

**ORDINANCE NUMBER 1-2019**

**CENTRE TOWNSHIP  
PERRY COUNTY, PENNSYLVANIA**

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

Adopted at a Public Meeting Held on

May 7, 2019

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Jeremy Lockridge – Vice Chair  
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**TOWNSHIP OF CENTRE**  
**PERRY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1-2019**

AN ORDINANCE SETTING FORTH PROVISIONS AND STANDARDS REGULATING SUBDIVISION AND LAND DEVELOPMENT WITHIN THE TOWNSHIP OF CENTRE, PERRY COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED IN ARTICLE V OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, AS AMENDED AND REENACTED BY ACT 170 OF 1988, AND ESTABLISHING THE PROCEDURES TO BE FOLLOWED BY THE CENTRE TOWNSHIP PLANNING COMMISSION AND CENTRE TOWNSHIP BOARD OF SUPERVISORS IN THE APPLICATION AND ADMINISTRATION OF SAID PROVISIONS AND STANDARDS, AND PROVIDING PENALTIES AND REMEDIES FOR THE VIOLATION THEREOF.

**BE AND IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Centre, Perry County, Pennsylvania, as follows:

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# **ARTICLE I**

## **GENERAL PROVISIONS**

### **SECTION 101. SHORT TITLE**

This Ordinance shall be known and may be cited as the “Centre Township Subdivision and Land Development Ordinance of 2019.”

### **SECTION 102. PURPOSE**

It is the general intent of this Ordinance to regulate the subdivision and development of land in Centre Township to insure that:

1. The layout or arrangement of subdivisions or land developments and all other characteristics further the orderly, efficient and sustainable use of the land;
2. Streets, private drives and driveways in and bordering a subdivision or land development be coordinated with the existing streets and other features of the Township, and be of such widths and grades and in such locations as deemed necessary to accommodate emergency response and other vehicles and regulate flows of prospective traffic;
3. Subdivisions or land developments conform to public improvement plans;
4. Adequate land is provided for recreation, light, air, and effective drainage and that reservation for open space, if any, are of suitable size and location for their designated uses;
5. Natural resources such as water, soil, air, and biodiversity are adequately safeguarded;
6. Land that is subject to flooding, subsidence or other environmental hazard or limitation either be made safe for the purpose for which such land shall be used or shall be set aside for uses that shall not endanger life or property or further aggravate or increase the existing risk or menace;
7. Adequate provisions for safety from fire, panic and other dangers are provided for in subdivisions and land developments;
8. Innovation in site design and improvement construction is encouraged to the greatest possible extent consistent with the need to meet the spirit and intent of this Ordinance;

9. Subdivisions and land developments are handled in a uniform and equitable manner;
10. The greater health, safety and welfare of the citizens of the Township are protected.
11. Public nuisances are avoided and environmental degradation is minimized.

### **SECTION 103. ADOPTION-AUTHORITY**

The Board of Supervisors of Centre Township, Perry County, Pennsylvania, pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, reenacted and amended by Act 170 of 1988, and as subsequently amended, hereby enacts and ordains the following Ordinance governing subdivisions and land developments within the limits of Centre Township.

The Board of Supervisors shall administer and enforce this Ordinance and does hereby designate the Centre Township Planning Commission as an agency of the Board of Supervisors:

1. With which applicants may hold all pre-application consultations relating to their plans.
2. Which provides recommendations to the Board of Supervisors concerning subdivision plans, land development plans and waivers.

### **SECTION 104. JURISDICTION**

1. This Ordinance shall apply to all subdivision and land development plans submitted after the effective date of this Ordinance, and to all subdivision and land development plans submitted before the effective date of this Ordinance that no longer have protection from the effect of changes in governing ordinances granted by Section 508(4) of the Pennsylvania Municipalities Planning Code.
2. From the time an application for approval, whether preliminary or final, is duly filed, as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of the governing ordinance, or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application, as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
3. When an application for approval, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no

subsequent change or amendment in the governing ordinance or plan shall be applied to affect adversely 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 years from such approval.

Where Final Plan approval is preceded by Preliminary Plan approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

Where the landowner has substantially completed the required improvements, as depicted upon the Final Plan within the aforesaid five-year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of governing ordinance or plan enacted subsequent to the date of filing of the Preliminary Plan shall modify or revoke any aspect of the approved Final Plan pertaining to classification or density, lot, building, street or utility location.

In the case of a Preliminary Plan calling for the installation of improvements beyond the five-year period, a schedule shall be filed with the Preliminary Plan delineating all proposed sections, as well as deadlines within which applications for Final Plan approval of each section are intended to be filed. Such schedule shall be updated annually on or before the anniversary of the Preliminary Plan approval, until Final Plan approval of the last section has been granted. Any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors in its discretion.

Provided the landowner has not defaulted with regard to or violated any of the conditions of the Preliminary Plan approval, including compliance with the schedule for submission of Final Plans, then the aforesaid protections afforded by substantially completing the improvements depicted upon the Final Plan within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period. This extended protection shall apply for an additional term or terms of three years from the date of Final Plan approval for each section.

Failure to adhere to the aforesaid schedule of submission of Final Plans for the various sections shall subject any such section to changes in all governing ordinances enacted by the Township, subsequent to the date of the initial Preliminary Plan submission.

4. This Ordinance shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of previous ordinances of the Township of Centre, on an act done, contract executed, or liability incurred prior to the effective date of this Ordinance, nor shall any provisions of this Ordinance be construed to waive the obligations imposed upon an applicant to complete a previously approved

Preliminary or Final Plan including the installation of all improvements required hereunder, in strict compliance with the requirements of the effective Centre Township Ordinance.

5. No subdivision or land development of any lot, tract, or parcel of land in Centre Township shall be effected; no street, sanitary sewer, storm sewer, water main, 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 thereon unless and until authorized by this Ordinance.
6. No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a Final Subdivision or Land Development Plan has been approved by the Board of Supervisors and recorded, and until the improvements required in connection therewith have been either constructed or guaranteed in a manner prescribed herein.
7. All subdivision and land development plans are subject to all other prevailing Township ordinances, regulations and requirements.

## **ARTICLE II**

### **DEFINITIONS**

#### **SECTION 201. GENERAL**

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this section.

#### **SECTION 202. GENERAL TERMS**

In this Ordinance, when not inconsistent with the context:

Words in the present tense imply also the future tense.

The singular includes the plural.

The male gender includes the female gender.

The term “person” includes an individual, partnership, corporation, unincorporated association, estate, or any other legally recognized entity.

The terms “shall”, “will” or “must” are mandatory requirements.

The term “may” is permissive.

#### **SECTION 203. SPECIFIC TERMS**

The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this Ordinance.

Access Drive – An improved cartway designed and constructed to provide for vehicular movement between a public road and a tract of land containing any use other than one single-family dwelling unit or farm.

Agent – Any person other than the developer, who acting for the developer submits subdivision and/or land development plans to the Township for the purpose of obtaining approval thereof.

Aisles, Parking – A private drive intended principally to provide vehicular access within a vehicular parking compound. Although aisles provide interior vehicular circulation, their principal function is to provide entrance and exit for individual parking spaces. Aisles may not be used to intersect streets.

Alley – A strip of land over which there is a right-of-way intended to provide vehicular access to the side and/or rear of those properties whose frontage is on a street. An alley is not intended for general traffic circulation.

Applicant – A landowner or developer, as hereinafter defined, who has filed an application for subdivision or land development including his/her heirs, successors and assigns.

Best Management Practices (BMPs) –

1. Stormwater Management BMPs are control measures taken to mitigate changes to both quantity and quality of stormwater runoff caused through changes to land use. Generally BMPs focus on water quality problems caused by increased impervious surfaces from land development.
2. Erosion Control BMPs—Best management practices—Activities, facilities, measures, planning or procedures used to minimize accelerated erosion and sedimentation and manage stormwater to protect, maintain, reclaim, and restore the quality of waters and the existing and designated uses of waters before, during, and after earth disturbance activities.

Block – A tract of land or lot or group of lots that is entirely bounded by streets, public parks, cemeteries, railroads, watercourses, or any other barrier to the continuity of development.

Board of Supervisors – The Board of Supervisors of Centre Township, Perry County, Pennsylvania.

Building – Any structure or edifice designed or intended for use as an enclosure, or shelter, or for protection of persons, animals, or property.

Building, Accessory – A detached, subordinate building, not used for human habitation, the construction and use of which is customarily incidental and subordinate to that of the principal building, and located on the same lot as that occupied by the principal building. Farm buildings not intended for human habitation are considered to be accessory buildings.

Building, Principal – A building which is enclosed within exterior walls or fire walls, which is built, erected, and framed of component structural parts, which is designed for housing, shelter, enclosure, and support of individuals, or property of any kind, and which is a main structure on a given lot.

Building Area – The total area taken on a horizontal plane at the main grade level of the principal building and of all accessory buildings, exclusive of uncovered patios, decks, awnings, terraces, and steps.

Building Code Official – The duly constituted Municipal official designated to administer and enforce the Pennsylvania Uniform Construction Code in accordance with its literal terms.

Building Setback Line – An imaginary line established by setback requirements listed in this Ordinance for the purpose of determining where structures may be located. No structure shall be permitted within the area between the Building Setback Line and Property or Street right of way line.

Cartway – The surface of a street, access drive, driveway, or alley available for vehicular traffic, including travel lanes and parking lanes.

Certified Park and Recreation Professional (CPRP) – Acknowledged by the National Recreation Park Agency through the Pennsylvania Recreation and Park Society, the CPRP certification is a national standard for all parks and recreation professionals demonstrating education and experience qualifications, and commitment to the profession as well as knowledge and understanding of key concepts within parks and recreation.

Channel – A natural or artificial watercourse with a definite bed and banks that confines and conducts the continuous or periodic flow of water.

Clear Sight Triangle – An area of unobstructed vision at a street intersection defined by lines of sight between points at prescribed distances along the intersecting centerlines.

Comprehensive Plan – The most recent adopted version of the official Comprehensive Plan, Centre Township, Perry County, PA including any amendments.

Culvert – A structure with appurtenant works that carries a watercourse under or through an embankment.

Curb – The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

Curb Line – The outside edge of the cartway.

Cut – An excavation; the difference between a point on the original ground and designated point of lower elevation of the final grad; also the material removed in excavation.

Dedication – The deliberate assignment of land by its owner to another party.

Deed – A written instrument whereby an estate in real property is conveyed.

Density – The number of dwelling units permitted in relation to the land area actually in use or proposed to be used for residential purposes, exclusive or public, private or street rights of way.

Design Storm – The magnitude temporal distribution of precipitation from a storm event measured in probability of occurrence (e.g., 25-year storm) and duration (e.g., 24-hour storm) and used in computing storm water management control systems for type II storm distribution.



Detention Basin – A reservoir/containment which temporarily contains storm water runoff and releases it gradually into a watercourse or storm water drainage system.

Developer – Any landowner, agent of such landowner, equitable owner, or tenant with the permission of the landowner, for whom subdivision or land development plans are being or have been made, or undertaking a land disturbance activity.

Direct Light – Light emitted directly from a lamp, off the reflector or reflector diffuser, or through the reflector or diffuser lens of a luminaire.

Driveway – An improved cartway designed and constructed to provide vehicular movement between a public or private street and a tract of land serving one single-family dwelling unit or a farm.

Driveway, Joint Use – An improved cartway designed and constructed to provide vehicular movement between a public or private street and more than one single-family dwelling unit or lot or a farm.

Dwelling – Any building or portion thereof designed and used exclusively for residential occupancy, including those listed below, but not including hospitals, hotels, boarding, rooming and lodging houses, institutional houses, tourists courts, and the like, offering overnight accommodations for guests or patients.

Single Family Detached (SFD) – A freestanding building containing one dwelling unit for one family, and having two (2) side yards, one (1) front yard, and one (1) rear yard; in the case of a corner lot, the building will have two (2) front yards and one (1) side yard and one (1) rear yard. Manufactured houses can be considered single-family detached dwellings, if, in addition to the requirements listed for all dwellings, they are permanently affixed to a completely enclosed foundation constructed of currently accepted materials that shall be an entire perimeter wall and extend from below the frost line to the first floor of the building. Such foundation shall be constructed to provide sufficient structural integrity to prevent the building from heaving, shifting, or settling unevenly, due to frost action. Travel trailers, as defined herein, shall not be construed as dwellings. Modular homes can be considered single-family detached dwellings provided that they comply with the general requirements of a dwelling. (Figure 1)

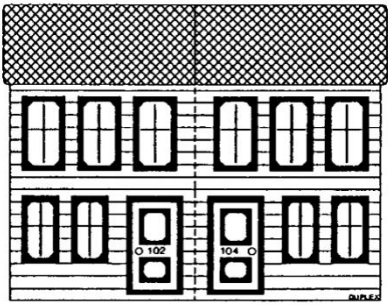


**Figure 1**

Semi-Detached – A freestanding building containing two dwelling units for two families, arranged in an over-and-under (Figure 2) or side-by-side (Figure 3) configuration. Those units placed on common grounds shall have one front and one rear yard and two side yards. Those units constructed on individual lots shall have one front, side and rear yard.



**Figure 2**



**Figure 3**

Multiple Family – A building containing three or more dwelling units, at least one of which must be located above or below the remaining units. (Figure 4)



**Figure 4**

Townhouse – A building containing between three and eight dwelling units arranged in a side-by-side configuration with two or more common party walls (Figure 5).



**Figure 5**

Manufactured Houses (Homes) – For the purposes of this Ordinance, all manufactured homes, except those contained within manufactured housing parks, shall be governed by all regulations applicable to single-family detached dwellings of this Ordinance. Manufactured homes located within Manufactured Housing Parks shall be governed by the Article 7 of this Ordinance.

Quadraplex – One detached building that contains four separate dwelling units, all of which share one or two points of exterior access.

Dwelling Unit – A building or portion thereof arranged or designed for occupancy by not more than one family and having separate cooking and sanitary facilities. A physical separation between units is not required to constitute a dwelling unit.

Easement – A right-of-way granted for limited use of private land for a public or 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.

Energy Dissipater – A device used to receive and break down the energy from high velocity flows of storm water, particularly at points of concentrated discharge such as pipe outlets.

Engineer – A Professional Engineer registered as such in the Commonwealth of Pennsylvania.

Erosion – The natural process by which the surface of the land is worn away by water, wind or chemical action.

Excavation – Any activity by which earth, sand, gravel, rock, or any other similar material is dug into, cut quarried, uncovered, removed, displaced, relocated or bulldozed. It shall include the conditions resulting there from.

Family – A person living independently or group of persons living as a single household unit using housekeeping facilities in common, but not to include more than three persons unrelated by blood, marriage or adoption.

Fill – Sand gravel, earth or other material placed or deposited so as to form an embankment or raise the natural elevation of the land surface.

Floodplain or flood hazard area – The 100-year floodway and that maximum area of land that is likely to be flooded by a 100-year flood as shown on the floodplain maps approved or promulgated by FEMA.

Floodplain Area – A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

Floodproofing – Means any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood drainage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway – The channel of the watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year flood. The boundary of the 100-year floodway is as indicated on the maps and flood insurance studies provided by FEMA. In an area where no FEMA maps nor studies have defined the boundary of the floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet landward from the top of the bank of the stream.

Flood Elevation – The projected heights reached by floods of various magnitudes and frequencies in the floodplain areas.

Frontage – The continuous horizontal distance shared between a street and an adjoining lot.

Geologist – A Professional Geologist registered as such in the Commonwealth of Pennsylvania.

General Floodplain Area – Shall be that floodplain area for which no detailed flood profiles or elevations have been provided, but includes streams and soils which allow for the rapid accumulation of water.

Glare – The sensation produced by luminance within the visual field that are sufficiently greater than the luminance to which eyes are adapted to cause annoyance, discomfort, or loss of visual performance and visibility as defined by Illuminating Engineering Society (IES) Lighting Handbook, latest edition.

Grade – The slope expressed in a percent which indicates the rate of change of elevation in feet per hundred feet (100').

Impervious Surface (Impervious Area) – A surface that prevents or inhibits the infiltration of water into the ground. Impervious surfaces (or areas) shall include, but not be limited to, roofs used to cover indoor living spaces, patios, garages, storage sheds and similar structures, gravel or stone driveway/parking surfaces and any new streets, sidewalks or other paved surfaces.

Improvements – Those physical additions and changes to the land that may be necessary to produce useable and desirable lots.

Infiltration Structures – A structure designed to direct runoff into the ground (e.g., seepage pits, seepage trenches).

Lamp – The component of the luminaire that produces the actual light.

Land Development –

1. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
  - a. A group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
  - b. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
2. A Subdivision of Land.
3. Improvements in accordance with the following shall not be considered a land development for purposes of this Ordinance:
  - a. The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be condominium;
  - b. The addition of an accessory building(s), including farm buildings, on a lot subordinate to an existing principal building; or
  - c. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purpose of the sub-clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the Township.

Land Surveyor – A professional land surveyor registered in the Commonwealth of Pennsylvania.

Landowner – The legal, beneficial, equitable owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner, or another person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this Ordinance.

Land Disturbance or Earth Disturbance – A construction or other human activity which disturbs the surface of the land, including land clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, operation of animal heavy use areas, timber harvesting activities, road maintenance activities, oil and gas activities, well drilling, mineral extraction, and the moving, depositing, stockpiling, or storing of soil, rock or earth materials.

Landscape Architect – A professional landscape architect registered as such in the Commonwealth of Pennsylvania.

Lateral – A utility line between a utility main that is located within a right of way or utility easement, and the limit of the right of way or easement.

Light Trespass – The shining of light produced by a luminaire beyond the boundaries on which it is located.

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

Lot Addition – A parcel of land that is intended for conveyance to an adjacent property owner as an addition to the existing lot. For the purpose of this Ordinance, a lot addition is a subdivision of land.

Lot Area – The area contained within the property lines of individual parcels of land, excluding any area within the street right-of-way, and utility right-of-way, but including areas of easements.

Lot, Corner – A lot which has an interior angle of less than one hundred thirty-five degrees (135°) at the intersection of two (2) street lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than one hundred thirty-five degrees (135°). (See Figure 6)

Lot, Flag – A lot whose frontage does not satisfy the minimum width requirements but that does have sufficient lot width away from the lot's frontage. The use of flag lots is discouraged. (See Figure 6)

Lot, Interior – A lot other than a corner lot, the sides of which do not abut a street. (See Figure 6)

Lot, Through (Double Frontage & Reverse Frontage Lots) – A lot which fronts on two (2) streets that do not intersect at the boundary of the lot. (See Figure 6)

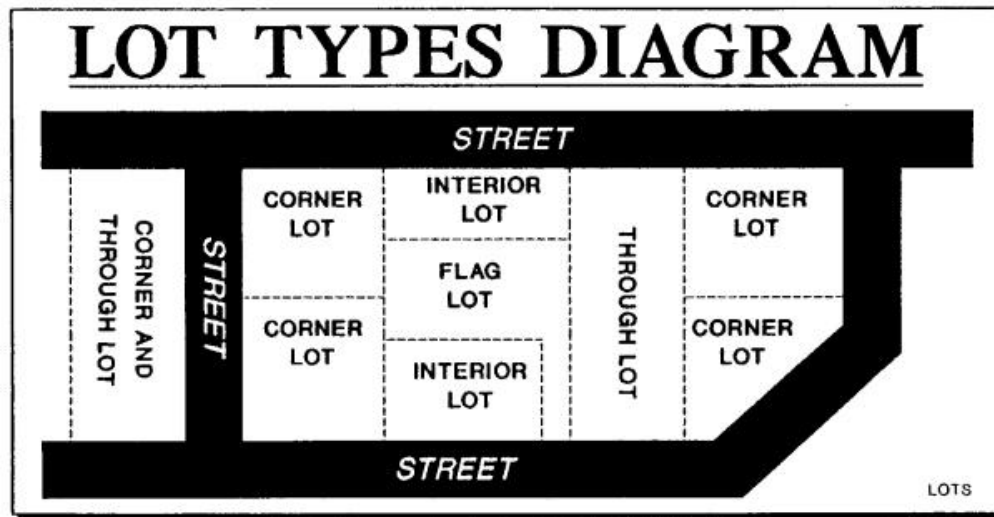


Figure 6

Manufactured House – Any structure intended for or capable of permanent human habitation, with or without wheels, and capable of being transported or towed from one place to the next, in one or more pieces, by whatsoever name or title it is colloquially or commercially known, but excluding transport trucks or vans equipped with sleeping space for a driver or drivers, and travel trailers. Manufactured houses placed in parks shall meet the requirements for Manufactured Housing Parks listed in Article 7 of the Centre Township Subdivision and Land Development Ordinance, as may be amended. Manufactured houses placed on individual lots shall be considered “dwellings”, and be bound by the requirements there-imposed.

Manufactured Housing Lot – A parcel of land in a manufactured housing park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single manufactured house.

Manufactured Housing Park – A parcel of contiguous parcels of land which have been so designated and improved to contain two or more manufactured housing lots for the placement thereon of manufactured houses.

Modification – A change, an alteration or amendment which introduces new elements into the details, or cancels some of them, but leaves the general purpose and effect of the subject matter intact.

Open Space - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Parent Tract – The Lot that was present when the PA Department of Environmental Protection’s (DEP’s) sewerage facility management regulations were implemented on May 15, 1972.

Parking Space – An off-street space available for the parking of a vehicle. The parking space shall meet the minimum requirements of this Ordinance.

PCSM – Post construction stormwater management.

PCSM Plan – A site-specific plan consisting of both drawings and a narrative that identifies BMPs to manage changes in stormwater runoff volume, rate and water quality after earth disturbance activities have ended and the project site is permanently stabilized.

Peak Discharge – The maximum rate of stormwater runoff at a given point and time resulting from a specified storm event.

Pedestrian Easement – A right-of-way, municipally or privately owned which cuts across a property to furnish access for pedestrians to adjacent streets or properties.

Pennsylvania Stormwater Best Management Practices Manual (BMP Manual) – Pennsylvania Department of Environmental final technical guidance document intended as a tool to achieve the regulatory standard to protect, maintain and improve the Commonwealth's water resources through comprehensive site planning and best management practices design guidance, while allowing for continued growth and development in Pennsylvania, as amended or successor document.

Plan – The map representing a tract of land including all supplementary data specified in Article IV of this Ordinance. The following are the types of plans specified by this Ordinance:

As-Built – A revised Final Plan, showing dimensions and locations of all streets and other public improvements as actually constructed.

Sketch Plan – An informal Plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed Plan, submitted prior to submission of a preliminary or final plan to afford the applicant an opportunity to receive informal recommendations from the Township.

Final Plan – A subdivision and/or land development Plan prepared for official recording as required by statute to define property rights, proposed streets and other public improvements.

Preliminary Plan – A complete and exact subdivision and/or land development Plan, the purpose of which is to authorize the preparation of Final Plans.

Planning Commission – The Centre Township Planning Commission, Perry County, Pennsylvania.



Public Grounds – Public parks, playgrounds, open space, trails, and other public areas; and sites for schools, recreation, sewage treatment, stormwater management, refuse disposal and other public owned or operated facilities.

Qualified Professional – Any person licensed by the Pennsylvania Department of State or otherwise qualified by law to perform the work required by the Ordinance.

Regulated Activities – Shall include, but not be limited to, any Earth Disturbance Activities or any activities that involve the alteration or development of land in a manner that may affect stormwater runoff as specified in this Ordinance.

Regulated Earth Disturbance Activity – Activity involving Earth Disturbance subject to regulation under 25 PA Code Chapter 92, Chapter 102 or the Clean Streams Law.

Retention Basin – A reservoir designed to retain storm water runoff with its primarily release of water being through the infiltration of said water into the ground.

Return Period (storm event) - The average period of time between the occurrence of storms of equal or greater magnitude. The probability that such a storm will occur in any given year is equal to the reciprocal of the return period (e.g. there is a 50% chance that a 2-year storm event will occur in any given year, but only a ten percent (10%) chance that a 10-year storm event will occur).

Right-of-Way – Land reserved or dedicated for use as a street, alley, pedestrian way, utilities or other public or private use.

Runoff – Any part of precipitation that flows over the land.

Safe Stopping Sight Device (SSSD) – The distance required by a driver travelling at a given speed to stop the vehicle after any object on the road becomes visible to the driver.

Sediment – Soils or other materials transported by surface water as a product of erosion.

Sedimentation Basin – A facility designed to retain sediment.

Sewage – A substance that contains the waste products or excrement or other discharge from the bodies of human beings or animals and noxious or deleterious substances being harmful or inimical to the public health, or to animal or aquatic life, or to the use of water for domestic water supply or for recreation. The term includes any substance which constitutes pollution under The Clean Streams Law.

Sewage Facilities – A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste. Includes facilities as defined in 25 Pa. Code 71, Administration of Sewage Facilities Planning.

Sewage System – Community, On-Lot, Conventional, etc., systems for treatment of sewage as defined in Pennsylvania Sewage Facilities Act.

Slope – The degree of deviation of a surface from the horizontal. Slope is expressed in a percentage which indicates the rate of elevation change in feet per one hundred (100') feet.

Steep Slope – An area of fifteen percent (15%) or greater slope as measured in this ordinance.

Storm Sewer - A system of pipes, conduits, swales or other similar structures including appurtenant works which carries intercepted runoff, and other drainage, but excludes domestic sewage and industrial waste.

Storm Water Management – A program of controls and measures designed to regulate the quality and quantity of storm water runoff from a development while promoting the protection and conservation of groundwater and groundwater recharge.

Storm Water Management Facilities – Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration facilities.

Storm Water Runoff – Drainage runoff from the surface of the land resulting from precipitation in any form, including snow and ice melt.

Street – A strip of land over which there is a public or private right-of-way intended to serve principally as a means of vehicular access to and frontage for abutting properties, as well as general traffic circulation. Streets are further classified as follows:

Alley - An alley is not considered a street for the purpose of this Ordinance.

Arterial – A street which provides for inter-community travel connecting population centers and carrying large volumes of traffic at speeds higher than desirable on other types of streets. The secondary function of an arterial street is to provide access to frontage lots; therefore, the intensity of driveway access is limited.

Collector – A street which conducts and distributes traffic between arterial and local streets. The Collector street's primary function is to promote free traffic flow. The secondary function of a collector street is to provide access to frontage lots; therefore, the intensity direct driveway access is limited. Collectors shall be designed so that no section or any point of traffic concentration exceeds 1,000 average daily traffic movements.

Cul-de-Sac – A street with a single common ingress and egress, terminating at the other in a vehicular turnaround.

Local – A street which provides frontage for access to lots, and carried traffic having destination or origin on the street itself.

Private – A street not offered for dedication or whose dedication was not accepted by the Township.

Street Grade – The elevation of a street along the centerline of the cartway.

Street Line (Right-of-Way Line) – A line defining the edge of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the legal right-of-way line.

Subdivision – The division or re-division of a lot, tract, or parcel of land by any means into one, two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building, or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new streets or easements of access or residential dwelling shall be exempted.

Swale – A wide shallow ditch which gathers or carries surface water.

Township – Centre Township, Perry County, Pennsylvania.

Township Engineer – A duly registered professional engineer, licensed as such by the Commonwealth of Pennsylvania, employed by the Township or engaged as a consultant thereto.

Unit of Occupancy – A unit the use of which is not subordinate or customarily incidental to a principal use. A unit of occupancy can be an independent unit within a building or a separate, detached building.

Use – The specific purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

Use, Principal – The main or primary use of property or structure.

Use, Accessory – A use customarily incidental and subordinate to the principal use of the land or principal building and located on the same lot with this principal use or principal building.

Waiver – A process for alleviating specific requirements imposed by this Ordinance pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, reenacted and amended by Act 170 of 1988, and as subsequently amended. Waivers and Modifications are provided under Sections 305 and 803.

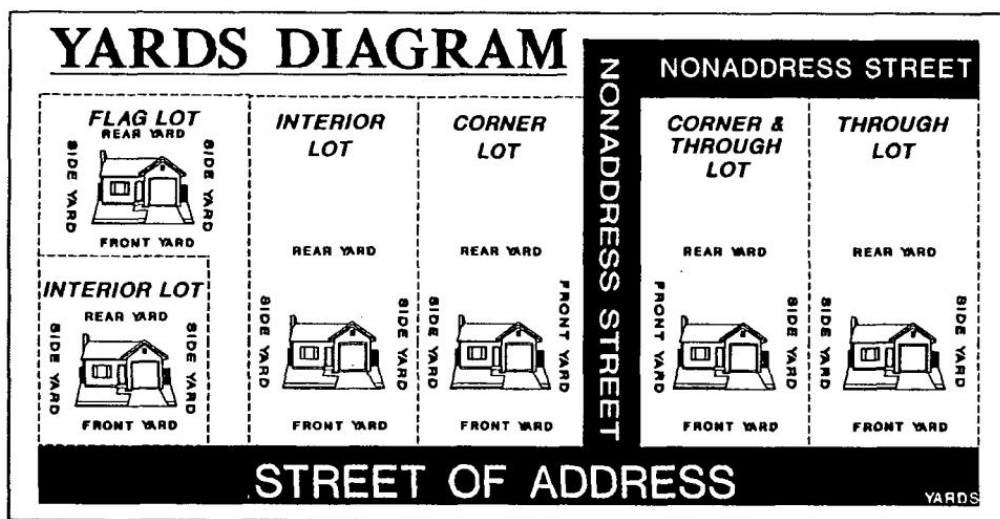
Watercourse – A permanent or intermittent stream, river, brook, creek, channel, or swale, pond, lake, or other body of surface water carrying or holding surface water, having defined bed and banks, whether natural or artificial

Watershed – An area drained by a given watercourse.

Water Supply – A system or facility for providing potable water which is owned and/or operated by a public authority, municipality or private entity and defined under Pennsylvania Department of Environmental Protection.

Wetlands – Areas that are inundated or saturated by surface water 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, including swamps, marshes, bogs and similar areas. Includes any area defined by the most restrictive of either the U.S. Environmental Protection Agency; U.S. Army Corps of Engineers; Pennsylvania Department of Environmental Protection; or the U.S. Soil Conservation Service.

Yard – An area between the permitted structures and the property lines.



Yard, Front – The area contained between the street right-of-way line and the principal structure. For flag lots, the front yard shall be the area between the principal structure and the property line that is most parallel to the street that provides access and is not part of the flagpole.

Yard, Rear – The area contained between the principal structure and the property line directly opposite the street of address. For flag lots, the rear yard shall be the area between the principal structure and the lot line that is directly opposite the above-described front yard.

Yard, Side – The area(s) between a principal structure and any side lot line(s). On corner lots, the side yard shall be considered those areas between the principal structure and the property lines directly opposite the non-address street(s). For flag lots, the side yards shall be the area between the principal structure and the one (1) outermost property line that forms the flag and pole, plus the area on the opposite side of the principal structure.

## **ARTICLE III**

### **PLAN PROCESSING PROCEDURES**

#### **SECTION 301. GENERAL**

The procedures set forth in this Article shall be followed for all subdivision and/or land development plans.

The official Township determination on any application submitted under this Ordinance rests solely with the Board of Supervisors. The Township Planning Commission, Township Engineer, various Township officials, and Perry County Planning Commission are advisory to the Board of Supervisors.

The Pre-Application Review specified in Section 302 is voluntary. Applicants are urged, but not required, to discuss possible development sites and plans with the Township Planning Commission while the project is at an early stage.

Two (2) mandatory plan processing procedures (Preliminary Plan and Final Plan) are provided in this Article. The magnitude of the project dictates the applicability of each mandatory plan processing procedure. The procedures are sequential. Successful completion of a procedure must be obtained prior to submission under the next procedure.

301.1. A Preliminary Plan application is required for the following:

- A. Subdivision of residential land into three (3) or more lots, or
- B. Subdivision of land for commercial or industrial use into new lots, or
- C. Land development with more than ten (10) parking spaces, or
- D. Subdivision or land development that includes construction of streets, alleys, storm water detention/retention basins or any other public improvement.

The Preliminary Plan contains detailed design data. Approval of the Preliminary Plan entitles the applicant to submit Final Plans in accordance with the terms of the Preliminary Plan. Procedures for Preliminary Plan are provided in Section 303.

301.2. A Final Plan application is required for all subdivision and land development plans. The Final Plan contains detailed design data and guarantees the construction of certain improvements. Approval of the Final Plan concludes with the recording of the plan which authorizes the construction of public/private improvements, and the selling of land. Procedures for Final Plan are provided in Section 304.

Procedures are provided for modifications of the provisions of the Ordinance as they apply to a specific project and are referred to as waivers. Procedures for waivers are provided in Section 305.

## **SECTION 302. PRE-APPLICATION REVIEW**

Applicants are urged, but not required, to discuss possible development sites and plans with the Township Planning Commission prior to submission of the Preliminary or Final Plans. The purpose of the pre-application meeting is to afford the applicant an opportunity to receive the recommendations of the Township while the project is at an early stage. Request for a Pre-Application Review shall not constitute formal filing of a plan.

A request for a Pre-Application Review shall be submitted to the Township Secretary, or designee, at the Township Municipal Office at least fifteen (15) days prior to the Township Planning Commission meeting in order to be placed on the agenda. Submissions that are not received prior to the closing date will not be reviewed at the meeting. The request shall include one (1) application form (see Appendix No. 6). To aid in the effectiveness of the Pre-Application Review, it is recommended that the application include at least eight (8) paper copies of the design plan, to provide Township officials with the opportunity to prepare comments. When submitted, the Plan information should include the data required in Section 401 for a Sketch Plan.

Individuals are permitted to discuss proposals at a Township Planning Commission meeting without the submission of an application or the benefit of a plan; however, the Planning Commission's ability to assist the applicant will be greatly limited.

In addition to the above, applicants may request that a Pre-Application Review be submitted to Board of Supervisors for comments following the Township Planning Commission meeting. When requested, the Township Secretary, or designee, will advise the applicant of the meeting date at which the Pre-Application Review is scheduled.

## **SECTION 303. PRELIMINARY PLAN APPLICATION**

- 303.1. Projects That Require Preliminary Plan Procedure – A Preliminary Plan application is required for the following:
- A. Subdivision of residential land into three (3) or more lots, or
  - B. Subdivision of land for commercial or industrial use into new lots, or
  - C. Land development with more than ten (10) parking spaces, or
  - D. Subdivision or land development that includes construction of streets, alleys, storm water detention/retention basins or any other public improvement.

- 303.2. Submission Procedure – Preliminary Plans shall be submitted to the Township Secretary, or designee, at the Township Municipal Office, on any business day. However, Preliminary Plans must be submitted fifteen (15) days prior to the Township Planning Commission meeting in order to be placed on the agenda. Submissions that are not received prior to the closing date will not be reviewed at the next Planning Commission meeting.

The application shall not be available for revision or inclusion of additional information during the fifteen (15) days before the Planning Commission meeting at which the plan will be considered to allow time to examine the plans and all appropriate supporting documentation. The Township will not accept changes or amendments to the application after this date, unless the applicant applies to the Township in writing, for a rescheduling of the meeting at which the Preliminary Plan will be considered before the Planning Commission and makes suitable provision for an extension of the review time.

Applicants are required to submit a Sewer Facilities Plan Revision or Supplement in conjunction with the Preliminary Plan to avoid unnecessary delays in obtaining revision or supplement approval prior to the Final Plan stage.

- 303.3. Application Requirements – All Preliminary Plan applications shall include the following:

- A. A minimum of ten (10) copies of the Preliminary Plan and all reports, notifications and certification which are specified in Section 402. Additional copies of the Preliminary Plan and reports may be required by the Township.
- B. One (1) application form (see Appendix No. 6).
- C. Filing fee as set by resolution of the Board of Supervisors (see Fee Schedule available at the Township Municipal Office).
- D. A review by County Planning Commission or evidence of submission to the County.

- 303.4. Review for Completeness of Application – The Township Secretary shall check the plans and documents to determine if the application, fee and number of copies required by this Ordinance are provided. If defective, the application may be returned to the applicant with a statement of rejection, within the seven (7) day period; otherwise, it shall be deemed accepted for filing as of the date of submission. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Secretary under this section to the Board of Supervisors.



- 303.5. Distribution – The Township Secretary, or designee, shall distribute the Preliminary Plan to the Board of Supervisors, Township Planning Commission, Township Engineer and Township Solicitor. The applicant shall distribute the Preliminary Plan to the County Planning Commission, and County Conservation District. If deemed necessary, the applicant shall submit information to other officials (e.g., Sewage Enforcement Officer (SEO), water Supply Company/Authority, School District, Park Board, adjacent Municipality, Emergency Management Coordinator, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Protection).

Delivery of the application, plans, reports, and other material to the County Planning Commission shall be the responsibility of the applicant.

- 303.6. Reviewing Agencies – The Preliminary Plan is reviewed by the Township Engineer, County Planning Commission, and, if deemed necessary, other officials. These reviewers will report their findings to the Township Planning Commission and Board of Supervisors.

The Preliminary Plan will be placed on the Township Planning Commission Agenda for a meeting which is at least fifteen (15) days following submission. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to:

- A. Display for public viewing a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water detention/retention basin, water supply, sanitary sewage disposal, and other planned features;
- B. Verbally describe the property location and planned features in a presentation (maximum five (5) minutes unless extension granted by Commission);
- C. Establish the acceptance or rejection of any recommendation of the Township Planning Commission and other officials; and,
- D. Establish the intent to avail the application to the procedure for complying with recommendations of the Township Planning Commission as specified in Section 303.7.

All Plan reviews shall be based upon provisions of this Ordinance, as well as other applicable ordinances. All comments shall cite the provision of the ordinances relied upon or be specifically designated as a recommendation.

- 303.7. Compliance with Recommendations of the Township Planning Commission – In order to avoid the Township Planning Commission's recommendation for disapproval, the applicant is encouraged to comply with the recommendations

of the Township Planning Commission prior to their reporting action on Plan to Board of Supervisors. Should the applicant elect to revise the Preliminary Plan in accordance with the recommendations of the Township Planning Commission, prior to their report to the Board of Supervisors, ten (10) copies of the revised data and one (1) application form shall be submitted to the Township Secretary, or designee, at the Township Municipal Office, on any business day, at least fifteen (15) days prior to the Township Planning Commission meeting in order to be placed on the agenda. Submissions that are not received prior to the closing date will not be reviewed at the meeting. Revised plans will be distributed and reviewed in accordance with Sections 303.5 and 303.6.

303.8. Ruling on the Preliminary Plan – The applicant will be advised of the scheduled meeting for consideration of the Preliminary Plan by the Board of Supervisors. The Preliminary Plan will be placed on the Board of Supervisors Agenda for a meeting which is at least five (5) days following submission. Submissions that are not received prior to the closing date will not be reviewed at the meeting. Attendance at the Township Board of Supervisors meeting by the applicant or authorized agent is mandatory. The applicant or authorized agent must be prepared to:

- A. Display a plan which identifies at least the horizontal location of streets, parking, building, lot layout, stormwater detention / retention basins, water supply, sanitary sewage disposal and other planned features;
- B. Verbally describe the property location and planned features in a presentation (maximum five (5) minutes unless extension granted by Board);
- C. Establish the acceptance or rejection of any recommendation of the Township Planning Commission or other officials; and,
- D. Establish the acceptance of any conditions of approval. The acceptance or rejection of the conditions of approval will be entered in the minutes of the Board of Supervisors. The acceptance conditions will also be acknowledged in writing (See Appendix No. 8). If the applicant does not accept the conditions of approval, the plan will be disapproved.

The Board of Supervisors shall approve, conditionally approve, or disapprove the Preliminary Plan no later than the greater of the period of time required by the Municipalities Planning Code or ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application was filed; provided, however, should said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the 30th day following the date the application was filed.

Should the applicant grant an extension of time within which the Board of Supervisors may act upon the Preliminary Plan and/or render a written decision, the Board of Supervisors shall act in accordance with the limits of such extension of time.

- 303.9. Notification of Ruling – The ruling of the Board of Supervisors shall be in the form of a written notice. The written notice shall cite the conditions of approval, if any, and/or any plan defects, citing to specific sections of this Ordinance, any applicable statute, or applicable Township Ordinance. The written notice shall be presented to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. Refusal by the applicant to accept conditions of approval shall constitute disapproval of the plan.

In the event that any waiver of requirements from this Ordinance is deemed necessary by the Board of Supervisors the waiver and the reasons for its necessity shall be entered in the minutes of the Board of Supervisors.

When the Preliminary Plan is not approved in terms as presented to the Board of Supervisors, the decision shall specify the defects found in the application and, in each case, cite the provisions of the Ordinance.

Approval of the Preliminary Plan entitles the applicant to Final Plan submission, in accordance with:

- A. The terms of the Preliminary Plan,
- B. Conditions of Preliminary Plan approval, and
- C. Final Plan requirements.

Preliminary approval binds the applicant to the plan as approved. The Final Plan shall be substantially consistent with the approved Preliminary Plan. Preliminary approval does not authorize the recording, sale or transfer of lots, nor shall this plan be recorded in the office of the Perry County Recorder of Deeds.

Unconditional preliminary approval shall expire within five (5) years after being granted unless an extension is requested by the applicant and approved by the Board of Supervisors. Requests for extensions shall be submitted to the Township at least thirty (30) days prior to the Board of Supervisors meeting that precedes the expiration date. The Township has no responsibility to inform the applicant of the termination or pending termination of an application.

- 303.10. Compliance With Conditions of Approval – If the Board of Supervisors conditions its Preliminary Plan approval upon receipt of additional information,

alterations, changes or notifications, such data shall be submitted and/or alterations noted on two (2) copies to be submitted to the Township Secretary, or designee. The applicant shall include a brief written descriptive narrative on the submitted data. The conditions of approval must be satisfied to obtain Preliminary Plan approval.

Compliance with the conditions of Preliminary Plan approval must be attained within one (1) year of the Board of Supervisors ruling on the Plan (see Section 303.9), unless an extension is requested in writing by the applicant and granted by the Board of Supervisors. Preliminary Plans which have not complied with the conditions of approval within the above time frame shall be considered disapproved.

At the option of the applicant, and upon receipt of an unconditional Preliminary Plan approval, a Preliminary Plan may be presented to the Township for signature. (See Appendix Nos. 3 and 4 for certificate.)

#### **SECTION 304. FINAL PLAN APPLICATION**

- 304.1. Projects That Require Final Plan Procedure – A Final Plan application is required for all subdivision and land development plans. When a Preliminary Plan application is required, in accordance with Section 303, an application for Final Plan approval can be submitted only after obtaining Preliminary Plan approval.
- 304.2. Consistency with Preliminary Plan – The Final Plan shall be substantially consistent with the Preliminary Plan. The Final Plan may include sections of an approved Preliminary Plan provided each section independently conforms to the Ordinance, regulations and other standards of the Township, and includes a reasonable portion of the Preliminary Plan.
- 304.3. Submission Procedure – Final Plans shall be submitted to the designated Township Secretary, or designee, at the Township Municipal Office, on any business day. However, Final Plans must be submitted fifteen (15) days prior to the Township Planning Commission meeting in order to be placed on the agenda. Submissions that are not received prior to the closing date will not be reviewed at the next Planning Commission meeting.

The application shall not be available for revision or inclusion of additional information during the fifteen (15) days before the Planning Commission meeting at which the plan will be considered to allow time to examine and study the plans and all appropriate supporting documentation. The Township will not accept changes or amendments to the application after this date, unless the applicant shall apply for a rescheduling of the meeting at which the Final Plan will be considered before the Planning Commission makes suitable provision for an extension of the review time, to the Township in writing.

304.4. Application Requirements:

- A. A minimum of ten (10) copies of the Final Plan and all reports, notifications and certificates which are specified in Section 403. Additional copies of the Final Plan and reports may be required by the Township.
- B. One (1) application form (see Appendix No. 6).
- C. Filing fee as set by resolution of the Board of Supervisors (see Fee Schedule available at the Township Municipal Office).
- D. A review by County Planning Commission or evidence of submission to the County.

304.5. Review for Completeness of Application – The Township Secretary shall check the plans and documents to determine if the application, fee and number of copies required by this Ordinance are provided. If defective, the application may be returned to the applicant with a statement of rejection, within the seven (7) day period; otherwise, it shall be deemed accepted for filing as of the date of submission. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Secretary under this section to the Board of Supervisors.

304.6. Distribution – The Township Secretary, or designee, shall distribute the Preliminary Plan to the Board of Supervisors, Township Planning Commission, Township Engineer and Township Solicitor. The applicant shall distribute the Preliminary Plan to the County Planning Commission, and County Conservation District. If deemed necessary, the applicant shall submit information to other officials (e.g., Sewage Enforcement Officer (SEO), water Supply Company/Authority, School District, Park Board, adjacent Municipality, Emergency Management Coordinator, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Protection).

304.7. Reviewing Agencies – The Final Plan is reviewed by the Township Engineer, County Planning Commission, and, if deemed necessary, other officials. These reviewers will report their findings to the Township Planning Commission and the Board of Supervisors.

The Final Plan will be placed on the Township Planning Commission Agenda for a meeting which is at least fifteen (15) days following submission. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to:

- A. Display for public viewing a plan which identifies at least the horizontal location of streets, parking, building, lot layout, storm water

detention/retention basin, water supply, sanitary sewage disposal, and other planned features;

- B. Verbally describe the property location and planned features in a presentation (maximum five (5) minutes unless extension granted by Commission);
- C. Establish the acceptance or rejection of any recommendation of the Township Planning Commission and other officials; and,
- D. Establish the intent to avail the application to the procedure for complying with recommendations of the Township Planning Commission as specified in Section 304.8.

All Plan reviews shall be based upon provisions of this Ordinance, as well as other applicable ordinances. All comments shall cite the provision of the ordinances relied upon or be specifically designated as a recommendation.

304.8. Compliance with Recommendations of the Township Planning Commission – In order to avoid the Township Planning Commission's recommendation for disapproval, the applicant is encouraged to comply with the recommendations of the Township Planning Commission prior to their reporting action on the Plan to the Board of Supervisors. Should the applicant elect to revise the Final Plan in accordance with the recommendations of the Township Planning Commission, prior to their report to the Board of Supervisors, eight (8) copies of the revised data and one (1) application form shall be submitted to the designated Township representative, at the Township Municipal Office, on any business day, at least fifteen (15) days prior to the Township Planning Commission meeting in order to be placed on the agenda. Submissions that are not received prior to the closing date will not be reviewed at the meeting. Revised plans will be distributed and reviewed in accordance with Sections 304.6 and 304.7.

304.9. Ruling on the Final Plan – The applicant will be advised of the scheduled meeting for consideration of the Final Plan by the Board of Supervisors. The Final Plan will be placed on the Board of Supervisors Agenda for a meeting which is at least five (5) days following submission. Submissions that are not received prior to the closing date will not be reviewed at the meeting. Attendance at the Township Board of Supervisors meeting by the applicant or authorized agent is mandatory. The applicant or authorized agent must be prepared to:

- A. Display a plan which identifies at least the horizontal location of streets, parking, building, lot layout, stormwater detention / retention basins, water supply, sanitary sewage disposal and other planned features;

- B. Verbally describe the property location and planned features in a presentation (maximum five (5) minutes unless extension granted by Board);
- C. Establish the acceptance or rejection of any recommendation of the Township Planning Commission of other officials; and,
- D. Establish the acceptance of any conditions of approval. The acceptance or rejection of the conditions of approval will be entered in the minutes of the Board of Supervisors. The acceptance conditions will also be acknowledged in writing (See Appendix No. 8). If the applicant does not accept the conditions of approval, the plan will be disapproved.

The Board of Supervisors shall approve, conditionally approve, or disapprove the Final Plan no later than the greater of the period of time required by the Municipalities Planning Code or ninety (90) days following the date of the regular meeting of the Planning Commission that follows the date the application was filed; provided, however, should Planning Commission meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the 30th day following the date the application was filed.

Should the applicant grant an extension of time within which the Board of Supervisors may act upon the Final Plan and/or render a written decision, the Board of Supervisors shall act in accordance with the limits of such extension of time. The total time that the Township will Grant request will not exceed 180 days from the first Planning Commission meeting after the application. The Planning Commission shall act on the plan at the regularly scheduled meeting prior to the last Supervisor's meeting before the 180 day review period.

- 304.10. Notification of Ruling – The ruling of the Board of Supervisors shall be in the form of a written notice. The written notice shall cite the conditions of approval, if any, and/or any plan defects, citing to specific sections of this Ordinance, any applicable statute, or applicable Township Ordinance. The written notice shall be presented to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. Refusal by the applicant to accept conditions of approval shall constitute disapproval of the Plan.

In the event that any waiver of requirements from this Ordinance is deemed necessary by the Board of Supervisors, action on the waiver shall be entered in the minutes of the Board of Supervisors.

When the Final Plan is not approved in terms as presented to the Board of Supervisors, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance.

When requested by the applicant, in order to facilitate financing, the Board of Supervisors, shall furnish the applicant with a signed copy of a resolution indicating approval of the Final Plan contingent upon the applicant obtaining financial security in a form satisfactory to the Board of Supervisors. The resolution's contingent approval shall expire and be deemed to be revoked if the Financial Security Agreement is not executed within ninety (90) days, unless an extension is requested in writing by the applicant and granted by the Board of Supervisors.

- 304.11. Compliance with Conditions of Approval – If the Board of Supervisors conditions its Final Plan approval upon receipt of additional information, alterations, changes or notifications, such data shall be submitted and/or alterations noted on two (2) copies to be submitted to the Township Secretary, or designee. The applicant shall include a brief written descriptive narrative on the submitted data. The conditions of approval must be satisfied to obtain Final Plan approval.

If the Board of Supervisors conditions its Final Plan approval upon receipt of an improvement guarantee, the applicant shall follow either the financial security provision in Section 502 of this Ordinance, or the provision for installation of public improvements specified in Section 503 of this Ordinance.

Compliance with the conditions of Final Plan approval and submission for plan certification must be attained within one (1) year of the Township Board of Supervisors' ruling on the plan (see Section 304.10), or the Township action on the plan shall be considered a disapproval unless the Board of Supervisors grants a waiver by extending the effective time period. The Township has no responsibility to inform the applicant of the termination or pending termination of an application.

- 304.12. Final Plan Certification – After approval of the Final Plan, the applicant shall present to the Township five (5) paper copies and two (2) Digital Copies in Township approved format (1 PDF and 1 AutoCAD) on approved digital physical storage of the Final Plan. All copies of the Final Plan for certification shall be in black or blue print and bear original signatures on each certificate.
- A. Upon payment of any outstanding plan review fee or inspection fee, the Final Plans shall be signed by the Township Planning Commission and the Board of Supervisors (see Appendix Nos. 3 and 5). One (1) paper copy of the plan will be retained by the Township.
  - B. The applicant shall submit the remaining plans to the County Planning Commission for signatures and the Office of the Perry County Recorder of Deeds for a Certificate of Recordation. One paper copy of the plan may be retained by the County Planning Commission. One (1) paper copy will be



retained by the Recorder of Deeds and two (2) paper copies shall be returned by the applicant to the Township for verification of recording.

The Final Plan shall be filed with the Perry County Recorder of Deeds within ninety (90) days of the Board of Supervisors' certification of approval. No lot may be sold and/or construction initiated until the Final Plan is filed with the Perry County Recorder of Deeds. The Township will not issue further approvals or permits until the evidence of recordation is provided by the applicant.

- C. Recording of the Final Plan shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use shown thereon unless reserved by the landowner as hereinafter provided. The approval of the Board of Supervisors shall not impose any duty upon the Township concerning maintenance or improvement of any such dedicated street, or public use, until the Board of Supervisors shall have accepted the same by the prevailing procedures of the Township.
- D. If the Final Plan includes a notation to the effect that there is no offer of dedication to the public of common use areas, the title to such areas shall remain with the owner, their heirs and assigns, and the Township shall assume no responsibility for improvements or maintenance thereof, which fact shall also be noted on the Final Plan.

### **SECTION 305. WAIVER REQUEST**

- 305.1. Purpose – A waiver is the process to receive a modification of an Ordinance requirement as it applies to a specific application.
- 305.2. Standards for Waiver – A waiver may be approved when the applicant demonstrates to the Board of Supervisors that all of the following conditions exist:
  - A. The literal enforcement of the Ordinance requirement will exact undue hardship by reason of a peculiar condition that pertains to the specific proposal;
  - B. The proposed alternative is the minimum possible modification with respect to the intent of the Section;
  - C. The waiver will not be contrary to the public interest;
  - D. The waiver is consistent with intent of this Ordinance; and,
  - E. The waiver is consistent with Section 102-Purpose.

- 305.3. Application Requirements – All applications for waivers shall be submitted to the Township Secretary, or designee, at the Township Municipal Office, during office hours. A waiver request shall include ten (10) copies of all applicable plans, reports, and supplementary data, and ten (10) copies of the application form (see Appendix No. 7). If any of this information was filed with a Preliminary Plan or Final Plan, additional copies need not be submitted. The Township reserves the right to consider a verbal request for waivers at a meeting provided the verbal request includes the justifications and a written request is submitted at the meeting.
- 305.4. Distribution – The Township Secretary, or designee, shall distribute the waiver requests to the Township Planning Commission (5 copies), Board of Supervisors (3 copies), Township Engineer, and, if necessary, other officials.
- 306.5. Review of the Waiver – The waiver request(s) will be placed on the Township Planning Commission agenda for a meeting which is at least fifteen (15) days following submission. Attendance at the Township Planning Commission meeting is necessary to present the justifications for the waiver.

All waiver review comments shall be based upon the proposal's compliance with the conditions stated in Section 305.2.

- 306.6. Ruling on the Waiver – The Board of Supervisors shall have the authority to approve or disapprove the waiver. The Board of Supervisors may elect to consider a waiver independent of the Township Planning Commission review recommendation.

In granting any waiver, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of this Ordinance.

The acceptance or rejection of the conditions of waiver will be entered in the minutes of the Board of Supervisors. The acceptance of conditions shall also be acknowledged in writing by the applicant. If there is no acceptance of conditions of approval, the waiver will be deemed denied.

Action on the waiver shall be entered in the minutes of the Board of Supervisors and forwarded to the applicant. Failure of the Board of Supervisors to render a decision and communicate it to the applicant as described herein shall not be deemed approval of the waiver.

## **SECTION 306. MINOR PLANS - EXEMPTED FROM STANDARD PROCEDURES**

- 306.1. Projects Exempt from Standard Procedures:

- A. A previously approved subdivision and/or land development plan that is revised to correct an obvious error; and
- B. Lot Add-on Plan, a single lot addition of less than one (1) acre that requires no public improvements.

306.2. Plan Revision Requirements – The Plan shall comply with all design requirements of this Ordinance. Revised plans shall not alter the number, location or configuration of lots, building or other aspects of the plan beyond the original understanding of the Board of Supervisors. Revised plans shall comply with all plan requirements and note the specific revision to indicate that the plan supersedes the previous plan solely as it applies to the revision.

306.3. Lot Add-On Requirements – Minor Plans shall be prepared by an engineer, land surveyor, and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Metes and bounds descriptions shall be prepared by land surveyors, and designs which entail engineering shall be prepared by registered engineers with appropriate expertise. The Minor Plan shall show, be accompanied by, or be prepared in accordance with the following:

A. Drafting Standard

1. The plan shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet or 100 feet to the inch.
2. Dimensions for the entire property boundary shall be in feet and decimals; bearings shall be in degrees, minutes, seconds. Lot line descriptions shall read in a clockwise direction.
3. The sheet size shall be no smaller than eighteen inches by twenty-four inches (18" x 24") with a preferred size of twenty-four by thirty-six inches (24" x 36) and proportional to the size required by the Perry County recorder of Deeds. If the Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be numbered to show the relationship to the total number of sheets in the plan (e.g. Sheet 1 of 15).
4. Plans shall be legible in every detail to the satisfaction of the Township.

B. Location and Identification

1. The proposed project name or identifying title.

2. The municipality in which the project is to be located. If the property is located in the vicinity of a municipal boundary line, the location of the boundary shall be shown.
3. A location map, drawn to scale, showing the relation of the property to adjoining properties and at least two (2) intersections of existing road centerlines.
4. The name(s) and address(es) of the owner(s), authorized agent for the land, developer and firm that prepared the plans.
5. Source of title to the land included within the subject application, as shown in the office of the Perry County Recorder of Deeds. Additionally, if the property is subject to an equitable owner, the name, address and reference to the equity agreement shall be included.
6. The map and lot number assigned to the property by the Perry County Tax Assessment Office.
7. The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) of all plan revisions.
8. A north arrow, a graphic scale, and a written scale.
9. The total acreage of the entire existing property.
10. A statement on the plan identifying the lot size and/or density, lot coverage, building coverage, and yard requirements of the Subdivision and Land Development Ordinance, as amended, shall be identified for the subject property.
11. A statement on the plan identifying any existing waivers and existing nonconforming structures.

C. Existing Features

1. Existing contours, at a minimum vertical interval of one foot (1') within floodplains and land with average slope of two percent (2%); two feet (2') for land with average natural slope of four percent (4%) or less; and at a minimum a vertical interval of five feet (5') for more steeply sloping land. Contours shall be accompanied by the location of the bench mark within or immediately adjacent to the subject property and a notation indicating the datum used. Contours plotted from the United States Geodetic Survey may only be used for minor subdivision plans. LIDAR may be used for minor subdivision plans.

2. Steep slopes (15 to 25% and greater than 25%) shall be identified.
3. The names of all immediately adjacent landowners, and the names and plan book record numbers of all previously recorded plans for adjacent properties.
4. The location and description of existing lot line markers any monuments along the perimeter of the entire existing property.
5. The following items when located on the subject property:
  - a. The location, size, and name of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.
  - b. The location and size of existing features including public sanitary sewer facilities, public water supply facilities, fire hydrants, buildings, swales, watercourses, bodies of water, floodplains, wetlands, springs, seeps and stormwater management facilities that affect stormwater runoff on the subject property and any related rights-of-ways.
  - c. The location and size of existing rights-of-way of electric telephone, cable television, gas, and oil transmission lines, and railroads.
  - d. The location and size of the existing individual on-lot sanitary sewer disposal facilities and water supply facilities.

D. Proposed Features

1. Lot line dimensions and lot areas for all proposed parcels.
2. Lot numbers in consecutive order.
3. A statement on the plan indicating the proposed total number of lots, minimum lot size, types of sanitary sewage disposal, type of water supply (if applicable), and proposed land use. The location of each land use if several types of uses are proposed.
4. Easement for utilities, access, stormwater facilities, etc.
5. Building setback lines, with distance from the property and street right-of-way.
6. Identification of buildings, landscaping and other structures to be removed or demolished. Additionally, the schedule for removal and/or demolition shall be acknowledged on the Plan.

7. Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot line markers are set or indicating when they will be set.
8. A statement on the Plan indicating any proposed waivers, or conditional uses. This statement must be revised, upon action on the request to acknowledge the outcome of the requested waivers prior to recordation of the Plan.
9. Identification of any lands to be dedicated or reserved for public, semi-public or community use.
10. A lot consolidation deed must be submitted to the Township for approval and recorded with the minor plan.

E. Certification and Notification

1. A statement on the Plan by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct (See Appendix No. 1). This statement must be placed on Plans.
2. A statement on the Plan acknowledging that the subdivision or land development shown on the Plan is presented with the consent of the landowner.
3. A statement on the Plan that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No.428), as amended, before any improvements are initiated within a State highway, or a street, access drive, or driveway intersection to a State highway is permitted.
4. An application (See Appendix No. 6).
5. A statement acknowledging Township action (See Appendix Nos. 3 and 5).

F. Filing Fee

1. A check or money order drawn to Centre Township in an amount specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Municipal Office.

G. Minor Applications – All minor applications will be submitted in accordance with Final Plan application requirements of Section 304.

- 306.4. Distribution – The Township Secretary, or designee, shall distribute the revised plan per Section 304.6.
- 306.5. Reviewing Agency – The Township Engineer shall review the Plan to determine if the Plan complies with Sections 306.1, 306.2, and 306.3. The Township Engineer's report shall be forwarded to the Board of Supervisors.
- 306.6. Ruling – The Board of Supervisors shall have the authority to require Planning Commission review and action or directly approve, conditionally approve, or disapprove the Plan. If the Board of Supervisors determines that the Plan conforms with the above standards, the plan will supersede the previous submission.
- 306.7. After approval of the Minor Plan, the applicant shall, within ninety (90) days of the approval, present to the Township five (5) paper copies and two (2) Digital Copies in Township approved format (1 PDF and 1 AutoCAD) on approved digital physical storage of the Final Plan. All copies of the Final Plan for certification shall be in black or blue print and bear original signatures on each certificate.
- A. Upon payment of any outstanding plan review fee, the Minor Plans shall be signed by the Township Planning Commission and the Board of Supervisors (see Appendix No. 5). One (1) paper copy of the plan will be retained by the Township.
- B. The applicant shall submit the remaining plans to the County Planning Commission for signatures and the Office of the Perry County Recorder of Deeds for a Certificate of Recordation. One paper copy of the plan may be retained by the County Planning Commission. One (1) paper copy will be retained by the Recorder of Deeds and two (2) paper copies shall be returned by the applicant to the Township for verification of recording.
- C. No lot may be sold and/or construction initiated until the Plan is filed with the Perry County Recorder of Deeds. The Township will not issue further approvals or permits until the evidence of recordation is provided by the applicant.
- 306.8. Recording of the Minor Plan shall have the effect of an irrevocable offer to dedicate all streets and other areas designed for public use shown thereon unless reserved by the landowner as hereinafter provided. The approval of the Board of Supervisors shall not impose any duty upon the Township concerning maintenance of improvements of any such dedicated street, or public use, until the Board of Supervisors shall have accepted the same by prevailing procedures of the Township.

- A. If the Minor Plan includes a notation to the effect that there is no offer of dedication to the public of common use areas, the title to such areas shall remain with the owner, their heirs and assigns, and the Township shall assume no responsibility for improvements or maintenance thereof, which fact shall be noted on the Minor Plan.



## **ARTICLE IV**

### **INFORMATION TO BE SHOWN ON OR SUBMITTED WITH SUBDIVISION AND LAND DEVELOPMENT PLANS**

#### **SECTION 401. SKETCH PLAN**

The scale and sheet size of Sketch Plans shall be as required for Preliminary Plans in Section 402.1. The Sketch Plan shall be prepared by a landowner, engineer, registered land surveyor, landscape architect, or land planner. It is suggested that the Sketch Plan show or be accompanied by the following data, legible in every detail, but not necessarily drawn to exact scale with precise dimensions:

- 401.1. Name and address of the landowner and applicant (if applicable).
- 401.2. Name and address of the individual and the firm that prepared the plan.
- 401.3. Location map with sufficient information to locate the property.
- 401.4. North arrow.
- 401.5. Written scale and graphic scale.
- 401.6. Approximate location of existing tract boundaries.
- 401.7. Significant topographical and natural features including steep slope, springs, wetlands, bodies of water, floodplains and tree masses.
- 401.8. Significant manmade features including structures, streets, wells, sewage facilities, stormwater facilities, bodies of water, quarries and areas of surface or subsurface mining.
- 401.9. Proposed lot layout, street(s), parking, buildings, type of water supply, type of sanitary sewage disposal, stormwater facilities, landscaping, recreational facilities, and other planned features.
- 401.10. Proposed land use; if several land uses are proposed, the location of each land use shall be indicated.

#### **SECTION 402. PRELIMINARY PLANS**

Preliminary plans shall be prepared by an engineer, registered land surveyor, and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Metes and bounds descriptions shall be prepared by registered land surveyors, and designs that entail engineering shall be prepared by registered engineers with appropriate

expertise. The Preliminary Plan shall show, be accompanied by, or be prepared in accordance with the following:

402.1. Drafting Standards

- A. The plan shall be clearly and legibly drawn at a scale of ten feet (10'), twenty feet (20'), thirty feet (30'), forty feet (40'), fifty feet (50'), sixty feet (60') or one hundred feet (100') to the inch. The parent tract may be drawn at a minimum scale of 1"=400'. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.
- B. Dimensions for the entire boundary of the parent tract shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction. The description of the parent tract may be plotted from the recorded deed or reflect a certified survey. The description of all new property lines shall be based upon a survey and not have an error of closure more than one foot (1') in ten thousand feet (10,000'). All survey data shall identify the point of beginning and distance to the centerline intersection of the nearest improved street intersection.
- C. The sheet size shall be no smaller than eighteen by twenty-four inches (18" x 24") and no larger than twenty-four inches by thirty-six inches (24" x 36"). If the Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be numbered to show the relationship to the total number of sheets in the plan (e.g., Sheet 1 of 5).
- D. Plans shall be legible in every detail to the satisfaction of the Township.
- E. All profile sheets shall include the corresponding horizontal alignment. Utilities and storm water facilities located in a given area shall be provided on the same sheet to show their interrelationship. All plan information shall be provided in an easy to read format. Applicants are encouraged to follow the standard plan format (available at the Township Municipal Office).

402.2. Location and Identification

- A. The proposed name or identifying title.
- B. The municipality in which the land is to be located. If the tract of land is located in the vicinity of a municipal boundary line, the location of the boundary shall be shown.

- C. A location map, drawn to scale, relating the property to at least two (2) intersections of existing road centerlines and providing the distance between a property corner and the intersecting roadway centerlines.
- D. The names and addresses of the owners, authorized agents for the land, developer and the firm that prepared the plans.
- E. Source of title to the land included within the subject application, as shown in the office of the Perry County Recorder of Deeds. If equitable owner, the name, address and reference to the equity agreement.
- F. The map and lot number assigned to the property by the Perry County Tax Assessment Office.
- G. The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) of all plan revisions.
- H. A north arrow, a graphic scale, and a written scale.
- I. The total acreage of the parent tract.
- J. A statement on the plan identifying the lot size and/or density, lot coverage, building coverage, and yard requirements of Sections 606.5 and 610.3 shall be identified for the subject property.
- K. If there are no existing waivers, covenants, or existing non-conforming structures/uses, a statement shall be added to the plan that indicates that there are none.

402.3. Existing Features

- A. Existing contours, at the appropriate maximum vertical interval as follows:
  - 1. One foot (1') for land within floodplains and land with an average natural slope of two percent (2%) or less;
  - 2. Two feet (2') for land with an average natural slope greater than two percent (2%) and up to four percent (4%);
  - 3. Five feet (5') for land with an average natural slope of greater than four percent (4%) but less than ten percent (10%); and,
  - 4. Ten feet (10') for land with an average natural slope greater than ten percent (10%).

5. Plans shall provide sufficient contours to confirm the location of the transition from steep slope to non-steep slope.
  6. Contours shall be accompanied by the location of the bench mark within or immediately adjacent to the subject property and a notation indicating the datum used. Contours plotted from Light Detection and Ranging (LIDAR) or the United States Geodetic Survey (USGS) may be used only for minor subdivision plans which require no new streets or other public improvement.
  7. Unless required by the Township for site evaluation, contour data is not necessary beyond the property of the applicant. The United States Geodetic Survey shall be used for benchmark datum. This information is not subject to recording with the Perry County Recorder of Deeds.
  8. Areas of steep slopes, from fifteen percent (15%) to twenty-five percent (25%) and areas greater than twenty-five (25%), shall be delineated and labeled on the plan. Refer to Section 610.1 for method of calculating the slope.
- B. The names of all immediately adjacent landowners, the current deed book and page number or instrument number references of all adjacent parcels, and the names and plan book record numbers of all previously recorded plans for adjacent projects.
  - C. The location and description of existing lot line markers and monuments along the perimeter of the entire parent tract.
  - D. The location and description of existing lot line markers and monuments along the perimeter of the subject tract.
  - E. The following items when located (a) on the subject tract, (b) within two hundred feet (200') of the subject tract, or (c) beyond two hundred feet (200') of the subject tract when the item affects the tract:
    1. The location, size, and name (including SR# and T#) of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.
    2. The location and size of public sanitary sewer facilities, public water supply facilities, fire hydrants, buildings, swales, springs, seeps, watercourses, bodies of water, floodplains, wetlands, and storm water management facilities that affect storm water runoff on the subject tract and any related rights-of-way. Plots of wetlands shall be provided with location dimensions.

3. The location and size of existing rights-of-way and/or easements for electric, telephone, cable television, gas, and oil transmission lines, and railroads, including the location of existing utility poles and structures.
  4. The location of delineated boundaries of wellhead protection areas.
  5. The location and size of any sinkholes, closed depressions, borrow pits, quarries, and any areas of subsurface mining.
- F. The location and size of the existing individual on-lot sanitary sewage disposal facility and water supply facilities including wells and springs, when located on the subject tract or within one hundred feet (100') of the subject tract.
  - G. The location of areas with existing healthy trees that possess a caliper of six inches (6") or more as measured at a height of four and one-half feet (4½') above existing grade, or limits of tree masses of multiple healthy trees.
  - H. The soil types as described in the latest edition of the *U. S. Department of Agriculture, Soil Survey of Perry County*.

402.4. Proposed Features

- A. Complete description of the right of way boundary for all new streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord. The description shall not have an error of closure more than one foot (1') in ten thousand feet (10,000').
- B. Approximate lot line dimensions and lot areas for all proposed parcels. Along existing street rights-of-way, the description shall utilize the existing deed lines.
- C. Lot numbers in consecutive order for all lots including the residual land area.
- D. For all land development plans, the location and configuration of proposed buildings, parking compounds, streets, access drives, driveways, and all other significant facilities.
- E. A statement on the plan indicating the proposed total number of lots, units of occupancy, density, minimum lot size, lot coverage, building coverage, types of sanitary sewage disposal, type of water supply, name of authority providing sanitary sewage disposal and water supply (if applicable), and proposed land use. The location of each land use if several types of uses are proposed. This statement shall also include the criteria needed to calculate off-street parking, lot coverage and other requirements.

- F. Easements for utilities, access, storm water facilities, etc.
- G. Building setback lines, with distances from the property and street right-of-way. A typical example may be used to identify side and rear yard setbacks, however, odd or unusual shaped lots shall be plotted with all setback lines.
- H. Identification of buildings and other structures to be demolished. Additionally, the schedule for demolition shall be acknowledged on the Plan.
- I. Typical street cross-section for each proposed street and typical cross-section for any existing street which will be improved as part of the application. Each cross-section shall include the entire right-of-way width. Cross-sections for improvements to existing streets shall be provided for each fifty foot (50') station location.
- J. Vertical and horizontal alignment on the same sheet for each proposed street, storm water management facility, sanitary sewer (including manhole numbers), and water distribution system. All street profiles shall show at least the existing (natural) profile along the centerline, proposed grade at the centerline, and the length of all proposed vertical curves for streets. All water distribution and sanitary sewer systems shall provide manhole locations, size and type of material.
- K. The location of the center and setbacks of the primary and reserve sanitary sewer system shall be shown on the plan. A note will be added to the plan that indicates that the primary and reserve sanitary sewer locations will be preserved.
- L. The location of the center and isolation distances for the proposed well shall be shown on the plan.
- M. Proposed pavement markings, traffic control devices and names for new streets.
- N. Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot line markers are set or indicating when they will be set.
- O. In the case of all subdivision and land development plans, a grading plan. The grading plan shall include finished grades and ground floor elevations for all structures.
- P. A statement on the plan indicating any proposed waivers. This statement must be revised, upon action on the request to acknowledge the outcome of the requested waiver prior to recordation of the Plan. If there are no

proposed covenants add a statement to the plan that indicates there are no proposed covenants.

- Q. Identification of any lands proposed to be dedicated or reserved for public, semi-public, or community use.
- R. When steep slopes are present, show the average slope of each lot. Refer to Section 610.1 for method of calculating the average slope. Steep slope areas must be delineated on Plans.
- S. Adequate lighting shall be provided if parking areas are to be used at night, or there are pedestrian movements. The lighting shall be arranged so as not reflect or glare on adjoining lots or streets. The plans shall specify the type and location of all lighting and resulting field of illuminating site light shall be submitted for review in accordance with Section 617.
- T. Where the lots in a subdivision are large enough for re-subdivision, or where a portion of the tract is not subdivided, suitable access to those areas shall be provided. The Township shall require a Sketch Plan for the remaining land of a subdivided tract that is under the same ownership in order to properly assess the development and future access of the parcels. This Sketch Plan will not authorize construction or sale of lots in the remaining land.

#### 402.5. Reports

- A. Sketch Plan – A plan drawn to the standards of a Sketch Plan for the entire tract when, in the opinion of the Township, the application significantly impacts the undeveloped portion of the tract. The application will be considered in light of its relationship to the entire tract.
- B. Sanitary Sewer Report – A Sewer Facilities Plan Revision (Plan Revision Module for Land Development), or Supplement when required by the Pennsylvania Sewage Facilities Act 537 of 1966, as amended.
- C. Storm Water Management Report – All subdivisions and land development plans shall have a stormwater management study performed in accordance with the Township's current Stormwater Management Ordinance.
- D. Traffic Impact Report – A Traffic Impact Report shall be submitted for projects that generate, individually or cumulatively, at least twenty-five (25) dwelling units or fifty (50) parking spaces.

In addition to the above, the Board of Supervisors may require a Traffic Impact Report when, in their opinion, the following conditions exist:

1. Current traffic problems exist in the local area (e.g., high accident location, confusing intersection, congested intersection), or
2. The capability of the existing road system to handle increased traffic is questionable.

A Traffic Impact Report shall conform to the following:

- a. **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 Township Engineer and the traffic engineer preparing the Study. The Board of Supervisors shall resolve any disputes between the Township Engineer and the traffic engineer.
- b. **Preparation by Transportation Engineer Required** – Traffic impact studies shall be prepared under the supervision of qualified and experienced transportation engineers with specific training in traffic and transportation engineering, and at least two (2) years experience related to preparing traffic studies for existing or proposed developments.
- c. **Horizon Year** – The traffic forecasts shall be prepared for the anticipated opening year of the development, assuming full build out and occupancy. This year shall be referred to as the horizon year in the remainder of this Ordinance. Current Year = opening year and Design Year = 20 years from opening or full build out.
- d. **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.
- e. **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 Institute of Transportation Engineers (ITE), or from a local study of corresponding land uses and quantities. All sources must be referenced in the Study.



- f. **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.
- g. **Rate Sums** – Any significant difference between the sums of single-use rates and proposed mixed-use estimates must be justified in the Study report.
- h. **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.
- i. **Definition of Influence Area** – Prior to trip distribution of site-generated trips, an influence area must be defined which contains eighty percent (80%) 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.

- j. **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.

- k. **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 procedures should be used:

1. Determine the percentage of pass-by trips in the total trips generated.
2. Estimate a trip distribution for the pass-by trips.
3. Perform two separate trip assignments, based on the new and pass-by trip distributions.
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.

- l. **Total Traffic Impacts** – Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's development, but also the trips subtracted from the traffic stream because of the removal of a land use. The Traffic Impact Study report should clearly depict the total traffic estimate and its components.
- m. **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 for current and horizon years. In addition, analysis 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 Township considers the overall level of service ratings A, B, and C to be acceptable for signalized intersections; level of service D, E or F are considered to be unacceptable.

The operational analysis in the *Highway Capacity Manual, Latest Edition* 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.

n. **Required Levels of Service** – The Traffic Impact Study shall identify the improvements necessary to meet the goals of the Study. The applicant shall be responsible for the improvements required to meet the goals of the Traffic Impact Study. The goals of the Traffic Impact Study are to:

1. Provide safe and efficient movement of traffic within the site and on surrounding roads,
2. Minimize the impact of the project upon non-site trips,
3. Not allow the levels of service at intersections currently rated A or B to be worse than C, and,
4. Not reduce the current levels of service at intersections with ratings of C or lower.

o. **Documentation Required** – A Traffic Impact Study report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the Study.

1. The documentation for a Traffic Impact Study shall include, at a minimum:

Study purpose and objectives.	Projected future traffic volumes.
Description of the site and study area.	An assessment of the change in roadway operating conditions resulting from the development traffic.
Existing conditions in the area of the development.	
Recorded or approved nearby development.	Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable and safe level of service.
Trip generation, trip distribution and modal split.	

2. The analysis shall be presented in a straightforward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations.
3. 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.

4. Data shall be presented in tables, graphs, maps, and diagrams wherever possible for clarity and ease of review.
5. To facilitate examination by the Township Planning Commission and Board of Supervisors, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, conclusions and recommendations.
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.

The Township, in accordance with Section 803, may grant a waiver, in whole or in part, of the requirement for a Traffic Impact Study report or any of the requirements and standards.

In considering any waiver or modification, the Board of Supervisors may consider, in their discretion, but are not limited to considering, such factors as the location of the subject property, its proximity to intersections and major roadways, the size and density of the proposed subdivision or land development, the number and location of proposed accesses to the subject property and the nature of the use proposed.

402.6. Park and Recreation – A Park and Recreation Report for residential developments of fifty (50) or more dwelling units. Said report shall be prepared by a qualified Park and Recreational Professional as defined by DCNR, with the following minimum considerations:

- A. A description of the total projected number of residents in their respective age groups.
- B. A description of those existing public recreation facilities located within a one-half mile range radius of the site.
- C. A discussion on the adequacy of existing recreation facilities to serve the proposed residents, taking into consideration current usage.
- D. A discussion of potential for any recreation facilities to be provided by the developer to accommodate new residents and/or compensate for any anticipated deficiencies of the Township's recreational facilities.

- E. A description of any recreation facilities to be provided by the developer.
- F. A description of responsibility for maintenance of any recreational facilities to be provided by the developer.
- G. A description of accessibility of the proposed facilities to general township residents.
- H. A description of any contributions that the developer plans to make for Township recreation to compensate for expected impacts.
- I. Source of standards used in the data presented.

402.7. Steep Slope Report – A Steep Slope Report is required for all applications involving land disturbing activity on lands that possess slopes exceeding fifteen percent (15%). When a parent lot is subdivided into only two (2) lots and no land disturbance is proposed within areas having slopes greater than fifteen percent (15%), a Steep Slope report will not be required. The standard for boundary interpretation is provided in Section 610. Any slopes defined as Steep Slopes in Section 610 shall be clearly delineated on the plans even if disturbance is not proposed. The Steep Slope Report shall include the following:

- A. A topographic map which delineates those areas that possess slopes of fifteen percent (15%) to twenty-five percent (25%) and areas that possess slopes more than twenty-five percent (25%). This map shall also identify existing improvements and proposed site alterations (e.g., buildings, streets, access drives, driveways, parking compounds, utilities, drainage, etc.) that are located within the steep slope area.
- B. In those instances where construction and/or modifications are proposed to the existing topography or vegetative cover within areas having a slope of fifteen percent (15%) or greater, the application shall include a detailed description of the methods that are being used to:
  - 1. Protect and stabilize areas that have a high potential for soil erosion;
  - 2. Accommodate storm water runoff;
  - 3. Assure adequate foundations for buildings and/or structures;
  - 4. Minimize harm to the environment (e.g., natural valuable wildlife and plant habitats);
  - 5. Protect and preserve water quality; and,
  - 6. Protect adjoining properties.
- C. In those instances where construction and/or modification to the existing topography and vegetative cover in areas of more than twenty-five percent (25%), the application shall provide a soil engineering report.

A soil engineering report shall be prepared by a registered professional engineer or geologist with expertise in soil, geology and construction. The report shall include:

1. The nature, type, distribution, and stability of the surface and subsurface soils for load bearing, stability and compaction;
2. Extent, description and location of exposed rock and bedrock;
3. Erodibility of surface soils; and,
4. Depth to seasonal high water table.

- 402.8. Important Natural Habitats Report – All applications for lands that possess an important natural habitat, as defined below, shall identify on the plan the location of the natural resources. Important natural habitat is defined as follows:

Wetlands, as defined by criteria of the U. S. Environmental Protection Agency, U. S. Army Corps of Engineers, Pennsylvania Department of Environmental Protection, U. S. Soil Conservation Service, or U. S. Department of Interior, Fish and Wildlife Service; or

Pennsylvania Natural Diversity Inventory (PNDI) confirmed extant plant and animal species and communities that are listed as Pennsylvania Threatened or Pennsylvania Endangered; or,

PNDI – confirmed extant plant and animal species and communities that have a State Rank of S1 or S2.

- 402.9. Groundwater Supply Report – A water supply capacity report is required for projects that propose a groundwater system that serves more than twenty-five (25) dwelling units (single or cumulative), or non-residential uses that propose groundwater withdrawals at a rate of greater than three thousand two hundred fifty (3,250) gallons per day (single or cumulative).

The water supply capacity report shall be prepared by a registered professional geologist with expertise in hydrology, soil and geology. The report must demonstrate that the groundwater recharge on the property after development, during drought conditions (precipitation at forty percent [40%] below normal) will not lower the groundwater supply available to other properties below safe levels.

- 402.10. Wetlands Study – All subdivision and land development plans shall have a Wetland Study performed by professional soil scientist, biologist, hydrologist, wetland ecologist or other demonstrated qualifications. The Township may require “Jurisdictional Delineation” by the U. S. Army Corps of Engineers or a second study, at the applicant’s expense, by another mutually chosen professional. The Wetland Study shall be dated and include the name of the firm and individual responsible for preparing the Study.

The Wetland Study shall identify the location of existing wetland as determined by the standards of either the U.S. Environmental Protection Agency, U. S. Army Corps of Engineers, Pennsylvania Department of Environmental Protection, or the U.S. Soil Conservation Service. Wetland areas are not limited to those areas delineated on wetland maps prepared by the U.S. Fish and Wildlife Service.

If the National Wetlands Inventory (NWI) indicates no wetlands are present and indicators of possible wetlands are absent, the Township may accept a note on the plan indicating that there are no known wetlands present and a note indicating the property owner shall be responsible for any wetlands present on the site and prior to any earth disturbance activity shall acquire appropriate permits.

If there is a stream, closed depression or any mapped hydric soil unit listed for Perry County, Pennsylvania, in the USDA Natural Resource Conservation Service National Hydric Soil List (<http://soils.usda.gov/use/hydric>), then a study is required.

When applicable, provide verification that the applicant has obtained all required permits pertaining to wetlands.

402.11. Archaeological Resources – This provision applies to properties containing sites that are:

- A. Listed in the National Register of Historic Places,
- B. Eligible for the National Register and received a determination of eligibility, from the National park Service, or
- C. Listed with Pennsylvania Historical and Museum Commission (PHMC).

These projects shall be subject to the completion of a level 1 and 2 archaeological survey, or a determination by the State Preservation Officer that the project will not disturb the cultural significance or artifacts on the property.

402.12. Additional Studies and Reports – The Township may require the applicant to prepare studies and reports that address the proposal's coordination with the existing facilities necessary to service the development, accommodate prospective traffic, facilitate fire protection, prevent flooding, conform to the Township Comprehensive Plan, and conform to all regulations or maps adopted in furtherance thereof.

The development must insure that other properties will continue to have safe and convenient vehicular access, sanitary sewer service, water supply, and

storm water management in accordance with the standards of this Ordinance, or to the level of service that existed prior to the development.

Studies and reports shall clearly identify all assumed improvements to the existing facilities. A study, report or plan that contains an assumption of future construction of improvements shall include evidence that:

A governmental entity has budgeted funds and/or entered into contracts for the assumed improvements, or

An approved and recorded plan guarantees the assumed improvements.

402.13. Certifications and Notifications

- A. Where the land included in the subject application has an electric, telecommunication or telephone transmission line, a gas pipeline, or a petroleum or petroleum products transmission line located within the tract, the application shall be accompanied by a copy of the right-of-way agreement or a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.
- B. When twenty-five (25) or more dwelling units are proposed, written evidence that the school district in which the project is located has been informed of the proposal.
- C. A statement by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct (see Appendix No. 1). This statement must be placed on both plans and reports. Signature must be dated after last revision on plans and/or reports.
- D. A statement (Appendix 2) acknowledging that the subdivision or land development shown on the Plan is presented with the consent of the landowner. Owner's statement must be dated after last revision date on plans.
- E. A statement that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as amended, before any improvements are initiated within a State highway, or a street, access drive, or driveway intersection to a State highway is permitted.
- F. A statement the a Highway Occupancy Permit is required pursuant to Ordinance 3-74 as amended by Ordinance 4-88, before any improvements are initiated within a Township road, or a street, access drive, or driveway intersection to a Township road is permitted.



- G. A Highway Occupancy Permit must be obtained for any lot access prior to final plan approval.
  - H. An application (see Appendix No. 6).
  - I. (Optional) A statement acknowledging Township action (see Appendix Nos. 3 and 4).
  - J. A copy of the application requesting the review by the County Planning Commission.
- 402.14. Filing Fee – The Preliminary Plan Application shall be accompanied by a check or money order drawn to Centre Township as specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Municipal Office.

### **SECTION 403. FINAL PLANS**

Final Plans shall be prepared by an engineer, registered land surveyor and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. New property or easement boundaries shall be established by metes and bounds descriptions as prepared by Pennsylvania registered land surveyor, and designs which entail engineering shall be prepared by Pennsylvania registered engineers with appropriate expertise. The Final Plan shall show, be accompanied by, or be prepared in accordance with the following:

- 403.1. Drafting Standards – The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.1.
- 403.2. Location and Identification – The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.2.
- 403.3. Existing Features – The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.3.
- 403.4. Proposed Features – In addition to the following data, the same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.4.
  - A. Complete description of the boundary of the right-of-way limits for all new and existing streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord. The description shall not have an error of closure more than one foot (1') in ten thousand feet (10,000').
  - B. Complete description of all lot lines, with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearing and distance. Along existing street rights-of-way, the

description may utilize the existing deed lines or road centerlines. Along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines. The description shall not have an error of closure more than one foot (1') in ten thousand feet (10,000').

- C. Location dimensions for easements with sufficient detail to provide easy on-site location. Easements shall be described with boundary metes and bounds. Any easements which do not follow property lines shall be located by a locational dimensions (“tie”) to property line with metes and bounds description.
- D. Location and material of all permanent monuments and lot line markers, including a note that all monuments are set or indicating when they will be set.

403.5. Reports – The same standards are required for a Final Plan as specified for Preliminary Plan in Section 402.5. If the reports were submitted with the Preliminary Plan and the contents are unchanged, they may be submitted by reference as opposed to full text submission.

403.6. Certifications and Notifications – In addition to the following data, the same standards are required for a Final Plan as specified for Preliminary Plan in Section 402.6.

- A. A statement on the Plan providing Final Plan approval by Board of Supervisors (see Appendix No. 5). This statement must be placed on the first sheet of plans which are subject to recording in the office of the Perry County Recorder of Deeds.
- B. A statement on the Plan acknowledging Plan Review by the Township Planning Commission (see Appendix No. 3). This statement must be placed on the first sheet of plans which are subject to recording in the office of the Perry County Recorder of Deeds.
- C. A notice from the Pennsylvania Department of Environmental Protection that a Sewer Facilities Plan Revision or Supplement has been approved, or notice that a plan revision or Supplement is not necessary.
- D. A notarized statement on the Plan signed by the landowner, duly acknowledged before an officer authorized to take acknowledgment of deeds, to the effect that the subdivision or land development shown on the plan is the act and the deed of the owner, that all those signing are all the owners of the property shown on the survey and plan, and that they desire the same to be recorded (see Appendix No. 2). This must be dated following the last change or revision date to said plan.

- E. A statement on the Plan of dedication of streets and other public property as well as area that is not to be offered for dedication (see Appendix No. 2).
  - F. Such written notices of acknowledgment and/or approval as required by this Ordinance, including:
    - 1. Street name;
    - 2. PennDOT;
    - 3. Water supply authority;
    - 4. Sanitary sewage authority;
    - 5. Conservation District; and
    - 6. Easements for encroachments on adjacent lands.
  - G. A statement on the Plan to accommodate the Perry County Recorder of Deeds information (see Appendix No. 5).
  - H. A statement on the Plan to accommodate the County Planning Commission Certificate of Review (See Appendix No. 3).
  - I. An improvement guarantee in accordance with Article V.
  - J. A statement on the Plan that all public improvements will comply with the Township's construction specifications.
  - K. An application (see Appendix No. 6).
  - L. An executed Memorandum of Understanding which sets forth the responsibilities of all parties regarding the installation and inspection of the required improvements (see sample memorandum available at the Township Municipal Office).
  - M. An application requesting the review by the County Planning Commission.
- 403.7. Filing Fee – The Final Plan shall also be accompanied by a check or money order drawn to Centre Township in an amount specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Municipal Office.

## ARTICLE V

### IMPROVEMENT GUARANTEES

#### **SECTION 501. GENERAL**

No project shall be considered in compliance with this Ordinance until the streets, street signs, sidewalks, curbs, survey monuments, landscaping required by this Ordinance, storm drainage for dedication or which affects adjacent properties or streets, sanitary sewer facilities for multiple use, water supply facilities for multiple use, fire hydrants, and other such improvements required by this Ordinance have been installed in accordance with this Ordinance and other applicable Township ordinances.

When sanitary sewer and water supply facilities 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.

No Final Plan shall be signed by the Board of Supervisors for recording in the office of the Perry County Recorder of Deeds unless: (1) a financial security in accordance with Section 502 is accepted by the Board of Supervisors and the Board of Supervisors has received confirmation that the public utility or municipal authority has been provided with financial security, if applicable, and/or (2) the improvements required by this Ordinance have been installed, in accordance with Section 503.

#### **SECTION 502. FINANCIAL SECURITY**

The administration of the financial security shall comply with the provisions of this Article, the Pennsylvania Municipalities Planning Code, Act 247, as re-enacted and amended by Act 170 of 1988, and as subsequently amended, and other applicable laws of the Commonwealth.

502.1. Submission of Financial Security – Final Plan applications which include required improvements that have not been installed, shall include a financial security and Memorandum of Understanding (see sample memorandum available at the Township Municipal Office).

A. Type of Financial Security – Financial security must comply with the following, and is subject to review by the Township Solicitor and the Board of Supervisors for adequacy.

1. Irrevocable Letter of Credit – A letter provided by the developer from a Federally or Commonwealth chartered financial institution.

2. Escrow Account – A deposit of cash either with (1) the Township or (2) in escrow with a Federally or Commonwealth chartered financial institution. Escrow account must be maintained with a positive balance until the end of the projects maintenance period.
  3. Surety Performance Bond – A bond from a surety bonding company authorized to do business in the Commonwealth of Pennsylvania.
  4. Other – A deposit of any other form acceptable to the Township Solicitor, Township Engineer, and Board of Supervisors.
- B. General Contents – The terms of any financial security documents shall be acceptable to the Township Solicitor. In addition to other information required by the Township, financial securities shall include the following:
1. The amount of secured funds.
  2. In case of failure on the part of the developer to complete the specified improvements within a time period specified in a written agreement, the funds shall be paid to the Township immediately and without further action, upon presentation of a signed draft in an amount necessary to finance the completion of those improvements, up to the limit of the security.
  3. The security is irrevocable and may not be withdrawn, or reduced in amount by other than the Township, until release or partially released by the Township.
- C. Amount of Financial Security – The amount of financial security shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date schedule for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said one hundred ten percent (110%). Any additional security shall be posted by the developer in accordance with this Ordinance.

The amount of financial security required shall be based upon an estimate of the cost of completion (including quantities and unit cost) of the required improvements, submitted by a developer and prepared and certified by an engineer to be a fair and reasonable estimate of such cost.

If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 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 reestablished on or about the expiration of the preceding one-year period by using the above procedure.

As the work of installing the required improvements proceeds, the party posting the financial security may request the governing body 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. Any such requests shall be in writing addressed to the governing body, and the governing body shall have forty-five (45) days from receipt of such request within which to allow the municipal engineer to certify, in writing, to the governing body that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the governing body shall authorize release by the bonding company or lending institution of an amount as estimated by the municipal engineer fairly representing the value of the improvements completed or, if the governing body fails to act within said forty-five (45) day period, the governing body shall be deemed to have approved the release of funds as requested. The governing body may, prior to final release at the time of completion and certification by its engineer, require retention of 10% of the estimated cost of the aforesaid improvements.

#### 502.2. Release of Financial Security

- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Township, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township engineer. The Township shall, within ten (10) days after receipt of such notice, direct and authorize the Township engineer to inspect all of the aforesaid improvements. The Township engineer shall, thereupon, file a report, in writing, with the Township, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township engineer of the aforesaid authorization from the Township; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township engineer, said report shall contain a statement of the reasons for such non-approval or rejection.

- B. The Township shall notify the developer, within fifteen (15) days of receipt of the Township Engineer's report, in writing by certified or registered mail of the action of the Board of Supervisors with relation thereto.
- C. If the Township of the Township engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
- D. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- E. Nothing herein, however, shall be construed in limitation of the developer's right to contest of question by legal proceedings or otherwise, any determination of the Township or the Township engineer.
- F. The Board of Supervisors shall establish, by Ordinance or Resolution, a schedule for inspection fees to be paid by the applicant. Every applicant or developer shall reimburse the Township for the reasonable and necessary expense incurred in connection with the inspection of improvements. Inspection fees shall include reasonable and necessary charges by the Township's professional consultants for inspection and report thereon to the Township. The applicant shall not be required to reimburse the Township for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township's professional consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.
  - 1. The Board of Supervisors shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than 100 days after the date of transmittal of a bill for inspection services, notify the Township and the Township's professional consultant that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of

financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within 100 days shall be a waiver of the applicant's right to arbitration of that bill under this section.

2. Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the Board of Supervisors a bill for inspection services specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.
3. If a professional consultant and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within 100 days of the transmittal of the final bill, or supplement to the final bill to the applicant, request the appointment of another professional consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged shall, by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.
4. The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than fifty (50) days after the date of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within 60 days. In the event the Township has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within 60 days reimburse the excess payment.
5. In the event that the Township's professional consultant and applicant cannot agree upon the arbitrator to be appointed within 20 days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Court of Common Pleas of Perry County (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who have been retained by, or performed



services for, the Township or the applicant within the preceding five years

6. The fee of the arbitrator shall be paid by the applicant if the disputed fee is upheld by the arbitrator. The fee of the arbitrator shall be paid by the charging party if the disputed fee is \$2,500 or greater than the payment decided by the arbitrator. The fee of the arbitrator shall be paid in equal amount by the applicant and the charging party if the disputed fee is less than \$2,500 of the payment decided by the arbitrator.
7. In the event that the disputed fees have been paid and the arbitrator finds that the disputed fees are unreasonable or excessive by more than \$10,000, the arbitrator shall:
  - a. Award the amount of the fees found to be unreasonable or excessive to the party that paid the disputed fee; and
  - b. Impose a surcharge of 4% of the amount found as unreasonable or excessive to be paid to the party that paid the disputed fee.
8. The Township or an applicant shall have 100 days after paying a fee to dispute any fee charged as being unreasonable or excessive.

502.3 Other Remedies – If proceeds of the financial security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install all or part of such improvements and may institute appropriate legal or equitable action to recover the funds necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

### **SECTION 503. INSTALLATION OF PUBLIC IMPROVEMENTS IN CONJUNCTION WITH CONDITIONAL FINAL PLAN APPROVAL**

The procedure is available for the installation of required improvements in lieu of placing financial security with the Township.

503.1. Authorization for Construction – Upon receipt of conditional Final Plan approval, with the only outstanding condition being the guarantee of public improvements and recording of the Plan, the applicant may be permitted to construct only the improvements required by this Ordinance.

This construction is limited to streets, street signs, sidewalks, curbs, landscaping required by this Ordinance, storm drainage for dedication or which

affects adjacent properties or streets, sanitary sewer facilities for multiple use, water supply facilities for multiple use, fire hydrants, survey monuments and other such public improvements.

Approval and/or permits from other agencies with jurisdiction shall be obtained.

- 503.2. Completion of Public Improvements – When all or parts of the required improvements are complete, the developer shall notify the Board of Supervisors. Except for mandatory inspection during construction, notification of completion of a portion of the required improvements is only necessary should the developer elect to financially secure the remaining improvements in accordance with Section 502.

Notification of completion of improvements shall be in writing, by certified or registered mail, and a copy thereof shall be sent to the Township Engineer. This notice shall include the “As-Built Plan” in accordance with Section 507.

After receipt of notice that improvements are completed, the Board of Supervisors shall, within ten (10) days, authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, within thirty (30) days of authorization, file a report, in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, are not approved by the Township Engineer, said report shall contain a statement of reasons for such rejection.

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

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

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

#### **SECTION 504. DEDICATION OF IMPROVEMENTS**

All improvements shall be deemed to be private improvements and only for the benefit of the specific project until such time as the same have been offered for dedication and formally accepted by the Board of Supervisors. No responsibility of any kind with respect

to improvements shown on the plan shall be transferred until the improvements have been formally accepted. Proof is to be provided that utility installation within public rights-of-way and easements have been accepted by the governing utilities or agencies (i.e. MetEd, PennDOT), release of liens, title search to indicate no liens exist on the property; release from lender, prior to acceptance of improvements by the Township. All requests for dedication shall be made in accordance with Township rules and regulations, shall include all information required by the Township for processing such a request, and shall be accompanied by any required filing fee.

#### **SECTION 505. MAINTENANCE GUARANTEE**

The Board of Supervisors may, at its discretion, require the developer to submit a maintenance guarantee or other approved guarantee as specified herein, guaranteeing the structural integrity as well as function of any improvement shown on the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication by the Board of Supervisors. Said guarantee shall be fifteen percent (15%) of the actual cost of installation of said improvements and be of the same type of financial security as required in this Article.

#### **SECTION 506. INSPECTIONS OF IMPROVEMENT DURING CONSTRUCTION**

Inspections shall be required prior to the start of construction, during installation of materials and structures, and upon the completion of all improvements. Prior to the initiation of construction, the developer shall arrange a pre-construction meeting with the Township Engineer or designee so that an inspection schedule can be coordinated with the construction schedule. The Township Engineer or designee shall be notified two (2) working days in advance of any intended date of construction. The provisions stated herein shall not be construed as mandating periodic inspections and the undertaking of periodic inspections shall not be construed as an acceptance of the work during construction or as a final inspection of the construction.

The Township, at the expense of the developer, reserves the right for the Township Engineer to require drawing detail or shop drawing, and/or tests by an approved testing facility to determine whether the improvement complies in all respects with the requirements of the Township.

A specific schedule and procedure for information will be established for each project. The following is intended to describe the format of inspections:

- 506.1.     Subsoil System – Inspection and testing to determine subsoil compaction to required density and inspection of subsoil elevation to insure grade and profile compatibility.
- 506.2.     Subgrade Structure – Inspection and testing of subgrade type and required density.

- 506.3. Underground Utilities and Storm Drainage System – Inspection and testing of pipe installation, including service laterals, inlets, manholes, endwalls, and bridges prior to backfilling.
- 506.4. Concrete Curb – Inspection prior to installation of string line to show type of curb, grade, and alignment. Material inspection, including the submittal of all certified material delivery slips.
- 506.5. Street Subbase Course – Inspection of materials placed as sub base prior to installation of base course, including the submittal of all certified material delivery slips.
- 506.6. Street Base Course – Inspection of materials placed as base, including the submittal of all certified material weight slips.
- 506.7. Street Wearing Course Structure – Inspection of materials placed as wearing surface, including the submittal of all certified material weight slips.
- 506.8. Sidewalk Structures – Inspection of subbase grade and form grade and alignment prior to any pour.
- 506.9. Right-of-Way Profile – Inspection of required finish grade elevations to limits of street right-of-way.
- 506.10. Storm Drainage – Inspection of required finish grade elevations, alignments and profiles to limits of right-of-way or easement.
- 506.11. Seeding, Sodding and Erosion Controls – Inspection as required to assure compliance with storm drainage regulations.

## **SECTION 507. AS-BUILT PLANS**

Upon completion of all required improvements and prior to final inspections of improvements, the developer shall submit a Plan labeled “As-Built Plan,” showing the actual location, dimension and elevation of all existing improvements. In addition, the plan shall demonstrate that the existing grading, drainage structures and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The plan shall specifically identify all deviations from the previously approved drawings. The applicant's engineer shall certify that the construction of the storm water management facility was completed in accordance with the plans and specifications as originally submitted and approved by the Township. Three (3) paper copies of the plan shall be submitted to the Township Secretary, or designee, who shall distribute a paper copy to the Township Engineer and retain two (2) copies for the Township files.

## ARTICLE VI

### DESIGN STANDARDS

#### **SECTION 601. GENERAL**

The standards and requirements contained in this Article shall apply as minimum design standards for subdivisions and/or land developments. Whenever other Township ordinances or regulations impose more restrictive design standards than those contained herein, the more restrictive shall apply.

- 601.1. Site Analysis – An analysis shall be made of the site characteristics, such as site configuration, geology, soil, topography, water bodies, ecology, vegetation, structures, road network, visual features and past/present use of the site. Development of the site shall be designed to:
- A. preserve the natural features of the site;
  - B. avoid areas of environmental sensitivity; and
  - C. minimize negative impacts and alteration of natural features.
- 601.2. Preservation of Natural and Cultural Features – The following specific areas shall be preserved and incorporated into the overall design:
- A. Wetlands, as defined by this Ordinance, except in those situations where permits or approvals from applicable State and Federal agencies have been obtained (see Section 612);
  - B. Floodplain, as defined by this Ordinance, except in those situations where permits or approvals from applicable State and Federal agencies have been obtained (see Section 611);
  - C. Protect existing stands of trees four (4) inches in diameter or larger, to the extent practicable (See Section 616);
  - D. Unique wildlife habitat that contains threatened and endangered species on both the Federal and state listings (See Section 402.5.7); and
  - E. Steep Slopes in excess of fifteen percent (15%). (See Section 610)
- 601.3. General Design Goals – The development shall be laid out to avoid unnecessary impervious cover and to mitigate adverse effects of shadow, noise, glare, odor, dust, traffic, drainage, and utilities on neighboring properties and the general community.

- 601.4. Conformance with Adopted Plans – Design of the development shall take into consideration all adopted Township, County, and State plans for the Township and surrounding community.
- 601.5. Relationship of the Development to Existing Facilities – The proposed development shall be designed, laid out, arranged, constructed and coordinated with all presently existing facilities and improvements that serve the tract, including, but not limited to, the
- A. Transportation network,
  - B. Sewer collection, conveyance and treatment facilities,
  - C. Water supply and distribution facilities, and
  - D. Storm water management facilities.
- 601.6. The proposed development shall accommodate prospective traffic, facilitate fire protection, prevent flooding and conform to the comprehensive plan and to any regulations and other adopted documents.
- 601.7. The proposed development shall insure that abutting properties will continue to have safe and convenient access in accordance with the standards of this Ordinance. If abutting properties do not presently have such access, the resulting access shall be at least the level existing prior to proposed development.
- 601.8. Studies and reports submitted with the plan shall clearly identify any anticipated public improvement to existing facilities. If an applicant submits a study, report or plan which contains the assumption of improvements that are funded by another entity (public or private) in order to comply with the standards of this Ordinance the applicant must present evidence that the entity has entered into contracts for the assumed improvements.

## **SECTION 602. STREETS, ACCESS DRIVES, ALLEYS, AND DRIVEWAYS**

- 602.1. General – Streets, access drives, alleys, and driveways form the circulation system. The conventional grid system is preferred for future street system. The circulation system shall be designed to:
- A. Permit the safe, efficient and orderly movement of vehicles;
  - B. Meet the needs of the present and future population;
  - C. Provide a simple and logical pattern;

- D. Function under a hierarchy system where the intensity of intersections decrease as traffic volumes and speed increase;
- E. Respect the natural features and topography;
- F. Conform with the circulation plan of the Township;
- G. Provide, when possible, two directions of vehicular access by means of a street or access drive to and within a development;
- H. Provide for the movement of emergency vehicles; and,
- I. Present an attractive streetscape.
- J. The design and construction of all developments must be coordinated with all existing streets, access drives, alleys, and driveways that are necessary to serve the development, accommodate prospective traffic, conform to the Township Comprehensive Plan, and conform to all regulations or maps adopted in furtherance thereof.
- K. The development must insure that other properties will continue to have safe and convenient vehicular access in accordance with the standards of this Ordinance, or to the level of service that existed prior to the development.
- L. Studies and reports shall clearly identify all assumed improvements to the existing facilities. A study, report or plan that contains an assumption of future construction of improvements shall include evidence that:
  - 1. A governmental entity has budgeted funds and/or entered into contracts for the assumed improvements, or
  - 2. An approved and recorded plan guarantees the assumed improvements.

602.2. Private Streets – Private streets are prohibited, unless such streets meet the design standards of this Ordinance and the objectives of the development warrant private ownership. In all situations, the approval of a private street shall be at the discretion of Board of Supervisors.

Applications which proposed private streets shall include an agreement which shall be recorded with the Perry County Recorder of Deeds in conjunction with the Final Plan. To avoid a delay, the applicant is encouraged to submit the agreement with the Preliminary Plan. Said agreement shall stipulate the following:

- A. The street shall be maintained in conformance with this Ordinance;

- B. Any future offer of dedication will include sufficient moneys, as estimated by the Board of Supervisors, to make the street to conformance with current Township standards;
- C. That an offer of dedication will include whole streets and adequate circulation;
- D. The method of assessing maintenance and repair cost; and,
- E. That an agreement by the owners of fifty-one percent (51%) of the front footage is binding on the remaining lot owners.

602.3. Improvements of Existing Streets – Where a subdivision and/or land development abuts an existing Township street and/or State route, the application shall conform to the following:

- A. Where the Traffic Impact Report indicates that improvements are required, the application shall include the installation of the improvements. The applicant shall be responsible for the improvements required to meet the goals of the Traffic Impact Study. The goals of the Traffic Impact Study are to:
  - 1. Provide safe and efficient movement of traffic within the site and on surrounding roads;
  - 2. Minimize the impact of the project upon non-site trips;
  - 3. Not allow the levels of service at intersections currently rated A or B to be worse than C; and,
  - 4. Not reduce the current levels of service at intersections with ratings of C or lower.
- B. Where the existing abutting streets do not meet the standards of this Ordinance, the application shall include the improvement along the side of the street that the project fronts.
- C. Improvement guarantees in the form permitted by this Ordinance shall assure that such improvements will be made within such period of time as the Township shall determine such determination to be based on the likely timing of the project and the improvements of the other portion of said street.
- D. In lieu of making required improvements or the establishment of an Improvement Guarantee for the specific road on which the project lies, the applicant may request a waiver, and contribute a General Site Improvement



Fee to be used by the Township whenever said street is upgraded. The amount of the fee shall be based upon the estimated cost of the improvements.

602.4. Arterial and Collector Streets – The arterial and collector streets' primary function is to provide free traffic flow. Interruptions in the flow of traffic from street intersections and driveways to adjoining properties are a minor and secondary responsibility of an arterial or collector street.

A. Centre Township has designated the following as arterial or collector streets:

1. PA Route 274 (arterial)
2. PA Route 34 (arterial)
3. Jericho Road, SR 3019 (collector)
4. Page Hill Road, SR 3019 (collector)
5. Mannsville Road, SR 4003 (collector)
6. State Park Road, SR 1011 (collector)
7. SR 4005 Cold Storage Road (collector)
8. SR 4010 Little Buffalo Road (Collector)

B. Developments which adjoin arterial or collector streets are required to conform to the following:

1. No vehicular access is permitted along an arterial or collector street when alternative access is possible from a street of less classification.
2. Access to arterial or collector streets must be designed for use by adjoining properties to coordinate and reduce number of access points.
3. Shared access drives, feeder roads, marginal access streets, reverse frontage lots, or other such treatment shall be utilized when possible, to reduce the number of intersections along arterial and collector streets.
4. Intersections of streets, access drives or alleys with arterial or collector streets shall not be located closer than three hundred feet (300'), measured along the centerline of the street.

5. Intersections of driveway with arterial or collector streets shall be limited to one (1) per lot and subject to PennDOT Permit Regulations, Part 441, as amended.
6. Driveway shall be provided with adequate turnaround within the lot so egress to the street is in a forward direction.
7. Shared driveway entrance points are encouraged when provided with an easement agreement. The easement agreement shall be recorded with the Perry County Recorder of Deeds in conjunction with the Final Plan. Said agreement shall stipulate the method of assessing maintenance and repair cost.

602.5. Street Function – Streets shall be designed to form continuations of streets with similar function and access streets of a greater function. Streets shall conform to the circulation routes of the Township, adjoining development patterns, topography, and natural features. Curvilinear streets shall not be used immediately adjacent to the existing grid street system without providing a transition that continues and protects the historic grid.

602.6. Street Provisions for Future Development – Where appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. Areas reserved solely for future street usage will not be required to be improved; however, the right-of-way for 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 public right-of-way 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 significant man-made or natural features of the site.

When connecting a proposed street to an existing temporary cul-de-sac, such connection and all restoration work required to restore the adjacent lots in the area of the existing turnaround shall be the responsibility of the developer proposing the connection.

602.7. Street Sign and Traffic Control – Street signs including name, and traffic controls shall be installed by the Township and funded by the developer. Streets which are continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets within the same postal area. All new street names are subject to approval by the Township and the U. S. Postal Service.

602.8. Vertical Alignments – Vertical street alignments shall be measured along the centerline. The minimum grade of all streets with curb shall be one percent (1%) and one and one half percent (1.5%) for streets without curb. The maximum

grade for streets shall not exceed ten percent (10%). However, minor streets where access is also available over streets with grades of ten percent (10%) or less may have grades up to twelve percent (12%) for a distance no more than four hundred feet (400').

- A. Vertical curves shall be used in changes of grade exceeding one percent (1%). The minimum lengths (in feet) of vertical curves shall be thirty (30) times the algebraic difference in grade for a crest and twenty (20) times the algebraic difference in grade for a sag. This minimum length for minor streets shall be two hundred feet (200').
- B. Where the approaching grade, within one hundred feet (100') of the centerline intersection, exceeds seven percent (7%) on streets at a four-way street intersection, or the terminating street at a three-way intersection, a leveling area shall be provided. Such leveling area shall have a maximum grade of four percent (4%) for a minimum length of one hundred feet (100') measured from the intersection of the centerlines.
- C. The grade within the diameter of a turnaround at the terminus of a permanent cul-de-sac shall be at least one percent (1%) and not exceed five percent (5%) in any directions.
- D. All areas within the street right-of-way shall be crowned with a cross slope of two percent (2%). The maximum slopes of banks located outside of the street right-of-way, measured perpendicular to the right-of-way of the street shall not exceed three to one (3:1) for fills and two to one (2:1) for cuts, and comply with PennDOT Publication 70.
- E. The need for guidance protection on embankments shall be determined and installed in accordance with PennDOT Design Manual, Part 2, Chapter 14, as amended.

602.9. Horizontal Alignments – Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes.

- A. Single, long radius curves shall be used rather than a series of curves with varying radii and/or a series of short curves separated by short, straight segments.
- B. The minimum horizontal curve radius shall be one hundred fifty feet (150'). All curves shall be tangential arcs.
- C. The following minimum tangent shall be provided between reverse curves.

Arterial/Collector Street	100 feet
Local Street	50 feet

1. Perimeter Streets – Street locations along the perimeter of a property shall be required to provide building setback lines and clear sight triangles when located within the adjacent properties. Permission for these encroachments on adjacent landowners shall be obtained in the form of a right-of-way.
2. Cartway Alignment – The centerline of the street cartway shall coincide with the centerline of the street right-of-way.

602.10. Street Right-of-Way and Cartway Widths The minimum street right-of-way width and cartway width are as follows:

Street Type	Single-family detached dwellings on lot frontage of one hundred feet (100') or greater	All other development
Arterial Street	As determined by PennDOT	As determined by PennDOT on state designated highways
Collector Street	As determined by PennDOT	As determined by PennDOT on state designated highways
Local Street	Right-of-way - 50 feet Paved Shoulder - 16 feet (8 feet per side) Cartway - 18 feet	Right-of-way - 50 feet Paved Shoulder - 16 feet (8 feet per side) Cartway - 24 feet
Cul-de-sac	Right-of-way - 50 feet radius (100' total) Paved Shoulder - 16 feet (8 feet per side) Cartway - 40 feet radius	Right-of-way - 50 feet radius (100' total) Paved Shoulder - 16 feet (8 feet per side) Cartway - 40 feet radius
Alley or Service Drive	Right-of-way - 50 feet Paved Shoulder - 16 feet (8 feet per side) Cartway - 18 feet	Right-of-way - 50 feet Paved Shoulder - 16 feet (8 feet per side) Cartway - 24 feet

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 Township approval.

- 602.11. Street Improvements – All proposed street cartways shall be constructed in accordance with PennDOT Specifications (Publication 408) and the following chart:

Street Type	Improvement
Arterial & Collector	As determined by PennDOT on state designated highways
Local Street, Alley and Cul-de-Sac	Top - 1½ inch 9.5mm Wearing – PG 64-22, 9.5 mm Base - 4-inch 25mm Base Course (SLR-L) PG 64-22, 25 mm Subbase - 6 inches 2A Aggregate on a prepared subgrade
Paved Shoulder	Top - 1½ inch – 9.5mm Wearing PG 64-22, 9.5 mm Base - 4-inch 25mm Base Course PG 64-22, 25 mm Subbase – 6 inches of 2A Aggregate on a prepared subgrade

The Township reserves the right to increase the minimum street improvement standards when there is evidence of inadequate soil subgrade bearing capacity or of the possibility of excess equivalent eighteen thousand (18,000) single axle load applications during the twenty (20) year design life of the pavement.

The developer may request, by the waiver provisions of this Ordinance, a lesser pavement section. The waiver request shall include a pavement design analysis in accordance with the procedure specified in the latest edition of PennDOT's Roadway Management *Manual Publication 242*, demonstrating that a lesser pavement section may be used.

- 602.12. Street Intersections

- A. All intersections with a State Route shall be subject to the approval of the Pennsylvania Department of Transportation (PennDOT). Copies of Highway Occupancy Permits from PennDOT shall be submitted for all proposed intersections with a State Route prior to Final Plan approval.
- B. Multiple intersections involving the junction of more than two streets are prohibited. Only “T” and four-way intersections are permitted.
- C. The distance between the centerline intersections of streets shall be measured along the centerline of the street being intersected and conform to the following:

Function	Minimum Separation
Arterial and Collector	500 feet
All Other Streets	150 feet

- D. Right angle intersections shall be used whenever possible. No street shall intersect another at an angle of less than seventy-five degrees (75°) or more than one hundred five degrees (105°).
  - E. The cartway edge at intersections shall be rounded by a tangential arc with a minimum radius of fifty-five feet (55') for collector and/or arterial streets, and thirty feet (30') for all other streets. The right-of-way radii at intersections shall be substantially concentric with the cartway edge.
  - F. There shall be provided and maintained at all existing and proposed intersections a clear-sight triangle with a line of sight between points which are established along the centerline of the intersecting streets. The minimum clear-sight triangle is one hundred fifty feet (150') for arterial and collector streets, and seventy-five feet (75') for all other streets.
  - G. Clear-sight triangles shall be indicated on all plans. No building, structure, planting, or other obstruction that would obscure the vision of a motorist shall be permitted within these areas. No obstructions, grading and/or plantings more than three feet (3') above the cartway grade are permitted in the clear-sight triangle. A public right-of-way shall be reserved for the purpose of removing any object, material or other obstruction to the clear sight.
- 602.13. Stopping Sight Distance – All intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment. The sight distance shall be measured at the centerline of the cartway to an object three and one half feet (3.5') above the pavement, from a height of three and one-half feet (3½') and ten feet (10') from the edge of paving at the intersection. The following are minimum sight distances for pick-up trucks and passenger vehicles. (See PennDOT Title 67, Chapter 441 Standards for vehicles other than passenger vehicles):

SPEED (M.P.H.)*	STREET GRADE IN PERCENT												
	<1	+1	-1	+2	-2	+3	-3	+4	-4	+5	-5	+6	-6
15	75'	74'	75'	73'	76'	73'	77'	73'	77'	73'	78'	72'	79'
20	109'	108'	110'	107'	111'	106'	112'	105'	113'	105'	114'	104'	115'
25	147'	145'	148'	144'	150'	143'	151'	142'	153'	140'	155'	139'	157'
30	196'	194'	198'	191'	201'	189'	204'	187'	207'	185'	210'	183'	214'
35	249'	245'	252'	242'	256'	238'	260'	236'	265'	233'	269'	231'	274'
40	314'	309'	319'	309'	325'	299'	331'	295'	337'	291'	345'	287'	352'
45	383'	376'	390'	370'	398'	364'	406'	358'	415'	353'	425'	348'	435'
50	462'	453'	471'	444'	481'	436'	492'	429'	504'	421'	517'	415'	531'
55	538'	527'	550'	517'	562'	508'	576'	494'	590'	490'	605'	422'	622'

SPEED (M.P.H.)*	STREET GRADE IN PERCENT													
	+7	-7	+8	-8	+9	-9	+10	-10	+11	-11	+12	-12	+13	-13
15	72'	79'	71'	80'	71'	81'	71'	82'	70'	83'	70'	84'	70'	85'
20	103'	117'	102'	118'	102'	119'	101'	121'	101'	123'	100'	125'	100'	127'
25	138'	159'	137'	161'	136'	164'	135'	166'	134'	169'	134'	172'	133'	175'
30	182'	217'	180'	221'	178'	226'	177'	230'	175'	235'	174'	241'	173'	247'
35	228'	280'	226'	286'	224'	292'	221'	299'	219'	306'	217'	314'	215'	323'
40	284'	360'	280'	369'	277'	379'	274'	389'	271'	401'	268'	414'	266'	428'
45	343'	447'	338'	459'	334'	472'	330'	487'	326'	503'	322'	521'	319'	540'
50	409'	547'	403'	563'	397'	581'	392'	600'	388'	622'	382'	647'	378'	674'
55	475'	641'	467'	660'	461'	682'	454'	706'	448'	733'	442'	762'	437'	795'

\*If the 85th percentile speed varies by more than ten (10) miles per hour from the speed limit, the Township may require the 85th percentile speed to be used.

Sight distance for roads with grades more than thirteen percent (13%) shall be calculated in accordance to the following:

$$SSSD = 1.47 V_t + \frac{V^2}{30(f \pm g)}$$

SSSD = Minimum safe stopping sight distance (feet).

V = Velocity of vehicle (miles per hour).

t = Perception time of motorist (average = 2.5 seconds).

f = Wet friction of pavement (average = 0.30).

g = Percent grade of roadway divided by 100.

Source: *Pennsylvania Code, Title 67. Transportation, Chapter 441, Access to and Occupancy of Highways by Driveways and Local Roads*, (Latest Edition).

- 602.14. Cul-de-Sac Streets – Permanent cul-de-sac streets will not be approved when a through street is feasible. Mid-block cul-de-sacs and other types of street right-of-way/cartway widening are prohibited. Temporary or permanent cul-de-sac streets shall not exceed a centerline distance of five hundred feet (500') in length, measured from the centerline intersection with a street which is not a cul-de-sac to the center of the cul-de-sac turnaround. All cul-de-sac streets, whether permanently or temporarily designed, shall be provided at the closed end with a fully paved turnaround with a minimum width of eighty feet (80'). The minimum right-of-way width in the turnaround is one hundred feet (100'). The use of such turnaround shall be guaranteed until such time as the street is extended. The turnaround area shall be provided with an easement, located beyond the street right-of-way, for the municipal deposit of snow.

The Board of Supervisors may permit an alternative turnaround design, including a turnaround incorporated into a parking court or landscaped island, provided safe movement of traffic is assured, adequate radii are used and guaranteed long-term maintenance is in place.

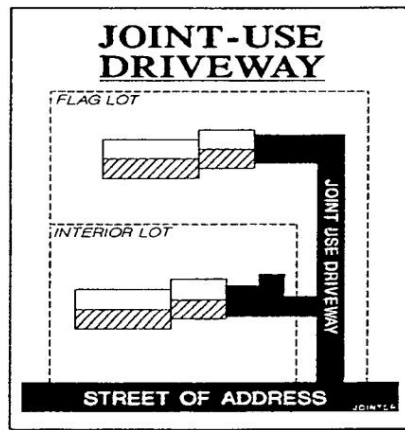
- 602.15. Alleys – Alleys are prohibited.

- 602.16. Driveways – Driveways shall only be used to provide vehicular access between a parking area for a single residential unit of occupancy or farm and a street, or access drive.

- A. Driveways shall not connect with a street within fifty feet (50') of the right-of-way lines of any intersecting street, within five feet (5') of a fire hydrant, or within ten feet (10') of adjoining lot lines, unless a joint-use driveway straddles the property line.
- B. Driveways shall be provided with a clear-sight triangle with a line of sight between points which are established along the centerline of the intersecting streets. The minimum clear-sight triangle is seventy-five feet (75') from all points. No permanent obstructions and/or plant material over three feet (3') high shall be placed within the clear-sight triangle.
- C. A driveway shall not exceed a slope of seven percent (7%) within twenty-five feet (25') of the street right-of-way.
- D. Driveways shall access the street of lesser classification when there is more than one street classification involved.
- E. No driveway shall provide a width exceeding twenty feet (20') at the street line.

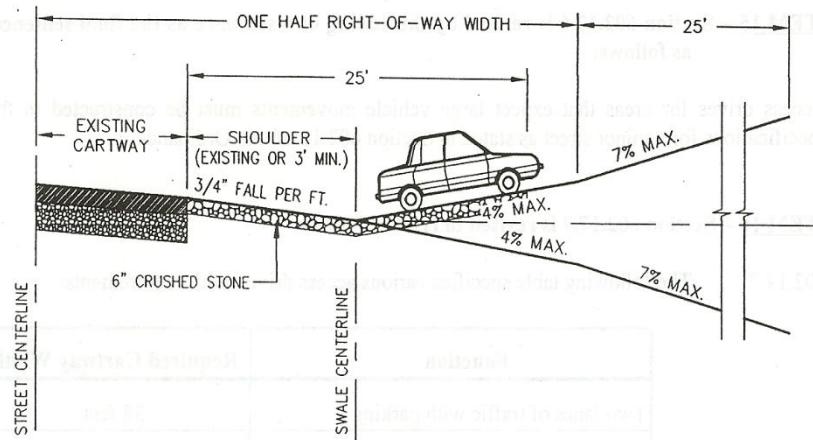


- F. Any driveway intersecting a State-owned road shall obtain a driveway permit from the Pennsylvania Department of Transportation and provide a copy to the Township.
- G. A joint-use driveway may serve up to a maximum of two (2) total dwellings/lots. All joint-use driveways shall have a minimum cartway width of sixteen feet (16'). Cross access easements shall be provided to define rights of, access to, and maintenance of, joint-use driveways; such easements shall be recorded with the plan. The maintenance agreement shall be in accordance with Appendix 10.



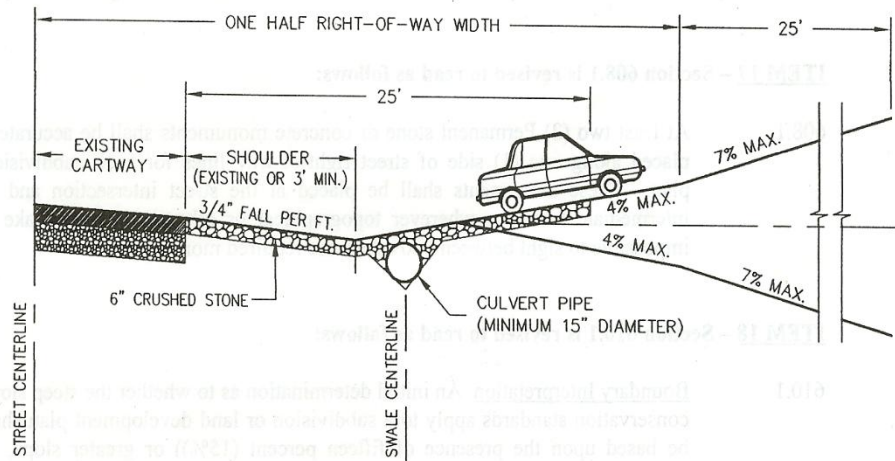
- H. All driveways shall have a minimum of a six (6") inch crushed stone apron for a distance of twenty-five feet (25') from the paved edge of the street cartway and conform to the following detail:

## DRIVEWAY CONSTRUCTION



### METHOD "A"

Should be employed when drainage swale is 6 inches deep or less. Driveway should reflect drainage swale dimensions.



### METHOD "B"

Should be employed when drainage swale is greater than 6 inches deep and Method A cannot be utilized. Culvert pipe under driveway should be sized to accommodate 25-year storm event.

- I. All driveways located along arterial or collector streets shall be configured with a vehicle turnaround so that no vehicle shall need to back up onto the street.

- J. Driveways shall be provided with adequate controls for storm water runoff along the driveway and the intersecting street.
- K. Driveway intersections shall conform with the angle of intersection and sight distance requirements stated in Section 602.12.4 and 602.13 of this Ordinance.

602.17 Access Drives – An improved cartway designed and constructed to provide vehicular movement between a public road and a tract of land containing any use other than one single-family dwelling unit or farm. Access drives shall conform to the following:

- A. The vertical alignments of access drives shall conform to the specifications for streets, as stated in Section 602.8 of this Ordinance. However, the minimum vertical curve length shall be fifteen (15) times the algebraic difference in grade.
- B. The horizontal alignments of access drives shall be measured along the centerline. Horizontal curves shall be used at all angle changes in excess of two degrees (2°). All curves shall be tangential arcs. The minimum horizontal curve radius shall be seventy-five feet (75').
- C. All access drive intersections shall be:
  - 1. Subject to approval of the Pennsylvania Department of Transportation (PennDOT) when intersecting a State Route. Copies of Highway Occupancy Permits from PennDOT shall be submitted for all proposed intersections with a State Route prior to the recording of a Plan. The Plan shall include a statement that identifies when a Highway Occupancy Permit is required.
  - 2. Set back one hundred feet (100') from the intersection of any street right-of-way lines, or the pavement edge of other access drives.
  - 3. Set back fifteen feet (15') from any side and/or rear property lines; however, this setback can be waived along the property line when a joint parking lot is shared by adjoining uses.
  - 4. Located in relationship to access drive intersections on adjacent properties to provide safe and efficient movement of vehicles.
  - 5. Designed with right angle intersections whenever possible. No access drive intersection shall utilize an angle less than seventy-five degrees (75°) unless turning movement restrictions are imposed.

6. Rounded by a tangential arc with a minimum radius of thirty feet (30'). The Township may require fifty-five foot (55') radius where large vehicle turning movements are anticipated.
  7. Provided with a clear-sight triangle and stopping sight distance as required for a street, in accordance with Sections 602.12.6 and 602.13 of this Ordinance.
- D. Access drives which form a cul-de-sac shall not exceed five hundred feet (500') in length, measured from the centerline intersection of a street or access drive which is not a cul-de-sac. Access drive cul-de-sacs which do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of one hundred feet (100').

The Board of Supervisors, upon the recommendation of the Planning Commission, may permit an alternative turnaround design, including a turnaround incorporated in a parking court or a landscaped island, provided safe movement of traffic is assured.

- E. When vehicular parking is prohibited along access drives, the prohibition must be acknowledged on the Plan and properly signed along the cartway.
- F. The cartway of all access drives shall be constructed with a minimum six inch (6") crushed aggregate base course and a two and one-half inch (2½") bituminous concrete surface course of materials specified in the latest edition of *PennDOT Specifications Publication 408*. Additionally, all work procedures shall conform to the latest edition of *PennDOT Specifications Publication 408*. Access drives for areas that expect large vehicle movements must be constructed to the specifications for a minor street as stated in Section 602.11 of this Ordinance.
- G. The following table specifies various access drive width requirements:

Function	Required Cartway Width
Two lanes of traffic with parking	36 feet
Two lanes of traffic without parking	24 feet
One lane of traffic with one lane of parking <sup>1</sup>	20 feet
One lane of traffic without parking <sup>2</sup>	12 feet

<sup>1</sup>The one-way direction signage of traffic must be identified along the cartway.

- H. The maximum slopes of banks located within twenty feet (20') of the cartway shall not exceed three to one (3:1) for fills, and two to one (2:1) for cuts.

## **SECTION 603. VEHICULAR PARKING AND OFF-STREET LOADING FACILITIES**

- 603.1. Parking – A single-family dwelling shall be required to provide two (2) off-street parking spaces which may take the form of garages, carports or driveways. The remaining regulations contained in this section apply to off-street parking facilities serving other than one (1) single-family dwelling.
- 603.2. Surface – All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, or another approved dust-free surface approved by the Township.
- 603.3. Drainage – Parking lots shall be graded to a minimum slope of one and one half percent (1.5%) to provide for drainage. Adequately sized inlets and storm sewers shall be provided to discharge storm water.
- 603.4. Lighting – Adequate lighting shall be provided if the parking lot is to be used at night. Such fixtures shall be shielded so as not to project light upwards or at land used for residential purposes, or adjoining lots or streets. The lighting shall be based on the EIS Manual and show the delivered lumens of the fixtures.
- 603.5. Access Drives – Every parking lot shall be connected to a street by means of an access drive.
- 603.6. Parking Lot Design – The minimum parking space sizes for parallel parking is twenty-two feet by eight feet (22' x 8') and non-parallel parking is twenty feet by ten feet (20' x 10').
- 603.7. Access – Parking areas shall be designed so that each vehicle may proceed to and from the parking space without requiring the moving of any other vehicle.
- 603.8. Marking – All parking lots shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives. The lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid white and four inches (4") in width. Painted lines, arrows and dividers shall be provided and maintained to control parking, and to direct vehicular circulation.
- 603.9. Separation – Parking spaces shall be guarded by curbs or other protective devices, which are arranged so that parked cars cannot project into access and interior drives, streets, yards, or walkways.
- 603.10. Handicapped Parking – Parking spaces for handicapped persons shall be governed by the latest guidelines described under the Americans with Disabilities Act Accessibility Guidelines.
- 603.11. Joint Parking Lots – In commercial shopping centers and office parks over two (2) acres in size, joint parking lots may be permitted. These joint facilities can

reduce the total number of parking spaces required by a maximum of twenty percent (20%). Therefore, the resulting joint parking lot will be required to provide at least eighty percent (80%) of the total number of spaces required by the sum of all of the shopping center's tenants. Such reduced parking spaces must be appropriately distributed on the lot to provide convenient walking distance between every vehicle and each of the shopping center's stores, and,

Required parking spaces may be provided in parking lots designated to jointly serve two (2) or more establishments or uses, provided that the number of required spaces in such joint facility shall not be less than the total required separately for all such establishments or uses. However, where it can be conclusively demonstrated that one (1) or more uses will be generating a demand for parking spaces, primarily during periods when the other use(s) is not in operation, the total number of required parking spaces may be reduced to:

- A. That required number of spaces that would be needed to serve the use generating the most demand for parking; plus,
- B. Twenty percent (20%) of that number of required parking spaces needed to serve the use(s) generating the demand for lesser spaces.

603.12. Schedule of Required Spaces – The following lists required numbers of parking spaces by use type. Any use involving a combination of several uses shall provide the total number of spaces required for each individual use:

Type of Use	Minimum of One Parking Space for Each
<b>Commercial Uses</b>	
Automobile repair, filling and washing facilities	400 square feet of gross floor and ground area devoted to repair and service facilities, in addition to areas normally devoted to automobile storage and one per employee on major shift
Automobile, boat, and trailer sales	1,000 square feet of gross indoor and outdoor display areas
Carpeting, drapery, floor covering, and wall covering sales	500 square feet of gross floor area
Convenience stores	75 square feet of gross floor area
Drive-thru and/or fast-food restaurants	Two seats and one per each two employees
Food markets and grocery stores	150 square feet of gross floor area for public use and one per each employee on two largest shifts
Funeral homes	100 square feet of gross floor area, one per each employee, and one per each piece mobile equipment, such as hearses and ambulances
Furniture sales	500 square feet gross floor area
Hotels, motels	Guest sleeping room and one per each employee on two largest shifts. (Restaurants and other accessory uses shall add to this requirement.)
Mini-warehouses	25 units, plus one per 250 square feet of office space, plus two per any resident manager
Nightclubs and taverns	Two seats plus one per employee on largest shift
Office buildings	300 square feet of gross floor area
Professional offices of veterinarians, physicians, dentists, etc.	Six spaces per each physician or dentist, etc.
Retail stores or shops (except those listed above)	200 square feet of gross floor area (display area and/or sales area and one per each employee on two largest shifts)
Restaurants	Four seats plus one per each employee on largest shift
Shopping centers or malls	182 square feet of gross leasable floor area

Other commercial buildings	400 square feet of gross floor area
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Type of Use	Minimum of One Parking Space for Each
<b>Industrial Uses</b>	
Industrial and manufacturing establishments	Two employees on the two largest shifts or at least one space per each 1,000 square feet of gross floor area, whichever is the greatest number
Warehousing	Employee on the two largest shifts

Type of Use	Minimum of One Parking Space for Each
<b>Recreation Uses</b>	
Amusement arcades	80 square feet of gross floor area
Athletic fields	Four seats of spectator seating; however, if no spectator seating is provided, a temporary parking area shall be provided on the site. Such area must provide sufficient numbers of spaces to serve all users of the site, and include a fence delineating such parking area.
Bowling alleys, billiards rooms	1/4 lane/table and one per each two employees
Campgrounds	Per campsite, plus one per employee, plus 50% of the spaces normally required for accessory uses
Golf courses	1/8 hole, plus one per employee, plus 50% of the spaces normally required for accessory uses
Golf driving ranges	One per tee and one per employee
Miniature golf courses	1/2 hole and one per employee
Riding schools or horse stables	Two stalls, plus one per every four seats of spectator seating
Picnic areas	Per table
Skating rinks	Four persons of legal occupancy, plus one per employee
Swimming pools (other than one accessory to a residential development)	Four persons of legal occupancy, plus one per employee
Tennis or racquetball clubs	1/4 court plus one per employee, plus 50% of the spaces normally required for accessory uses

Type of Use	Minimum of One Parking Space for Each
<b>Residential Uses</b>	
Single-family detached dwellings and seasonal dwellings	1/2 dwelling unit (i.e. two spaces per dwelling unit)
Boarding houses, group homes, and bed and breakfasts	Bedroom
Duplex, townhouse, multiple-family, and conversion apartment dwellings	1/3 dwelling unit (i.e., three spaces per dwelling unit). Such parking spaces can take the form of private driveways, or garages and/or common parking lots, provided all spaces required are within 150 feet of the unit served.

Type of Use	Minimum of One Parking Space for Each
<b>Social and Institutional Uses</b>	
Auditorium, banquet, conference, and meeting facilities; church, theater, and other such places of public assembly	200 square feet, but not fewer than one space per each three seats
Clubs, lodges, and other similar places	200 square feet of gross floor area and one per each employee on two largest shifts
Nursing or rest homes	Three accommodations (beds) in addition to those needed for doctors and support staff
Hospitals, sanitariums	Spaces shall be provided for visitors, at the rate of at least one space per each 1.5 accommodations (beds). Such spaces shall be in addition to those necessary for doctors and other personnel.
Museums, art galleries, cultural centers, libraries	400 square feet of gross floor area
Rehabilitation centers, (without overnight accommodations)	One per each employee and per each three people anticipated to be handled through the facility.

Schools below grade ten, including kindergarten and day-care centers	Six individuals enrolled
Schools, tenth grade and above, including colleges	Three students enrolled
Vocational training and adult education facilities	1.5 students enrolled

- 603.13. Interior Aisles Widths – Interior aisles, located between rows of parking spaces shall have the minimum widths indicated in the following table:

Angle of Parking	Width of Driveway in Feet	Width of Driveway in Feet;
	One-Way Traffic	Two-Way Traffic
90 Degrees	24	24
60 Degrees	18	22
45 Degrees	16	22
30 Degrees	12	22
Parallel	12	22

- A. Aisles are intended principally to provide vehicular access within a parking compound and exit/entrance for individual parking spaces. Aisles may not be used to intersect streets.
  - B. Interior aisles in areas where there is no parking permitted shall be at least eleven feet (11') wide for each lane of traffic.
  - C. Not less than a four foot (4') radius of curvature shall be permitted for horizontal curves in parking areas.
  - D. All dead-end parking lots shall be designed to provide sufficient back-up area for all end spaces.
  - E. Speed bumps located within parking lots shall be marked with permanent, yellow strips. The speed bumps shall be in the form of mounds or depressions in the pavement and shall be designed to restrain motor vehicle speed. There shall be a warning sign posted at each entrance to parking areas having speed bumps. In no case shall the overall height (or depth) of speed bumps exceed three inches (3").
- 603.14. Prohibited Uses of a Parking Lot – Automobile parking lots are for the sole purposes of accommodating the passenger vehicles of persons associated with the use which requires them. Parking lots shall not be used for the following:
- A. The sale, display or storage of vehicles or other merchandise, including the use of vehicles parked in a permanent manner for the sole purpose of advertising.



- B. Parking/storage of non-passenger vehicles accessory to the use.
- C. Performing services (including services to vehicles).
- D. Loading and unloading purposes, except during hours when business operations are suspended or where off-street loading facilities do not exist.

603.15. Landscaping and Screening – When a parking lot abuts a street, a landscape strip shall be provided along the entire street line and yard line. This strip shall be measured from the street right-of-way line and may include a sidewalk which can be included in the required landscape strip width. The strip may be located within any other landscape strip required.

The following lists required width of landscape strips:

<b>Number of Spaces in Parking Lot, Including Joint Facilities</b>	<b>Landscape Strip Width in Feet Measured from Street R.O.W. Line</b>
Fewer than 100	15
100 to 250	20
Over 250	25

Vegetative ground cover alone is not sufficient to meet this requirement. A mixture of deciduous and evergreen trees, shrubs, or other approved material shall be provided. At least one (1) shade tree shall be provided for each seventy-five (75) linear feet of landscaping area. These trees shall have a clear trunk at least five feet (5') above finished-grade level.

603.16. Setback – All parking lots shall be set back a minimum of ten feet (10') from all property lines. Such setbacks may be used for landscape strips.

603.17. Interior Landscaping – In any parking lot containing fifty (50) or more parking spaces (except a parking garage), ten percent (10%) of the total area of the lot shall be devoted to interior landscaping. Such interior landscaping may be used at the end of parking space rows to break up rows of parking spaces at least every ten parking spaces, and to help visually define travel lanes through or next to the parking lot. Landscaped areas situated outside the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping.

For the purpose of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands, and curbed areas.

Ground cover alone is not sufficient to meet this requirement. Interior landscaping shall comply with Section 613.

Parked vehicles may not overhang interior landscaped areas more than two and one-half feet (2½'). Where necessary, curbing shall be provided to insure no greater overhang.

If a parking lot of fewer than fifty (50) spaces is built without interior landscaping, and later additional spaces are added so that the total is fifty (50) or more, the interior landscaping shall be provided for the entire parking lot.

603.18. Off Street Load

- A. Location – Off-street loading may not be located in any side or rear yard. When possible, off-street loading facilities shall be located on the face of a building not facing any adjoining residential land.
- B. The required minimum loading space sizes (excluding access drives, entrances and exits) are as follows:

Facility	Length	Width	Height (If Covered or Obstructed)
Industrial, Wholesale and Storage Uses	63 feet	12 feet	15 feet
All Other Uses	33 feet	12 feet	15 feet

- C. Off-street loading spaces shall be designed so that there will be no need for service vehicles to back over streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots.
- D. Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least twenty-four feet (24') wide for two-way travel, or eighteen feet (18') wide for one-way travel, exclusive of any parts of the curb and gutters.
- E. All off-street loading facilities, including access drives, shall be constructed and maintained with a paved surface of concrete or bituminous materials, or other dust-free surface.
- F. Adequate lighting shall be provided if the loading facility is to be used at night. Such lighting shall be shielded so as not to project light upwards or at land used for residential purposes, or adjoining lots or streets. The lighting shall be based on the EIS Manual and show the delivered lumens of the fixture.
- G. Unless otherwise indicated, all off-street loading facilities shall be surrounded by a fifteen foot (15') wide landscape strip.

## H. Schedule of Required Loading Spaces:

Type of Use	Number Spaces Per	Gross Floor Area
Hospital or other institution	None	First 10,000 square feet
	1.0	10,001 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Hotel, motel and similar lodging facilities	None	First 10,000 square feet
	1.0	10,001 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Industry or manufacturing	None	First 2,000 square feet
	1.0	2,001 to 25,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)
Multiple-family dwelling	None	Less than 100 dwelling units
	1.0	101 to 300 dwelling units
	+1.0	Each additional 200 dwelling units (or fraction)
Office building, including banks	None	First 10,000 square feet
	1.0	10,001 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Retail sales and services, per store, and restaurants	None	First 2,000 square feet
	1.0	2,001 to 10,000 square feet
	2.0	10,001 to 40,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Shopping centers (integrated shopping centers, malls and plazas) having at least 25,000 square feet	1.0	25,000 square feet up to 100,000 square feet
	+1.0	Each additional 100,000 square feet
Theater, auditorium, bowling alley, or other recreational establishment	None	First 10,000 square feet
	1.0	10,001 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Undertaking establishment or funeral parlor	None	First 3,000 square feet
	1.0	3,001 to 5,000 square feet
	+1.0	Each additional 10,000 square feet (or fraction)
Wholesale or warehousing (except mini-warehousing)	None	First 1,500 square feet
	1.0	1,501 to 10,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)

## **SECTION 604. SIDEWALK**

- 604.1. Sidewalk shall be provided along all street frontages where lot widths are one hundred feet (100') or less at the building setback line. Additionally, sidewalks may be required to continue existing sidewalk systems to the terminus of a service area, or provide access to vehicular parking compounds, school bus zones, recreational, commercial, industrial, or other community facilities.

- 604.2. Sidewalk which is located along streets or access drives shall be located along the side(s) of the street upon which lots front and pedestrian traffic is anticipated.
- 604.3. Sidewalk which is provided off-street or off-access drives shall be located along anticipated pedestrian traffic routes.
- 604.4. Sidewalk located adjacent to streets shall be constructed in accordance with *PennDOT Specifications Publication 408*, Section 676 “Cement Concrete Sidewalks”, as amended.
- 604.5. Sidewalk located outside of the public right-of-way, (e.g., adjacent to driveways, access drives, and parking compounds) may be constructed of any stable and mud-free material. Sufficient protection shall be provided to restrict parked vehicles from encroaching onto the sidewalk.
- 604.6. Sidewalk shall have a minimum width of four feet (4').
- 604.7. Sidewalk shall be graded so as to discharge storm water runoff. A minimum cross slope of two percent (2%) shall be provided.
- 604.8. Sidewalk along streets shall, when possible, be located within the street right-of-way and physically divided from the street cartway by curb and a two foot (2') wide grass strip.
- 604.9. Maintenance and repair cost for sidewalk is the sole responsibility of the frontage lot owner.
- 604.10. Pedestrian easements, which may be required by the Township to facilitate pedestrian circulation or to give access to community facilities, shall have a minimum right-of-way width of ten feet (10') to accommodate a walkway width of four feet (4'). This walkway shall be improved to the standards assigned by the Township.
- 604.11. Sidewalk shall conform to the Americans with Disabilities Act Accessibility Guidelines.

## **SECTION 605. CURB**

- 605.1. Curb shall be provided where sidewalks are required and where necessary for storm water management.
- 605.2. Depending on storm water drainage conditions, traffic, parking and/or safety of pedestrians, curb may be required along access drives.

- 605.3. Curb along arterial and collector streets shall be vertical type. Curb along local streets and access drives shall be either vertical or slant curb.
- 605.4. Curb shall be constructed in accordance with PennDOT Specifications Publication 408, Section 641 "Plain Cement Concrete Curb," as amended.
- 605.5. Transitions in curb type shall be subject to approval by the Township.
- 605.6. Curb shall conform to the Americans with Disabilities Act Accessibility Guidelines.
- 605.7. Vertical curb shall be twenty inches (20") deep, eight inches (8") wide at the top and nine inches (9") wide at the base. The distance from the top of the curb to the flow line of the gutter shall be eight inches (8") for commercial or industrial developments and six inches (6") for residential developments.
- 605.8. Slant curb shall be sixteen inches (16") deep at the back, twelve inches (12") deep at the front, and fourteen inches (14") wide at the top and base. The distance from the top of the face of curb to the flow line of the gutter shall be one inch (1").
- 605.9. Maintenance and repair cost for curb is the sole responsibility of the property owner.

## **SECTION 606. BLOCKS AND LOTS**

- 606.1. General – The configuration of blocks and lots shall be based upon the lot area requirements, traffic circulation, salient natural features, existing man-made features, and land use. Lot configurations should provide for flexibility in building locations, while providing safe vehicular and pedestrian circulation.
- 606.2. Residential Blocks – Along any side of one thousand feet (1,000'). Where practical, the minimum length of any side shall be three hundred feet (300').
- 606.3. Non-Residential Blocks – Block configurations in nonresidential areas shall be based primarily upon safe and efficient traffic circulation, and salient natural features.
- 606.4. Lot Configuration
  - A. Side lot lines shall be radial to street lines, for a minimum distance of half the lot depth.
  - B. In order to avoid jurisdictional problems, lot lines shall, wherever feasible, follow municipal boundaries rather than cross them. Where a lot is divided by a municipal boundary, the minimum standards of both municipalities shall apply.

- C. Lots with areas that are two or more times the minimum area requirements shall, wherever feasible, be designed with configurations that allow for additional subdivision. The Township may require a Sketch plan of such large lots that indicates the potential future subdivision is generally in conformance with the design standards.
- D. All lots shall front on a public street, or a private street that complies with the requirements of Section 602.2. However, the Township may, by a waiver, approve two dwellings or lots that front a private street with no street surfacing.
- E. Through (reverse frontage) lots front upon two parallel streets or upon two streets which do not intersect and vehicular access is available to both streets. All through lots shall designate one (1) frontage as the rear yard and have a planted buffer easement of at least twenty feet (20') in width located immediately contiguous to the street right-of-way. Vehicular access shall be prohibited from the rear of Reverse Frontage Lots.  
  
All Through Lots shall include an identification of the frontage for use as a road access. The street designated for frontage must be consistent with contiguous lots, unless a unique physical condition dictates an alternate location.
- F. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.
- G. All lots shall be designed to provide sufficient building area based upon building setbacks, easements, floodplains, etc.
- H. All lots shall be designed to provide suitable locations for two (2) on-lot waste disposal systems when public sanitary sewer is not available.

606.5. Lot Design Standards – The following table presents design standards which apply to all uses. The required minimum lot area calculation shall exclude any area within the street right-of-way, utility right-of-way, drainage easements, watercourses, ponds, and wetlands.

Land Use	Water Supply and Sanitary Sewer	Minimum Lot Area <sup>1</sup>	Maximum Density (du/ac)	Minimum Lot Width <sup>2</sup>	Maximum Lot Coverage	Minimum Required Yards			
						Front <sup>3</sup>	One Side	Both Sides	Rear
N/A	On-Site Water & On-Site Sewer	2 acres	N/A	200 ft.	20%	70 ft.	15 ft.	30 ft.	25 ft.
N/A	Either Public Water or Public Sewer	1.5 acres	N/A	100 ft.	35%	70 ft.	15 ft.	30 ft.	25 ft.
N/A	Both Public Water & Public Sewer	14,000 sq. ft.	N/A	75 ft.	45%	70 ft.	15 ft.	30 ft.	25 ft.
Semi-Detached	Both Public Water & Public Sewer	5,000 sq. ft. per unit	8	20 ft. per unit	60%	70 ft.	15 ft. (End Units)	N/A	25 ft.
Townhouse <sup>4</sup>	Both Public Water & Public Sewer	36,000 sq. ft.	8	20 ft.	60%	70 ft.	15 ft. (End Units)	—	25 ft.
Townhouse & Multi-Family <sup>4</sup>	Both Public Water & Public Sewer	1.0 acre	8	150 ft.	60%	70 ft.	15 ft. (End Units)	30 ft.	25 ft.

<sup>1</sup>The minimum lot size may be required to be increased to accommodate an on-lot sewage disposal site as determined by the Pennsylvania Department of Environmental Protection, to conserve steep slopes (Section 610.3), to prevent development restrictions from extending onto adjacent lots (Section 614.7) or to comply with other requirements of this Ordinance.

<sup>2</sup>Minimum lot width shall be measured at the building setback line and the street right-of-way line, a thirty percent (30%) reduction in lot width at the street right-of-way line is permitted.

<sup>3</sup>Front yard setback is measured from the street centerline.

<sup>4</sup>No more than twenty percent (20%) of the total number of townhouse or multiple-family buildings shall contain more than six (6) dwelling units, and in no case shall any grouping contain more than eight (8) dwelling units. For each townhouse grouping containing more than four (4) dwelling units, no more than sixty percent (60%) of such dwelling units shall have the same front yard setback; the minimum variation of setback shall be two feet (2'). All townhouse and multiple-family buildings shall be set back a minimum of fifteen feet (15') from any parking facilities contained on commonly-held lands. All townhouse and multiple-family buildings shall be set back at least twenty feet (20') from any perimeter boundary of the development site. In those instances where more than one townhouse or multiple-family building is located on the same lot, the following separation distances shall be provided between each building:

- A. Front to front, rear to rear, or front to rear, parallel buildings shall have at least seventy feet (70') between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as

much as ten feet (10') at one end if increased by similar or greater distance at the other end.

- B. A minimum yard space of thirty feet (30') is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of twenty feet (20').
- C. A minimum yard space of thirty feet (30') is required between end walls and front or rear faces of buildings.
- D. There shall be a minimum of thirty percent (30%) of the gross acreage of multiple-family dwelling sites devoted to active and/or passive common recreational facilities. This area may include any required storm water management facilities. Responsibility for the maintenance of the recreational areas shall be with the landowner and/or the operator. Townhouse lots shall be a minimum width of twenty-four feet (24').

606.6. Building Setback for Accessory Uses – All accessory uses shall comply with the front yard setback and be set back five feet (5') from side and rear lot lines. All trash dumpsters located within a side or rear yard shall be set back at least twenty feet (20') from all property lines and screened from adjoining roads and residential properties according to Section 613.

## **SECTION 607. EASEMENTS**

Easements for sanitary sewer facilities, storm water drainage facilities, public utilities, or pedestrian or vehicle access shall meet the following standards:

- 607.1. To the fullest extent possible, easements shall be adjacent to property lines. Easements which do not follow property lines must be identified by two locational dimension (“ties”) with metes and bounds. All easements must be described with perimeter metes and bounds.
- 607.2. Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement.
- 607.3. The plan and easement agreement shall clearly identify who has the right-of-access and responsibility for function of the easement area.
- 607.4. Pedestrian easements shall have a minimum width of ten feet (10').
- 607.5. Sanitary sewer and water supply easements shall have a minimum width of thirty feet (30'). In the case of a shared utility easement, sufficient area shall be



provided to allow a minimum of ten feet (10') between the centerline of the utility and the edge of the right-of-way.

- 607.6. Storm water easements shall have a minimum width of twenty feet (20') for open swale and thirty feet (30') for piping and shall be adequately designed to provide area for (a) the collection and discharge of water, (b) the maintenance, repair, and reconstruction of the drainage facilities, and (c) the passage of machinery for such work.
- 607.7. Where any electric or telephone, telecommunication or petroleum transmission line traverses a property, the applicant shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and the centerline of such petroleum or petroleum product transmission line. All applications shall include a copy of the recorded agreement or a letter from the owner of the transmission line stating any conditions on the use of the tract and the right-of-way width.

#### **SECTION 608. SURVEY MONUMENTS AND MARKERS**

- 608.1. At least two (2) permanent stone or concrete monuments shall be accurately placed along one (1) side of street right-of-way lines for each subdivision plan. These monuments shall be placed at the street intersection and at intermediate locations wherever topographical or other conditions make it impossible to sight between two otherwise required monuments.
- 608.2. Markers shall be set at all points where lot lines intersect curves and/or other property lines, and at both high and low elevation points to provide easy identification.
- 608.3. Monuments shall be of concrete or stone, with a flat top having a minimum width or diameter of four inches (4") and a minimum length of thirty inches (30"). Concrete monuments shall be marked with a three-quarter inch (3/4") copper or brass dowel; stone or pre-cast monuments shall be marked on the top with a proper inscription and a drill hole.
- 608.4. Markers shall consist of iron pipes or steel bars at least thirty inches (30") long and not less than three-quarters of an inch (3/4") in diameter.
- 608.5. All monuments and markers shall be placed by a registered land surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.
- 608.6. All monuments/markers shall be set flush with the finished grade, except for temporary placement and/or woodland conditions.

- 608.7. All existing monuments and lot line markers shall be delineated on the Preliminary Plan. All existing and proposed monuments and lot line markers shall be delineated on the Final Plan and set on the property prior to Final Plan approval.

## **SECTION 609. STORM WATER MANAGEMENT**

The management of storm water, both during and upon completion of the disturbance associated with a subdivision or land development activity, shall be accomplished in accordance with the standards Centre Township STORMWATER MANAGEMENT ORDINANCE 2-2019 – under separate cover.

## **SECTION 610. STEEP SLOPE CONSERVATION**

Steep slope conservation standards shall apply to where construction and/or modifications to the existing topography or vegetative cover is located within areas which contain fifteen percent (15%) or greater slope.

- 610.1. Boundary Interpretation – An initial determination as to whether the steep slope conservation standards apply to a subdivision or land development plan shall be based upon the presence of fifteen percent (15%) or greater slope, as documented in one of the following:

- A. The *Perry County Soil Survey*, the U.S. Soil Conservation Service;
- B. The topographic survey prepared by the United States Geodetic Survey;
- C. The topographic contours shown by LIDAR or other data mapping; or
- D. Slope shall be measured over three consecutive two-foot contour intervals.

- 610.2. The lot average slope calculations will be determined by the appropriate following methods:

- A. For uniformed sloped lot

$$S = \frac{\text{Vertical Distance}}{\text{Horizontal Difference}}$$

- B. For variable slope lot

$$S = \frac{I \times L \times 100}{A \times 43560}$$

Where:

S = Average existing land slope, in percent.

I = Interval, in feet, of the topographic map contour lines.

L = The sum, in feet, of the length of the contour lines, at the selected contour interval "T".

A = The total area, in acres, of the parcel.

Should a dispute arise concerning the boundaries of any steep slope conservation area, a topographic survey prepared by a registered land surveyor with minimum vertical intervals as shown in Section 402.3.A shall be submitted. Final boundary interpretation shall be made by the Township.

- 610.3. General Design Requirement – The following requirements are based upon the average slope of a lot. Whenever other ordinances or regulations impose more restrictive standards than those contained herein, the more restrictive shall apply.

<b>Average Slope of Lot</b>	<b>Minimum Percent of Undisturbed Area<sup>1</sup></b>	<b>Maximum Impervious Surface Within Steep Slope</b>	<b>Minimum Lot Size</b>
15–25%	75% of steep slope	15% of steep slope	1.5 times min. lot size
Over 25%	90% of steep slope	10% of steep slope	2.0 times min. lot size

<sup>1</sup>Undisturbed area shall be defined as land in its natural state before development.

- 610.4. Setback – No change in existing topography of the steep slope area, which results in a slope more than the pre-development condition, may be located within twenty-five feet (25') of the neighboring property.

- 610.5. Earth Disturbance – All disturbances in the steep slope area shall conform with the Steep Slope Report required in Section 402.5.6.

## **SECTION 611. FLOODPLAIN**

Refer to FLOODPLAIN MANAGEMENT ORDINANCE 3-2019 – under separate cover.

## **SECTION 612. WETLAND**

- 612.1. All subdivision and land development plans shall identify the location of existing wetland as determined by the standards of either the U.S. Environmental Protection Agency; U. S. Army Corps of Engineers;

Pennsylvania Department of Environmental Protection; or the U. S. Soil Conservation Service. Wetland areas are not limited to those areas delineated on wetland maps prepared by the U. S. Fish and Wildlife Service. Any proposed encroachment into the wetland shall include a copy of the permit or approval from the applicable State and Federal agencies. No action by the Township shall be relied upon in lieu of a permit issued by the appropriate agency.

- 612.2. Any proposed encroachment into the wetland shall include a copy of the permit or approval from the applicable State and Federal agencies. No subdivision or land development shall involve uses, activities or improvements that will entail encroachment into, the regrading of, or the placement of fill in wetlands in violation of State or Federal regulations. No action by the Township shall be relied upon in lieu of a permit issued by the appropriate agency.

### **SECTION 613. LANDSCAPING AND SCREENING**

- 613.1. Protection of Natural Features – The finished topography of the site shall adequately facilitate the proposed development without excessive earth moving, and destruction of natural amenities. Natural features shall be preserved and incorporated into the final landscaping wherever possible and desirable. The applicant shall demonstrate the means whereby the natural features shall be protected during construction.
- 613.2. Landscape Requirements – Areas not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all-season ground cover approved by the Board of Supervisors (e.g., grass, ivy, vetch, pachysandra, etc.). In addition, gravel can be substituted if done in a manner to complement other vegetative materials. It shall be maintained to provide an attractive appearance, and all non-surviving plants shall be replaced promptly.
- A. Required landscape strips located along streets shall be measured from the street right-of-way line.
  - B. Any required landscaping (landscape strips and interior landscaping) shall include a combination of the following elements: deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture, or other approved materials. Artificial plants, trees and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty percent (80%) of the required landscape area shall be vegetative in composition.
  - C. However, where sidewalks are proposed as part of landscape strips beyond the street right-of-way, these shall be permitted to bisect such strips and be

included in the required strip width. In such cases, the noted eighty percent (80%) vegetation requirement shall not apply.

- D. For each five hundred (500) square feet of required area for landscape strips, one (1) shade/ornamental tree shall be provided. If deciduous, these trees shall have a clear trunk at least five feet (5') above finished grade; if evergreen, these trees shall have a minimum height of six feet (6'). All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard.

613.3. Screening – The following materials may be used: evergreens (trees, hedges or shrubs), walls, fences, earth berms, or other approved similar materials. Fences and walls shall not be constructed of corrugated metal, corrugated fiberglass, or sheet metal. Screening shall be arranged so as to block the ground level views between grade, and a height of six feet (6'). Landscape screens must achieve this visual blockage within two (2) years of installation.

613.4. Selection of Plant Materials – Trees and shrubs shall be typical of their species and variety; have normal growth habits, well-developed branches, densely foliated, vigorous, fibrous root systems. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the project.

Any tree or shrub which dies shall be replaced so as to maintain ground cover and/or screening. All landscaping and screening treatments shall be properly maintained.

613.5. Ground Cover – Ground cover shall be provided on all areas of the project to prevent soil erosion. All areas which are not covered by paving, stone, pine needles, bark, mulch, or other solid material shall be protected with a vegetative growth. Varieties of ground cover shall be subject to the approval of the Township.

#### **SECTION 614. SANITARY SEWAGE DISPOSAL**

614.1. When, in accordance with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, a Sewer Facilities Plan Revision (Plan Revision Module for Land Development), or Supplement, is required, approval from the Pennsylvania Department of Environmental Protection shall be submitted as a condition of Final Plan approval.

614.2. The applicant shall provide the type of sanitary sewage disposal facility consistent with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended.

- 614.3. Sanitary sewer systems shall be designed in accordance with the prevailing rules and regulations of the Pennsylvania Department of Environmental Protection and any applicable bona fide sewer authority or cooperative association of lot owners.
- 614.4. When sanitary sewage disposal is provided by means other than by an individual on-lot system for use by a single unit of occupancy, the Final Plan Application shall include:
- A. Evidence that the supplier is a certificated public utility; a bona fide cooperative association of lot owners; or 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.
  - B. When public or community sanitary sewer is proposed, the applicant shall insure that sufficient capacity is legally available to serve all of the proposed lots or units of occupancy within the site. If sufficient capacity is not contractually available for the conveyance and/or wastewater treatment services, the Township shall not approve the final subdivision or land development plan. If the applicant is unwilling to grant an extension of time within which the Township may consider the application, the Township shall deny approval of the Final Plan due to unavailability of sewage disposal service.
  - C. Notice of approval of the design, capability to service, method of installation, and possible financial guarantee from the provider.
- 614.5. Where individual on-site sanitary sewage disposal facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary subsurface sewage disposal system and a replacement system at a safe distance from building and water supply in accordance with Title 25, Chapter 73, Rules and Regulations of the Pennsylvania Department of Environmental Protection, as amended, and the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended.
- 614.6. Regardless of any maximum lot area requirements listed elsewhere in this Ordinance, the minimum required lot size may be increased to insure an acceptable level of nitrate-nitrogen in adjoining ground waters. Such determinations will be made by the PA DEP, through its sewer module review process. In those cases where applicable maximum lot area requirements are exceeded to protect ground water quality, the applicant shall furnish evidence that the amount of land needed to protect local groundwater is the minimum necessary for such protection. All lots within one quarter (1/4) of a mile of a nitrate nitrogen test > 5 mg/l or within a hazardous geology area, as depicted in

the Centre Township Act 537 Plan, will require a preliminary hydrogeologic evaluation as part of the planning module revision.

- 614.7. Subdivision and Land Development plans that propose the use of on-lot sanitary sewage disposal systems must locate disposal areas, including setbacks, on each lot to prevent development restrictions from extending on to adjacent lots by providing necessary setbacks or isolation distances within limits of individual lots.

## **SECTION 615. WATER SUPPLY**

- 615.1. When, in accordance with Section 402.5.H, a report on groundwater supply is required, the applicant must demonstrate that the groundwater recharge on the subject property after development, during drought conditions (precipitation at forty percent [40%] below normal) will exceed the anticipated water usage and that the project will not lower the groundwater table in the area to the extent of decreasing the groundwater supply available to other property below safe levels.
- 615.2. Water supply systems shall be designed in accordance with the prevailing rules and regulations of the Pennsylvania Department of Environmental Protection and any applicable bona fide water authority, or cooperative association of lot owners.
- 615.3. Wherever the water supply system contains sufficient capability or will in the foreseeable future, with or without developer assistance, fire hydrants shall be provided. Fire hydrants shall meet the specifications of the Middle Department Association of Fire Underwriters, and the local fire department. Fire hydrants shall typically be located at street intersections no more than ten feet (10') from the curb. All fitting types shall be in accordance with the standards of the applicable fire department. The large fitting shall face the street and be a minimum of sixteen inches (16") above the ground level.
- 615.4. Where individual on-site water supply system is to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system, in accordance with all applicable standards.
- 615.5. If water is to be provided by means other than by individual on-site water supply system (wells or springs that are owned and maintained by the individual lot owners), the Final Plan application shall include:
- A. Evidence that the supplier is a certificated public utility; a bona fide cooperative association of lot owners; or 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.

- B. Notice of approval of the design, installation, and possible financial guarantee from the provider.
- C. Appropriate measures, as deemed necessary by the Board of Supervisors, to ensure adequate future maintenance of system.

615.6. The development must insure that fire hydrant flows will not be jeopardized and other properties will continue to have an adequate quality, supply and pressure in accordance with the standards of this Ordinance, or to the level of service that existed prior to the development.

615.7. Studies and reports shall clearly identify all assumed improvements to the existing facilities. A study, report or plan that contains an assumption of future construction of improvements shall include evidence that:

- A. A governmental entity has budgeted funds and/or entered into contracts for the assumed improvements, or
- B. An approved and recorded plan guarantees the assumed improvements.

615.8. Subdivision and Land Development plans that propose the use of on-lot wells must locate the well, including isolation distances, of 100' on each lot to prevent development restrictions from extending on to adjacent lots by providing necessary setbacks or isolation distances within limits of individual lots.

#### **SECTION 616. WOODLAND PRESERVATION**

616.1. Wooded areas existing as of the effective date of this Ordinance containing steep slopes in excess of 15 percent (15 %) shall not be removed or clear cut. Limited tree removal is permitted for construction of improvements approved with this plan. Only those areas required for construction of buildings, structures, roads, stormwater management facilities, and other approved improvements may be cleared of existing woodland.

616.2. Grading plans should conform to existing grades as possible to limit the required amount of tree removal. Alternate grading plans will be required to preserve large stands of trees.

616.3. On any lot containing woodlands intended for residential use, a maximum of fifty percent (50%) of the existing wooded area should not be removed and be protected during construction.



## **SECTION 617. LIGHTING STANDARDS**

- 617.1. All outdoor lighting including wall mounted fixtures shall be placed or shielded to prevent direct illumination, glare, or trespass light on adjacent properties and rights-of-ways. Any existing luminaries in place on the effective date of this Ordinance that is replaced or relocated must comply. Replacement is defined as replacing any portion of the luminaire other than the lamp.
- 617.2. Design Standard
- A. Lighting levels must be zero at property limits or street a private right-of-ways.
  - B. Lighting levels shall be consistent with requirements of Illuminating Engineering Societies (IES) lighting handbook, latest edition.
  - C. Add a note to all plans that states: All outdoor lighting, including wall mounted fixtures, shall be placed or shielded to prevent direct illumination glare, or trespass light on adjacent properties and right-of-way.

## **SECTION 618. HISTORICAL FEATURE**

- 618.1. This section applies to all applications involving structure or lands that are:
- A. Listed on the National Register of Historic Places,
  - B. Eligible for the National Register and received a determination of eligibility, from the National Park Service,
  - C. Listed with Pennsylvania Historical and Museum Commission (PHMC), or
  - D. Listed with the Centre Township Historical Society.
- 618.2. All applications that include historic features shall be designed to preserve, adaptively reuse, or otherwise provide for the historical features. Modifications and exterior alternations to historic features of sites, or new construction adjacent to historic features, shall be consistent with the Secretary of the Interior's Standards for Rehabilitation of Historic Properties, as published by the National Park Service.
- 618.3. Subdivisions and land developments shall also be designed so that new structures do not block historic views, or obstruct the view of historic properties. Landscape screening shall be provided in accordance with Section 613.3 in all cases where the proposed size, construction material, or type of use would jeopardize the historic value of a site or structure.

## **SECTION 619. PARK AND OPEN SPACE PROVISIONS**

**This section shall only apply if Centre Township adopts a Park and Open Space Plan in accordance with the Pennsylvania Municipalities Planning Code.**

This section shall only apply to proposals that would result in the creation of new dwelling units. It is the purpose of this section to implement the language contained in Section 503 (11) of the Pennsylvania Municipalities Planning Code and thereby provide needed recreation/open space to accommodate growth.

All park and open space proposals shall be submitted for review by the Centre Township Board.

619.1. Mandatory Dedication – Any proposal that would result in the creation of one or more new dwelling units shall be required to dedicate a minimum of .028 acres of park and/or open space per dwelling unit to the Township, prior to Final Plan approval.

As an alternative to dedication, and upon agreement with the Board of Supervisors, the applicant may agree to provide any of the following:

- A. Construct and/or improve existing recreation facilities.
- B. Pay a fee in-lieu of dedication.
- C. Guarantee the private reservation and maintenance of parkland.
- D. Provide for any combination of the above.

Any of the preceding alternatives must be at least equal to the predetermined Centre Township fee schedule of the predevelopment fair market value of the open space which would have been otherwise required for dedication. Fair market value shall be submitted by the developer and determined by a Member of the Appraisal Institute of the American Institute of Real Estate Appraisers (MAI) and shall include any documentation used to derive the site's fair market value. Should the Township dispute the appraised fair market value, it can require mandatory dedication of needed acreage. The Board of Township Supervisors may waive the foregoing land appraisal requirement, provided that the applicant agrees to pay a fee in the amount established by resolutions of the Board of Supervisors.

619.2. Parkland and Open Space Design Requirements – In general, parklands and open spaces provided for by this section shall involve areas for active recreational pursuits. Accordingly, the following design requirements shall apply:

- A. The site shall be located and designed so that safe and convenient access shall be provided to all existing and proposed inhabitants. Additionally, each site shall have at least one area available for vehicular access that is no less than twenty-four feet (24') in width.
- B. The site shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimensions shall be provided so as to accommodate where practicable, ball fields, courts, and other open play areas. Furthermore, should a development be proposed at a location contiguous to an existing park, dedicated parklands should be provided, where practicable, as an expansion of the existing facility.
- C. The site shall have suitable topography and soil conditions for use and development as active play areas. No more than twenty-five percent (25%) of the site shall be comprised of floodplains, stormwater management facilities, and/or slopes exceeding three percent (3%). Any unimproved site shall be provided with a healthy and vibrant grass ground cover.
- D. The site shall be located and designed to conveniently access proximate public utilities (e.g. sewer, water, power, etc.). However, no part of any overhead utility easement, nor any above-ground protrusion of an underground utility, should be permitted in active plan areas of the site.
- E. No part of the site shall be calculated as part of any required setback, yard, and/or open space for adjoining lots or uses.
- F. In special instances, the Township may waive any or all of the preceding design standards. In such instances, the applicant must demonstrate that the public will be better served by some alternate design that would accomplish at least one of the following objectives:
  - 1. Protection of important natural resources (e.g. streams, ponds, wetlands, steep slopes, woodlands, unique geologic features, wildlife habitats, aquifer recharge areas, etc.).
  - 2. Protection of important historical and/or archaeological sites.
  - 3. Integration of greenbelts throughout the development that link residences with on-site or adjoining parks, schools, or other similar features.

### 619.3. Parkland Capital Reserve Fund

- A. A fee authorized under this subsection shall, upon its receipt by the Township, be deposited in an interest-bearing account, clearly identified as reserved for providing, acquiring, operating, or maintaining park or

recreational facilities. Interest earned on such accounts shall become funds of that account.

- B. Upon request of any person who paid any fee under this subsection, the Township shall refund such fee, plus interest accumulated thereon from the date of payment, if the Township had used the fee paid for a purpose other than the purposes set forth in this section.

## ARTICLE VII

### MANUFACTURED HOUSING PARKS

#### **SECTION 701. GENERAL**

Manufactured Housing park plans shall be processed in accordance with Article III. Manufactured housing parks shall comply with the design standards set forth in this section.

#### **SECTION 702. AREA AND DENSITY REQUIREMENTS**

702.1. Minimum Size – A manufactured housing park shall contain a minimum of three (3) acres.

702.2. Density – The total density of a manufactured housing park shall not exceed the following:

On-Lot Water and On-Lot Sewer	One (1) unit per one and one-half (1-1/2) acre
Either Public Water or Sewer	One (1) unit per acre
Both Public Water and Sewer	Four (4) units per acre

702.3. Recreation Area – There shall be a minimum of six percent (6%) of the gross acreage of the manufactured housing park devoted to active and/or passive common recreational facilities. Responsibility for maintenance of the recreational areas shall be with the landowner. Should the landowner neglect to maintain the designated recreational area as depicted on the plan, the Township may then maintain said areas and assess the landowner for any costs incurred. The maintenance of said recreation area by the Township shall not relieve the landowner from prosecution and the penalties provided herein.

#### **SECTION 703. MANUFACTURED HOUSING LOT DIMENSIONS**

703.1. Lot Area – Each manufactured housing lot shall contain at least ten thousand (10,000) square feet.

703.2. Property Line Setback – No manufactured home or other structure shall be closer than seventy-five feet (75') from any property line or Street right-of way line defining the external boundary of the park.

703.3. Interior Setbacks – Manufactured homes, office, service, utility or other buildings shall have a minimum front yard of thirty feet (30'), rear yard of twenty-five feet (25'), and two side yards of ten feet (10') each. In no case shall

the distance between two manufactured homes be less than twenty-five feet (25').

- 703.4. Arrangement – No more than five (5) adjacent manufactured home spaces shall be located parallel to each other.

#### **SECTION 704. MANUFACTURED HOME UNIT REQUIREMENTS**

- 704.1. Minimum Size – All manufactured homes shall have a minimum of seven hundred fifty (750) square feet of habitable space.
- 704.2. Manufactured Home Stand – Each manufactured home lot shall be provided with a manufactured home stand which is constructed with a minimum six inch (6") thick poured concrete slab over a minimum six inch (6") stone base. Said stand shall cover at least eighty percent (80%) of the manufactured home unit and be designed to uniformly support the manufactured home in a level condition. Consideration shall be given to the effect of frost action, surface water drainage, vibration or other forces acting on the superstructure. Each manufactured home stand shall be equipped with properly designed and approved water, sewer and electric connections.
- 704.3. Skirting – An enclosure of compatible design and material, commonly called skirting, shall be erected around the entire base of the manufactured home prior to occupancy or other use. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.
- 704.4. Anchoring – Every manufactured home shall be anchored to the manufactured home stand where it is located prior to the unit being occupied, and no more than seven (7) days from the arrival of the manufactured home. The anchoring system shall be designed by a registered professional engineer to prevent tilting of the unit and resist a minimum wind velocity of ninety (90) miles per hour.
- 704.5. Hitch – The hitch or tow bar attached to a manufactured home for transport purposes shall be removed and remain removed from the manufactured home when it is placed on its manufactured home stand.
- 704.6. Address – All manufactured homes shall be assigned a numerical identification. Identification numbers shall be sequential from the main entrance, and signed on each lot in a location which is easily visible from the access drive.

#### **SECTION 705. STREETS, ACCESS DRIVES AND DRIVEWAYS**

In addition to the below standards, streets, access drives, and driveways shall conform to Article VI of this ordinance.

- 705.1. The cartway edge at all intersections of both streets and access drives shall be rounded by a tangential arc with minimum radii of fifty-five feet (55').
- 705.2. Driveways to all manufactured homes must access onto the interior street or access drive system of the manufactured housing park. Direct driveway access to an existing adjoining public street is prohibited.

#### **SECTION 706. VEHICULAR PARKING FACILITIES**

Off-street parking spaces shall be provided in all manufactured housing parks. Three (3) spaces per dwelling unit shall be provided either on the manufactured home lot or in a common, paved parking compound within one hundred feet (100') of each manufactured home. Parking compounds shall be designed in accordance with Article VI of this Ordinance. Parking compounds shall be used solely for the temporary storage, not to exceed thirty (30) days, of currently registered and inspected motor vehicles.

#### **SECTION 707. SIDEWALKS**

In addition to the standards of Article VI, sidewalks shall be provided (a) along both sides of streets and access drives, (b) within parking compounds, and (c) between manufactured homes, parking compounds, and service buildings.

#### **SECTION 708. SANITARY SEWAGE DISPOSAL**

- 708.1. Source – All sanitary sewage disposal systems shall conform with the Article VI of this Ordinance.
- 708.2. Connection – All manufactured housing units and service buildings shall be connected to an approved sewerage system. Individual riser pipes having a minimum inside diameter of four inches (4") shall be located on each mobile home stand and shall extend at least one inch (1") above the mobile home stand. The sewer riser pipe shall be sealed with a securely fastened plug or cap when the mobile home lot is unoccupied.
- 708.3. Protection of Sanitary Sewers – Adequate provision shall be made to protect sanitary sewers from storm water infiltration and damage. All sewer lines shall be constructed with materials and by methods approved by the Sewer Authority and Pennsylvania Department of Environmental Protection.

#### **SECTION 709. WATER SUPPLY**

- 709.1. Source – All manufactured housing parks shall be serviced by a community or public water supply system. Additionally, all water supply systems shall conform to Article VI of this Ordinance.

- 709.2. Connection – All manufactured housing units and service buildings shall be connected to the water supply system. Individual water riser pipes having an inside diameter or not less than three-quarters of an inch (3/4") shall be provided for each manufactured home stand and shall terminate no less than four inches (4") above the manufactured home stand.
- 709.3. Protection of Water Lines – Adequate provisions shall be made to protect water service lines from damage, including a shut-off valve, below the frost line for each manufactured home stand.

## **SECTION 710. STORM WATER MANAGEMENT, WETLAND AND FLOODPLAIN CONTROLS**

All manufactured housing parks shall conform with Article VI of this Ordinance, and the storm water management, wetland and floodplain standards specified in Article VI of this Ordinance.

## **SECTION 711. STEEP SLOPE CONSERVATION**

All manufactured housing parks shall conform to the steep slope conservation standards of Article VI of this Ordinance.

## **SECTION 712. REFUSE DISPOSAL**

The storage, collection, and disposal of refuse in the manufactured housing park shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident, fire, or air pollution. All refuse shall be stored in fly-tight, water-tight, rodent-proof containers.

Community refuse disposal sites shall be provided at locations which are not more than one hundred feet (100') from any manufactured home space and no less than fifty feet (50') from the manufactured housing park boundary. Containers shall be provided in sufficient number and capacity to properly store all refuse. Community refuse disposal sites shall be screened with densely planted evergreens or other thick foliage, solid or closely woven fences, stone walls or planted earth berms. The storage area shall be provided with a minimum six inch (6") thick poured concrete slab over a minimum six inch (6") stone base. The concrete slab shall be certified to develop a compressed stress of at least three thousand, five hundred (3,500) P.S.I. at twenty-eight (28) days.

Racks or holders shall be provided for all refuse containers. Such containers shall be so designed as to prevent tipping, to minimize spillage and container deterioration, and to facilitate cleaning around them.

All refuse shall be collected at least once weekly and comply with current recycling requirements. Where suitable collection service is not available, the manufactured housing



park operator shall provide this service. All refuse shall be collected and transported in enclosed vehicles or containers.

### **SECTION 713. EXTERIOR LIGHTING**

Streets, access drives, driveways, and walkways shall be illuminated at night with an average illumination of at least 0.2 foot candles at their service. Lighting fixtures shall be spaced and so equipped as to provide adequate levels of illumination throughout the manufactured housing park for the safe movement of vehicles and pedestrians. Community use areas shall be developed in accordance with Section 402.4.S of this Ordinance. Plan requirements shall be developed in accordance with Section 402.6. The design requirements shall be in accordance with Section 617.1.

### **SECTION 714. LANDSCAPING**

Landscaping shall be provided within the seventy-five foot (75') wide setback area located along the perimeter of the manufactured housing park. This area shall include a variety of vegetative materials including trees, shrubs, evergreens and ground cover. For each seventy-five hundred (7,500) square feet of required area for landscape strips, one (1) deciduous tree and one (1) evergreen tree shall be provided. Deciduous trees shall have a clear trunk at least five feet (5') above finished grade. Evergreen trees shall have a minimum height of six feet (6'). All landscape strips shall have landscaping materials distributed along the entire length of the area.

All landscape materials shall be properly maintained and replaced within six (6) months of death.

Any portion of the site not used for buildings, structures, parking, sidewalks, streets and similar improvements shall be maintained with a vegetative ground cover and other ornamental plantings.

### **SECTION 715. SERVICE AND ACCESSORY BUILDINGS**

- 715.1. Construction – All service and accessory buildings, including management offices, storage areas, laundry buildings and indoor recreation areas shall be adequately constructed, ventilated, and maintained so as to prevent decay, corrosion, termites and other destructive elements from causing deterioration.
- 715.2. Manufactured Housing Park Office – Every manufactured housing park shall have a structure designed for and clearly identified as the office of the manufactured housing park manager. The park office may be located in a separate and properly identified portion of a manufactured home or other dwelling unit.
- 715.3. Storage Space – Occupants of each manufactured housing lot shall be provided with at least one hundred (100) square feet of enclosed storage space which is

exclusive of the floor area devoted to living space. Storage facilities shall not intrude into any required yard or setback area and shall substantially conform in style, quality, and color to the adjacent manufactured home. The type of storage facility shall be approved by the Board of Supervisors.

- 715.4. Use of Service and Accessory Buildings – Service and accessory buildings shall be used only by the occupants of the manufactured housing park.

## **SECTION 716. FIRE PROTECTION**

Portable, hand-operated fire extinguishers shall be kept in each manufactured home and community building. The manufactured housing park operator shall be responsible for the placement of said fire extinguishers. The type and location of fire extinguisher shall be approved by the appropriate fire company. In general, fire extinguishers shall be suitable for oil/electrical fires, and fire extinguishers shall be placed in a fixed location near a door and not in direct proximity to cooking facilities.

Manufactured homes shall be provided with smoke detectors, fire hydrants or acceptable alternatives for fire protection as approved by the appropriate fire company. Where fire hydrants are provided, they shall meet the specifications of the Centre Township Subdivision and Land Development Ordinance Section 615.3.

All manufactured housing parks shall be operated so as to comply with all state and local laws, ordinance and regulations pertaining to fire prevention.

The manufactured housing park manager shall consult annually with the appropriate fire company or authorities as to proper fire prevention practice, accessibility of streets, testing of fire hydrant pressure, location and operation of equipment, community education programs, etc.

## **SECTION 717. ELECTRICAL DISTRIBUTION**

The manufactured housing park shall contain an electrical wiring system which shall be installed and maintained in accordance with the appropriate electric company's specifications and the National Electrical Code.

The electrical distribution system shall be underground. All underground conductors or cable shall be in a "Schedule 40 Plastic" pipe and buried at least thirty-six inches (36") below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one foot (1') radial distance from water, sanitary/storm sewer, gas, or communication lines.

Each manufactured home shall be provided with an approved disconnecting service and weather-proof over current protective equipment. Individual manufactured home spaces shall be provided with a polarized type receptacle with a ground conductor. All exposed non-current-carrying metal parts of manufactured homes, other structures and equipment

shall be grounded by means of an approved grounding conductor. The neutral conductor shall not be used as an equipment ground for manufactured homes, other structures, and equipment.

Temporary electrical connections are prohibited.

#### **SECTION 718. MAINTENANCE**

The landowner and operator of a manufactured housing park shall be responsible for the proper repair and maintenance of all facilities including, but not limited to cartways, parking areas, sidewalks or pathways, improved and unimproved areas, water supply, sewage disposal, skirting, storage buildings, and community buildings.

#### **SECTION 719. EASEMENTS**

Easements located within a manufactured housing park shall conform with the standards of the Centre Township Subdivision and Land Development Ordinance.

#### **SECTION 720. SURVEY MONUMENT AND MARKERS**

All manufactured housing park plans shall conform with the survey monument and marker standards of this Ordinance for the perimeter property line of the manufactured housing park.

## **ARTICLE VIII**

### **ADMINISTRATION**

#### **SECTION 801. GENERAL**

This article outlines the procedures for enforcement and amendment of this Ordinance, as well as procedures for challenges and appeals of decisions rendered under this Ordinance.

#### **SECTION 802. AMENDMENT**

Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a Subdivision and Land Development Ordinance in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as re-enacted and amended by Act 170 of 1988, and as subsequently amended.

#### **SECTION 803. WAIVERS**

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare. The Board of Supervisors may modify any mandatory provision of these regulations in accordance with the provisions of section 305:

#### **SECTION 804. CHALLENGES AND APPEALS**

The decision of the Board of Supervisors may be appealed, as provided for in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as re-enacted and amended by Act 170 of 1988, and as subsequently amended.

#### **SECTION 805. FEES AND CHARGES**

The Township may impose fees and charges to recover all costs incurred in the administration of this Ordinance. All fees and charges shall be adopted by resolution or ordinance. These fees shall include, but not be limited to, an application fee; fees for the review of the plans, studies, financial security and associated documentation by the Township Engineer, Township Solicitor or other professional consultant; fees for the inspection of improvements installed in connection with development authorized by a plan; and fees for the acceptance of dedication of improvements.

The applicant shall pay all professional consultant's review fees as follows:

- 805.1. The Board of Supervisors shall establish, by ordinance or resolution, a schedule of review fees to be paid by the Applicant at the time of filing of the Sketch, Preliminary and Final plans, and any other plans or submissions required by this Ordinance. Review fees shall include reasonable and necessary charges to the Township's professional consultants for review and report thereon to the Township. Such review fees shall be reasonable and in accordance with the

ordinary and customary charges for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant for comparable services to the Township for services which are not reimbursed or otherwise imposed on applicants. Fees charged to the Township relating to any appeal or a decision on an application shall not be considered review fees and may not be charged to an applicant.

- 805.2. The Board of Supervisors shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. Nothing in this paragraph shall prohibit interim itemized billing or municipal escrow or other security requirements. In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than 100 days after the date of transmittal of the bill to the applicant, notify the Township and the Township's professional consultant that such fees are disputed and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's dispute over fees. Failure of the applicant to dispute a bill within 100 days shall be a waiver of the applicant's right to arbitration of that bill under Section 502.2.F of this Ordinance.
- 805.3. In the event that the Township's professional consultant and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the Township shall follow the procedure for dispute resolution set forth in Section 502.2.F of this Ordinance, provided that the arbitration resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed..
- 805.4. Subsequent to a decision on an application, the Board of Supervisors shall submit to the applicant an itemized bill for review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final bill.

The provisions of this Ordinance so far as they are the same as those of Ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such Ordinance and not as new enactments. Provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offenses under the authority of any Ordinance repealed by this Ordinance.

## **SECTION 806. VIOLATIONS**

Any person, partnership or corporation, or the members of such partnership or the officers of such corporation, who or which, being the owner or agent of the owner of any lot, tract or parcel of land, shall:

- 806.1. Lay out, construct, open and/or dedicate any street, sanitary sewer, storm sewer, water main or other improvement for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon; or
- 806.2. Sell, transfer or agree or enter into an agreement to sell or transfer any land in a subdivision or land development, whether by reference to or by use of a plan of such subdivision or land development or otherwise; or
- 806.3. Erect any building or buildings which constitute a land development thereon; or
- 806.4. Commence site grading or construction of improvements prior to recording of a Final Plan, unless such grading or construction is for the sole purpose of installing improvements as prescribed in Section 503 herein unless and until a Final Plan has been prepared in full compliance with the provisions of this Ordinance and has been recorded as provided herein, or who or which in any other way is in violation of or violates any of the provisions of this Ordinance, shall be subject to the penalties and remedies set forth in Section 807 herein.
- 806.5. Unless and until a Final Plan has been prepared in full compliance with the provisions of this Ordinance and has been recorded as provided herein, or who or which in any other way is in violation of or violates any of the provisions of this Ordinance, shall be subject to the penalties and remedies set forth in Section 807.

## **SECTION 807. PENALTIES AND REMEDY FOR VIOLATIONS**

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

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

- A. The owner of record at the time of such violation.

- B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
  - C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
  - D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
  - E. 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.
- 807.1. Jurisdiction – District justices shall have initial jurisdiction in proceedings brought under this Ordinance.
- 807.2. Enforcement Remedies – Any person, partnership or corporation who or which has violated the provisions of this ordinance, upon being found liable thereof in a civil enforcement proceeding commenced by the Township must pay a judgment as provided for in the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, re-enacted and amended by Act 170 of 1988, as amended, and the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, re-enacted and amended July 10, 1947, P.L. 1481, No. 567, and as subsequently amended, plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

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

Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

- 807.3. No person shall proceed with any site grading or construction of improvements prior to recordation of a Final Plan, unless such grading or construction is for the sole purpose of installing the public improvements as prescribed in Section 503, compliance with condition of approval.

No deeds shall be executed or recorded for lots, nor shall the construction of any structure be initiated, before the Board of Supervisors has approved the Final Plan and such Plan is recorded with the office of the Perry County Recorder of Deeds.

### **SECTION 808. RECORDS**

The Township shall keep an accurate, public record of its findings, decisions, and recommendations relevant to all applications filed with it for review or approval.

### **SECTION 809. VALIDITY**

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

### **SECTION 810. CONFLICTS**

Whenever there is a difference between the standards specified herein and those included in other applicable regulations, the more stringent requirement shall apply.

### **SECTION 811. REPEALS**

The Subdivision and Land Development Ordinance of the Township of Centre, Ordinance No. 1-98, and as subsequently amended, is hereby repealed in total; provided, however, that this repeal shall in no manner be construed as a waiver, release or relinquishment of the right to initiate, pursue, or prosecute, as the case may be, any proceeding at law or in equity pertaining to any act done which would have constituted a violation of the Centre Township Subdivision and Land Development Ordinance of 1998, as amended. All provisions of the Centre Township Subdivision and Land Development Ordinance of 1998, as amended, shall remain in full force and effect, and are not repealed hereby, as they pertain to such acts and to the processing of such plans filed prior to the effective date of this Ordinance which are protected from the effect of intervening ordinances by Section 508(4) of the Pennsylvania Municipalities Planning Code.

### **SECTION 812. ERRONEOUS APPROVALS**



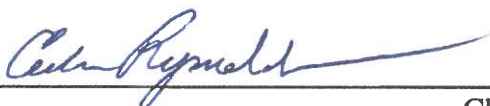
An approval issued in violation of the provisions of the Ordinance, is void without the necessity of any proceedings for revocation. Any work undertaken pursuant to such an approval is unlawful. No action may be taken by a board, agency, or employee of the Township purporting to validate such a violation.

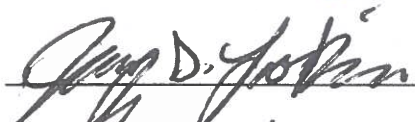

**SECTION 813. ADOPTION AND EFFECTIVE DATE**


This Ordinance shall take effect and be in force from and after its approval as provided by law.

DULY ORDAINED AND ENACTED the 7<sup>th</sup> day of May, 2019, by the Board of Supervisors of the Township of Centre, Perry County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF CENTRE**  
**Perry County, Pennsylvania**

By:   
Chairman

Attest:   
Secretary

[Township Seal]

## CERTIFICATE

I, the undersigned, Secretary of the Township of Centre, Perry County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of any Ordinance of the Board of Supervisors of the Township ("the Board"), which duly was enacted by affirmative vote of a majority of the members of the Board at a meeting held on May 7 2019; said Ordinance duly has been recorded in the Ordinance Book of the Township; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this certificate.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township this 7<sup>th</sup> day of May 2019.



Secretary

(SEAL)

## **APPENDICES**

**APPENDIX NO. 1**  
**STATEMENTS OF ACCURACY**

**SURVEY DATA**

I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by the Centre Township Subdivision and Land Development Ordinance. The error of closure is no greater than one foot (1') in ten thousand feet (10,000').

\_\_\_\_\_, 20\_\_\_\_ \* \_\_\_\_\_

\*Signature and seal of the registered land surveyor responsible for the preparation of the plan.

**GENERAL PLAN/REPORT DATA**

I hereby certify that, to the best of my knowledge, the \* \_\_\_\_\_ shown and described hereon is true and correct to the accuracy required by the Centre Township Subdivision and Land Development Ordinance.

\_\_\_\_\_, 20\_\_\_\_ \*\* \_\_\_\_\_

\*Title of Plan/Report Data

\*\*Signature and seal of the registered professional responsible for preparation of the data.

(See Sections 402.6 and 403.6)

**APPENDIX NO. 2**  
**STATEMENT OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN,**  
**AND OFFER OF DEDICATION**

**INDIVIDUAL**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PERRY

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_ who being duly sworn according to law, disposes and says that he/she is the \* \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at his/her direction, that he/she acknowledges the same to be his act and plan, that he/she desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

\*\* \_\_\_\_\_

\*\*\* \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_\_.

\*Identify Ownership or Equitable Ownership

\*\*Signature of the Individual

\*\*\*Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds

(See Section 403.6)

CO-PARTNERSHIP

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PERRY

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, being one of the firm of \_\_\_\_\_, who being duly sworn according to law, disposes and says that the co-partnership is the \* \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledge the same to be its act and plan and desires the same to be recorded, and that all street and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

\*\* \_\_\_\_\_

\*\*\* \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_\_.

\*Identify Ownership or Equitable Ownership

\*\*Signature of the Individual

\*\*\*Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds

(See Section 403.6)

CORPORATION

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PERRY

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \* \_\_\_\_\_, being \*\* \_\_\_\_\_ of \*\*\* \_\_\_\_\_, the \*\*\*\* \_\_\_\_\_ of the property shown on this plan, that he/she is authorized to execute said plan on behalf of the corporation, that the plan is the act and deed of the corporation, that the corporation desires the same to be recorded and on behalf of the corporation further acknowledges, that all streets and other property identified as proposed public property are hereby dedicated to the public use - (excepting those areas labeled "NOT FOR DEDICATION").

\*\*\*\*\* \_\_\_\_\_

Corporate Seal

\*\*\*\*\* \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_\_.

\*Individual's Name

\*\*Individual's Title

\*\*\*Name of Corporation

\*\*\*\*Identify Ownership or Equitable Ownership

\*\*\*\*\*Signature of Individual

\*\*\*\*\*Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds

(See Section 403.6)

### **APPENDIX NO. 3** **REVIEW STATEMENTS**

#### Centre Township Planning Commission Review Statement

At a meeting on \_\_\_\_\_, 20\_\_\_\_, the Centre Township Planning Commission reviewed this plan.

CENTRE TOWNSHIP PLANNING COMMISSION

\_\_\_\_\_  
Chairman or Designee

#### County Planning Commission Review Statement

County Planning Commission review statement reviewed by the County Planning Commission

\_\_\_\_\_  
Chairman or Designee

\_\_\_\_\_  
Date

#### Township Engineer's Review Statement

This Plan reviewed by the Centre Township Engineer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Township Engineer: \_\_\_\_\_



**APPENDIX NO. 4**  
**PRELIMINARY PLAN APPROVAL STATEMENT**

At a meeting on \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors of the Township of Centre granted PRELIMINARY PLAN APPROVAL of this project, including the complete set of plans marked sheet(s) \_\_\_\_\_ through \_\_\_\_\_ which form a part of the application dated \_\_\_\_\_, last revised \_\_\_\_\_. This plan may not be recorded in the office of the Perry County Recorder of Deeds.

CENTRE TOWNSHIP BOARD OF SUPERVISORS

Attest

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Centre Township Secretary

**APPENDIX NO. 5**  
**FINAL PLAN APPROVAL STATEMENT**

At a meeting on \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors of the Township of Centre approved this project, based upon its conformity with the standards of the Centre Township Subdivision and Land Development Ordinance, and all conditions of approval have been met. This approval includes the complete set of plans/reports which are filed with the Township and available for public review.

CENTRE TOWNSHIP BOARD OF SUPERVISORS

Attest

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Centre Township Secretary

**RECORDER OF DEEDS CERTIFICATE**

Recorded in the Office for Recording of Deeds, in and for Perry County, Pennsylvania, in Plan Book \_\_\_\_\_, Page \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(See Sections 303.5, 304.6, 402.6, and 403.6)

**APPENDIX NO. 6**  
**APPLICATION FOR CONSIDERATION OF A SUBDIVISION**  
**AND/OR LAND DEVELOPMENT PLAN**

<b>(For Township Use Only)</b>			
Township File No.: _____	Date of Filing: _____	Deadline for Action: _____	
Date of Revisions: _____	Date of Revisions: _____	Date of Revisions: _____	Date of Revisions: _____

The undersigned hereby applies for approval under the Centre Township Subdivision and Land Development Ordinance for the Plan, submitted herewith and described below:

1. Plan Name: \_\_\_\_\_

Plan No: \_\_\_\_\_ Plan Date: \_\_\_\_\_

2. Project Location: \_\_\_\_\_

\_\_\_\_\_

3. Name of Property Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Email: \_\_\_\_\_ Fax No. \_\_\_\_\_

4. Land Use and Number of Lots and/or Units (indicate answer by number of lots or units):

_____ Single Family (Detached) _____ Multi-Family (Attached-Sale) _____ Multi-Family (Attached-Rental) _____ Mobile Home Park	_____ Commercial _____ Industrial _____ Institutional _____ Other (please specify)
--	---

5. Total Acreage: \_\_\_\_\_

6. Application Classification:

_____ Pre-Application Review (Section 302) _____ Preliminary Plan (Section 303) _____ Final Plan (Section 304) _____ Plans Exempted from Standard Procedures (Section 306)	_____ Revised Preliminary Plan (Section 303.3.1) _____ Revised Final Plan (Section 304.3.1)
---	--

7. Name of Applicant (if other than owner): \_\_\_\_\_

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

\_\_\_\_\_

Email: \_\_\_\_\_ Fax No. \_\_\_\_\_

8. Firm Which Prepared Plan: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Email: \_\_\_\_\_ Fax No. \_\_\_\_\_

Person Responsible for Plan: \_\_\_\_\_

9. Is a Conditional Use or Waiver Approval Necessary? \_\_\_\_\_

If yes, please specify:

\_\_\_\_\_

10. Type of Water Supply Proposed: \_\_\_\_\_ Public  
\_\_\_\_\_ Semi-Private  
*Please indicate if a capped system is proposed.* \_\_\_\_\_ Individual

11. Type of Sanitary Sewage Disposal Proposed: \_\_\_\_\_ Public  
\_\_\_\_\_ Semi-Private  
\_\_\_\_\_ Individual  
*Please indicate if a capped system is proposed.*

12. Lineal Feet of New Street \_\_\_\_\_

13. Sewer Facilities Plan Revision or Supplement Number \_\_\_\_\_ and  
Date Submitted \_\_\_\_\_

The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct and complete. The undersigned also authorizes Township representative's access to the tract to verify site conditions shown on the plan.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Landowner or Applicant

Revision  
Date: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Landowner or Applicant

Revision  
Date: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Landowner or Applicant

(See Sections 302, 303.1, 304, 306.1, 401, 402.6 and 403.6)

**APPENDIX NO. 7**  
**APPLICATION FOR CONSIDERATION OF A WAIVER**

(For Township Use Only)

Plan No. \_\_\_\_\_

Date of Receipt/Filing: \_\_\_\_\_

The undersigned hereby applies for approval of a waiver, submitted herewith and described below:

1. Name of Project: \_\_\_\_\_

2. Project Location: \_\_\_\_\_

\_\_\_\_\_

3. Name of Property Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Email: \_\_\_\_\_ Fax No. \_\_\_\_\_

4. Name of Applicant (if other than owner): \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Email: \_\_\_\_\_ Fax No. \_\_\_\_\_

5. Specify Section(s) of the Centre Township Subdivision and Land Development Ordinance for which a Waiver is requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. The Proposed Alternative to the Requirement: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Justification for the Waiver: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Identification of Plans, Reports, or Supplementary Data, which are part of the Application.

\_\_\_\_\_  
The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct, and complete.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(See Section 305.1)

**APPENDIX NO. 8**  
**ACCEPTANCE OF CONDITIONS UPON APPROVAL OF**  
**SUBDIVISION OR LAND DEVELOPMENT PLAN IMPOSED BY**  
**BOARD OF SUPERVISORS OF CENTRE TOWNSHIP**

I have reviewed the conditions imposed by the Board of Supervisors of the Township of Centre upon the approval of the subdivision and/or land development plan entitled \_\_\_\_\_

\_\_\_\_\_  
prepared by \_\_\_\_\_, dated

\_\_\_\_\_, 20\_\_\_\_, last revised \_\_\_\_\_, 20\_\_\_\_. In my capacity as developer/developer's agent and being authorized to do so, and intending to be legally bounded, I hereby accept the imposition of the conditions attached hereto as part of the approval of the above-described subdivision and/or land development plan. If signing as developer's agent, I expressly state that I have been authorized to agree to the conditions imposed upon the approval of the above-described subdivision and/or subdivision plan.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
[Printed Name]

\_\_\_\_\_  
Title

**APPENDIX NO. 9**  
**COMMON DRIVEWAY MAINTENANCE AGREEMENT**

This Declaration made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Developer, said Declaration as follows:

1. An easement of ingress and egress for the benefit of the lots served by the common driveway is hereby declared on all common driveways as set forth on the Subdivision Plan.
2. Construction of the driveway is the responsibility of \_\_\_\_\_
3. Maintenance and repair of the common driveway shall be equally shared by the owners of the lots having ingress and egress rights on said common driveway.
4. This declaration runs with the land and shall be binding on all owners of said lots served by the common driveway and their successors, heirs and assigns.
5. This Declaration shall be recorded in the Office of the Recorder of Deeds in and for Perry County concurrently with the recording of the approved Subdivision Plan.
6. The Subdivision Plan shall note this Common Driveway Access and Maintenance Declaration.

Intending to be legally bound hereby, the Developer has set their hands and seals on the day aforesaid.

WITNESS:

\_\_\_\_\_  
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
Developer

:

: SS.

:

On the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactory proven) to be one of the parties executing the foregoing instrument, and he acknowledges the foregoing instrument to be his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year first above written.

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

My Commission Expires: \_\_\_\_\_



## APPENDIX NO. 10

### PLAN REVIEW CHECKLIST

#### PRELIMINARY PLAN REVIEW CHECKLIST

#### CENTRE TOWNSHIP PLANNING COMMISSION

Plan Number CT-20\_\_ - \_\_\_\_\_ Name: \_\_\_\_\_

Date: \_\_\_\_\_

Surveyor: \_\_\_\_\_

	REF.	REQUIRED INFORMATION/SUBMISSIONS	YES	N/A	Waived	NO
APPLICATION	301	Does the Plan qualify as needing a Preliminary Plan?				
	303.2	Plan submitted at least 15 days prior to Centre Twp. Planning Commission meeting.				
	303.2	Sewer Facilities Plan Revision or Supplement submitted in conjunction with plan.				
	303.3.1	Eight copies of plan, reports, notifications, certifications specified in §402 submitted.				
	303.3.2	One application form (Appendix 6) submitted. Application must agree with Plan Title.				
	303.3.3	Filing fee paid.				
	303.3.4	Evidence of submission of plan to County Planning Commission.				
	303.6	Does the plan involve 3 or more total lots, excluding lot additions? If so, the Township Engineer must review the plan.				
	304.7	Plan involves 3 or more lots total, and requires review by the Township Engineer.				
	305	Waivers request included with application.				
DRAFTING STANDARDS	306	Lot addition or minor plan.				
	402	Plan prepared by PA-registered PE, PLS and/or Landscape Architect as appropriate.				
	402.1.1	Plan is clearly and legibly drawn at a scale of 1"=10',20',30',40',50', 60', or 100'.				
		Parent parcel is drawn at a minimum scale of 1"-400'.				
		Profile plans maintain a ratio of 1: 10 vertical to horizontal.				
	402.1.2	Dimensions for the entire tract boundary are in feet and decimals.				
		Bearings are in degrees, minutes, and seconds.				
		Lot line descriptions read in a clockwise direction.				
		All new property lines surveyed with closure error 1'in 10,000'.				
		Point of beginning & distance to intersection of nearest improved streets shown.				
	402.1.3	18"x 22" sheet size 24" x 36". Key maps & numbering for multi-sheet plans.				
LOCATION/IDENTI	402.1.4	Plan legible in every detail to the satisfaction of the Township.				
	402.1.5	All profile sheets include the corresponding horizontal alignment.				
		Utilities & storm water facilities in a Given area on same sheet to show interrelationship.				
	402.2.1	Proposed name or identifying title shown. It must agree with the application.				
	402.2.2	Municipality and municipality boundaries in the vicinity shown.				
	402.2.3	Location map, scaled, & relating property to at least 2 street intersections (distance).				
	402.2.4	Names/addresses of owner, authorized agent, developer, and firm that prepared plans.				
	402.2.5	Source of title to land included in subject application shown.				
	402.2.6	Map & lot number assigned to the property by the Perry County Tax Assessment Office.				

EXISTING FEATURES	402.2.7	Plan preparer's job number, plan date, and plan revision dates shown.				
	402.2.8	Plan has a north arrow, a graphic scale, and a written scale.				
	402.2.9	Total acreage of entire existing tract is given.				
	402.2.10	Site data shows lot size/density, both lot and building coverage, and yard requirements. Existing waivers, conditional uses, etc. identified				
	402.3.1	Existing contours at 2' for slope <4%, 5' for 4%<slope<10%, 10' for slope>10%. Location of bench mark used and notation of datum used. USGS contours used only when no new streets or other public improvements proposed.				
	402.3.2	Adjacent landowners identified; plan book record numbers for adjacent projects given.				
	402.3.3	Location & description of existing lot line markers & monuments around existing tract.				
	402.3.4	Location, size, & name of existing rights-of-ways for streets, driveways, etc. within 200'.				
		Location & size of water and sewage facilities, water bodies, wetlands, etc. within 200'.				
		Location of existing utility rights-of-way and easements within 200' shown.				
		Location of delineated wellhead protection boundaries within 200' shown.				
	402.3.5	Location of existing individual sewage and water supply facilities within 100' shown.				
	402.3.6	Location of areas with healthy trees (caliper 6" at height of 4.5') shown.				
	402.3.7	Soil types as described in the latest edition of USDA soil survey of Perry County.				
	402.5.6	Slopes steeper than 15 % present? If present, a Steep slope report required, or delineated.				

	REF.	REQUIRED INFORMATION/SUBMISSIONS	YES	N/A	Waived	NO
PROPOSED FEATURES	402.4.1	Complete description of for new streets (distances, bearings, radii, tangents, etc.).				
	402.4.2	Approx. lot line dimensions and lot areas for proposed parcels shown.				
	402.4.3	Lots are numbered in consecutive order including the residual land area.				
	402.4.4	Land development plans include location and configuration of proposed buildings, parking compounds, streets, access drives, driveways, and other significant facilities.				
	402.4.5	Statement indicating the proposed number of lots, units of occupancy, density, minimum lot coverage size, lot coverage, building coverage, type of sewage disposal and water supply.				
	402.4.6	Easements for utilities, access, storm water facilities, etc. shown.				
	402.4.7	Building setback lines, with distances from the property and street right-of-way.				
	402.4.8	Structures to be demolished are identified and demolition schedule acknowledged.				
	402.4.9	Typical x-sections for proposed streets and existing streets to be improved (entire ROW).				
	402.4.10	Vert. & horiz. alignment for proposed streets, storm water, sewage, and water facilities.				
	402.4.11	Proposed pavement markings, traffic control devices and names for new streets.				
	402.4.12	Location & material of perm. monuments & lot line markers. Note on when they'll be set.				
	402.4.13	Land development plans include a grading plan with finished grades & ground floor elevs.				
	402.4.14	Statement indicating proposed waivers, and conditional uses.				
	402.4.15	Plan identifies any lands proposed for public, semi-public, or community use.				
	402.4.17	Is there a note on the plan noting that a well shall not be drilled within the sewerage setback limits?				
	402.4.18	Outdoor lighting must comply with Section 618				
	402.4.19	Partial subdivision of a Lot or Lots that can be re-subdivided requires a sketch plan to address access for future build-out.				
	402.4.20	For primary and secondary sewer sites, a bearing and distance to the center must be provided to 2 property corners.				
	402.6.5.2	For new driveways, a note is required on the plan citing the appropriate HOP requirement.				
IN	402.6.9	Lighting is proposed or addressed.				
	601.2	Wetlands, Streams, Floodplains, or T&E Species Present.				
	602.2	A driveway maintenance agreement is required for joint use driveways.				

602.7	Street signage is required.				
602.10	Right-of-Way, Cartway, and Pavement widths provided.				
602.12.6	Clear-sight Triangle shown.				
602.13	Sight distance provided.				
602.16.7	Joint-use drives serve only 2 dwelling units. The maintenance agreement requirement is Appendix 7.				
606.5	Minimum lot area, width, and yard sizes provided per the Table.				
608.1	2 Permanent concrete monuments provided at street R/W for each subdivision.				
609	Storm Water Management provided.				
610	Steep slopes of 15 to 25% or > 25% are present and comply with requirements.				
611	Floodplains are present, and uses are consistent with requirements.				
618	Outdoor Lighting Standards				

402.5	REPORTS	Report Required?		
		YES	Waived	NO
402.5.1	<b>SKETCH PLAN</b>			
	Does the application significantly impact the undeveloped portion of the landholding? If it does, the Commission may request a Sketch Plan as described in §401.			
402.5.2	<b>SANITARY SEWER REPORT</b>			
	Does the Pennsylvania Sewage Facilities Act 537 of 1966, as amended, require a Sewer Facilities Plan Revision (Plan Revision Module for Land Development) or Supplement?			
402.5.3	<b>STORM WATER MANAGEMENT REPORT</b>			
	Does the project include only the subdivision of land with no on-site or off-site improvements? If it does, the plan <u>must</u> provide guidelines for lot grading including the direction of storm water flow within each lot and the areas where storm water runoff will be concentrated. This information may be shown by flow arrows and plan notes or topography.			
	Does the project include land disturbing activities, the installation of impervious or semi-impervious surfaces, diversion or piping of watercourse, removal or alteration of land cover, or excavation? If it does, requirements of §402. 5. 3. 1 through §402. 5. 3. 6 must be met.			
402.5.4	<b>TRAFFIC IMPACT REPORT</b>			
	Does the project generate, individually or cumulatively, at least 25 dwelling units or 50 parking spaces? If it does, a Traffic Impact Report is required. Do current traffic problems exist in the local area (e.g., high accident location, confusing intersection, congested intersection? If they do, a Traffic Impact Report may be required. Is the capability of the existing road system to handle increased traffic questionable? If so, a Traffic Impact Report may be required.			
402.5.6	<b>STEEP SLOPE REPORT</b>			
	Does the project involve land disturbing activity on lands that possess slopes exceeding 15% (See §610 for boundary interpretation)? If so, a Steep Slope Report is required.			
402.5.7	<b>IMPORTANT NATURAL HABITATS REPORT</b>			
	Is there knowledge that the land possesses one of the following: 1) Wetlands, as defined by USEPA, USACOE, PADEP, USCS, USDOJ, or FWS; 2) PA Natural Diversity Inventory (PNDI) confirmed extant plant & animal species & communities listed as PA Threatened or PA Endangered; 3) PNDI-confirmed extant plant & animal species & communities that have a State Rank of S1 or S2? If so, the plan must identify the location of these natural resources.			
402.5.8	<b>GROUNDWATER SUPPLY REPORT</b>			
	Does the project propose a groundwater system that serves more than 25 residential units (single or cumulative) or does it propose groundwater withdrawals at a rate of 3,250 gallons per day, single or cumulative? If it does, a Water Supply Capacity Report is required.			
402.5.9	<b>WETLANDS STUDY</b>			
	All property <u>shall</u> have a Wetland Study. The Township <u>may</u> require "Jurisdictional Delineation" by the USACOE. The Wetland Study <u>shall</u> be dated and include the name of the firm and individual responsible for preparing the Wetland Study. See also §612 under Design Standard in Article VI.			
402.5.10	<b>ADDITIONAL STUDIES AND REPORTS</b>			
	Are additional studies or reports deemed necessary? The Township <u>may</u> require studies and reports that address the proposal's coordination with existing facilities necessary to service the development, accommodate prospective traffic, facilitate fire protection, prevent flooding, conform to the Township Comprehensive Plan, and conform to all regulations or maps adopted in furtherance thereof.			

402.6	CERTIFICATIONS AND NOTIFICATIONS	Required?	
		YES	NO
402.6.1	Does the land have an electric, telecommunication or telephone transmission line, a gas pipeline, or petroleum transmission lines? If so, a copy of the ROW agreement or a letter from the owner explaining conditions must accompany the application.		
402.6.2	Are 25 or more dwelling units proposed? If so, applicant must provide written evidence that the appropriate school district has been informed of the proposal.		
	<b>Does the plan include the following statements?</b>	<b>YES</b>	<b>NO</b>
402.6.3	Statement of Accuracy (Appendix 1).		
402.6.4	Statement of Landowner's Consent.		
402.6.5	Statement that Highway Occupancy Permit is required if a State Highway is involved?		
N/A	Planning Commission Field View Recommended?		

**Specific Comments:**