

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 1

Land Subdivision

- \$101. Adoption by Reference
- \$102. Officers Authorized to Implement Ordinance
- \$103. Repeal Conflicting Ordinances
- \$104. Effective Date



Part 1  
Land Subdivision

§101. Adoption by Reference. The document known as "The Draft Subdivision Ordinance," Borough of Coplay, Lehigh County, a copy of which is attached hereto and made a part hereof by this reference, shall constitute the Subdivision regulations and Ordinance for the Borough of Coplay, Lehigh County, Pennsylvania, in compliance with the Pennsylvania Municipalities Planning Code. (Ord. 581, 4/27/1982)

§102. Officers Authorized to Implement Ordinance. The proper officers and other personnel of the Borough of Coplay are hereby authorized and empowered to take all such further action and execute such additional documents as they may deem appropriate to carry out the purposes of this Ordinance. (Ord. 581, 4/7/1982)

§103. Repeal Conflicting Ordinances. Any ordinance or part of an ordinance, or any other formally enacted document or part of a document, conflicting with the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance. (Ord. 581, 4/27/1982)

§104. Effective Date. This Ordinance shall become effective immediately upon approval. (Ord. 581, 4/27/1982)



ORDINANCE NO. 581

AN ORDINANCE OF THE BOROUGH OF COPLAY, LEHIGH COUNTY, PENNSYLVANIA,  
ADOPTING BOROUGH SUBDIVISION REGULATIONS.

WHEREAS, the Pennsylvania Municipalities Planning Code 53 P.S. § 10101  
et seq., permits the Borough to adopt subdivision regulations in order to  
regulate subdivision and land development within the Borough of Coplay; and

WHEREAS, the Borough desires to adopt subdivision regulations.

NOW, THEREFORE, the Borough of Coplay hereby ordains:

Section 1. The document known as the Draft subdivision Ordinance, Borough  
of Coplay, Lehigh County, a copy of which is attached hereto and made a part  
hereof by this reference, shall constitute the subdivision regulations and  
ordinance for the Borough of Coplay, Lehigh County, Pennsylvania, in compliance  
with the Pennsylvania Municipalities Planning Code.

Section 2. The proper officers and other personnel of the Borough of  
Coplay are hereby authorized and empowered to take all such further action and  
execute such additional documents as they may deem appropriate to carry out the  
purposes of this Ordinance.

Section 3. Any ordinance or part of an ordinance, or any other formally  
enacted document or part of a document, conflicting with the provisions of this  
Ordinance is hereby repealed insofar as the same affects this Ordinance.

Section 4. This Ordinance shall become effective immediately upon approval.

Approved the 27th day of April, 1982.

BOROUGH OF COPLAY

Attest:

Alfred M. Stumpf  
Alfred M. Stumpf, Secretary

BY Richard J. Mortimer  
Richard J. Mortimer, President

Josephine F. Shemanski  
Josephine Shemanski, Mayor

A82 - 27016

Rev. March 18, 1982

Rev. April 12, 1982

DRAFT

SUBDIVISION ORDINANCE

BOROUGH OF COPLAY

LEHIGH COUNTY

ISSUED

APR 29 1982

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SECTION I - PURPOSE, AUTHORITY, TITLE AND JURISDICTION

100 Purpose

101 The purpose of this Ordinance is to regulate subdivision and land development in the Borough of Coplay, Lehigh County, Pennsylvania, hereinafter called the Borough.

110 Authority and Title

111 This Ordinance is enacted pursuant to the Pennsylvania Municipalities Planning Code and may be cited as the Borough of Coplay Subdivision and Land Development Ordinance.

120 Jurisdiction

121 This Ordinance shall apply to all subdivision and land development plans for property located in the Borough of Coplay submitted after the effective date of this Ordinance.



SECTION II - SUBMISSION PROCEDURES

200 General

- 201 Feasibility Review - Review materials and fees shall be submitted to the Borough Secretary for use in determining the suitability of a parcel of land for a specific subdivision or land development use and for direction or advice.
- 202 Preliminary Plan - Plans, supplementary data, and fees shall be submitted to the Borough Secretary for distribution to various review bodies. Reviews by the various agencies shall be returned to the Borough, which shall take action and advise the applicant in writing of their decision.
- 203 Final Plan - Plans, supplementary data, and fees shall be submitted to the Borough Secretary for distribution to various review bodies. The final plan shall be submitted within one year of preliminary plan approval. The Borough shall take action on the plan and advise the applicant in writing of their decision. As a condition of approval, the applicant shall enter into improvement and maintenance agreements with the Borough. No permits shall be issued until said agreements have been executed and secured to the satisfaction of the Municipal Solicitor and until the approved final plan has been recorded in the County Recorder of Deeds Office.

210 Feasibility Review Submission

- 211 Feasibility review maps and materials shall be submitted for all proposed subdivisions and land developments, for purposes of discussion between the Borough Planning Commission and the developer.
- 212 Five (5) copies of all feasibility review maps and materials, as set forth in Section 300, shall be submitted to the Borough Secretary.

- 213 The Borough Secretary shall retain three (3) copies of feasibility review maps and materials for review and recommendations by the Planning Commission and Council.
- 214 The Borough Secretary shall refer one (1) copy of feasibility review maps and materials to the Municipal Engineer for review and recommendations.
- 215 The Borough Secretary shall refer one (1) copy of feasibility review maps and materials to the Joint Planning Commission for review and recommendations.
- 216 Comments from the review bodies shall be considered if such comments are received within thirty (30) days from the date the plan was sent to same.

220 Feasibility Review

- 221 When feasibility review maps and materials have been submitted to the Borough Secretary, the data presented will be reviewed by the Planning Commission at its next regular meeting, provided that submission has occurred no less than ten (10) days prior to such scheduled meeting.
- 222 The Planning Commission shall review the feasibility review data to determine the development potential of the site, as indicated by the natural features analysis presented. The general development concepts of the developer will be reviewed to determine their compatibility with the development potential of the site and with relevant plans and ordinances. Also, the feasibility review stage is designed to offer the developer an opportunity to informally discuss his plans for the proposed subdivision or land development.

223 Within sixty (60) days of submission of feasibility review maps and materials to the Borough Secretary, the Planning Commission shall make any recommendations to the developer which it deems necessary or advisable in the public interest in order to provide an acceptable subdivision or land development plan for the site.

Within fifteen (15) days after such meeting, the Planning Commission shall send written notice of its recommendations to the following:

223.1 The developer or his representative;

223.2 The Joint Planning Commission;

223.3 The Municipal Engineer;

223.4 The Borough Council.

224 Within one year after completion of the feasibility review by the Planning Commission, the developer shall submit a Preliminary Plan.

230 Submission of the Preliminary Plan

231 Preliminary Plans and all required supplementary data for all proposed subdivisions and land developments shall be submitted to the Borough Secretary, for distribution.

232 Official submission of a Preliminary Plan developer shall comprise:

232.1 Seven (7) copies of a completed Application for Review of Preliminary Subdivision Plans;

232.2 Seven (7) black-on-white or blue-on-white prints on paper of the Preliminary Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 310;

232.3 Seven (7) copies of all required supplemental information as set forth in Section 316.

232.4 Letter from the respective water and sewer authorities indicating that capacity is available to serve the subdivision.

- 233 The Borough Secretary shall submit three (3) copies of the Preliminary Plan Submission to the Planning Commission for review and shall refer copies of the submission to the various review bodies as follows:
- 233.1 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Engineer;
  - 233.2 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Joint Planning Commission;
  - 233.3 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Zoning Officer.
  - 233.4 One (1) application, one (1) plan print and one (1) copy of the supplemental information to Borough Council.

234 Additional copies of the Preliminary Plan materials shall be referred by the Borough Secretary to the respective agencies in the following circumstances:

- 234.1 Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) application and one (1) plan print shall be referred to that municipality.

#### 240 Review of Preliminary Plan

241 By the Planning Commission:

- 241.1 When a Preliminary Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, provided that such official submission has occurred no less than ten (10) calendar days prior to such regular meeting. The Planning Commission may hold a Public Hearing on the Preliminary Plan at this time.

- 241.2 Comments from the review bodies shall be considered by the Planning Commission if such comments are received within thirty (30) days (45 days for the County) from the date the plan was sent to same.
- 241.3 Within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application (unless the next meeting does not fall in a 30-day period following the date of the application in which case the 90-day period commences on the 30th day following the date of the application), the Planning Commission shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally

approving or disapproving the Preliminary Plan and document the findings upon which that action is based, in writing to: (however, in no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made)

- 241.21 The applicant;
- 241.22 The applicant's engineer;
- 241.23 The Municipal Engineer;
- 241.24 The Joint Planning Commission;
- 241.25 The Zoning Officer;
- 241.26 The Borough Council.

#### 250 Submission of the Final Plan

- 251 Within twelve (12) months after approval of the Preliminary Plan, a Final Subdivision or Land Development Plan and all required supplemental data shall be submitted to the Borough Secretary. An extension of time may be granted by the Borough Council upon written request. Otherwise, the plan submitted may be considered as a new Preliminary Plan.
- 252 The Final Plan shall conform in all significant respects to the Preliminary Plan as previously approved by the Planning Commission and shall incorporate all modifications required by the Planning Commission in its Preliminary Plan approval. The Planning Commission may, however, accept a Final Plan modified so as to reflect any substantial changes which have occurred on the site of the proposed subdivision, or in its surroundings, since the time of Preliminary Plan review.
- 253 The Final Plan may be submitted in sections or stages, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan, in accordance with the regulations set forth in Section 320. In the case of the Final Subdivision or Land Development Plan which is to be submitted in sections or stages over a period of years, the time between submission of application for final approval of each stage or section shall be no greater than twelve (12) months.
- 254 Final plans and all required supplementary data set forth in Section 320 for all proposed subdivisions and land developments shall be submitted to the Borough Secretary.

- 255 Official submission of a Final Plan to the Borough Secretary by a developer shall comprise:
- 255.1 Eight (8) copies of a completed Application for Review of Final Subdivision Plan;
  - 255.2 Eight (8) black-on-white or blue-on-white prints on paper of the Final Plan which shall fully comply with the provisions of this Ordinance as set forth in Section 320;
  - 255.3 Eight (8) copies of all required supplemental information as set forth in Section 320;
  - 255.4 Letters from the respective water and sewer authorities indicating that capacity is available and that the preliminary design is acceptable to them.
- 256 The Borough Secretary shall submit three (3) copies of the Final Plan submission to the Planning Commission for review and shall refer copies of the submission to the various review bodies as follows:
- 256.1 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Engineer;
  - 256.2 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Joint Planning Commission;
  - 256.3 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Solicitor.
  - 256.4 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Zoning Officer;
  - 256.5 One (1) application, one (1) plan print and one (1) copy of the supplemental information to Borough Council.
- 257 Additional copies of the Final Plan materials shall be referred by the Borough Secretary to the respective agencies in the following circumstances:
- 257.1 Whenever the subdivision or land development requires a soil erosion and sedimentation control permit, as described in Section 481.5 of this Ordinance, one (1) application, one (1) plan print, and one (1) copy of supplemental information shall be submitted to the Lehigh County Soil Conservation District.

257.2 Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) application and one (1) plan print shall be referred to that municipality.

258 Comments from the review bodies shall be considered by the Planning Commission if such comments are received within thirty (30) days from the date the plan was sent to same.

## 260 Review of Final Plan

261 By the Planning Commission

261.1 When a Final Plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review at its next regular monthly meeting, provided that such official submission has occurred no less than ten (10) calendar days prior to such regular meeting. The Planning Commission may hold a Public Hearing on the Final Plan at this time.

261.2 Within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date of the application (unless the next meeting does not fall in a 30 day period following the date of the application in which case the 90 day period commences on the 30th day following the date of the application), the Planning Commission shall, in accordance with the provisions of relevant ordinances, take action by approving, conditionally approving or disapproving the Final Plan and document the findings upon which that action is based, in writing to: (however, in no case shall the decision be communicated to the applicant in more than fifteen (15) days from the date that the decision has been made)



- 261.21 The applicant;
- 261.22 The Municipal Engineer;
- 261.23 The Joint Planning Commission;
- 261.24 The Zoning Officer;
- 261.25 The Municipal Solicitor;
- 261.26 The applicant's engineer;
- 261.27 The Borough Council.

262. Action:

- 262.1 The Planning Commission shall report to Borough Council on the subdivision or development on recommending approval, conditional approval, or disapproval. When the plan is not approved or filed, the report 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 not complied with.
- 262.2 The Borough Council shall present the final plan submitted for approval at a public meeting.
- 262.3 The Borough Council shall act upon the final plan and their decision communicated to the applicant not later than thirty (30) days after the plan was turned over by the Planning Commission. However, the Borough Council shall not approve a plan until the County Planning Commission report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.
- 262.4 The decision of the Borough Council shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than five (5) days following the decision.

262.5 When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case cite to the provisions of the statute or ordinance relied upon.

270 Recording of the Final Plan

271 After completion of the procedures set forth in Section 520 and after the Final Plan is approved by the Planning Commission, six (6) paper prints of the Final Plan shall be endorsed by the Borough Secretary.

272 The Record Plan shall be a clear and legible print of a type and material required by the County Recorder of Deeds.

273 After endorsement by all applicable agencies, the developer shall file the Record Plan with the County Recorder of Deeds within ninety (90) days of the date of Final Approval. If the developer fails to record the Final Plan within such period, the action of the Borough shall be null and void, unless an extension of time is granted in writing by the Borough upon written request by the developer.

274 The Borough Secretary shall retain two (2) copies of the approved, signed Final Plan for their permanent files.

280 Plans Exempted From Standard Procedures - Minor Subdivisions

281 In the case of any proposed residential subdivision which does not, and will not in the future, involve more than a total of three (3) lots including the residue property and does not involve the provision of any new street or easement for access (i.e. one in which all proposed lots will have frontage on an existing public street), the following procedure shall apply:

281.1 Plans and all supplementary data as required shall be submitted to the Borough Secretary for distribution.

281.2 Official submission of a minor subdivision to the Borough by a developer shall comprise:

281.21 Seven (7) copies of a completed Application for Review of Minor Subdivision Plans;

- 281.22 Seven (7) black-on-white or blue-on-white prints on paper of the Plan which shall fully comply with the provisions of this Ordinance as set forth in Sections 310 and 323;
- 281.23 Seven (7) copies of all required supplemental information as set forth in Sections 316 and 324.
- 281.3 The Borough Secretary shall submit three (3) copies of the submission materials to the Planning Commission for review and shall refer copies of the submission to the various review bodies as follows:
- 281.31 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Municipal Engineer;
- 281.32 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Joint Planning Commission, Lehigh-Northampton Counties.
- 281.33 One (1) application, one (1) plan print, and one (1) copy of the supplemental information to the Zoning Officer;
- 281.34 One (1) application, one (1) plan print and one (1) copy of the supplemental information to Borough Council.
- 281.4 Additional copies of the Plan materials for which the applicant is responsible for supplying shall be referred by the Borough Secretary to the respective agencies in the following circumstances:
- 281.41 Whenever a proposed subdivision or land development is located adjacent to another municipality, one (1) application and one (1) plan print shall be referred to that municipality.
- 281.5 Within sixty (60) days of the submission, the Planning Commission shall report to Borough Council on the subdivision or development on recommending approval, conditional approval, or disapproval. When the plan is not approved, the report 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 not complied with.

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- 281.6 The Borough Council shall present the minor subdivision plan submitted for approval at a public meeting.
- 281.7 The Borough Council shall act upon the minor subdivision plan and their decision communicated to the applicant not later than thirty (30) days after the plan was turned over by the Planning Commission. The Borough Council shall document the findings upon which that action is based, in writing, (in no case shall the decision be communicated to the applicant more than fifteen (15) days from the date that the decision has been made) to:
- 281.71 The applicant;
  - 281.72 The applicant's engineer;
  - 281.73 The Joint Planning Commission;
  - 281.74 The Municipal Engineer;
  - 281.75 The Zoning Officer.
- 281.8 The provisions of Section 270 shall be followed for the recording of the Plan.

## SECTION III - PLAN REQUIREMENTS

300 Feasibility Review

301 Before submission of the Preliminary Plan by the developer, maps and materials shall be submitted by the developer to the Borough Secretary. This material will enable the Planning Commission to determine potential of the proposed subdivision or land development tract for development and the general feasibility of the developer's plans for the tract. The feasibility review submission will include the following maps and materials.

- 301.1 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, and municipal boundaries existing within one (1) mile of any part of the property. The key map shall be based on USGS quad sheet maps.
- 301.2 A map illustrating an analysis of natural drainage patterns and water resources within the proposed subdivision tract, including delineation of streams, natural drainage swales, ponds and lakes, wetlands, flood plains subject to a one hundred (100) year flood frequency, and permanent and seasonal high water table areas. The map shall be based on USGS quad sheets, County Soil Survey Maps, and the flood boundary and floodway map from the Municipal Flood Insurance Study, when available.
- 301.3 A map illustrating an analysis of types of soils present within the proposed subdivision tract. The map should include delineation of prime agricultural soil areas, soils with shallow depth to bedrock, soils most susceptible to erosion, soils most suitable for urban development, and soils generally suitable for on-lot sewage disposal. The map shall be based on the County Soil Survey.
- 301.4 A topographic map of the site based on USGS quad sheets.
- 301.5 A map delineating additional significant physical features within the proposed subdivision tract, such as woodland areas, large trees, rock outcroppings and sink holes. The map shall be based on USGS quad sheets and on-site survey work.

301.6 Where feasible and legible, the analysis involved Sections 301.1 through 301.5 may be illustrated on one or a combination of composite maps. The combined impact of the natural characteristics upon the development potential of the tract shall be clearly illustrated on the map or maps.

301.7 A letter of intent and a sketch of the proposed subdivision or land development tract at a scale of one (1) inch equals one hundred (100) feet explaining and illustrating the developer's general development concepts for the tract. The type of development, density of development, form of ownership, circulation patterns, and means of providing major utility service should be explained and illustrated. The sketch may be based on deed and tax map information;

301.8 Feasibility plan review fee;

301.9 A completed application form,

### 310 Preliminary Plan

311 The Preliminary Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet or one (1) inch equals one hundred (100) feet.

312 The original drawing and all submitted prints shall be made on sheets of one of the following sets of dimensions.

312.1 Eighteen (18) inches by twenty-four (24) inches;

312.2 Twenty-four (24) inches by thirty-six (36) inches;

312.3 Thirty-six (36) inches by forty-eight (48) inches.

313 If the Preliminary Plan requires more than one sheet, a key diagram illustrating relative location of the several sections shall be drawn on each sheet.

314 The Preliminary Plan shall indicate the following data:

314.1 Name and address of record owner;

314.2 Name of developer if different from owner;

314.3 Name of the proposed subdivision;

314.4 Name of the municipality or municipalities within which subdivision is proposed;

314.5 Names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplotted land;

314.6 Name, address, license number, and seal of registered engineer or surveyor responsible for the subdivision plan;

314.7 North point, graphic scale, written scale, and date including the month, day and year that the original

drawing was completed, and the month, day and year that the original drawing was revised, for each revision;

- 314.8 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries, within one (1) mile of any part of the property;
  - 314.9 Total tract boundaries of the property being subdivided, showing bearings and distances, and a statement of total acreage of the property;
  - 314.10 Tax map sheet, block, and lot numbers within the proposed subdivision tract obtained from the county tax assessor's office;
  - 314.11 The zoning district or districts within which the proposed subdivision is located;
  - 314.12 All existing buildings or other structures within the proposed subdivision tract;
  - 314.13 All existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, pavement widths and approximate grades;
  - 314.14 All existing sewer lines, storm sewers, water lines, fire hydrants, utility transmission lines, culverts bridges, railroads, other man-made features, or watercourses within the proposed subdivision tract and within one hundred (100) feet of the boundaries of the proposed subdivision tract;
  - 314.15 Location, width, and purpose of existing easements and utility rights-of-way within the proposed subdivision tract and within one hundred (100) feet of the proposed subdivision tract.
  - 314.16 Contour lines at vertical intervals of not more than two (2) feet for land with average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five (5) percent. Location and elevation of the data to which contour elevations refer shall be the closest United States Geologic Survey established benchmark, where available.
- 315 The full plan of proposed development, including:
- 315.1 Location and width of all streets and rights-of-way, with a statement of any conditions governing their use;

- 315.2 Suggested street names;
  - 315.3 Utility easement locations;
  - 315.4 Building setback lines along each street;
  - 315.5 Lot lines with approximate dimensions;
  - 315.6 A statement of the intended use of all non-residential lots and parcels;
  - 315.7 Lot numbers, a statement of total number of lots and parcels and the lot size in square feet or acres for each lot;
  - 315.8 Sanitary and/or storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities;
  - 315.9 Parks, playgrounds and other areas dedicated or reserved for public or common use, with any conditions governing such use;
  - 315.10 Location, width, and purpose of proposed easements and utility rights-of-way;
  - 315.11 Copies of the proposed deed restrictions and protective and restrictive covenants referenced to the Preliminary Plan.
- 316 The Preliminary Plan shall be accompanied by the following supplementary data unless the Borough Planning Commission has determined that the submission of such data is not necessary:
- 316.1 Preliminary profiles, typical cross-sections and specifications for proposed street, sanitary sewer, water system improvements, and storm drainage in accordance to the design standards of Sections 430, 440, 450, and 460, respectively;
  - 316.2 A completed planning module for land development including soil and representative percolation tests, where applicable, and information necessary for the Municipal Governing Body to make a decision on revising or supplementing the Official Plan for sewage facilities;
  - 316.3 A storm drainage plan for the proposed subdivision tract which conforms to design requirements for storm drainage set forth in Section 460;
  - 316.4 A letter from the local Sewer and Water Authority stating that service is available for the proposed subdivision.



- 316.5 A landscape plan, where applicable, according to the standards set forth in Section 492.4, Tree Preservation and Planting;
- 316.6 In the case of subdivision or land development plans to be developed in stages or sections, over a period of time, a map delineating each stage or section of the proposed subdivision or land development consecutively numbered so as to illustrate phasing of development and a schedule indicating the approximate time for which application for final approval of each stage or section are intended to be filed;
- 316.7 Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Resources - Division of Dams and Encroachments and/or the Pennsylvania Department of Transportation;
- 316.8 A map illustrating the entire contiguous holdings of the landowner indicating the area or scope of ultimate proposed subdivision and delineating the area which the Preliminary Plan encompasses;
- 316.9 A sketch map of the proposed road system for the remainder of the area not included in the Preliminary Plan;
- 316.10 Preliminary plan review fee;
- 316.11 A completed application form.

320 Final Plans

- 321 The final plans shall conform to the standards and data requirements set forth for Preliminary Plans in Sections 311 through 315 of this Ordinance.
- 322 It shall not be necessary to resubmit supporting maps and data submitted with the Preliminary Plan, as set forth in Section 316 of this ordinance, provided that no change has occurred.
- 323 The following additional data shall be illustrated on the Final Plan:
- 323.1 The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;
- 323.2 The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to fifteen (15) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. The boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately-submitted Final Plan sections), however, are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments;
- 323.3 All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen (15) seconds;
- 323.4 The proposed building setback or the proposed placement of each building;
- 323.5 All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities;

- 323.6 Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided;
- 323.7 A certification of ownership, acknowledgement of plan and offer of dedication shall be lettered on the plan, and shall be duly acknowledged and signed by the owner of the property and notarized;
- 323.8 A signature block for certification of approval of the plan by the Borough Planning Commission, Borough Council and Joint Planning Commission.
- 323.9 Space shall be left along with lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;
- 323.10 If the Final Plan requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.
- 324 The Final Plan shall be accompanied by the following:
- 324.1 Plans showing:
- 324.101 Location, size, and invert elevation of all sanitary sewer, water distribution and storm drainage systems and the location of all manholes, inlets, and culverts;
- 324.102 Final profiles, cross-sections, and specifications for proposed streets, sanitary sewers, water distribution systems, and storm drainage systems shall each be shown on one or more separate sheets.
- 324.2 Documentation from the Sewage Enforcement Officer that each lot has been tested for on-lot sewage systems (where applicable).
- 324.3 A copy of the Department of Environmental Resources acceptance or approval of the planning module.

- 324.4 A copy of the permit granted by the Pennsylvania Department of Environmental Resources for a private centralized sanitary sewer system, where applicable.
- 324.5 A copy of an agreement document with the governmental authority or public authority which is to provide the water supply for the public water supply system (where applicable).
- 324.6 A copy of a permit granted by the Pennsylvania Department of Environmental Resources for a private centralized water system (where applicable).
- 324.7 A completed and executed copy of the Subdivision Improvements Agreement as agreed upon by the developer and the Borough Council.
- 324.8 A performance guarantee in the amount of one hundred ten (110) percent of the cost of all required improvements, as set forth in Section 520 as estimated in accordance with the provisions set forth in Act 247 as amended, in a form and with surety in accordance with the provisions set forth in Act 247 as amended, guaranteeing the construction and installation of all such improvements within a stated period which shall not be longer than one (1) year from the date on the Final Subdivision Approval. Where the Final Plan is submitted in stages or sections, the amount of the guarantee may also be provided in stages if acceptable to the Borough Council, public utility or municipal authority.
- 324.9 A maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of the improvements as set forth in Section 520. This guarantee assures the structural integrity of the improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a period not to exceed eighteen (18) months after the acceptance of all such improvements by the Borough Council, public utility or municipal authority.
- 324.10 An erosion and sedimentation control plan developed in accordance with Part IV, paragraph 44 of the Soil Erosion and Sedimentation Control Manual issued by the Department of Environmental Resources.

- 324.11 A legal description of all areas offered for dedication.
- 324.12 Final Plan review fees.
- 324.13 A completed application form.
- 325 In the case of a subdivision or land development proposed to be developed in stages or sections over a period of years, Final Plan requirements as listed in Section 321 through 324 shall apply only to the stage or section for which Final Approval is being sought. However, the Final Plan presented for the stage or section must be considered as it relates to information presented for the entire subdivision or land development in the application for Preliminary Approval.

330 Plans Exempted From Standard Procedures

- 331 The Plan shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet or one (1) inch equals one hundred (100) feet.
- 332 The original drawing and all submitted prints shall be made on sheets of one of the following sets of dimensions.
  - 332.1 Eighteen (18) inches by twenty-four (24) inches;
  - 332.2 Twenty-four (24) inches by thirty-six (36) inches;
  - 332.3 Thirty-six (36) inches by forty-eight (48) inches.
- 333 The Plan shall indicate the full plan of proposed development and the following data:
  - 333.1 Name and address of record owner;
  - 333.2 Name of developer if different from owner;
  - 333.3 Name of the proposed subdivision;
  - 333.4 Name of the municipality or municipalities within which the subdivision is proposed;
  - 333.5 Names of all adjoining subdivisions, if any, and the names of owners of all adjacent unplatted land;
  - 333.6 North point, graphic scale, written scale, and date including the month, day and year that the original drawing was completed, and the month, day and year that the original drawing was revised, for each revision;
  - 333.7 A key map, for the purpose of locating the property being subdivided, drawn at a scale not smaller than one (1) inch equals two thousand (2,000) feet and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads and municipal boundaries within one mile of any part of the property;

- 333.8 A statement of total acreage of the property;
- 333.9 Tax map sheet, block, and lot numbers within the proposed subdivision tract obtained from the county tax assessor's office;
- 333.10 The zoning district or districts within which the proposed subdivision is located;
- 333.11 All existing buildings or other structures within the proposed subdivision tract;
- 333.12 All existing streets, including streets of record (recorded but not constructed), on or adjoining the tract, including names, right-of-way widths, and pavement widths;
- 333.13 All existing sewer lines, storm sewers, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, other man made features or water courses within the proposed subdivision tract and within fifty (50) feet of the boundaries of the proposed subdivision tract;
- 333.14 Location, width, and purpose of existing easements and utility rights-of-way within the proposed subdivision tract and within fifty (50) feet of the proposed subdivision tract;
- 333.15 Contour lines at vertical intervals of not more than two (2) feet for land with average natural slope of five (5) percent or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five (5) percent. Location and elevation of the data to which contour elevations refer shall be the closest United States Geologic Survey established benchmark, where available ;
- 333.16 The latest source of title to the land as shown by the deed, page number and book of the County Recorder of Deeds;
- 333.17 The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to fifteen (15) seconds. These boundaries shall be determined by accurate survey in the field, to an error of closure not to exceed one (1) foot in ten thousand (10,000) feet. The tract boundary shall be subsequently closed and balanced. The boundary(s) adjoining

additional unplatted land of the subdivider, however, are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plan, and the placement of the monuments;

- 333.18 All lot lines shall be completely dimensioned in feet if straight, and by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds) if curved. All internal angles within the lots shall be designated to within fifteen (15) seconds;
- 333.19 The proposed building setback or the proposed placement of each building;
- 333.20 All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan. Easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities;
- 333.21 A certification of ownership, acknowledgement of plan, and offer of dedication shall be lettered on the plan, and shall be duly acknowledged and signed by the owner of the property and notarized;
- 333.22 A signature block for certification of approval of the plan by the Borough Planning Commission, Borough Council, and Joint Planning Commission.
- 333.23 Space shall be left along the lower edge of the sheet, in order that the County Recorder of Deeds may acknowledge receipt and recording of the plan when it is presented;
- 333.24 A map illustrating the entire contiguous holdings of the landowner, and indicating the area or scope of ultimate proposed subdivision and delineating the area which the Plan encompasses;
- 333.25 A sketch map of the proposed road system for the remainder of the area not included in the Plan;
- 333.26 A statement of the intended use of all non-residential lots and parcels;

333.27 Lot numbers, a statement of total number of lots and parcels, and the lot size in square feet or acres for each lot.

334 The Plan shall be accompanied by the following supplementary data unless determined that the submission of such data is not necessary:

334.1 A completed application form;

334.2 A review fee;

334.3 A legal description of all areas offered for dedication;

334.4 Such private deed restrictions as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided;

334.5 A copy of an agreement document with the governmental authority or public authority which is to provide the water supply or the public sewer service;

334.6 Documentation from the Sewage Enforcement Officer that each lot has been tested for on-lot sewage systems (where applicable);

334.7 A copy of the Department of Environmental Resources acceptance or approval of the planning module.



400 Application

Rev. 4/12/82

- 401 The design standards and requirements outlined in this section will be utilized in determining the adequacy of all plans for proposed subdivisions and land developments.
- 402 Development shall be planned, reviewed, and carried out in conformance with all municipal, state, and other applicable laws and regulations.
- 403 Whenever other municipal ordinances or regulations impose more restrictive standards and requirements than those contained herein, such other regulations shall be observed.

410 General Standards

- 411 Land shall be suited to the purpose for which it is to be subdivided. Land with unsafe or hazardous conditions such as open quarries, unconsolidated fill, steep slopes, or flood prone areas shall not be subdivided unless the subdivision plan provides for adequate safeguards which are approved by the Borough.

- 412 The development of the proposed subdivision shall be coordinated with adjacent existing development so that the area, as a whole, may develop harmoniously.
- 413 These design standards and requirements may be altered by the Borough Council for the purpose of achieving economy and ingenuity in design in accordance with modern and evolving principles of site planning and development, upon presentation of evidence that the intent of such standards and requirements shall be substantially achieved.

420 Block and Lot Design Standards421 Block Layout

- 421.1 The length, width and shape of blocks shall be determined with due regard to:
- 421.11 Provisions of adequate sites for buildings of the type proposed;
  - 421.12 Municipal zoning requirements;
  - 421.13 Topography;
  - 421.14 Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with arterial streets;

422 Block Length

- 422.1 Residential blocks shall ordinarily be no less than five hundred (500) feet in length and no more than eighteen hundred (1800) feet in length.
- 422.2 In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- 422.3 Where practicable, blocks along arterial and collector streets shall not be less than one thousand (1,000) feet in length.

423 Block Depth

- 423.1 Single family residential blocks shall be of sufficient depth to accommodate two tiers of lots; except that a single tier of lots may be approved in the following cases:
  - 423.11 Where reverse frontage lots are required;  
or
  - 423.12 Where two tiers of lots are not possible due to the size, topographical conditions, or other inherent conditions of the property.

424 Commercial and Industrial Blocks

- 424.1 Blocks in commercial, industrial, multi-family and planned residential developments may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provision shall be made for traffic and pedestrian circulation, off-street parking, and loading areas.

425 General Lot Design Standards

- 425.1 Within the requirements of the Municipal Zoning Ordinance, the size, shape, and orientation of lots shall be appropriate for the type of development and use contemplated.

- 425.2 Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
- 425.3 Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- 425.4 Generally, the depth of residential lots shall be not less than one (1) nor more than three (3) times their width.
- 425.5 Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, and landscaping.
- 425.6 If, after subdividing, there exists remnants of land, they shall be either:
- 425.61 Incorporated in existing or proposed lots,  
or
  - 425.62 Legally dedicated to public use, if acceptable to the Borough.

#### 426 Lot Frontage

- 426.1 All lots shall have direct access to an existing or proposed public street or to a private street if it meets the street design requirements of this Ordinance.
- 426.2 Double or reverse frontage lots may be required to provide separation of residential development from arterial streets or to overcome specific disadvantages of topography or other natural features of the proposed subdivision tract.
- 426.3 All residential reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet, measured along the shortest distance from the proposed dwelling unit to the ultimate right-of-way and shall, within such rear yard and immediately adjacent to the right-of-way, have a planting screen easement of at least ten (10) feet in width, across which there shall be no right of access.

427 Lot Access

427.1 Residential lots having direct access to an arterial street shall be avoided whenever possible. Where direct access to an arterial street cannot be avoided, adequate turnaround space shall be provided behind the right-of-way line.

427.2 Widths of access roads or driveways shall be in accordance with the following standards:

427.31 Access roads for multi-family residential, mobile home parks and all non-residential subdivisions shall be no less than twenty-four (24) feet in width, shall not exceed thirty (30) feet in width at the street line and shall be clearly defined by use of curbing;

427.32 Driveways for single family residential subdivisions shall be no less than ten (10) feet in width but shall not exceed twenty (20) feet in width at the street line.

427.4 To provide safe and convenient ingress and egress, access road and driveway entrances shall be rounded at the following minimum radii:

427.41 Access road entrances for multi-family residential developments, mobile home parks, and all non-residential subdivisions shall be rounded at a minimum radius of ten (10) feet;

427.42 Driveway entrances for single-family residences shall be rounded at a minimum radius of five feet except along legislative routes where a ten foot radius is required.

427.5 Access road grades or driveway grades shall not exceed the following grades within fifty (50) feet of intersection with the street:

427.51 Seven (7) percent when access is to an arterial street;

427.52 Ten (10) percent when access is to a collector or local street.

427.6 The centerline of an access road or driveway at the point of access to a street shall not be located closer to a street intersection than the following distances:

427.61 Fifty (50) feet for single-family residential units.

427.62 For multi-family residential developments, mobile home parks, and all non-residential subdivisions:

427.621 One hundred fifty (150) feet if either street is an arterial street;

427.622 One hundred (100) feet if either street is a collector street;

427.623 Fifty (50) feet if both streets are local streets.

#### 430 Street Design Standards

##### 431 General Requirements

431.1 Proposed streets shall be properly related to the road and highway plans of the state, county, and municipality. Streets shall be designed to provide adequate vehicular access to all lots or parcels and with regard for topographic conditions, projected volumes of traffic, and further subdivision possibilities in the area.

431.2 The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions which includes collector and local streets.

431.3 The street system of a proposed subdivision or land development shall be designed so as to minimize street intersections and pedestrian-vehicular conflict points.

431.4 Proposed local streets shall be designed so as to discourage through traffic and excessive speeds. However, the developer shall provide for the extension and continuation of arterial and collector streets into and from adjoining properties.

- 431.5 Where, in the opinion of the Planning Commission it is desirable to provide for street access to adjoining property, streets shall be extended by dedication to the boundary of such property. Distances between access points to adjoining property shall be based on block length standards set forth in Section 422.
- 431.6 Where a subdivision abuts an existing street of improper width or alignment, dedication of land sufficient to widen the street or correct the alignment may be required.
- 431.7 Where a subdivision abuts or contains an existing or proposed arterial traffic street, the Planning Commission may require marginal access streets, reverse frontage lots, or other such treatment as will provide protection for abutting properties, reduction in the number of intersections with the arterial street, and separation of local and through traffic.
- 431.8 Private streets (streets not to be offered for dedication) may be approved, but only if they meet the street design and improvement standards set forth in this Ordinance.
- 431.9 If the lots in the development are large enough for resubdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.
- 432 Street Right-of-Way and Cartway Widths
- 432.1 Street right-of-way and cartway widths in proposed subdivisions shall conform to the general standards on the following page:

## STREET DESIGN STANDARDS

	Street Classification		
	Local	Collector	Arterial
Right of Way Width	50'	50'	80'
Pavement Width	34'	36'	24' - 48'
Traffic Lane Width	9'	10'	12'
Parking Lane Width	8' (when required)		
Sidewalk Width	4' (when required)		
Curbing	vertical curb, or grassed drainage swale with no curbing.		

432.2 The general standards set forth in Section 432.1 may be modified by the Borough when an analysis of proposed development densities, provisions for off-street parking, and projected traffic volumes indicate a need for such modifications. The burden of proof shall be upon the developer to justify the adequacy of rights-of-way or cartway widths which are less than those set forth in Section 432.1.

### 433 Horizontal Curves

433.1 Whenever street centerlines are deflected more than five (5) degrees within five hundred (500) feet, connection shall be made by horizontal curves.

433.2 Horizontal curves shall be designed to produce the following minimum sight distances:

433.21 Local streets - one hundred fifty (150) feet;

433.22 Collector streets - three hundred (300) feet;

433.23 Arterial streets - six hundred (600) feet.

433.3 A minimum tangent of one hundred (100) feet shall be required between reverse curves on a street and between a curve and a street intersection where one of the intersecting streets is a collector or an arterial street.

### 434 Street Grades

434.1 There shall be a minimum centerline grade on all streets of seventy-five hundredths (0.75) percent.

434.2 Unless approval is obtained from the Planning Commission upon recommendation from the Municipal Engineer, centerline grades shall not exceed the following:

434.21 Local streets - eleven (11) percent;

434.22 Collector streets - eight (8) percent;

434.23 Arterial streets - six (6) percent.

434.3 Intersections shall be approached on all sides by leveling areas. Such leveling areas shall have a minimum length of seventy-five (75) feet (measured from the edge of the cartway of the intersecting road), within which no grade shall exceed a maximum of four (4) percent.

### 435 Vertical Curves

435.1 Vertical curves shall be used in changes of grade exceeding one (1) percent. However, where the curve would be a sag curve, vertical curves shall be used in changes of grade exceeding two (2) percent.



435.2 Vertical curves shall be designed to meet minimum sight distances according to standards set forth by the American Association of State Highway Officials.

#### 436 Street Intersections

436.1 Streets shall intersect at right angles whenever practicable. When local streets intersect collector or arterial streets the angle of intersection at the street centerlines shall in no case be less than seventy-five (75) degrees. No two streets shall intersect with an angle of intersection at the centerlines of less than sixty (60) degrees.

436.2 Multiple intersections involving the junction of more than two streets shall be prohibited.

436.3 Two streets intersecting a third street from opposite sides shall either intersect with a common centerline or their centerlines shall be offset according to the following distances:

436.31 The two streets shall be separated by a distance of one hundred fifty (150) feet between centerlines measured along the centerline of the street being intersected when all three streets involved are local streets;

436.32 The two streets shall be separated by a distance of three hundred (300) feet between centerlines measured along the centerline of the street being intersected when one or more of the streets involved is a collector street;

436.33 The two streets shall be separated by a distance of five hundred (500) feet between centerlines measured along the centerline of the street being intersected when one or more of the streets involved is an arterial street.

436.4 Street curb intersections shall be rounded by a tangential arc with a minimum radius of:

436.41 Twenty (20) feet for intersections involving only local streets;

436.42 Thirty (30) feet for all intersections involving a collector street;

- 436.43 Forty (40) feet for all intersections involving an arterial street.
- 436.5 Street right-of-way lines shall be parallel to (or concentric with) curb arcs at intersections.
- 436.6 Clear sight triangles shall be provided at all street intersections. Within such triangles no object greater than two and one-half (2½) feet in height and no other object that would obscure the vision of the motorist shall be permitted. Such triangles shall be established from a distance of:
- 436.61 Seventy-five (75) feet from the point of intersection of the centerlines of two streets where both are local streets;
- 436.62 One hundred (100) feet from the point of intersection of the centerlines of two streets where one is a collector street;
- 436.63 One hundred fifty (150) feet from the point of intersection of the centerlines of two streets where one is an arterial street.
- 436.7 Wherever a portion of the line of such triangles occurs within the proposed building setback line, such portion shall be shown on the Final Plan of the subdivision, and shall be considered a building setback line.
- 437 Cul-de-sacs
- 437.1 Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.
- 437.2 Any dead-end street which is constructed for future access to an adjoining property or because of authorized stage development, and which is open to traffic and exceeds two hundred (200) feet in length, shall be provided with a temporary, all-weather turning circle or "T" type turnaround. The turning circle or "T" type turnaround shall be completely within the boundaries of the subdivision and the use of the turnaround shall be guaranteed to the public until such time as the street is extended.
- 437.3 Cul-de-sac streets, permanently designed as such, shall not exceed one thousand (1,000) feet in length and shall not furnish access to more than twenty-five (25) dwelling units. In the case of industrial

parcs, a cul-de-sac shall not furnish access to more than one hundred (100) employees. Exemptions from these requirements may be granted where necessary due to unique characteristics of the site.

437.4 All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully-paved turning circle. The turning circle may be offset to the left but turnarounds offset to the right shall be discouraged.

437.41 If parking will be prohibited on the turning circle, the minimum radius to the pavement edge or curb line shall be forty (40) feet and the minimum radius of the right-of-way shall be fifty (50) feet.

437.42 If parking will be permitted on the turning circle, the minimum radius to the pavement edge or curb line shall be fifty (50) feet, and the minimum radius of the right-of-way line shall be sixty (60) feet.

437.5 The centerline grade on a cul-de-sac street shall not exceed eleven (11) percent, and the grade of the diameter of the turnaround shall not exceed five (5) percent.

#### 438 Half Streets

438.1 The dedication of new half streets at the perimeter of a new subdivision is prohibited.

438.2 The subdivider shall provide the entire required right-of-way, or as much thereof as is possible, within his property, along all existing streets which traverse or abut the property.

#### 439 Street Names and Street Signs

439.1 Proposed streets which are in alignment with others already existing and named shall bear the name of the existing streets.

439.2 In no case shall the name of a proposed street duplicate an existing street name in the municipality and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court, or lane.

439.3 All street names shall be subject to the approval of the Municipal Governing Body.

439.4 Street signs shall be provided at the intersection of all streets. The type, height, and design shall be approved by the Municipal Governing Body.

440 Sanitary Sewage Disposal

- 441 The developer shall provide the most effective type of sanitary sewage disposal consistent with the municipality's official plan for sewage facilities prepared in accordance with the Pennsylvania Sewage Facilities Act (Act 537) and Chapter 71 of the Pennsylvania Department of Environmental Resources Regulations.
- 442 Connection to a public sanitary sewer system shall be required where such a system is proposed by the municipality's official plan for sewage facilities, can feasibly be provided to the proposed subdivision tract, and where such a system can adequately fulfill the sewage disposal needs of the subdivision or land development.
- 443 Where a public sanitary sewer system is not yet accessible to the site but is planned for extension within a five (5) year period, the developer shall install sanitary sewer lines within the subdivision boundary to the point where the future connection to a public sewer system will be made. Lateral connections shall be constructed for all lots. Connections shall be available in the structures so as to allow the switch from the use of the on-lot systems to the public system. Such sewer systems shall be capped until ready for use. On-lot disposal facilities shall be provided for interim use.
- 444 In subdivision/land developments where connection to a public sewage system is not possible, on-lot sewage disposal systems shall be provided in accordance with the Pennsylvania Sewage Facilities Act, Chapter 73 of DER Regulations, and the requirements of the Municipal Sewage Enforcement Officer.
- 445 Where a public sanitary sewer system is proposed, design shall be in accordance with the Specifications of the local sewer authority.

446 Sanitary sewerage systems shall be located and designed to minimize or eliminate flood damage, infiltration of flood waters into the system, and discharges from the system into flood waters.

447 On-lot sewage disposal systems shall be located and designed to avoid impairment or contamination from flooding.

450 Water Supply and Distribution Systems

451 The developer shall provide a water supply and distribution system to service the proposed subdivision through one of the following methods:

451.1 Connection shall be made to a public water supply system where such a system can feasibly be provided to the proposed subdivision tract and where the capacity of such a system can adequately fulfill the water supply demands of the proposed subdivision. A distribution system shall be designed to furnish an adequate supply of water to each lot. A copy of the approval document for such a system by the appropriate public authority or utility company shall be submitted with the Final Plan.

451.2 Where a public water supply system is planned to serve the proposed subdivision area within ten (10) years, a centralized water system will be provided by the developer if the subdivision involves twenty (20) or more dwelling units unless the average residential lot size is one acre or larger. Whenever such a system is provided, the water distribution lines should be dedicated to the appropriate public authority and the authority will acquire other parts of the water supply system such as wells, pumps and storage tanks that can be integrated into the public water system. This will take place after the improvements are completed so that the system can be operated by the public authority. A copy of the approval of such a system by the appropriate public authority shall be submitted with the Final Plan. Also, such a system shall be designed and constructed in a manner that will permit adequate connection to a public water supply system in the future.

451.3 Where a public water supply is not proposed in the area of the proposed subdivision within ten (10) years, the developer shall provide a centralized water system if the subdivision involves twenty (20) or more lots and the average residential lot size is less than one (1) acre.

- 451.4 All centralized water systems that remain privately owned shall be organized in a manner as to fall within the jurisdiction of the Pennsylvania Public Utility Commission.
- 451.5 Water supply systems shall be located and designed to minimize or eliminate infiltration of flood waters so as to meet Federal Insurance Administration provisions.
- 451.6 Where a public water supply is proposed, design shall be in accordance with the Specifications of the local water authority.

460 Storm Drainage Systems

461 Storm drainage systems shall be provided in order to:

- 461.1 Permit unimpeded flow within natural watercourses except as modified by stormwater detention facilities required by Section 463 or open channels pursuant to Section 462.8;
- 461.2 Ensure adequate drainage of all low points along the line of streets;
- 461.3 Intercept stormwater runoff along streets at intervals related to the extent and grade of the area drained;

- 461.4 Provide positive drainage away from on-site sewage disposal systems;
- 461.5 Take surface water from the bottom of vertical grades, lead water from springs, and avoid excessive use of cross-gutters at street intersections and elsewhere;
- 461.6 Prevent overloading of downstream drainage systems and watercourses as a result of increased rate of runoff caused by the proposed development.

#### 462 General Requirements

- 462.1 A site drainage plan for the proposed subdivision tract shall be prepared which illustrates the following information:
  - 462.11 Mapping of the watershed area or areas in which the proposed subdivision is located;
  - 462.12 Calculations of runoff for all points of runoff concentration within the site;
  - 462.13 Complete drainage systems for the subdivision. All existing drainage features which are to be incorporated in the design shall be so identified. If the subdivision is to be developed in stages, a general drainage plan for the entire subdivision shall be presented with the first stage and appropriate development stages for the drainage system shall be indicated.
- 462.2 The existing points of natural drainage discharge onto adjacent property shall not be altered without the written approval of the affected land owners.
- 462.3 No stormwater runoff or natural drainage shall be so diverted as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without approved provisions being made by the developer for properly handling such conditions.
- 462.4 Storm drainage systems through the subdivision/land development shall be designed to convey the peak runoff that will occur when all tributary areas upstream are developed to the extent reasonably projected during the next forty (40) years. The calculation of this runoff rate shall take into

account the land use and development regulations including runoff controls in effect in the tributary areas.

462.5 Where a subdivision is traversed by watercourses other than permanent streams, there shall be provided a drainage easement conforming substantially with the line of such watercourse. The width of the easement shall be adequate to provide for unimpeded flow of storm runoff based on calculations made in conformance with Section 464 and to provide a freeboard allowance of one-half (0.5) foot above the design water surface level. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations which may adversely affect the flow of stormwater within any portion of the easement. Also, periodic cutting of vegetation in all portions of the easement shall be required. These easements shall be secured through covenants attached to the deeds of the effected lot.

462.6 All streets shall be designed so as to provide for the eventual discharge of surface water away from their rights-of-way.

462.7 When it can be shown to the satisfaction of the Borough that, due to topographic conditions, natural drainage swales on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainage swales. Capacities of open channels shall be calculated using the Manning equation.

462.8 Storm drainage facilities and appurtenances shall be so designed and provided as to minimize erosion in watercourse channels and at all points of discharge.

#### 463 Stormwater Detention

463.1 Stormwater detention facilities shall be used whenever increased runoff from the land development would overload drainage systems or cause significant increases in flood levels in any watercourses downstream. This will be determined by comparing the increase in runoff caused by the land development with the existing runoff rates and capacity of downstream drainage systems and watercourses.



- 463.2 Whenever detention facilities are required under Section 463.1, facilities will be designed to provide that the peak runoff rate at all points of discharge from the site, when developed, will not exceed the peak runoff rate at each of those points prior to development unless existing or planned detention facilities located elsewhere in the same drainage basin will provide that the peak runoff rate from the drainage basin after the site is developed will not exceed the peak runoff rate prior to development. In cases where the developer is required to rely on detention facilities constructed by the municipality elsewhere in the basin, the developer shall pay a fee to the municipality which will be determined by prorating the total cost of such detention facilities according to the fraction of the total storage capacity required by the development.
- 463.3 Where detention facilities are included as part of the storm drainage system, the following provisions will apply:
- 463.31 Detention ponds shall be designed so that they return to normal conditions within approximately twelve (12) hours after the termination of the storm, unless the Municipal Engineer finds that downstream conditions may warrant other design criteria for stormwater release;
  - 463.32 The developer shall demonstrate that such ponds are designed, protected and located to assure that public safety is maximized and health problems are prevented;
  - 463.33 The developer shall verify that the operation of the detention facilities will not aggravate potential downstream peaking conditions;
  - 463.34 Emergency overflow facilities shall be provided for detention facilities to handle runoff in excess of design flows;
  - 463.35 If the lands of the proposed land development will remain in common ownership, the developer shall provide written assurances to the Borough Council that the detention ponds will be properly maintained;

463.36 If the lands of the proposed land development will be conveyed to two or more separate owners, the developer shall either provide written assurances

that the detention ponds will be properly maintained, or shall dedicate the land on which the detention ponds are located to the municipality which shall then be responsible for maintaining the detention ponds.

464 Calculations of Runoff and Design Storm Frequency

464.1 Storm drainage systems required by this Ordinance shall be designed to provide protection from a ten (10) to one hundred (100) year storm as determined by the Borough Engineer. A ten (10) year design storm is appropriate where a storm in excess of the design storm will have minor impact such as inconvenience to traffic on local streets. A twenty-five (25) year design storm is appropriate where a storm in excess of the design storm will cause major inconvenience to people and traffic in high use areas such as business districts and major highways. A one hundred (100) year design storm is appropriate where a storm in excess of the design storm will cause damage to existing or future structures or their contents.

464.2 Stormwater runoff from watersheds of two hundred (200) or less acres shall be calculated by the rational method as described in Manual Number 37 of the American Society of Civil Engineers.

464.3 Stormwater runoff from watersheds of more than two hundred (200) acres shall be calculated using the soil cover complex method developed by the Soil Conservation Service or other appropriate method acceptable to the Borough Engineer.

464.4 The Manning equation shall be used in calculating capacities of watercourses and storm sewers, except culverts which shall be designed using methods acceptable to the Borough Engineer.

464.5 Complete detailed drainage calculations and applicable charts and nomographs certified by the design engineer shall be submitted to the Borough Engineer for review.

465 Improvement Specifications

465.1 Inlets shall be designed and located to prevent hazardous conditions for vehicles, bicycles or pedestrians.

465.2 The Borough Engineer should add additional specifications which may be necessary for spacing and type of inlets and manholes, minimum pipe sizes, and materials and construction methods.

470 Underground Utilities and Utility Easements

471 In accordance with the Pennsylvania Public Utility Commission Investigation Docket No. 99, as amended from time to time, all electric utility distribution lines shall be installed underground in subdivisions or land developments of five (5) or more dwelling units. In addition, the following design requirements shall be observed:

471.1 Established public utility and state and federal governmental agency design standards shall be observed in preparing the utility plan;

471.2 Utility lines to be installed within street rights-of-way shall be located according to municipal or municipal authority requirements;

471.3 Whenever practicable, telephone and cable TV utilities shall be installed underground in connection with the installation of electric utility distribution lines;

471.4 Street lighting, where required, shall be provided at each intersection of the development and at intervals not to exceed two hundred (200) feet between intersections;

471.5 Utility lines shall be installed at the rough grade phase of construction. Utility lines shall be installed according to their depth, with the utility line installed at the greatest depth being installed first.

472 Utility Easements

472.1 Utility easements shall be provided for all utility lines servicing the abutting lots when such utility lines are installed outside street rights-of-way. No structures or trees shall be placed within such

easements. The location of utility easements shall be acceptable to the appropriate public utility or municipal authority.

472.2 Whenever practicable all utility lines to be installed outside street rights-of-way shall share a common utility easement.

472.3 Utility easements shall be located either:

472.31 Abutting the street right-of-way. In this case a minimum easement width of ten (10) feet shall be required;

472.32 Along rear or side lot lines. In this case a minimum easement width of twenty (20) feet, ten (10) feet on each side of the lot line, shall be provided. Where the lot line coincides with the subdivision boundary a minimum easement width of fifteen (15) feet may be required.

#### 473 Petroleum and Natural Gas Transmission Lines

473.1 No company intending to install any petroleum, petroleum product or natural gas transmission line shall be allowed to construct the line on less than a fifty (50) foot right-of-way. Such lines are to be installed in the center of the right-of-way, and shall comply with the applicable standards imposed by State and Federal laws and regulations.

473.2 There shall be a minimum distance of twenty-five (25) feet, measured from the right-of-way line, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision.

#### 474 Floodproofing

474.1 Facilities for gas, electric and communication utilities shall be elevated or floodproofed to a level at least one foot above the 100-year flood elevation.

480 Environmental Protection and Open Space Preservation

481 Erosion and Sedimentation Control

- 481.1 All earthmoving activities shall be conducted in such a way as to prevent accelerated erosion and the resulting sedimentation.
- 481.2 No earth-moving or soil disturbance may take place until an erosion and sedimentation control plan has been developed in accordance with Chapter 102, Erosion Control, P.L. 1987. Such a plan is to be maintained on the construction site until all disturbed areas are finally stabilized.
- 481.3 The erosion and sedimentation control plan shall be developed in the form outlined in the Soil Erosion and Sedimentation Control Manual, issued by the Pennsylvania Department of Environmental Resources.

481.4 All erosion and sedimentation control plans shall be submitted with the final plan as set forth in Section 324.10 of this Ordinance.

481.5 When it has been determined that an earth-moving permit is required, the application for such a permit must be filed with the County Conservation District.

481.6 Erosion and Sedimentation Control Plans must be submitted to the County Conservation District for review and recommendations, whether a permit for earth-moving is required or not.

#### 482 Natural Feature Preservation

482.1 The design and development of all subdivisions and land developments shall preserve, whenever possible, natural features which will aid in providing adequate open space for recreation and conditions generally favorable to the health, safety, and welfare of the residents. Some of these natural features are the natural terrain of the site, woodland areas, large trees, natural watercourses and bodies of water, wetlands, rock outcroppings, and scenic views. More detailed standards concerning the preservation of specific natural features are set forth in the following sections.

#### 482.2 Flood Plain Regulation

482.21 A map illustrating flood elevations for the tract for a 100-year flood, where applicable, shall be submitted as part of the feasibility review materials as set forth in Section 300. The flood elevation map shall be based on the municipal flood insurance rate map (FIRM). When not available, the map shall be based on estimated 100-year flood elevations or estimated areas subject to flooding based on best available data.

482.22 A developer shall adhere to the following standards within areas designed as regulatory floodways and flood fringe areas on the flood elevation map.

482.221 No buildings are to be constructed in regulatory floodways. Other encroachments may be permitted provided that the encroachment will not cause any increase in the 100-year flood elevation at any point. Consideration of the effects of a proposed use shall be based on a reasonable assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream.

482.222 Structures may be permitted in flood fringe areas provided that the lowest floor (including basement) is elevated at least one foot above the 100-year flood elevation and that the proposed improvements will not increase the water surface elevation of the 100-year flood by more than one foot at any point. The lowest floor of non-residential structures may be constructed below the 100-year flood elevation provided that below this elevation the structure is watertight with walls substantially impermeable to the passage of water and is designed with structural components having the capability of resisting forces caused by floodwaters.

482.3 Lake, Stream, and River Frontage Preservation

482.31 Lake, stream, and river frontage shall be preserved as open space whenever possible. This area may be credited toward the open space requirement set forth in Section 493.

482.32 Access to the water and maintenance easement area shall be provided at intervals of not more than one-half (0.5) mile. These access

points shall not be less than one hundred (100) feet in width.

#### 482.4 Tree Preservation and Planting

482.41 Trees six (6) inches or more in diameter (measured at a height four and one-half (4½) feet above grade) shall not be removed unless they are located within the proposed cartway or sidewalk portion of a street right-of-way, or within fifteen (15) feet of the foundation area of a new building. Areas in which trees are retained shall remain at original grade level and undisturbed wherever possible.

482.42 Where no existing trees are retained along street rights-of-way, trees shall be planted at intervals of between fifty (50) and one hundred (100) feet but in no instance shall there be less than one (1) tree per lot.

Trees shall not be retained or planted within three (3) feet of the street curb of the sidewalk. Trees may be retained or planted between the street curb and the sidewalk if there is a minimum distance of six (6) feet.

482.43 A landscape plan shall be drawn for all commercial, industrial, planned residential, mobile home park, and multi-family developments. The plan shall show existing and proposed vegetative cover.

482.44 The Landscape Plan shall include trees in addition to those required along the street rights-of-way. The following standards are to be used as a guide to the number, not the spacing or location, of additional trees required.

482.441 One tree per dwelling unit;

482.442 One tree per fifty (50) linear feet of newly constructed street.

482.45 Where the species and size of the plantings is not additionally controlled by the provisions of a landscaping ordinance, consideration shall be given in the species selection to disease and storm resistance.

#### 482.5 Topography

482.51 The natural terrain of the proposed subdivision tract will be retained wherever possible with cut and fill operations being kept to a minimum. Areas with slopes greater than fifteen (15) percent shall generally not be planned for development. If such land



is planned for development, the natural slope of the building site or sites shall be fifteen (15) percent or less. The building site shall be at least fifty (50) feet by eighty (80) feet.

482.6 Topsoil Protection

482.61 Topsoil shall not be removed from the development site or used as fill. Topsoil shall be removed from the areas of construction and stored separately. The topsoil shall be stabilized to minimize erosion during storage. Upon completion of the construction, topsoil must be uniformly redistributed on the site.

483 Open Space and Recreation Areas

483.1 In proposed subdivisions which are intended to provide housing for more than fifty (50) families, it may be required that the developer dedicate land for open space and recreation in accordance with the following guidelines:

<u>Families to be Served</u>	<u>Minimum Open Space and Recreation Acreages</u>
50 - 174	3.0
175 - 374	6.0
375 - 624	10.0
625 - 800	12.0
For each additional 175 families	1.5

483.2 In circumstances where the recreation needs of a development could better be met through the use of off-site facilities cash to be used for these facilities may be contributed to a special fund to be used by the Municipality only for capital costs associated with park and recreation facilities which would serve the subdivision in lieu of open space dedication. The contribution shall be \$250 per dwelling unit. These funds shall not be comingled with other municipal funds.

483.3 In proposed subdivisions intended to provide housing for less than fifty (50) families, cash in lieu of open space dedication may be required and must be used for recreational purposes in accordance with the standards set forth in Section 483.2.

## SECTION V - IMPROVEMENT SPECIFICATIONS

500 General Requirements

501 Physical improvements to the subdivision/land development tract shall be provided, constructed and installed as shown on the Record Plan, in accordance with the requirements of this Ordinance.

502 As a condition to review of a Final Plan, the developer shall agree to installations of all improvements shown on the Plan and required by this Ordinance. Before the Record Plan may be endorsed by the Planning Commission and Borough Council, the developer shall submit a completed and executed original copy of the Subdivision Improvements Agreements and performance and maintenance guarantees in the amount required by Section 520.

503 All improvements installed by the developer shall be constructed in accordance with the design specifications.

In cases where no applicable municipal specifications exist, the required improvements shall be constructed to the specifications set forth in this Ordinance.

504 Observation of the installation of those improvements required by Section 510, shall in all cases be the responsibility of the Borough Council and Borough Engineer.

510 Required Improvements

511 Improvements shall be provided, constructed, and installed by the developer as stated in the Improvements Agreement, shown on the Record Plan, and in accordance with the design standards set forth in Section IV of this Ordinance. The following improvements will be required in all applicable cases:

511.1 Street excavating, grading, subgrade preparation, base course paving and surface course paving installed according to Borough specifications.

511.2 Concrete curbing of the vertical type, or stabilized shoulder and drainage swale with no curbing installed according to Borough specifications.

511.3 Concrete sidewalks or interior walkways installed according to Borough specifications.

- 511.4 Sanitary sewer system improvements installed according to the specifications of the municipality, public utility, the appropriate government authority and the Pa. Department of Environmental Resources;
- 511.5 Water supply and distribution system improvements installed according to the specifications of the municipality, public utility, the appropriate governmental authority, and the Pa. Department of Environmental Resources;
- 511.6 Storm drainage system improvements installed according to Borough specifications;
- 511.7 Monuments shall be installed;
- 511.71 Permanent stone or concrete monuments shall be accurately placed at the intersection of all lines forming angles and at changes in directions of lines in the boundary (perimeter) of the property subdivided.
- 511.72 Monuments shall be of reinforced concrete with minimum dimensions of four (4) inches by four (4) inches by thirty (30) inches or stone with minimum dimensions of six (6) inches by six (6) inches by thirty (30) inches. Concrete monuments shall be scored on top of the copper or brass dowel (with an indented cross); stone monuments shall be marked on top with a proper inscription.
- 511.73 All monuments shall be placed by a Registered Professional Engineer or Surveyor so that the scored point shall coincide exactly with the point of intersection of the line being monumented.
- 511.74 Monuments shall be set with their top level with the finished grade of the surrounding ground, except:

- 511.741 Monuments which are placed within the lines of existing or proposed sidewalks shall be so located (preferably beneath the sidewalks) that their tops will not be affected by lateral movement of the sidewalks, and
- 511.742 Where monuments are located beneath a sidewalk, proper access shall be provided for their use.
- 511.743 Where sidewalks are existing, a stone point (a four (4) inch square chisel cut in the sidewalk with a drill hole in center) may be substituted for a monument.
- 511.8 Fire hydrants installed according to the specifications of the appropriate government authority;
- 511.9 Street lights in accordance with conditions to be agreed upon by the developer, the Planning Commission, and the appropriate public utility;
- 511.10 Street signs installed according to municipal specifications;
- 511.11 Shade trees shall be of nursery stock quality of a species grown under the same climatic condition as exist in the municipality. The trees shall be of symmetrical growth, free of insect pests and disease, suitable for street use, and durable under the maintenance contemplated. The average trunk diameter measured at a height of three (3) feet above the finished grade level shall be a minimum of two (2) inches.

520 Improvements Guarantee Procedure

- 521 Before the Planning Commission and Borough Council approves any Final Plan and as a prerequisite for approval, the developer shall deliver a performance guarantee in the amount of one hundred ten (110) percent of the

cost of all improvements required by this Ordinance, as determined in accordance with the procedures set forth in Act 247 as amended, in a form and with a surety as determined in accordance with the procedures set forth in Act 247 as amended, guaranteeing the construction and installation of all such improvements within one (1) year of the date noted on the Final Subdivision Plan as the date that the improvements are to be completed. Upon written application signed by both the obligor and surety of a performance guarantee in a form approved by the Solicitor, the Borough Council, public utility, or municipal authority may, at their discretion, extend said period by not more than three (3) additional years. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above bidding procedure. In the event of default under a performance guarantee, the proceeds of the performance guarantee received by the municipality, public utility, or municipal authority shall be used to construct and install the improvements.

522 Before the Planning Commission and Borough Council approves any Final Plan and as a prerequisite for approval, the developer shall deliver to the Municipal Governing Body, public utility, or municipal authority a maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of all improvements required by this ordinance, guaranteeing acceptance of all such improvements by the Borough Council, public utility, or municipal authority.

530 Approval of Improvements and Release of Performance Guarantee by the Municipal Governing Body, Public Utility, or Municipal Authority

531 When the developer has installed or constructed all or part of the required improvements as set forth in Section 510, the developer shall notify the Borough Council, public utility, or municipal authority, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send

a copy thereof to the Borough Engineer. The Borough Council, public utility, or municipal authority shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall, thereupon, file a report, in writing, with the Borough Council, public utility, or municipal authority, 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 Borough Engineer of the aforesaid authorization from the Borough, public utility, or municipal authority; said report shall be detailed and shall recommend approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be recommended for approval by the Borough Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

532 The Borough Council, public utility, or municipal authority, shall notify the developer, in writing, by certified or registered mail, of its action with relation thereto.

533 If the Borough Council, public utility, or municipal authority 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 liability in accordance with the amount of work completed, pursuant to its performance guarantee bond. The Governing Body may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.

- 534 If any portion of the said improvements shall not be approved or shall be rejected, the developer shall proceed to complete the same, and, upon completion, the same procedure of notification as outlined herein, shall be followed.
- 535 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 Borough or the Borough Engineer.
- 536 In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan, the Borough public utility, or municipal authority, is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Borough may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.



## SECTION VI - ADMINISTRATION

### 600 Amendments

601 Amendments to the Subdivision and Land Development 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 by the Pennsylvania Municipalities Planning Code.

### 610 Appeals

611 The decisions of the Borough with respect to the approval or disapproval of Subdivision or Land Development Plans may be appealed directly to court in the same manner and within the same time limitations as is provided for zoning appeals in Article X of the Pennsylvania Municipalities Planning Code.

### 620 Penalties

621 Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plan of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plan has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon the conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding one thousand dollars (\$1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the Borough. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

630 Validity and Conflicts

- 631 Should any action or provisions of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provision of the Ordinance than the one so declared.
- 632 Whenever there is a conflict between minimum standards or requirements set forth in this Ordinance and those contained in other municipal ordinances and regulations, or other applicable laws and regulations, the most stringent standard or requirement shall apply.

640 Fees

- 641 The applicant shall be responsible for the payment of all reasonable expenses incurred by the Borough, its engineer or solicitor, with regard to the review and approval of any subdivision plan.

## SECTION VII - DEFINITIONS

Rev. 4/12/82

- 700 Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated:
- 701 Words in the singular include the plural and those in the plural include the singular.
- 702 Words in the present tense include the future tense.
- 703 The words "person", "developer", "subdivider", and "owner" include a corporation, unincorporated association, a partnership, or other legal entity, as well as an individual.
- 704 The word "building" includes structure and shall be construed as if followed by the phrase "or part thereof".
- 705 The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.
- 710 Other terms or words used herein shall be interpreted or defined as follows:
- 711 Act 247 - The Pennsylvania Municipalities Planning Code of 1968, as amended.
- 712 Applicant - A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.
- 713 Borough - Wherever the term Borough is used, it shall mean the Council of the Borough of Coplay.
- 714 Block - Property bounded on one side by a street, and other three sides, by a street, railroad right-of-way, waterway, unsubdivided area, or other definite barrier.
- 715 Building, Accessory - A detached subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.
- 716 Building, Principal - A structure enclosed within exterior walls or fire walls; built, erected, and framed of component structural parts; designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind; main structure on a given lot.
- 717 Building Setback Line - The line within a property defining the minimum required front yard distance between any building to be erected, and an adjacent right-of-way.
- 718 Clear Sight Triangle - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

- 719 Common Open Space - A parcel or parcels of land, an area of water, or a combination of land and water within a development site designed and intended for the use of residents of the development, not including streets, off-street parking area, private yard space, and areas set aside for non-residential and public facilities. Common open space shall be substantially free of structures but may contain such improvements as are appropriate for recreational use by the residents.
- 720 Cut - An excavation. The difference between a point on the original ground and a designated point of lower elevation on the final grade. Also, the material removed in excavation.
- 721 Developer - Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.
- 722 Double or Reverse Frontage Lot - A lot extending between and having frontage on two generally parallel streets with vehicular access from only one street.
- 723 Dwelling Unit - Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.
- 724 Easement - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structures, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.
- 725 Engineer - A professional engineer licensed as such in the Commonwealth of Pennsylvania.
- 726 Erosion - The removal of surface materials by the action of natural elements.

- 727 Erosion and Sedimentation Control Plan - A plan designed to prevent on-site accelerated erosion and off-site sedimentation through the use of vegetative or mechanical controls. Control measures must be designed to fit the topography, soils, rainfall, and land use of the area they are to protect. The plan includes as a minimum (a) a map or maps describing the topography of the area, the proposed alteration to the area and the specific erosion and sedimentation control measures and facilities; and (b) a narrative report describing the project and giving the purpose and the engineering assumptions and calculations for control measures and facilities.
- 728 Flood, One Hundred (100) Year - The flood having a one (1) percent chance of being equaled or exceeded in any given year.
- 729 Flood Fringe - Flood prone areas which are not designated as a regulatory floodway on the flood boundary and floodway map in the municipality's flood insurance study prepared by the Federal Insurance Administration.
- 730 Flood Plain - The area of normally dry land along a natural watercourse which is periodically inundated by water therefrom.
- 731 Floodway, Regulatory - The channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the one hundred (100) year flood. The regulatory floodway is designated on the flood boundary and floodway map of the municipality's flood insurance study prepared by the Federal Insurance Administration.
- 732 Improvements - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.
- 733 Joint Planning Commission (JPC) - The Joint Planning Commission of Lehigh and Northampton Counties, Pennsylvania.
- 734 Land Development - (1) The improvement of one or more contiguous lots, tracts or parcels of land for any purposes involving (a) a group of two or more buildings, or (b) the division or allocation of land between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, building groups or other features; (2) a division of land into lots for the purpose of conveying such lots singly or in groups to any person, partnership or corporation for the purpose of the erection of buildings by such persons, partnership or corporation; (3) any non-residential proposed use where the tract involved exceeds one (1) acre.

- 735 Landowner - The legal or beneficial 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 condition), a lessee having a remaining term of not less than forty (40) years, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Ordinance.
- 736 Lot - A parcel of land intended for transfer of ownership, use, development or improvement and/or dedication.
- 737 Lot Area - The area contained within the property line of a lot (as shown on the Plan), excluding space within all streets and within all permanent drainage easements, but including the areas of all other easements.
- 738 Maintenance Guarantee - Security in a form in accord with the provisions set forth in Act 247 as amended, which insures the structural integrity of the improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a period not to exceed eighteen (18) months after the acceptance of said improvements by the Municipal Governing Body, public utility, or municipal authority.
- 739 Marker - A metal pipe or pin of at least three-quarter (3/4) inch outside diameter and at least twenty-four (24) inches in length.
- 740 Mobile Home Park - A parcel of land under single ownership which has been planned and improved for the placement of two (2) or more mobile homes, occupied for dwelling and for non-transient use.
- 741 Mobile Home Stand - That part of an individual lot which has been reserved for the placement of the mobile home, appurtant structures or additions.
- 742 Monument - A stone or concrete monument with a flat top at least four (4) inches in diameter or square. It is recommended that the bottom sides or radius be at least two (2) inches greater than the top to minimize movements caused by frost. The monument should contain a copper or brass dowel and be at least thirty (30) inches in length.
- 743 Official Map - The municipal map adopted by Ordinance showing exact locations of existing and proposed lines for public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, opening or closing of same for the entire municipality.

- 744 Official Plan - Sewage Facilities - A comprehensive plan for the provision of adequate sewage systems adopted by a municipality or municipalities possessing authority or jurisdiction over the provision of such systems and submitted to and approved by the State Department of Environmental Resources as provided by the Pennsylvania Sewage Facilities Act, and Chapter 71, Rules and Regulations promulgated thereunder.
- 745 Pavement Width (Roadway) - The portion of a street right-of-way, generally paved, intended for vehicular use.
- 746 Performance Guarantee - Security in a form in accord with the provisions set forth in Act 247 as amended to guarantee that the proper construction of improvements be made by the developer as a condition for the approval of the Plan.
- 747 Plan, Feasibility Review - An initial submission, by the developer, of maps and other materials analyzing the natural features of the site as they relate to its development potential. The proposed concept for development of the tract is included in the submission.
- 748 Plan, Preliminary - A tentative plan, in lesser detail than a Final Plan, showing proposed streets and lot layout and such other information as required by this Ordinance.
- 749 Plan, Final - A complete and exact plan prepared for official recording as required by this Ordinance to define property rights, streets and other proposed improvements.
- 750 Plan, Record - The copy of the Final Plan bearing the original endorsements of the Joint Planning Commission, which is intended to be recorded with the County Recorder of Deeds.
- 751 Planning Commission - The appointed Planning Commission of the Borough of Coplay.
- 752 Planning Module for Land Development - A document to be prepared by the developer or subdivider, accepted by the municipality, and submitted to the Pennsylvania Department of Environmental Resources to provide proposed development data in order to supplement or revise the municipality's Official Plan for sewage facilities.
- 753 Resubdivision - Any replatting or resubdivision of land, limited to changes in lot lines on approved Final Plans or Recorded Plans as specified in this Ordinance. Other replattings shall be considered as constituting a new subdivision of land. See also Subdivision.

- 754 Right-of-Way - The total width of any land reserved or dedicated as a street, sidewalk, or for other public or quasi-public purposes.
- 755 Runoff - Water that is derived directly from precipitation and passes over the ground into watercourses.
- 756 Sanitary Sewage Disposal, Public - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and dis-



posal plant, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or public utility company.

- 757 Sanitary Sewage Disposal, Centralized - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, commonly called a "package treatment plant", generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company, or a developer.
- 758 Sanitary Sewage Disposal, On-Lot - Any structure designed to treat sanitary sewage within the boundaries of an individual lot.
- 759 Sedimentation - The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "sediment".
- 760 Sewage Enforcement Officer - The municipal official who issues and reviews permit applications and conducts investigations and inspections as are necessary to implement Act 537 and the rules and regulations thereunder.
- 761 Sight Distance - The required length of roadway visible to the driver of a motor vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point 3.75 feet above the centerline of the road surface to a point 0.5 feet above the centerline of the road surface.
- 762 Slope - The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

763 Street - A strip of land, including the entire right-of-way (i.e., not limited to the cartway) intended for use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot. The word "street" includes street, avenue, boulevard, road, highway, freeway, parkway, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets are further classified according to the functions they perform:

763.1 Arterial Street - A street serving a large volume of comparatively high-speed and long-distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.

763.2 Collector Street - A street which, in addition to providing access to abutting properties, intercepts local streets to provide a route giving access to

community facilities and/or other collector and arterial streets (streets in industrial and commercial subdivisions shall generally be considered collector streets);

- 763.3 Local Street - A street used primarily to provide access to abutting properties;
- 763.4 Cul-de-Sac Street - A local street intersecting another street at one end, and terminating in a vehicular turn-around at the other;
- 763.5 Half (Partial) Street - A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street;
- 763.6 Marginal Access Street - A local street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major street;
- 763.7 Service Street (Alley) - A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.
- 764 Stormwater Detention Facilities - Basins, ponds, ponding areas, depressions or other structures or features used to temporarily store rainfall and release it at a controlled rate.
- 765 Storm Drainage Systems - All facilities and features, such as pipes, culverts, open channels, ditches, swales, and stormwater detention facilities, used to transmit or temporarily store surface water runoff.
- 766 Structure - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.
- 767 Subdivision - The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, or parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building, or lot development: provided, however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

- 767.1 Minor Subdivision - A residential subdivision which does not and will not in the future involve more than a total of three (3) lots, including the residue parcel, and does not involve the provision of any new street or easement for access. Such subdivision applications shall be processed in accordance with the provisions of Section 280.
- 768 Surveyor - A licensed surveyor registered by the Commonwealth of Pennsylvania.
- 769 Swale - A low lying stretch of natural or man-made land which gathers or carries surface water runoff.

- 770 Testing On-Lot Sanitary Sewer Systems - Soil tests and percolation tests conducted by the Municipal Sewage Enforcement Officer in compliance with Chapter 73 of Pa. Department of Environmental Resources Regulations in order to determine whether a permit may be issued for installation of on-lot sewage disposal system.
- 771 Topsoil - Surface soils and subsurface soils which presumably are fertile soils and soil material, ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.
- 772 Watercourse - A natural or man-made permanent stream, river, brook, creek, channel, swale, or ditch for water.
- 773 Water Supply and Distribution System, Public - A system for supplying and distributing water from a common source to dwellings and other buildings, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority, or a public utility company.
- 774 Water Supply and Distribution System, Centralized - A system for supplying and distributing water from a common source to two or more dwellings and/or other buildings, generally serving a single land development, subdivision, or neighborhood, and operated by a governmental agency, governmental authority, public utility company or a developer.
- 775 Water Supply and Distribution System, On-Lot - A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

BOROUGH OF COPLAY  
Fourth and Center Streets  
Coplay, PA 18037

FEE

\$ \_\_\_\_\_ Preliminary Plan  
\$ \_\_\_\_\_ Final Plan

APPLICATION FOR PLAN REVIEW

(Submit at least 10 days prior to meeting date)

FILE NO. \_\_\_\_\_ DATE \_\_\_\_\_

NAME OF DEVELOPMENT \_\_\_\_\_

LOCATION \_\_\_\_\_

ZONING DISTRICT \_\_\_\_\_ PRESENT LAND USE \_\_\_\_\_

PRELIMINARY PLAN

FINAL PLAN

If Final Plan Review is requested - indicate date of Preliminary Plan approval by  
Planning Commission. \_\_\_\_\_

OWNER \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELE. NO. \_\_\_\_\_

DEVELOPER \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELE. NO. \_\_\_\_\_

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELE. NO. \_\_\_\_\_

Is subject property held under option to buy? \_\_\_\_\_

Option to buy expires on \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Applicant

(Office Use Only)

DATE APPROVED: PLANNING COMMISSION \_\_\_\_\_ BOARD OF COMMISSIONERS \_\_\_\_\_

DATE SCHEDULED FOR ZONING HEARING BOARD \_\_\_\_\_

DATE DEVELOPMENT AGREEMENT SIGNED \_\_\_\_\_

FEE SCHEDULE: PRELIMINARY PLAN - COMMERCIAL/INDUSTRIAL - \$25.00 PLUS \$10.00 PER ACRE.  
RESIDENTIAL - \$25.00 PLUS \$2.00 PER FAMILY UNIT.

FINAL PLAN - \$35.00