent same from being deposited, and then either blown upon land adjacent to or in the vicinity of the development; and, further, that such responsibility shall extend to the acts of the Developer, its subcontractors and material suppliers. In the event the provisions of this paragraph are violated, the Township shall give written notice to correct such violation within five (5) business days of the date of such notice, and if the violation is not corrected within that time, Developer agrees that the Township shall cause the violation to be corrected or cured at the Developer's cost. Developer agrees to pay all costs incurred to remedy and cure such violation within thirty (30) days of Developer's receipt of billing therefore.

It is understood and agreed that the Township has reviewed the Final Plans and specifications for the purpose solely of protecting the interests of the Township and has not thereby expressly or impliedly warranted the technical suitability of the improvements, and Developer warrants that all Plans, designs, installations, and specifications are in accordance with sound engineering practices and will be installed in good and workmanlike manner and in accordance with the Plans and specifications and sound construction practices; and does further warrant that the improvements installed, and each of every part thereof, are fit for all purposes for which they are intended. The Township disclaims all liability for design, construction, installation, or operational defects, and Developer agrees to exonerate, indemnify, and hold the Township, and its Engineer, Municipal Authority Engineer and all Township employees and staff, harmless of and from any and all claims and demands with respect to this Agreement and the performance of any and every part hereof.

Prior to the Planning Commission and Governing Body's endorsement of the Record Plan of this aforementioned subdivision, an original copy of this agreement shall be filed with the Municipality, notwithstanding other completion guarantees (in the form of a bond or the deposit of funds or securities in escrow) as may be required.

This agreement shall be subject to such modifications as may be mutually agreed upon by the subdivider and the Governing Body.

(witness)

(signature of subdivider)

(witness)

approved by resolution of the Cass Township Supervisors at the meeting of _____
_____, 20__.

(seal)

Chairperson of Supervisor, Cass Township

Attest: Secretary, Cass Township
Township

Chairperson of Planning Commission, Cass

APPENDIX K

**FEE SCHEDULE FOR SUBDIVISION AND
LAND DEVELOPMENT REVIEWS**

CASS TOWNSHIP

FEE SCHEDULE FOR SUBDIVISION AND LAND DEVELOPMENT REVIEWS

The following fees will be charged by the Cass Township Planning Commission for subdivision and land development reviews as authorized by the Pennsylvania Municipalities Planning Code, Act 247, as amended. These fees are effective. Plans will not be accepted for review by the Planning Commission without the appropriate fee and the required number of plans.

Schedule I - Fees		Subdivision (All Land Uses) and Land Development (Residential Use Only)		
Number of Lots or Units Including Residue Units	Administrative Fees		Professional Fees	
	Official Sketch Sketch for Record	Preliminary or Final	Repeat Stage	Escrow
3 – 5	\$100	\$150	50% of	\$600
6 – 25	200	400	original	1,000
26 – 49	300	600	submission	1,500
50 – 99	400	800	unless	2,000
100 – 199	500	1,000	number of	2,500
200 and Over	Add \$100 for each 100 lots/units or part thereof over 199	Add \$100 for each 100 lots/units or part thereof over 199	lots or units changed	Add \$1,000 for each 100 lots/units or part thereof over 199
Lot Annexation/Boundary Line Adjustment	100	150	--	--

Schedule II - Fees		Commercial, Industrial, Public and Quasi Public (Land Development Only)		
Area to be Disturbed by Development	Administrative Fees		Professional Fees	
	Official Sketch Sketch for Record	Preliminary or Final	Repeat Stage	Escrow
Under 2 acres	\$200	\$400	50% of	\$800
2 to under 8 acres	300	600	original	1,600
8 to under 15 acres	400	800	submission	2,500
15 to under 30 acres	500	1,000	unless the site	5,000
30 to under 50 acres	600	1,200	area has	7,500
50 to under 100 acres	700	1,400	changed	10,000
100 acres & over	Add \$100 for each 50 acres or part thereof over 100 acres	Add \$200 for each 50 acres or part thereof over 100 acres		Add \$2,000 for each 50 acres or part thereof over 100 acres

The terms "lots" includes conveyances, tracts or parcels of land for the purpose, whether immediate or future, of lease, transfer of ownership or building or development, as well as residue parcels, annexations, or correction of lot lines.

For subdivisions and/or developments that transcend the boundary limits of the Township, only those lots which are located entirely or partially within the limits of Cass Township shall be considered when determining appropriate review fees. The entire disturbed area within a lot shall be considered when determining appropriate Schedule II Review Fees whether or not the disturbed area lies entirely within Township limits.

All required County Plan Review Fees shall be paid at the time of plan submission to the Township.

Improvements. Review of improvements agreements will be billed independently of the subdivision review fee on an hourly basis in accordance with the current schedule.

Improvements inspections. Any inspection requested by the Township of the improvements of any approved subdivision will be conducted on an hourly rate basis in accordance with the current Township Engineer Retainer.

Money in escrow is for reimbursement at Cass Township's discretion for any and all engineering or legal or other expenses incurred by the Township, exclusive of work performed by full-time Township staff members, in processing the Sketch, Preliminary and Final Plans. As soon as this escrow account decreases by fifty percent (50%), the Applicant shall make payment in an amount necessary to fully fund the account. Upon the recording of the Subdivision or Land Development Plan, as applicable, with the Recorder of Deeds and the payment of all Township engineering, legal and other expenses incurred by the Township, exclusive of work performed by full-time Township staff members, the Applicant may submit a written request to the Township Treasurer for a refund of the unused escrow account. Money held in escrow will not be returned until all invoices from the Township Engineer and Solicitor have been received by the Township and paid by the Applicant. The Solicitor's and Engineer's invoices are submitted to the Township every thirty (30) days.

If applicant requests a special meeting for the sake of expediting the subdivision review and the Township agrees to such a request. The applicant shall pay for all advertising costs for requested meeting.

SCHEDULE I FEES are based on the number of lots or units. All land uses are included: residential, commercial, industrial, public, quasi-public and other. Therefore, an industrial park subdivision prior to development of individual lots is subject to Schedule I. The same would be true of a commercial lot subdivision or selling of land for a church or school. Schedule I fees also cover residential land development such as an apartment complex, condominiums, rental townhouses and mobile home parks. Where there is a mix of lots and rental units the totals are added together to determine the fee.

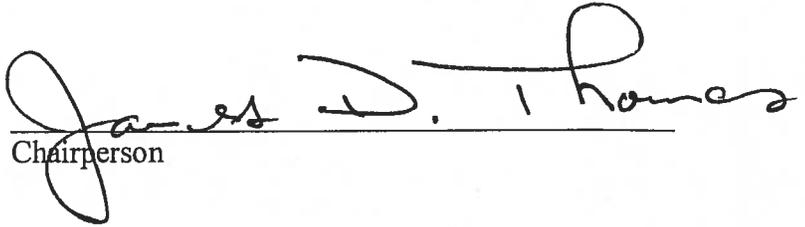
SCHEDULE II FEES are based on the amount of land to be disturbed for development including buildings, access drives, streets, stormwater management, grading, public sewer and water service, erosion and sediment control landscaping and any other activity that disturbs the ground on the site. The total disturbed area of a project is most accurately calculated by a planimeter following all outlines of disturbed areas. Where combinations of subdivision and non-residential development are proposed on a plan the fees must be determined separately and added together.

DULY ENACTED AND ORDAINED by the Board of Supervisors of Cass Township,
Schuylkill County, Pennsylvania, this 25th day of July, 2013, in lawful
session duly assembled.

ATTEST:

CASS TOWNSHIP BOARD OF
SUPERVISORS, CASS TOWNSHIP,
SCHUYLKILL COUNTY, PENNSYLVANIA


Secretary


Chairperson

(SEAL)



IN RE: AN ORDINANCE OF THE TOWNSHIP OF CASS, A SECOND CLASS TOWNSHIP, TO APPROVE, ADOPT AND ENACT AN ORDINANCE CODIFYING AN EXISTING SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) OF THE TOWNSHIP OF CASS, COUNTY OF SCHUYLKILL, COMMONWEALTH OF PENNSYLVANIA.

CERTIFICATION

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by the Board of Supervisors of Cass Township, Schuylkill County, Pennsylvania, on the 25th day of July, 2013.

TOWNSHIP SEAL



EVELYN J. BERGAN, Secretary

Cass Township
1209 Valley Road
Pottsville, PA 17901
Telephone No. (570) 544-5370