

CHAPTER 22

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Chapter 1

General Provisions

§101. Title. A Chapter providing for the regulation and control of the subdivision of lots and the development of land; the approval of plans, plots, or replots of land laid out in building lots; standards for the design of streets, lots, easements, blocks and other improvements; certain minimum improvements and construction standards on all streets and required dedications; the administration of this Chapter by the Bethlehem Township Board of Commissioners; and penalties for the violation of this Chapter 1. (Ord. 2-89, 2/6/1989, §101)

§102. Short Title. This Chapter shall be known and may be cited as The Bethlehem Township Subdivision and Land Development Chapter. This Chapter shall serve as Chapter 22 of the Codified Chapters of Bethlehem Township. (Ord. 2-89, 2/6/1989, §102)

§103. Purpose. The purpose of these regulations is to create conditions favorable to the health, safety, morals, and general welfare of citizens by:

1. Assisting in the orderly and efficient intergration of subdivisions;
2. Ensuring conformance in subdivision plans with the public improvements plans of the Township;
3. Ensuring sites suitable for building purposes and human habitation;
4. Facilitating the efficient movement of traffic and avoiding traffic hazards and congestion;
5. Securing equitable handling of all subdivision plans by providing uniform procedures and standards;
6. Improving land records by establishing standards for surveys and plans;
7. Safeguarding the interests of the public, the homeowner, the subdivider and all municipalities;
8. Preserving natural and historic features; and
9. Carrying out the goals and objectives of the Comprehensive Plan.

(Ord. 2-89, 2/6/1989, §102)

§104. Applicability.

1. No subdivision or land development of any lot, tract, or parcel of land shall be made, and no street, sanitary sewer, water main, gas, oil, or electric transmission line, or other improvements in connection therewith

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shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon, except in accordance with this Chapter 1.

2. 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:

A. A final plan has been approved and

B. Either

(1) The Township has been assured by means of a Development Agreement acceptable to the Board of Commissioners that the improvements will subsequently be installed or

(2) The required improvements in connection therewith have been entirely completed.

3. The regulations of this Chapter shall apply to any subdivision or land development.

4. The requirements of the State Planning Code regulating "cumulative" subdivisions shall apply. In addition, a subdivision shall be considered a major subdivision if the tract of land has involved the creation of three (3) or more lots within the previous five (5) years.

5. Landowner. No subdivision or land development shall be submitted to the Township for review except by the landowner of such land or his specifically authorized agent (see definition of "landowner" in Part 2).

(Ord. 2-89, 2/6/1989, §104)

§105. Exemptions.

1. Agriculture. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwelling shall be exempted from the regulations of this Chapter.

2. Approved Subdivisions.

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

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

(Ord. 2-89, 2/6/1989, §105)

§106. Interpretation.

1. Standards.

A. The provisions of this Chapter 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 Chapter conflict with those of any State statute, other Chapters or regulations, the more restrictive shall apply, regardless of its source, unless specified to the contrary.

2. Illustrations. The illustrations in this Chapter are for general illustrative purposes and are not part of the regulations of this Chapter.

(Ord. 2-89, 2/6/1989, §106)

§107. Modifications and Exceptions.

1. The Board of Commissioners, after receiving a written request for a modification and written grounds for the modification, and after receiving the recommendation of the Planning Commission by written resolution, shall have the power to grant modifications to the specific requirements of this Chapter, where the applicant proves to the satisfaction of the Board of Commissioners that, owing to special conditions, a modification is needed to:

A. Avoid an undue hardship that would result because of the peculiar and uncommon conditions pertaining to the land in question and that such hardship was not self-created, or

B. Avoid the imposition of a clearly unreasonable requirement that would not serve any valid purpose, or

C. Allow an alternative standard that is clearly proven to provide equal or better results.

2. A modification of provisions of this Chapter shall not be granted if such modification would be contrary to the public interest or would not observe the purpose and intent of this Chapter.

(Ord. 2-89, 2/6/1989, §107)

§108. Fees.

1. The Board of Commissioners has established by resolution a schedule of fees and a collection procedure for all applications and other matters pertaining to this Chapter.

2. The applicant is also required to submit any required review fees to the Joint Planning Commission and the County Conservation District.

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3. Plans shall not be considered filed until all fees are paid and the plans and applications are properly signed as required.

(Ord. 2-89, 2/6/1989, §108)

§109. Alternate or Multiple Plans; Plan Resubdivisions; Plan Revisions.

1. Alternative or Multiple Plans. Only one (1) plan concerning any area of land shall be actively before the Township for review at any one (1) moment in time.

2. Resubdivisions. A proposed resubdivision of a final plan approved by the Board of Commissioners shall be considered as a new subdivision and shall come under the jurisdiction of this Part as such.

3. Plan Revisions. A proposed revision to a final plan approved by the Board of Commissioners, other than a resubdivision, shall be submitted to the Township, at the option of the applicant, for either review by the Planning Commission and decision by the Board of Commissioners pursuant to subsection (4), infra, or administrative review and decision pursuant to subsection (5), infra. Any request for approval of such revision shall be submitted in writing and shall be accompanied by a revised plan, plant note, detailed view or other graphic or textual material which illustrates or describes the revision. The applicant shall also pay any plan revision application and review fees charged by the Township. The Township shall have the right to specify and require changes in the format of the revision. The decision whether a revision shall be eligible for administrative review and decision shall be made by and require the unanimous concurrence of the Township Manager, the Director of Planning and the Township Engineer who shall submit a written report applying the criteria set forth in subsection (5), infra. In the absence of such concurrence, the Township shall notify the applicant that the revision has been determined to be ineligible for administrative review and decision, whereupon the applicant may resubmit the revision to the Township for review by the Planning Commission and decision by the Board of Commissioners pursuant to subsection (4), infra. In the event an applicant elects to submit a revision for administrative review and decision, such applicant shall thereby waive the requirements of Article V of the Pennsylvania Municipalities Planning Code relating to review by the Planning Commission and decision by the Board of Commissioners and the requirements of §508 of the Pennsylvania Municipalities Planning Code relating to time limitations upon the rendering of a decision and communication thereof by the Board of Commissioners. Such waiver shall remain in effect until and unless the Township receives, in writing, a request by the applicant to withdraw such revision from the administrative review and decision process and to resubmit the revision to the Planning Commission for review and decision process and to the Board of Commissioners for decision pursuant to subsection (4), infra. The requirements of Article V of the Pennsylvania Municipalities Planning Code for review by the Planning Commission and decision by the Board of Commissioners and the requirements of §508 of the Pennsylvania Municipalities Planning Code relating to time limitations upon the rendering of a decision and communication thereof by the Board of Commissioners, shall become applicable upon receipt by the Township of such written withdrawal and resubmission request.

4. Final Plan Revision Review by Planning Commission and Decision by the Board of Commissioners. Any request for review and approval of a revision to a final plan approved by the Board of Commissioners shall be submitted by the applicant, in writing, to the Planning Commission for review and to the Board of Commissioners for decision, unless such request has been approved by the Township as eligible for administrative review and decision. Any provision of subsection (5), infra, to the contrary notwithstanding, no request for revision shall be submitted by an applicant for administrative review and decision or be eligible for or receive administrative approval but shall be submitted by the applicant to and require review by the Planning Commission and decision by the Board of Commissioners, if such revision involves any one (1) or more of the following:

A. Any waiver, variance or any other modification to any of the requirements of any governing ordinance including, but not limited to, this Subdivision and Land Development Ordinance, the Zoning Ordinance [Chapter 27], the Stormwater Management Ordinance [Chapter 26], as applicable, or if such revision does not otherwise fully comply with the requirements of such governing ordinances.

B. Any revision to any plan sheet recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania.

C. Any revision to any lot line.

D. Any revision to the horizontal geometry of any street.

E. The deletion or elimination of any public or common improvement.

F. The location or relocation of any public utility, stormwater management facility or other public improvement, outside the limits of any grant, right-of-way or easement set forth in the final plan as proposed for grant or dedication to the Township.

G. The diversion of stormwater from one (1) drainage area to another.

H. Any revision requiring the consent and/or approval of any person or entity other than the applicant or the Township, unless such person or entity joins in or otherwise consents to and/or approves, in writing, the application for such revision.

I. Any substantial increase in the cost and expense to the Township relating to the acquisition, ownership and/or maintenance of any proposed or existing public improvement.

J. Any other revision not approved by the Township as eligible for administrative review and decision pursuant to the criteria of subsection (5), infra.

5. Final Plan Revision Administrative Review and Decision. A proposed revision submitted by an applicant for administrative review and decision shall be reviewed by the Township Manager, the Director of Planning and the

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Township Engineer by applying the criteria and standards of all applicable governing ordinances. Approval of such revision shall require the unanimous concurrence of the Township Manager, the Director of Planning and the Township Engineer and, in the absence of such concurrence, the revision shall be disapproved. The administrative decision to approve or disapprove the revision shall be made in writing and promptly communicated to the applicant. If at any time such revision is disapproved, or while an administrative decision to approve or disapprove is pending, the applicant may, in writing, withdraw such revision from the administrative review process and resubmit the revision to the Planning Commission for review and the Board of Commissioners for decision pursuant to subsection (4), supra. Any of the following revision may be submitted by an applicant for administrative review and decision and may be administratively approved by the Township, subject to the provisions of subsections (3) and (4), supra.

A. Any revision in the length, size, shape or material of any public utility or stormwater management facility.

B. Any revision of the proposed location of any public utility, stormwater management facility or any required plant material of fifty (50) feet or less.

C. Any extension of stormwater management facilities of fifty (50) feet or less (including pipe, associated headwalls, inlets or other structures).

D. Any addition to the stormwater management system of yard drains or subsurface road drains including, but not limited to, those necessary or desirable to correct or improve identified stormwater management problems.

E. Any revision to any street or utility vertical geometry or profile.

F. Any factual correction to any existing conditions or natural conditions plan sheet or sheets.

G. Any revision to grading that does not change the overall drainage patterns of the final plan.

H. Any changes to any parking lots involving fewer than five (5) parking spaces.

I. Any substitution or addition of trees or plants from a list of Township approved species.

(Ord. 2-89, 2/6/1989, §109; as amended by Ord. 8-99, 6/7/1999, §I)

§110. Township Records.

1. Planning Commission.

A. The Planning Commission shall keep a record of findings, decisions and recommendations relative to all subdivision or land

development plans filed for action by the Planning Commission.

B. Such records shall be open to the public for review.

2. Board of Commissioners.

A. The staff of the Board of Commissioners shall keep a record of the findings, decisions and recommendations relative to all subdivision or land development plans filed for action by the Board of Commissioners.

B. Such records shall be open to the public for review.

(Ord. 2-89, 2/6/1989, §110)

§111. Amendments.

1. The regulations set forth in this Chapter may, from time to time, be amended by the Board of Commissioners.

2. A public hearing (held pursuant to public notice) on the proposed amendment shall be held by the Board of Commissioners.

3. The Township staff shall submit each proposed amendment (other than an amendment prepared by the Planning Commission) to the Commission for recommendations at least thirty (30) days prior to the date set for the public hearing on such proposed amendment.

4. The Board of Commissioners shall submit any proposed amendment to the Joint Planning Commission. The proposed action shall not be taken until the Joint Planning Commission recommendation is made or until forty-five (45) days have passed.

(Ord. 2-89, 2/6/1989, §111)

§112. Appeals to Courts. Decisions by the Board of Commissioners may be appealed in accordance with the Pennsylvania Municipalities Planning Code, as amended. (Ord. 2-89, 2/6/1989, §112)

§113. Enforcement.

1. Enforcement. The Board of Commissioners shall authorize one (1) or more persons to enforce the provisions of this Chapter and the accompanying design standards and improvement specifications.

2. Inspection. Any action under this Chapter shall be subject to onsite inspection by the Township or its authorized representatives to ensure that there is compliance with this Chapter, other Township Chapters and the approved plans.

3. Remedies. Any actions inconsistent with the provisions of this Chapter shall be subject to a cease and desist order and other appropriate measures by the Board of Commissioners, or their authorized representatives.

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(Ord. 2-89, 2/6/1989, §113)

§114. Penalties and Violations. See §515 of the Pennsylvania Municipalities Planning Code, as amended. (Ord. 2-89, 2/6/1989, §114)

§115. Liability. Neither the approval nor the granting of any building permit, floodplain permit, site plan review, subdivision approval, land development approval, zoning permit, erosion review, storm water runoff review, steep slope review or any other review or permit of this Chapter, involving any land governed by the provisions of this Chapter, by an officer, employee or agency of the Township, shall constitute a representation, guarantee or warranty of any kind by the Township, or its employees, officials or agencies, of the practicality or safety of any structure, use or subdivision, and shall create no liability upon, nor a cause of action against such public body, official nor employee for any damage that may result pursuant thereto. (Ord. 2-89, 2/6/1989, §115)

§116. Professional Certification. All plans shall comply with applicable State professional certification laws, including the State Professional Engineer's Registration Law. All preliminary, final and as-built plans for a subdivision or land development and all stormwater calculations shall be certified, signed and sealed by the appropriate design professional and as directed within the regulations of the State Registration Board for Professional Engineers, Land Surveyors and Geologists. All subdivisions of land shall be certified, signed and sealed by a professional land surveyor. (Ord. 2-89, 2/6/1989, §116; as amended by Ord. 1-95, 3/6/1995, §1)

§117. Severability. It is hereby declared to be the legislative intent that:

1. If a court of competent jurisdiction declares any provisions of this Chapter 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 Chapter shall continue to be separately and fully effective.

2. The Board of Commissioners hereby declares that it would have passed this Chapter and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

(Ord. 2-89, 2/6/1989, §117)

§118. Repealer. All other Township ordinances or parts thereof that were adopted prior to this Chapter 1 and are clearly in conflict with this Chapter 1, including the preexisting Bethlehem Township Subdivision and Land Development Chapter, as amended, except any provisions that are specifically referenced by this Chapter, are hereby repealed. (Ord. 2-89, 2/6/1989, §118)

§119. State Planning Code Amendments. The provisions of this Chapter that only repeat or reference provisions of the State Planning Code shall be deemed to be automatically superseded and replaced by any applicable amendments to the State Planning Code. (Ord. 2-89, 2/6/1989, §119)

§120. Land Development Requirements. Unless specifically stated, a

"land development" shall be required to follow all of the same submission requirements, review procedures and other requirements of this Chapter as a "major subdivision." (Ord. 2-89, 2/6/1989, §120)

Part 2

Definitions

§201. General Interpretation.

1. For the purposes of this Chapter, words and terms used herein shall be interpreted as listed in §202 of this Chapter.

2. If a word is not defined by this Chapter, but is defined by the Zoning Ordinance, as amended [Chapter 27], the Zoning Ordinance definition shall apply.

3. If a word is not defined by this Chapter, but is defined by the Stormwater Management Ordinance [Chapter 26], the Stormwater Management Ordinance definition shall apply.

4. The word "includes" shall mean to specifically include an item but not necessarily limited to such items.

5. Any word or term not defined in this Chapter or the Zoning Ordinance shall be used with a meaning of standard usage, within the context of the provision, as determined by the Administrator of this Chapter.

(Ord. 2-89, 2/6/1989, §201)

§202. Definitions. When used in this Chapter, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

ACT 247 - The "Pennsylvania Municipalities Planning Code," Act 247 of 1968, as amended.

ACTIVE RECREATION AREA - an area that is expressly designated, and in the opinion of the Board of Commissioners suitable, for playing fields, sports courts and/or facilities such as swimming pools, locker rooms, recreation centers, gymnasiums and pavilions. Such an area shall have adequate access to an existing or proposed public street, shall not have slopes exceeding five (5) percent, shall not be within a designated floodplain or wetland area, shall not be smaller than three (3) contiguous acres (including any abutting active recreation area) and shall not be encumbered by utility or other easements or restrictions that make such area unsuitable for its intended use. [Ord. 2-98]

ADMINISTRATOR - one (1) or more Township officials duly authorized by the Board of Commissioners to administer this Chapter.

APPLICANT - a landowner or developer who has filed an application for a subdivision or land development, including his heirs, successors and assignees.

APPLICATION, COMPLETE - the submission of all applicable forms, plans and supporting information required by this Chapter and the

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Township Stormwater Management Ordinance [Chapter 26].

BLOCK - property bounded on one side by a street, and on the other three (3) sides by a street, railroad right-of-way, public park, waterway, municipal boundary, tract of land held in separate ownership, or any combination thereof.

BLOCK FRONTAGE - that distance of a block that abuts a single street.

BOARD OF COMMISSIONERS - the Board of Commissioners of the Township of Bethlehem.

BOUNDARY LINE ADJUSTMENT - the revision of a lotline in such a way that no new lot is created, no street is created, extended or changed in alignment, that no additional nonconformities will be created under the Zoning Ordinance and that no new land development will occur other than a land development that was previously approved.

CHAPTER, THIS - the "Bethlehem Township Subdivision and Land Development Ordinance" and any provisions or amendments thereof, enacted by the Board of Commissioners.

COMMISSION - the Planning Commission of the Township of Bethlehem.

DER - the Pennsylvania Department of Environmental Resources.

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

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

DWELLING TYPES - see definitions in the Township Zoning Ordinance [Chapter 27].

EASEMENT - a grant by the property owner to the public, a corporation, a person, or group of persons, or another tract- of land of a use of land for specified purposes.

ENGINEER, PROFESSIONAL - a person licensed to practice as a professional engineer in the Commonwealth of Pennsylvania.

ENGINEER, TOWNSHIP - the registered professional engineer designated by the of Commissioners to perform all duties required of the Engineer by the provisions of this Chapter.

GRADE - the elevation of ground or paving.

JPC - Joint Planning Commission, Lehigh-Northampton Counties, or

its successor agency.

LAND DEVELOPMENT - as defined by the State Municipalities Planning Code, as amended. (As of 1989, this definition included the following: The improvement of one (1) or more contiguous lots, tracts, or parcels of land for any purpose involving either or both of the following:

(1) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure, or

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

In addition, "land development" shall specifically exclude the following:

(3) The construction of only one (1) accessory agricultural building, that is not intended for the storage of animal wastes or the storage or feeding of animals, or

(4) The conversion of an existing single family detached dwelling into only two (2) dwelling units.

LANDOWNER - the owner of a legal or equitable interest in land, including the holder of a formal option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee (if he is authorized under the lease to exercise the right of the landowner), or other person having a proprietary interest in land.

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

LOT LINE ADJUSTMENT - see "Boundary Line Adjustment.."

LOT, REVERSE FRONTAGE - a lot that abuts a public street on one (1) side of the lot, but has vehicular access only from a public street on the opposite side of the lot.

MAINTENANCE AGREEMENT - an agreement in a form and manner acceptable to the Board of Commissioners requiring the developer of improvements which have been dedicated to make any repairs or reconstructions and to maintain such improvements for a certain period.

MAINTENANCE GUARANTEE - financial security which is acceptable to the Township to secure the promise made by a developer in the Maintenance Agreement that dedicated improvements shall be maintained by the developer. (Note- these guarantees typically include acceptable letters

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of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

MOBILE HOME SPACE - an area of land in a mobile home park, improved with the necessary utility connection and other appurtenances necessary for the placement thereon of a single mobile home, with the land leased or rented by the park owner to the occupants of the mobile home placed on the lot.

MUNICIPALITIES PLANNING CODE - the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, or its successor legislation.

NATURAL RESOURCE AREA - an area that is, in the opinion of the Board of Commissioners, deserving of protection from development, as including floodplains, wetlands, ponds, waterways, steep slopes, alluvial soils and/or woodlands. [Ord. 2-98]

OPEN SPACE - a parcel or parcels of land, or an area of water, or a combination of land and water which is not occupied by streets, existing or proposed to be dedicated street rights-of-way, buildings or off-street parking and that is dedicated to the public or privately preserved with the approval of the Board of Commissioners. For the purposes set forth in §1007 of this Chapter, such open space shall, in addition, meet one (1) or more of the following definitions:

- (1) Active recreation area.
- (2) Passive recreation area.
- (3) Natural resource area.

[Ord. 2-98]

OPEN SPACE, COMMON - an area of land and/or water within a subdivision or land development tract that is open space designed and intended for the common recreational use of residents of a development or the general public, that is permanently preserved as common open space and that does include any part of the setback areas required for individual dwellings or buildings or uses under the Zoning Ordinance [Chapter 27].

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

PARKING - outdoor areas or specially designed buildings or garages used for the storage of vehicles. Unless otherwise stated, shall mean off-street parking.

PASSIVE RECREATION AREA - an area that is expressly designated and, in the opinion of the Board of Commissioners, suitable for nature programs, trails and/or picnicking. Such an area shall be not smaller than two (2) contiguous acres (including any abutting open space) and shall not be encumbered by utility or other easements or restrictions that make such area unsuitable for its intended use. [Ord. 2-98]

PATHWAY - a pedestrian accessway which is not adjacent to a street or access drive and conforms with this Chapter.

PENNDOT - the Pennsylvania Department of Transportation.

PLANNED RESIDENTIAL DEVELOPMENT OR PLANNED UNIT DEVELOPMENT - a type of subdivision or land development that is regulated under this Chapter, except for provisions that are specifically modified by the PRD or PUD Ordinance.

PERFORMANCE GUARANTEE - financial security which is acceptable to the Board of Commissioners to secure the promise made by a developer in the Development Agreement that certain improvements shall be made by the developer. (Note- this typically includes acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

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

A. SKETCH PLAN - an informal plan, identified as such with the title "Sketch Plan" on the map, indicating the general layout of the proposed subdivision.

B. PRELIMINARY PLAN - a complete plan, identified as such with the title "Preliminary Plan," accurately showing proposed streets and lot layout and such other information as required by this Chapter.

C. FINAL PLAN - a complete and exact plan, identified as such with the title "Final Plan," prepared for official recording as required by this Chapter to define property rights and proposed streets and other improvements.

PLANNING COMMISSION - see "Commission."

RESUBDIVISION - the submittal of required plans to modify or replace a previously approved subdivision.

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

SITE PLAN - unless otherwise stated, a required plan submitted under the requirements of the Township Zoning Ordinance [Chapter 27].

SOIL CONSERVATION DISTRICT - the Soil and Water Conservation District for Northampton County, or its successor agency.

SOIL SURVEY - the latest version of the official 'foil Survey of Northampton County, published by the U. S. Soil Conservation Service, or its successor reference.

STATE - the government of the Commonwealth of Pennsylvania and its relevant subparts.

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STREET - a public or private thoroughfare which affords the principal means of access to abutting property or that is an expressway, but not including an alley or a driveway.

STREET CLASSIFICATION - see the Official Street Classification Map, which was adopted as part of the Township Zoning Ordinance. This map classifies streets as expressway, arterial, connector, collector or local streets.

STREET CUL-DE-SAC - a type of street which is terminated at one end by a permitted turn-around and which intersects another street at the other end.

STREET, MARGINAL ACCESS - a type of local street which is parallel and adjacent to collector or arterial streets and provides access to abutting properties.

SUBDIVIDER - see "Developer."

SUBDIVISION - as defined by the State Municipalities Planning Code, as amended. (As of 1989, this definition was as follows:

A. The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development.

B. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling is not a subdivision.)

SUBDIVISION, MAJOR - any subdivision of land which does not qualify as a minor subdivision.

SUBDIVISION, MINOR - either of the following, other than a land development:

A. A subdivision:

(1) Into only two (2) or three (3) :Lots that are clearly agricultural lots of at least ten (1.0) acres each and/or single family detached residential lots, and

(2) Which involves no extension of public facilities, no new street, nor an extension of an existing street, and which has not involved the subdivision approval of at least three (3) Lots on the tract within the five (5) previous years.

B. Any subdivision which only is:

(1) For the purpose of joining or annexing a lot to an existing lot, parcel, or tract of land; and

(2) Provides a covenant in the deed of the lot to be conveyed which makes it an inseparable part of the parcel to which it is joined.

SUBDIVISION ORDINANCE - the "Bethlehem Township Subdivision and Land Development Ordinance," as amended.

SUBSTANTIALLY COMPLETED - in the judgment of the Township engineer at least ninety (90%) percent (based upon the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

TOWNSHIP - the Township of Bethlehem, Northampton County, Pennsylvania. Unless otherwise stated, this shall mean the Board of Commissioners and their authorized agents.

TRACT - one (1) or more abutting or adjacent lots proposed to be subdivided or developed following an overall coordinated plan.

USGS - United States Geological Survey, or its successor agency.

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

WATERCOURSE - any natural or artificial waterway, stream, river, creek, ditch, channel, millrace, canal, conduit, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel and bed and shall include any area adjacent thereto subject to inundation by reason of overflow of floodwaters.

WATER, ON-LOT OR NON-PUBLIC OR NON-CENTRAL SERVICE - service by a water system that does not meet the definition of "Public Water Service."

WATER, PUBLIC OR CENTRAL SERVICE - service by a central water system that is owned and operated by a municipal authority or a PUC regulated water company and that serves more than fifteen (15) dwelling units or principal uses.

(Ord. 2-89, 2/6/1989, §202; as amended by Ord. 2-98, 6/15/1998, §I)

Part 3

Overview of General Procedures

§301. Purposes. This Part provides an overview of the general procedure for the Township review of proposed subdivisions and land developments (§302) and of the general procedures for submitting plans to the Township (§303). Two (2) generalized exemplary flowcharts are included at the end of this Part to show the general subdivision process for Major and Minor Subdivisions. (Ord. 2-89, 2/6/1989, §301)

§302. General Procedure for Subdivisions and Land Developments.

1. Review and Approval Stages.

A. Three (3) types of plan submission are included in the procedure for filing and approval of subdivision and land development plans: Sketch, Preliminary, and Final.

B. The Table below outlines the stages for the different types of proposed subdivision or land development.

		Type of Proposed Subdivision or Land Development*		
Stage	Subdivision Ordinance Part	Land Development	Major Subdivision	Minor Subdivision or Boundary Line Adjustment
Sketch Plan	4	Recommended	Recommended	Recommended
Preliminary Plan	5	Required	Required	Not Required
Final Plan	6	Required	Required	Not Required **
Guarantee of Installation	8	Required	Required	Required
Recording of Final Plan	9	Required	Required	Required

*See definitions in Part 2.

**See Part 7 for Minor Subdivision Final Plan filing and review requirements. See §705 for submission requirements for a boundary line adjustment.

2. Sketch Plan.

A. While a Sketch Plan is not required, it is strongly recommended that it be filed to allow the Applicant to consult early and informally with the Planning Commission before preparing a Preliminary Plan. This will often avoid expensive redesign and delay to the

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applicant.

B. Comments made by the Township on the Sketch Plan are not by themselves binding upon the Township.

3. Preliminary Plan.

A. The initial plan required to be filed to the Commission for formal review of a major subdivision or land development shall be the official preliminary plan.

B. Minor subdivisions and boundary line adjustments are not required to file a preliminary plan.

C. The purpose of the preliminary plan is to achieve formal approval of the overall development scheme proposed in order to minimize the need for any revisions of final plans.

4. Final Plan.

A. After approval of the preliminary plan of a major subdivision or land development, the applicant files a final plan.

B. The purpose of the final plan is to obtain formal approval from the Board of Commissioners before plans for all subdivisions and land developments are recorded.

5. Guarantee of Improvements Installation. Where improvements are required by this Chapter, the Township and applicant shall enter into a development agreement and the Applicant shall post financial security acceptable to the Township in an amount sufficient to cover the costs which may be required. See Part 8.

6. Recording of Final Plan. (see Part 9) All final plans shall be officially recorded in the office of the County Recorder of Deeds prior to the sale of any lots within a subdivision or the construction of any building.

(Ord. 2-89, 2/6/1989, §302)

§303. General Plan Submission Procedures.

1. Submission. Applicants shall submit any sketch plan that is submitted and all required preliminary and final plans [and] all required accompanying information to the Township Administrator by delivery in person. Said plans shall be filed at least twenty-one (21) days prior to the regularly scheduled Planning Commission meeting at which the plan may be reviewed.

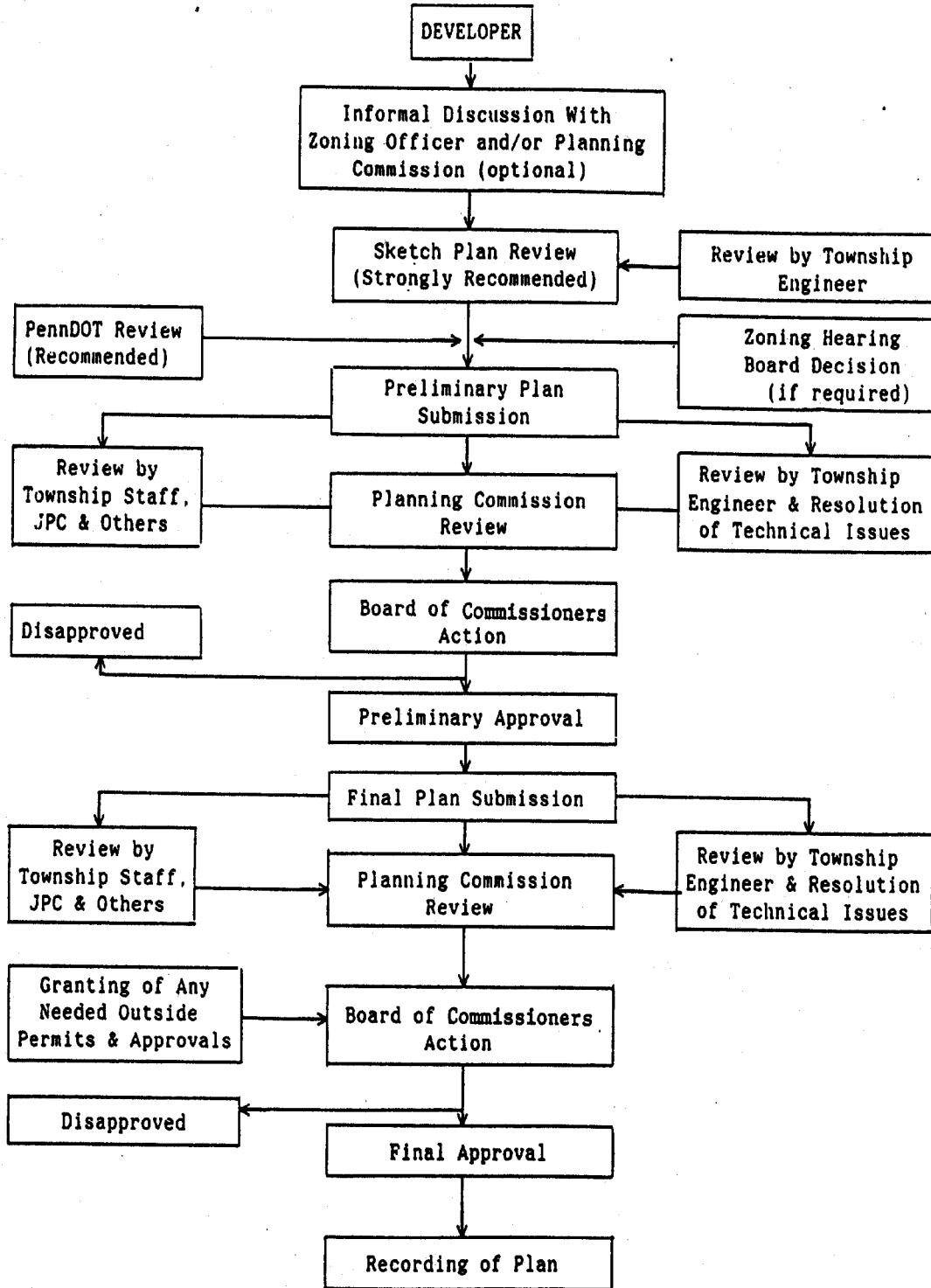
2. Completeness. The Administrator shall review the submission items filed against a checklist for completeness and shall reject any submission and seek to return the submission and filing fees of an application that the Administrator determines is significantly incomplete.

C. Meeting Attendance. The applicant and or his representatives shall endeavor to attend meetings involving the discussion of the applicant's application.

D. Action by the Commission and the Board of Commissioners. Within ninety (90) days following the date of the regular meeting of the Commission, next following the date the Application is filed, the Commission shall make a recommendation to the Board of Commissioners, and the Board of Commissioners shall act to approve, conditionally approve or disapprove the plan.

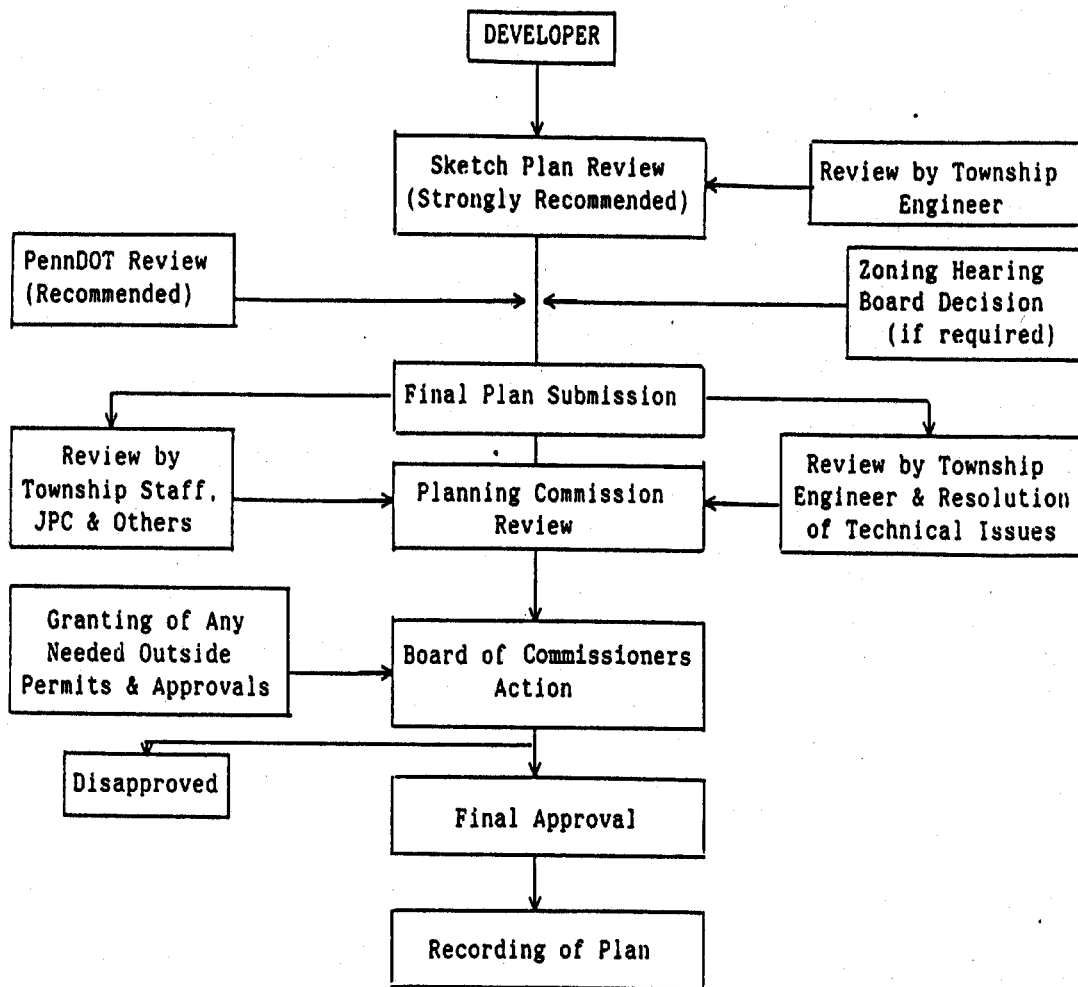
(Ord. 2-89, 2/6/1989, §303)

GENERALIZED PROCESS FOR A MAJOR SUBDIVISION OR LAND DEVELOPMENT



GENERALIZED PROCESS FOR A MINOR SUBDIVISION OR LAND DEVELOPMENT

(CHART)



Part 4

Sketch Plan

§401. Pre-plan Consultation. Prior to submission of a sketch plan, applicants for larger developments are encouraged to informally discuss their intent with the Zoning Officer, Township Administrator and/or Planning Commission. (Ord. 2-89, 2/6/1989, §401)

§402. Sketch Plan Submission and Drawing Requirements.

1. Prior to the submission of a preliminary plan, applicants are very strongly encouraged to submit a sketch plan. A sketch plan review often allows an applicant to save substantial time and engineering costs, because many concerns about layout and issues concerning Township ordinances can be resolved prior to detailed engineering, thereby reducing the need for future redesign at a more detailed stage.

2. Sketch plans shall be subject to the review of the Township staff, the Township Engineer, the Planning Commission and the Board of Commissioners, however, no official action shall be required on a sketch plan.

3. When submitted, sketch plans and the accompanying application shall be submitted to the Plans Administrator a minimum of twenty-one (21) days prior to the Planning Commission meeting at which the applicant desires review.

4. Prints. When submitted, fifteen (15) print copies of the sketch plan shall be submitted in accordance with the provisions of this Part.

5. Drawing Requirements. A sketch plan shall be drafted to scale and shall include the following:

A. Approximate property boundaries (may be obtained from County Tax Map or similar sources).

B. General directions of natural drainage, any creeks or large drainage channels, approximate areas of any slopes over fifteen (15%) percent and any areas of woods.

C. Proposed lot and street layout with approximate or average areas of lots and existing and proposed widths of street right-of-way and street cartways.

D. Site data including:

(1) Acres of entire tract

(2) Number of lots and dwelling units (and types of dwellings if other than single family detached dwellings)

(3) Zoning District and minimum lot area and minimum tract area (if applicable)

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E. North arrow and graphic and written scale, and preliminary name of project (may be owner's name).

F. Approximate proposed building locations (if known) and proposed types of uses (if non-residential).

G. A location map showing the general location of -the project in relation to adjacent lots, streets and waterways (such as from the Township Zoning Map or USGS map, at scale no smaller than. one (1) inch equals 2000 feet).

H. Approximate location of any area within the 100-Year floodplain (from Federal Insurance Administration map).

I. General provisions for storm water management, and if any detention basins are proposed to be maintained by the Township or homeowners or homeowner associations.

J. Whether the applicant proposes to dedicate common open space or fees-in-lieu of land and the proposed locations of any common open space and whether any open space is proposed to be maintained by the Township or a homeowner association.

K. General information on the methods and feasibility of providing water and sewer service.

L. Land uses of adjacent lots, and any zoning district boundaries in the area. Approximate locations of buildings within two hundred (200) feet of the project.

M. Plans to a scale of one inch equals one hundred feet (1" = 100') or larger.

N. Name and address of person responsible for the preparation of the plans, and the date of preparation and any revision.

O. Approximate locations of possible wetlands.

6. JPC Review. If a subdivision or land development would be expected to have regional impact, one copy of the sketch plan should be submitted to the Joint Planning Commission for an informal review.

(Ord. 2-89, 2/6/1989, §402)

Part 5

Preliminary Plan

§501. Purpose. The purpose of the preliminary plan is to achieve formal approval of the overall development scheme proposed in order to minimize the need for any revisions of final plans. (Ord. 2-89, 2/6/1989, §501)

§502. Submission and Review Procedure.

1. Preliminary Plan Submission Required.

A. A preliminary plan submission for a major subdivision or land development shall be filed by the applicant and reviewed in accordance with the provisions of this Part.

B. A preliminary plan submission is not required for a minor subdivision or a submission that only involves a boundary line adjustment (see Part 7).

C. The Applicant should make an appointment with the plans administrator to submit the plans.

2. Required Submissions.

A. Applicant's Initial Submission. The applicant shall file with the Administrator at least twenty-one (21) days prior to a regularly scheduled Planning Commission meeting at which the applicant desires any initial submission of plans to be considered:

(1) The required fees.

(2) Original and fourteen* (14) copies of the application form (see Appendix "A").

(3) Four* (4) copies of the preliminary plan checklist (see Appendix "B").

(4) Fourteen* (14) print copies of the preliminary plan.

(5) Four* (4) sets of supportive documents.

(6) Twelve* (12) copies of all relevant correspondence and review letters.

B. Applicant's Resubmission. The applicant shall file with the Administrator at least twenty-one (21) days prior to a regularly scheduled Planning Commission meeting at which the applicant desires any resubmission of plans to be considered:

(1) Twelve* (12) print copies of the preliminary plan.

(2) Four* (4) sets of any new and/or revised supportive documents.

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(3) Twelve* (12) copies of any new relevant correspondence and review letters.

[*NOTE: The Township may require an applicant to submit additional copies.]

C. Administrator's Distribution. The Administrator shall forward plans to the following agencies to seek their comments prior to final plan approval (as applicable).

(1) Municipal Authority or Sewage Enforcement Officer (as applicable).

(2) Public Safety Committee.

(3) Township Engineer.

(4) Township Solicitor.

(5) Parks and Recreation Committee.

(6) Public Works Department.

D. Applicant's Distribution. The applicant is fully responsible for the following:

(1) Contacting utility companies, as appropriate, including the appropriate water company or authority, if applicable.

(2) (Recommended) Seeking at least an informal review by PennDOT of any proposed access onto a State road and providing PennDOT with sufficient information for such a review.

(3) Determining whether any permits or approval are needed from any agency outside of the Township, including DEP (including any obstruction to a waterway) and the Army Corps of Engineers (including determining whether any "wetland" will be disturbed).

(4) Applying to the Lehigh Valley Planning Commission

[Ord. 2-98]

3. Initial Actions by the Administrator.

A. Completeness. The Administrator shall review the submission items filed against a checklist for completeness and shall reject any submission and seek to return the submission and filing fees of an application that the Administrator determines is significantly incomplete. Any such determination shall occur within fifteen (15) days of filing by an Applicant. The Administrator may request an advisory opinion by the Township Engineer on whether a submittal is significantly incomplete. If the submittal is rejected, no further action is required by the Township and no deemed approval shall occur.

B. If the submittal is accepted, the Administrator shall forward a copy of the preliminary plan and supportive documents to the Township Engineer for review, prior to the next regularly scheduled meeting of the Township Planning Commission.

C. The Administrator shall retain in the Township's files one (1) copy of all materials submitted by the Applicant, including the application form and the preliminary plan checklist.

D. The Administrator shall forward to the Commission at or before the next regularly scheduled meeting of the Commission the following:

a. Seven (7) copies of the Application Form, b. seven (7) copies of the Preliminary Plan Checklist, c. Seven (7) copies of the Preliminary Plan, and d. the remaining sets of Supportive Documents.

E. Adjacent Municipalities. If any portion of a major subdivision or land development would occur within one thousand (1,000') feet of the boundary of another municipality or would clearly have a regional impact upon a municipality, the Administrator should require an Applicant to provide a copy of the layout plan that can be forwarded to that municipality for an advisory review.

4. Initial Actions by the Commission.

A. The Commission may begin review of a preliminary plan submission at its first regularly scheduled meeting after the submission is properly filed within the required time period to the Administrator.

B. Zoning Variances. An application under this Chapter shall not be considered to be complete if one (1) or more zoning variances will be required for the subdivision or land development to legally occur as submitted, until such time as the needed zoning variances have been granted. If the Planning Commission becomes aware that the zoning variance has been lawfully appealed, the Planning Commission may table a submission until that appeal is resolved.,, if the Commission determines that the variance is clearly needed for the feasibility of the proposal as submitted.

5. Review by Township Engineer.

A. The Township Engineer shall review the engineering considerations of all duly submitted preliminary plans and prepare a report on such considerations to the Commission. The Township Engineer may make additional reports and recommendations to the Commission and the Commissioners during the review process.

B. In reports by the Township Engineer, matters that should be dealt with directly by the Planning Commission and/or the Board of Commissioners should be listed separately from technical engineering considerations. These non-technical concerns should be made available to the Planning Commission at least seven (7) days prior to each

meeting.

C. The Applicant and/or his engineer shall make reasonable efforts to resolve technical engineering considerations outside of Planning Commission meetings. The Township Engineer may require the Applicant or his engineer to meet with him for this purpose.

D. copy of findings of the Township Engineer should be sent or handed in person to the Applicant or his engineer or agent.

6. Review By Planning Commission and Parks and Recreation Committee.

A. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of the Act 247 (unless the applicant submits a request for an extension of time which is accepted by the Township), while allowing a sufficient number of days within such time limitation for a decision by the Board of Commissioners:

(1) Review all applicable reports received from any official reviewing agencies.

(2) Visit the site, if necessary.

(3) Determine whether the preliminary plan submission meets the requirements of this Part and other applicable ordinances and statutes.

(4) Review the preliminary plan submission with the applicant, its agent or representative (if present) and recommend any needed revisions so that the submission will conform to this Part and other applicable ordinances and statutes.

(5) Recommend approval, conditional approval or disapproval of the preliminary plan submission in a written report to the Board of Commissioners, specifying any recommended conditions for approval, identifying any defects found in the application, describing any requirements which have not been met, citing the provisions of any ordinance relied upon.

(6) The Planning Commission's report should be mailed to the last known address of or reported in person to the applicant or its agent.

B. Review by the Parks and Recreation Committee. The Bethlehem Township Parks and Recreation Committee shall accomplish the following within sixty (60) days of receipt of a plan:

(1) Review the application, plans and any other relevant information submitted by the applicant.

(2) Visit the site, if necessary.

(3) Determine if any open space that is proposed for

dedication to the Township meets the criteria for accepting recreation land, as adopted in Table 10-3 of the Comprehensive Park, Recreation and Open Space Plan.

(4) Meet, if necessary, with the applicant or its representative to discuss its options regarding compliance with §1007 of this Chapter.

(5) Prepare written recommendations to the Board of Commissioners, with copies to the applicant and the Planning Commission.

[Ord. 2-98]

7. Review by Board of Commissioners. The Board of Commissioners shall:

A. Review the reports of all Township agencies.

B. Review any reports of official reviewing agencies that have been received, including the Township Engineer and Township staff.

C. Determine whether the preliminary plan submission meets the requirements of this Part and other ordinances.

D. Approve or reject the preliminary plan submission within the time required by Act 247. (As of 1998, §508 of Act 247 requires the Board of Commissioners to act not later than ninety (90) days following the date of the regular meeting of the 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 (30th) day following the day the application has been filed, unless the applicant submits a request for an extension of time which is accepted by the Township).

E. LVPC Review. No subdivision or land development shall be granted preliminary approval until a report is received from the Lehigh Valley Planning Commission or until the expiration of thirty (30) days from the date the application was forwarded to the LVPC.

[Ord. 2-98]

8. Final Plan Submission Deadline.

A. An Applicant shall file a final plan within five (5) years from the date of the approval of the preliminary plan by the Board of Commissioners, unless an extension in writing has been granted by the Board of Commissioners,

B. Failure to comply with this requirement shall render the preliminary plan null and void, and a new preliminary plan shall be submitted.

9. Development in Stages. See §602(10).

(Ord.2-89, 2/6/1989, §502; as amended by Ord. 2-98, 6/15/1998, §II)

§503. Preliminary Plan Requirements.

1. Plans Required.

A. The following plans shall be required for Fill major subdivisions and land developments and shall show the information listed under each subsection of this §503, as applicable, including the following:

- (1) Layout plan (see §§503(2), (3), (4), and (5))
- (2) Grading and storm drainage plan (see §§503(2), (3), (4) and (6) and the Township Stormwater Management Ordinance)
- (3) Utility plan (see §§503(2), (3), (4) and (7))
- (4) Road profiles (see §§503(2), (3) and (10))
- (5) Water main and sanitary sewer profiles (see §§503(2), (3) and (11))
- (6) Storm sewer profiles (see §§503(2), (3) and (11))
- (7) Soil erosion and sedimentation plan (see §§503(2), (3) and (9))
- (8) Landscaping plan (see §§503(2), (3) and (8))

B. The plans listed in §503(1)(A) may be combined (such as road profiles and storm sewer profiles), provided that the clarity of such plans will not be impaired.

2. Drafting Standards Required for All Plans.

A. Plans shall be prepared on a standard sheet of 18" x 24", 24" x 36", 30" x 42" or 36" x 48" (maximum).

B. All information shall be legibly and accurately presented.

C. If plans involve more than one (1) sheet, a plan shall also be submitted showing the overall layout on one (1) sheet. This plan should be at a scale of one inch equals one hundred feet (1" = 100') or other scale preapproved by the Township Engineer.

D. If plans involve more than one (1) municipality, a plan shall also be submitted showing the overall layout of the entire project on one (1) sheet.

E. (1) Plans shall be drawn at a scale of one inch equals fifty feet (1" = 50').

(2) Profiles shall be drawn at a scale of:* (a) 1 inch = 50 feet horizontal and (b) 1 inch = 50 feet vertical.

*Or other scales preapproved by the Township Engineer.

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

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

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

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

J. The boundary line of the site shall be shown as a heavy line.

3. General Information Required on All Plans and Profiles.

A. Titled: "Preliminary Plan"

B. Sheet title (such as "layout plan")

C. Name and location of subdivision or land development, and a unique drawing number

D. Graphic and written scales

E. Date of plan and all subsequent revision dates and submission dates

F. Name and address, signature and seal on the plan preparer's statement (see Appendix C and §116)

4. Information Required On All Layout Plans, Grading and Storm Drainage Plans, Utility Plans and Erosion and Sedimentation Plans.

4. Information Required On All Layout Plans, Grading and Storm Drainage Plans, Utility Plans and Erosion and Sedimentation Plans.

A. General information:

(1) North arrow (with reference meridian)

(2) Site boundaries with closure of 1 in 10,000

(3) Boundaries of all adjoining properties with names of landowners

B. Location of the following proposed features on the tract:

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(1) Streets and rights-of-way (including name, cartways width, right-of-way width and centerline)

(2) Lot layout, with identification number for each lot.

5. Layout Plan-Required Information.

A. Names of landowner and developer (with addresses)

B. Owner's statement of acknowledgment (see Appendix C)

The Owner shall acknowledge the statement contained in Appendix C before an officer authorized to take acknowledgments, with the statement sealed by a notary public or other qualified officer.

C. Approval/review signature blocks (see Appendix C) for:

(1) Township Board of Commissioners

(2) Township Planning Commission

(3) Joint Planning Commission (for final plan signature)

(4) Township Engineer

D. Location map at a scale no smaller than one inch equals two thousand feet (1" = 2000') (such as USGS map or Township Zoning Map) showing the location of the project in relation to the following features within one thousand (1000') feet of the boundaries of the project: adjacent lots, existing and streets, waterways, zoning district boundaries, and municipal boundaries.

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

(1) Total acreage of site

(2) Applicable zoning district (s)

(3) Total number of lots and dwelling units in the project

(4) Density of dwelling units per acre

(5) Required minimum lot area

(6) Any common open space required and proposed

(7) Whether a public water system or individual wells or another system is proposed

(8) Whether a public sewer system or individual septic systems or another system is proposed

(9) Lineal feet of new street

- (10) Deed source: volume and page
- (11) Tax map: block and lot
- (12) Required minimum setbacks
- (13) Required and proposed ratio of parking spaces to dwellings and other uses (with method of calculation)
- (14) required maximum and proposed building and impervious coverage.

F. Proposed features

(1) Lot area shown on each lot expressed in both square feet and acres, and minimum lot width at minimum building setback line

(2) Streets

(a) Cartways and right-of-way width

(b) Centerline with horizontal curve data, bearings, distances and stations corresponding to the profile

(c) Right-of-way and curb lines with horizontal curve radii at intersections

(d) Beginning and end of proposed construction curbing

(e) Proposed improvements to existing and abutting streets (including cartways widening, right-of-way dedication, alignment improvements and construction improvements)

(f) Tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartways and right-of-way

(g) Sidewalks, with locations of handicapped ramps at intersections and any pedestrian pathways and bikeways

(3) Setbacks. Required minimum setback lines shown on each lot.

(4) Common Open Space (if proposed)

(a) Location and size of each area of common open space

(b) Method of ownership and maintenance responsibilities for any common open space

(c) Description of the intended purposes, improve-

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ments and facilities within the common open space

(5) In projects of other than only single family detached dwellings, proposed buildings and land uses, including the following:

(a) Identification number for any proposed buildings on lots that would include more than one (1) building

(b) Any proposed outdoor storage or display or other special use areas

(c) For a townhouse or garden apartment development, any proposed methods to ensure outdoor privacy between any semi-private areas

(d) Arrangement of parking spaces, aisles within parking lots and off-street loading areas and other paved areas (5) illustrative sketches of buildings are strongly encouraged

(e) The number, area, height and location of signs G. Natural features:

G. Natural Features:

(1) Steep slope areas: 15-25 I, and over 25%

(2) Locations of various soil types (see County Soil Survey), with key characteristics described for each (such as whether it is hydric, or has a depth to water table or to bedrock of less than three (3') feet)

(3) Watercourses, natural springs and lakes (together with names, if any), and wetlands, rock outcrops and sinkholes

(4) Location and classification of areas within the one hundred (100) year floodplain (see official floodplain map)

H. Buildings estimated to be over one hundred (100) years in age that will be impacted, and their name and description.

I. Location of proposed monuments with reference to proposed improvements.

J. The approximate locations of the following within two hundred (200) feet of the boundaries of the site shall be shown: existing and proposed streets, buildings, detention basins, common open spaces, lots, drainage channels.

6. Grading and Stormwater Management Plan- Required Information:

A. (1) Existing and proposed contour lines at minimum intervals
of:

(a) Two (2') feet (if average slope is between 0% and 10%)

(b) Five (5') feet (if average slope is greater than 10%)

(2) These contour intervals shall be based on a field survey or photogrammetric procedure at a scale of one inch equals one hundred feet (1" = 100') or larger. Extrapolation from USGS maps shall not be acceptable. Contours shall be based upon USGS datum. A benchmark shall be indicated within the site based upon USGS datum.

B. Street centerlines and stationing.

C. Storm drainage.

(1) Locations of existing and proposed stormwater facilities, including detention basins (with capacity, side slope, grading and depth), swales (with capacity), pipes (with sizes) and inlets (with invert elevation of flow line and grade at the top of each inlet).

(2) Watershed areas for each drainage structure or swale.

(3) Drainage easements.

(4) Required design year standards for culverts, bridge structures and/or other storm facilities.

(5) Location of all underground utilities.

(6) Entity proposed to own and maintain any detention basin.

(7) Stationing of storm sewers (with stations corresponding to profile).

(8) See also the requirements of the Township Stormwater Management Ordinance [Chapter 26].

(9) Benchmark of vertical control based upon USGS datum.

7. Utility Plan- Required Information:

A. If on-lot sewage disposal systems are proposed:

(1) Existing and proposed contour lines.

(2) Proposed location of wells.

(3) Proposed or typical location of dwelling.

(4) Proposed location of each subsurface disposal field and

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an alternate field for each lot.

(5) Location of percolation test holes and soil probe pit.

(6) Permanent and seasonal high water table areas.

(7) All existing wells and septic systems within one hundred (100') feet of the project.

B. If a centralized sewage system is proposed:

(1) Location and size of lines and laterals, with stations of lines corresponding to the profile.

(2) Locations of manholes, with invert elevation of flow line and grade at top of each manhole.

(3) Property lines and ownership, with details of easements where required.

(4) Beginning and end of proposed construction.

(5) Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines.

(6) Distance of sanitary sewer connections that will be needed to reach existing lines.

(7) Manhole numbers assigned by the Township Municipal Authority.

(8) Separation distances from water lines and locations of concrete encasements.

C. If centralized water service is proposed:

(1) Location and size of waterlines.

(2) Fire hydrant locations.

(3) Distance of water line connections that will be needed to reach existing lines.

D. If on-lot water system is being proposed, location of all wells (existing and proposed) and all existing septic systems within one hundred (100') feet of the project boundaries.

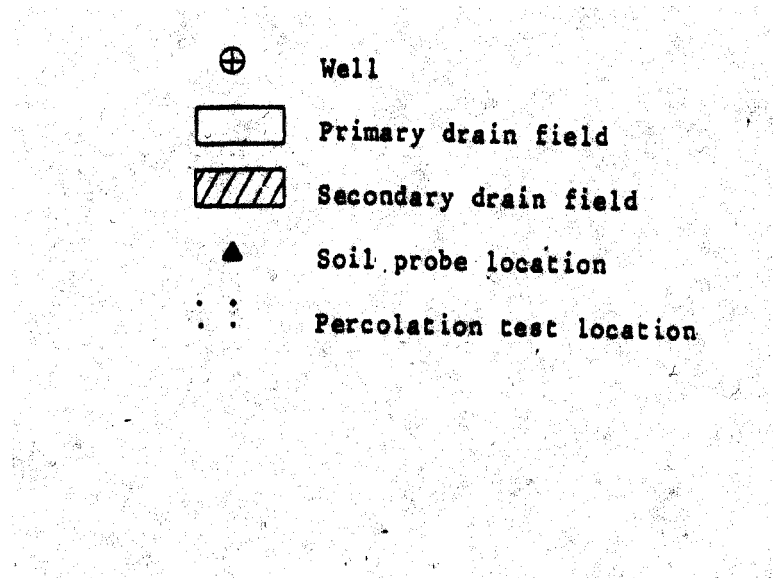
E. Existing and proposed street and parking lot lighting.

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

G. Underground utility lines (including water, sewer, gas

electricity and telephone) and any overhead electrical high-voltage lines.

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



8. Landscaping Plan - Required Information:

A. Treelines, forested areas and other areas of substantial vegetation (including locations, general types and trunk diameter of all trees outside of a forested area that have a trunk diameter of greater than six (6") inches measured four (4') feet above the original grade).

B. General types, sizes and locations of any required street trees (see §1018), paved area landscaping (see §1904 of the Township Zoning Ordinance), buffer yard screening (see §1704 of the Township Zoning Ordinance) and any other major proposed landscaping.

C. Existing trees, woods and areas of substantial vegetation to be retained and protected or removed during development.

D. Existing and proposed topographic contours and existing and proposed buildings and paving.

E. Proposed fencing and/or landscaping around any stormwater detention basin (see §1008).

F. Any proposed earthen berms or acoustic barriers.

9. Erosion and Sedimentation Plan. Shall comply with the DER Soil Erosion and Sedimentation Manual and the regulations of the County Conservation District and DER.

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10. Road Profiles - Required Information:

A. Profile of existing and proposed ground surface along centerline of street.

B. Proposed centerline grade with percent on tangents and elevations at fifty (50') feet intervals.

C. All vertical curve data including length, elevations and minimum sight distance as required by Part 10.

11. Water Main, Sanitary Sewer and Storm Drain Profiles- required information:

A. Profile of proposed ground surface with elevations at top of structures (including manholes).

B. Profile of water main, storm sewer and sanitary sewer lines, with stationing at all structures and invert elevations.

C. All line crossings of other utilities.

D. Pipe sizes, lengths and slopes (if necessary).

(Ord. 2-89, 2/6/1989, §503)

§504. Required Supportive Documents and Information.

1. General Information.

A. All private deed restrictions or covenants already imposed or to be imposed as a condition to sale that are relevant to the development of the land.

B. Map of all property holdings of the owner within one thousand (1,000') feet of the proposed project, indicating the project's location. A sketch plan of a general proposed street system that might eventually serve all of these property holdings contiguous to the proposed project (USGS or Township Zoning Map is suggested).

2. Certification of Central Water Service.

A. If the subdivision or land development is to be served with water by an existing water company or authority, the developer shall submit a copy of a letter from such water company or authority which states that the company or authority can adequately serve the subdivision and which states or references any conditions required by the company or authority for the provisions of services.

B. If water service is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or land development, the Applicant shall present evidence to the Township that the subdivision or land development is to be supplied by a certified public utility, a bona fide cooperative

association of lot owners, or by a municipal corporation, authority or utility, as permitted by the Township. This evidence shall include a copy of one (1) or more of the following as appropriate: 1) the "Certificate of Public Convenience" from the PA. Public Utility Commission or 2) a copy of an application submitted for such certificate or 3) a cooperative agreement or a commitment or agreement to serve the area in question.

3. Certification of a Central Sewage System.

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

B. Nonpublic. If the subdivision or land development is to be served by a nonpublic central sewage disposal system, the developer shall submit a copy of a completed Planning Module for Land Development, and shall provide sufficient information to show that the proposed system would be reasonably feasible, within DER regulations, and that an acceptable system would be put into place for the operation and maintenance of the system.

4. Certification of On-Lot Sewage System. When the subdivision or land development is to be served by individual on-lot sewage disposal system, the developer shall submit a copy of a completed Planning Module for Land Development application.

5. PennDOT Review. The Applicant shall submit a copy of any information that may have been submitted to PennDOT and any correspondence from PennDOT regarding the proposed access to State streets.

6. Statement of Compliance with Floodplain Regulations. If the project would include or be adjacent to any area within the one hundred (100) year floodplain or any watercourse, a statement from the Zoning Officer indicating that the proposed subdivision or land development would be in compliance with the floodplain regulations of the Township.

7. Developer/Landowner Involvement. A statement shall describe the nature of the landowner's and the developer's involvement in the proposed development.

8. Streets.

A. Designation of the streets that are proposed to be public or private.

B. Method of ensuring maintenance of any private street.

9. Variiances. Variiances being requested to this Chapter.

10. Traffic Study. If required by §1913 of the Township Zoning

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Ordinance.

11. Zoning Variances. Copies of the decisions of any zoning variances that are relevant to the proposal.

12. Stormwater Calculations. See the requirements of §1008.

13. Sewage Module. A copy of the completed application to DER of the sewage planning module, if applicable.

14. Erosion and Sedimentation. A narrative describing the proposed methods to control soil erosion and sedimentation.

15. Wetlands. Sufficient information to show that any wetlands have been accurately delineated by a qualified professional.

16. Commercial and Industrial Operations (if the uses are known). A written description of any proposed commercial, industrial or storage operations in sufficient detail to indicate any noise, glare, smoke and fumes nuisances and to allow a general determination of possible fire or other hazards from the use of highly toxic or hazardous' substances or other public health or safety hazards. An estimate of the amount, direction and times of tractor-trailer traffic that is expected.

(Ord. 2-89, 2/6/1989, §504)

Part 6

Final Plan

§601. Applicability. This Part lists the requirements for final plans for a major subdivision or land development. See the requirements of Part 7 for a project that only involves a minor subdivision or only a boundary line adjustment. (Ord. 2-89, 2/6/1989, §601)

§602. Submission and Review Procedure.

1. Final Plan Submission Required.

A. A Final Plan Submission for each major subdivision or land development must be filed by the applicant and reviewed in accordance with the provisions of this Part.

B. A Final Plan for a minor subdivision shall be filed by the applicant and reviewed in accordance with the provisions of Part 6.

2. Submission Deadline.

A. A final plan submission for each major subdivision or land development must be filed by the applicant and reviewed in accordance with the provisions of this Part 6.

B. Failure to comply with this requirement shall render the preliminary plan submission null and void, and a new preliminary plan submission must be filed.

2. Required Submission.

A. The applicant shall file to the Administrator at least twenty-one (21) days prior to a regularly scheduled Planning Commission meeting (and at least twenty-one (21) days prior to such meeting for any re-submission of any plans):

(1) The required fees,

(2) The original and fourteen (14) copies of the application form (see Appendix A)

(3) Nine (9) copies of the final plan checklist (see Appendix B)

(4) At least fourteen* (14) print copies** of each of the final plan sheets,

(5) At least four* (4) sets of supportive documents,

(6) Submit a copy of the JPC's completed application and the JPC's required review fees.

*The Planning Commission or Plan Administrator may require

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the applicant to file additional copies.

B. The Administrator shall forward plans to the following agencies and to seek their comments prior to final plan approval (where applicable):

(1) Municipal Authority or Sewage Enforcement Officer (if applicable),

(2) Township Engineer,

(3) Township Fire Chief and Police Chief (if deemed appropriate by the Township Administrator), and

(4) Township Codes Enforcement Staff.

C. Applicant's Distribution. It is the applicant's responsibility to:

(1) Make agreements with the appropriate utility companies,

(2) Provide information to PennDOT that is required for any access to a State road,

(3) Provide information to DER or other agencies for any permits that might be required, and

(4) Submit a copy of the soil erosion and sedimentation plan to the County conservation district, and pay their required review fees, and

(5) Providing a copy of the preliminary plans, a completed JPC application and the JPC's required review fees to the JPC within three (3) days of the submission to the Township.

D. The filing of the final plan shall conform with the approved preliminary plan and any changes recommended by the Township during the preliminary plan review.

E. (1) Each final plan filed shall provide the information required by §603.

(2) All sheets should be rolled or folded to approximately 9" x 12" size so that the title of the sheet faces out.

F. Each set of supportive documents shall provide the information required by §604.

4. Initial Actions by the Administrator.

A. Completeness. The Administrator shall review the submission items filed against a checklist for completeness and shall reject any submission and seek to return the submission and filing fees of an application that the Administrator determines is significantly

incomplete. Any such determination shall occur within fifteen (15) days of filing by an applicant. The Administrator may request an advisory opinion by the Township Engineer on whether a submittal is significantly incomplete. If a submittal is rejected, no further action is required by the Township and no deemed approval shall occur.

B. If the submittal is accepted, the Administrator shall forward a copy of the final plan and supportive documents to the Township Engineer for review, prior to the next regularly scheduled meeting of the Township Planning Commission.

C. The Administrator shall retain in the Township's files one (1) copy of all materials submitted by the applicant, including the application form and the final plan checklist.

D. The Administrator shall forward to the Commission at or before the next regularly scheduled meeting of the Commission the following:

- (1) Seven (7) copies of the application form,
- (2) Seven (7) copies of the final plan checklist,
- (3) Seven (7) copies of the final plan, and
- (4) The remaining sets of supportive documents.

5. Initial Action by the Commission.

A. The Commission may begin review of a final plan submission at its first regularly scheduled meeting after the submission is properly filed within the required time period to the Administrator.

B. If the Commission determines that a final plan submission, as filed, departs substantially from the approved preliminary plan, the Commission may classify the new submission as a revised preliminary plan (for which a new filing fee is required) and the application shall be processed as such.

6. Review by Township Engineer.

A. The Township Engineer shall review the engineering considerations of all duly submitted final plans and prepare an initial report on such considerations to the Commission.

B. The Township Engineer may make additional reports and recommendations to the Commission and the Commissioners during the review process. Matters that should be dealt with directly by the Planning Commission and/or the Board of Commissioners should be listed separately from technical engineering considerations. These nontechnical concerns should be made available to the Planning Commission at least seven (7) days prior to each meeting.

C. The applicant and/or his engineer shall make reasonable

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efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings. The Township Engineer may require the applicant or his engineer to meet with him for this purpose.

D. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his engineer or agent.

7. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of Act 247 (unless the applicant grants a written time extension), while allowing a sufficient number of days within this deadline for a decision by the Board of Commissioners.

A. Review all applicable reports received from any official reviewing agencies;

B. Determine whether the final plan submission meets the requirements of this Chapter and other applicable ordinances;

C. Review the final plan submission with the applicant, his agent, or representative (if present) and recommend any needed visions so that the submission will conform to this Chapter, this Chapter and statutes;

D. Recommend approval, conditional approval, or disapproval of the final plan submission in a written report to the Board of Commissioners, specifying any recommended conditions for approval, identifying defects found in the application, describing requirements which have not been met and citing the provisions of the ordinance relied upon.

E. The Planning Commission's report should be mailed to the last known address of or reported in person to the applicant or his agent.

8. Review by Board of Commissioners. The Board of Commissioners shall:

A. Review the report of the Commission;

B. Review the reports of official reviewing agencies that have been received, including the Township Engineer and Township Staff;

C. Determine whether the final plan submission meets the objectives and requirements of this Chapter, other ordinances and statutes; and

D. Approve, conditionally approve or reject the final plan submission within the time required by the Municipalities Planning Code. (As this law requires the Board of Commissioners to act not later than ninety (90) days following the date of the first regular meeting of the Commission held after it has accepted the submission as being filed for review; but in no case shall the Commissioners' decision be made later than one hundred twenty (120) days following the date the submission was accepted as being filed for review, unless the applicant grants a written extension of time.)

E. JPC Review. No subdivision or land development shall be granted final approval until a report is received from the Joint Planning Commission or until the expiration of thirty (30) days from the date the application was forwarded to the JPC.

10. Decision by Board of Commissioners.

A. Notice to applicant. The decision of the Board of Commissioners 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.

B. Dedications.

(1) The approval of the final plan by the Board of Commissioners shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or area, unless the acceptance is specified at such time.

(2) Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.

(3) If the Board of Commissioners elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered.

C. Disapproval. When a final plan submission is disapproved, the decision shall specify defects found in the submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.

D. Conditions. The Board of Commissioners may attach reasonable conditions to an approval to ensure the carrying out of the comprehensive plan, this Chapter, other Township ordinances and State laws and regulations.

10. Development in Stages.

A. If requested by the applicant, the Board of Commissioners may permit the undertaking of the required improvements and the preparation of the final plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision as shown on the preliminary plan.

B. If the final plan is to be filed in sections or stages, each section or stage shall relate logically to provide continuity of access, extension of utilities, and availability of amenities.

C. Both the boundaries and configuration of stages or sections of a development shall be subject to the approval of the Board of Commissioners.

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(Ord. 2-89, 2/6/1989, §602)

§603. Final Plan Requirements.

1. All final plan submittals shall include all of the information that was required at the time of preliminary plan submittal (see §503) and the additional information listed below in this §603. If specific technical supporting documents, such as stormwater calculations, are identical to those submitted at the preliminary stage, the Township Engineer may waive the requirement to submit additional copies of those items.

2. Additional Final Plan Requirements.

A. A property survey shall have been performed of the boundary of the entire tract, and evidence of such survey shall be presented.

B. Easements shall be placed on the land providing for:

(1) Clear sight triangle easements (see §1004(8) and §1012(4)).

(2) All needed utility, drainage maintenance, pedestrian, open space or other easements, as needed.

C. Required Plan Notations. The following wording shall be required to be placed on any final subdivision or land development plan, as applicable:

(1) "If access will be provided onto a State highway, access to a State highway shall only be provided in compliance with a PennDOT Highway Occupancy Permit."

(2) "Well and sewage disposal systems shall be constructed in accordance with standards of the Pennsylvania Department of Environmental Resources."

(3) "Individual owners of lots must receive approval from the Township Sewage Enforcement Officer for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system or building that will need to be served by such a system."

(4) "The Planning Commission and Board of Commissioners have not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system."

D. Street Lighting (if required).

(1) Types of poles.

(2) Spacing of poles and intensity of lamps.

(3) Proposed method to pay for electricity and maintenance.

E. Proposed monument locations and types.

F. Water Main Sanitary Sewer and Storm Drain Plan and Profiles.

(1) Plan and profile of proposed ground surface with elevations at top of manholes or inlets.

(2) Plan and profile of water main, storm sewer or sanitary sewer lines, showing type and size of pipe, grade, cradle, manhole, and inlet locations and invert elevations along flow line, with stationing.

(3) All line crossings of other utilities.

(4) Invert elevations along flow line at manholes, inlets and at line crossing of other utilities.

G. Construction Details (following any applicable Township standards).

(1) Typical cross-section and specifications for street construction as required by §1004 and the Township street and improvement specifications.

(2) Drainage swale cross-section and construction materials.

(3) Pipe bedding details.

(4) Storm drainage structures, including any detention including basin outfall structure and spillway.

(5) Sanitary sewer structures.

(6) Curb and sidewalk details.

(7) Street tree planting details.

H. Street addresses shall be required to be shown on the final plan of a major subdivision. [Ord. 1-95]

(Ord. 2-89, 2/6/1989, §603; as amended by Ord. 1-95, 3/6/1995, §2)

§604. Required Supportive Documents and Information.

1. Deed Restrictions. All private deed restrictions, homeowner or condominium association agreements or covenants already imposed or to be imposed as a condition to sale. Any homeowner or condominium association agreement may be subject to review by the Township Solicitor and acceptance by the Board of Commissioners.

2. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8 1/2" x 11" plan of each such improvements.

3. Nondedicated Streets Agreement.

A. Agreement for any street not offered for dedication.

B. Such agreement shall state who is responsible for the improvement and maintenance of streets, the developer shall be fully responsible for such maintenance until such association is legally organized and fully operational.

C. If a condominium or homeowners association is to be responsible for maintenance of streets, the developer shall be fully responsible for such maintenance until such association is legally organized and fully operational.

4. Open Space Agreement. A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space. This agreement is subject to the review of the Township Solicitor and acceptance by the Board of Commissioners.

5. Utilities Agreements and permits.

A. All signed agreements or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the project.

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

6. State Highway Reviews. The applicant shall submit to the Township a copy of the application to PennDOT for any needed occupancy permit to have access onto a State highway, and shall also submit any review comments received from PennDOT within five (5) days of receiving such comments. Any needed permit shall either be issued prior to final approval, or shall automatically be a condition of such approval.

7. Variances. Variances to this Chapter that are being requested but have not yet been granted.

(Ord. 2-89, 2/6/1989, §604)

§605. Recording of Plans. See Part 9. (Ord. 2-89, 2/6/1989, §605)

Part 7

Minor Subdivisions and Boundary Line Adjustments

§701. Purpose. The purpose of this Part is to permit applicants and the Township to use a simplified procedure for reviewing minor subdivisions and boundary line adjustments prior to approval for recording. (Ord. 2-89, 2/6/1989, §701)

§702. Submission and Review Procedure.

1. Final Plan Submission Required. A final plan submission for each minor subdivision or boundary line adjustment must be filed by the applicant and reviewed in accordance with the provisions of this Part 7. A preliminary plan is not required for a minor subdivision or boundary line adjustment.

2. Final Plan Submission Required.

A. The applicant shall file to the Administrator at least twenty-one (21) days prior to a regularly scheduled Planning Commission meeting (and at least twenty-one (21) days prior to such meeting for re-submission of plans):

(1) The fee.

(2) The original and fourteen (14) copies of the application, (see Appendix A),

(3) Nine (9) copies of the final plan checklist, (see Appendix B),

(4) At least fourteen* (14) copies of the final plan, and

(5) At least four* (4) sets of supportive documents. (Not applicable for boundary line adjustments.)

*The Administrator may require the applicant to provide additional copies.

B. The applicant shall be fully responsible for the following:

(1) If a State road is involved, forwarding the needed information to PennDOT and seeking needed permits prior to final subdivision approval.

(2) Providing a copy of the preliminary plans, a completed JPC application and the JPC's required review fees to the JPC within three (3) days of the submission to the Township.

(3) Notice to Abutting Landowners. The applicant shall mail or have delivered in person a notice to the last known address of the last known owners of record of all lots abutting the proposed subdivision or land development.

(a) This notice shall be sent prior to or within two (2) days after the submission date to the Township. A

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notice is not needed for a resubmission or a final plan submission if a preliminary plan submission is made.

(b) This notice shall follow the format in Appendix A.

(c) Failure of a landowner to receive this notice shall not negate any action or approval of the Township.

B. (1) Each final plan filed for minor subdivisions shall provide the information required by §703. Plans for boundary line adjustments shall provide the information required by §705.

(2) All sheets shall be rolled or folded to approximately 9" x 12" in size in such a manner that the title of the sheet faces out.

D. Each set of supportive documents shall provide the information required by §704. (Not applicable for boundary line adjustment.)

3. Initial Actions by the Administrator.

A. Completeness. The Administrator shall review the submission items filed against a checklist for completeness and shall reject any application that the Administrator determines is significantly incomplete. Any such determination shall occur within fifteen (15) days of filing by an applicant. The Administrator may request an advisory opinion by the Township Engineer on whether a submittal is significantly incomplete. If a submittal is rejected, no further action is required by the Township and no deemed approval shall occur.

B. If the submittal is accepted, the Administrator shall forward a copy of the final plan and supportive documents to the Joint Planning Commission and the Township Engineer for review, prior to the next regularly scheduled meeting of the Township Commission.

C. The Administrator shall retain in the Township's files one (1) copy of all materials submitted by the applicant, including the application form and the minor subdivision checklist.

D. The Administrator shall forward to the Commission at or before the next regularly scheduled meeting of the Commission the following:

- (1) Seven (7) copies of the application form,
- (2) Seven (7) copies of the minor subdivision checklist,
- (3) Seven (7) copies of the final plan, and
- (4) The remaining sets of supportive documents.

4. Review by Township Engineer.

A. The Township Engineer shall review the engineering consider-

ations of all duly submitted final plans and prepare an initial report on such considerations to the Commission.

B. The Township Engineer may make additional reports and recommendations to the Commission and the Commissioners during the review process. Matters that should be dealt with directly by the Planning Commission and/or the Board of Commissioners should be listed separately from technical engineering considerations. These non-technical concerns should be made available to the Planning Commission at least seven (7) days prior to each meeting.

C. The applicant and/or his engineer shall make reasonable efforts to resolve technical engineering considerations outside of and prior to Planning Commission meetings. The Township Engineer may require the applicant or his engineer to meet with him for this purpose.

D. A copy of findings of the Township Engineer should be sent or handed in person to the applicant or his engineer or agent.

5. Review by Commission. The Planning Commission shall accomplish the following within the time limitations of Act 247 (unless the applicant grants a written time extension), while allowing sufficient number of days within this deadline for a decision by the Board of Commissioners.

A. Review all applicable reports received from any official reviewing agencies;

B. Determine whether the final plan submission meets the requirements of this Chapter and other applicable ordinances;

C. Review the final plan submission with the applicant, his agent, or representative (if present) and recommend any needed revisions so that the submission will conform to this Chapter, other ordinances and statutes;

D. Recommend approval, conditional approval, or disapproval of the final plan submission in a written report to the Board of Commissioners, specifying any recommended conditions for approval, identifying defects found in the application, describing requirements which have not been met and citing the provisions of any ordinance relied upon. This report should be made by resolution.

E. The Planning Commission's report should be mailed to the last known address of or reported to in person to the applicant or his agent.

5. Review by Board of Commissioners. The Board of Commissioners shall:

A. Review the report of the Commission;

B. Review any reports of official reviewing agencies that have been received, including the Township Engineer and Township Staff;

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C. Determine whether the final plan submission meets the requirements of this Chapter, other ordinances and statutes; and

D. Approve, conditionally approve or reject the final plan submission within the time required by the Municipalities Planning Code. (As of 1989, this law requires the Board of Commissioners to act not later than ninety (90) days following the date of the first regular meeting of the Commission held after it has accepted the submission as being filed for review; but in no case shall the Commissioners' decision be made later than one hundred twenty (120) days following the date the submission was accepted as being filed for review, unless the applicant grants a written extension of time.)

E. No subdivision or land development shall be granted final approval until a report is received from the Joint Planning Commission or until the expiration of thirty (30) days from the date the application was forwarded to the JPC.

7. Decision by Board of Commissioners.

A. The decision of the Board of Commissioners 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.

B. (1) The approval of the final plan by the Board of Commissioners shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space or area, unless such acceptance is specifically made at such time.

(2) Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.

(3) If the Board of Commissioners elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered.

C. If a final plan submission is disapproved, the decision shall specify defects found in the submission, shall describe requirements which have not been met, and shall cite provisions of the statute or ordinance relied upon in each case.

(Ord. 2-89, 2/6/1989, §702)

§703. Minor Subdivision Final Plan Requirements.

1. Drafting Standards.

A. Plans shall be prepared on a standard sheet of 18" x 24", 24" x 36" or 36" x 48" (maximum).

B. All information shall be legibly and accurately presented.

C. Plans shall be drawn at a scale of one inch equals fifty feet (1" = 50') or other scale preapproved by the Township Engineer or Administrator.

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

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

F. Plans shall be so prepared and shall bear an adequate legend to indicate clearly which structures, utilities and other features are existing and which are proposed.

G. When the plan is a revision of a previously approved plan, the revisions shall be noted.

H. The boundary line of the subdivision shall be shown as a heavy line.

2. General Information Required on the Plans.

A. Name and location of subdivision and a unique drawing number.

B. Name of landowner and developer (with addresses).

C. Names of adjoining property owners, including those across adjacent streets and alleys, with adjacent boundaries of adjacent lots.

D. Owners Statement of Intent: (see Appendix C)

(1) The owner shall acknowledge said statement (see Appendix B).

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

E. Name, address, signature, and seal of the plan preparer (see Appendix C and §116).

F. Approval/review signature blocks for: (see Appendix C)

(1) Township Commissioners.

(2) Township Planning Commission.

(3) Township Engineer.

(4) Joint Planning Commission.

G. Location map at a scale no smaller than one inch equals two thousand feet (1" = 2000') (such as USGS map or Township Zoning Map) showing the location of the project in relation to the following

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features within one thousand (1000') feet of the boundaries of the project: adjacent lots, existing and proposed streets, waterways, zoning district boundaries, and municipal boundaries.

H. North arrow, graphic scale, written scale.

I. Date of plan and all subsequent revision dates and all submission dates.

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

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

3. Location of Natural Features on the Site. (may be separate from layout plans)

A. Contour lines at an interval of not more than two (2) feet shall be shown as follows:

(1) Five (5%) percent or less slope - no contours required, if a note stating this condition is shown.

(2) Five (5%) to fifteen (15%) percent slope - may be accurately superimposed from the USGS quadrangle map.

(3) Fifteen (15%) percent or greater - shall be based on a field survey or photogrametric procedure at a scale of one inch equals one hundred feet (1" = 100') or larger or on a detailed topographic map that may be available from the Township.

B. Areas in each soil type (see County soil survey), with high water table soils noted.

C. Watercourses, natural springs, lakes and wetlands (with names if any).

D. Rock outcrops, stone fields and sinkholes.

4. Boundary Lines of Tract.

A. The boundary lines of the area being subdivided.

(1) The boundaries of the lots being newly created shall be determined by accurate field survey, closed with an error not to exceed one in ten thousand (1 in 10,000) and balanced.

(2) The boundaries of any residual tract which is ten (10) acres or less shall be determined by accurate field survey, closed with an error not to exceed one in ten thousand (1 in 10,000) and balanced.

(3) The boundaries of any residual tract which is greater than ten (10) acres may be determined by deed.

B. Location of all existing monuments.

5. Location of Existing Man-made Features on the Site.

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

B. Existing lot layout on the site.

C. Buildings estimated to be over one hundred (100) years old that will be impacted.

D. Sewer lines, storm water facilities, water lines, bridges and culverts.

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

F. Buildings and land uses.

6. Zoning Requirements.

A. Applicable zoning district.

B. Lot area and setback requirements.

7. Proposed Layout.

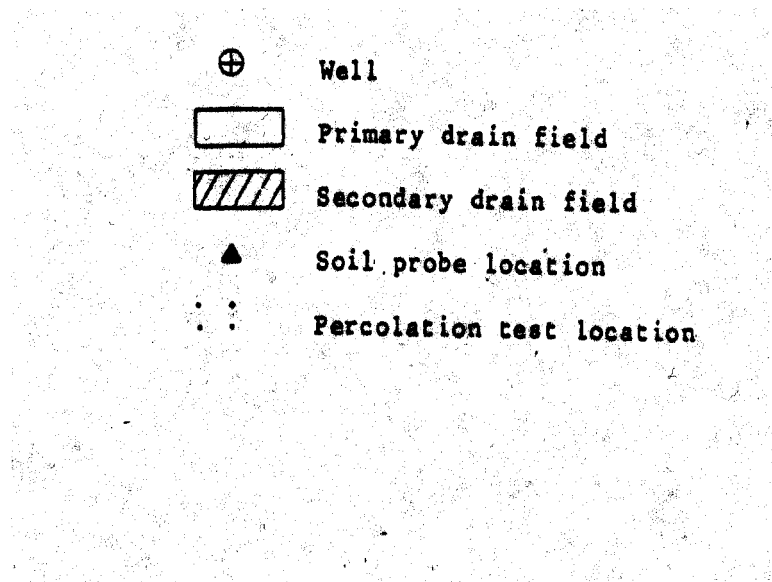
A. Total acreage of site.

B. Proposed lot layout with identification number and total number of lots and minimum building setback lines for each lot.

C. Lot width (at minimum building setback line), lot depth and lot area for each lot.

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

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



F. Any storm drainage facilities or structures.

G. Street addresses shall be shown on a minor subdivision plan.
[Ord. 1-95]

8. Features Within Two Hundred (200') Feet of the Site Boundaries. The approximate locations of the following shall be shown: existing and proposed streets, buildings, detention basins, common open spaces, lots, drainage channels.

9. Additional Information. The Planning Commission may require the submission of any additional information that would be required for the final plan of a major subdivision under §603.

(Ord. 2-89, 2/6/1989, §704; as amended by Ord. 1-95, 3/6/1995, §3)

§704. Minor Subdivision Supporting Information.

1. Residual Lands Sketch. A sketch to an appropriate scale, on one (1) sheet, covering the entire tract showing the location of the area to be subdivided together with a sketch of any proposed roads to demonstrate that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the potential development of residual lands.

(Ord. 2-89, 2/6/1989, §704)

§705. Boundary Adjustments and Other Plans Exempt from Normal Submission. Where no new, additional or substandard lot will be created and the resultant action will not adversely affect the future development of property, the Commission may waive the normal plan submission requirements. In this situation the final plan submission shall comply with the drafting standards and required information of this §705.

1. Drafting Standards.

A. Plans shall be prepared on a standard sheet of 8-1/2" x 14", 18" x 24", 24" x 36" or 36" x 48" (maximum).

B. All information shall be legibly and accurately presented.

C. Plans shall be drawn at a scale of one inch equals fifty feet (1" = 50'), unless the Township Engineer or Administrator preapproves of another scale.

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

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

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

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

H. The boundary line of the subdivision shall be shown as a heavy line.

2. General Information.

A. Name and location of the project, with unique drawing number.

B. Names and addresses of landowner and developer.

C. Names of adjoining property owners, including those across adjacent streets, with adjoining lotlines shown.

D. Owners Statement of Intent: (see Appendix C).

(1) The owner shall acknowledge said statement before an officer authorized to take acknowledgments.

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

E. Name, address, signature and seal of the plan preparer (see Appendix C).

F. Approval/review signature blocks for: (see Appendix C)

(1) Township Board of Commissioners.

(2) Township Planning Commission.

(3) Township Engineer.

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(4) Joint Planning Commission.

G. Location map at a scale no smaller than one inch equals two thousand feet (1" = 2000') (such as USGS map or Township Zoning Map) showing the location of the project in relation to the following features within one thousand (1000') feet of the boundaries of the project: adjacent lots, existing and proposed streets, waterways, zoning district boundaries, and municipal boundaries.

H. North arrow (with reference meridian).

I. Graphic and written scale.

J. Date of plan and all subsequent revision dates and submittal dates.

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

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

3. Zoning Requirements.

A. Applicable district.

B. Lot area and setback requirements.

C. Building setback lines shown for each lot.

4. Additional Information. The Township may require the submission of additional information that would be required for a final plan for a minor subdivision.

(Ord. 2-89, 2/6/1989, §705)

§706. Recording Plans. See Part 9. (Ord. 2-89, 2/6/1989, §706)

Part 8

Improvements Guarantees

§801. Guarantee of Improvements Installation Required.

1. Before approving any subdivision or land development plan for recording, the Board of Commissioners shall require that the Township be assured (by means of a proper development agreement and performance guarantee) that the improvements required by this Chapter and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Chapter.

2. Purpose of Bond. The bond and other surety agreements shall stand as security for compliance with all Township ordinances, other laws, covenants, stipulations, conditions and rules applicable to the subdivision for which it is filed.

3. No construction of buildings or paving or sales of any individual lot or condominium unit within a subdivision shall take place in any subdivision unless: 1) there is on file, with the Township, a current duly executed performance bond (and security escrow agreement if necessary) or 2) unless all required public improvements, utilities, streets, drainage improvements and easements, sewers and streetlights and all grading necessary to support these public improvements have been completed and accepted by the Board of Commissioners.

4. If a developer chooses to install all required improvements prior to any building, in place of using performance guarantees, the Township shall as deemed necessary require the developer to have adequate insurance, hold harmless agreements and an escrow account to cover the costs of inspections.

(Ord. 2-89, 2/6/1989, §801)

§802. Improvements to be Provided by the Applicant.

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

2. A. The Township Engineer or the Township's designee shall make such inspections of the required improvements at such intervals as may be reasonable necessary to assure compliance with this Chapter.

B. The reasonable costs of such inspection shall be borne by the subdivider or land developer, and held in an escrow account.

(Ord. 2-89, 2/6/1989, §803)

§803. Development Agreement.

1. Development Agreement Required.

A. All applicants proposing any subdivision or land development which provides for the installation of improvements required by this

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Chapter or any improvements or amenities which appear on the plan shall be required to enter into a legally binding development agreement with the Township prior to recording of the approved final plan.

B. The development agreement shall guarantee the installation of said improvements in strict accordance with all Township requirements.

C. The final plan shall not be recorded nor signed by representatives of the Commission or the Board of Commissioners until the development agreement is executed and the performance guarantee is in place.

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

A. (1) The construction depicted upon the approved plans in itemized format.

(2) Construction of streets with related curbs, street signs, drainage facilities and related improvements.

(3) Installation of utility lines.

B. (1) A work schedule setting forth the beginning and ending dates and such other details as the Township deems fit and appropriate for the improvements covered by the development agreement and

(2) An inspection schedule subject to the approval of the Township Engineer.

C. (1) The provision of a performance guarantee for completion of required improvements which complies with §804.

(2) A detailed breakdown of the estimated cost of the improvements, estimated within the requirements of the PA. Municipalities Planning Code, as amended.

(3) The amount of the performance guarantee.

(4) All improvements subject to the development agreement shall be approved according to the approved inspection schedule and §804.

D. (1) Developer's responsibilities for damage to other property.

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

(3) A save harmless clause to protect the Township from liability.

(4) Prevention of erosion, sedimentation and water damage to the subject and adjacent properties.

E. Provisions for any future dedication or transfer of streets, water and sewer lines and easements.

F. The developer shall provide the Township with a set of reproducible record plans prepared by and certified to by a professional engineer.

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

H. Provisions for violation of the development agreement.

I. Any other lawful terms which the Board of Commissioners may require to carry out the provisions of this Chapter.

J. Signatures. The development agreement shall be signed by all landowners and/or developers.

3. Ownership of Land and Guarantee.

A. A certificate of ownership in the form of Appendix C.2 shall be executed in the exact name in which title is held. If the developer(s) of a subdivision is someone other than the landowner(s) of the subdivision, the developer shall also execute the affidavit given above, along with a performance bond and security agreements.

B. Change in Ownership or Developer. Any conveyance of all or substantially all of the unimproved lots or public improvements or roads of any subdivision or change in developers, whether voluntary or by action of law or otherwise, shall require the prior approval of the Board of Commissioners. In giving or denying said approval, the Commissioners shall determine whether the proposed new landowner and/or developer will be financially able to fully carry out the subdivision with all required public improvements, and before giving final approval, the Board shall require the posting of appropriate bonds and security agreements.

(Ord. 2-89, 2/6/1989, §803)

§804. Performance Guarantee. The performance guarantee for completion of required improvements shall meet the following requirements:

1. Security.

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

(1) An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution,

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(2) A restrictive or escrow account in a Federal or State chartered lending institution, or

(3) Such other financial security approved by the Board of Commissioners (which approval shall not be unreasonably withheld).

B. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within one (1) year of the date fixed in the development schedule (see §604(7) for the completion of such improvements.

C. Such financial security shall be posted with a bonding company or Federal or State chartered lending institution the party posting the financial security, provided said company or lending institution is authorized to conduct such business within the State.

(1) The Board of Commissioners may require that evidence be provided that such institution or company has sufficiently adequate and secure assets to cover the security.

(2) The Township shall be an authorized signatory on any account in which the escrow funds are held and all escrow funds from sales of lots shall be paid directly to such fund, and a monthly statement shall be furnished to the Township.

2. Amount.

A. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (1107) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer in the official development schedule (see §604(7)), and within the process for increases to cover inflation as permitted by the State Planning Code.

B. The cost of the improvements shall be established by an estimate prepared by a PA. Registered Professional Engineer, within the arbitration process permitted by the State Planning Code.

C. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security shall be increased by an additional ten (107) percent for each one-year (1) period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (1107) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year (1) period by using the above bidding procedure.

D. The basis of the cost of improvements shall be the estimated cost of improvement installed in accordance with the approved plan. In the case of street lights, the developer shall estimate the cost of constructing the street lighting, and the annual cost of lighting based

upon the electric utility's fee schedule. The security shall include the cost of construction of street lighting, and the cost of electricity for street lighting for a period of two (2) years. The developer shall be responsible for the cost of electricity for street lighting until the date of acceptance of the improvements by the Township. Upon acceptance of the improvements by the Township, the developer shall pay to the Township the cost of electricity for street lighting for the two (2) year period following the date of acceptance. [Ord. 1-95]

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

(Ord. 2-89, 2/6/1989, §804; as amended by Ord. 1-95, 3/6/1995, §4)

§805. Approval of Improvements.

1. In General. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Commissioners to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor(s) performing the work.

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

3. Engineer's Report.

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

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

C. If the Engineer finds any or all of the improvements to be not as required, he shall include a statement of the reasons for recommending their rejection in the report.

4. Decision by Board of Commissioners.

A. At its first regularly scheduled meeting after receiving the Engineer's Report (but not later than forty-five (45) days of the receipt of the request) the Board of Commissioners shall review the

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Engineer's report and shall authorize release of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed.

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

C. Until final release (completion of all improvements), the Board of Commissioners may require retention of ten (10) percent of the cost of each completed improvement.

D. The Board of Commissioners shall notify the developer in writing by certified or registered mail of the decision.

5. Completion of Unapproved Improvements. The developer shall proceed to complete any improvements not approved by the Board of Commissioners and, upon completion, request approval in conformance with the procedures specified in §805.

6. Final Release.

A. When the developer has completed all of the necessary and appropriate improvements, the developer shall request final release in conformance with the procedures specified in §805. See time limitations and procedures in §510 of the Municipalities Planning Code.

B. Such final release shall include all moneys retained under §805(4)(C).

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

8. Building Permits and Paving of Street.

A. At any point in time, a maximum of ten (10) building permits may have been issued for dwellings within all stages of a subdivision or land development for building locations that do not have acceptable vehicular access by a street, access drive or driveway as approved in the official plan to and from an existing public street. Acceptable vehicular access shall mean a cartways that is in a mud-free and permanently passable condition and with at least a binder base course and curbing (if required) in place.

9. Certificates of Occupancy and Completion of Improvements.

A. No temporary certificate of occupancy shall be issued for any structure on a lot adjoining a dedicated road in a subdivision until the structure is safe and substantially completed in conformity to all applicable ordinances, laws and plans with service by electricity and telephone service and any required water, fire hydrants and sewage

service and access to the structure to a public clearly permanently passable street with at least a paving base course and any required curbing installed.

B. No final certificate of occupancy shall be issued until the structure is completed as aforesaid with service by all utilities and access on a street completed to required standards.

(Ord. 2-89, 2/6/1989, §805)

§806. Remedies to Effect Completion of Improvements.

1. Enforcement of Security.

A. In the event that any improvements which may be required have not been installed as provided in this Chapter or in accord with the approved final plan, or in the event of the bankruptcy of the owner or developer, the Board of Commissioners is hereby granted the power to elect to enforce any corporate bond (or other security) by appropriate legal and equitable remedies.

B. This may include taking all actions necessary to obtain moneys under said bond, including but not limited to seizure of undeveloped lots, confession of judgment, suit on the bond, seizure of escrow funds, revocation of building permits and prosecution under this Chapter.

C. Rate of Construction. Failure of a developer to construct streets and other public improvements reasonably at the same time or prior to the construction of the buildings served by those streets or public improvements, and at the same rate in time at which buildings are completed, shall be a violation of this Chapter and a cause for default.

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

3. Proceeds for Installation of Improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

(Ord. 2-89, 2/6/1989, §806)

§807. Maintenance Agreement.

1. Maintenance Agreement Required.

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A. All applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Chapter or any improvements or amenities which appear on the plan shall be required to enter into a legally binding maintenance agreement with the Township prior to acceptance of dedication by the Township.

B. The dedication of any improvement shall not be accepted by the Township prior to the execution of a maintenance agreement and the delivery of the maintenance guarantee.

2. Terms of Maintenance Agreement.

A. The maintenance agreement shall be in the manner and form approved by the Township Solicitor.

B. The maintenance agreement shall require the applicant to make any repair or reconstruction of any improvement stipulated in the maintenance agreement which is specified by the Board of Commissioners as necessary by reason of faulty construction, workmanship, or materials prior to acceptance of such improvement by the Township.

C. The maintenance agreement shall require the applicant to maintain at his own cost all improvements stipulated in the maintenance agreement. This period shall not exceed eighteen (18) months from the date of acceptance or dedication by the Township, except for any special purpose escrow or maintenance agreement required by the Township.

D. The maintenance agreement shall require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication.

E. Snowplowing. It shall be the responsibility of the developer to plow snow and maintain all streets until such time as the Township may accept such streets.

3. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

(Ord. 2-89, 2/6/1989, §807)

§808. Maintenance Guarantee.

1. Security. The maintenance guarantee shall be secured by the credit of any of the following:

A. An irrevocable and unconditional letter of credit of a Federal or State chartered lending institution,

B. A restrictive or escrow account in a Federal or State chartered lending institution, or

C. Such other financial security approved by the Board of Commissioners (which approval shall not be unreasonably withheld).

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

3. Amount. The amount of the maintenance guarantee shall be determined by the Township, but shall not exceed fifteen (15) percent of the actual cost of installation of such improvements.

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

(Ord. 2-89, 2/6/1989, §808)

Part 9

Recording of Final Plan

§901. Recording of Final Plan.

1. Deadline. The Applicant is responsible to ensure that the final plan as approved by the Board of Commissioners is recorded in the Office of the Recorder of Deeds of the County within ninety (90) days of such final approval, unless an extension has been granted in writing by the Board of Commissioners. The applicant shall then send or deliver a receipt of the recording to the Township.

2. At its option, the Township may agree to record a final plan, in which case the applicant shall compensate the Township for all such cost.

3. The final plan shall not be recorded without the required signatures of the Township officials and the JPC.

4. The final plan shall not be recorded unless the applicant has met all required conditions that the Township Administrator determine would impact the recorded final plan.

(Ord. 2-89, 2/6/1989, §901)

§902. Record Plan. The applicant shall provide a copy of the approved plan to the Township to serve as the record plan. This record plan shall be a clear and legible reproducible tracing on mylar, and shall be an exact copy of the approved final plan on a sheet of the size required for final plans.

(Ord. 2-89, 2/6/1989, §902)

§903. Effect of Recording.

1. Official Map. After a subdivision or land development has been duly recorded, the streets, open space, and other public improvements shown thereon shall be considered to be a part of any Official Map of the Township.

2. Private Improvements. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, open space, or improvement until such time it has been offered for dedication to the Township and accepted by resolution or ordinance, and recorded, or it is condemned for a public purpose.

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

A. May be offered for dedication to the Township by formal notation thereof on the plan, or

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

(Ord. 2-89, 2/6/1989, §903)

Part 10

Design Standards and Required Improvements

§1001. Application.

1. Evaluating Plans. The design standards and improvements required in this Part shall be the minimum requirements applied by the Planning Commission and the Board of Commissioners in evaluating plans for any proposed subdivision or land development.

2. Additional Improvements. Additional or higher type improvements may be required in specific cases where, in the determination of the Board of Commissioners, they are clearly necessary to protect the public health and safety.

3. Modifications and Exceptions. See §107 of this Chapter.

(Ordinance 2-89, 2/6/1989, §1)

§1002. Required Improvements. The remainder of this Part sets forth the design and construction standards for required improvements. These minimum standards shall apply to any improvement, regardless of whether required by this Chapter or not. (Ordinance 2-89, 2/6/1989, §1)

§1003. Overall Requirements.

1. Land shall be suited to the purpose for which it is to be subdivided or developed.

2. Hazardous Conditions. Land subject to hazardous conditions (such as open quarries, unconsolidated fill, floods, excessive erosion or unsafe water supply) shall not be subdivided until the hazards have been eliminated or overcome by adequate safeguards provided by the developer and approved by the Board of Commissioners. See the floodplain requirements of the Township Zoning Chapter [Chapter 27].

3. Comprehensive Plan. The subdivision or land development shall generally be designed in consideration of any applicable provisions of the Township Comprehensive Plan.

4. Zoning. All aspects of a proposed subdivision or land development shall conform to the Township Zoning Chapter and floodplain regulations and all other Township ordinances and specifications.

5. Nearby Development. A subdivision or land development and its street pattern shall be coordinated with existing or approved nearby developments or neighborhoods so that the area as a whole may be developed harmoniously and to prevent serious conflicts between neighboring development.

6. Safety. 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, groundwater pollution, traffic hazards and explosive and fire hazards.

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(Ordinance 2-89, 2/6/1989, §1)

§1004. Streets.

1. Access to Proposed Subdivisions and Land Developments. All proposed subdivisions and land developments shall have adequate and safe access to the public street system.

2. Streets and Topography. Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient. See the steep slope regulations in Part 16 of the Zoning Chapter [Chapter 27].

3. Street Continuations.

A. Where deemed appropriate by the Board of Commissioners, proposed streets shall be extended to the boundary line of the tract being subdivided so as to eventually provide for normal circulation of traffic within the vicinity.

B. Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width and widening of the cartways shall be required in conformance with Table 10.1, "Design Standards for Streets."

4. Intersections.

A. The centerlines of streets shall intersect at right angles unless existing conditions dictate otherwise. In such case the intersection shall be as nearly at right angles as possible, but not less than seventy-five (75 a) degrees at intersections.

B. Intersections of more than two (2) streets at one (1) point shall be avoided. Where streets intersect other streets, the intersecting street shall be aligned with any street intersecting on the other side, or be offset by the minimum distance stated in this subsection. This minimum offset and the minimum distance between centerlines of parallel or approximately parallel streets intersecting a cross street from opposite directions shall be:

(1) One hundred and fifty (150') feet along a local street,

(2) Four hundred (400') feet along a collector or connector street, and

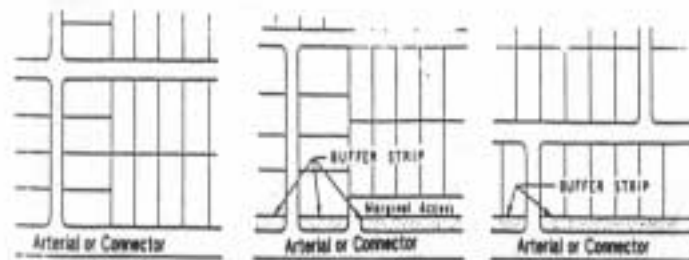
(3) One thousand (1,000') feet along an arterial street.
(See Figures 10.1 a. and b.)

(4) The distances of this subsection shall be measured between the intersections of the center lines of the legal rights-of-ways of the streets.

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D. The prohibition of driveways from individual dwellings entering onto an arterial street. If there is no alternative to this, each driveway entering onto an arterial or connector street shall have adequate turn-around space for vehicles provided within the lot so that vehicles do not back onto the street.

E. See also §1908 of the Township Zoning Chapter [Chapter 27], "Access Onto Arterial and Connector Streets."



6. Street Design Standards.

A. Minimum street design standards shall be as shown in Table 10.1., unless a more restrictive requirement is established by PennDOT.

TABLE 10.1

DESIGN STANDARDS FOR STREETS
(All Dimensions in Feet Unless Specified)

DESIGN SPECIFICATIONS	Type of Street			
	Arterial	Connector	Collector	Local and Marginal Access
Right-of-way Width	80*****	70*****	60*****	50
Cartways Width	44*****	40*****	36*****	32*****
Acceleration/deceleration Lane Width (if determined to be needed by the Township)	12	12	12	NA
Minimum Sight Distance*	475	300	300	200
Minimum Tangent between Reverse Curves**	200	100	100	100
Minimum Centerline Radii for Horizontal Curves	400***	300***	300	150

DESIGN SPECIFICATIONS	Type of Street			
Maximum Grade*****	6%	8%	8%	10%

* Horizontal sight distances shall be measured from a point three and one-half (3.5') feet above the road surface to a point six (6") inches above the road surface, and shall be based upon standards of the American Association of State Highway and Transportation Officials (AASHTO).

** All tangents shall be measured along the street centerline.

*** Larger radii may be required as determined by the Township Engineer.

*** Minimum grades for all streets shall be one (1%) percent, unless a lesser grade is determined to be acceptable by the Township Engineer.

***** This minimum cartways width shall be reduced to twenty-eight (28') feet for a residential cul-de-sac local street that will clearly ultimately serve only either of the following: 1) Twelve (12) or fewer dwelling units or 2) single family detached residential lots of greater than one (1) acre in lot area.

***** Larger widths may be required by PennDOT or the Township, as needed for turning lanes.

NA = Not Applicable

B. Whenever street lines are deflected in excess of one (1:100) degree, connection shall be made by horizontal curves.

C. Vertical curves shall be used at changes of grade exceeding one (1%) percent. The length of the vertical curve shall be determined by multiplying the absolute difference in change of percent in grade by the following factors:

- (1) arterial streets 160 feet
- (2) collector and connector streets 80 feet
- (3) local and marginal access streets 30 feet

D. All approaches to an intersection of two (2) or more streets shall have a leveling area not greater than four (4%) percent grade for a distance of twenty-five (25') feet measured from the nearest right-of-way line of the intersecting street.

E. The maximum grade across the turn around in a cul-de-sac shall not exceed five (5%) percent.

F. To provide for adequate drainage, the minimum grade of any street gutter shall be not less than one (1%) percent.

G. The Board of Commissioners, upon the recommendation of the Township Engineer and the Planning Commission, and after consultation with PennDOT if a State road is involved, shall require a subdivision or land development to partially or wholly fund or accomplish the

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widening of an abutting intersection (including but not limited to moving the curblin inward to increase the curve radius) and/or providing a left and/or right turn lane if the Board of Commissioners determine that such improvement(s) is/(are) needed to avoid increased traffic congestion and to provide for traffic safety and if the Board of Commissioners determine that such improvement is reasonably the responsibility of the applicant.

7. Easements. Easements shall be provided adjacent to street rights-of-way, tract boundaries and lotlines and other required areas, within the following standards:

A. Drainage, sanitary or domestic water easements shall be provided as indicated and required by the plans. The minimum width of easement shall be twenty (20') feet (which might include ten [10'] feet on each side of abutting lots within a subdivision) with an additional width of five (5') feet for each additional utility.

B. Utility easements of a minimum of ten (10') feet in width shall be provided adjacent to all street rights-of-ways for electricity, telephone and television cable lines so that each lot or dwelling unit can be served. Any natural gas distribution lines shall be placed within the cartways.

C. Grading easements of a minimum of ten (10') feet in width shall be granted to the Township along the right-of-ways of all public streets.

8. Sightlines at Intersections of Streets.

A. A triangular area as defined by this subsection shall be graded and shall be free of sight obstructions so that vision of the intersecting streets is not obscured.

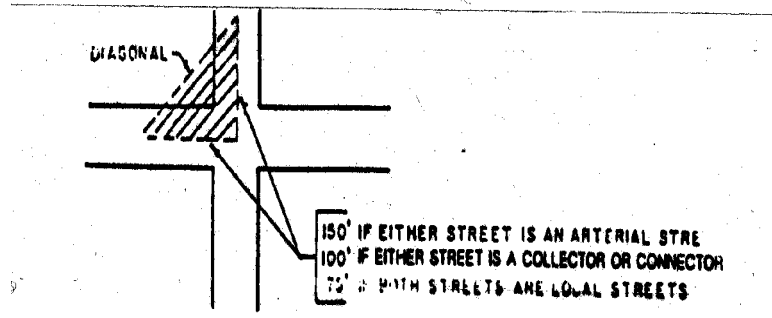
B. By means of sight distance easement and also a deed restriction, lease restriction or plan notation (whichever method is applicable), vegetation shall not be planted or allowed to grow nor shall the construction of a fence or wall be allowed within the triangular area defined by this §1004(8).

C. Such triangular area shall be bounded by the intersecting street centerlines and a diagonal connecting two points. These points are a distance from each end of the centerline of each street of:

(1) One hundred and fifty (150') feet from the intersection of such street centerlines, if either street is an arterial street;

(2) One hundred (100') feet from the intersection of such street and centerline if either street is a collector or connector street;

(3) Seventy-five (75') feet from the intersection of such street centerlines, if both streets are local streets.



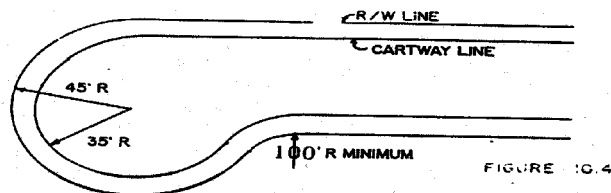
9. Cul-de-Sac Streets.

A. Cul-de-sac streets shall be permitted with a maximum length of one thousand (1,000) feet and a minimum length of two hundred fifty (250) feet, and must be provided with a turn-around with a minimum radius of forty (40) feet to the curb line and fifty-five (55) feet to the legal right-of-way (see figure 10.4). No cul-de-sac street shall provide access to more than twenty (20) dwelling units. [Ord. 1-95]

B. The circular right-of-way of the cul-de-sac shall be connected to the approach right-of-way by an arc having a radius of not less than one hundred (100') feet. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius that is ten (10') feet inward from the required minimum radius of the right-of-way. (See Figure 10.4).

C. The Board of Commissioners, upon the recommendation of the Planning Commission, may permit acceptable alternative turn-around designs, including a turn-around of acceptable radii incorporated into a parking court or a landscaped island (with an acceptable system for maintenance) within a cul-de-sac.

D. No street shall dead-end without an approved turn-around at the end of the street. Temporary stub streets shall be required to include at least a temporary cul-de-sac, if the stub would be longer than one hundred and fifty (150') feet or serve more than three (3) dwellings or lots. No street that provides access to fifteen (15) or more dwelling units shall be served with a temporary cul-de-sac.



E. See also the design standards in Table 10.1.

10. Maintenance. As a condition for final plan approval, the developer must enter into a legally binding agreement which shall state who is to be responsible for the improvement and maintenance of any street not offered for dedication. If an association of lot owners is to be made responsible, such association must be legally organized prior to plan approval by an agreement approved by the Township.

11. Street Design and Traffic Improvements.

A. Streets shall be graded, improved and surfaced to the grades and dimensions shown on approved plans, profiles and cross-sections and in conformance to the Township Streets, Curbs and Sidewalks Chapter [Chapter 21].

B. Right-of-Way Grading.

(1) The entire right-of-way shall be graded to the approved cross-section. All trees, stumps and other material deemed unsuitable by the Township Engineer shall be removed. The excavation shall be back filled and suitably compacted to the satisfaction of the Township Engineer.

(2) The entire street structure shall be crowned in conformance with the Township Street and Improvement Specifications.

(3) A proper super-elevation (banked curves) shall be provided on arterial, connector and collector streets and when required by the Township Engineer.

C. Grading Beyond Right-of-Way.

(1) The subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the proposed elevation of the abutting property.

(2) Such grading beyond the right-of-way shall maintain the original conditions of slope and contours except where storm water runoff designs dictate or warrant improvement or alteration of the original slope and contours.

(3) Approved plans, either preliminary or final, showing proposed grading, shall be a covenant running with the land, unless altered by written permission from the Board of Commissioners in conjunction with the Northampton County Conservation District.

(4) In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of three (3') feet horizontal to one (1') foot vertical.

D. Drainage of Streets.

(1) Parallel and cross drainage facilities shall be properly located, designed and installed to maintain proper drainage of the completed streets.

(2) Proper design and construction in accordance with those requirements may require the use of curb and gutter or paved drainage swales to prevent erosion. Drainage facilities shall be designed in accordance with requirements of the Stormwater Management Ordinance [see Chapter 26, Part 3, §§301 - 318].

(3) The minimum diameter of any cross drainage or culvert pipe shall be fifteen (15") inches.

(4) Open pipe ends must be fitted with concrete end wells or wing walls or prefabricated end sections and with protective safety gratings.

(5) No open pipes shall be allowed to end within the Township street right-of-way, except in cases where new driveways must cross existing deep road side swales adjacent to existing Township streets. In the case of these exemptions to the standard, the pipe shall be located as far off the edge of pavement as possible (at least twenty [20'] feet from the street centerline).

(6) Energy dissipaters shall be placed at the outlets of all pipes where flow velocities exceed maximum permitted channel velocities.

(7) Bridges and culverts shall be designed to support expected loads in accordance with Federal Highway Administration standards, to carry expected flows, and to be constructed to the full width of the right-of-way in accordance with PennDOT standards. The applicant shall determine whether a TIER permit is required.

(8) Consideration shall be given for sub grade drainage of those soils subject to frost heave. Design of the road bed in such locations may require parallel drainage facilities and/or underdrains to properly stabilize the subgrade. The Board of Commissioners may require that such drainage facilities be provided. The design of such subgrade drainage facilities shall be subject to the review and approval of the Township Engineer.

(9) Sedimentation and Erosion Control. See §1021.

(10) Storm Water Drainage. See the Township Stormwater Management Ordinance [Chapter 26].

(11) A set of approved design plans shall be maintained on file at the site during construction, as record drawings.

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E. Street Construction Standards. See the Township Streets and Improvement Standards.

12. Private Streets. Any private street or accessway that will eventually serve traffic from three (3) or more dwelling units or two (2) or more industrial, commercial uses and or institutional uses shall be designed and constructed to Township construction standards, including the provision of a street right-of-way.

13. Required Traffic Improvements.

A. If there is a reasonable relationship between the need for a transportation improvement (including but not limited to one or more of the following: new or upgraded traffic signal, land dedication or trade for an improvement, intersection realignment or widening, construction of street shoulders, street widening, intersection widening, curve improvement, sight distance improvement and/or installation of sidewalks) and a proposed subdivision or land development, the subdivision or land development shall be required to fund its fair share of the cost of such improvement or dedicate sufficient right-of-way.

B. In place of funding the improvement at the time of final approval, the Township may enter into an agreement to allow the developer to accomplish or fund the improvement in relationship to the stages of the development or require the funds to be placed in escrow until such time as sufficient funds are available for a more comprehensive improvement. Any such funds received under this Section shall be accounted for separately and remain committed to traffic improvements.

C. This Section shall be carried out through determinations of the Board of Commissioners, based upon recommendations of the Planning Commission, which shall make determinations based directly upon any recommendations of the Township Engineer and the Township Police Chief, any comments from PennDOT and any professional traffic studies or traffic accident information that have been submitted.

(Ordinance 2-89, 2/6/1989, §1; as amended by Ord. 1-95, 3/6/1995, §5)

§1005. Blocks.

1. Residential.

A. Maximum Length. Residential blocks shall not exceed one thousand five hundred (1,500') feet in length in subdivisions using an average lot size of one (1) acre or larger and shall not exceed one thousand two hundred (1,200') feet in length in subdivisions having an average lot size less than one (1) acre.

B. Minimum Length. Residential blocks shall have a minimum length of two hundred and fifty (250') feet.

C. Blocks shall be of sufficient width to permit two (2) tiers or lots except where access is limited by virtue of an adjoining arterial

street or by virtue of topographic limitations.

2. Nonresidential. Nonresidential blocks shall not be less than eight hundred (800') feet in length.

§1006. Lots.

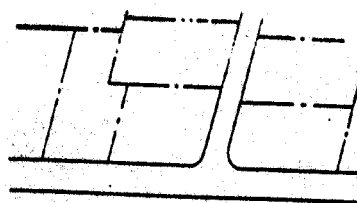
1. Lots shall conform to the applicable minimum lot sizes, lot widths, setback and all other requirements as set forth in the Township Zoning Chapter [Chapter 27].

2. All lots shall front on a public or private street improved to meet Township standards or for which improvements have been insured by the posting of an acceptable performance guarantee under this Chapter.

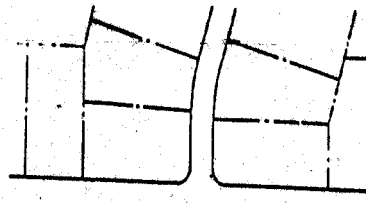
3. The depth-to-width ratio of a lot shall generally not be greater than three (3) to one (1).

4. Side lines of lots shall abut and be approximately at right angles to straight streets and on radial lines to curved streets. Pointed or very irregularly shaped lots shall be avoided. (See Figures 10.6 a, b, c and d.)

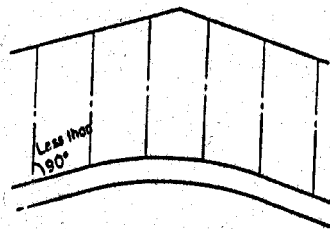
(Ordinance 2-89, 2/6/1989, §1)



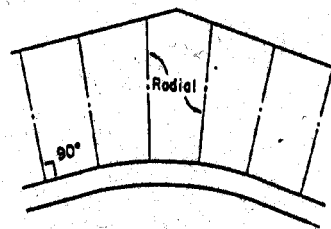
UNACCEPTABLE LOT LAYOUT
Figure 10.6a



ACCEPTABLE LOT LAYOUT
Figure 10.6b



UNACCEPTABLE LOT LAYOUT
Figure 10.6c



ACCEPTABLE LOT LAYOUT
Figure 10.6d

5. Frontage Lots and Planting Strips.

A. Double frontage lots shall ordinarily not be created except as needed to avoid direct vehicular access onto an arterial street by individual driveways.

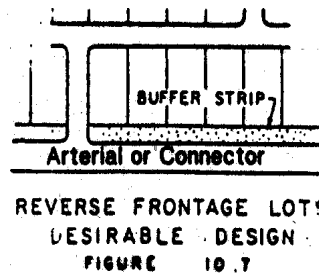
B. Planting Strips.

(1) On any double frontage or reverse frontage lots, each lot shall include a fifteen (15') feet deep planting strip along

one of the streets with access clearly prohibited across this strip by notes on any approved plan (see Figure 10.7).

(2) In addition to the street trees required by §1018 of this Chapter, this planting strip shall include evergreen plantings meeting the requirements of §1904 of the Township Zoning Chapter. Any fencing in the rear of such lots shall be placed on the inside side of such plantings.

(3) This planting strip shall be placed along the street that the Planning Commission determines will eventually serve the most through traffic (for example, if a lot abuts a collector and a local street, the planting strip shall be placed along the collector street and the lot shall only have vehicular access onto the local street).



6. If remnants of land (other than rights-of-way) exist after subdividing, they shall be incorporated in existing or proposed lots. No lot shall be created (especially abutting an arterial street) that would not be suitable for a use permitted in that Zoning District.

7. Bus Stops.

A. Residential land developments or subdivisions that involve fifteen (15) or more dwelling units shall contact the School District to establish one or more acceptable and safe locations for a school bus stop.

B. A major subdivision or land development may be required by the Planning Commission to contact the local public transportation agency to seek an appropriate location for a public bus stop.

(Ordinance 2-89, 2/6/1989, §1)

§1007. Dedication of Open Space and Recreation Land or Payment of Fees in Lieu Thereof.

1. Statement of Findings and Intent.

A. Residential, commercial, office and industrial subdivisions and land developments create significant demands for open space, including active and passive recreational areas and facilities.

B. There are natural resource areas in the Township which are

deserving of protection from development.

C. The Township has certain goals and objectives which are listed in the Comprehensive Plan, the Comprehensive Park, Recreation and Open Space Plan, the Zoning Ordinance [Chapter 27] and this Part.

D. To meet the demands for open space, to protect natural resource areas from development and to achieve the aforesaid goals and objectives it is necessary and desirable in the best interests of the Township to provide for the dedication of open space and recreation land or the payment of fees in lieu thereof.

2. Applicability. This Section shall apply to all applications for subdivision or land development approval other than applications that involve only minor plan changes or other adjustments or corrections to a plan.

3. Open Space Dedication.

A. Requirement and Dedication. Every applicant for subdivision or land development approval shall dedicate to the Township not less than the minimum area of open space specified hereinafter, unless:

(1) The applicant and the Township agree that such open space may be privately reserved or dedicated to another public entity.

(2) The applicant and the Township agree that the applicant shall pay fees in lieu thereof and such fees are paid, as specified hereinafter.

B. Area of Required Dedication.

(1) Residential Development.

(a) Minimum Open Space. One thousand (1,000) square feet of area for each approved dwelling unit.

(b) Mix of Open Space. Not less seventy-five (75) percent of the open space must be comprised of active recreation area. The remaining twenty-five (25) percent may include natural resource area and/or passive recreation area.

(2) Commercial, Office and Industrial Development.

(a) Minimum Open Space. Seven and one-half (7 1/2) percent of the total area of the development.

(b) Mix of Open Space. Not less than seventy-five (75) percent of the open space must be comprised of active recreation area. The remaining twenty-five (25) percent may include natural resource and/or passive recreation area.

C. Dedication Process.

(1) The dedication shall be made by delivery to the Township, prior to recordation of the approved subdivision or land development plan:

(a) A fully executed and acknowledged special warranty deed, which shall be subject to the review and approval of the Township Engineer and the Township Solicitor.

(b) A current certification of title or policy of title insurance issued by a reputable title insurance company authorized to transact the business of title insurance in the Commonwealth of Pennsylvania or current opinion of title by an attorney licensed to practice law in the Commonwealth of Pennsylvania, which shall be subject to the review and approval of the Township Solicitor.

(2) The open space shall be conveyed free and clear of all liens, encumbrances and easements (excepting existing easements or restrictions of record which do not make the open space unsuitable for its intended use and provided they do not render the title unmarketable).

4. General Open Space Requirements.

A. All open space shall satisfy, as applicable, the definitions contained in §202 of this Chapter, including "active recreation areas," "natural resource area," "open space" and "passive recreation area." Open space proposed for condominium developments shall also satisfy the definition of "open space, common" in the Bethlehem Township Zoning Ordinance [Chapter 27], as amended.

B. The applicant shall clearly state, in writing, what improvements, if any, it intends to make in connection with the development such that the open space will be suitable for its intended purpose, such as grading, landscaping or development of trails. All dedicated open space shall be free of construction and other debris at the time of dedication.

C. Open space shall initially be offered for dedication to the Township. The Board of Commissioners may authorize the applicant to offer the open space to another public entity, including the Bethlehem Area School District or Northampton County.

D. If for any reason any dedication of open space is not accepted by the Township or another public entity to which the applicant is authorized by the Township to dedicate such space, the applicant shall find an incorporated nonprofit land conservation organization that is willing to accept ownership and maintenance responsibilities for such space, provided such organization is acceptable to the Board of Commissioners.

E. In the case of a rental development, the Township may permit ownership of open space to be retained by the real owner.

F. In the event the Township authorizes the private reservation of open space for common use of lot or condominium owners, the applicant shall provide to the Township documentation establishing:

(1) That an association of such owners to own and maintain such space has been lawfully created.

(2) That a formal agreement or declaration has been created and properly recorded providing for the maintenance and the method of management of such space.

Such agreement or declaration shall provide that all owners within the subdivision or land development are required to contribute financially to the such maintenance. Privately reserved open space shall be protected by permanent deed restrictions and/or conservation easements acceptable to the Board of Commissioners to permanently prohibit the construction of buildings, except buildings for pre-approved types of noncommercial recreation or that are needed to support maintenance of the open space. All such documentation is subject to the review of the Township Solicitor and acceptance by the Board of Commissioners.

G. Required open space shall be contiguous, except as may be specifically exempted by the Board of Commissioners.

H. Required open space shall have adequate access for maintenance and for pedestrians, bicyclists, emergency and service vehicles.

I. Other Ordinances. Any required dedication under this Section shall be in addition to any land dedication or improvement requirements of any other Township ordinance or resolution, unless specifically stated otherwise.

J. Prohibited Lands. No area shall be used to meet the minimum open space requirements of this Section if such area is:

(1) Within twenty-five (25) feet of any building.

(2) Within twenty-five (25) feet of a parking area of more than six (6) parking spaces (other than parking areas specifically developed to serve the open space).

(3) Within fifty (50) feet on each side of the center of overhead electrical transmission lines of over thirty-five (35) kilowatts of capacity.

(4) Within stormwater detention basins.

(5) Within stormwater retention basins unless the dedicated area includes not less than five (5) acres of open space exclusive of the area of such basin and the Board of Commissioners finds that such basin has exceptional recreational value by

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reason, for example, of its design, appearance and/or proximity to existing or proposed public parks.

K. Coordination with Future or Adjacent Development.

(1) In a phased plan, the dedication of open space shall be made as a part of the first phase of development.

(2) If only a portion of a larger tract of land is currently proposed to be subdivided or the applicant owns one (1) or more adjacent tracts that are not currently proposed to be subdivided, the applicant shall provide a sketch showing areas for possible future dedication on such adjacent tract or tracts.

(3) The Board of Commissioners may require that open space to be dedicated within land currently being subdivided be placed along an edge of such lands so that such space may, in the future, be combined with an open space dedication on the edge of an adjacent property when that adjacent property is subdivided or developed.

5. Fees in Lieu of Open Space Dedication.

A. If the total area of proposed active recreation area and passive recreation area is less than five (5) contiguous acres or if such area is not acceptable to the Board of Commissioners, the Township will accept fees in lieu of the dedication of open space, as provided below:

(1) For residential development, one thousand dollars (\$1,000.00) for each approved dwelling unit.

(2) For commercial, office or industrial development, three thousand dollars (\$3,000.00) per acre based upon the total lot area of all approved lots.

B. The foregoing fees above may be revised by subsequent resolution and/or official fee schedule of the Board of Commissioners.

6. Decision on Dedication of Open Space versus Payment of Fees. The Board of Commissioners shall determine whether a dedication of open space or the payment of fees in lieu thereof is preferable. If the Board of Commissioners determines that payment of fees is preferable, but an applicant refuses in writing at or prior to the time of preliminary plan approval to the payment of such fees, the dedication of open space shall be required. The Board of Commissioners should, at a minimum, consider the following factors in making such determination:

A. Whether the location of the open space abuts or can be connected to other open space which is currently or potentially publicly owned.

B. Whether the dedication of open space in that location would serve a valid public purpose, such as providing a buffer between

different types of land uses.

C. Whether the proposed open space is accessible to pedestrians, bicyclists and emergency and service vehicles.

D. Whether the area in the general vicinity of the development has existing, adequate open space.

E. Any recommendations that may be received from the Planning Commission, the Township Engineer, the School District, the Parks and Recreation Committee or other Township boards and commissions.

F. Relevant provisions of the Comprehensive Park, Recreation and Open Space Plan and/or Comprehensive Plan.

7. Limitations on Use of Fees.

A. All fees collected pursuant to this Section shall be placed within one (1) or more interest bearing account(s), which shall be accounted for separately from other Township funds.

B. At the time of final subdivision or land development approval, the Township shall designate the location of existing open space and/or facilities or the approximate location of intended open space and/or facilities where the fees are intended to be utilized. Such open space and/or facilities shall be accessible to the inhabitants of the development that paid such fees. Notwithstanding the foregoing, fees from any development may be used within any "community-wide" park that the Board of Commissioners determines clearly is intended to serve all inhabitants of the Township.

(1) The Board of Commissioners may by resolution modify the locations where fees are to be expended, if conditions change or opportunities more appropriate arise.

(2) In the event that the Board of Commissioners does not designate specific open space and/or facilities for the use of fees, then such fees shall be deemed as designated for use at the central Bethlehem Township Municipal Park on Farmersville Road.

C. Use of Funds. All fees paid under this Section shall be used only for the following:

(1) Acquisition of public open space (including, but not limited to property transfer costs).

(2) Development of public recreational facilities.

(3) Renovation of new or existing public recreational facilities.

(4) Landscaping of public open space.

(5) Closely related professional engineering work, such as

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design and preparation of construction specifications and/or bid documents. Such fees shall not be used for maintenance of existing facilities, provision of recreation programs or other administrative costs.

8. Timing of Payment of Fees.

A. If a subdivision or land development involves single family detached, single family semidetached and/or two family dwellings, the fee shall be paid as follows: five hundred dollars (\$500.00) for each dwelling unit shall be paid prior to recording of the approved plan and the remaining five hundred dollars (\$500.00) for each dwelling unit shall be paid as each lot is sold or upon making application for a building permit, whichever occurs first, until the remaining amount is paid. In all cases, the total fee shall be paid for the entire subdivision or land development within five (5) years from the date of final plan approval.

B. If a subdivision or land development involves commercial, office or industrial uses, the fee shall be paid prior to the recording of a final approved plan or, in the case of a plan that is not required to be recorded, within five (5) years of the final approval date, unless an alternate payment schedule is mutually agreed to by the Board of Commissioners and the applicant as a condition of final plan approval.

C. As a condition of any agreement or condition to pay fees in installments, the applicant shall accept that all such fees shall not be considered to be "paid" for the purposes of any applicable time limitations for utilization under Act 247 until all such fees are paid in full, including all installments and phases.

9. Combination of Land and Fees. Upon mutual agreement of the Board of Commissioners and the applicant, the Township may accept a combination of dedication of open space and fees in lieu thereof to meet the requirements of this Section, as follows:

A. In residential subdivisions or land developments, this combination shall be based upon the open space requirement that applies to a certain number of dwelling units and the fee in lieu thereof that applies to the remaining number of dwelling units.

B. In commercial, office and industrial subdivisions or land developments, the applicant shall pay fees equal to the difference between the amount of fees payable pursuant to subsection (3)(A)(2) and the market value of the dedicated open space. The applicant shall have the burden of clearly proving to the satisfaction of the Board of Commissioners the market value of such dedicated open space by evidence from qualified real estate professionals.

10. Fee Modification Process.

A. An applicant may seek a modification or reduction of fees by offering in writing in a contractually binding form to:

(1) Construct substantial permanent recreation facilities within the proposed subdivision or land development.

(2) Construct substantial permanent recreation facilities on existing public open space.

B. The Township may accept such modification if the applicant clearly proves to the satisfaction of the Board of Commissioners, after providing the Parks and Recreation Committee with an opportunity for review, that such alternative will be substantially equivalent to the value of the land and/or facilities needed to meet the majority of the open space and recreation needs to meet the majority of the open space and recreation needs that can be expected to be generated within the Township from the inhabitants of the development. Such modification shall be based upon an estimate of the market value of the improvements by the applicant's engineers, which shall be subject to acceptance by the Board of Commissioners. The cost of constructing such improvements shall be secured to the Township by the provision of financial security in the same form and manner as financial security for municipal and common improvements.

(Ordinance 2-89, 2/6/1989, §1; as amended by Ord. 3-90, 2/12/1990, §§I-III; and by Ord. 2-98, 6/15/1998, §III)

§1008. Storm Water Management. See the Township Stormwater Management Ordinance [Chapter 26], which is hereby included by reference. The provisions of the Stormwater Chapter shall apply to all subdivisions and land developments under this Chapter. (Ordinance 2-89, 2/6/1989, §1)

§1009. Sanitary Sewage Systems.

1. In General. All subdivisions and land developments shall be served with an adequate sewage disposal system (either on-lot or centralized system) that will meet State regulations.

2. Central Sewage Service. In addition to the above general requirements, central sewage disposal systems shall also be reviewed and approved by the appropriate Municipal Authority or agency.

3. On-Lot Sewage Disposal System,

A. Where it is not deemed by the Municipal Authority to be feasible and reasonable to connect to a centralized sewage disposal system, on-lot systems may be used and shall be constructed in accordance with DER regulations.

B. The Township Sewage Enforcement Officer's site and soils investigation and favorable report are required prior to approval of the preliminary plan.

C. Any use with an on-lot septic system and that does not have capped sewers shall include a suitable land area set aside in open space that would be available for an alternate septic system if needed.

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(Ordinance 2-89, 2/6/1989, §1)

§1010. Water Supply Systems and Fire Hydrants.

1. In General. All subdivisions and land developments shall be served with an adequate water supply system (either on-lot or centralized system) that will meet DER requirements. Any non-public water supply system serving two or more principal uses or lots shall be required to provide adequate water pressure, in the determination of the Township.

2. Centralized Water Supply System. Proposed extensions of centralized water systems shall meet all applicable procedures, reviews and requirements of the appropriate municipal authority or public utility and meet with their approval prior to final plan of any plan relying upon such system.

3. On-Lot Water Supply Systems.

A. The Board of Commissioners, based upon any recommendations of the Planning Commission, the Township Engineer and the appropriate water supplier, shall require all lots and principal uses within a subdivision or land development to be connected to the central water system where the Commissioners determine that such connection would be feasible and reasonable. When a subdivision or land development is not required to connect to a central water system, on-lot water systems shall be constructed in accordance with regulations of DER.

B. Wells should be located no closer than twenty-five (25') feet from any future street right-of-way.

4. Fire Hydrants. All subdivisions and land developments that will be served by public water service shall provide fire hydrants as needed with appropriate water pressure so that all dwelling units and principal buildings are within six hundred (600') feet of an active fire hydrant.

(Ordinance 2-89, 2/6/1989, §1)

§1011. Utilities Other Than Water and Sewer. All electric power, telephone, cable television and natural gas distribution lines shall be placed underground except where the Planning Commission determines it is not feasible, and in accordance with the current standards of the utility serving the subdivision or development. (Ordinance 2-89, 2/6/1989, §1)

§1012. Access Drives and Driveways.

1. Access. A State Highway Occupancy Permit is required for all entrances of an access drive or driveway onto a State Road.

2. Location. The minimum distance between an access drive or driveway to a street intersection shall be as follows:

Type of Subdivision or Land Development	Distance Between Centerlines of Access Drive or Driveway and Nearest Intersection Street by Type of Intersecting Street		
	Arterial	Collector or connector	Local
Residential	50 ft.	100 ft.	75 ft.
Residential - Other than single family detached dwelling or garden apartments	150 ft.	75 ft.	50 ft.
Nonresidential or Mixed	300 ft.	200 ft.	150 ft.

3. Sightlines at Intersections of Driveways or Access Drives with Streets. See §1904 of the Township Zoning Chapter [Chapter 27].

4. Grades. Grades of access drives or driveways shall not exceed twelve (12%) percent when connecting to a local or collector street and seven (7%) percent when connecting onto an arterial street, however, the initial twenty (20') feet from the edge of the cartways of an arterial street shall not exceed four (4%) percent and the initial twenty (20') feet from the edge of the cartways of any other street shall not exceed seven (7) percent.

5. Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a public street where intersected by an access drive or driveway. Access drives and aisles within parking lots shall be graded and drained to keep the primary travel lane free of stormwater.

§1013. Off-Street Parking and Loading. See Part 17 of the Township Zoning Chapter. (Ordinance 2-89, 2/6/1989, §1)

§1014. Sidewalks, Pathways and Driveway Aprons.

1. Sidewalks built to Township specifications shall be required in all subdivisions and land developments.

A. Waiver. The Board of Commissioners may, after receiving the recommendation of the Planning Commission, waive a requirement for sidewalks on one or both sides of a street if a development would include an acceptable system of internal pathways, or be within in a clearly industrial area, or where all of the lots in a residential subdivision would be both greater than one (1) acre in lot area and have greater than one hundred and fifty (150') feet of street frontage.

2. Pathway or Bikeway.

A. If deemed necessary for the convenient and safe circulation of bicycles and pedestrians, the Board of Commissioners, upon the recommendation of the Planning Commission, may require that a major subdivision or land development include the granting of an easement for a pathway or bikeway.

SUBDIVISION AND LAND DEVELOPMENT

B. A bikeway or pathway may be required to have a width of up to eight (8') feet and may be required to be illuminated and/or paved to Township standards.

C. A bikeway or pathway may be included within the required minimum area of an abutting lot.

3. Location.

A. Sidewalks, where required or provided, shall be located within the street right-of-way and no closer than one (1') foot from the right-of-way line nor closer than three (3') feet from the curb line. A standard street cross-section diagram is available from the Township Engineer.

B. A grass planting strip shall be planted between the curb and sidewalk. This strip shall not be paved except at driveway entrances.

4. Specifications.

A. Sidewalks shall be a minimum width of:

(1) Five (5') feet along arterial streets.

(2) Four (4') feet along collector or local streets and access drives.

B. Construction. See the Township Streets, Sidewalks and Curbs Chapter [Chapter 21J, as amended.

C. Pathways shall be constructed of one of the following, at a minimum: four (4") inches of portland cement concrete underlain by four (4") inches of compacted gravel or crushed stone or two and one-half (2.5") inches of bituminous underlain by six (6") inches of compacted gravel or crushed stone.

5. Handicapped Access. All sidewalks and curbs at the intersection of two (2) or more public streets shall include a sloped curb cut suitable for use by wheelchairs.

6. Maintenance. It shall be the responsibility of adjacent landowners to maintain sidewalks. See the sidewalk covenant provisions in Appendix D.

(Ordinance 2-89, 2/6/1989, §1)

§1015. Street Lighting.

1. The developer shall be required to provide street lights when the Board of Commissioners, upon the recommendation of the Planning Commission, deems them necessary to provide safe traffic or pedestrian circulation. Street lights shall be required to be provided at intersections involving a collector, connector and/or arterial street, at sharp curves in streets and at very isolated areas of a development.

2. Such lights shall meet design standards established by the Township and the public utility. The Planning Commission may approve alternative pole designs that still meet electric company standards. Generally, light poles should be no brighter than one hundred seventy-five (175) watts and be spaced approximately five hundred (500) feet apart.

3. The Board of Commissioners may require a developer to establish a homeowner or condominium association to fund the maintenance of and electricity for street lights in a development.

4. Such lights shall be installed upon the installation of the base course of pavement of the approved streets.

(Ordinance 2-89, 2/6/1989, §1; as amended by Ord. 1-95, 3/6/1995, §6)

§1016. Identification Signs and Street Names.

1. The developer shall provide the subdivision or land development with adequate street signs at the intersection of all streets and with any other signs required, or fund such signs if provided by the Township.

2. Street name signs shall be constructed of extruded aluminum measuring six (6) inches high. The width shall be determined by the length of the street name, but in no event shall it exceed thirty-six (36) inches. The background shall be blue reflective sheeting, E.G., H.A. Letters shall be White Series "B" Heat Activated and shall be four (4) inches high for the street name and two (2) inches high for abbreviations such as Ave. The signs shall be installed on the top of a round galvanized post measuring two (2) inches in diameter ten (10) feet in length and with sixty-five hundredths (0.65) inch thick walls. The sign shall be seven (7) feet above grade after installation. A pin shall be driven through the post ten (10) to twelve (12) inches from the bottom of the post to prevent the sign from turning.

3. Street names are subject to the approval of the Board of Commissioners and U.S. Postal Service, and shall continue the name of any street with the same alignment, and shall not duplicate or be closely similar to the name of another street within the Township or the Zip Code.

4. Such signs shall be installed upon the installation of the base course of pavement of the approved streets.

5. Identification signs shall conform to the sign regulations found in the Bethlehem Township Zoning Ordinance. [Chapter 27].

(Ordinance 2-89, 2/6/1989, §1; as amended by Ord. 1-95, 3/6/1995, §7)

§1017. Regulatory Signs.

1. The developer shall be required to provide or fund traffic regulatory signs that shall meet current design standards as established by PennDOT.

2. Such signs shall have a clear height of seven (7) feet.

SUBDIVISION AND LAND DEVELOPMENT

3. Such signs shall be installed upon the installation of the base course of pavement of the approved streets.

(Ordinance 2-89, 2/6/1989, §1; as amended by Ord. 1-95, 3/6/1995, §8)

§1018. Landscaping, Trees and Historic Buildings.

1. Street Trees.

A. Street trees are required to be planted under this Section within all land developments and major subdivisions. Street trees shall not be required for frontage along a single family detached residential lot with a lot area of greater than two (2) acres or a clearly agricultural lot with a lot area of greater than two (2) acres.

(1) The Planning Commission or any Township Shade Tree Commission may approve other species of trees than those listed below if the applicant proves to the satisfaction of either Commission that the trees would be sturdy, attractive and resistant to disease and road salt.

(2) If more than twenty (20) street trees are required, no more than fifty (50%) percent of the trees shall be of any one species.

(3) Permitted Species of Trees

(a) Deciduous:

Gleditsia triacanthos - Thornless Locust
Acer rubrum - American Red Maple
Acer saccharum - Sugar Maple
Celtis occidentalis - Common Hackberry
Fagus sylvatica - European Beech
Fraxinus pennsylvanica - Green Ash
Fraxinus americana - White Ash
Ginkgo biloba fastigiata - Maiden Hair Tree
(male only)
Juglans nigra - Eastern Black Walnut
Liquidambar styraciflua - Sweet Gum
Liriodendron tulipifera - Tulip Poplar
Quercus phellos - Willow Oak
Quercus acutissima - Sawtooth Oak
Quercus imbricaria - Shingle Oak
Quercus borealis - Red Oak
Quercus coccinea - Scarlet Oak
Sophora japonica - Chinese Scholar Tree
Quercus macrocarpa - Bur Oak
Quercus alba - White Oak
Populus deltoides - Eastern Poplar
Quercus montana - Chestnut Oak
Quercus velutina - Black Oak
Tilia americana - American Linden
Tilia petiolaris - Silver Linden

Tilia euchlora - Crimean Linden
Tilia cordata - Little Leaf European Linden
Zelkova serrata - Zelkova

(b) Evergreen:

Ilex opaca - American Holly
Picea morica - Serbian Spruce
Picea pungens - Colorado Spruce
Pinus thunbergi - Japanese Black Pine
Pseudotsuga taxifolia - Douglas Fir
Tsuga canadensis - Canada Hemlock
Tsuga caroliniana - Carolina Hemlock
Larix decidua - European Larch

B. Quality of Trees.

(1) Trees permitted shall be of symmetrical growth, free of insect pests and disease, and durable under the maintenance contemplated.

(2) Trees which have died or have become diseased or pest-ridden within eighteen (18) months from the time of planting shall be replaced by the developer.

C. Minimum Size. The trunk diameter (measured at a height of one [1'] foot above the finished grade level) shall be a minimum of two (2") inches.

D. Planting and Maintenance.

(1) Trees shall be planted and staked in conformance with good landscaping practices.

(2) Trees adjacent to or within parking areas shall be properly protected from damage by vehicles by raised curbs, similar devices or sufficient setback.

(3) Required trees shall be properly maintained and shall not be removed by the developer without being replaced by another tree that meets the requirements of this Section.

E. Required Number of Street Trees.

(1) Within and abutting all land developments and major subdivisions, along any street, or any access drive serving more than one commercial, industrial or institutional principal use, an average of one (1) deciduous street tree shall be required for every fifty (50') feet of distance along the street right-of-way line on each affected side of the street.

(2) In a residential subdivision or land development, if dwellings do not front onto the street right-of-way, evergreen trees meeting the requirements of this Section should be

substituted for trees.

F. Spacing. The trees required under this Section shall be generally, spaced throughout the development, but may be clustered at locations acceptable to the Planning Commission. If trees are to be planted on both sides of a street, they should be planted so that the trees alternate and are not lined up exactly with the tree on the other side of the street.

G. Location of Street Trees. The trunk of street trees required under this Section shall be setback a minimum of two (2') feet and a maximum of fifteen (15') feet from any established curb line, or at least five (5') feet from the edge of the cartways and the shoulder of a street and no more than ten (10') feet outside of the proposed street right-of-way if no curb line is established, unless the Board of Commissioners approve another location or another location is needed to ensure adequate sight distance. Where trees are to be planted between the curb and the sidewalk, special consideration shall be given to the species of trees that are planted.

H. Other Requirements. The street trees required under this Section shall be in addition to any trees required under other Township regulations, including the parking lot landscaping requirements of the Zoning Chapter [Chapter 27].

I. Credit for Existing Trees. If existing healthy street trees are to be preserved that would, in the determination of the Planning Commission, generally meet the intent and requirements of this Section, they may serve as a credit towards the number of street trees required to be planted.

2. Ground Cover.

A. Exposed ground surface in all parts of the subdivision shall be paved or covered with stone screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

B. The vegetative cover shall not be poisonous in nature.

3. Buffer Yards. See the requirements for buffer yards) in §1904 of the Township Zoning Chapter [Chapter 27].

4. Preservation of Existing Trees. All trees six (6") inches or more in diameter (measured at a height of four [4'] feet above original grade) shall not be removed as part of or in preparation for a subdivision or land development unless they are located within five (5') feet of a proposed cartways or street shoulder, or within a stormwater detention basin, parking area, sidewalk portion of the right-of-way, driveway, on-site sewage system, within twenty (20') feet of the foundation area of a new structure, or unless they are diseased or are excessive in number and thinning will promote and enhance the healthy development of the remaining trees.

5. Natural and Historic Feature Preservation.

A. Substantial and sensitive natural features and historic structures and important archaeological sites worthy of protection, as determined by the Board of Commissioners upon the advice of the Planning Commission shall be respected, incorporated into and protected in any subdivision or land development.

(1) These features include, but are not limited to natural drainage channels, waterways and falls, large trees or groves, highly scenic views and important community landmarks.

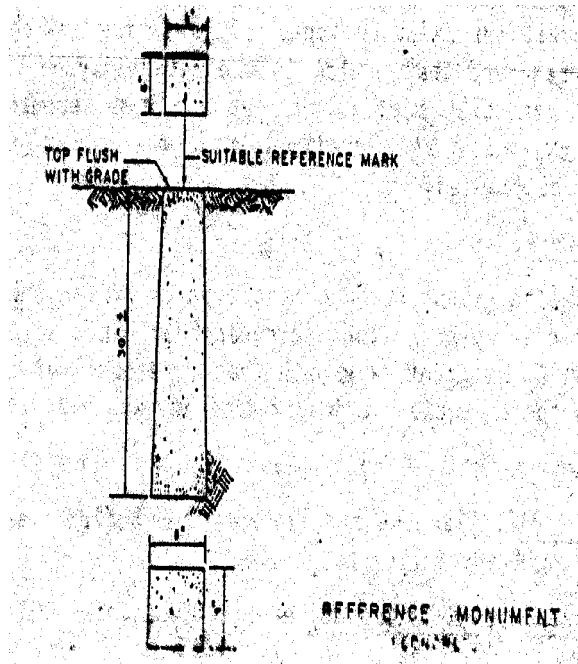
(Ordinance 2-89, 2/6/1989, §1)

§1019. Monuments and Lot Pins.

1. Monuments.

A. Location. Permanent reference monuments shall be located at each intersection of street centerlines of street(s) constructed by the developer, at the beginning and ending of all street curves, and at exterior corners of the subdivision. With the approval of the Township Engineer, the subdivider may install monuments on only one (1) side of the street provided that enough monuments are set to permit a surveyor to stake out accurately any building lot shown on the record plan.

B. Type. Reference monuments shall be constructed of steel reinforced portland cement concrete to the dimensions shown in the accompanying sketch or other material approved by the Township Engineer.



SUBDIVISION AND LAND DEVELOPMENT

C. Placement. Reference monuments shall be placed so that the top of the monument is as shown in the accompanying sketch.

2. Lot Pins. All lot corner markers shall be permanently located and shall be at least a three fourths (3/4") inch metal pin or pipe with a minimum length of twenty (20") inches located in the ground to existing grade.

(Ordinance 2-89, 2/6/1989, §1)

§1020. Curbs.

1. Curbs shall be provided along both sides of all public streets and all private streets.

2. Deferment. Curbs may be deferred by the Board of Commissioners along single family detached residential lots that have a lot area of greater than two (2) acres or clearly agricultural lots that have a lot area of greater than two (2) acres.

3. If curbs are deferred, appropriate stabilized drainage channels designed to handle a twenty-five (25) year storm shall be required along all streets, within the street right-of-way, or drainage easements.

4. Rolled curbs are not permitted.

5. All required curbs shall meet Township specifications.

(Ordinance 2-89, 2/6/1989, §1)

§1021. Sedimentation and Erosion Control.

1. Erosion and Sedimentation Plan.

A. Any land development or subdivision that will involve the disturbance of more than one (1) acre of earth shall be required to submit to the County Conservation District and the Plans Administrator an "Erosion and Sedimentation Control Plan" that will show how the requirements of DER Title 25 Rules and Regulations, Chapter 102, as amended, will be met. These DER requirements are hereby made a part of this Chapter by reference, any violation of these erosion and sedimentation control regulations or an approved erosion and sedimentation control plan shall be a violation of this Chapter.

B. The Planning Commission may require any land development or subdivision involving more than five thousand (5,000'2) square feet of earth disturbance submit an "Erosion and Sedimentation Plan" have the Plan reviewed by the Township Engineer, at the cost of the applicant.

C. Compliance with the submitted "Erosion and Sedimentation Control Plan" (and any revisions officially filed with the Township) shall automatically be a condition of any final plan approval.

D. The County Erosion and Sediment Control Handbook shall be used

as a resource in soil protection planning and in the review of such plans.

E. The landowner shall be responsible for carrying out the requirements of the "Erosion and Sedimentation Control Plan" during earthmoving activities.

2. All areas of the subdivision shall be stabilized by seeding or planting. Slopes steeper than fifteen (15%) percent shall be further protected by mulching which shall be adequately tied down.

(Ordinance 2-89, 2/6/1989, §1)

Part 11

Mobile Home and Park Design Standards and Required Improvements

§1101. Application.

1. The requirements in this Part shall apply to a Mobile Home Park which is on a tract held in single ownership and provides mobile home spaces on a lease or rental basis.

2. Mobile home parks proposed to be developed for sale of lots shall be designed in accordance with all requirements set forth for single family dwelling residential development.

3. Every proposed mobile home park shall be submitted, reviewed, approved and recorded as either a land development or major subdivision.

4. Definition. The terms "mobile home" and "manufactured home" shall have the same meaning.

(Ordinance 2-89, 2/6/1989, §1)

§1102. Exemptions. The provisions of this Part shall not apply to:

1. The business of mobile home sales, except for accessory sales of mobile homes to be located within the mobile home park;

2. The storage or garaging of mobile homes not being used for living or sleeping purposes within a building or structure;

3. A single mobile home used as a residence on a lot with no other dwellings; or

4. A mobile home located on the site of a construction project, survey project, or other similar work project and used solely as a field office or work or tool house in connection with such project, provided such mobile home is removed from said site within thirty (30) days after the completion of such project.

(Ordinance 2-89, 2/6/1989, §1)

§1103. Contents, Submission, and Review of Plans. The provisions of Parts 4 - 6, 8 and 9 shall apply with respect to the contents, submission and review of Mobile Home Park Plans. (Ordinance 2-89, 2/6/1989, §1)

§1104. General Standards and Requirements.

1. A mobile home/manufactured home park shall meet all of the requirements of this Chapter, except those provisions of this Part that specifically differ. See also the standards in §2002 of the Township Zoning Ordinance [Chapter 27].

2. All Mobile Homes within a mobile home park shall be located on land where the average natural slope of the area of the site intended for

development shall not exceed fifteen (15 I) percent.

3. The Mobile Home Park shall have access to a paved public street.

§1105. Design Standards.

1. Access.

A. Access to individual mobile home spaces shall be from interior parking courts, access drives, or private streets and shall not be from public streets exterior to the development. Streets within the development providing access to twenty (20') or more dwellings shall have a paved cartways width of at least twenty-four (24') feet, and other streets shall have a paved cartways width of at least twenty (20') feet.

B. All streets within the Mobile Home Park shall be private and be maintained as part of the Mobile Home Park. All construction of streets that serve a minimum of twenty (20) dwelling units shall conform to the requirements for streets contained in §1004. All construction of access drives and driveways shall meet the requirements of §1012.

2. Parking.

A. Every mobile home space shall be provided with a minimum of two (2) paved off-street parking spaces. In addition, an average of one-half 0.5 off-street parking space per dwelling unit shall be provided in convenient locations for visitor and overflow parking.

B. Parking courts are encouraged to be used, in place of individual driveways.

C. An appropriate area shall be set aside for the parking of recreational vehicles of residents.

3. Street Trees. Street trees shall be provided in accordance with §1018

4. Other Design Standards and Improvements.

A. Every mobile home space shall be graded to provide a level, stable and well-drained stand for the mobile home.

B. Every mobile home space in the Mobile Home Park shall be provided with connections to an adequate supply of potable water and to a centralized sewage disposal system which conforms to the standards required in Part 10 of this Chapter.

C. Every space shall be provided with underground electric, telephone and T.V. Cable (if available) service.

D. All fuel storage and supply systems shall be constructed and maintained in conformity with the regulations of all authorities having

jurisdiction, and if above ground shall adequately be screened with landscaping or a screen wall compatible with the home.

E. Each Mobile Home Park shall be required by the Board of Commissioners to provide, as necessary, facilities for solid waste collection, street lighting, open space maintenance, water flow and hydrants for fire protection and any other improvement specified in this Part.

(Ordinance 2-89, 2/6/1989, §1)

APPENDIX A
BETHLEHEM TOWNSHIP
APPLICATION FORM FOR
SUBDIVISION AND LAND DEVELOPMENT

FOR OFFICE USE ONLY
FILE NUMBER

_____ New Submission _____ Resubmission

Date of Application _____ (To be filled in by Ordinance Administrator)

_____ Sketch Plan Review

_____ Preliminary Plan

_____ Final Plan

_____ Minor Subdivision

_____ Resubdvision

_____ Boundary Line Adjustment

_____ PRD

Name of Development _____

Location _____

Land Owner's Name _____ Telephone # _____

Address _____

Applicant's Name _____ Telephone # _____

Address _____

Plan Preparer's Name _____ Telephone # _____

Address _____

PROJECT INFORMATION:

Zoning district _____ Minimum Lot Area _____

Number of Lots _____

Water Supply - _____ Private (on lot) _____ Public

Sewage System - _____ Private (on lot) _____ Public

For Preliminary or Final Plan:

Tax Map Sheet, Block & Lot Number(s) _____

Lineal Fee of New Streets _____

Submit the original and 14 copies of this application form and all required plans and materials to the Plan Administrator of the Township
Write a check payable to the Township for the required fees.

SUBDIVISION AND LAND DEVELOPMENT

SUBDIVISION/ LAND DEVELOPMENT APPLICATION FORM (Page 2)

PREVIOUS SUBDIVISION OR CONSTRUCTION ON THIS TRACT WITHIN THE PAST 5 YEARS:

ANY RELEVANT ZONING VARIANCES/ SPECIAL EXCEPTION APPROVALS ON THIS TRACT (and dates):

The applicant certifies by signing below that he has sent or will send within 2 days of submission the notice required by Section 502.B.3 or 702.B.2 of this ordinance to all land owners abutting the proposed subdivision or land development. (Applies to preliminary plan only, or final plan stage if a preliminary plan is not submitted).

The applicant certifies by signing below that he has submitted, or will submit within 2 days of submission to the Township, a copy of any preliminary or final plan to the Joint Planning Commission.

Applicant's Signature _____

(Lower Half of Page For Township Use Only)

AMOUNT OF APPLICATION FEES _____

REVIEW BY TOWNSHIP ENGINEER _____

REVIEW RECEIVED FROM THE JPC: Date: _____

ACTION BY PLANNING COMMISSION: Date: _____

 Action Taken: _____

ACTION BY BOARD OF. COMMISSIONERS: Date: _____

 Action Taken: _____

APPLICANT NOTIFIED OF COMMISSIONERS' ACTION: Date _____

TOWNSHIP STAFF REVIEW COMMENTS: _____

APPENDIX B
PLAN CHECKLISTS

SUBDIVISION AND LAND DEVELOPMENT

MINOR SUBDIVISION
FINAL PLAN CHECKLIST

Note: This checklist is intended to serve as a general guide, but does not replace the actual list of requirements in the text of the Ordinance.

YES NO*

GENERAL SUBMISSION ITEMS - Does the submission include:

- | | | |
|-----|-----|--|
| ___ | ___ | 1. The original and 14 copies of completed Application Form? |
| ___ | ___ | 2. 9 copies of Final Plan Checklist |
| ___ | ___ | 3. 14 copies of the Final Plan (prints)? |
| ___ | ___ | 4. 4 sets of Supportive Documents |
| ___ | ___ | 5. Review letter from PennDOT and completed Highway Occupancy Permit application (if a State highway is involved)? |
| ___ | ___ | 6. The required fee (in accordance with Township Fee Schedule)? |

SPECIFIC PLAN REQUIREMENTS

Drafting Standards - Does the Plan have:

- | | | |
|-----|-----|--|
| ___ | ___ | 7. Plan drawing at a size of 18"x24", 24"x36", 36"x48"? |
| ___ | ___ | 8. A scale of 1"=50' or other preapproved scale? |
| ___ | ___ | 9. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds? |
| ___ | ___ | 10. Sheets numbered and show relationship to the total no. of sheets |
| ___ | ___ | 11. An adequate legend indicating clearly which features are existing and which are proposed |
| ___ | ___ | 12. Submission dates, revisions and revision dates noted? (Or a place for such notes included) |
| ___ | ___ | 13. The boundary lines of the subdivision or land development shown, as a heavy line? |

General Information - Does the Plan have:

- | | | |
|-----|-----|---|
| ___ | ___ | 14. Name of subdivision (with a unique drawing number)? |
| ___ | ___ | 15. Names and addresses of: |
| ___ | ___ | • landowner |
| ___ | ___ | • developer |
| ___ | ___ | • adjoining property owners |
| ___ | ___ | 16. Owners Statement of Intent (see Appendix C)? |
| ___ | ___ | 17. Name, address, signature and seal of the plan preparer (see Appendix C) |
| ___ | ___ | 18. Approval/review signature blocks for: (see Appendix C) |
| ___ | ___ | • Township Planning Commission? |
| ___ | ___ | • Township Engineer? |
| ___ | ___ | • Joint Planning Commission? |
| ___ | ___ | • Board of Supervisors |

NOTES: *Insert "NA" in the "NO" column if not applicable. If a waiver is requested from the requirement place a "W" in the "NO" column.

MINOR SUBDIVISION CHECKLIST - page 2

YES NO

- 19. Location Map at a suitable scale showing the relationship of the site to adjoining properties and streets within one thousand (1,000') feet and all zoning district and municipal boundaries within one thousand (1,000') feet
- 20. Graphic and written scale?
- 21. North arrow
- 22. Date of plan and all subsequent revision dates?
- 23. Boundaries of all adjoining properties with names of landowners and tax numbers
- 24. The Deed Book volume and page number, as entered by the County Recorder
- 25. Tax map sheet, block and lot number for the tract being subdivided?

Natural Features - Does the Plan include the location of the following natural features on the site:

- 26. Contour lines as required, with slopes of 15 to 25% and over 25% identified?
- 27. Soil types identified (with high water table soils noted)? (from Soil Survey)
- 28. Watercourses, springs, lakes and wetlands with names, if any?
- 29. Rock outcrops, stone field or sinkholes?

Man-Made Features - Does the Plan include the location of the following man-made features on the site and within 1000 feet of the site:

- 30. Existing buildings and land uses?
- 31. Location and type of all existing monuments
- 32. Sufficient bearings, length of lines, radii, arc lengths, street widths, right-of-way and easement widths of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground?
- 33. Existing lot layout on the site
- 34. Buildings estimated to be over 100 years old to be impacted?
- 35. Sewer and water lines and stormwater drainage structures (including culverts)?
- 36. Existing utility easements and restrictive covenants and easements for purposes which might affect development?

Zoning Requirements - Does the Plan include the following zoning information:

- 37. Applicable zoning district and any zoning boundaries?
- 38. Lot area and setback requirements (as a notation)?

MINOR SUBDIVISION CHECKLIST - page 3

YES NO

Proposed Layout - Does the Plan include the following items and information regarding the proposed layout:

- ___ ___ 39. Building setback lines (for each lot)?
- ___ ___ 40. Total acreage of the site?
- ___ ___ 41. Proposed lot layout with identification number and total number of lots?
- ___ ___ 42. Width (at minimum building setback line), depth and area of each lot?
- ___ ___ 43. Rights-of-way, restrictive covenants and easements for all drainage utilities and other purposes which might affect development, with designations of areas to be dedicated to the Township?
- ___ ___ 44. Well location?
- ___ ___ 45. Storm drainage facilities or structures?

If on-lot septic service:

- ___ ___ 46. Primary drain field?
- ___ ___ 47. Secondary drain field?
- ___ ___ 48. Soil probe location?
- ___ ___ 49. Percolation test location?

SUPPORTIVE DOCUMENTS AND INFORMATION - Are the following items included in the submission:

- ___ ___ 50. Residual lands sketch (if applicable)?
- ___ ___ 51. Completed DER Planning module application (if applicable)?

Applicant's Name: _____

Address: _____

Phone #: _____

Signature: _____ Date _____

NOTE: The Township may require the submission of additional copies of the Plan and other information.

SKETCH PLAN CHECKLIST

Note: This checklist is intended to serve as a general guide, but does not replace the actual list of requirements in the text of the Ordinance.

YES NO*

GENERAL SUBMISSION ITEMS - Does the submission include:

- ___ ___ 1. The original and 14 copies of completed Application Form and 14 copies of the plan?
- ___ ___ 2. Approximate property boundaries?
- ___ ___ 3. General directions of natural drainage, any creeks or large drainage channels, approximate areas of any slopes over 15 percent and any areas of woods?
- ___ ___ 4. Proposed lot and street layout with approximate or average areas of lots and existing and proposed widths of street right-of-way and street cartways?
- ___ ___ 5. Acres of entire tract, number of lots and dwelling units, zoning District, minimum lot area and minimum tract area (if applicable)?
- ___ ___ 6. North arrow and graphic and written scale, and preliminary name of project (may be owner's name)?
- ___ ___ 7. Approximate proposed building locations (if known) and proposed types of uses (if nonresidential)?
- ___ ___ 8. Location map showing the general location of the project in relation to adjacent lots, streets and waterways (such as from the Township Zoning Map or USGS map, at scale no smaller than 1 inch equals 2,000 feet)?
- ___ ___ 9. Approximate location of any area within the 100-Year floodplain (from Federal Insurance Administration map)?
- ___ ___ 10. General provision for stormwater management and if any detention basins are proposed to be maintained by the Township or homeowners or homeowner organization?
- ___ ___ 11. Whether the applicant proposes to dedicate common open space or fee-in-lieu of land and the proposed locations of any common open space and whether any open space is proposed to be maintained by the Township or homeowner association?
- ___ ___ 12. General information on the methods and feasibility of providing water and sewer service?
- ___ ___ 13. Land uses of adjacent lots and any zoning district boundaries in the area. Approximate locations of buildings within 200 feet of the boundaries of the project?
- ___ ___ 14. Plans to a scale of 1 inch equals 100 feet or larger?
- ___ ___ 15. Name and address of person responsible for the preparation of the plans and the date of preparation and any revision?
- ___ ___ 16. Approximate locations of possible wetlands?

NOTES: *Insert "NA" in the "NO" column if not applicable. If a waiver is requested from the requirement, place a "W" in the "NO" column.

SUBDIVISION AND LAND DEVELOPMENT

Applicant's Name: _____

Address: _____

Phone #: _____

Signature: _____ Date _____

MAJOR SUBDIVISION OR LAND DEVELOPMENT
PRELIMINARY PLAN CHECKLIST

Note: This checklist is intended to serve as a general guide, but does not replace the actual list 'of requirements in the text of the Ordinance.

YES NO*

GENERAL SUBMISSION ITEMS - Does the submission include:

- ___ ___ 1. The original and 14 copies of completed Application Form?
- ___ ___ 2. 9 copies of Preliminary Plan Checklist?
- ___ ___ 3. 14 copies of the Preliminary Plan (prints)?
- ___ ___ 4. 4 sets of Supportive Documents?
- ___ ___ 5. Completed application for a highway occupancy permit from PennDOT (if a State highway is involved)?
- ___ ___ 6. The required fee (in accordance with Township Fee Schedule)?

Drafting Standards for All Plans - Do the Plans have:

- ___ ___ 7. Plan drawings at a size of 18"x24", 24"x36", 30"x42" or 36"x48"?
- ___ ___ 8. A scale of 1"=50' or other preapproved scale?
- ___ ___ 9. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds?
- ___ ___ 10. Sheets numbered and show relationship to the total number of sheets? (If layout plan is on more than one sheet)
- ___ ___ 11. An adequate legend indicating clearly which features are existing and which are proposed?
- ___ ___ 12. Boundary lines of the subdivision or land development shown as a heavy line?

General Information Required on All Plans and Profiles - Do the Plans have:

- ___ ___ 13. A title "Preliminary Plan"?
- ___ ___ 14. Sheet title (such as "Layout Plan")?
- ___ ___ 15. Name of subdivision or land development (with unique drawing number)?
- ___ ___ 16. Graphic and written scales?
- ___ ___ 17. Date of plan and all submission dates and subsequent revision dates (or an area on plans for such future notes)?
- ___ ___ 18. Name and address, signature, seal and statement of the Plan Prepares (see Appendix C)

NOTES: *Insert "NA" in the "NO" column if not applicable. If a waiver is requested from the requirement, place a "W" in the "NO" column.

PRELIMINARY PLAN CHECKLIST - page 2

YES NO

INFORMATION REQUIRED ON ALL LAYOUT, GRADING AND STORM DRAINAGE, UTILITY AND EROSION AND SEDIMENTATION PLANS

- 19. North arrow?
- 20. Site boundaries with closure of 1 in 10,000?
- 21. Boundaries of all adjoining properties with names of landowners?
- 22. Name, existing and proposed cartways, curblines and right-of-way streets (including streets within 100 feet of the site)?
- 23. Lot Layout (with lot identification numbers)?

LAYOUT PLAN:

Man-made Features - Do the Plans include the location of the following existing and proposed features on the site:

- 24. Stormwater detention basins (and approximate locations within 100 feet of site)
- 25. Bridges
- 26. Buildings, structures, land uses and paved areas (and approximate locations within 200 feet of site)
- 27. Sidewalks and pedestrian paths
- 28. Monuments with reference to proposed improvements?

Do the Plans include the following additional information:

- 29. Names and addresses of landowner?
- 30. Names and addresses of developer?
- 31. Owners Statement of Acknowledgment (see Appendix C)?
- 32. Approval/review signature blocks (see Appendix C)?
- 33. Location map at a scale of 1"=2000' or larger showing the relation of the site to adjoining properties, streets, zoning district boundaries, watercourses and municipal boundaries within 1,000 feet?
- 34. Project Summary List (see Section 503E.5.)?
- 35. Dimensions and areas of lots expressed in both square feet and acres?
- 36. Required street information (see Section 503.E)?
- 37. Minimum building setback lines shown on each lot?
- 38. Any recreation facilities or common open spaces and any proposed improvements?
- 39. The arrangement and use of buildings and parking areas in projects of other than single family detached dwellings, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)?
- 40. Buildings estimated to be over 100 years old that may be impacted?

PRELIMINARY PLAN CHECKLIST - page 3

YES NO

Natural Features - Do the Plans show:

- ___ ___ 41. Steep slope area (15%-25%, over 25%)?
- ___ ___ 42. Location of soil types with key characteristics described for each?
- ___ ___ 43. Watercourses, natural springs, lakes and wetlands (with names, if any)?
- ___ ___ 44. Rock outcrops, stone fields and sinkholes?

GRADING AND STORMWATER MANAGEMENT PLAN

- ___ ___ 45. Existing and proposed contour lines at required intervals?
- ___ ___ 46. Street centerline data and stations corresponding to the profile?
- ___ ___ 47. Stormwater drainage facilities and information (see Section 503.F)?

UTILITY PLAN

(If on-lot sewage service is proposed?)

- ___ ___ 48. Existing and proposed contour lines at required intervals
- ___ ___ 49. Location of any existing wells within 100 feet of the project boundaries?
- ___ ___ 50. Proposed or typical location of building?
- ___ ___ 51. Proposed location of primary and alternate septic drain field?
- ___ ___ 52. Permanent and seasonal high water table areas?

(If central sewage service is proposed?)

- ___ ___ 53. See requirements in Section 503.G

(If centra water service is proposed?)

- ___ ___ 54. Location and size of waterlines?
- ___ ___ 55. Fire hydrants?
- ___ ___ 56. Distance that water line will have to be extended to reach project?

(I on-lot water service is proposed?)

- ___ ___ 57. Location of all wells (existing and proposed and within 100 feet of the project boundaries) and all existing on-lot septic drain fields within 100 feet of the project?
- ___ ___ 58. Proposed and existing street and parking lot lighting?
- ___ ___ 59. Underground utility lines (including water, sewer, gas, electricity and telephone) and any overhead electrical high voltage lines?
- ___ ___ 60. Utility easements, restrictive covenants and eastments for purposes which might affect development?

PRELIMINARY PLAN CHECKLIST - page 4

YES NO

LANDSCAPING PLAN:

___ ___ 61. See Section 503.H.

EROSION AND SEDIMENTATION PLAN:

___ ___ 62. See Section 503.I.

ROAD PROFILES

___ ___ 63. See Section 503.J.

WATER MAIN, SANITARY SEWER AND STORM DRAIN PROFILES:

___ ___ 64. See Section 503.K.

SUPPORTIVE DOCUMENTS AND INFORMATION:

___ ___ 65. Private deed restriction or covenants already imposed or that will be imposed that are relevant to the development of the land?

___ ___ 66. Map of all property holdings of the owner within 1,000 feet of the proposed project, with a general proposed road system to serve all of these properties if developed in the future?

___ ___ 67. Certification of Public Water Service?

___ ___ 68. Certification of a Central Sewage Service?

___ ___ 69. Certification of On-Lot Sewage System?

___ ___ 70. Any information submitted to PennDOT and any PennDOT response?

___ ___ 71. Statement of Compliance with Floodplain Regulations from Zoning Officer?

___ ___ 72. Developer/Landowner Involvement?

___ ___ 73. Maintenance of any Non-Public Streets?

___ ___ 74. Variances requested from this Ordinance?

___ ___ 75. Traffic Impact Study (if required by the Zoning Ordinance)?

___ ___ 76. Copies of any relevant Zoning Variance?

___ ___ 77. Stormwater Calculations?

___ ___ 78. DER Sewage Module Application?

___ ___ 79. Erosion and Sedimentation Narrative?

___ ___ 80. Wetlands Delineation?

___ ___ 81. Description of Commercial or Industrial Operations (if uses known)?

PRELIMINARY PLAN CHECKLIST - page 5

Applicant

Name: _____

Address: _____

Phone #: _____

Signature: _____ Date: _____

NOTE: The Township may require the submission of additional copies of Plans and other information.

MAJOR SUBDIVISION
FINAL PLAN CHECKLIST

YES NO*

GENERAL SUBMISSION ITEMS - Does the submission include:

- ___ ___ 1. The original and 14 copies of completed Application Form?
- ___ ___ 2. 9 copies of Preliminary Plan Checklist?
- ___ ___ 3. 14 copies of the Final Plan (prints)?
- ___ ___ 4. 4 sets of Supportive Documents?
- ___ ___ 5. Any review letter from PennDOT (if State highway is involved)?
- ___ ___ 6. Review letter from appropriate Utility Companies?
- ___ ___ 7. The required fee (in accordance with Township Fee Schedule)?
- ___ ___ 8. Receipt of plans by the Joint Planning Commission and the County Conservation District?

Drafting Standards for All Plans - Do the Plans have:

- ___ ___ 8. Plan drawings at a size of 18"x24", 24"x36", 30"x42" or 36"x48"?
- ___ ___ 9. A scale of 1"=50' or other preapproved scale?
- ___ ___ 10. Dimensions set in feet and decimal part thereof and bearing in degrees, minutes and seconds?
- ___ ___ 11. Sheets numbered and show relationship to the total number of sheets (If layout plan is on more than one sheet)?
- ___ ___ 12. An adequate legend indicating clearly which features are existing and which are proposed?
- ___ ___ 13. Boundary lines of the subdivision or land development shown as a heavy line?

General Information Required on All Plans and Profiles - Do the Plans have:

- ___ ___ 14. A title "Preliminary Plan"?
- ___ ___ 15. Sheet title (such as "Layout Plan")?
- ___ ___ 16. Name of subdivision or land development (with unique drawing number)?
- ___ ___ 17. Graphic and written scales
- ___ ___ 18. Date of plan and all submission dates and subsequent revision dates (or an area on plans for such future notes)?
- ___ ___ 19. Name and address, signature, seal and statement of the Plan Preparer (see Appendix C)

NOTES: *Insert "NA" in the "NO" column if not applicable. If a waiver is requested from the requirement, place a "W" in the "NO" column.

FINAL PLAN CHECKLIST - page 2

YES NO

INFORMATION REQUIRED ON ALL LAYOUT, GRADING AND STORM DRAINAGE,
UTILITY AND EROSION AND SEDIMENTATION PLANS

Man-Made Features - Do the Plans include the location of the following existing and proposed features on the site:

- ___ ___ 20. North arrow?
- ___ ___ 21. Site boundaries with closure of 1 in 10,000?
- ___ ___ 22. Boundaries of all adjoining properties with names of landowners?
- ___ ___ 23. Name, existing and proposed cartways, curblines and right-of-way of streets (including streets within 100 feet of the tract)?
- ___ ___ 24. Lot layout (with lot identification numbers)?

LAYOUT PLAN:

Man-Made Features - Do the Plans include the location of the following existing and proposed features on the site:

- ___ ___ 25. Stormwater detention basins (with approximate locations of those within 100 feet of the tract)?
- ___ ___ 26. Bridges
- ___ ___ 27. Buildings, structures, land uses and paved areas (with approximate locations of those within 100 feet of the tract)?
- ___ ___ 28. Sidewalks and pedestrian paths
- ___ ___ 29. Monuments with reference to proposed improvements?

Do the Plan include the following additional information:

- ___ ___ 30. Names and addresses of landowner and developer?
- ___ ___ 31. Owners Statement of Acknowledgment (see Appendix C)?
- ___ ___ 32. Approval/review signature blocks (see Appendix C)?
- ___ ___ 33. Location map at a scale of 1"=2000' or larger showing the relation of the site to adjoining properties, streets, zoning district boundaries, watercourses and municipal boundaries within 1,000 feet?
- ___ ___ 34. Project Summary List (see Section 503.E.5.)?
- ___ ___ 35. Dimensions and areas of lots expressed in both square feet and acres?
- ___ ___ 36. Required street information (see Section 503.E)?
- ___ ___ 37. Minimum building setback lines shown on each lot?
- ___ ___ 38. Any recreation facilities or common open spaces and any proposed improvements?
- ___ ___ 39. The arrangement and use of buildings and parking area in projects of other than single family detached dwellings, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)?
- ___ ___ 40. Buildings estimated to be over 100 years old that may be impacted?

FINAL PLAN CHECKLIST - page 3

YES NO

Natural Features - Do the Plans show:

- 41. Steep slope areas (15%-25% over 25%)?
- 42. Location of all soil types with key characteristics described for each?
- 43. Watercourses, natural springs, lakes and wetlands (with names, if any)?
- 44. Rock outcrops, stone fields and sinkholes?

GRADING AND STORMWATER MANAGEMENT PLAN:

- 45. Existing and proposed contour lines at required intervals?
- 46. Street centerline data and stations corresponding to the profile?
- 47. Stormwater drainage facilities and information (see Section 503.F)?

UTILITY PLAN

(If on-lot sewage service is proposed?)

- 48. Existing and proposed contour lines at required intervals?
- 49. Location of any existing wells within 100 feet of the project boundaries?
- 50. Proposed or typical location of building?
- 51. Proposed location of primary and alternate septic drain field?
- 52. Permanent and seasonal high water table areas?

(If central sewage service is proposed?)

- 53. See requirements in Section 503.G

(If central water service is proposed?)

- 54. Location and size of waterlines?
- 55. Fire hydrants?
- 56. Distance that water line will have to be extended to reach project?

(If on-lot water service is proposed?)

- 57. Location of all wells (existing and proposed and within 100 feet of the project boundaries) and all existing on-lot septic drain fields within 100 feet of the project?
- 58. Proposed and existing street and parking lot lighting?
- 59. Underground utility lines (including water, sewer, gas, electricity and telephone) and any overhead electrical high voltage lines)?
- 60. Utility easements, restrictive covenants and easements for purposes which might affect development?

SUBDIVISION AND LAND DEVELOPMENT

FINAL PLAN CHECKLIST - page 4

YES NO

LANDSCAPING PLAN:

___ ___ 61. See Section 503.H.

EROSION AND SEDIMENTATION PLAN:

___ ___ 62. See Section 503.I.

ROAD PROFILES:

___ ___ 63. See Section 503.J.

WATER MAIN, SANITARY SEWER AND STORM DRAIN PROFILES:

___ ___ 64. See Section 603.B.

SUPPORTIVE DOCUMENTS AND INFORMATION:

___ ___ 65. Private deed restrictions or covenants already imposed or that will be imposed that are relevant to the development of the land?

___ ___ 66. Map of all property holdings of the owner within 1,000 feet of the proposed project, with a general proposed road system to serve all of these properties if developed in the future?

___ ___ 67. Certification of Public Water Service?

___ ___ 68. Certification of Central Sewage Service

___ ___ 69. Certification of On-Lot Sewage System?

___ ___ 70. Development Statement and Schedule?

___ ___ 71. Any information submitted to PennDOT and any PennDOT response?

___ ___ 72. Statement of Compliance with Floodplain Regulations from Zoning Officer?

___ ___ 73. Development/landowner involvement?

___ ___ 74. Nondedicated Streets Agreement (if any nonpublic streets)?

___ ___ 75. Variances requested from this Ordinance?

___ ___ 76. Copies of any relevant Zoning Variance?

___ ___ 77. Stormwater Calculations?

___ ___ 78. DER Sewage Module Application?

___ ___ 79. Erosion and Sedimentation Narrative?

___ ___ 80. Wetlands Delineation?

___ ___ 81. Description of Commercial or Industrial Operations (if uses known)?

___ ___ 82. Certification of Commercial or Industrial Operations (if uses known)?

___ ___ 83. Deed of dedication together with an 8 1/2" x 11" plan of each improvement?

___ ___ 84. Open Space Agreement (if open space included)?

___ ___ 85. Utilities Agreements and Permits?

FINAL PLAN CHECKLIST - page 5

YES NO

Protective Covenants - Do the Plans have easements providing for:

- ___ ___ 86. Clear sight triangle easements (see Sections 1004.H and 1012.D.)?
- ___ ___ 87. Utility, drainage and any preservation easements?
- ___ ___ 88. Access, well and septic system notations, as applicable (see Section 603.B.3)

Construction Details

- ___ ___ 89. See Section 603.B.8.

Applicant's
Name: _____

Address: _____

Phone #: _____

Signature: _____ Date: _____

NOTE: The Township may require the submission of additional copies of the Plan and other information.

APPENDIX C
PLAN PREPARER'S STATEMENT; OWNER'S STATEMENT;
APPROVAL/REVIEW BLOCK FORMS

C.1. PLAN PREPARER'S STATEMENT. - Model format.

I, _____, a registered surveyor of the Commonwealth of Pennsylvania, do hereby certify that the Plan, prepared from a field survey on _____, 19____, correctly represents the property boundary of the proposed subdivision or land development.

Date Registered Surveyors' Signature

I, _____, a registered surveyor, registered professional engineer or registered landscape architect in the Commonwealth of Pennsylvania, do hereby certify that the accompanying application, plans and supporting documentation are true and correct, to the best of my knowledge.

Date Plan Preparer's Signature

C.2 OWNER'S STATEMENT, Model form.

We, the owners of the land involving the accompanying plans, being duly sworn according to law, depose and say we are the sole owners or are the authorized officers of the corporation that is the sole owners of this property in peaceful possession of it, and that there are no suits pending affecting the title of same, and that we acknowledge the accompanying plans, and that all improvements identified as proposed public property (not including improvements labeled "Not for Dedication") are proposed for dedication to the public use, and that we propose the attached record plan for recording, after receiving all required municipal approvals.

OWNER'S OR AUTHORIZED CORPORATE OFFICERS' SIGNATURES

SWORN AND SUBSCRIBED BEFORE THIS _____ DAY OF _____, 19____

SEAL _____
NOTARY PUBLIC

SUBDIVISION AND LAND DEVELOPMENT

C.3 APPROVAL/BLOCK. - Model Form.

REVIEWED BY THE TOWNSHIP ENGINEER

Township Engineer

Date

REVIEWED BY THE JOINT PLANNING COMMISSION

JPC Staff Person Responsible for Review

Date

REVIEWED BY THE BETHLEHEM TOWNSHIP PLANNING COMMISSION AND ACCEPTED FOR RECORDING

Chairman

Secretary

Date

APPROVED BY THE BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS FOR RECORDING

President

Secretary

Date

(Ord. 2-89, 2/6/1989, Appendix C; as amended by Ord. 1-95, 3/6/1995, §10)

APPENDIX D

DRAINAGE COVENANT, OFFER OF DEDICATION AND CURB AND SIDEWALK NOTATION

- D.1 STANDARD DRAINAGE COVENANTS AGREEMENT. This form shall be used, as applicable, unless another form is approved by the Township.

The Owner(s) for themselves, their heirs, executors, administrators, and successors and assigns do hereby covenant to bind themselves, their heirs, executors, administrators, successors, and assigns and the lands described in the plan entitled _____ to faithfully perform all of the following requirements:

1. The Owner(s) shall be responsible for stabilization and reconstruction (to approved design grades and specifications) of all drainage swales and detention basins within an owner's lot, which because of construction activities, grading, or stripping of vegetation on the owner's lot has caused damage to said public improvements.
2. All drainage and detention basin easements shown on this plan shall be maintained in a grassed or otherwise improved condition, in accordance with the grades and designs shown on the approved development plans for this project. All these easements shall be kept free of all obstructions, including but not limited to, such obstructions as fill, temporary or permanent structures, and plants (other than grass). Fences may be constructed within these easements, within the requirements of other Township Ordinances, provided that the fence is of a type and location that will not impede the flow of stormwater, and provided that the owner(s) shall be bound to remove such fence at the owner(s) expense and without compensation to the owner(s) if determined by the Township to be necessary to allow work within the easement. The maintenance of all such easements shall be the responsibility of the current lot owner(s) at any point in time, including future owner(s).
3. Whenever sedimentation is caused by stripping vegetation, grading or other earth moving activities, it shall be the responsibility of the Owner(s) to remove the sedimentation from all adjoining surfaces, drainage systems and watercourses, and to repair any damage at the Owner(s)'s expense.
4. The Owner(s) shall make provision for and be personally responsible for strict compliance with all of the aforesaid covenants, and any other agreement contained in any and all agreements with the Township. Upon failure by the Owner(s) to comply within the time period specified by oral or written notice, or in the event the Township, in its sole and absolute discretion determines the work to be on an emergency nature, the Township may perform such work as may be necessary in its sole and absolute discretion to bring the Owner(s) into compliance at the Owner(s)' expense and the Owner(s) shall be charged for said expense, plus a 207 surcharge for the Township's administrative expenses, plus any

(Ord. 2-89, 2/6/1989, Appendix D; as amended by Ord. 1-95, 3/6/1995, §§9, 10)

