

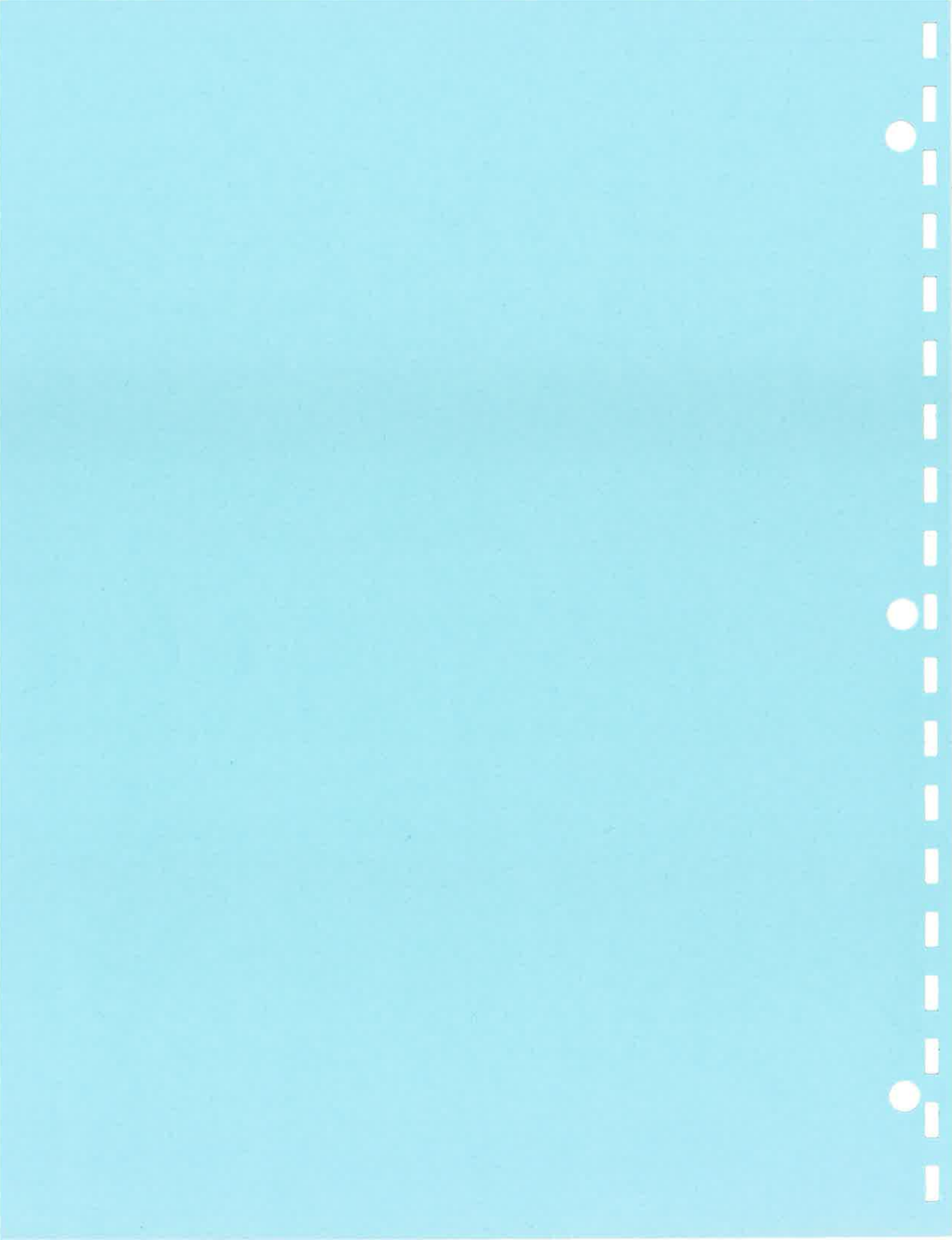
HEIDELBERG TOWNSHIP

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 1996

Berks County, Pennsylvania

Ordinance No. 108

Adopted AUGUST 29, 1996



ORDINANCE NO. 108

AN ORDINANCE OF THE TOWNSHIP OF HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, PROVIDING FOR THE CONTROL OF THE SUBDIVISION AND DEVELOPMENT OF LAND AND THE APPROVAL OF PLANS AND REPLANS OF LAND WITHIN THE JURISDICTION OF THE TOWNSHIP OF HEIDELBERG, PROVIDING FOR THE PROCEDURE FOR OBTAINING APPROVAL, SETTING DESIGN STANDARDS AND PENALTIES FOR VIOLATION THEREOF.

The Board of Supervisors of the Township of Heidelberg, Berks County,
Pennsylvania, does hereby enact the following:

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INTRODUCTION

Why a Subdivision and Land Development Ordinance?

The decision to convert open land to a different use is a step that should receive the most careful consideration. Our land is limited. It is not a commodity that can be used and then replaced by mass production in a factory. It is one thing that must be carefully preserved and wisely used.

When the decision is made to build a house, a school, or a factory, it must be realized that an indelible mark is placed on the land and a pattern of growth is started. Depending upon how well or how badly these patterns fit together, the community will reap the benefits of orderly growth or the headaches of deterioration and needless expense.

Although the development and/or actual transaction in the sale of land is a private matter, the results are a vital public concern. The fundamental legal position is that the owner's right of developing his land is secondary to the public interest in maintaining the public health, morals, and welfare. This is the basis for regulation by a public agency of this particular aspect of an individual's disposition of his land.

Role of the Planning Commission

The Township Planning Commission is the local agency designated to review and approve all subdivision and land development plans within Heidelberg Township. Plans of a plot of ground located within the Township will be reviewed by the Township Planning Commission and the County Planning Commission and their recommendations forwarded to the Township Supervisors for either formal approval or disapproval.

In administering this Ordinance, it is the primary purpose of the Township to encourage the best development of the county. The most effective way to accomplish this is through the cooperation of the adjacent boroughs and townships and the County. The Township Planning Commission will cooperate with the owners, developers and subdividers whoever may own or control land to be used for a subdivision.

In order for a prompt and proper review of a subdivision plan to be made, attention is called to the following Sections:

1. The provisions in Article III - Submission and Review Procedures, and in Article IV - Plan Requirements are designed to enable prompt and thorough review of the Plan. The Commission may defer the review of a Plan because of insufficient information and/or irregular procedures in its submission.
2. Article V - Design Standards, and Article VI - Improvement Specifications and Construction are provided as desirable standards for the achievement of wholesome and lasting growth.

General Responsibilities of the Developer

Any owner or builder who contemplates developing and/or subdividing land in the Township should become familiar with this Ordinance. It is designated to achieve equal treatment for all and to provide clear-cut procedures for the preparation, submission, review, and approval of subdivision or land development plans. This Ordinance includes design standards, required improvements, and a description of all the specific steps necessary for the submission of (A) a sketch plan, (B) the preliminary plan, and (C) the final plan.

It is the function of the Township Planning Commission to confer, advise and cooperate with the subdivider or developer, but not to do the work of preparing the subdivision or land development plan. Best results will be obtained when the developer retains a professional architect, engineer, planner or surveyor to prepare the plan. It will be necessary to have a registered engineer or surveyor prepare parts of the preliminary and final plans. It is important that the person engaged has the skill, experience and imagination to produce the best design under the given conditions.

Approval of Subdivision and/or Land Development Plans

Before preparing and submitting preliminary plans, subdividers are invited to come to a Township Planning Commission meeting with a sketch plan of the land they propose to subdivide and/or develop. The best time for this visit is before the land has been finally acquired, or at least, before any money has been spent on development. The aim is to furnish the kind of advice a developer can best use, at a time when it will prove most valuable.

Lots

The size of lots in a subdivision is one of the first decisions that has to be made. It influences the street design, block length, community facilities required, etc. In those subdivisions and land developments which will not be provided with a community sanitary sewer system, i.e., those that will have on-lot septic tanks and absorption field, the first step before preparing the preliminary plan is to determine suitability of the soil for on-lot sewage disposal.

The preliminary plan stage of a subdivision or land development is the most important. It is the stage when ideas are considered and plans are formulated. It requires the coordinated efforts of many individuals, agencies, utility companies, and public officials. The Township Planning Commission will be responsible for sending notices of plans submitted and resulting recommendations to local officials concerned.

Following the planning comes the implementation of the plans in the form of construction. This is what people see and buy. This is where the planning is judged. It is important that all facilities be installed or a guarantee furnished that they will be completed. These facilities should not become a burden on the general tax monies of the Township. Likewise, the house-buyer is entitled to all the facilities for which he is paying. The result of careful planning and good construction is a safe and healthy community, one which is not a liability but is an asset to the surrounding area and the environment.

Land Requirements

Certain soil compositions, topographical conformations, or ground water conditions may prohibit the development of a safe and healthy residential subdivision. In other cases, natural characteristics of a tract of land may require large expenditures by the developer in meeting acceptable development standards. Any landowner with the intention of becoming a developer, should first determine the ability of his land to support a group for residences. He may save himself time and money by consulting with an engineer and with the Township Planning Commission before drawing up plans and applying for approval of his proposal. If there is reason to question the possibility of developing his land, the Commission should be consulted at the earliest possible date.

In general, land that is best suited for a subdivision or land development, has the following characteristics:

1. Sufficient slope to allow natural drainage but not so steep as to require deep cuts or fills. Low-lying land, that is, areas in a flood plain, or with a high water table causing marshy conditions are not adaptable to healthful living conditions.
2. Pervious soils capable of accommodating individual sewage disposal systems in those areas where community facilities are not available. Hard-pan soil or a near-surface rock stratum may make on-lot sewage disposal impossible, no matter how large the lots may be.
3. An adequate supply of ground water in areas where community water supplies are not available. Ground water must be free of contamination and pollution to be usable.

The Township is responsible for the development of safe, sanitary, healthful and amenable residential communities, and commercial and industrial areas that will be assets to the overall environment of the Township and of Berks County. It is charged with protecting the interests of developers, property owners, and all residents alike. The Township is fully aware that the development of marginal or unsatisfactory land can be an economic disaster to builders and a constant and costly headache to future owners and the taxpayers. This ordinance is based on this concept of responsibility and understanding.

TO AVOID DELAYS

1. Consult the Township Planning Commission before proceeding with subdivision or land development plans.
2. Consult the Township Planning Commission to expedite the determination of the suitability of the site for proposed sanitary facilities.
3. Make sure the design of the subdivision or land development meets the minimum development standards.
4. Submit all items required when presenting a preliminary plan or final plan for review or approval. Submit all plans to the Township Secretary.
5. Submit the plans not later than the prescribed date for prompt consideration at the next meeting. Consult the Township Secretary as to such date.

ARTICLE I - GENERAL PROVISIONS**SECTION 101 AUTHORITY**

An ordinance establishing rules, regulations and standards governing the subdivision of land and/or land development within the Township of Heidelberg, Berks County, Pennsylvania, pursuant to the authority set forth in Article V of the Pennsylvania Municipalities Planning Code as amended, superseding the Township of Heidelberg Land Subdivision Regulations of 1971, and setting forth procedures to be followed by the Municipal Planning Commission and the Governing Body in applying, administering, and amending these rules, regulations, and standards and prescribing penalties for the violation thereof.

SECTION 102 TITLE

This Ordinance shall be known and may be cited as "Heidelberg Township Subdivision and Land Development Ordinance".

SECTION 103 PURPOSE

The purpose of these regulations shall be to provide uniform standards to guide the subdivision and resubdivision of the land of the Township of Heidelberg in order to promote the public health, safety, convenience and general welfare of the Township. It shall be administered to insure orderly growth and development, the conservation, protection and proper use of land; the proper distribution of population; and to provide adequate provisions for traffic circulation, recreation, light and air, utilities and services.

SECTION 104 APPLICABILITY

- A. This ordinance shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this Ordinance.
- B. This Ordinance is not intended to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed by the Ordinance, or with private restrictions placed upon property by deed, covenant or other private agreement.
- C. Effective the date of this Ordinance, hereafter no subdivision or land development of any lot, sewer, water main or other improvements in connection therewith shall be laid out, constructed opened, or dedicated for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.
- D. The provisions and requirements of this Ordinance shall apply to and control all land subdivisions and developments whose plans have not been officially submitted to the Heidelberg Township Planning Commission prior to the effective date of this Ordinance.
- E. Any replotting or resubdivision of land, including changes to recorded plans, shall be considered a subdivision, and shall comply with the provisions of this Ordinance.
- F. No lot in a proposed subdivision or land development may be sold, and no final permit to erect any building upon land in a subdivision or land development may be issued unless and until:
 - 1. A Final Plan has been approved and recorded, and
 - 2. Either:
 - a) the Township has been assured by means of an Improvements Agreement acceptable to the Township Supervisors that the improvements will subsequently be installed, or

- b) the required improvements in connection therewith have been entirely completed.

SECTION 105 INTERPRETATION

- A. The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.
- B. Where provisions, standards and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the more restrictive requirement shall apply, regardless of its source, unless specified to the contrary.

SECTION 106 VALIDITY

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

SECTION 107 REPEALS

The Township of Heidelberg Land Subdivision Regulations enacted April, 1971, as amended is hereby repealed. All other ordinances, resolutions and parts thereof inconsistent herewith, to the extent of such inconsistency, are hereby repealed.

ARTICLE II - DEFINITIONS**SECTION 201 GENERAL INTERPRETATION**

- A. Unless otherwise stated hereafter, words and phrases within this Ordinance shall have the meaning assigned in this Article. Terms not defined in this Article shall be interpreted according to common usage or as the context may imply. For the purpose of this Ordinance, certain terms and words have been defined and/or interpreted below:
1. Words used in the present tense shall include the future tense.
 2. Words in the singular shall include the plural and words in the plural shall include the singular.
 3. Words in the masculine gender include the feminine and the neuter.
 4. The words "shall", "will", and "must" are mandatory.
 5. The words "can" or "may" are permissive.
 6. The word "person" includes an "individual", "company", "partnership", "corporation", "association", "unincorporated association", or other similar entities.
 7. The words "used for" include "designed for", "arranged for", "intended for", "maintained for", or "occupied for".
 8. The word "building" and "structure" shall be construed as if followed by the phrase "or part thereof".
 9. The word "lot" shall include the terms "plot", "parcel", "site" and "tract".
 10. The word "Township" or "Municipality" shall refer to Heidelberg Township, Berks County, Pennsylvania.
 11. The word "Supervisors" or "Board" or "Governing Body" means the Board of Supervisors of Heidelberg Township.
 12. The words "Planning Commission" means the Planning Commission of Heidelberg Township.
 13. The words "Zoning Ordinance" means the Zoning Ordinance of Heidelberg Township.
- B. All terms not defined herein but set forth and defined in other statutes and ordinances are incorporated herein by reference including their definitions, including but not limited to the terms and definitions in the Pennsylvania Municipalities Planning Code as amended.

SECTION 202 SPECIFIC TERMS

Agriculture (General): The cultivation of the soil and the raising and harvesting of the products of the soil, including but not limited to nursery, horticulture, forestry and animal husbandry.

Agriculture (Intensive): Specialized agricultural activities including but not limited to mushroom, egg and poultry production, and dry lot livestock production, which due to the intensity of production or raw material storage needs, necessitate special control of operation, raw material storage and processing, and disposal of liquid and solid wastes. Intensive agricultural activities also include those activities involving more than two (2) animal units per acre. An animal unit is equal to a 1,000 pound animal, e.g., 1 unit = 100 chickens, five hogs.

Alley: See Service Street.

Apartment House: See Dwelling, Multiple.

Applicant: A landowner or developer who has filed an application for development.

Application for Development: All applications, whether sketch, preliminary, tentative and/or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or for the approval of a development plan.

Block: A tract of land or a lot or group of lots, bounded by streets, public parks, railroad rights-of-way, water courses or bodies of water, boundary lines of the Township, or by any combination of the above.

Board of Supervisors (Board): The Board of Supervisors of Heidelberg Township.

Building: Any combination of materials forming any structure which is erected on the ground and permanently affixed thereto, designed, intended, or arranged for the housing, shelter, enclosure, or structural support of persons, animals, or property of any kind.

Building Line (Building Setback Line): A line, established by the Zoning Ordinance, within a lot, defining the minimum distance between any structure or buildings or portions thereof to be erected or altered, and an adjacent right-of-way.

Cartway (Roadway): The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

Central Sewer - Includes both a public sewage system or a community sewage collection, treatment and/or disposal system.

- A. Community Sewage Collection, Treatment and/or Disposal System - a sanitary sewage system in which sewage is carried from individual dischargers by a system of pipes to one (1) or more common treatment and disposal facilities employing spray irrigation and/or subsurface land disposal techniques. Treatment and disposal may occur either on-site or off-site.
- B. Public Sewage System - off site-system for the treatment and disposal of sewage in which sewage is conveyed by interceptor to a publicly operated treatment plant and disposed of through means approved by the Pennsylvania Department of Environmental Resources.

Central Water - A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on-site and/or off-site. A central system can be further defined as a public or community water supply system and may be owned by a Township, a public company, or a private company.

Certificate of Use and Occupancy: A statement, based on an inspection signed by the Zoning Officer, setting forth that a building, structure, sign, and/or land complies with the Zoning Ordinance, or that a building, structure, sign, and/or land may be lawfully employed for specific uses or both.

Clear Sight Triangle: An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersections of the street center lines.

Common Open Space: A parcel or parcels of land area within a development site and designed and intended for the use and enjoyment of the residents of the development. The area calculated for Common Open Space shall not include areas for streets, off-street parking and/or public facilities.

Community On-Lot Sewage Disposal Systems (COLDS): Any sanitary sewage treatment and disposal system which treats and disposes of sewage utilizing subsurface absorption or land application and serving more than one dwelling unit. This definition specifically excludes any treatment or disposal system that serves only one dwelling unit. COLDS shall not be considered public sewer for the purpose of meeting the requirements of the Township Zoning Ordinance.

County: The County of Berks, Commonwealth of Pennsylvania.

County Planning Commission: The Planning Commission of the County of Berks.

Crosswalk: A publicly or privately owned right-of-way for pedestrian use extending from a street into a block, or across a block to another street.

Development Plan: The provisions for development of a planned residential, commercial, or industrial development, including a plan of subdivision, all covenants related to use or density of development, streets, driveways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this ordinance shall mean the written and graphic materials referred to in this definition.

Developer: See Subdivider.

Drainage Right-of-Way: The lands required for the installation of sanitary or storm sewers or swales, or required along a natural stream or water course for preserving the channel and providing for the flow of water there to safeguard the public against flood damage.

Dwelling: A building arranged, intended, designed, or used as the living quarters for one or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include hotel, motel, rooming house or tourist home.

- A. Single Family Detached Dwelling -- A building designed to be occupied exclusively as a residence for one family and having no common or party wall with an adjacent building.
- B. Single Family Semi-Detached Dwelling -- A building designed to be occupied exclusively as a residence for two families, each living on one side of a common or party wall.
- C. Townhouse -- A building designed to be occupied exclusively as a residence for one family which is one of a group of three or more such buildings, placed side by side and separated by party walls.
- D. Multi-Family Dwelling -- A building arranged, designed, and intended for occupancy by three (3) or more families living independently of each other and doing their own cooking therein.
- E. Farm Dwelling -- A dwelling unit located on a farm and used for habitation by the proprietor of a farm or persons necessary for the operation of the farm, in the same ownership as the farm on which the dwelling is constructed.

Dwellings in Combination with Non-Residential Use - Dwelling unit or units, when arranged to form an integral part of a building in which the ground floor, or at a minimum the front portion thereof, is constructed and maintained for any use permitted.

Dwelling Unit: A building or portion thereof providing one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, and having no cooking or sanitary facilities in common with any other dwelling unit.

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 structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Engineer: A licensed professional engineer registered by the Commonwealth of Pennsylvania.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipalities or other governmental agencies of underground or overhead gas, electric, steam or water transmission or distribution systems, collection, communication, supply or disposal systems.

Family: One or more persons related by blood, marriage, or adoption, or not more than three (3) unrelated persons, living together as a single family unit and using cooking facilities and certain rooms in common.

Forestry: Managing and using for human benefit forest lands and natural resources that occur on and in association with forest lands, including trees, other plants, animals, soil, and water. It includes but is not limited to, the planting, cultivating, harvesting, transporting, and selling of trees for commercial purposes.

Frontage, Street or Lot: The lot dimension measured along the right-of-way or street line of any street or highway abutting a lot.

Grade: The inclination, with the horizontal, of a road, unimproved land, etc., which is generally expressed by stating the vertical rise or fall as a percentage of the horizontal distance.

Height of Buildings: The vertical distance from the average grade at the front of the building (or the average of the street fronts, if building faces more than one street) to the highest point of the roof.

Height of Signs or Other Structures: The vertical distance measured from the average grade at the front of the structure or sign to its highest point. The highest point in the case of a sign shall include the supporting structure.

Highway Access Point: The location or place of egress from or access to a street or highway created by a driveway, minor street, or another highway.

Improvements: Those physical additions and changes to the land that may be necessary to produce usable and desirable lots. Grading, paving, curb, lights, signs, water mains, sanitary sewer, storm drains, sidewalk, retaining walls, landscaping, and the like.

Improvement Setback Line: A line parallel to and set back from a street line. No improvements are permitted between the street line and the improvement setback line.

Land Development: Any man-made change to improved or unimproved land including the improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

- A. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure;
- B. The division or allocation of land and/or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purposes of streets, common areas, leaseholds, condominium, building groups or other features;
- C. A subdivision of land.
- D. Development in accordance with Section 503(1.1) of the Pennsylvania Municipalities Planning Code.

Land Planner: A recognized professional individual or firm affiliated with registered engineers, architects, and/or surveyors capable of preparing development plans.

Landowner: The legal or beneficial owner(s) of land including the holder of an option or contract to purchase, a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Lot: A tract or parcel of land, regardless of size, held in single or joint ownership, not necessarily a lot or lots shown on a duly recorded map, which is occupied or capable of being occupied by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed, or required.

Lot Area: The acreage contained within the property lines of a lot as defined in the deed or as shown on an approved subdivision plan. For purposes of calculating the minimum lot area necessary to comply with the area and bulk requirements of the Township's Zoning Ordinance, the following area shall be excluded from such calculation:

- A. Any area used for gas, oil, natural gas, electric or communications transmission facilities, whether below or above-ground, that do not serve the lot or lots traversed.
- B. Any area within a street or other transportation right-of-way or easement.
- C. Any area comprising a stormwater management basin, but not including stormwater management berms intended to serve an individual residential lot.

Lot Area, Developable: The gross lot area excluding areas of public and private rights-of-way, access easements, access strips, stormwater management basins, and natural features as determined using the method of the Township's Zoning Ordinance, Section 401.7 District Regulations of the Woodland Conservation District.

Lot, Corner: A lot at the point of intersection of and abutting on two or more intersecting streets, on which has an interior angle of less than 135 degrees at the intersection of two street lines.

Lot, Interior: A lot other than a corner lot, the sides of which do not abut a street.

Lot Coverage: A percentage of lot area may be covered by buildings and structures.

Lot Line: Any line dividing one lot from another.

Lot Width: The average width measured between side lot lines and parallel to the front lot line but in no case shall the street frontage be less than one-half (1/2) of the required lot width in the particular district.

Maintenance Guarantee: A guarantee by the applicant that he shall maintain all improvements in good condition for a period of eighteen (18) months after completion of construction and installation of all such improvements.

Marker: A metal pipe or pin used to designate property or lot corners.

Mobile Home: A transportable, single family dwelling constructed in accordance with the specifications of the State of Pennsylvania as stated in Act 69 of 1972, as amended, intended for permanent occupancy contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations.

Mobile Home Lot: A parcel of land in mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Mobile Home Park: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

Monument: A concrete monument with a flat top at least 4" in diameter or square, containing a copper or brass dowel ($\frac{1}{4}$ " drill hole), and at least 24" in length (preferred 30" to 36"). It is recommended that the bottom sides or radius to be at least 2" greater than the top, to minimize movements caused by frost.

Municipality: Heidelberg Township, Berks County, Pennsylvania.

Municipal Authority: The Municipal Authority of Heidelberg Township.

One-Hundred Year Flood: A flood that, on the average, is likely to occur once every one-hundred (100) years, i.e., that has a one percent (1%) chance of occurring each year, although the flood may occur in any year.

Open Space: Unoccupied space open to the sky and on the same lot with the principal use.

Parcel: See Lot.

Performance Guarantee: Any security which may be accepted in lieu of the requirement that certain improvements be made before the Township gives final approval to the plan, including performance bonds, escrow agreements, and any other collateral or surety agreements.

Plan, Sketch: An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision prepared by the subdivider, and Engineer, a Surveyor, and Land Planner.

Plan, Preliminary: A land development or subdivision plan (and including all required supplementary data), prepared by an Engineer, Surveyor, or Land Planner, in lesser detail than a final plan, showing proposed street drainage and lot layout as a basis for consideration of a major subdivision prior to preparation of a final plan.

Plan, Final: A complete and exact land development or subdivision plan (and including all required supplementary data), prepared for official recording to define property rights and proposed streets and other improvements, as prepared by a Registered Engineer or Registered Surveyor.

Plan, Record: The copy of the Final Plan which contains the original endorsements of the County Planning Commission, the Township Planning Commission and the Township Supervisors, and which is intended to be recorded with the County Recorder of Deeds and prepared by a Registered Engineer or Registered Surveyor.

Plat: The map or plan of a subdivision or land development.

Public Grounds: Includes (1) parks, playgrounds and other public areas, and (2) sites for publically owned buildings and facilities.

Public Sewer: Off-site system for the treatment and disposal of sewage in which sewage is conveyed by interceptor to a publicly operated treatment plant and disposed of through means approved by the Pennsylvania Department of Environmental Protection.

Reserve Strip: A parcel of ground in separate ownership separating a street from other adjacent properties, or from another street, either proposed or existing.

Resubdivision: See Subdivision.

Reverse Frontage Lot: A lot extending between and having frontage on two generally parallel streets, (excluding service streets), with vehicle access solely from one street.

Review: An examination of the Sketch Plan, Preliminary Plan, and/or Final Plan by the Planning Commission and/or the Heidelberg Township Board of Supervisors to determine compliance with this Ordinance and the administrative regulations, design standards and improvement specifications enacted pursuant thereto.

Right-of-Way: The total width of any land reserved or dedicated as a street, alley, crosswalk or for other public or private purposes.

Roadway: See Cartway.

Seasonal High Water Table: The part of the soil or underlying rock material that is wholly saturated with water at the highest average depth during the wettest season of the year.

Sight Distance: The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 3.5' above the centerline of the road surface to a point 0.5' above the centerline of the road surface.

Steep Slope: A grade of 15 percent or greater as determined by accurate contour mapping at the interval specified by this Ordinance.

Stormwater Management Basin: A man-made relatively shallow depression installed for the purpose of collecting and controlling the flow of stormwater runoff. Stormwater management facilities which serve individual residential lots are not included.

Street: A public or private right-of-way, excluding driveways, intended as a means of vehicular and pedestrian travel, furnishing access to abutting properties. The word "street", includes thoroughfare, avenue, boulevard, court, drive, expressway, highway and similar terms. Streets are further classified according to the function they perform:

- A. **Collector Street:** A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route serving fifty (50) or more dwelling units to give access to community facilities and/or other collector and major street (Streets in industrial and commercial subdivisions shall generally be considered collector streets).
- B. **Cul-De-Sac Street:** A minor street intersecting another street at one end, and terminating in a vehicular turnaround at the other end.
- C. **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.
- D. **Major 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.
- E. **Marginal Access Street:** A minor 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 intersection with the major streets.
- F. **Minor Streets:** A street used primarily to provide access to residential properties.

Service Street (Alley): A minor right-of-way providing secondary vehicular access to the side and rear of two or more properties.

Subdivider: Any individual, co-partnership or corporation (or agent authorized thereby) which undertakes the subdivision or development of land, as defined by this ordinance, as the owner, equitable owner (or agent authorized thereby) of the land being subdivided or developed.

Subdivision: The division or redivision of a lot, tract or parcel of land by any means in two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devices, transfer of ownership or building or lot development, provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted. The term subdivision is interchangeable with the term land development.

Surveyor: A licensed surveyor registered by the Commonwealth of Pennsylvania.

Water Distribution System, On-site: A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

Water Distribution System, Community: A system for supplying and distributing water from a common source to two or more dwellings and/or other buildings within a single neighborhood.

Water Distribution System, Public: A system for supplying and distributing water from a common source to dwellings and other building, but generally not confined to one neighborhood.

Waterbody: A natural or man-made area containing and retaining water year round, such as a pond or lake.

Watercourse: A place intended or used for the directed surface flow of water, including permanent and intermittent streams, brooks, creeks, channels, ditches, swales, dry runs, springs, and rivers.

Wetlands: Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support (and that under normal circumstances do support) swamps, marshes, bogs, and similar areas. Identification of wetlands should be based upon the most current methods of the Pennsylvania Department of Environmental Protection or the U.S. Army Corp of Engineers whichever is more stringent.

Woodlands: Areas, groves or stands of mature or largely mature trees (i.e. larger than 6 inches in diameter measured 2½ feet above the ground) covering an area of one-quarter of an acre or more, or groves of mature trees (greater than 12 inches in diameter measured 2½ feet above the ground) consisting of more than ten (10) individual specimens. Woodland areas existing at the time this ordinance is adopted which are subsequently cleared for any purpose, shall still be defined as woodlands for the purpose of conforming with the Township Zoning Ordinance.

Yard, Front: An open unoccupied space, open to the sky, between the front lot line and a line drawn parallel thereto, at such distance therefrom as may be specified in the Township's Zoning Ordinance for any district, and extending for the full width of the lot.

Yard, Rear: An open unoccupied space, open to the sky, between the rear lot line and a line drawn parallel thereto, at such distance therefrom as may be specified in the Township's Zoning Ordinance for any district, and extending for the full width of the lot.

Yard, Side: An open unoccupied space, open to the sky, between the side lot line and a line drawn parallel thereto, at such distance therefrom as may be specified in the Township's Zoning Ordinance for any district, and extending for the full length of the lot.

ARTICLE III - SUBMISSION AND REVIEW PROCEDURES**SECTION 301 INTENT**

- A. Hereafter, subdivision plans shall be reviewed by the Township Planning Commission and the County Planning Commission and shall be approved or disapproved by the Township Supervisors in accordance with the procedures specified in this article and in other sections of this ordinance.
- B. For those subdivisions hereinafter classified as Minor Subdivisions, a sketch plan - final plan procedure is established. For all other subdivisions which shall be classified as Major Subdivisions, a sketch plan - preliminary plan - final plan procedure is established.
- C. The Township shall make available to developers copies of this Subdivision and Land Development Ordinance, the Zoning Ordinance, street maps, and other related ordinances, and information which may affect the development of the property under consideration.

SECTION 302 PLAN CLASSIFICATION

All subdivision applications shall be classified for the purposes of procedure, as either minor or major. Applicants shall apply for and secure approval in accordance with the following procedures:

- A. Minor Subdivision Proposal
 - 1. A subdivision plan may be classified as a minor subdivision where the following circumstances apply:
 - a. No street, either public or private, or any improvement intended to be dedicated to the Township is to be constructed.
 - b. All of the lots involved are adjacent to an existing public street.
 - c. No land disturbance activities will take place except those incidental to construction of a single family dwelling on a single lot.
 - d. No more than two (2) lots are involved.
 - e. No further subdivision can occur within the resulting lots.
 - f. Where the purpose of the plan is to provide a lot line adjustment, or to annex a parcel to an adjacent property, and no development is proposed.
 - 2. The following sections shall apply to the preparation and submission of minor subdivision plans: 303, 305, 306, 401 and 403.
- B. Major Subdivision and Land Development Proposal
 - 1. All subdivision plans not classified as minor subdivision plans, as defined above, and all land development proposals shall be processed under this category.
 - 2. The plan content, submission and approval procedures provided by this Article and Article IV shall apply to all major subdivision and land development proposals.

SECTION 303 SKETCH PLAN SUBMISSION AND REVIEW**A. SUBMISSION**

1. Prior to the formal submission of a subdivision plan for review and approval, the subdivider may submit a Sketch Plan to the Township Planning Commission for review by the County Planning Commission and advice on the requirements necessary to achieve conformity to the standards of this Ordinance as well as to alert the Subdivider to any related factors involving Township or County Plans, streets and adjoining subdivisions. Submitted shall be five (5) blue on white or black on white copies of the Sketch Plan.
2. Sketch Plans shall comply with the requirements of Section 401.
3. Submission of a subdivision Sketch Plan shall not constitute official submission of a plan under Act 247.

B. REVIEW

1. Township Engineer and Municipal Authority
 - a. The Township Engineer, at the request of the applicant, may review the plan with particular emphasis on site feasibility, including consideration of on-site sewage disposal (when proposed), slopes and drainage.
 - b. When public sewage is proposed for a subdivision or land development, the Municipal Authority may submit written comments to the Planning Commission.
2. Planning Commission
 - a. The Planning Commission shall consider the sketch plan at a regularly scheduled meeting and the applicant or designated representative must be present to provide informal dialogue with the Planning Commission.
 - b. The Planning Commission shall consider, but not be limited to, the suitability of the sketch plan for the development of the land and its relationship to the extension of streets, access points, arrangement and density of proposed use.
3. As far as may be practical on the basis of sketch plan, after receipt of written comments of the Planning Commission, Township Engineer, and the County Planning Commission agencies, and any other agencies deemed to have an interest, the Board shall advise the applicant as promptly as possible of the extent to which the proposed subdivision as possible of the extent to which the proposed subdivision or land development conforms to the requirements of existing ordinances and will discuss possible plan modifications necessary to secure conformance.

SECTION 304**PRELIMINARY PLAN SUBMISSION AND REVIEW****A. SUBMISSION**

1. All preliminary plan applications, along with the information listed below, shall be submitted to the Township Secretary. The Township Secretary shall determine whether the applicant presents a complete submission; however, the official submission date will not be established until the Planning Commission confirms a complete submittal at its next meeting and acknowledges its completeness with correspondence to the applicant.
 - a. Two (2) copies of the official Township application for preliminary review form.
 - b. A minimum of eight (8) prints of the preliminary plan;
 - c. A minimum of three (3) copies of all required supporting information and plans; and
 - d. Payment of required application fees and escrow deposits as determined by resolution of the Board.
2. The Township Secretary shall note the date of the receipt of the application, fees and any escrow deposits. The application shall not be deemed to be submitted until a complete application and required fees have been submitted.
3. Upon receipt of all items comprising a complete and official submission, the Township Secretary shall accept the application and transmit such plans to the following:
 - a. Two (2) copies of the preliminary plan and official Township application form to the Township Planning Commission;
 - b. One (1) copy of the preliminary plan, the official Township application form and all other submission data to the Township Engineer;
 - c. One (1) copy of the preliminary plan to the Berks County Conservation District, along with applicable forms and fees;
 - d. One (1) copy of the preliminary plan, County referral form and accompanying fee to the Berks County Planning Commission;
 - e. One (1) copy of the preliminary plan to the Township Sewage Enforcement Officer.
 - f. One (1) copy to the Municipal Authority where off-site sewer service is under their jurisdiction.
 - g. One (1) copy of the preliminary plan to any adjacent municipality or other governmental agency affected by the proposed development when requested by the Board of Supervisors.

B. REVIEW

1. Official Review Period.
 - a. The Township shall have ninety (90) days in which to review and take action on the preliminary plan.

- b. The ninety (90) day period shall commence on the date of the next regularly scheduled Planning Commission meeting following the date a complete and official submission of a preliminary plan application was filed with the Township Secretary if the Planning Commission confirms that the application is complete. The applicant shall submit the application seven (7) working days prior to the next regular meeting of the Planning Commission in order to be placed on the agenda.
 - c. Whenever the next regularly scheduled meeting of the Planning Commission occurs more than thirty (30) days following the filing of a complete and official submission, the said ninety (90) day period shall be measured from the thirtieth day following the day the application is filed.
 - d. An extension to the ninety (90) day review period shall occur only when agreed to in writing by both the applicant and the Board.
 - e. The applicant, or designated representative, shall have the opportunity to be present when the plan is reviewed.
- 2. Township Engineer and Municipal Authority.
 - a. The review by the Township Engineer shall include (1) an examination of the content of the plans to be certain that all information required by this Ordinance is presented in the plans submitted, (2) an investigation of the plan to be certain that all other Township ordinances are complied with, (3) and an examination of the engineering feasibility of the various schemes presented for the location, alignment and grade of streets, stormwater drainage, sanitary sewers and water supply. The Township Engineer shall confer with the applicant to the extent necessary to obtain conformity of the plan with these regulations and to comment upon the matter subject to his review.
 - b. The Municipal Authority shall review the design of sewer systems to determine compliance with standards established for acceptance of such systems and where not previously done, determine the feasibility of connection to existing or proposed sewer systems.
- 3. Township Planning Commission.
 - a. The Township Planning Commission shall review all plans referred to it and shall consider any recommendations made by a County agency, the Township Engineer, and any other persons or agencies who shall have submitted comments with respect to any such application.
 - b. The Township Planning Commission shall, at their next scheduled public meeting, examine the plan with particular emphasis on determining the suitability of the plan for the development of land and its relationship to the harmonious extension of streets and utilities, arrangement and density of housing or other uses, and Township Zoning Ordinance. In the review of land development and subdivision plans, the Planning Commission shall also be concerned with the adequacy of parking, surface and storm drainage, access and landscaping or other related design standards.

- c. After such review, the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission and the reasons therefore, citing specific sections of the Ordinance relied upon, along with the written comments of the Township Engineer, the Berks County Planning Commission and other agencies which have submitted comments to the Board.
4. Board of Supervisors.
- a. When a preliminary plan has been officially submitted to the Board of Supervisors by the Planning Commission, such plan shall be placed on its agenda for its review at its next regularly scheduled meeting.
 - b. In acting on the preliminary subdivision or land development plan, the Board shall review the plan and the written comments of the Planning Commission, Township Engineer, County Planning Commission, and all other reviewing agencies, to determine conformity of the application to the standards of this and any other applicable ordinance.
 - c. The Board may specify conditions, changes, modifications, or additions to the application which the Board deems necessary and may make a decision to grant preliminary approval subject to such conditions, changes, modifications, or additions, citing appropriate ordinance provisions as described in Section 304.B.4.h.
 - d. When an application is not approved in terms as filed, the decision of the Board shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provision of the Ordinance relied upon in the decision.
 - e. If the Board approves the preliminary subdivision or land development plan, the minutes of the meeting shall reflect such approval either with or without conditions.
 - f. The Board of Supervisors shall designate a copy of the preliminary plan as the official copy. This copy shall include all necessary corrections as required by the Board of Supervisors. It shall be retained in the Township files.
 - g. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision or by the end of said ninety (90) day period, whichever shall first occur.
 - h. Whenever the approval of a preliminary plan is subject to conditions, the written action of the Board as prescribed herein shall (a) specify each condition of approval, citing relevant ordinance provisions in each case, and (b) require the applicant's written agreement to the conditions. Where the applicant's written concurrence is not received within the time allotted, the Board shall be deemed to have denied approval.
 - i. Failure of the Township Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of notification of the decision, in which case, failure to meet the extended time or change in manner of notification shall have like effect.

SECTION 305

FINAL PLAN SUBMISSION AND REVIEW

A. SUBMISSION

1. Within three (3) years after approval of the preliminary plan, a final plan and all necessary supplementary data shall be officially submitted to the Township Secretary. An extension of time may be granted by the Board, not to exceed two (2) years, upon written request by the applicant. If a final plan is not submitted or an extension requested and granted, the preliminary plan shall become invalid.
2. The final plan shall conform to the terms of approval of the preliminary plan and to the most recent administrative regulations adopted by the Board for such purposes.
3. The Board of Supervisors may permit submission of the final plan in sections, each covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plan, but in no case shall include less than twenty (20) percent of the total lots or units as depicted on the approved preliminary plan.
4. All final plan applications, along with the criteria listed below, shall be submitted to the Township Secretary. The Township Secretary shall determine whether the applicant presents a complete submission; however, the official submission date will not be established until the Planning Commission confirms a complete submittal at its next meeting and acknowledges its completeness with correspondence.
 - a. Two (2) copies of the official Township application for final review form;
 - b. A minimum of six (6) prints of the final plans and three (3) copies of all required supporting information and plans to be distributed as stipulated in Section 304.A.3;
 - c. Final plans should be in conformity with the requirements of the Berks County Conservation District, the Municipal Authority, the PA Department of Environmental Protection, and be accompanied by approvals from the respective agencies.
 - d. Payment of required application fees and escrow deposits as determined by resolution of the Board.
5. The Township Secretary shall note the date of the receipt of the application, fees and any escrow deposits. The application shall not be deemed to be submitted until a complete application and required fees have been submitted.

B. REVIEW

1. Official Review Period
 - a. The Township shall have ninety (90) days in which to review and take action on the final plan.
 - b. The ninety (90) day period shall commence on the date of the next regularly scheduled Planning Commission meeting following the date a complete and official submission of a final plan application was filed.
 - c. Whenever the next regularly scheduled meeting of the Planning Commission occurs more than thirty (30) days following the filing of a complete and official submission, the said ninety (90) days period shall be measured from the thirtieth day following the day the application is filed.

- d. An extension to the ninety (90) day review period shall occur only when agreed to in writing by both the applicant and the Board.
- 2. Township Engineer and Municipal Authority
 - a. The review by the Township Engineer shall include (1) an examination of the content of the plans to be certain that all information and changes required by this Ordinance and by the Board in its review of the preliminary plan are presented in the plans submitted; (2) an investigation of the plan to be certain that all other Township Ordinances are complied with; (3) and an examination of the engineering feasibility of the final designs presented for the location, alignment and grade of streets, stormwater drainage, sanitary sewers, and water supply.
 - b. The Municipal Authority shall review the final design of sewerage facilities to determine compliance with standards established for acceptance of such systems by the Board. They shall authorize the application for such permits as are required by federal, state, or local authorities.
- 3. Township Planning Commission
 - a. The Planning Commission shall review the final plan submitted and shall consider any recommendations of the Township Engineer, and any other reviewing agency submitting comments.
 - b. After such review, the Secretary of the Planning Commission shall send written notice of the action of the Planning Commission and the reasons therefor, citing specific sections of statutes or ordinances relied upon, along with the written comments of the Township Engineer, the Berks County Planning Commission and other agencies and the Municipal Authority to the Board.
- 4. Board of Supervisors
 - a. When a written report on a final plan has been officially returned to the Board of Supervisors by the Planning Commission, such plan shall be placed on the agenda of the regularly scheduled meeting of the Board for review.
 - b. Upon receipt of the Planning Commission's recommendation and other supporting information, the Board shall, at one or more regular or special public meetings, review the final plan and shall, within the time limitations set forth hereinbelow, either approve or disapprove the plan. Notwithstanding the foregoing procedure, the Board shall render a decision on all final plans and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth day following the day the application has been filed.
 - c. Upon the Planning Commission's recommendation for approval of the final plan, the Board may request the Township Engineer to prepare an estimate of the cost of all public improvements to be dedicated to the Township and forward a copy of such cost estimate to the Board.

- d. The Board of Supervisors shall designate one (1) print of the final plan as the official copy. This copy shall include all corrections required by the Board of Supervisors. It shall be retained in the Township files.
 - e. The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision or by the end of the said ninety (90) day period, whichever shall first occur.
 - f. 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 the provisions of the ordinance relied upon.
 - g. Copies of the final plan as finally approved, with the appropriate endorsement of the Board of Supervisors and the Township Engineer, shall be distributed as follows:
 - (1) A minimum of four (4) copies to the applicant, three (3) of which shall be utilized in recording in accordance with Section 306.
 - (2) One (1) copy to the County Planning Commission.
 - (3) Two (2) copies to be retained in the Township files, together with one (1) copy of all supporting materials.
 - (4) One (1) copy to the Township Engineer.
5. Every final plan approval, with the exception of minor subdivision proposals as defined under Section 302.A, shall be subject to the following conditions:
- a. The applicant shall execute a subdivision and land development agreement in accordance with Section 603, agreeing with the Township to install all the improvements as required by this Ordinance and all regulations adopted pursuant thereto.
 - b. The applicant shall provide a performance guarantee in accordance with Section 604.
 - c. The applicant agrees, if requested, to tender a deed of dedication to the Township for such streets, any and all easements for sanitary sewers, water lines, or storm sewers, and public improvements including street paving, sidewalks, shade trees, water mains, any fire hydrants, sanitary and storm sewers, as are required for the promotion of public welfare, after all said improvements are completed and such completion is certified as satisfactory by the Township Engineer. The Board may require that the applicant supply a title insurance certificate from a reputable company before any property is accepted for the Township.
 - d. Whenever the applicant is providing open space as part of the development, an easement in perpetuity restricting such open space against further subdivision or development shall be executed between the applicant and the Township or an organization acceptable to the Township, and shall run to the benefit of the Township and lot purchasers in the subdivision or land development.

- e. The applicant shall have applied for all required permits from agencies having jurisdiction over ancillary development, such as Pennsylvania Departments of Transportation and Environmental Protection, and Public Utility Commission.
- 6. Before acting upon any subdivision or land development plan, the Board of Supervisors may hold a public hearing thereon pursuant to public notice.
- 7. No plan which will require access onto a road under the jurisdiction of PennDOT shall be finally approved unless the plan contains a notice that a highway access permit is required pursuant to Section 420 of Act 428, known as the "State Highway Law", before access to a State road is permitted.
- 8. The applicant shall provide as necessary a copy of the deed(s) for any lot(s) involving a lot line adjustment, an annexation or a resubdivision of a tract. The deed(s) shall demonstrate the unification of all applicable parcels of land.

SECTION 306**RECORDING OF THE FINAL PLAN**

- A. Upon completion of the procedures outlined under this article, all endorsements shall be indicated on the record plan and on as many other copies of the final plan as may be desired. Applicants are encouraged to review the "Subdivision and Land Development Plan Recording Requirements" (as amended) published by the Berks County Recorder of Deeds office. Failure to follow the required procedures may delay processing of plans for recording.
- B. No plan shall be finally approved for recording, and no building permits shall be issued until the developer has completed all required improvements or has provided a subdivision and land development agreement and a performance guarantee in accordance with Sections 603 and 604, hereof.
- C. Upon endorsement by the Township, the applicant shall file the record plan with the County Recorder of Deeds within ninety (90) days of the date of the final approval by the Township. The County Recorder of Deeds shall not accept any plan for recording unless such plan officially notes the approval of the Board of Supervisors and review by the County Planning Commission. If the applicant fails to record the final plan within such period, the action of the Township shall be null and void, unless an extension of time is granted in writing by the Township prior to the expiration of the ninety (90) day period upon written request by the applicant.
- D. Where a major proposal, as defined by the Ordinance, is involved, the documentation outlined under Section 603.D shall also be recorded with the plan.

ARTICLE IV - PLAN REQUIREMENTS**SECTION 401 SKETCH PLANS**

- A. Drafting Standards. Plans are encouraged to be professionally prepared in compliance with the following:
1. The plan shall be drawn to a standard engineering scale 100 feet to the inch or larger.
 2. Sheet size shall be a minimum of 18" x 24" and a maximum of 36" x 48" approximately related to the scale of the drawing. All variations of sheet size between these limits shall be allowed.
 3. All sheets shall be the same size, and be numbered relative to the total number of sheets (i.e., 1 of 5, etc.).
 4. Where two or more sheets are needed to show the entire tract, a reduced scale key plan shall be provided to show how the sheets fit together.
 5. A reduced scale plan of the entire site at a scale smaller than 100 feet to the inch may be required in cases where it would facilitate the review and approval process. Applicants are encouraged to submit such plans in cases where they are not required.
 6. Property lines shall be drawn and labeled in conformance with the act of May 23, 1945 (P.L. 913, No. 367), known as the "Professional Engineers Registration Law," and accepted surveying and civil engineering practices, including straight line dimensions shown in feet to the hundredth of a foot, and bearings shown in degrees, minutes, and seconds; and curved line dimensions showing central angle, radius and arc length in degrees, minutes and seconds, and feet to the hundredths of a foot.
 - a. Tract boundary lines shall be the heaviest property lines.
 - b. Proposed lot lines shall be the next heaviest.
 - c. Possible future lots, if shown, shall be the lightest line weight, and may be shown as dashed lines.
 7. All notations and dimensions on the plans shall be readable. Illegible information will be considered incomplete plan requirements.
- B. Basic Information. All sketch plans are encouraged to show the following basic information:
1. Appropriate tract boundaries;
 2. North point;
 3. Written and graphic scales;
 4. Significant topographical and physical features including water bodies, quarries, steep slopes, buildings, contours, existing streets;
 5. Proposed general street and lot layout;
 6. In the case of land development plans, proposed general layout, including building locations, parking lots, and open spaces;

7. Location map including scale and north point. Scale should not be larger than 2000 feet to the inch;
8. Total tract acreage;
9. Acreage of each proposed lot;
10. Statement of proposed use for each lot;
11. Name of municipality;
12. Identifying title of subdivision or land development;
13. Name and address of record owner and applicant;
14. Date of plan preparation;
15. Type of sewage and water supply proposed;
16. Zoning district in which property is located;
17. Label of "Sketch Plan".

SECTION 402**PRELIMINARY PLANS**

- A. Drafting Standards. Plans shall be prepared in compliance with the standards set forth under Section 401.A.
- B. Basic Information. All preliminary plans shall shown the following basic information:
 1. Name of the subdivision or land development;
 2. Name and address of applicant;
 3. Name and address of the owner of record;
 4. Name of township;
 5. Name and address of the firm which prepared the plan and signature and professional seal of the individual certifying its accuracy and compliance with applicable standards, as per Appendix A;
 6. Date of preparation of the plan and a descriptive list of revisions to the plan, and the revision dates;
 7. North point;
 8. Graphic and written scale;
 9. Location map showing the relationship of the subject tract to the surrounding road network and major physical features. A scale not larger than 2000 feet to the inch and a north point shall be indicated;
 10. The entire tract boundary with bearings and distances and total tract acreage;
 11. Zoning classification(s) of all lands abutting the proposal, and any zoning district lines;

12. Names of all current owners of immediately adjacent lands;
 13. A statement showing:
 - a. Number of acres under proposal;
 - b. Number of lots and/or dwelling units, or gross usable area;
 14. Description of variances or special exceptions and the dates they were granted, if any;
 15. Description of any deed restrictions or other covenants affecting development of the tract with recording information;
 16. The requirements of any other local ordinance which may affect the proposal;
 17. List of waivers granted;
 18. Legend sufficient to indicate clearly between existing and proposed conditions;
 19. Tax block and unit number of all parcels involved;
 20. Deed book and page numbers for all parcels involved;
 21. Zoning district in which proposal is located and a list of the dimensional requirements of that district.
 22. Certificate of accuracy as per Appendix A, signed and sealed by a licensed professional surveyor;
 23. Label of "Preliminary Plan".
- C. Existing Features. Within the tract proposed for subdivision and/or land development, and within 100 feet of the tract boundaries, the following information shall be shown on the Preliminary Plan:
1. Subdivision and/or land development layout.
 - a. Streets bordering or crossing the tract, including:
 - (1) Locations;
 - (2) Names, including State Route or Township numbers;
 - (3) Rights-of-way both legal and ultimate;
 - (4) Cartway widths;
 - (5) Surface conditions;
 - b. Other man-made features, including:
 - (1) Location, size, character, and configuration of existing buildings and other structures, labeled "To Remain" or "To Be Removed" as applicable;
 - (2) Location and description of existing buildings and other structures less than 100 feet beyond the tract boundaries.

- c. Water related features, including:
 - (1) Lakes, ponds;
 - (2) Wetlands, delineated by a qualified professional;
 - (3) Watercourses; springs;
 - (4) Flood prone or floodplain areas including data from FEMA Studies, supporting hydrologic and hydraulic data for 100-year flood limits, or Berks County Soil Survey when applicable, as determined appropriate by the Township Engineer for the watercourse(s) affecting the site.
- d. Other natural features, including:
 - (1) Location, size, species, and condition of trees eight inches in diameter or greater, when standing alone or in small groups;
 - (2) Outer limits of tree masses and a general description of their types, sizes, and conditions.
 - (3) Locations and limits of natural features which may affect the locations of proposed streets or buildings, including rock outcroppings, quarries, ravines, and sink holes.
- e. Soil types, including:
 - (1) Mapped limits;
 - (2) Names;
 - (3) Significant limitations, such as, high water table or shallow bedrock.

2. Grading, drainage, and utilities

- a. Slope information including:
 - (1) Contours at a vertical interval of two feet, accurately drawn from photogrammetric or on-site survey data;
 - (2) Areas with slopes between 15 and 24 percent, as determined from the contours;
 - (3) Areas with slopes of 25 percent or greater, as determined from the contours;
 - (4) Topographic datum referenced to an established local benchmark when available.
- b. Sanitary sewers, including:
 - (1) Pipe locations;
 - (2) Pipe sizes and materials;
 - (3) Direction of flow;

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- (4) Gradient of flow;
 - (5) Manholes;
 - (6) Invert elevations.
 - c. Water supply facilities, including:
 - (1) Pipe locations;
 - (2) Pipe sizes and materials;
 - (3) Fire hydrants;
 - (4) Well locations.
 - d. Storm sewers, including:
 - (1) Pipe locations;
 - (2) Pipe sizes and materials;
 - (3) Direction of flow;
 - (4) Gradient of flow;
 - (5) Inlets, catch basins, and manholes;
 - (6) Invert elevations.
 - e. Other stormwater and/or erosion control facilities, including:
 - (1) Basins;
 - (2) Swales;
 - (3) Velocity controls;
 - (4) Related technical data for those facilities.
 - f. Other utilities
 - (1) Location, type, and ownership of utilities, both above and below ground;
 - (2) Easement or right-of-way dimensions;
 - (3) Additional setback or development restrictions imposed by the utility company;
 - (4) Specific type of product using pipelines.
 - D. Proposed Features. Within the tract proposed for subdivision and/or land development, the following information shall be shown on the Preliminary Plan:
 - 1. Subdivision and/or Land Development Layout.

- a. Proposed streets, driveways, and parking areas, including:
 - (1) Names or other identification;
 - (2) Right-of-way widths and lines;
 - (3) Cartway widths;
 - (4) Curb lines;
 - (5) Radii at intersections;
 - (6) Capacity of parking areas with size of each standard and handicapped parking space;
 - (7) Loading areas;
 - (8) Sight distance with clear sight triangle at proposed intersections with existing streets.
 - (9) Notation that all materials and methods of construction will be in accordance with PennDOT Publication 408 latest revision.
- b. Statement of proposed use of each lot;
- c. Layout and dimensions of all lots, including the net and gross lot area;
- d. Lot numbers and a statement of the total number of lots;
- e. All building setback lines, side yard lines, and rear yard lines;
- f. All improvements setback lines where applicable;
- g. Proposed sidewalk or other walkway locations;
- h. Proposed buildings, including:
 - (1) Locations;
 - (2) Configurations;
 - (3) Sizes (including dimensions, ground level floor area, total floor area, and height);
 - (4) Total building coverage (square feet and percentage of site);
 - (5) Locations and types of accessory structures;
 - (6) Finished first floor elevations.
- i. Common use areas, including:
 - (1) Open space areas;
 - (2) Recreation facilities showing location, layout and types of facilities;

- (3) Parking, driveway, or road areas when privately owned for common use;
 - (4) Notes regarding offers of dedication or retention in private ownership, as applicable.
 - j. Areas for future uses, including:
 - (1) Road extensions;
 - (2) Stormwater management facilities;
 - (3) Additional subdivision or land development in tentative sketch form;
 - (4) Explanatory notes for such future uses;
- 2. Landscaping. The following information shall be provided:
 - a. Street trees;
 - b. Planting screens;
 - c. Buffer areas;
 - d. Other related landscape features such as mounding and water features;
 - e. Schedule showing name, symbol, size, and quantity of trees and shrubs.
- 3. Grading, Drainage, and Utilities. The following information for the facilities as proposed shall be shown on the preliminary plan:
 - a. Proposed contours for the entire site at the contour interval of the plan;
 - b. Stationing along streets corresponding to profile stationing;
 - c. Approximate limits of site disturbance, including a clear delineation of existing vegetation including trees, hedge rows, wooded areas, scrub growth, meadow, and actively farmed land to be removed; or to be preserved;
 - d. Notation regarding following Act 178 procedures for location/notification of existing underground utilities prior to excavation.
 - e. Stormwater management and erosion control and sedimentation facilities, including:
 - (1) Basins;
 - (2) Swales;
 - (3) Energy dissipators;
 - (4) Velocity controls;
 - (5) Pipe locations;

-
- (6) Pipe sizes and materials;
 - (7) Direction of flow;
 - (8) Gradient of flow;
 - (9) Inlets and manholes;
 - (10) Invert elevations;
 - (11) Easements;
 - (12) Maintenance note(s) regarding ownership of any facility located outside public rights-of-way;
 - (13) Bridges, culverts or other stream crossings;
 - (14) Design calculations for these facilities shall be submitted in report form with a note on the plan referencing the report;
 - (15) Drainage areas including overall pre and post-development and to each individual storm water facility (a separate sheet(s) are recommended).
- f. Sewage disposal facilities, including:
- (1) Sanitary sewer line locations, clearly identified as gravity flow or force mains.
 - (2) Pipe sizes and materials;
 - (3) Direction of flow;
 - (4) Gradient of flow;
 - (5) Manholes;
 - (6) Invert elevations;
 - (7) Pumping stations;
 - (8) Easements;
 - (9) Approved on-site disposal locations indicating deep probe and percolation test hole locations;
 - (10) Failed deep probe and percolation tests hole locations
 - (11) Package treatment plant locations.
- g. Water supply facilities, including:
- (1) Central water supply lines;
 - (2) Pipe sizes and materials;
 - (3) Fire hydrant locations;

- (4) Easements;
 - (5) Well locations when on lot, including the 100 foot radius clear zone separating wells from sewage disposal locations.
- 4. Profiles. The following shall be provided:
 - a. Existing and proposed grades along the centerline of proposed streets;
 - b. Vertical curve data;
 - c. Sight distances provided at crest and sag vertical curves;
 - d. Utility lines including information for storm, water and sanitary lines including manholes and inlets with stationing and crossings indicated.
- 5. Details. Details of all proposed improvements conforming to the requirements in Article V shall be provided and shall include at a minimum the following items:
 - a. Proposed street cross-sections;
 - b. Curb and sidewalk;
 - c. Stormwater management facilities including;
 - (1) Detention basin berm cross-sections;
 - (2) Detention basin outlet structure;
 - (3) Anti-seep collars;
 - (4) Emergency spillway;
 - (5) Low flow channels;
 - (6) Trash racks;
 - (7) Manholes;
 - (8) Inlets;
 - (9) Endwalls, headwalls, flared endsections;
 - (10) Swale cross sections with linings;
 - (11) Trench backfill.
 - d. Sanitary sewer facilities;
 - e. Water distribution facilities;
 - f. Erosion and sedimentation control facilities;
 - g. Landscaping plantings.

E. Erosion and Sedimentation Control.

1. Erosion and Sedimentation Control Plans shall be in accordance with the requirements of Section 518;
2. All proposed facilities and procedures shall comply with the regulations and standards of the County Conservation District and the Pennsylvania Department of Environmental Resources;
3. The plan shall consist of drawings showing locations and types of all proposed measures along with a narrative describing their function, construction, maintenance and sequence of installation.

F. Intersections with State Highways.

1. If a subdivision or land development proposes a new street or driveway intersection with a state highway, or if any other type of improvement is proposed in a state highway right-of-way, application must be made to PennDOT for a Highway Occupancy Permit;
2. The plan shall contain a note that a Highway Occupancy Permit is required pursuant to Section 420 of Act 428, known as the "State Highway Law", before access to a State road is permitted.

G. Traffic Impact Study.

1. Applicability. A traffic impact study shall be required for all preliminary applications for development when any of the following are proposed for a property:
 - a. Residential development with a trip generation rate of 300 AADT (annual average daily trips) as established by the Trip Generation Manual prepared in the Institute of Transportation Engineers, as amended.
 - b. Institution or retirement facility with a trip generation rate of 300 AADT, as established in the Trip Generation Manual prepared by the Institute of Transportation Engineers, as amended.
 - c. Industrial, commercial and/or office development having a trip generation rate of 300 AADT or more, as established in the Trip Generation Manual prepared by the Institute of Transportation Engineers, as amended.
 - d. Any project which will affect roads with a level of service at "D", "E", or "F", as determined by the Township at the time of submission.
 - e. Any project which will affect roads as determined by the Township to have safety or design deficiency.
 - f. Any project which will be developed in phases with a cumulative effect of falling within the required categories outlined above.
2. Purpose. A traffic impact study shall be required for any development proposed pursuant to this section. Such study shall enable the Board of Supervisors to assess the likely impact of a proposed development in the various components of the transportation system in the Township.

3. Professional Input. The applicant shall retain a qualified professional traffic engineer to prepare the traffic impact study. For purposes of this provision, a qualified traffic engineer shall be deemed any individual holding a degree from an accredited university in traffic engineering specialty, or any individual holding a university degree who also possesses membership in the Institute of Transportation Engineers, or any individual who conforms to the definition for a Municipal Traffic Engineer preferred in 67 PA Code Chapter 612, as amended, entitled "Municipal Traffic Engineering Certification".
4. Study Area. A study area shall be defined by the traffic engineer which represents the area that is likely to be affected (from a traffic impact standpoint) by the development. Prior to identifying the study area, the traffic engineer shall discuss possible study area boundaries with the applicant and the Township. Specific intersections to be included in the study shall be mutually agreed upon prior to initiating work.
5. Contents of Impact Study. A traffic impact study shall contain the following information:
 - a. General Site Description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed development. A brief description of other major existing uses and approved recorded development plans shall be included as source data where agreed by the Township and the traffic engineer, that they may have a bearing on the development's likely traffic impact. The Township may, in addition, require consideration of development proposals not yet approved and recorded, but with sufficient status and probable impact to warrant inclusion.
 - b. Transportation Facilities Description. This description shall contain a full documentation of the proposed internal and external circulation system within the proposed study area. The description shall include: circulation; all proposed ingress and egress locations; all internal roadway widths and rights of way; existing and proposed parking conditions; traffic channelizations; any traffic signals or other intersection control devices at all intersections on the site boundaries.

The description shall include all major elements of the existing roadway system within the study area. All major existing and proposed public transportation services and facilities within the study area shall also be documented. Future highway improvements, including proposed construction and traffic signalization, shall be noted.
 - c. Existing Traffic Conditions. Existing traffic conditions shall be documented for all major roadways and intersections established as part of the study area under Section 402.G.4. Existing traffic volumes for average daily traffic, peak hour(s) traffic shall be recorded. Mechanical or manual traffic counts at major intersections in the study area shall be conducted encompassing the peak highway and development generated hour(s), and documentation regarding said traffic counts shall be included in the traffic engineer's report. A volume capacity analysis based on existing volumes shall be performed during the peak highway hour(s) for all roadways and major intersections within the study area.

The capacity analysis shall be conducted according to methods of analysis accepted by the Pennsylvania Department of Transportation. The existing level of service associated with each major roadway and intersection evaluated shall be recorded. Data about the most recent available accident levels within the study area shall be included.

- d. Impact of Development on Area Circulation. Estimates of vehicle trips to result from the proposed development shall be completed for the design day peak highway hour(s) and peak development generated hour(s). In order to obtain vehicle trip generation base data, the traffic engineer shall consult either his firm's data bank, or the most current edition of the Institute of Transportation Engineers Trip Generation Report, or local data from the Township or, if available, more current or comprehensive sources. All turning movements associated with the proposed improvement generated hour(s) shall be computed and contained in the study. Traffic volumes generated by the proposed use shall be distributed and assigned to existing roadways and intersections throughout the study area for which existing conditions were recorded.

Documentation of all assumptions used in the distribution and assignment of traffic shall be provided. Any characteristics of the site that are likely to cause particular traffic management problems shall be noted.

- e. Analysis of Traffic Impact. The traffic engineer shall identify the relationship of the site-generated traffic associated with the proposed development and overall demand. This demand shall consist of a combination of the existing traffic expanded to the completion year, the development generated traffic, and the traffic generated by other proposed developments in the study area. When considering the proposed development, all future phases must be included to evaluate the total traffic impact of the development.

He shall further identify the development's proportional relationship to the traffic system improvements that are likely to be required, in part, due to the development. The volume/capacity analysis performed in accordance with Section 402.G.5.c, above, shall be updated to include a volume/capacity analysis using the total future demand and future roadway capacity. The analysis shall be conducted on a design day during the peak highway hour(s) and on major intersections in the study area which are projected to be affected by the proposed development.

All access points and pedestrian crossings shall be examined as to the need for and feasibility of installing traffic signals or other traffic control devices. To do this, the traffic engineer shall evaluate access points and pedestrian crossings pursuant to the Pennsylvania Department of Transportation specifications for traffic signal warrants.

- f. Conclusions and Recommended Improvements. All roadways and/or intersections showing a level of service which is deemed deficient by the traffic engineer during peak hours of the day (peak hour defines to include peak hour of the day on the particular roadway and peak hour of traffic of development generated traffic) shall be identified. Specific recommendations for the elimination of traffic problems associated with the proposed development shall be identified. (Levels of service are defined in the 1985 Highway Capacity Manual, Highway Research Board, National Academy of Sciences, Special Report 209, as updated.) A listing of recommended improvements shall include the following elements: internal circulation design; improvements and widenings; traffic signal installation and operation, including signal timing; transit design improvements; and reduced intensities of uses. All physical roadway improvements shall be shown as a part of the report.

The listing recommending improvements for vehicular, pedestrian/non-vehicular, and transit modes shall include, for each improvement, the party proposed to be responsible for the improvement, the cost and funding of the improvement (to the extent possible) and the completion date for the improvement (to the extent possible).

In considering improvements related to phased development, the improvements related to each phase of development shall be at a minimum those required to eliminate traffic problems associated with that phase and no improvements shall be deferred which would have the effect of not eliminating identified traffic problems if the development were not completed.

The Township, with the assistance of its own traffic engineer, shall review the methodology, assumptions, findings, and recommendations of the applicant's traffic engineer. The Board may impose upon the applicant additional improvements deemed necessary to accommodate impacts of the development.

SECTION 403

FINAL PLANS

- A. Drafting Standards. Plans shall be prepared in compliance with the standards set forth under Section 401.A.
- B. Basic Information, Existing and Proposed Features. Final Plans shall show all information required to be shown on preliminary plans as listed under Section 402 and shall show the following:
 - 1. Source(s) of title to the tract;
 - 2. Total tract boundaries, determined by field survey, which balance and close with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet;
 - 3. Existing and proposed monuments and markers;
 - 4. Survey data describing the ultimate right-of-way line(s) of all existing and proposed streets.
 - 5. Survey data fully describing all lots, each of which shall have an error of closure of one (1) foot in ten thousand (10,000) feet;
 - 6. Certificate of accuracy as per Appendix A signed and sealed by a licensed professional surveyor;
 - 7. Certification of ownership and acknowledgement of plan as per Appendix B, signed and notarized;
 - 8. Certification of approval of the plan by the Township Planning Commission as per Appendix C;
 - 9. Certification of approval of the plan by the Township Board of Supervisors as per Appendix D;
 - 10. A blank space measuring three and one-half by five (3½ x 5) inches for the County Planning Commission's stamp;
 - 11. A blank space measuring three (3) inches square for use by the Recorder of Deeds;

12. The Parcel Identification Number (PIN) as per the Berks County Tax Map for the tract.
 13. Street addresses of all existing and proposed lots.
- C. Supplemental Information. Final plans shall be accompanied by the following where applicable:
1. All offers of dedication, and covenants governing the reservation and maintenance of undedicated open space, which shall be reviewed by the Township Solicitor;
 2. Letter of adequacy from the County Conservation District for the proposed erosion and sedimentation control plan, or a copy of the NPDES permit, where required;
 3. Copies of all required permits from the Pennsylvania Department of Environmental Resources, including but not limited to wetland and flood plain encroachments, watercourse obstructions and dam permits;
 4. Executed Development Agreement and Performance Guarantee in accordance with the requirements of Article VI;
 5. A deed of dedication to the Township for streets, utility easements and public improvements including street paving, sidewalks, shade trees, water mains, fire hydrants, sanitary and storm sewers, as are required for the promotion of public welfare. Dedication shall be after all said improvements are completed and such completion is certified as satisfactory by the Township Engineer. The Board may require that the applicant supply a title insurance certificate from a reputable company before any property is accepted for the Township;
 6. Copies of all required Highway Occupancy Permits;
 7. Copy of the approval letter from the Municipal Authority where public sewage is proposed;
 8. When on-lot sewage disposal is proposed, six (6) completed copies of the appropriate Planning Modules for Land Development for submittal to the Pennsylvania Department of Environmental Resources. The Planning Modules must be reviewed and approved by DEP prior to municipal approval of the Final Plan;
 9. Copy of the approval letter from the appropriate water authority where public water is proposed;
 10. Copy of the approval letter from the appropriate fire department.
 11. Whenever an applicant proposes to establish a private street the Township Planning Commission may require the subdivider to submit, and also to record with the plan, a copy of an agreement made with the Township on behalf of his heirs and assigns, and approved by the Township Solicitor, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate, among other things:
 - a. that the street shall conform to the Township specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Township Engineer, to restore the street to conformance with the Township specifications;
 - b. that an offer to dedicate the street shall be made only for the street as a whole;

- c. that the method of assessing repair costs be as stipulated, and
- d. that agreement by the owners of 51% of the front footage thereon shall be binding on the owners of the remaining lots.

ARTICLE V - DESIGN STANDARDS**SECTION 501 APPLICATION**

- A. The standards and requirements contained in Articles V and VI are intended as the minimum for the promotion of the public health, safety and welfare, and shall be applied as such by the Township Planning Commission and the Township Supervisors in reviewing all subdivision plans.
- B. Whenever other Township regulations impose more restrictive standards and requirements than those contained herein, such other regulations shall prevail; otherwise, the standards and requirements of these regulations shall apply.
- C. Physical improvements to the property being subdivided shall be provided, constructed, and installed as shown on the Plan of Record, in accordance with the requirements of the Township.
- D. All improvements installed by the applicant shall be constructed in accordance with the design specifications of the Township. Where there are no applicable Township specifications, all such specifications are subject to the approval of the Township Engineer.

SECTION 502 GENERAL STANDARDS

- A. Land shall be suited to the purpose for which it is intended to be subdivided or developed.
- B. Land subject to hazards to life, health or property (such as open quarries, limestone solution channels, unconsolidated fill, floods, excessive erosion, unsafe water supply, or other causes) shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plan shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agency.
- C. The subdivision or land development shall be designed in consideration of any applicable provisions of the Township Comprehensive Plan.
- D. All aspects of the proposed subdivision or land development shall conform to the Township Zoning Ordinance and all other Township ordinances and specifications.
- E. No subdivision or land development shall occur in such a way that would significantly threaten the public health and safety, including hazards of toxic substances, traffic hazards, explosive hazards and fire hazards.
- F. Approval of plans and specifications provided within this Ordinance shall be of equal force and effect. In the case of any discrepancy between the plans and these specifications, the decision of the Township, or its authorized representative shall be final and conclusive as to which is preferred.
- G. Consideration shall be shown for all natural features, such as large trees, which if preserved, will add attractiveness and value to the remainder of the subdivision. Trees shall be preserved wherever possible.

SECTION 503 STREETS**A. General Standards**

- 1. The location and width of all streets shall conform to the "official plans" or to such parts thereof as may have been adopted by the Township and/or the County.

2. The proposed street system shall extend existing or recorded streets at the same width, but in no case at less than the required minimum width.
3. Where, in the opinion of the Township Planning Commission, it is desirable to provide for street access to adjoining property, streets shall be extended to the boundary of such property.
4. New minor streets shall be so designed as to discourage through traffic, but the subdivider shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.
5. All proposed subdivisions and land developments shall have adequate and safe access to the public street system.
6. Proposed streets shall be laid out to avoid environmentally sensitive areas such as flood plains, wetlands, sinkholes and steep slopes.
7. New service streets and half or partial streets shall be prohibited.
8. Private streets (streets not to be offered for dedication to the Township) are prohibited, unless they meet the design standards of the Township's Private Street Ordinance. Private streets shall not be permitted to avoid constructing or extending public streets.

B. Widths

1. The minimum right-of-way, cartway and shoulder widths (shoulder widths apply when no curbing is provided) for all new streets within the Township shall be as follows:

Street Type	Right-of-Way Width (in feet)	Cartway Width (in feet)	Shoulder Width (in feet)
Minor	50	30	2
Collector	60	36	3
Major	see note	see note	see note
Cul-De-Sac (stem)	50	30	2
Marginal Access	see note	26	2

NOTE: Variable, as determined after consulting with the Township, the County Planning Commission, and the PA Department of Transportation.

2. Additional right-of-way and cartway widths may be required by the Township for the following purposes:
 - a. To promote public safety and convenience.
 - b. To provide parking space in commercial districts and in areas of high density residential development.
 - c. To accommodate special topographic circumstances which may result in cut/fill slopes extending beyond the standard right-of-way in all circumstances to assure accessibility for maintenance operations.
 - d. Where a subdivision abuts an existing street of improper cartway or right-of-way width or alignment, the Township Supervisors shall require the dedication of land sufficient to widen the street or correct the alignment and require the escrow of money where deemed necessary in order to improve said cartway.

C. Grades

1. There shall be a minimum centerline grade of three-quarters percent (3/4%).
2. Centerline grades shall not exceed the following:
 - a. Minor Streets: ten (10) percent
 - b. Collector Streets: six (6) percent
 - c. Major Streets: six (6) percent
 - d. Street Intersection: five (5) percent (within fifty (50) feet of intersection)
 - e. Cul-de-sac: Stem - eight (8) percent, Bulb - five (5) percent
 - f. Marginal Access Streets: ten (10) percent
3. Grades up to fifteen (15) percent may be permitted on a through minor street where access to the street is possible over streets with grades of ten(10) percent or less.

D. Horizontal Curves

1. Whenever street lines are deflected in excess of two (2) degrees connection shall be made by horizontal curves.
2. To ensure adequate sight distance minimum centerline radii for horizontal curves shall be as follows:
 - a. Minor Streets: One-hundred fifty (150) feet
 - b. Collector Streets: Three-hundred (300) feet
 - c. Major Streets: Five-hundred (500) feet
 - d. Cul-de-sac: One-hundred fifty (150) feet
 - e. Marginal Access Street: One-hundred fifty (150) feet
3. A tangent of at least one hundred (100) feet shall be introduced between all horizontal curves on collector and major streets and between reverse curves on all types of streets.
4. Under no circumstances shall combinations of the minimum radius and maximum grade be permitted.
5. A tangent of at least one-hundred (100) feet, measured from edge of cartway, shall be required between a horizontal curve and a street intersection where one of the intersecting streets is a collector or a major street.

E. Vertical Curves

1. Vertical curves shall be used at all changes in grade exceeding 1 percent.
2. Sight distance shall be measured from a point 3.5 feet above the road surface to a point 6 inches above the road surface, and shall be based upon standards of the American Association of State Highway and Transportation Officials (AASHTO).
3. Vertical curves shall be provided to permit the following minimum sight distances:
 - a. Minor Streets: Two-hundred (200) feet
 - b. Collector Streets: Three-hundred (300) feet
 - c. Major Streets: Four-hundred (400) feet
 - d. Cul-de-sac: Two-hundred (200) feet
 - e. Marginal Access Streets: Two-hundred (200) feet

F. Intersections

1. Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than sixty (60) degrees, or more than one hundred and twenty (120) degrees.
2. No more than two streets shall intersect at the same point.
3. Intersections with major streets shall be located not less than one thousand (1,000) feet apart, measured from centerline to centerline, along the centerline of the major street.
4. Streets intersecting another street (except a major street) shall either intersect directly opposite to each other, or shall be separated by at least one hundred fifty (150) feet between centerlines, measured along the centerline of the street being intersected.
5. Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five percent (5%) within fifty (50) feet of the intersection of the nearest right-of-way lines.
6. Street curb intersections shall be rounded by a tangential arc with a minimum radius of:
 - a. twenty (20) feet for intersections involving only minor, cul-de-sac, and marginal access streets.
 - b. thirty (30) feet for all intersections involving a collector street.
 - c. forty (40) feet for all intersections involving a major street.
7. Street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.
8. Clear sight triangles shall be provided at all street intersections. Within such triangles, no vision-obstructing object shall be permitted which obscures vision above the height of thirty (30) inches and below ten (10) feet measured from the centerline grade of intersecting streets. Such triangles shall be established as specified below:
 - a. clear sight triangles of one hundred and fifty (150) feet from the point of intersection of the centerlines shall be provided for all intersections with major streets.
 - b. clear sight triangles of seventy-five (75) feet from the point of intersection of the centerlines, shall be provided for all other types of streets.
 - c. Where an intersection is controlled by a stop sign or traffic signal, the sight triangle shall be measured from a point in the center of the controlled or lesser street twenty-five (25) feet back from the curb line of the uncontrolled or through street to the distance required above.
 - d. If determined by the Township Engineer to be necessary for traffic safety, the Township may require that driveways or new street intersections of a subdivision or land development entering onto a Township Street meet the same PennDOT standards for sight distance that would be applied if such street were State owned.
 - e. Wherever a portion of the line of such triangles occurs behind the building setback line, such portion shall be shown on the subdivision plan, and shall be considered a building setback line.
 - f. Clear sight triangles shall be located so that they do not extend onto adjoining property not owned by the subdivider, unless the written approval of the property owner has been demonstrated.
 - g. Greater sight triangle dimensions imposed by PennDOT for intersections with the State highway system shall supersede the above.

9. Whenever a subdivision abuts or contains an existing or proposed street with an ultimate right-of-way of eight (80) feet or more, the Township Planning Commission may restrict creation of intersection with the street by:
 - a. provision of reverse frontage lots,
 - b. prohibition of private driveways intersecting the street,
 - c. provision of marginal access streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Township under an agreement meeting the approval of the Township.
10. A Highway Occupancy Permit(s) is required for all street and driveway intersections with a State Legislative Route.

G. Cul-De-Sac Streets

1. Dead-end streets are prohibited unless designed as cul-de-sac streets,
2. Cul-de-sac streets, permanently designed as such, shall not exceed five hundred (500) feet in length and shall not furnish access to more than twenty (20) dwelling units.
3. Unless future extension is clearly impractical or undesirable, the turnaround right-of-way shall be placed adjacent to the tract boundary with sufficient additional right-of-way safety width provided along the boundary line to permit extension of the street at full width. The small remnants of land beyond the cul-de-sac to the tract boundary shall be so deeded that maintenance of them shall be the responsibility of the adjoining lot owner(s) until the street is extended.
4. All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turnaround. This includes cul-de-sac streets provided for access to an adjoining property or due to authorized stage development and use of the turnarounds for these types of cul-de-sacs shall be guaranteed to the public until such time as the street is extended.
5. The minimum radius of a cul-de-sac turnaround measured to the pavement edge or curb line shall be forty (40) feet with a minimum radius for the right-of-way of fifty (50) feet.
6. Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end, it shall be conducted away in an underground storm sewer.
7. There shall be a maximum of four (4) lots containing any access along the turnaround portion of a cul-de-sac street measured from reverse curve to reverse curve.

H. Street Names, Addresses and Signs

1. Proposed streets which obviously are in alignment with others already existing and named, shall bear the names of the existing streets.
2. In no case shall the name of a proposed street duplicate an existing street name in the Township and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, drive, way, place court, lane, etc.
3. All street names shall be subject to the approval of the Township, and the Postmaster having jurisdiction.
4. All new lots shall have street addresses assigned by the Postmaster having jurisdiction.

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

I. Acceleration, Deceleration and Turning Lanes

1. Deceleration or turning lanes may be required by the Township along existing and proposed streets whenever the Board determines such lanes as required to meet reasonable safety needs, as determined by a traffic impact study.
2. Deceleration lanes shall be designed to the following standards:
 - a. The lane shall have a minimum width of twelve (12) feet, or in the case of intersections with State highways, such width as is required by the applicable regulations and standards of PennDOT.
 - b. The lane shall provide the full required lane width for the entire length which shall be measured from the centerline of the intersecting road. In addition, there shall be a seventy-five (75) foot taper provided at the beginning of the lane so that traffic can leave the main travel lane smoothly.
 - c. The minimum lane length shall be as follows:

Design Speed of Road	Taper	Minimum Deceleration Lane Length
30 mph	75'	165'
40 mph	75'	275'
50 mph	75'	300'

3. Acceleration lanes are required only when the need is indicated by a traffic impact study. The design shall be as per the recommendation of the Township Engineer. As necessary, a paved taper shall be provided for right hand turns.

J. Construction

1. General Paving Standards

- a. All materials entering into the construction of streets and the methods of construction and drainage shall be in accordance with the applicable requirements of Pennsylvania Department of Transportation Specifications Publication 408, latest revision thereof, and shall be supplied by vendors approved by the Pennsylvania Department of Transportation for the supply of such materials.
- b. Paving design is based on overall soil conditions in the Township. The Board may require additional paving, base or subbase materials where soil types are inferior, wet or otherwise unsuitable as indicated by the "Soil Survey of Berks County, Pennsylvania" prepared by the USDA Soil Conservation Service or where, in the opinion of the Board, such conditions exist.
- c. Bituminous base, binder and surface courses shall be laid to the specified thickness measured, after compaction. All bituminous courses shall be laid with a mechanical bituminous paver in accordance with specifications of the Pennsylvania Department of Transportation Specification, Publication 408, latest edition thereof.
- d. Delivery slips for all material deliveries shall be furnished to the Board.
- e. Failure to adhere to these specifications shall give the Board cause to refuse to accept streets for dedication.
- f. Roadways shall be graded for the full width of the right of way on each side.

2. Paving Cross Slope

- a. Streets shall have a minimum cross-slope one-eighth (1/8) inch per foot and a maximum of one-third (1/3) inch per foot in the finished surface.
- b. Crown board and straight edge shall be used for checking street construction.

3. Shoulders

- a. Shoulders or berm areas, including planting strips behind curbs, shall be graded with a minimum slope of one-half (1/2) inch per foot and a maximum slope of one (1) inch per foot.
- b. Beyond the limits of the above grading, banks shall be sloped to prevent erosion but this slope shall not be less than three (3) to one (1) vertical with tops of slope in cuts rounded.
- c. All unpaved areas between the street line and the curb or shoulders (as the case may be) shall be covered with topsoil, fertilized and seeded.

4. Paving Specifications

- a. The following types of roads are defined in these regulations and for the purpose of cross-sectional requirements have been assigned a road classification of either type 1 or type 2.

Road Classification:

Type 1 - Minor Street
 Permanent Cul-de-sac Street
 Marginal Access Street

Type 2 - Collector Street
 Major Street

- b. Cross-sections shall be as described below:

	Thickness for Road Classification	
	Type 1	Type 2
<u>Subbase:</u> Crushed Aggregate Base Course PennDOT Type 2A	6"	6"
<u>Flexible Pavements:</u> Bituminous concrete base course (BCBC*)	4 1/2 "	4 1/2 "
Bituminous binder course ID-2A	0"	2"
Bituminous wearing surface course ID-2A	1 1/2 "	1 1/2 "

*BCBC over five (5) inches must be laid in two (2) passes.

5. Subgrade

- a. The area within the limits of the proposed road surface shall be shaped to conform to the line, grade and cross-section of the proposed road.
- b. Remove or stabilize all unsuitable subgrade materials.
- c. Wet or swampy areas shall be permanently drained and stabilized.

- d. Fills shall be made with suitable materials approved by the Township Engineer and thoroughly compacted for full width in uniform layers of not more than eight (8) inches thick. No more than two (2) feet of fill shall be laid between inspections by the Township Engineer.
- e. The subgrade shall be thoroughly compacted by rolling with a minimum ten-ton three wheel roller. Equivalent vibratory, sheeps foot or rubber tired rollers may be used at the discretion of the Township Engineer. Subgrade shall be compacted tight and dry, to ninety-five (95) percent compaction at optimum moisture, and shall not be soft and spongy under the roller. Compaction of the subgrade shall extend the full width of the cartway, including the width to be occupied by shoulders.
- f. In fill areas over three (3) feet thick, compaction tests are required in each eight (8) inch layer at one hundred fifty (150) foot intervals. The tests must be performed by a certified testing laboratory and results submitted to the Township Engineer. All compaction must be ninety-five (95) percent compaction at optimum moisture. Any layer not coming up to standard will be removed or rerolled until suitable compaction is obtained.
- g. The subbase course where required shall be installed and compacted in accordance with Pennsylvania Department of Transportation specifications and shall extend twelve (12) inches on all streets beyond the paving line when curbs are not to be installed.

SECTION 504**CURBS**

- A. Curbs shall be installed along both sides of all streets, except where the average lot frontage (measured at the building setback line) is one hundred (100) feet or larger.
- B. Curbs shall be provided on all new parking areas located within a land development.
- C. All curbs shall conform to specifications for Class A concrete, as specified by PennDOT, with a minimum compressive strength of 3,000 psi after twenty-eight (28) days.
- D. Curbs shall have an eight (8) reveal. They shall be seven (7) inches wide at the top and eight (8) inches at the gutter. The depth of the curb shall be eighteen (18) inches.
- E. The depressed curb at driveways shall be no higher than one and one-half (1½) inch above the street surface. The length of this depressed curb shall not exceed thirty-five (35) feet without a safety island. This safety island shall not be less than fifteen (15) feet in length. Pipes or grates or other constructions shall not be placed in the gutter to form a driveway ramp.
- F. Excavations shall be made to the required depth, and the material upon which the curb is to be constructed shall be compacted to a firm, even surface. Where the subgrade is soft or spongy, as determined by the Township Engineer, a layer of crushed stone not less than four (4) inches thick shall be placed under the curb.
- G. Any depressed curb sections that are unused when a development or phase of a development is completed, shall be completely removed and replaced with full section upright curbing to line and grade of adjacent curbing. Forming and pouring vertical curbing on top of an existing curb depression will not be permitted.
- H. All areas adjacent to curbs shall be sealed with AC-20.
- I. All curbs shall be designed and constructed in accordance with the provisions of the Americans with Disabilities Act.

SECTION 505

SIDEWALKS

- A. Sidewalks shall be four (4) feet wide and shall be installed as required by the Township on both sides of all streets except that:
1. where required, sidewalks shall be installed on only one (1) side of marginal access streets,
 2. except where required for the extension of existing, abutting sidewalks, no sidewalks shall be required along minor streets where the average lot frontage (measured at the building reserve line) is one hundred (100) feet or larger, unless such streets are within the required walking distance area of a school or community facilities encouraging pedestrian traffic.
- B. Sidewalks shall be provided along all new streets and parking areas located in non-residential subdivisions or land developments unless it can be shown, to the satisfaction of the Board, that pedestrian traffic does not follow or mix with vehicular traffic, in which case sidewalks may not be required.
- C. Wherever sidewalks are required, curbs shall also be required in accordance with the specifications of Section 504.
- D. Sidewalks shall be located within the street right-of-way a minimum of three (3) from the right-of-way line. Generally, a grass planting strip should be provided between the curb and sidewalk. Handicap ramps shall be provided at all intersections.
- E. All sidewalks shall conform to specifications for Class A concrete, as specified by PennDOT, with a minimum compression strength of 3,500 psi after twenty-eight (28) days.
- F. Where sidewalks abut a curb, building, wall or other permanent structure, a premolded expansion joint one-fourth ($\frac{1}{4}$) inch in thickness shall be placed between curb and the sidewalk for the full length of such structure. Sidewalks shall be constructed in separate slabs thirty (30) feet in length except for closures. The slabs between expansion joints shall be divided into blocks five (5) feet in length by scoring transversely.
- G. Sidewalks shall have a minimum thickness of four (4) inches when used solely for pedestrian traffic and a minimum thickness of six (6) inches at all driveways. Welded wire fabric (6/6-10/10) shall be provided in all sidewalks constructed at driveways.
- H. Excavation shall be made to the required depth and a layer of four (4) inch base of PA #57 stone shall be placed and thoroughly compacted prior to laying the sidewalks when used solely for pedestrian traffic and a minimum thickness of a six (6) inch base at all driveways.
- I. Crosswalks may be required by the Board of Supervisors to facilitate pedestrian circulation and to give access to community facilities where situations warrant concern for the safety and welfare of Township residents.
- J. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than four (4) feet.
- K. All curbs, sidewalks, crosswalks and related improvements shall be designed and constructed in accordance with the provisions of the Americans with Disabilities Act.

SECTION 506**LANDSCAPING**

All subdivisions and land developments shall be required to install and maintain plant materials as required herein for the visual and other environmental benefits these plants will provide, as well as for the specific benefits of buffering or screening, or otherwise dividing spaces. A landscape plan preferably prepared by a registered Landscape Architect or Nurseryman shall be submitted as part of the Preliminary Plan submission.

- A. The Landscape Plan must be acceptable to the Board of Supervisors, who may seek the advice of a registered Landscape Architect in reviewing the Landscape Plan for compliance.
- B. Preservation of existing desirable woodland, trees, and/or shrubs may be counted in lieu of the requirements herein. Upon review of sufficient evidence provided by the applicant, the Board of Supervisors may waive a part of all of these planting requirements.
- C. Street Trees. All proposals shall provide street trees in compliance with the following:
 - 1. Where street trees exist along the street on abutting properties, new street trees shall be planted in line with the existing ones; compatible species are encouraged.
 - 2. Where few or no street trees exist along the street, new street trees shall be located a minimum of five feet from the ultimate right-of-way, on private land, toward the proposed development. Applicants are encouraged to use a variety of trees to protect against insects, disease, or physical damage in any one species, as well as for visual interest.
 - 3. Street tree spacing shall be not less than 50 feet.
 - 4. Street trees shall be a minimum of two inches in caliper, measured 12 inches above ground level.
- D. Buffering, Screening, and Interior Landscaping.
 - 1. The applicant shall plant trees and shrubs and make other landscape improvements (e.g., berms, fences), as necessary, to mitigate the adverse visual impacts which his proposed actions will have on his property, adjoining properties, and the Township in general.
 - 2. In demonstrating compliance with 506.D.1, above, the applicant shall follow the "Minimum Planting Guidelines" and "Landscape Design Guidelines" set forth below. When the proposed landscape improvements do not conform to these guidelines, the applicant shall undertake other design measures (site planning, architectural, landscape architectural) which, in the judgement of the Board, achieve comparable results or which render the guidelines unnecessary or inappropriate.

E. Minimum Planting Guidelines.**TABLE 1**

Improvement/Condition	Deciduous		Evergreen	
	Trees	Shrubs	Trees	Shrubs
per 1,000 square feet gross building area	2	2	2	2
per 1,000 square feet paved area	1	2	1	2
per 100 linear feet of existing road frontage	1	2	1	2
per 100 linear feet of property boundary along adjoining residential or institutional properties	*	*	2	2

Explanatory Notes for Table 1.

- Asterisk (*) indicates additional plantings at the applicant's discretion.
- Minimum sizes of plantings should be: (a) trees - two (2") inches in caliper measured 12 inches above ground level, six (6') feet height; and, (b) shrubs -- twenty-four (24") inches height.
- Fractions of plants calculated from Table 1 should be rounded up to the nearest whole number.

F. In addition to the standards in Table 1, these minimum guidelines shall be followed for parking areas:

1. Parking areas exceeding twenty thousand (20,000 sq. ft.) square feet.
 - a. Fifty (50%) percent of the parking area's net perimeter (total perimeter less street access lanes) should be bordered by planting areas at least five (5') feet in width.
 - b. Fifty (50%) percent of the parking area's net perimeter should be bordered by planting area of at least fifteen (15') feet in width.
2. No more than twelve (12) parking spaces shall be placed in a continuous row without an intervening planting area of at least seventy-two (72 sq. ft.) square feet.

G. Because of the many benefits of native plants (price, longevity, wildlife habitat, etc.), the applicant is urged to conform to the minimum planting guidelines in Section 506.E through the use of native trees and shrubs.

H. Species selected by the applicant should reflect the following considerations.

1. Existing site conditions and their suitabilities for the plant materials, based upon the site's geology, hydrology, soils, and microclimate.
2. Specific functional objectives of the plantings, which may include but not necessarily be limited to: visual screening, noise abatement, energy conservation, wildlife habitats, and aesthetic values.

3. Maintenance and replacement considerations such as hardiness, resistance to insects and disease, longevity, and availability and cost of plant materials.
- I. For the purpose of promoting disease resistance, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, the applicant is encouraged to choose those combinations of species which may be expected to be found together under more-or-less natural conditions on sites comparable to those where the trees and shrubs are to be planted.
- J. Landscape Design Guidelines.
 1. Plantings should be provided in arrangements and locations which best mitigate the adverse impacts of the applicant's proposed site disturbance actions.
 2. Planting areas should be selected and designed to reflect natural landscape characteristics existing prior to site disturbance, as well as those environmental conditions to be created following site disturbance by the applicant.
 3. The locations, dimensions, and spacing of required plantings should be adequate for their proper growth and maintenance, taking into account the sizes of such plantings at maturity and their present and future environmental requirements, such as moisture and sunlight.

SECTION 507 STREET LIGHTS

- A. Street lights shall be placed along streets within and abutting a proposed subdivision or land development where the Board of Supervisors deems them necessary to provide safe traffic or pedestrian circulation. When required, street lights shall be provided, at a minimum, at all street intersections, curves in the streets and the more isolated areas of a development.
- B. Such lights shall meet the design standards established by the public utility. The location and number of street lights shall meet the approval of the Township and the public utility.

SECTION 508 BLOCK DESIGN

- A. The length, width and shape of blocks shall be determined with due regard to:
 1. provision of adequate sites for buildings of the type proposed;
 2. zoning requirements;
 3. topography;
 4. requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.
- B. Blocks shall have a suggested (maximum) length of one thousand six hundred (1,600) feet and a minimum length of five hundred (500) feet.
- C. In the design of blocks longer than one thousand (1,000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
- D. Where applicable, blocks along major and collector streets shall not be less than one thousand (1,000) feet long.

- E. Residential blocks shall be sufficient depth to accommodate two tiers of lots, except;
 - 1. where reverse frontage lots are required along a major traffic streets, or
 - 2. where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township Planning Commission may approve a single tier of lots.
- F. Blocks in commercial and industrial areas 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 off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

SECTION 509 LOT DESIGN

- A. The size, shape and orientation of lots shall be appropriate for the type of development and use contemplated, and in accordance with the provisions of the Township Zoning Ordinance.
- B. Where practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines.
- C. Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.
- D. Generally, the depth of residential lots shall be not less than one (1) nor more than two and one-half (2½) times their width.
- E. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space of on-site parking loading and unloading, setbacks, landscaping, etc.
- F. If, after subdividing, there exists remnants of land, they shall be either:
 - 1. incorporated in existing or proposed lots, or
 - 2. legally dedicated to public use, if applicable to the Township.
- G. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line, and all setbacks shall be measured from such line.
- H. All lots shall have direct access to an existing or proposed public street, or to a private street if it meets the requirements of the Township's Private Street Ordinance.
- I. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.
- J. All reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet, measured in 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.

SECTION 510 DRIVEWAYS**A. Residential**

1. Entrances to private driveways serving one and two family dwellings shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines.
2. Entrances to private driveways serving multiple-family dwellings shall be located at least eighty (80) feet from the point of intersection of the nearest street right-of-way lines.
3. Private driveways shall have such grades as to furnish safe and convenient parking spaces and to provide a safe and convenient means of access. Grades shall not exceed fourteen (14) percent, and driveways shall be paved when the grade exceeds seven (7) percent.
4. In order to provide safe and convenient ingress and egress, private driveway entrances should be rounded at a minimum radius of fifteen (15) feet, or should have a flare constructed that is equivalent to this radius, at the point of intersection with the cartway edge (curb line).
5. Common driveways serving more than one single family detached dwelling shall be prohibited.
6. All driveways shall be located, designed, and constructed as to provide optimum sight distance at their intersection with the street.
7. Provision shall be made at all intersections of driveways with streets to ensure adequate storm water drainage.
8. Private driveways serving lots abutting a proposed street shall access directly to the proposed street, and not to existing public roads.
9. Driveways which access a street under the jurisdiction of the State Department of Transportation (DOT) shall require a Highway Occupancy Permit. Any DOT requirements shall superseded those listed above.

B. Commercial and Industrial

1. Entrances to private driveways shall be located at least eighty (80) feet from the point of intersection of the nearest street right-of-way lines.
2. Private driveways shall have such grades as to furnish safe and convenient parking spaces and to provide a safe and convenient means of access.
3. In order to provide safe and convenient ingress and egress, private driveway entrances should be rounded at a minimum radius of thirty-five (35) feet, or should have a flare constructed that is equivalent to this radius, at the point of intersection with the cartway edge (curb line).
4. All driveways shall be located, designed, and constructed as to provide optimum sight distance at their intersection with the street.
5. Provision shall be made at all intersections of driveways with streets to ensure adequate storm water drainage.
6. Private driveways serving lots abutting a proposed street shall access directly to the proposed street, and not to existing public roads.

7. Driveways which access a street under the jurisdiction of the State Department of Transportation (DOT) shall require a Highway Occupancy Permit. Any DOT requirements shall superseded those listed above.

SECTION 511 OFF-STREET PARKING

- A. Each proposed dwelling unit within a subdivision shall be provided with at least two (2) off-street parking spaces.
 1. In the case of single family or two-family dwellings, such off-street parking spaces shall be provided behind the street right-of-way line and may be as an attached or separate garage(s), carport(s) or driveway(s).
 2. In the case of multiple family dwellings, such off-street parking spaces may be provided in the form of parking compound(s) or lot(s) located adjacent to or near the multi-family structure, providing at least two (2) off-street parking spaces per dwelling unit.
 3. Each off-street parking space shall provide a usable parking area of at least two-hundred (200) square feet, and adequate turnaround space shall be provided behind the right-of-way line.
 4. The grade of any proposed parking area shall not exceed five percent (5%).
- B. Non-residential subdivisions and land development shall have paved off-street parking lots, including drive aisles. Paving thicknesses and subbase thicknesses shall be based upon a generally accepted pavement design method but in no case shall thicknesses be less than what is specified in Minimum Depth Tables prepared by PennDOT, AASHTO, Asphalt Institute or other approved governmental/institutional organizations. Requirements of the Township Zoning Ordinance apply to each parking facility.

SECTION 512 PUBLIC USE AND SERVICE AREAS

- A. In reviewing subdivision plans, the Township Planning Commission shall consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the subdivision, and shall make such report thereon as it deems necessary in the public interest.
- B. Subdividers shall give earnest consideration to the desirability of providing or reserving areas for facilities normally required in residential neighborhoods, including churches, libraries, schools and other public buildings; parks, playground and playfields; shopping and local business centers. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the uses proposed. Prior to the preparation of plans, subdividers of large tracts should review with the staff of the Township Planning Commission the minimum standards for various community facilities applicable to the tract being subdivided.
- C. In subdivisions which are intended to provide housing for more than fifty (50) families, the Township Planning Commission shall consider the need for suitable open areas for recreation and shall make a recommendation thereon. Standards to be used by the Township Planning Commission in recommending the reservation of space for recreation shall be as follows:

<u>Families to be Served</u>	<u>Minimum Playground & Neighborhood Park Acreage to be Recommended</u>
50-174	3.0
175-374	5.5
375-624	6.5
625-800	8.0
for each additional 175 families	1.5

The Township Planning may modify this standard where the type of structures proposed place an undue burden upon the subdivider or developer.

SECTION 513 MONUMENTS AND MARKERS

- A. Permanent reference monuments shall be located along proposed street right-of-way lines at the following locations:
 - 1. At least one (1) monument at each street intersection;
 - 2. At changes in direction of street lines, excluding arcs at intersections;
 - 3. At each end of each curved street line, excluding arcs at intersections;
 - 4. An intermediate monument wherever topographical or other conditions make it impossible to sight between two (2) otherwise requirement monuments.
 - 5. At such other places along the line of streets as may be determined by the Township Engineer to be necessary so that any street may be readily defined in the future.
- B. With the approval of the Township Engineer the subdivider may install monuments on only one side of the street provided that enough monuments are set to permit a surveyor to stakeout accurately any building lot shown on the plan.
- C. When a subdivision occurs along an existing street and no new streets are proposed, two (2) monuments shall be provided. At least one (1) of these shall be along the ultimate right-of-way of the existing street.
- D. Monuments shall be constructed of steel reinforced concrete or where sidewalks are existing, a stone point (a four inch (4") square chisel cut with a drill hole in center may be substituted for a monument.
- E. Metal markers shall be accurately placed at all lot corners prior to development or sale of parcels.
- F. Markers shall be permanently located and shall be at least a ½ inch metal pin or pipe with a minimum length of 24 inches, located in the ground to existing grade.
- G. All monuments and markers shall be placed by a Registered Professional Engineer or Surveyor so that the center of the monument shall coincide exactly with the point of intersection of the lines being monumented.

SECTION 514 SANITARY SEWAGE DISPOSAL

- A. Each property shall connect with an approved sewer system, if accessible. Where the sewer is not yet accessible but is planned for extension to the subdivision, the subdivider shall install sewer lines, including lateral connections as may be necessary to provide adequate service to each lot when connection with the sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision, and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided.
- B. Sanitary sewers shall conform in all respects to the minimum requirements of the Pennsylvania Department of Environment Protection, and all ordinances, rules and regulations of the Township.
- C. When on-site facilities are required, an individually designed facility shall be installed. Before constructing, covering, and backfilling, all on-site facilities must be inspected by the Township Sewage Enforcement Officer and must be installed in accordance with the approved design drawings that are part of the sewage permit. Such approval shall be in writing.

- D. Anytime on-site facilities are required, both an approved primary and an alternate sewage system location shall be provided. That is, testing and approval shall be conducted and demonstrated in two locations on each lot being created.

SECTION 515 WATER SUPPLY

- A. Whenever an existing public or approved community water system is geographically and economically accessible to a proposed subdivision, a distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations. A copy of the approval of such system by the appropriate public agency or utility company shall be submitted with the Final Plan. Suitable agreement shall also be established for the ownership and maintenance of such distribution system.
- B. Where such systems are not accessible, particularly where on-site sanitary sewer disposal systems are to be used, a community water supply shall be required. If such a system is provided, it shall be approved by the Pennsylvania Department of Agriculture, and appropriate agreements established to ensure proper and adequate maintenance.
- C. Where individual on-site water supply system(s) are to be utilized, each lot so served shall be a size and shape to allow safe location of such a system, and no well shall be placed within one hundred (100) feet of any part of the subsurface sewage disposal system.
- D. Where individual on-site water supply system(s) are to be utilized, it is recommended (but not required) that the subdivider provide at least one test well for each ten proposed dwelling units. Such wells should be drilled, cased, and grout sealed into bed rock, at least fifty (50) feet deep, and should have a production capacity of at least five gallons per minute of safe, potable drinking water, as certified by a State official.
- E. Fire hydrants shall meet the specifications of the Insurance Services Office of PA and shall be located such that no building will be more than six hundred (600) feet from a hydrant, or as per the local fire protection agency requirement.

SECTION 516 STORMWATER MANAGEMENT

A. General Requirements

1. The management of stormwater on the site, both during and upon completion of the disturbances associated with the proposed subdivision or land development, shall be accomplished in accordance with the standards and criteria of this section.
2. Drainage structures shall be installed as necessary to prevent erosion damage and to satisfactorily carry off or detain and control the rate of release of surface waters.
3. Surface water shall be conveyed to the nearest adequate storm drain, detention basin, natural watercourse or drainage facility.
4. Adequacy of the natural stream channels shall be maintained the natural character of the watercourse shall be protected. Accelerated bank erosion shall be prevented by controlling the rate and velocity of runoff discharge to these water courses, so as to avoid increasing occurrence of stream bank overflow and to protect down stream property owners.
5. The capability of existing culverts and bridges shall be preserved by suppressing the new flood peaks created by new land development.

6. Pre-development discharges shall be compared to post-development discharges for individual drainage basins rather than to the combined discharges for the overall tract. If the post-development discharge is greater than the respective pre-development discharge for a given drainage basin, a detention facility will be required and shall be designed to detain the discharge.
7. Stormwater runoff shall discharge to an existing watercourse with defined bed and bank or an existing storm drainage system. It shall not be concentrated onto adjacent properties nor shall the velocity of flow be increased beyond that existing prior to subdivision, land development or the commencement of land disturbance activities unless written approval is given by the adjacent property owners to the proposed discharge of surface runoff and the written agreements are approved by the Township.
8. When storm drainage will be directed into an adjacent municipality, all provisions for accommodating such storm drainage shall be submitted to the governing body of that municipality for review.
9. The design and philosophy of any stormwater management shall consider corrective measures to existing stormwater problems that originate in whole or in part on the developers land, or that would impact the end users of the development.
10. Storm sewers, culverts, bridges and related installations shall be provided:
 - a. To permit unimpeded flow of natural watercourses. Such flow may be redirected as required, subject to the approval of DEP.
 - b. To insure adequate drainage of all low points along the line of streets.
 - c. To intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained, and to prevent substantial flow of water across intersections or flooded intersections during the design storm.
 - d. To insure adequate and unimpeded flow of storm water under driveways in, near or across natural watercourses or drainage swales. Suitable pipes or other waterway openings shall be provided as necessary.

B. Storm Sewer Design

1. The storm sewer system shall be designed to carry the ten (10) year storm water runoff which shall be determined using the Rational Method.
2. Pipe Requirements
 - a. All pipe to be installed shall have a minimum inside diameter of fifteen (15) inches.
 - b. All pipe to be installed within the Township right-of-way and at detention facilities shall be reinforced concrete pipe (RCP). Other types of pipe shall be permitted elsewhere. All pipes shall meet the PADOT 100 year lifetime specifications.
 - c. When polyethylene pipe is to be used, all pipe ends that would be exposed to the environment (i.e. at-grade inlets or outlets) shall be protected from damage by use of a concrete headwall or endwall. At-grade inlets or outlets of concrete pipe shall use concrete end sections.
 - d. All storm sewer pipe within street cartways or other paved areas shall be bedded and backfilled with 2RC stone placed in 6 inch lifts and compacted to the satisfaction of the Township Engineer.

- e. The minimum grade of storm sewer shall be 0.5%.
- f. Pipe cover shall be in accordance with PennDOT specifications.
- g. The method of making watertight joints shall be specified. Pipe joints for RCP shall be the o-ring type.
- h. At-grade pipe outlet and inlets shall be provided with a flared end section or a headwall.
- i. Where necessary storm sewers shall be evaluated for inlet and outlet control restrictions.
- j. A manhole or inlet shall be provided at all horizontal deflections in the storm pipe system exceeding five (5) degrees.
- k. The Manning's roughness coefficient (n) shall be 0.012 for concrete pipe.

3. Inlet Requirements

- a. Inlets shall conform to PennDOT standards and shall be specified as Type C, M, or S.
- b. Inlets shall be located at the lowest point of street intersections to intercept the storm water before it reaches pedestrian crossings or at sag points of vertical curves in the street alignment which provides a natural point of ponding of surface storm water.
- c. At street intersections, inlets shall be placed in the tangent and not the curved portion of the curbing.
- d. Inlets shall be designed and located to prevent hazards to vehicles, bicycles and pedestrians as per PennDOT requirements.
- e. The interval between inlets serving stormwater runoff flow along the curb shall not exceed a maximum of 1,000 feet when located along any one continuous curb line. More frequent spacing shall be required when the entrance capacity of any individual inlet warrants closer spacing as determined by calculations which incorporate consideration of the design storm runoff and cross-sectional area of the gutter.

4. Manhole Requirements

- a. Manholes shall be located on a continuous storm sewer system at all abrupt changes of grade, at all locations where a transition in storm sewer pipe sizing is required, at all angle points and at all points of convergence of two or more influent storm sewer mains.
- b. Manholes shall not be more than three hundred feet (300') apart on sizes up to twenty-four inches (24") and not more than four hundred and fifty feet (450') apart on larger sizes. Inlets may be substituted for manholes on approval by the Township.

5. Headwalls, Endwalls, Flared Endsections and similar structures

- a. Such structures shall conform to PennDOT standards.
- b. All stormwater pipe discharge locations shall be fitted with one of the structures.

C. Swale Design

- 1. Swales shall be designed in accordance with good engineering practices.
- 2. Swales within street right-of-way shall be of the parabolic type not exceeding six feet in width and one foot in depth.

3. Swales within street rights-of-way shall be designed to carry the design storm with three (3) inches of free board.
4. In situations where the requirements of Sections 516.C.2 and 516.C.3 cannot be met, storm sewer rather than swales shall be used to convey the stormwater.
5. Swales shall not be used in street rights-of-way where curbing is to be installed. Stormwater conveyance shall be via storm sewer in these cases.
6. Swales shall not be used to convey stormwater within a street right-of-way on slopes exceeding eight (8) percent. In these cases storm sewer shall be used.
7. Swales shall have a minimum slope of one (1) percent, and shall be designed to avoid ponding and standing water.
8. Approved erosion resistant swale linings are required when velocities exceed 4 fps.

D. Detention Basin Design

1. Storage Volume Requirements

The storage volume for all detention basins shall be computed in accordance with the methods found in the U.S. Department of Agriculture, Soil Conservation Service, Technical Release No. 55, "Urban Hydrology for Small Watersheds," latest approved revision. The maximum storage volume shall be the largest volume required to detain the post-development peak runoff while releasing the pre-development peak runoff of the storm frequency as found in the following table.

DETAINING	WHILE	RELEASING
Post Development of <u>Peak Runoff for a Storm Frequency of:</u>		Pre-Development Peak Runoff <u>for a Storm Frequency of:</u>
2 yr.		2 yr.
10 yr.		2 yr.
25 yr.		25 yr.

- a. The Township may require the control of more severe storm events if the need to protect property, the public health, safety or welfare warrants it.
- b. In establishing the conditions for calculating runoff prior to development, the following assumptions shall apply:
 - (1) Woodland shall be used as the prior condition for those portions of the watershed with trees of greater than six inches DBH or where such trees existed within 18 months of application.
 - (2) Meadow shall be used for all other areas, including areas which are presently covered by impervious surfaces or cropland.
 - (3) Where applicable, post-development time of concentration to a detention or retention basin shall be the time of concentration in the storm sewer to its point of discharge into the basin. Overland flow from the discharge point to the outlet structure shall not be included in the time of concentration.

- (4) Time of concentration calculations shall be submitted based upon current design methods outlined in SCS Technical Release No. 55, latest edition. The time of concentration flow paths (pre- and post-development) shall be shown on the grading plan, and shall be representative of the drainage area. The pre-development sheet flow length shall be 150 feet, unless a shorter length is required. The maximum post-development sheet flow length for unpaved surfaces shall be 100 feet for most situations (150 feet for areas which will remain undisturbed). Use of maximum flow lengths shall be justified, and all flow lengths are subject to approval by the Township.

2. Detention Basin Requirements

- a. The minimum bottom slope to the outlet shall be 2%. Lesser slopes may be approved if an adequate low-flow channel is provided. Low flow channels shall be concrete or other permanent material that will eliminate ponding on the flat grade.
- b. Anti-seep collar(s) around the outlet pipe shall be provided.
- c. Pipe outlets shall be provided with an energy dissipator.
- d. Side slopes of the basin shall be 3:1 or flatter.
- e. A key trench shall be provided for the basin berm which extends 2 feet into undisturbed soil, has a top width of 6 feet and side slopes of 1 to 1.
- f. The top of the berm shall be a minimum of 10 feet wide.
- g. One foot of freeboard shall be provided between the highest water elevation for the 25 year storm and the top of berm elevation.
- h. A clay core shall be provided for the basin berm which has a top elevation at the 25 year water surface elevation, a minimum of 4 feet wide with 1 to 1 side slopes.

3. Outlet Structure Requirements

- a. The outlet structure shall be a concrete riser placed on a concrete footing that is a minimum of two feet below grade.
- b. The lowest stage outlet shall be provided with a trash rack.
- c. The top elevation of the outlet structure shall be 6 inches below the crest of the emergency spillway.

4. Emergency Spillway Requirements

- a. Whenever possible the emergency spillway shall be constructed on undisturbed ground.
- b. The emergency spillway for all basins shall be designed to pass the post-development peak discharge from the 100 year frequency storm. The principal spillway shall be considered completely blocked when designing the emergency spillway.
- c. Emergency spillway constructed in fill material shall be lined with erosion control protection.
- d. A minimum of 6 inches of freeboard shall be provided between the 100 year storm elevation and the top of berm elevation.

E. Grading Design

1. All lots, tracts, or parcels shall be graded to provide positive drainage away from building without ponding.

2. Grading and cut-fill operations shall be kept to a minimum to ensure conformity with the natural topography, to minimize the erosion hazard, and to adequately handle the surface runoff.
3. Cut and fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing except as approved by the Board when handled under special conditions.
4. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations of the sloping surfaces of fills.
5. Cut and fills shall not endanger adjoining property.
6. Fill shall be placed and mechanically compacted to minimize sliding or erosion of the soil.
7. Fills shall not encroach on natural water courses or constructed channels.
8. Fills placed adjacent to natural water courses or constructed channels shall have suitable protection against erosion during periods of flooding.
9. Grading will not be done in such a way so as to divert water onto the property of another landowner without the expressed consent of the Board.
10. During grading operations, necessary measures for dust control will be exercised.
11. Grading equipment will not be allowed to cross live streams. Provision will be made for the installation of culverts or bridges.

F. Maintenance and Repair

Maintenance and repair of storm water control facilities located outside of the street right-of-way including but not limited to detention basins, swales, and headwalls shall be the responsibility of the property owner(s) and shall be deed restricted and indicated on the approved plans unless otherwise assumed by the Township and/or others. The Township may perform necessary maintenance and repairs to detention basins if the owner(s) fail to do so after receiving notice from the Township. The Township may recover the cost of such necessary maintenance and repairs from the property owner. The Township may require the property owner(s) to enter into an Agreement with the Township setting forth such maintenance standards.

SECTION 517 **WETLANDS**

- A. All land designated as "wetlands" within Heidelberg Township are subject to restrictions and/or permits by the Pennsylvania Department of Environmental Protection and United States Army Corps of Engineers.
- B. For all subdivision and land development applications, the Township Engineer shall determine whether a wetlands delineation will be required by a qualified professional.
- C. Delineated wetlands shall be accompanied by a technical report and data forms.
- D. If a dispute arises between the applicant the Township regarding any provision specified under this Section, the applicant shall be responsible for an Army Corps of Engineers and/or Environmental Protection Agency Jurisdictional Determination. All pertinent costs incurred shall be the responsibility of the applicant and not the Township.

SECTION 518**EROSION AND SEDIMENTATION CONTROL**

- A. Land proposed for subdivision or land development shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees or other vegetative cover unless adequate provisions for minimizing erosion and sedimentation are provided on the Subdivision Plan.
- B. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
- C. The disturbed area and the duration of exposure shall be kept to a practical minimum.
- D. Disturbed soils shall be stabilized as quickly as practicable.
- E. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
- F. The permanent vegetation and mechanical erosion control and drainage measures shall be installed as soon as practical in the development.
- G. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditioned during and after development. Where necessary the rate of surface water runoff will be mechanically retarded.
- H. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps or similar measures.
- I. Prior to commencement of any of the above mentioned activities the developer must obtain a Letter of Adequacy from the Berks County Conservation District for the Erosion and Sedimentation Control Plan.
- J. The plan for erosion and sedimentation control shall be in accordance with all provisions of the "Erosion and Sediment Pollution Control Program Manual" published by PA DEP, Bureau of Soil and Water Conservation.
- K. Where state or federal law requires additional permits or approval for erosion and sedimentation control, those permits or approvals shall be obtained prior to commencement of the earth disturbance activities.

SECTION 519**UTILITIES**

- A. Utility lines including, but not limited to electric, gas, street light supply, cable television, and telephone shall be placed underground. Installation of all utilities shall be in strict accordance with the engineering standards and specifications of the public utility concerned.
- B. In accordance with the provisions of Act 38, all developers, contractors, etc., will contact all applicable utilities and accurately determine the locations and depth of all underground utilities within the boundaries of the tract proposed for development, prior to excavation. A list of the applicable utilities for review and proof shall be presented to the Township prior to final plan approval.
- C. Easements with a minimum width of twenty (20) shall be provided for conduits, storm and sanitary sewers, gas, water mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.
- D. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

- E. There shall be a minimum distance of twenty (20) feet from the right-of-way line, measured in the shortest distance, between any proposed dwelling unit and any petroleum, petroleum products or natural gas transmission line which traverses the subdivision.
- F. Where gas or petroleum transmission lines are a part of the proposed development, either existing within or requiring relocation, construction shall have provided, at a minimum, a 50 foot right-of-way and shall comply to the applicable requirements of the Pennsylvania Public Utilities Commission Regulations.

ARTICLE VI - IMPROVEMENTS SPECIFICATIONS AND CONSTRUCTION**SECTION 601****CONSTRUCTION REQUIRED**

- A. The applicant shall construct all streets together with all other improvements, including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, storm drainage facilities, sanitary sewers, landscaping, traffic control devices, open space and erosion and sediment control measures in conformance with the final subdivision or land development plan as approved, and in accordance with applicable provisions of the Pennsylvania Department of Transportation Specifications, Publication 408, dated 1993, or the latest revision thereto, or other applicable regulations.
- B. No subdivision or land development plan shall be finally approved for recording, and no building permits shall be issued until the developer has completed all required improvements or has provided a subdivision and land development agreement and a performance guarantee in accordance with Sections 603 and 604, hereof.
- C. A preconstruction conference will be required for all subdivision and land developments where there is a Development Agreement covering improvements costs, or for any other construction or earthmoving activities when deemed necessary by the Township Supervisors or Township Engineer. The developer or his representative and the contractor or contractors who will perform the work are to attend along with the Township Engineer and Township representatives.
- D. Proof of all required permits, certifications and approvals shall be provided at the preconstruction meeting as well as compliance with the utility notification requirement of Act No. 38. Construction may not commence until all permits and approvals are obtained.

SECTION 602**INSPECTIONS REQUIRED**

- A. Inspections shall be performed by the Township to guarantee the proper procedures and methods of installation of all approved structures and approved materials required to be installed.
- B. Inspections shall be required prior to starting construction, during the installation of materials and structures, and upon completion of all improvements. All improvements shall be installed in accordance with all required approved regulations and specifications.
- C. Any and all unsatisfactory work, faulty procedures and methods, and defective materials that have been installed shall be rejected and noted for the record on the inspection report, and shall be corrected before final acceptance.
- D. The placement of all improvements shall be in accordance with the controls set by a surveyor registered by the State of Pennsylvania, to ensure installation of improvements to proper location, elevation, alignment and profile.
- E. Scheduling of required inspections shall be the responsibility of the Owner, or his contractor and shall be in accordance with the procedures described at the preconstruction conference.

SECTION 603**SUBDIVISION AND LAND DEVELOPMENT IMPROVEMENTS AGREEMENT**

The applicant shall execute an agreement, to be approved by the Township, pending the review of the Township Solicitor, before the Final Plan is released by the Board of Supervisors and filed on record. Said agreement shall, as a minimum, specify the following, where applicable.

- A. The applicant agreed that he will lay out and construct all streets and other public improvements, including grading, paving, sidewalks, fire hydrants, water mains, street signs, shade trees, storm and sanitary sewers, landscaping, traffic control devices, open space areas, and erosion and sediment control measures in accordance with the final plan as approved, where any or all of these improvements are required as conditions of approval.
- B. The applicant guarantees completion and maintenance of all improvements by means of a type of financial security acceptable to the Township, as specified in Section 604 of this Ordinance.
- C. The applicant agrees to have prepared a deed(s) of such dedication to the Township for such streets and for such easements for sanitary and storm sewers, sidewalks, and other public improvements, provided that the Township shall not accept dedication of such improvements until their completion is certified as satisfactory to the Township Engineer.
- D. Whenever an applicant proposes to establish or continue a street which is not offered for dedication to public use, the Board of Supervisors shall require the applicant to submit, and also to record with the plan, a copy of an agreement made with the Board on behalf of himself and his heirs and assigns, and signed by him, and which shall establish the conditions under which the street may later be offered for dedication, and shall stipulate among other things:
 - 1. That an offer to dedicate the street shall be made only for the street as a whole;
 - 2. That the Township shall not be responsible for repairing for maintaining any undedicated streets;
 - 3. That the method of assessing repair and maintenance costs of the undedicated streets be stipulated and be set forth in recorded deed restrictions so as to be binding on all successors or assigns; and
 - 4. That, if dedication is to be sought, the street shall conform to Township specifications or that the owners of the abutting lots shall, at their own expense, restore the streets to conformance with Township specifications.

SECTION 604 PERFORMANCE GUARANTEE

- A. The applicant shall deposit with the Township, financial security in an amount sufficient to cover the cost of all improvements, both public and private, and common amenities, including but not limited to streets, walkways, shade trees, stormwater detention facilities, recreational facilities, open space improvements, buffer or screen plantings, water supply facilities, fire hydrants, and sanitary sewage disposal facilities. Financial security related to public sewers shall be provided to the Municipal Authority of Heidelberg Township.
- B. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days, unless a written extension is granted by the Board; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

- C. Financial security required herein shall be in the form of a Federal or Commonwealth chartered lending institution irrevocable letter of credit, a restrictive or escrow account in such institution, or with a financial responsible bonding company, or such other type of financial security which the Township may, in its reasonable discretion, approve. The bonding company may be chosen by the party posting the financial security, provided that the said bonding company or lending institution is authorized to conduct business within the Commonwealth and stipulates that it will submit to Pennsylvania jurisdiction and Berks County venue in the event of legal action.
- D. The said financial security shall provide for, and secure to the public, the completion of any improvements for which such security is being posted, on or before the date fixed in the approved subdivision agreement for completion of such improvements.
- E. The amount of financial security to be posted for the completion of the required improvements and inspection shall be equal to one hundred ten (110) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals the said one hundred ten (110) percent. Any additional security shall be posted by the developer in accordance with this section.
- F. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable, and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of such engineer shall be paid equally by the Township and the applicant or developer.
- G. If the party posting the financial security requires more than one (1) year from the date of posting the financial security to complete the required improvements, the amount of financial security shall be increased by an additional ten (10) percent for each one (1) 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 and inspections as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- H. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stage of development, subject to such requirements or guarantees as to improvements in the future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- I. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize to be released, from time to time, such portions of the financial security for which work has been completed. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with the approved plans. Upon such certification, the Board shall authorize release

by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed. The Township Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the applicant, but shall certify to the Board his independent evaluation of the proper amount of partial releases. The Board may, prior to final release at the time of completion and certification by the Township Engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.

SECTION 605 RELEASE FROM PERFORMANCE GUARANTEE

- A. When the developer has completed all of the necessary and appropriate improvements, he shall notify the Board of Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Township Engineer shall inspect all of the aforesaid improvements and file a report, in writing, with the Board, and shall promptly mail a copy of the same to the developer by certified mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board. Said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part. If said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reason for such nonapproval or rejection.
- B. The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing, by certified mail, of the action of the Board with regard to approval, nonapproval, or rejection of improvements.
- C. If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete those improvements and, upon completion, the same procedure of notification as outlined herein shall be followed.
- D. The developer shall be responsible for maintenance of all subdivision or land development improvements until such improvements are offered for dedication and are accepted by the Township. In addition, ten (10) percent of the performance guarantee shall be held back by the Township until the developer has posted a maintenance guarantee, and as-built plans are verified and accepted by the Township as per Section 608 and 606 herein.
- E. Partial releases of the performance guarantee during the period of construction shall be authorized as per Section 604.I.

SECTION 606 AS-BUILT PLANS

Within thirty (30) days after completion and Township approval of subdivision or land development improvements as shown on final plans, and before Township acceptance of such improvements, the developer shall submit to the Board a plan showing actual locations, dimensions and conditions of streets and all other public improvements, including easements showing geometry and monument locations certified by a registered surveyor or engineer to be in accordance with actual construction. As-built plans shall show elevations and inverts of all manholes, pipe and roads.

SECTION 607 DEDICATION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS

- A. Upon completion of any public improvements shown on an approved subdivision plan and within ninety (90) days after approval of such public improvements as herein provided, the developer shall submit written offer of such public improvements for dedication to the Township. Said offer shall include a deed of dedication covering said public improvements together with satisfactory proof establishing the developer's clear title to said property. Such documents are to be filed with the Township Secretary for review of the Township Solicitor. Deeds of dedication for public improvements may be accepted by resolution of the Board at a regular meeting thereof. The

Supervisors may require that at least fifty (50) percent of the lots in any approved subdivision or land development (or phase thereof, if final plan approval has been in phases) have certificates of occupancy issued for buildings thereon prior to acceptance of dedication. Should the streets, even though constructed according to the specifications of this Ordinance, deteriorate before the said fifty (50) percent of the lots have certificates of occupancy issued, such streets shall be repaired in a manner acceptable to the Board before being accepted by the Township.

- B. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this section, the Township shall not condition the issuance of building, grading, or other permits relating to the erection of placement of improvements, including buildings, upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the approved final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.
- C. If the developer fails to offer dedication of said improvements, then the Board may, in addition to any other remedies provided by law, require to developer, or his heirs, successors, executors, or assigns, to make an offer at any time in the future that the best interests of the Township are served by the dedication and acceptance of the public improvements.
- D. The Township shall have no obligation to takeover and make public any street, other improvement or park, however, unless:
 - 1. The required improvements, utility mains and laterals, monuments, markers, etc., shown on the approved final plans, have been certified by the Township Engineer as having been constructed in accordance with the provisions of this Ordinance.
 - 2. It be established to the satisfaction of the Board that there exists a need for the improvements to be taken over and made public.
- E. The Township shall have no responsibility with respect to any park, street, or other improvement, notwithstanding the use of same by the public, unless the park, street, or other improvement has been accepted by ordinance or resolution by the Board.
- F. The Board may require that certain subdivision and land development improvements remain undedicated, with maintenance the responsibility of individual lot owners, a homeowner's association or similar entity, or an organization capable of carrying out maintenance responsibilities.

SECTION 608**MAINTENANCE GUARANTEE**

- A. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement), the Board shall require the posting of financial security to secure the structural integrity of the improvements and the functioning of the improvements in accordance with the design and specifications as depicted on the final plan. The security shall be in the form authorized for the deposit of the performance guarantee, as described in Section 604, hereof, and shall be for a term of eighteen (18) months from the date of the acceptance of dedication and shall be in an amount equal to fifteen percent (15%) of the actual cost of installation of the improvements so dedicated.

- B. On or before the completion of subdivision or land development improvements, the permanent stormwater management system for a tract shall be installed or constructed in accordance with the approved stormwater management plan. All such work shall be as specified in the approved plan. Continued functioning of these facilities shall be guaranteed and maintained, as necessary, performed in accordance with Sections 516 and 604 (for the maintenance bond period required by Section 608.A), of this Ordinance.

ARTICLE VII - MOBILE HOME PARKS**SECTION 701 GENERAL REGULATIONS**

All Mobile Home Parks shall comply with all the requirements for Mobile Home Parks as may be listed in the Township Zoning Ordinance, Township Mobile Home Park Ordinance and any other Township regulations; and shall meet all the requirements for Mobile Home Parks established by the Commonwealth of Pennsylvania.

SECTION 702 PLAN SUBMISSION

The submission, review, approval or disapproval and recording of any Mobile Home Park shall be in accordance with the provisions of Article III of this Ordinance.

SECTION 703 PLAN REQUIREMENTS

The Plan of any Mobile Home Park shall comply with the requirements stated in Article IV of this Ordinance.

SECTION 704 DESIGN AND IMPROVEMENTS

Mobile Home Parks shall be considered subdivisions and shall comply with all of the design standards and improvement specifications found in Article V and VI of this Ordinance.

ARTICLE VIII - ADMINISTRATION**SECTION 801 FEES**

- A. The Township Supervisors shall establish by resolution a collection procedure and Schedule of Fees to be paid by the subdivider at the time of filing a Sketch, Preliminary, and Final Plan. The Schedule of Fees may be modified periodically by the Township Supervisors.
- B. The Schedule of Fees shall be obtainable in the office of the Township Secretary, and in such other places as the Township Supervisors may designate.
- C. The applicant is also required to pay any review fees required by the County Planning Commission, the County Conservation District and any other reviewing agency.
- D. Plans shall not be considered filed until all fees are paid and the applications are properly signed as required.
- E. If the Township expenses associated with reviewing a subdivision or land development exceed the total fees that have been paid by an applicant, the applicant shall pay such excess expenses prior to approval of the Final Plans by the Township.

SECTION 802 MODIFICATIONS

- A. In any case in which an applicant demonstrates to the satisfaction of the Board of Supervisors that strict application of any provisions of this Ordinance would be unreasonable and would cause unnecessary hardship as applied to the proposed subdivision or land development, the Board may grant a modification from the mandatory provision; provided, however, that such modifications shall not be granted if it would be contrary to the public interest and have the effect of nullifying the intent and purpose of this Ordinance.
- B. In granting modifications, the Board of Supervisors may impose conditions that in their judgement, substantially secure the objectives of the standards and requirements so modified.
- C. All requests for modifications shall be in writing and shall accompany and be a part of the application for development. The request shall state, in full, the grounds and facts of unreasonableness or hardship on which the request is based, provisions of the ordinance involved, and the minimum modification necessary.
- D. The request for modification may be referred by the Board of Supervisors to the Planning Commission for advisory comments. The Board shall keep a written record of all action on all requests.
- E. No changes, erasures, modifications or revisions shall be made in any plan of a subdivision after approval has been made by the Supervisors and endorsed on the plan, unless the said plan is first resubmitted to and approved by the Township Supervisors.

SECTION 803 CHALLENGES

A landowner desiring to challenge the validity of any provision of this ordinance or any amendment thereof, shall make such challenge in accordance with the provisions of the Act 247 of 1968, the PA Municipalities Planning Code, as amended, or any successor legislation.

SECTION 804**RECONSIDERATION AND APPEAL**

- A. Any subdivider aggrieved by a finding, decision, or recommendation of the Township Planning Commission may request and shall receive an opportunity to appear before the Township Planning Commission to present additional relevant information and request, in writing, reconsideration of the original finding, decision or recommendation.
- B. Any person aggrieved by a finding, decision or recommendation of the Township Planning Commission may appeal, in writing, to the Township Supervisors within ten (10) days after the date of action of the Planning Commission.
- C. Upon receipt of such appeal, the Township Supervisors shall hold a hearing after proper notification of all parties in interest and in a manner prescribed by law.
- D. After such hearing the Township Supervisors may affirm or reverse the action of the Planning Commissions by a recorded vote and in the manner prescribed by law. The findings and reasons for the disposition of the appeal shall be stated on the records of Township Supervisors, and a copy shall be given to the applying party.
- E. Affirmative action shall authorize the subdivider to continue application from the point at which it was interrupted.
- F. Any person aggrieved by action of the Township Supervisors may appeal within thirty (30) days to the Court of Common Pleas of Berks County, as provided in the Act 247 of 1968, the PA Municipalities Planning Code, as amended.

SECTION 805**PENALTIES**

- A. Inspection revealing noncompliance with plans submitted under the provisions of this Ordinance, including all supplementary data required, shall be sufficient grounds for withdrawal of building permits by the Township until correction thereof, or other penalties or remedies, including injunctive relief, as may be provided by law.
- B. Preventive Remedies
 - 1. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
 - 2. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to this article. This authority to deny such a permit or approval shall apply to any of the following applicants:
 - a. The owner of record at the time of such violation.
 - b. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

- c. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
 - d. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
 3. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.
- C. Enforcement Remedies
 1. Any person, partnership or corporation who or which has violated the provisions of any subdivision or land development ordinance enacted under this act or prior enabling laws shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgement of not less than One Hundred Dollars (\$100.00) or more than Five Hundred Dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgement shall commence or be imposed, levied or be payable until the date of determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgement, the municipality may enforce the judgement pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fiftieth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.
 2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgement pending a final adjudication of the violation and judgement.
 3. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.
- D. In addition to the penalties above, the Township Supervisors may initiate and maintain civil action.
 1. To obtain a writ of injunction against the owner or agent who attempt the improper sale or conveyance of land.
 2. To set aside and invalidate any conveyances of land made prior to Final Plan approval of any subdivision.
- E. Nothing herein shall prevent the Township from taking such other action necessary to prevent or remedy any violation.

SECTION 806 KEEPING OF RECORDS

The Township Planning Commission and the Township Supervisors shall keep a record of their findings, decisions, and recommendations relative to all subdivision and land development plans filed for review. Such records shall be made available to the public for review.

SECTION 807 FEES AND COSTS

The subdivider shall be responsible for observing the procedures established in this Ordinance and for submitting all plans and documents as may be required.

SECTION 808 CONFLICTS

- A. Whenever there is a difference between the minimum standards specified herein and those included in other official Township regulations the more stringent requirements shall apply.
- B. All existing ordinances or parts of ordinances which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 809 REVISION AND AMENDMENT

- A. The Township Supervisors, may from time to time on its own motion revise, modify, or amend these regulations in order to increase their effectiveness or to expedite the approval of subdivision plans.
- B. Any revisions, modifications, or amendments to these regulations shall be made in accordance with the procedures established by Act 247 of 1968, the PA Municipalities Planning Code.

SECTION 810 SEVERABILITY

- A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- B. The Township Supervisors hereby declare that they would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

SECTION 811 STATE PLANNING CODE AMENDMENTS

The provisions of this Ordinance that only repeat, summarize or reference provisions of the Pennsylvania Municipalities Planning Code shall be deemed to be automatically superseded and replaced by any applicable amendments to the Pennsylvania Municipalities Planning Code.

SECTION 812

ENACTMENT

Duly enacted by the Board of Supervisors of Heidelberg Township, Berks County, Pennsylvania, this
29th day of Aug., 1996.

BOARD OF SUPERVISORS
OF HEIDELBERG TOWNSHIP


_____
_____

ATTEST:



Secretary

APPENDIX A
CERTIFICATION OF ACCURACY

The following certification in the wording shown, must be labeled and completed on all Preliminary and Final Plans:

CERTIFICATION OF ACCURACY

I hereby certify that the plan shown and described hereon, as well as all drawings bearing my seal, are true and correct to the accuracy required by the Heidelberg Township Subdivision and Land Development Ordinance, and were prepared by me or under my direction and for which I accept full responsibility. The monuments and markers shown on the plan have been accurately placed.

(2)

_____, 19____

(1)

- (1) Signature of the Professional Land Surveyor responsible for the preparation of the plan.
- (2) Apply seal of the Professional Land Surveyor.

APPENDIX B
CERTIFICATION OF OWNERSHIP AND
ACKNOWLEDGEMENT OF PLAN

The following certification, in the wording shown, must be labeled and completed on the Final Plan:

Commonwealth of Pennsylvania

County of _____

On this, the _____ day of _____, 19____, before me, the undersigned officer, personally appeared _____, who being duly sworn according to law, deposes and says that he/she is the _____ (1), of the property shown on this plan, that the subdivision plan thereof was made at his/her direction, and that he/she acknowledges the same to be his/her act and plan _____ (2).

(3)

(4)
(5)

(6)
(7)

My Commission
expires _____, 19____

- (1) Insert either: Owner
Equitable Owner
President of the (name of corporation) which is the owner
- (2) Whenever applicable, insert: and desires the same to be recorded as such
according to law
- (3) Where necessary, signature of secretary of corporation
- (4) Signature of individual, of partners, or of president of corporation
- (5) If necessary, corporate seal
- (6) Signature and (7) seal of notary public or other officer.

APPENDIX C

CERTIFICATE OF PLANNING COMMISSION APPROVAL

The approval of the Preliminary Plan and Final Plan by each municipality in which the subdivision is located must be indicated on the Record Plan, in substantially the following form:

At a meeting held on _____, 19____, the Planning Commission of the Township of Heidelberg, by motion, recommended for approval the subdivision plan of the property of _____ (1) _____, as shown hereon.

_____ (2)	

- (1) insert name of property owner
- (2) signatures of the Planning Commission

APPENDIX D

CERTIFICATE OF BOARD OF SUPERVISORS APPROVAL

The approval of the Preliminary Plan and Final Plan by each municipality in which the subdivision is located must be indicated on the Record Plan, in substantially the following form:

At a meeting held on _____, 19____, the Board of Supervisors
of the Township of Heidelberg, by motion, recommended for approval the subdivision plan
of the property of _____ (1) _____, as shown hereon.

(2)

(3)

- (1) insert name of property owner
- (2) signatures of the Township Supervisors
- (3) municipal seal

APPENDIX E
APPLICATION FOR APPROVAL
OF MINOR LAND SUBDIVISION PLAN

TO: Heidelberg Township Planning Commission.

Application is hereby made for review of the Plan of a proposed Minor Subdivision of land submitted herewith and more particularly described below:

1. Name of Applicant(s): _____
 Address: _____
 _____ Phone No. _____
2. Name of owner(s): _____
 (if other than applicant)
 Address: _____
3. Applicant's interest, if other than owner _____
4. Location of Subdivision: _____
 (street)

 (Block) (Lot Numbers)
5. Engineer of Surveyor responsible for plan: _____
 Address: _____
 _____ Phone No. _____
6. Total Acreage: _____ Number of Lots: _____
7. Acreage being subdivided: _____ Minimum lot area: _____ Sq. Ft.
8. Lot use proposed: _____ Single Family _____ Commercial
 _____ Two Family _____ Industrial
 _____ Row _____ Other (specify)
 _____ Multi-Family
9. Zoning Data: Classification: _____
 Zoning changes to be requested: _____
10. Type of water supply proposed: _____ Public (municipal) System
 _____ Semi-Public (community) System
 _____ Individual On-Site

11. Type of sanitary sewage disposal proposed: _____ Public (municipal) sewer
_____ Live
_____ Capped
_____ Semi-Public (community)
_____ Individual On-Site (septic tank & tile field)

12. Type of off-street parking proposed: _____ Garages
_____ Driveways
_____ Other
_____ None

13. List proposed improvements: 1. _____
2. _____
3. _____
4. _____

14. Date of Plan: _____

Signature of Applicant

For Township Use Only

Received by _____ Date _____
(Secretary of Planning Commission)

Action of Township Commission: _____

Chairman

Date: _____

Secretary

Action of Township Commission: _____

Chairman

Date: _____

Secretary

APPENDIX F
APPLICATION FOR REVIEW OF
PRELIMINARY MAJOR SUBDIVISION PLAN

TO: Heidelberg Township Planning Commission.

Application is hereby made for review of the Preliminary Major Land Subdivision Plan submitted herewith and more particularly described below:

1. Name of subdivision: _____ Plan Dated: _____
County Deed Book No.: _____ Page No.: _____

2. Name of Applicant(s): _____
Address: _____
_____ Phone No. _____

3. Name of Property Owner(s): _____
(if other than applicant)
Address: _____
_____ Phone No. _____

4. Applicant's interest, if other than owner: _____

5. Engineer of Surveyor responsible for plan: _____
Address: _____
_____ Phone No. _____

6. Total Acreage: _____ Number of Lots: _____

7. Acreage of adjoining land in same ownership (if any): _____

8. Lot use proposed: _____ Single Family _____ Commercial
_____ Two Family _____ Industrial
_____ Row _____ Other (specify)
_____ Multi-Family

9. Will construction of buildings be undertaken immediately: _____ Yes _____ No
By Whom? _____ Subdivider
_____ Other Developers
_____ Purchasers of individual lots

10. Average selling price: \$ _____ of House and Lot
\$ _____ of Lot only
\$ _____ Other

11. Type of water supply planned: _____ Public (municipal) System
_____ Semi-Public (community) System
_____ Individual On-Site
12. Type of sanitary sewage disposal proposed: _____ Public (municipal) sewer
_____ Live
_____ Capped
_____ Semi-Public (community)
_____ Individual On-Site (septic tank & tile field)
13. Type of off-street parking proposed: _____ Garages
_____ Driveways
_____ Other
_____ None
14. Lineal feet of new streets planned: _____
15. Are all streets proposed for dedication? _____ Yes _____ No
16. Deed restrictions that apply or are contemplated (if no restrictions, state "none", if "yes" attached copy):

17. Acreage proposed for parks or other public use: _____
18. Zoning Data: Classification: _____
Zoning Changes to be requested: _____
19. Have appropriate public utilities been consulted? _____ Yes _____ No
20. Has _____ County Planning Commission Form _____ been prepared and attached hereto? _____ Yes _____ No
21. List proposed improvements and utilities and intentions to install or post performance guarantee prior to final approval:
- | | <u>Improvement</u> | <u>Intention</u> |
|----|--------------------|------------------|
| a. | | |
| b. | | |
| c. | | |
| d. | | |
| e. | | |

22. List of maps and other material accompanying application and number of each:

	<u>Item</u>	<u>Number</u>
a.		
b.		
c.		
d.		
e.		
f.		

Date: _____

Signature of Applicant(s):

By: _____

For Township Planning Commission Use Only -- Preliminary Plan Review

1. Date application was received: _____

Amount of fee paid: _____

Secretary

2. Date reviewed by Township Planning Commission: _____

3. Referrals and dates:

(a) County Planning Commission _____

(b) Township Engineer _____

(c) Pennsylvania Department of DEP _____

(d) Other _____

4. Reports received and dates:

(a) County Planning Commission _____

(b) Township Engineer _____

(c) Pennsylvania Department of DEP _____

(d) Other _____

5. Township Planning Commission Action:

Approved

(date)

Approved subject to the following
modifications:

(date)

Disapproved for the following reasons:

(date)

Attest:

(Secretary)_____
(Chairman)

6. Action of the Board of Supervisors:

(date) Approved

(date) Approved subject to the following
modifications:

(date) Disapproved for the following reasons:

Attest:

(Secretary)

(Chairman)

APPENDIX G
APPLICATION FOR REVIEW OF FINAL
MAJOR SUBDIVISION PLAN

TO: Heidelberg Township Planning Commission.

Application is hereby made for final approval of the Final Plan Subdivision Plan submitted herewith and described in the accompanying maps and documents:

1. Name of subdivision: _____ Plan Dated: _____
 County Deed Book No.: _____ Page No.: _____

2. Name of Applicant(s): _____
 Address: _____
 _____ Phone No. _____

3. Name of owner(s): _____
 (if other than applicant)
 Address: _____

4. Date of tentative approval of Preliminary Plan: _____

5. Appendix F application number: _____

6. Final Plan follows exactly the approved Preliminary Plan: _____ Yes _____ No
 if no, list changes _____

7. List of maps and other documents accompanying application and the number of each.

	<u>Item</u>	<u>Number</u>
(a)		
(b)		
(c)		
(d)		
(e)		
(f)		
(g)		
(h)		

Date: _____ Signature of Application: _____

By: _____

For Township Use Only --

1. Date application was received: _____

Amount of fee paid: _____

Secretary

2. Date reviewed by Township Planning Commission: _____

3. Referrals and dates:

(a) County Planning Commission _____

(b) Township Engineer _____

(c) Pennsylvania Department of DEP _____

(d) Other _____

4. Reports received and dates:

(a) County Planning Commission _____

(b) Township Engineer _____

(c) Pennsylvania Department of DEP _____

(d) Other _____

5. Township Planning Commission Action:

Approved

(date)

Approved subject to the following
modifications:

(date)

Disapproved for the following reasons:

(date)

Attest:

(Secretary)_____
(Chairman)

6. Action of the Board of Supervisors:

(date) Approved

(date) Approved subject to the following
modifications:

(date) Disapproved for the following reasons:

Attest:

(Secretary)

(Chairman)

APPENDIX H

SUBDIVISION IMPROVEMENTS AGREEMENT

In consideration of the mutual covenants contained herein, it is hereby agreed between the Board of Supervisors of the Township of _____, and _____, the subdivider of the property shown on the plan of _____, dated _____, 197____, that in accordance with Township requirements and specifications, the responsibility for the provision of the improvements shown on the plan will be as follows:

IMPROVEMENT**TO BE PROVIDED BY:**

	Subdivider	Township	Other (specify)
Street Grading			
Street Base			
Street Paving			
Curbs			
Sidewalks			
Storm Sewer Facilities			
Sanitary Sewers:			
Trunk Lines			
Mains			
House Connections			
On-Site Sewage Facilities			
Water Mains			
On-Site Water Supply			
Fire Hydrants			
Street Monuments			
Street Name Signs			
Street Lights			

Supervision of All Installations _____

Prior to the County Planning Commission's endorsement of the Record Plan of this aforementioned subdivision, an original copy of this agreement shall be filed with the County Planning Commission. A copy of this agreement shall also be filed with the Township, notwithstanding other completion guarantees (in the form of a bond or the deposit of funds or securities in escrow) as may be required.

This agreement shall, of course, be subject to such modifications as may be mutually agreed upon by the subdivider and the Township.

(witness)

(Signature of Subdivider)

Approved by resolution of the Board of Supervisors of Heidelberg Township at the meeting of _____, 19____.

(SEAL)
