

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

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Part 1
General Provisions

§101. Title. Pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, this Chapter shall hereafter be known, cited and referred to as the "Shamokin Dam Borough Subdivision and Land Development Ordinance". (Ord. 86-2, 5/5/1986; Section 1.01)

§102. Policy.

1. It is hereby declared to be the policy of the Borough to consider the subdivision of land and the subsequent development of the subdivision plat as subject to the control of the Borough pursuant to the Comprehensive Plan of Shamokin Dam for the orderly, planned, efficient, and economical development of the municipality.

2. Land to be subdivided or developed shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided or developed until available public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, recreation facilities, and transportation facilities.

3. The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Comprehensive Plan, including the Capital Improvements Program, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, Zoning Chapter, Comprehensive Plan, and Capital Improvements am of the municipality.

(Ord. 86-2, 5/5/1986; Section 1.02)

§103. Purposes. These regulations are adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the residents.

2. To guide the future growth and development of the community in accordance with the Comprehensive Plan.

3. To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.

4. To protect the character and the social and economic stability of all parts of the Borough and to encourage the orderly and beneficial development of all parts of the Borough.

5. To protect and conserve the value of land throughout the Borough and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.

6. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and public improvements and facilities.

7. To provide the most beneficial relationship between uses of land and buildings and the circulation of traffic throughout the municipality, having particular regard for the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.

8. To establish reasonable standards of design and procedures for subdivisions, resubdivisions, and land developments, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.

9. To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision or development.

10. To prevent the pollution of air, streams, river, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the municipality in order to retain the integrity, stability, and beauty of the municipality and the value of the land.

11. To retain the natural beauty and topography of the Borough and to insure appropriate development with regard to these natural features.

12. To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of land as established in the Zoning Chapter.

(Ord. 86-2, 5/5/1986; Section 1.03)

§104. Authority. The Shamokin Dam Borough Council is empowered to regulate subdivisions and land developments within the Borough limits as provided for under the Pennsylvania Municipalities Planning Code, Act 247, as amended.

The Borough Council hereby designates the Borough Planning Commission as the official agency for review and recommendation of approval and disapproval of all subdivision and land development as set forth in this Chapter. However, it is further provided that the Borough Council shall retain for itself all decisions on preliminary and final plans for subdivision and land development. (Ord. 86-2, 5/5/1986; Section 1.04)

§105. Jurisdiction.

1. The provisions contained herein shall apply to all subdivision or land and development of any lot, tract or parcel of land including street, sanitary sewer, storm sewer, water main or other improvements in connection therewith intended to be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, located within the corporate boundaries of the Borough.

2. No land shall be subdivided or developed within the corporate boundaries of the Borough until:

A. The subdivider, developer, or his agent shall submit a preliminary or final plan of the parcel to the Borough Planning Commission through its administrative assistant for review and recommendation;

B. The plan is submitted by the Borough Planning Commission to the County Planning Commission for its review and comments;

C. The preliminary and/or final plan receives approval from the Borough Council; and

D. The approved final plan is filed with the Snyder County Recorder of Deeds.

3. No zoning permit or certificate of zoning compliance shall be issued for any parcel or plat of land which was created by subdivision or land development after the effective date of, and not in conformity with, the provisions of these subdivision and land development regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these regulations.

(Ord. 86-2, 5/5/1986; Section 1.05)

§106. Interpretation, Conflict and Separability.

1. Interpretation. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare of the residents of the Borough.

2. Conflict with Public and Private Provisions:

A. Public Provisions. The regulations are not intended to interfere with, abrogate, or annul any other part, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other part, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

B. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations or the determinations of the Planning Commission or Borough Council in approving a subdivision or land development or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

3. Separability. If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in all controversy in which such judgment shall have been rendered and shall not

affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Borough Council hereby declares that it would have enacted the remainder of these regulations even without any such part, provision, or application.

(Ord. 86-2, 5/5/1986; Section 1.06)

§107. Municipal Liability. The grant of a permit or approval of a subdivision or land development plan shall not constitute a representation, guarantee, or warranty of any kind by the municipality or by an official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Borough, its officials or employees. (Ord. 86-2, 5/5/1986; Section 1.07)

§108. Savings Provision. These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Borough under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the Borough except as shall be expressly provided for in these regulations. (Ord. 86-2, 5/5/1986; Section 1.08)

§109. Repeals. The enactment of this Chapter shall act as a repeal protanto of the Borough of Shamokin Dam Subdivision Regulations of 1966. A certified copy of this Chapter shall be filed with the County Planning Commission and with the County Law Library. (Ord. 86-2, 5/5/1986; Section 1.09)

§110. County Review. All applications for subdivision and land development submitted to the Borough shall be forwarded upon receipt to the County Planning Commission for review and report. Such action shall occur at the preliminary and final plan stages, and the Borough shall not take action on said plans until the County report is received or until the expiration of forty-five (45) days from the date the plans were forwarded to the County. (Ord. 86-2, 5/5/1986; Section 1.10)

§111. Enactment. In order that land may be subdivided and developed in accordance with these purposes and policies, this Chapter shall become effective from and after the date of its approval and adoption as provided by law. (Ord. 86-2, 5/5/1986; Section 1.11)

Part 2

Application Procedure and Approval Process

§201. General Procedure

1. Classification of Subdivisions. Whenever any subdivision or development of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure or use of land in such proposed subdivision or development shall be granted, the subdividing or developing owner, or his authorized agent, shall apply for and secure approval of such subdivision or land development in accordance with the following procedure, which includes basically two (2) steps for a minor subdivision and three (3) steps for a major subdivision:

A. Minor Subdivision.

- (1) Sketch Plan
- (2) Final Plan

B. Major Subdivision.

- (1) Sketch Plan
- (2) Preliminary Plan
- (3) Final Plan

2. Official Submission Dates. For the purpose of these regulations, for both major and minor subdivisions, the official submittal date of the preliminary or final plan at which the ninety-day statutory period required for formal approval or disapproval of the preliminary or final plan shall commence to run shall be the date of the regular meeting of Borough Council or the Planning Commission (whichever reviews the application) 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 official submittal date shall be measured from the thirtieth day following the day the application has been filed.

(Ord. 86-2, 5/5/1986; Section 2.01)

§202. Sketch Plan.

1. Discussion of Requirements. Before preparing the sketch plan for a subdivision, the applicant should discuss with the Administrative Assistant to the Planning Commission, or with the Planning Commission itself, the procedure for adoption of a subdivision and land development plan and the requirements as to the general layout of streets and reservation of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services. The Administrative Assistant shall also advise the applicant, where appropriate, to discuss the proposed subdivision or land development with those officials (such as the Soil Conservationist, Borough Engineer, and Sewage Enforcement Officer) who must eventually prove these aspects of the subdivision or land development plan coming within their jurisdiction.

2. Application Procedure and Requirements. Prior to subdividing or developing land, a landowner; or his representative, is advised, but not required, to file an application for approval of a sketch plan. The submission of a sketch plan application shall not constitute the filing of an application for preliminary or final plan review and approval. The sketch plan application should:

A. Be made on forms available at the office of the Administrative Assistant to the Planning Commission.

B. Include all land which the applicant proposes to subdivide and all land immediately adjacent extending one hundred (100) feet therefrom, or of that directly opposite thereto, extending one hundred (100) feet from the street frontage of such opposite land, with the names of the owners as shown in the Assessor's files. This information shall be shown on a separate current Assessment Map reproduction from the Assessor's Office showing the subdivision superimposed thereon.

C. Be accompanied by a minimum of two (2) copies of the sketch plan as described in Part 4 of these regulations and complying in all respects with these regulations.

D. Be presented to the Administrative Assistant to the Planning Commission with an application form in duplicate no less than fourteen (14) days prior to the Commission's next regularly scheduled meeting, at which time the application is accepted.

3. Classification. Tentative classification of the sketch plan shall be made upon receipt by the Administrative Assistant. The subdivision shall be classified as either major or minor, as defined in these regulations. The application shall then be accepted by the Planning Commission at its next regular meeting for further processing. If classified as a minor subdivision by the Planning Commission, an application may then be filed for approval of a final subdivision plan as provided in these regulations. If classified as a major subdivision by the Planning Commission, an application must then be filed for approval of a preliminary subdivision plan before filing for final subdivision plan approval.

4. Report of Administrative Assistant. The Administrative Assistant shall process the sketch plan and make a determination as to whether it is complete according to the requirements of Part 4. The Administrative Assistant shall prepare a report to this effect.

5. Planning Commission Review of Sketch Plan and Report. The Planning Commission shall review the sketch plan and report of the Administrative Assistant taking into consideration the requirements of this Chapter and all other applicable ordinances, as well as the Comprehensive Plan, and the best use of the land being subdivided or developed. Particular attention should be given to the arrangement, location, and width of streets, their relation to the topography, sewage disposal, drainage, water supply, lot sizes and arrangement, and further development of adjoining lands as yet unsubdivided.

6. Field Trip. After the regular Planning Commission meeting at which the subdivision or land development is first discussed, the Planning Commission may schedule a field trip to the site of the proposed subdivision or development, accompanied by the applicant or his representative.

7. Approval of the Sketch Plan. After reviewing and discussing the sketch plan and report from the Administrative Assistant, the Planning Commission will advise the applicant of the specific changes or additions, if any, it will require in the layout, and the character and extent of required improvements and reservations which it will require as a prerequisite to the approval of the subdivision plan. The Planning Commission may require additional changes as a result of further study of the subdivision plan in final form.

Approval of the sketch plan, although not required for further plan processing, shall constitute authorization to prepare and submit a preliminary plan in the case of a major subdivision and a final plan in the case of a minor subdivision. Such approval by the Planning Commission shall be made at a regularly scheduled meeting.

Within fifteen (15) days after the meeting at which the sketch plan was approved or disapproved by the Planning Commission, the Administrative Assistant shall send written notice of the Commission's recommendations, including changes and modifications requested by the Commission, to the subdivider or developer.

(Ord. 86-2, 5/5/1986; Section 2.02)

§203. Preliminary Plan.

1. Application Procedure and Requirements. The applicant for a major subdivision shall file in duplicate an application form for approval of a preliminary plan. The application shall:

A. Be made on forms available at the office of the Administrative Assistant to the Planning Commission.

B. Include all contiguous holdings of the owner including land in the "same ownership", as defined herein, with an indication of the portion which is proposed to be subdivided or developed, accompanied by an affidavit of ownership, which shall include the dates the respective holdings were acquired, together with the book and page of each conveyance to the present owner as recorded in the County Recorder of Deeds' Office. The affidavit shall advise as to legal owner of the property, the date the contract of sale was executed, and, if any corporations are involved, a complete list of all directors, officers, and stockholders of each corporation owning more than five (5%) percent of any class of stock.

C. Be accompanied by a minimum of twelve (12) copies of the preliminary plan as described in Part 4 of these regulations.

D. Be accompanied by a minimum of three (3) copies of construction plans for all public improvements as described in these regulations.

E. Be accompanied by a plan showing the sections or phases for which final plans will be submitted if phasing is to be pursued.

F. Be presented to the Administrative Assistant no less than fourteen (14) days prior to the Planning Commission's next regularly scheduled meeting.

G. Be accompanied by a fee as set forth in Part 7.

H. Be accompanied by the fee required for preliminary plan review by the County Planning Commission.

2. Referrals and Report. The Administrative Assistant shall process the preliminary plan and make a determination as to whether it is complete according to the requirements of Part 4. If the preliminary plan is complete, the Administrative Assistant shall refer a copy of it to the Snyder County Planning Commission for its review and comments and may refer copies of it to other officials and agencies for their review and comments. Such officials and agencies may include, but need not be limited to:

A. The Borough Engineer,

B. The Sewage Enforcement Officer, if applicable,

C. The Borough Council,

D. The Snyder County Planning Commission,

E. The Selinsgrove Area School District,

F. The Snyder County Soil Conservation District,

G. The Pennsylvania Department of Transportation. (This referral is necessary only if the development is to front on an existing or proposed state highway or is to have a street entering such highway)

H. The Pennsylvania Department of Environmental Resources (4 copies).

The Administrative Assistant shall request that all officials and agencies to whom the request for review has been made submit their reports to the Administrative Assistant within forty-five (45) days from the date any request was forwarded to them.

In any event, the Borough Planning Commission may make a recommendation on the preliminary plan before requested reports from the above officials and agencies are received, but the Borough Council shall not approve such plan until the county report is received or until the expiration of forty-five (45) days from the date the plan was forwarded to the county.

The Administrative Assistant shall consider all reports submitted by the officials and agencies concerning the preliminary plan and shall prepare and submit a report thereon to the Planning Commission. The Administrative Assistant shall then place the preliminary plan and reports on the agenda of the Planning Commission for its next regularly scheduled meeting or for a specially scheduled public meeting or public hearing for review and action.

3. Planning Commission Review and Recommendation. The Planning Commission shall review the preliminary plan and official comments and reports received thereon and shall render its recommendation to the Borough Council in writing. The following shall constitute the types of action the Planning Commission may take:

A. The Planning Commission may recommend disapproval of the preliminary plan, in which case it shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provision of the Ordinance relied upon.

B. The Planning Commission may recommend conditional approval of the preliminary plan, in which case it shall specify all additional information or changes needed, describing the requirements that have not been met, citing, in each case, the provisions of the Ordinance which were relied upon. This additional information shall be required prior to further preliminary plan consideration or the submission of the final plan. Conditional approval may only be granted where the conditions are acceptable to the applicant.

C. The Planning Commission may recommend approval of the preliminary plan. Such recommendation of approval shall constitute recommended approval of the subdivision or land development as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots, and other planned features. Later approval by Council binds the subdivider to the general scheme of the subdivision shown and permits the subdivider to proceed with final detailed design of improvements, to arrange for a performance bond to cover installation of improvements, and to prepare the final plan. Council's approval of the preliminary plan does not authorize the sale of lots or the recording of the preliminary plan.

4. Signing of Plan by Planning Commission. In approving the plan the Chairman and Secretary of the Planning Commission shall sign and date the major original and three (3) copies of the plan and forward the original and all copies to Borough Council for their action.

5. Council Review and Action. Following receipt of written recommendations from the Planning Commission, Council shall consider the preliminary plan at its next regularly scheduled meeting or a specially scheduled public meeting. If the plan is to be considered at a special meeting, the subdivider or developer shall be so notified. Council may also schedule a public hearing before taking any action on the plan.

Not later than ninety (90) days following the date of the regular meeting next following the date the complete application is filed with the Planning Commission (which first reviews the applications, provided that, should the next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety-day period shall be measured from the thirtieth day following the day the application has been filed, Borough Council shall review the preliminary plan, official comments and reports, and written recommendation of the Planning Commission received thereon and shall render its decision in writing and shall communicate it to the applicant personally or mail it to him at his last known address not later than fifteen (15) days following the decision.

The following shall constitute the types of action the Borough Council may take:

A. Council may disapprove the preliminary plan, in which case it shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.

B. Council may conditionally approve the preliminary plan, in which case it shall specify all additional information or changes needed, describing the requirements that have not been met, citing, in each case, the provisions of the Ordinance which were relied upon. This additional information shall be required prior to further preliminary plan consideration or the submission of the final plan. Conditional approval may only be granted where the conditions are acceptable to the applicant.

C. Council may approve the preliminary plan. Such approval shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots, and other planned features. The approval binds the subdivider to the general scheme of the subdivision shown and permits the subdivider to proceed with the final detailed design of improvements, to arrange for a performance bond to cover installation of improvements, and to prepare the final plan. Approval of the preliminary plan does not authorize the sale of lots or the recording of the preliminary plan. If a final plan is not submitted within five (5) years after preliminary plan approval, that approval shall be null and void.

Failure of Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the preliminary plan application in terms as presented unless the applicant has agreed in writing to an extension of the time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

6. Signing of Plan by Council. In approving the preliminary plan the President and Secretary of Council shall sign and date the major original and three (3) copies of the plan and shall include a notation as to any modifications required for final plan consideration.

Borough Council shall return the major original to the applicant for compliance with submission of the final plan. Copies of the signed preliminary plan shall be distributed to the County Planning Commission and to the Borough Planning Commission. One (1) copy shall be retained for Council's files. All other officials and agencies which previously received copies of the preliminary plan shall be notified in writing of Council's action.

(Ord. 86-2, 5/5/1986; Section 2.03)

§204. Final Plan.

1. Application Procedure and Requirements. Following the review and approval of the suggested sketch plan in the case of a minor subdivision, or the required approval of the preliminary plan in the case of a major subdivision, the applicant, if he wishes to proceed with the subdivision, shall file with the Planning Commission an application form in duplicate for final approval of a subdivision plan. The application shall:

A. Be made on forms available at the office of the Administrative Assistant to the Planning Commission.

B. Include the entire subdivision, or section thereof, which derives access from an existing state, county, or local public road.

C. Be accompanied by a minimum of twelve (12) copies of the final plan as described in Part 4 of these regulations and complying in all respects with these regulations.

D. Be accompanied by a minimum of three (3) copies of construction plans for all public improvements as described in these regulations.

E. Comply in all respects with the preliminary plan, as approved, as applicable to major subdivisions.

F. Be presented to the Administrative Assistant to the Planning Commission no less than fourteen (14) days prior to the Planning Commission's next regularly scheduled meeting.

G. Be accompanied by a fee as set forth in Part 7.

H. Be accompanied by the fee required for final plan review by the County Planning Commission.

I. Be accompanied by all formal, irrevocable offers of dedication to the public of all streets and local government uses in a form approved by the Borough Solicitor.

J. Be accompanied by the performance bond or other financial security, if required, in a form satisfactory to the Borough Solicitor and in an amount established by the Planning Commission, upon recommendation of the Borough Engineer and with the approval of Borough Council, and shall include a provision that the principal of the bond shall comply with all the terms of the resolution of final subdivision plan approval as determined by Borough Council and shall include, but not be limited to, the performance of all required subdivision improvements, and that all improvements and land included in the irrevocable offer of dedication shall be dedicated to the Borough government free and clear of all liens and encumbrances of the premises. (See Part 3.)

K. Be accompanied by written assurance from the public utility companies that necessary utilities will be installed and proof that the applicant has submitted petitions in writing for the provision or extension of utilities as required by the Planning Commission upon preliminary plan approval. The applicant shall also pay Fifty Dollars (\$50.00) for each street sign shown in the construction plans, which street signs shall be installed by the Borough.

2. Phasing Major Subdivision Plans. Prior to granting final approval of a major subdivision plan, Borough Council may permit the plan to be divided into two or more sections or phases and may impose such conditions upon the filing of the sections as it may deem necessary to assure the orderly development of the plan in compliance with the requirements of Section 302 (7).

3. Referrals and Report. The Administrative Assistant shall process the final plan and make a determination as to whether it is complete according to the requirements of Part 4. If the final plan is complete, the Administrative Assistant shall refer a copy of it to the Snyder County Planning Commission for its review and comments and may refer copies of it to other officials and agencies for their review and comments if this had not been done previously. Such officials and agencies may include, but need not be limited to:

- A. The Borough Engineer,
- B. The Sewage Enforcement Officer, if applicable,
- C. The Borough Council,
- D. The Snyder County Planning Commission,
- E. The Selinsgrove Area School District,
- F. The Snyder County Soil Conservation District,
- G. The Pennsylvania Department of Transportation. (This referral is necessary only if the development is to front on an existing or proposed state highway or is to have a street entering such highway.)
- H. The Pennsylvania Department of Environmental Resources. (Four [4] copies are to be submitted.)

The Administrative Assistant shall request that all officials and agencies to whom the request for review has been made submit their reports to the Administrative Assistant within forty-five (45) days from them.

In any event, the Borough Planning Commission may make a recommendation on the final plan before requested reports from the above officials and agencies are received, but the Borough Council shall not approve such plan until the county report is received or until the expiration of forty-five (45) days from the date the plan was forwarded to the county.

The Administrative Assistant shall consider all reports submitted by the officials and agencies concerning the final plan and shall prepare and submit a report thereon to the Planning Commission. The Administrative Assistant shall then place the final plan and reports on the agenda of the Planning Commission for its next regularly scheduled meeting or for a specially scheduled public meeting or public hearing for review and action.

4. Planning Commission Review and Recommendation. The Planning Commission shall review the final plan and official comments and reports received thereon and shall render its recommendation to Council in writing. The following shall constitute the types of action the Planning Commission may take:

A. The Planning Commission may recommend disapproval of the final plan, in which case it shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provision of the Ordinance relied upon.

B. The Planning Commission may recommend conditional approval of the final plan, in which case it shall specify all additional information or changes needed, describing the requirements that have not

been met, citing, in each case, the provisions of the Ordinance which were relied upon. This additional information shall be required prior to further final plan consideration or filing with the Recorder of Deeds. Conditional approval may only be granted where the conditions are acceptable to the applicant.

C. The Planning Commission may recommend approval of the final plan.

5. Signing of Plan by Planning Commission. In approving the final plan the Chairman and Secretary of the Planning Commission shall sign and date the major original, which shall be clearly marked "Final Plan", and three (3) copies of the plan and forward the original and all copies to Borough Council for their action.

6. Council Review and Action. Following receipt of the written recommendations from the Planning Commission, the Borough Council shall consider the final plan at their next regularly scheduled meeting or a specially scheduled public meeting. If the plan is to be considered at a special meeting, a subdivider shall be so notified. The Borough Council may also schedule a public hearing before taking any action on the plan.

Not later than ninety (90) days following the date of the regular meeting next following the date the complete application is filed with the Planning Commission (which first reviews the applications, provided that, should the next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety-day (90) period shall be measured from the thirtieth day following the day the application has been filed, the Borough Council shall review the final plan, official comments and reports, and written recommendation of the Planning Commission received thereon and shall render its decision in writing and shall communicate it to the applicant personally or mail it to him at his last known address not later than fifteen (15) days following the decision.

The following shall constitute the types of action the Borough Council may take:

A. Council may disapprove the final plan, in which case it shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.

B. Council may conditionally approve the final plan, in which case it shall specify all additional information or changes needed, describing the requirements that have not been met, citing, in each case, the provisions of the Ordinance which were relied upon. This additional information shall be required prior to further final plan consideration or filing with the Recorder of Deeds. Conditional approval may only be granted where the conditions are acceptable to the applicant.

C. Council may approve the final plan.

Failure of Borough Council to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the

prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.

7. Installation of Improvements or Financial Security in Lieu Thereof. Before any final plan is approved the developer either shall install all required improvements or shall provide for deposit with the Borough a financial security acceptable to the Borough pursuant to the provisions of Part 3.

8. Signing of Plan.

A. When installation of improvements is required, the President and Secretary of Council shall sign and stamp the major original and three (3) copies of the final plan and attach thereto a notation that it has received approval and the date of such approval after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to the Borough as shown by a certificate signed by the Borough Engineer and Borough Solicitor that the necessary dedication of public lands and improvements has been made and accepted.

B. When a financial security is required, the President and Secretary of Council shall sign and stamp the major original and three (3) copies of the final plan and attach thereto a notation that it has received approval and the date of such approval after the bond or other financial security has been approved by Council and all the conditions of the resolution pertaining to the plan have been satisfied.

Borough Council shall return the major original to the applicant for compliance with the recording requirements. Copies of the final plan as endorsed shall be distributed to the Snyder County Planning Commission and to the Shamokin Dam Borough Planning Commission. One (1) copy shall be retained for the files of Borough Council. All other officials and agencies which previously received copies of the final plan shall be notified in writing of Council's decision.

Recording of Approved Plan: Upon approval of the final plan the subdivider shall, within ninety (90) days of such final approval, record such plan in the Office of Recorder of Deeds of Snyder County. The recorded plan shall officially note the approval of Borough Council. Within ten (10) days thereafter the subdivider shall furnish Borough Council with a copy of the Recorder's certificate to assure that the plan is properly recorded. If the subdivider fails to record the final plan within such period, the action of Borough Council shall be null and void, unless an extension of time is granted in writing by the Commission upon written request of the subdivider.

The recording of the plan shall not constitute grounds for assessment increases until such time as the lots are sold or improvements are installed on the land included within the subject plan.

(Ord. 86-2, 5/5/1986; Section 2.04)

§205. Effect of Ordinance Changes on Application

1. Effect on Application Duly Filed. From the time an application for approval of a plan, whether preliminary or final, is duly filed as provided in this Chapter and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant. The applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed.

2. Effect Upon Approved Preliminary Plan. In addition, when a preliminary plan application has been duly approved, the applicant shall be entitled to final plan approval in accordance with the terms of the approved preliminary plan application as hereinafter provided.

3. Effect Upon Disapproved Plan. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

4. Time Period for Completion of Approved Plan. When an application for approval of a plan, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.

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

In the case of any doubt as to the terms of a preliminary plan approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

(Ord. 86-2, 5/5/1986; Section 2.05)

§206. Effect of Ordinance Changes on Required Improvements.

1. Effect on Substantially Completed Required Improvements. Where required improvements have been substantially completed as shown on the final plan within the aforesaid five-year (5) limit, or any extension thereof as may be granted by Borough Council, following the filing of the preliminary plan application, no change of Borough ordinance or plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street or utility location.

2. Effect on Installation of Required Improvements Beyond the Five-Year Period. Where the installation of required improvements is called for beyond the five-year (5) period in a preliminary plan filed prior to the change of ordinance or plan:

A. A plan showing all proposed phases or sections of the development shall be submitted with the preliminary plan application.

Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five percent (25%) of the total number of dwelling units as shown on the preliminary plan, unless a lesser percentage is approved by Borough Council in its discretion.

B. A time schedule for the filing of final plan applications for each phase or section shall be submitted with the preliminary plan application.

Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted, and any modification in the aforesaid schedule shall be subject to approval of Borough Council at its discretion.

3. Applicability of Protections from Ordinance Changes. Provided the landowner has not defaulted with regard to, or violated any of the conditions of, the approved preliminary plan, including compliance with the landowner's aforesaid schedule of submission of final plans for the various sections, then:

A. The aforesaid protections afforded by substantially completing the improvements shown on the final plan within five (5) years shall apply and

B. For any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year (5) period, the aforesaid protections shall apply for an additional term or terms of three (3) years from the date of approved final plan for each section.

Failure of the landowner to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any section to any and all changes in zoning, subdivision and other governing ordinances enacted by the Borough subsequent to the date of the initial preliminary plan application.

(Ord. 86-2, 5/5/1986; Section 2.06)

Part 3

Assurance For Completion of Improvements

§301. Completion of Improvements. No plan shall be finally approved unless the streets shown have been improved as required by this Part, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and any other required improvements have been installed as required by this Part. (Ord. 86-2, 5/5/1986; Section 3.01)

§302. Guarantee of Completion of Improvements. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the deposit with the Borough of a financial security shall be required in an amount sufficient to cover the costs of any improvements or common amenities which may be required, including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings.

1. Types of Financial Security. Without limitation as to other types of financial security which the Borough may approve, which approval shall not be unreasonably withheld, irrevocable letters of credit and restrictive or escrow accounts from Federal or Commonwealth chartered lending institutions shall be deemed acceptable financial security for the purposes of this Chapter.

2. Posting of Financial Security. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

3. Time Period for Completion of Improvements. 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 subdivision plan for completion of such improvements.

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

5. Establishment of Improvement Cost. The cost of the improvements shall be established by either (a) submission to Borough Council of a bona fide bid or bids from the contractor or contractors chosen by the party posting the financial security to complete the improvements or (b) an estimate prepared by the Borough Engineer in the absence of such bona fide bids.

6. Increase in Time Period and Amount of Financial Security for Completion of Improvements. If the party posting the financial security requires more than one (1) year from this date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of the financial security or to an amount not exceeding one hundred ten percent

(110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the bidding procedure described in (5) above.

7. Phasing of Developments. In the case where development is projected over a period of years, Borough Council may authorize the submission of final plans by sections or phases of development subject to such requirements or guarantees as to improvements in future sections or phases of development as it finds essential for the protection of any finally approved section of the development.

8. Release of Portions of Financial Security. As the work of installing the required improvements proceeds, the party posting the financial security may request Borough Council to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work.

Any such request shall be in writing addressed to Borough Council, and Council shall have forty-five (45) days from receipt of such request within which to allow the Borough Engineer to certify, in writing, to Council that such portion of the work upon the improvements has been completed in accordance with the approved plan.

Upon such certification Borough Council shall authorize release by the bonding company or lending institution of an amount as estimated by the Borough Engineer as fairly representing the value of the improvements completed. Failure of Council to act within the said forty-five-day (45) period shall be deemed an approval of the release of the funds requested,

Borough Council may, prior to final release at the time of completion and certification by its Engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.

9. Financial Security for Maintenance of Improvements. Where Borough Council accepts dedication of all or some of the required improvements following completion, it 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 shown on the final plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication.

Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen percent (15%) of the actual cost of installation of said improvements.

10. Financial Security for Improvements Under Jurisdiction of Public Utility or Municipal Authority. 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 municipality, 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.

11. Issuance of Permits When Financial Security Has Been Posted. If financial security has been provided in lieu of the completion of improvements required as a condition for final plan approval as set forth in this section, the Borough shall not condition the issuance of zoning, building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as shown on the final plan upon actual completion of the improvements shown on the approved final plan.

12. Certificates of Zoning Compliance (Occupancy) Not to be Withheld Under Certain Conditions. If said financial security has been provided, certificates of zoning compliance, or occupancy permits, for any building or buildings to be erected shall not be withheld following:

A. The improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as

B. The completion of all other improvements as shown on the approved final plan, either upon the lot or lots beyond the lot or lots in question, if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

(Ord. 86-2, 5/5/1986; Section 3.02)

§303. Release from Improvement Guarantee

1. Notification of Completion of Improvements. When the developer or subdivider has completed all of the necessary and appropriate improvements, the developer or subdivider shall notify the Borough Council, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Borough Engineer.

2. Authorization of Inspection of Improvements. Borough Council shall, within ten (10) days after receipt of such notice, direct and authorize the Borough Engineer to inspect all of the aforesaid improvements. The Borough Engineer shall be a duly registered Professional Engineer (PE) employed by the Borough or engaged as a consultant thereto.

3. Filing of Report. The Borough Engineer shall thereupon file a report in writing, with the Borough Council and shall promptly mail a copy of the same to the developer or subdivider by certified or registered mail.

The report shall be made and mailed within thirty (30) days after receipt by the Borough Engineer of the aforesaid authorization from the Borough Council. The report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part. If said improvements, or any portion thereof, shall not be approved or shall be rejected by the Borough Engineer, said report shall contain a statement of the reasons for such nonapproval or rejection.

4. Notification of Borough Action. Borough Council shall notify the developer or subdivider, in writing, by certified or registered mail, of the action of said Council with relation thereto.

5. Failure of Borough to Act Within Time Limit. If the Borough Council or the Borough Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved, and the developer or subdivider shall be released from all

liability, pursuant to its performance guarantee bond or other security agreement.

6. Responsibility of Developer Upon Disapproval of Improvements. If any portion of the said improvements shall not be approved or shall be rejected by the Borough Council, the developer or subdivider shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined in this section, shall be followed,

7. Developer's Right to Contest Action. Nothing herein, however, shall be construed in limitation of the developer's or subdivider's right to contest or question by legal proceedings or otherwise any determination of the Borough Council or Borough Engineer.

(Ord. 86-2, 5/5/1986; Section 3.03)

§304. Remedies to Effect Completion of Improvements.

1. Enforcement of Financial Security. 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, the Borough Council can enforce any corporate bond or other security by appropriate legal and equitable remedies.

2. Insufficiency of Financial Security. 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 Borough Council 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 from Financial Security Limited as to Use. All of the proceeds, whether resulting from the security or from any legal or equitable action or from both brought against the developer or subdivider, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

(Ord. 86-2, 5/5/1986; Section 3.04)

§305. Consumer Protection Legislation and Conflict of Interest Statutes.

1. Violation of Consumer Protection Laws. No zoning permit or certificate of zoning compliance (occupancy permit) shall be granted or issued if a developer or subdivider shall have violated any Federal, State, or local law pertaining to consumer protection of real estate land sales, promotion, or practices, or any applicable conflict-of-interest legislation with respect to the lot or parcel of land which is the subject of the permit or certificate, until so ordered by a court of competent jurisdiction.

2. Revocation of Permits. With respect to said lot or parcel of land, in the event a zoning permit or certificate of zoning compliance (occupancy permit) has been granted or issued, it shall be subject to revocation by the Borough until so ordered otherwise by a court of competent jurisdiction, provided that in no event shall the rights of

intervening innocent third parties in possession of a certificate of zoning compliance (occupancy permit) be prejudiced by any such revocation.

3. Subdivision Ordinance Violation. Any violation of a Federal, State, or local consumer protection law (including but not limited to: the Postal Reorganization Act of 1970; the Federal Trade Commission Act of 1970; the Interstate Land Sales Full Disclosure Act; the Truth in Lending Act; the Uniform Commercial Credit Code) or conflict-of interest statute, law, or ordinance shall be deemed a violation of the regulations of this Chapter and subject to all the penalties and proceedings as set forth in Part 7. (Ord. 86-2, 5/5/1986; Section 3.05)

Part 4

Specifications for Documents To Be Submitted

§401. General Requirements. All major subdivision and land development plans should meet the requirements outlined in the following sections. Minor subdivisions should follow requirements for sketch and final plans. (Ord. 86-2, 5/5/1986; Section 4.01)

§402. Sketch Plan. The sketch plan, when provided, should include the following information legibly drawn to scale at one (1) inch equals one hundred (100) feet on prints either 18" x 24", 22" x 36", 27" x 40", or 36" x 48":

1. Name and address of record owner and name and address of subdivider if different than owner; proof of ownership.
2. Name of proposed subdivision.
3. Name of municipality or municipalities in which the subdivision is located.
4. Tract boundaries and location and a statement of the total acreage of the tract.
5. Name of owners or subdividers of all adjoining properties within two hundred (200) feet of the tract.
6. The name of the registered engineer, surveyor, qualified planner architect, or landscape architect responsible for the preparation of the sketch plan.
7. North arrow, written and graphic scale, and date of original drawing.
8. Significant topographic and physical features of the area.
9. Existing water-courses, streams, ponds, and wetlands within the tract together with their names. Also, all existing wooded areas.
10. Existing buildings, roads, rights-of-way, and restrictive covenants within two hundred (200) feet of the boundaries of the proposed subdivision.
11. The proposed general layout of lots and streets within the proposed subdivision.
12. A location map showing the proposed subdivision in relation to municipal boundaries, public roads, and streams.

The sketch plan should be accompanied by a letter of intent explaining the concept of development proposed for the tract.

(Ord. 86-2, 5/5/1986; Section 4.02)

§403. Preliminary Plan. The Preliminary Plan should include the following information legibly drawn to a scale of not more than one (1) inch equals fifty (50) feet on major film of either 18" x 24", 22" x 36", 27" x 40", or 36" x 48":

1. A title block including the following information:

A. Name and address of record owner and name and address of subdivider if different than owner.

B. Name of proposed subdivision.

C. Name of municipality or municipalities in which the subdivision is located.

D. Name, address, license number, and seal of registered engineer or surveyor responsible for the preparation of the plan.

E. North arrow, graphic scale, written scale, and date of original plan and of each revision.

F. The total acreage, number of lots, and average lot size in the tract.

G. The existing zoning classification of the tract.

A place for the signatures of the Chairman and Secretary of the Planning Commission and for the President and Secretary of Council and a place for the date of approval by each.

2. A location map showing the proposed subdivision in relation to municipal boundaries, public roads, and streams.

3. If the Preliminary Plan requires more than one sheet, a key diagram illustrating the relative location of the several sections shall be drawn on each sheet, and a match line of one sheet to another shall be shown.

4. The Plan shall show the tract boundaries, including bearings and distances, and the names of all adjoining landowners and subdivisions within two hundred (200) feet of the tract boundaries, and also the tax map sheet, block, and lot numbers within the proposed tract from the County Assessor's Office.

5. Man-made features including the following shall be shown: existing or recorded streets on or adjacent to the tract including name or number, right-of-way width and pavement width; and existing buildings, storm sewers, sanitary sewers, water mains, culverts, power transmission lines, oil and gas pipelines, fire hydrants and other significant man-made features.

6. Original and proposed topographic contours at vertical intervals of not more than two (2) feet for land with average natural slope of five percent (5%) or less, and at intervals of not more than five (5) feet for land with average natural slope exceeding five percent (5%).

Location and elevation of the data to which the contour elevations refer shall be the closest United States Coast and Geodetic established benchmark. This information shall be provided at the discretion of the Planning Commission.

7. Proposals for development including the following:

A. Location and width of all street rights-of-way and cartways, with a statement of any conditions governing their use.

B. Suggested street names.

- C. Building setback lines along each street.
- D. Lot lines with dimensions.
- E. Lot numbers and block numbers in consecutive order.
- F. A statement of intended use of all nonresidential lots and parcels.
- G. The location of soil percolation test sites if on-site sewerage is to be used.
- H. The location of sanitary and storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities, if applicable.
- I. The location, width, and purpose of proposed easements and utility rights-of-way.
- J. Parks, playgrounds, and other areas to be provided for public or common use, with any conditions governing their use.
- K. Map notations where deed restrictions and protective covenants apply.

8. Supplementary maps or a composite map containing the following additional information should be supplied unless the Borough Planning Commission determines that the additional information is unnecessary:

A. A map illustrating an analysis of the natural drainage patterns and water resources including the delineation of streams, natural drainage swales, ponds and lakes, wetlands, flood plains subject to a fifty (50) year and a one hundred (100) year flood frequency, and permanent and seasonal high water-table areas.

B. A map illustrating an analysis of types of soils present on the tract including prime agricultural soil areas, aquifer recharge areas, unstable soils, soils most susceptible to erosion, and soils most suitable to urban development. This information can be obtained from the County Soil Survey prepared by the USDA Soil Conservation Service.

C. A map illustrating significant natural features within the proposed tract, such as woodland areas and rock outcroppings.

D. A map illustrating an analysis of the slopes within the tract including a delineation of slope areas under eight percent (8%), between eight percent (8%) and fifteen percent (15%), between fifteen percent (15%) and twenty-five percent (25%), and twenty-five percent (25%) and over.

E. A map illustrating the entire contiguous holdings of the landowner.

9. Materials to be submitted with the Preliminary Plan, unless the Borough Planning Commission determines that the submission of certain data is not necessary, shall include:

- A. Preliminary Plan application form and fee. (See Part 7.)
- B. A fee for County review if required by the County Planning Commission.

C. Proof of ownership of the tract to be subdivided or developed.

D. Copies of proposed deed restrictions if any.

E. Preliminary profiles, typical cross-sections, and specifications for proposed streets and sidewalks.

F. Preliminary designs of proposed bridges and culverts.

G. Preliminary designs of proposed sewerage systems and water supply systems where such systems are proposed to be installed.

H. Drawings of present and proposed grades and facilities for storm water drainage.

I. A sewerage module as required by the Pennsylvania Department of Environmental Resources.

J. Percolation test data as required by the Pennsylvania Department of Environmental Resources.

K. When land included in the proposed subdivision has a natural gas pipeline, a petroleum or petroleum products pipeline, or a power transmission line located thereon, a letter from the owner of such pipeline or transmission line stating the minimum setback distance which shall be required from such pipeline or transmission line.

L. Itemized estimated costs for required improvements.

(Ord. 86-2, 5/5/1986; Section 4.03)

§404. Final Plan. The Final Plan shall conform to the standards and data requirements set forth for the Preliminary Plan in §403. It shall not be necessary to resubmit supporting data and maps submitted with the Preliminary Plan, provided there have been no changes. The Final Plan to be submitted for approval and recording shall be a transparent reproduction of the Final Plan with black line on major film of the same dimensions for the Preliminary Plan.

The following additional data shall be illustrated on the Final Plan:

1. The latest source of title to the land as shown by deed, page number and book of the Snyder County Recorder of Deeds Office.

2. The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearing to one-quarter ($\frac{1}{4}$) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed one (1) foot in ten thousand (10,000) feet.

3. The exact dimensions of all streets (including rights-of-way and cartways) lot lines, areas, and distances; utilities and other easements; and all lands to be dedicated to public use.

4. The location and material of all permanent monuments and lot markers.

5. Road intersection permit numbers if the subdivision proposes a new street intersection with a State highway.

6. All lot lines shall be completely dimensioned in feet if straight and, if curved, by designating length of arc and radius (in feet) and central angle (in degrees, minutes, and seconds). All internal angles within the lots shall be designated to the closest second.

7. The proposed building setback line or the proposed placement of each building shall be shown, and, where corner lots are involved, the setbacks on both streets shall be shown.

8. Space on the title block of the Final Plan shall be provided for the signatures of the Chairman and Secretary of the Planning Commission and for the President and Secretary of Council and a place for the date of approval by each. The plan shall be clearly marked "Final Plan".

9. Space on the lower edge of the Final Plan shall also be provided for acknowledgement of receipt and recording of the Plan by the Snyder County Recorder of Deeds.

10. Materials to be submitted with the Final Plan include:

A. Final Plan application form and fee. (See Part 7.)

B. A fee for County review if required by the County Planning Commission.

C. Any material from the Preliminary Plan for which the Planning Commission and/or Council had requested correction or updating.

D. Copies of final deed restrictions if any.

E. All final covenants running with the land governing the reservation and maintenance of dedicated or undedicated land or open space.

F. Certification from utilities that proper water, power, and other facilities also can be installed.

G. Certification from the Pennsylvania Department of Environmental Resources approving the centralized water supply any sewerage systems for the subdivision if public water and/or sewerage is not available and on-lot water and sewerage facilities are not to be installed.

H. Certification of ownership, acknowledgement of plan, and offer of dedication signed by the owner of the property and notarized.

I. Final construction designs of all sanitary sewer, water distribution, and storm drainage systems showing their exact location, size, and invert elevation; the locations of all manholes, inlets, and culverts; and final profiles, cross-sections, and specifications for proposed streets, sanitary sewers, water distribution systems, storm drainage systems, and parking lots and buffer areas on one or more sheets.

J. If the streets are not to be offered for dedication to public use, the subdivider shall submit and record with the Final Plan a copy of an agreement made and executed by the Borough Council on behalf of the subdivider's heirs and assigns, subject to review and approval by the Borough Solicitor, establishing the conditions under which the street may be later offered for dedication, and shall stipulate, among other things:

- That the street shall conform to Borough specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Borough Engineer, to restore the street to conformance with the Borough specifications;

- That an offer to dedicate the street shall be made for the street as a whole;

- That the method of assigning repair costs to be as stipulated; and

That agreement by the owners of fifty-one percent (51%) of the front footage thereon shall be binding on the owners of the remaining lots.

K. A financial security for the installation of improvements, if such improvements are not to be installed prior to Final Plan approval. (See Parts 3 and 7.)

L. A financial security for the maintenance of improvements. (See Parts 3 and 7.)

M. An inspection fee for the inspection of improvements by the Borough Engineer. (See Parts 3 and 7.)

N. A certificate for approval of the Final Plan by the Borough Planning Commission and Council.

(Ord. 86-2, 5/5/1986; Section 4.04)

Part 5

Required Improvements and Design Standards

§501. General Improvements

1. Conformance to Applicable Rules and Regulations. In addition to the requirements established herein, all subdivision plans shall comply with the following laws, rules and regulations:

A. All applicable statutory provisions.

B. The Borough Zoning Ordinance, building and housing codes, and all other applicable laws of the appropriate jurisdiction.

C. The Comprehensive Plan, Official Map, Public Utilities Plan, and Capital Improvements Program of the Borough, including all streets and drainage systems shown on the Comprehensive Plan as adopted.

D. The special requirements of these regulations and any rules of the Department of Environmental Resources or other appropriate state agencies.

E. The rules of the State Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connecting street.

F. The standards and regulations adopted by the Borough Engineer and all boards, commissions, agencies, and officials of the Borough.

G. Plan approval may be withheld if a subdivision is not in conformance with the above guides or policy and purposes of these regulations as established in §501.

2. Self-Imposed Restrictions. If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto may be required to be indicated on the subdivision plan, or the Planning Commission may require that restrictive covenants be recorded with the County Recorder of Deeds in a form to be approved by the Borough Solicitor.

3. Plans Straddling Municipal Boundaries. Whenever access to the subdivision is required across land in another local government, the Planning Commission may request assurance from the Borough Solicitor that access is legally established, and from the Borough Engineer that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines.

4. Monuments. The applicant shall place permanent reference monuments in the subdivision as required herein and as approved by a Registered Land Surveyor.

A. Monuments shall be located on street right-of-way lines, at street intersections, angle points of curve and block corners. They shall be spaced so as to be within sight of each other, the sight lines being contained wholly within the street limits.

B. The external boundaries of a subdivision shall be monumented in the field by monuments of stone or concrete, not less than thirty-six (36) inches in length, not less than four (4) inches square, or four (4) inches in diameter, and marked on the top with a cross, brass plug, iron rod, or other durable material securely imbedded; or by iron rods or pipes at least thirty-six (36) inches long and two (2) inches in diameter. These monuments shall be placed not more than 1,400 feet apart at any straight line and at all corners, at each end of all curves, at the point where the curve changes its radius, at all angle points in any line, and at all angle points along the meander line, said points to be not less than twenty (20) feet back from the bank of any river or stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

C. All internal boundaries and those corners and points not referred to in the preceding paragraph shall be monumented in the field by iron pipes at least thirty-six (36) inches long and five-eighths (5/8) inch in diameter or by round or square bars at least thirty-six (36) inches long. These monuments shall be placed at all block corners, at each end of all curves, at a point where a river changes its radius, and at all angle points in any property line of lots.

D. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pipes at least thirty-six (36) inches long and five-eighths (5/8) inch in diameter or by round or square bars at least thirty (30) inches long. These monuments shall be placed at the point of intersection of the river or stream lot line, with a meander line established no less than twenty (20) feet back from the bank of the river or stream.

E. All such monuments shall be set flush with the ground and planted in such a manner that they will not be removed by frost.

F. All monuments shall be properly set in the ground and approved by a Registered Land Surveyor prior to the time the Planning Commission recommends approval of the final plan. The proposed replacement of any existing monuments shall be clearly indicated on the Final Plan.

5. Character of the Land. Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission, upon recommendation by the Borough Engineer, to solve the problems created by the unsuitable land conditions, such land shall be set aside for such uses as shall not involve such a danger.

6. Subdivision Name. The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Planning Comm-

ission shall have authority to recommend to Council the designation of the name of the subdivision.

(Ord. 86-2, 5/5/1986; Section 5.01)

§502. Lot Improvements.

1. Lot Arrangement. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing zoning permits to build on all lots in compliance with the Zoning Chapter and Pennsylvania Department of Environmental Resources regulations and in providing driveway access to buildings on such lots from an approved street.

2. Lot Dimensions. Lot dimensions shall comply with the minimum standards of the Zoning Chapter. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Chapter and these regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Chapter.

3. Double-Frontage Lots and Access to Lots.

A. Double-Frontage Lots. Double-frontage and reversed-frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation.

B. Access from Arterials. Lots shall not, in general, derive access exclusively from arterial streets. Where driveway access from an arterial may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic arterials.

4. Lot Drainage. Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

5. Debris and Waste. No cut trees, timber, debris, junk, rubbish, or other waste-materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of the expiration of the performance bond or dedication of public improvements, whichever is sooner.

6. Fencing. The subdivider or developer shall be required to furnish and install fences wherever the Planning Commission determines that a hazardous condition may exist. Barbed wire will be installed only on a fence with a minimum height of seven (7) feet. Fences at the corners of street intersections will be a maximum of three (3) feet in height and located at such a distance from the corner so as to conform to the clear sight distance referred to in §503 Table 1.

(Ord. 86-2, 5/5/1986, Section 5.02)

§503. Roads

1. General Requirements

A. Access on Approved Roads. No subdivision shall be approved unless the area to be subdivided shall have access from an existing State, County, or Borough Road.

B. Grading and Improvement Plan. Roads shall be graded and improved and conform to Borough construction standards and specifications and shall be approved as to design and specifications by the Borough Engineer, in accordance with the construction plans required to be submitted prior to final plan approval.

C. Topography and Arrangement.

(1) Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be so arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations.

(2) All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established in the Comprehensive Plan.

(3) All through fares shall be properly related to specific traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities and to the pattern of existing and proposed land uses.

(4) Minor or local streets shall be laid out to conform as much as possible to the topography, to discourage use by through-traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.

(5) The rigid, rectangular grid iron pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

(6) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Planning Commission such extension is not necessary or such

extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development on adjacent tracts.

D. Blocks.

(1) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterways.

(2) The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed two thousand, two hundred (2,200) feet or twelve (12) times the minimum lot width required in the zoning district, nor be less than four hundred (400) feet in length. Whenever practicable, blocks along arterials and collector streets shall not be less than one thousand (1,000) feet in length.

(3) In long blocks the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.

Pedestrian ways or crosswalks, not less than ten (10) feet wide, may be required by the Planning Commission through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the Planning Commission for prospective use.

E. Access to Arterials. Where a subdivision borders on or contains an existing or proposed arterial, the Planning Commission may require that access to such streets be limited by one of the following means:

(1) The subdivision of lots so as to back onto the arterial and front onto a parallel local street; no access shall be provided from the arterial, and screening shall be provided in a strip of land along the rear property line of such lots.

(2) A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial.

(3) A marginal access or service road (separated from the arterial by a planting or grass strip and having access thereto at suitable points).

F. Road Names. Any sketch plans submitted shall not indicate any names upon proposed streets. The Planning Commission shall name all roads at the time of preliminary plan approval. The local Postmaster should be consulted in this regard. Names shall be sufficiently different in sound and in spelling from other road names in

the Borough so as not to cause confusion. A road which is or is planned as a continuation of an existing road shall bear the same name.

G. Road Regulatory Signs. The applicant shall deposit with the Borough at the time of final plan approval the requisite sum for each road sign required by the Borough Engineer at all road intersections. The Borough shall install all road signs before any residence on an approved street is occupied.

H. Street Lights. Installation of street lights, when required, shall be in accordance with design and specification standards approved by the Borough Engineer.

I. Reserve Strips. The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.

J. Construction of Roads and Dead-End Roads.

(1) Construction of Roads. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where such continuation is in accordance with the Borough plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T- or L-shaped turnabout shall be provided on all temporary dead-end streets, with a notation on the subdivision plan that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The Planning Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

(2) Dead-End Roads (Permanent). Where a road does not extend to the boundary of the subdivision and its continuation is not required by the Planning Commission for access to adjoining property, its terminous shall normally not be nearer to such boundary than fifty (50) feet. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with Borough construction standards and specifications. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

2. Design Standards

A. General. In order to provide for roads of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road-maintenance equipment, and to coordinate roads so as to

compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required. (If the classification of a road is not indicated in the Comprehensive Plan, it shall be determined by the Planning Commission according to the definitions herein and designation as found in Table 1 herein.)

B. Road Surfacing and Improvements. After sewer and water utilities, if required, have been installed by the developer, the applicant shall construct curbs and gutters and surface or cause to be surfaced roadways to the widths prescribed in these regulations as a condition precedent to final approval of the plan.

Types of pavement shall meet the specifications of the Pennsylvania Department of Transportation as determined by the Borough Engineer. (See PennDOT Publication 70, latest edition.) Adequate provision shall be made for culverts, drains, and bridges also in accordance with Pennsylvania Department of Transportation specifications.

All road pavement, shoulders, drainage improvements, and structures, curbs, turnarounds, and sidewalks shall conform to all construction standards and specifications adopted by the Planning Commission, Borough Engineer, or Borough Council and shall be incorporated into the construction plans required to be submitted by the developer for plan approval.

C. Excess Right-of-Way. Right-of-way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three to one.

D. Railroads and Limited Access Highways. Railroad rights-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

(1) In residential districts a buffer strip at least twenty-five (25) feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plan: "This strip is reserved for screening. The placement of structures hereon is prohibited."

(2) In districts zoned for business, commercial, or industrial uses the nearest street extending alley to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial and industrial sites.

(3) Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means appropriate gradients.

E. Intersections.

(1) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Planning Commission.

(2) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection, where streets intersect major streets, their alignment shall be continuous. Intersection of major streets shall be at least eight hundred (800) feet apart.

(3) Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet; and minimum curb radius at an intersection involving a collector street shall be at least twenty-five (25) feet. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.

(4) Intersections shall be designed with a flat Grade wherever practical. In hilly or rolling acres, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of sixty (60) feet, measured from the nearest right-of-way line of the intersecting street.

(5) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.

(6) The cross-slopes on all streets, including intersections, shall be a maximum of 5 and a minimum of 2.

F. Bridges. Bridges of primary benefit to the applicant, as determined by the Planning Commission, shall be construction at the full expense of the applicant without reimbursement from the Borough Council. The sharing of expense for the construction of bridges not of primary benefit to the applicant, as determined by the Planning Commission, will be fixed by special agreement between the Borough Council and the applicant. Said cost shall be charged to the applicant pro-rata as the percentage of his land developed and so served.

3. Road Dedications and Reservations.

A. New Perimeter Streets. Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the adjacent street shall be improved and dedicated by the subdivider. The Planning Commission may authorize a new perimeter street where the subdivider improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

B. Widening and Realignment of Existing Roads. Where a subdivision borders an existing narrow road or when the Comprehensive Plan, Official Map, or zoning setback regulations indicate plans for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to improve and dedicate at his expense such areas for widening or realignment of such roads. Such frontage roads and streets shall be improved and dedicated by the applicant at his own expense to the full width as required by these subdivision regulations. Land reserved for any road purposes may not be counted in satisfying yard or area requirements of the Zoning Chapter whether the land is to be dedicated to the Borough in fee simple or an easement is granted to the Borough Council.

(Ord. 86-2, 5/5/1986, Section 5.03; as amended by Ord. 04-9, 11/1/2004, §1)

TABLE 1
DESIGN STANDARDS FOR ROADS

<u>Improvement</u>	<u>Development Density</u>			
	<u>Residential</u>			<u>Non-residential</u> Business and Industrial
	Low	Medium	High	
<u>Minimum Width of Right-of-Way (in feet)</u>				
Local Street	50	50	60	50
Collector Street	50	60	70	60
Arterial Street	80	80	100	100
<u>Minimum Width of Cartway (in Feet)</u>				
Local Street	20 W/S*	30 W/S*	32 W/C**	30 W/C**
Collector Street	22 W/S*	32 W/S*	32 W/C**	40 W/C**
Arterial Street	44 W/S*	48 W/S*	48 W/C**	48 W/C**
<u>Maximum Grade (Percent)</u>				
Local Street	10	10	8	6
Collector Street	8	8	8	6
Arterial Street	6	6	6	5
<u>Minimum Grade (Percent)</u>				
	1	1	1	1
<u>Minimum Radius of Curve (in feet)</u>				
Local Street	100	100	100	200
Collector Street	100	100	100	200
Arterial Street	500	500	500	500
<u>Minimum Length of Vertical Curves</u>				
Local Street	100 feet, but not less than 20 feet for each algebraic difference in grade.			
Collector Street	100 feet, but no less than 200 feet for each algebraic difference in grade.			
Arterial Street	800 feet, but not less than 50 feet for each algebraic difference in grade.			

TABLE 1 (cont'd)
DESIGN STANDARDS FOR ROADS

<u>Development Density</u>				
Improvement	<u>Residential</u>			<u>Non-residential</u>
	Low	Medium	High	Business and Industrial
<u>Minimum Length of Tangents Between Reverse Curves (in feet)</u>				
Local Street	100	100	150	200
Collector Street	100	100	150	200
Arterial Street	300	300	350	400
<u>Minimum Sight Distance (in feet)</u>				
Local Street	200	200	200	250
Collector Street	200	240	240	250
Arterial Street	275	300	300	400
<u>Intersection of Streets 75 feet back from intersection across corners</u>				
<u>Design Speed (miles per hour)</u>				
Local Street	25	25	25	30
Collector Street	30	35	35	35
Arterial Street	40	40	40	55
<u>Maximum Length [Ord. 04-9] of Cul-de-Sac</u>				
Permanent	Not to exceed 1,600 feet in length			
Temporary	Not to exceed 2,100 feet in length			
<u>Minimum Radius of Cul-de-Sac (in feet)</u>				
At Right-of-Way	50	50	50	50
At Pavement	40	40	40	40

*With Shoulders (Roll Type Curb)

**With Curbs (Concrete Vertical Form Curbs)

§504. Water Facilities.1. General Requirements.

A. Necessary action shall be taken by the applicant to extend or create a water supply district for the purpose of providing a water supply system capable of providing domestic water use and fire protection.

B. Where a public water main is accessible, the subdivider shall install adequate water facilities (including fire hydrants) subject to the specifications of the Borough. All water mains shall be at least six (6) inches in diameter.

C. Water main extensions shall be approved by the Borough.

D. To facilitate the above, the location of all fire hydrants, all water supply improvements, and the boundary lines of all proposed districts, indicating all improvements proposed to be served, shall be shown on the Preliminary Plan, and the cost of installing the same shall be included in a performance bond to be furnished by the developer.

2. Individual Wells and Central Water Systems.

A. In the discretion of the Planning Commission, if a public water system is not available in certain areas of the Borough, individual wells may be used.

B. If the Planning Commission requires that a connection to a public water main be eventually provided as a condition to approval of an individual well or central for future water service at the time the plan receives final approval. Performance bonds or other form of financial security may be required to insure compliance.

3. Fire Hydrants. Fire hydrants shall be required for all subdivisions except those coming under §504(2), above. Fire hydrants shall be located no more than one thousand, two hundred (1,200) feet apart and within five hundred (500) feet of any structure and shall be approved by the local Volunteer Fire Department. To eliminate future street openings, all underground utilities for fire hydrants, improvements shall be installed before any final paving of a street shown on the subdivision plan.

(Ord. 86-2, 5/5/1986; Section 5.04)

§505. Sewerage Facilities.

1. General Requirements. The applicant shall install sanitary sewer facilities in a manner prescribed by the construction standards and specifications of the Borough. All plans shall be designed in accordance with the rules, regulations, and standards of the Borough Engineer and other appropriate agencies. Plans shall be approved by the above agencies. Necessary action shall be taken by the applicant to extend or create a sanitary sewer district for the purpose of providing sewerage facilities to the subdivision where no district exists for the land to be subdivided.

2. Residential Districts not having Public Sewers. Sanitary sewerage systems shall be constructed as follows:

A. Where a public sanitary sewerage system is reasonably accessible, the applicant shall connect with the system and provide sewers accessible to each lot in the subdivision.

B. Where public sanitary sewerage systems are not reasonably accessible but will become available within a reasonable period of time (not to exceed five (5) years), the applicant may choose one of the following alternatives:

(1) Central Sewerage System. The maintenance cost shall be assessed against each property benefitted. Where plans for future public sanitary sewerage systems exist, the applicant shall install the sewer lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public sewer drains or

(2) Individual Disposal Systems. These shall be allowed, provided the applicant shall install sanitary sewer lines, laterals, and mains from the street curb to a point in the subdivision boundary where a future connection with the public sewer main shall be made. Sewer lines shall be laid from the house to the street line, and a connection shall be available in the house to connect from the individual disposal system to the sewer system when the public sewers become available. Such sewer systems shall be capped until ready for use and shall conform to all plans for installation of the public sewer system, and shall be ready for connection to such public sewer main.

C. Where sanitary sewer systems are not reasonably accessible and will not become available for a period in excess of five (5) years, the applicant may install sewerage systems as follows:

(1) Medium-Density Residential Districts. A central sewerage system shall only be used. An individual disposal system shall be permitted. Where plans exist for a public sewer system to be built, for a period in excess of five (5) years, the applicant shall install all sewer lines, laterals, and mains to be in permanent conformance with such plans and ready for connection to such public sewer main.

(2) Low-Density Residential Districts. Individual disposal systems or central sewerage systems shall be used.

(3) Mandatory Connection to Public Sewer System. If a public sanitary sewer is accessible and a sanitary sewer is placed in a street or alley abutting upon property, the owner thereof shall be required to connect to said sewer for the purpose of disposing of waste, and it shall be unlawful for any such owner or occupant to maintain upon any such property an individual sewage disposal system.

(4) Individual Disposal System Requirements. If public sewer facilities are not available and individual disposal systems are proposed, either for temporary or permanent disposal service, minimum lot areas shall conform to the requirements of the Zoning

Ordinance [Chapter 27], but in no case shall a lot be less than two (2) acres. Approval by the Pennsylvania Department of Environmental Protection of a sewage-planning module for the proposed subdivision shall be obtained prior to final plan approval. Test sites and proposed system locations shall be depicted on the subdivision plat. [Ord. 02-3]

(5) Design Criteria for Sanitary Sewers.

(a) General Requirements. These criteria are not intended to cover extraordinary situations. Deviations will be allowed and may be required in those instances where considered justified by the Borough Engineer.

(b) Design Factors. Sanitary sewer systems should be designed for the ultimate tributary population. Due consideration should be given to current Zoning regulations and approved planning and zoning reports where applicable. Sewer capacities should be adequate to handle the anticipated maximum hourly quantity of sewage and industrial waste together with an adequate allowance for infiltration and other extraneous flow. The unit design flows presented hereinafter should be adequate in each case for the particular type of development indicated. Sewers shall be designed for the total tributary area using the following criteria:

One-and two-family dwelling	.02 cubic feet per second (c.f.s.) per acre
Apartments	
One and two story	.02 c.f.s./acre
Three through six story	.03 c.f.s./acre
Commercial	
Small stores, offices & miscellaneous businesses	.02 c.f.s./acre
Shopping centers	.02 c.f.s./acre
Industrial	As directed by the Bor- ough Engineer

These design factors shall apply to watersheds of 300 acres or less. Design factors for watersheds larger than 300 acres and smaller than 1,000 acres shall be computed on the basis of a linear decrease from the applicable design factor of .01 c.f.s./acre for an area of 1,000 acres unless otherwise directed by the Borough Engineer. Design factors for watersheds larger than 1,000 acres shall be .01 c.f.s./acre unless otherwise directed by the Borough Engineer.

(c) Maximum Size. The diameter of sewers proposed shall not exceed the diameter of the existing or proposed outlet, whichever is applicable, unless otherwise approved by the Borough Engineer.

(d) Minimum Size. No public sewer shall be less than eight (8) inches in diameter.

(e) Minimum Slope. All sewers shall be designed to give mean velocities when flowing full of not less than 2.0 feet per second. All velocity and flow calculations shall be based on the Manning Formula using an N value of 0.013. The design slopes shall be evenly divisible by four (4). The slopes shall be minimum for the size indicated. Exceptions to these minimum slopes shall be made at the upper end of lateral sewers serving under thirty (30) houses. Said sewers shall have a minimum slope of 0.76 percent. Where lateral sewers serve fewer than (10) houses, the minimum slope shall be not less than one percent (1%). (See Table 2.)

Table 2
MINIMUM SLOPES FOR SEWER SIZE INDICATED

Sewer Size (in inches)	Minimum Slope (in feet per 100 feet)
8	0.40
10	0.28
12	0.22
15	0.15
18	0.12
21	0.10
24	0.08

(f) Alignment. All sewers shall be laid with straight alignment between manholes, unless otherwise directed or approved by the Borough Engineer.

(g) Manhole Location. Manholes shall be installed at the end of each line; at all changes in grade, size, or alignment; at all intersections and at distances not greater than 400 feet for sewers 15 inches in diameter and smaller, and 500 feet for sewers 18 inches in diameter and larger.

(h) Manholes. The difference in elevation between any incoming sewer and the manhole invert shall not exceed twelve (12) inches. The use of drop manholes will require approval by the Borough Engineer. The minimum inside diameter of the manholes shall conform to those specified by the Borough Engineer. Inside drop manholes will require special considerations; however, in no case shall the minimum clear distance be less than that indicated above. When a smaller sewer joins a larger one, the crown of the smaller sewer shall not be lower than that of the larger one. The minimum drop through manholes shall be 0.2 feet.

(i) Sewerage Locations. Sanitary sewers shall be located within street or alley rights-of-way unless topography indicates otherwise. When located in easements on private property, access shall be to all manholes. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley rights-of-way where possible. Imposed loading shall be considered at all locations. The Borough Engineer shall review cover requirements and pipe specifications. Buildings shall be set back at least ten (10) feet from the easement line.

(j) Cleanouts and Lampholes. Cleanouts and lampholes shall not be permitted.

(k) Water Supply Interconnections. There shall be no physical connection between a public or private potable water supply system and a sewer which will permit the passage of any sewage or polluted water into the potable supply. Sewers shall be kept removed from the water supply wells or other water supply sources and structures.

(l) Relation of Sewers to Water Mains. A minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines. At points where sewers cross water mains, the sewers shall be constructed of cast iron pipe or encased in concrete for a distance of ten (10) feet in each direction from the crossing, measured perpendicular to the water line. This will not be required when the water main is at least two (2) feet above the sewer.

(Ord. 86-2, 5/5/1986; Section 5.05; as amended by Ord. 02-3, 3/4/2002, §1)

§506. Stormwater Drainage.

1. General Requirements. The Planning Commission shall not recommend for approval any subdivision plan which does not make adequate provision for storm or flood water runoff channels, basins, and detention facilities. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method, or other methods as approved by the Planning Commission, and a copy of design computations shall be submitted along with plans. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point. Surface water drainage patterns shall be shown generally.

2. Nature of Storm Water Facilities.

A. Location. The applicant may be required by the Planning Commission to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of, the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with construction standards and specifications acceptable to the Planning Commission.

B. Accessibility to Public Storm Sewers. Where a public storm sewer is accessible, the applicant shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specifications of the Borough Engineer. However, in subdivisions containing lots less than 20,000 square feet in area and in business and industrial districts, underground storm sewer systems shall be constructed throughout the subdivisions and be conducted to an approved outfall. Inspection of facilities shall be conducted by the Borough Engineer.

C. Accommodation of Upstream Drainage Areas. A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Borough Engineer shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by the Zoning Chapter.

D. Effect on Downstream Drainage Areas. The Borough Engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. The Borough drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Commission may withhold approval of the subdivision until provision has been made for the improvement of said potential condition. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

E. Areas of Poor Drainage. Whenever a plan is submitted for an area which is subject to poor drainage, the Planning Commission may approve such subdivision provided that the applicant fills the affected area of such subdivision to an elevation sufficient to provide positive drainage, as determined by the Borough Engineer.

F. Flood Plain Areas. Development of flood plain areas shall be subject to the provisions of the Borough's Flood Plain Chapter.

3. Dedication of Drainage Easements.

A. General Requirements. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

B. Drainage Easements.

(1) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least twenty (20) feet in width for such drainage facilities shall be provided

across property outside the road lines and with satisfactory access to the road. Drainage easements shall be carried from the road to the natural watercourse or other drainage facilities.

(2) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plan.

The applicant shall dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses, to a distance to be determined by the Planning Commission.

(Ord. 86-2, 5/5/1986; Section 5.06)

§507. Erosion and Sediment Control.

1. General Requirements. No changes shall be made in the contour of the land; no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced; and no subdivision or land development plan shall be approved unless:

A. There has been a plan approved by the Pennsylvania Department of Environmental Resources or the County Soil and Water Conservation District that provides for minimizing erosion and sedimentation consistent with this Subsection 1 or

B. There has been a determination by the Borough Planning Commission that a plan for minimizing erosion and sedimentation is not necessary.

2. State Requirements. Measures used to control erosion and reduce sedimentation shall, as a minimum, be in accordance with the Rules and Regulations of the Pennsylvania Department of Environmental Resources and/or the standards and specifications set forth in the Soil Erosion and Sedimentation Control Manual (published by the Pennsylvania Department of Environmental Resources) as well as those set forth in this Section.

3. Drainage Areas in Excess of 320 Acres. Stream channel construction on watersheds with drainage areas in excess of 320 acres, or in those cases where downstream hazards exist, shall conform to criteria administered by the Division of Dams and Encroachments, Pennsylvania Department of Environmental Resources.

4. Compliance. The Borough Engineer shall ensure compliance with the appropriate erosion and sedimentation control plans and specifications.

5. Flood Plain Chapter. Compliance with the Borough's Flood Plain Chapter is also required.

6. Performance Requirements. The following measures are effective in minimizing erosion sedimentation and shall be included where applicable in the control plan.

A. Stripping of vegetation, regrading, or other development shall be done in a way that will minimize erosion.

B. Development plans shall preserve the salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.

C. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.

D. The disturbed area and the duration of exposure shall be kept to a practical minimum.

E. Disturbed soils shall be stabilized as quickly as practicable.

F. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.

G. The permanent (final) vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.

H. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff will be structurally retarded.

I. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.

7. Grading and Drainage Requirements. In order to provide more suitable sites for building and other uses, improved surface drainage, and control erosion, the following requirements shall be met:

A. All lots, tracts, or parcels shall be graded to provide proper drainage away from buildings and dispose of the runoff without ponding, and all land within a development shall be graded to drain and dispose of surface water without ponding, except where other arrangements are approved by the Commission.

B. All drainage provisions shall be of such design to adequately handle the surface runoff and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural water course. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded or planted and shall be of such slope, shape and size as to conform with the requirements of the Borough and/or the standards of the Soil Erosion and Sedimentation Control Manual.

C. Concentration of surface water runoff shall only be permitted in swales or watercourses.

8. Cuts and Fills. The following standards shall be applied as needed in cuts and fills as part of erosion and sediment controls:

A. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.

B. Cuts and fills shall not endanger adjoining property.

C. Unless an adequate retaining wall, cribbing, or structure is provided:

(1) Fill slopes shall not be steeper than three (3) feet of horizontal measurement for one (1) foot of vertical measurement; and

(2) Cut slopes shall not be steeper than two (2) feet of horizontal measurement for one (1) foot of vertical measurement.

D. Fill shall be placed and mechanically compacted so as to minimize sliding or erosion of the soil.

E. Fills shall not encroach on natural watercourses or constructed channels.

F. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during periods of flooding.

G. Grading will not be done in such a way so as to divert water or fill onto the property of another landowner without the expressed consent of the Commission and the affected landowner.

H. During grading operations necessary measures for dust control will be exercised.

I. Top soil shall be preserved and redistributed as cover and shall be expeditiously planted with perennial grasses or ground cover.

J. Tree guards during construction and draining and limitations as to cuts and fills, both temporary and permanent, near trees shall be provided as unnecessary to give reasonable assurance of their continued healthy growth.

K. Grading equipment will not be allowed to cross live streams. Provision will be made for the installation of culverts or bridges.

(Ord. 86-2, 5/5/1986; Section 5.07)

§508. Sidewalks

1. Required Improvements

A. Sidewalks shall be included within the dedicated nonpavement right-of-way of all roads as shown in Table 3.

B. Concrete curbs are required for all roads where sidewalks are required by these regulations or where required in the discretion of the Planning Commission.

C. Sidewalks shall be improved as required in §503 (3) of these regulations. A median strip of grassed or landscaped areas at least two (2) feet wide shall separate all sidewalks from adjacent curbs.

2. Pedestrian Accesses. The Planning Commission may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least twenty (20) feet in width. Easements shall be indicated on the plan.

3. Construction Standards. Sidewalks shall be constructed of ID-2 concrete or Portland cement concrete four (4) inches in thickness except at driveways, where they shall be a minimum of six (6) inches in thickness. Sidewalk width shall be as required in Table 3.

(Ord. 86-2, 5/5/1986; Section 5.08)

Table 3
SIDEWALK REQUIREMENTS

Nature of Road	Development Density			
	<u>Residential</u>		<u>Non-Residential</u>	
	Low	Medium	High	Business & Industrial
Local Street	Optional*	Optional*	Both Sides 5 feet wide	Both Sides 6 feet wide
Collector Street	Optional**	Optional**	Both Sides 5 feet wide	Both Sides 6 feet wide
Arterial Street	Optional**	Optional**	Both Sides 5 feet wide	Both Sides 5 feet wide

*Optional, but where provided, 4 feet minimum on either side of street with concrete curbs.

**Optional, but where provided, 5 feet minimum on either side of street with concrete curbs.

§509. Utilities.

1. Location. All utility facilities, including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground throughout the subdivision. All utility facilities existing and proposed throughout the subdivision shall be shown on the preliminary plan. Underground service connections to the street property line of each platted lot shall be installed at the subdivider's expense. However, at the discretion of the Planning Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

2. Easements. Utility easements shall be centered on rear or side lot lines and shall be at least fifteen (15) feet wide. The establishment of such easements shall be coordinated with the applicable utility company.

(Ord. 86-2, 5/5/1986; Section 5.09)

§510. Public Uses.

1. Parks, Playgrounds, and Recreation Areas

A. Recreation Standards. The Planning Commission may request that land be reserved for parks, playgrounds, or other recreation purposes in locations designated in the Comprehensive Plan or otherwise where such reservations would be appropriate. Each reservation should be of suitable size, dimension, character, and topography and should have adequate road access for its particular purpose. Such area shall be shown and marked on the preliminary plan as "Reserved for Park and/or Recreation Purposes". When recreation areas are to be provided, the developer should determine the number of acres to be reserved from the following table, which is based on the provision of three (3) acres of recreation area for every one hundred (100) dwelling units. The Planning Commission shall refer such proposed reservations to the Borough official or commission in charge of parks and recreation for recommendation.

Table 4

RECREATION REQUIREMENTS

Single-Family Lots Size of Lot (in square feet)	Percentage of Total Land in Subdivision to be reserved for Recreational Purposes
80,000 & Over	1.5%
50,000	2.5%
40,000	3.0%
35,000	3.5%
25,000	5.0%
15,000	8.0%
Multi-Family and High-Density Residential	The Planning Commission shall recommend the acreage for reservation based on the number of dwelling units for the site and on the type of occupancy.

B. Financial Security. Where a developer proposes to provide parks, playgrounds, and recreation areas, such improvements shall be included in the performance bond or other financial security if not to be completed before final plan approval.

2. Other Public Uses.

A. Community Facilities Plan. Whenever a tract to be subdivided includes a site for a school or other public use, as indicated in the Community Facilities Plan of the Borough's Comprehensive Plan, such space shall be incorporated by the applicant into the preliminary plan.

B. Referral to Appropriate Public Agency. The Planning Commission shall refer the preliminary plan to the appropriate public agency involved with the acquisition of such site for a determination of the agency's intent to acquire the proposed site or an alternative site. Upon receipt of an affirmative report from such agency the Planning Commission shall notify the property owner and shall designate on the preliminary and final plans the site to be acquired by the public agency.

C. Land Reservation. Where sites are identified for eventual public acquisition in an Official Map Ordinance or an adopted Comprehensive Plan, no building or development shall be permitted for a period of twelve (12) months after the owner of such property submits an application to build or develop and applies for necessary permits. The reservation for public ground shall then elapse within twelve (12) months unless the landowner consents in writing to an extension of time or the Borough Council begins condemnation proceedings.

(Ord. 86-2, 5/5/1986; Section 5.10)

§511. Preservation of Natural Features and Amenities.

1. General. Existing features which would add value to residential development or to the Borough as a whole, such as trees, watercourses, historic sites, and similar irreplaceable assets, should be preserved in the design of the subdivision or land development, if possible. (Ord. 86-2, 5/5/1986; Section 5.11)

§512. Nonresidential Subdivisions.

1. General. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision or land development with respect to such land shall make such provision as the Planning Commission may require.

A nonresidential subdivision or land development shall also be subject to all the requirements of site plan approval set forth in the Zoning Chapter. Site plan approval and nonresidential subdivision plan approval may proceed simultaneously at the discretion of the Planning Commission. A nonresidential subdivision shall be subject to all the requirements of these regulations as such additional standards required by the Planning Commission and shall conform to the proposed land use standards established in the Comprehensive Plan, Official Map, and Zoning Chapter.

2. Standards. In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the

uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

A. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial or commercial development anticipated.

B. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereon.

C. Special requirements may be imposed by the Borough with respect to street, curb, gutter, and sidewalk design and construction.

D. Special requirements may be imposed by the Borough with respect to the installation of public utilities, including water, sewer, and storm water drainage.

E. Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing on existing or potential residential development and provisions for a preliminary landscaped buffer strip when necessary.

F. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

(Ord. 86-2, 5/5/1986; Section 5.12)

Part 6

Mobile Home Park Design Standards

§601. General Requirements. The general required improvements and design standards of Part 5 and residential design standards shall apply to mobile home park subdivisions or developments even though streets will not be submitted for dedication. The following additional standards shall also apply to mobile home development. (Ord. 86-2, 5/5/1986, Section 6.01)

§602. Zoning Regulations. Provisions of the Zoning Chapter as they apply to mobile home parks shall be adhered to. (Ord. 86-2, 5/5/1986, Section 6.02)

§603. Specific Design Standards.

1. Site Location. A mobile home park shall be located on land having a reasonably flat terrain (having a average slope of 8% or less). The land area shall be free from swamps, marshes, garbage, excessive noise, smoke, or other elements generally considered detrimental to residential development. The location shall be free from flooding by a one hundred (100) year flood and shall have access to public roads.

2. Placement of Mobile Homes. Each mobile home site shall be provided with a stand or pad consisting of two (2) concrete strips to accommodate the axles of the mobile home. The poured concrete base shall measure one (1) foot deep, three (3) feet wide, and seventy (70) feet long for each of the two strips. Each mobile home site shall also be provided with a poured concrete outdoor patio one (1) foot deep and at least one hundred eighty (180) square feet in the area at the main entrance to the mobile home. The mobile home shall be required to be provided with anchors and tie-downs which are able to sustain a total tensile load equal to four times the weight of the particular mobile home.

3. Mobile Home Lot and Parking Requirements. Lot area, dimension, setback, and coverage regulations shall comply with the Zoning Chapter. Parking requirements for each mobile home lot shall also comply with the standards of the Zoning Chapter.

4. Buffer Areas. All mobile home parks shall be bounded by a buffer area ten (10) feet in depth as measured at right angles to the tract boundary lines. This space shall be used for no other purpose but landscaping, except where access roads cross it.

5. Ingress and Egress. Access points to public streets from a mobile home park shall be located no less than two hundred fifty (250) feet from any public street intersection. Streets within the mobile home park shall be constructed to Borough specifications as described in Part 5, except that the Planning Commission may allow for one-way streets, provided access by fire and other emergency vehicles is not impaired and provided the street plan is reviewed and approved by the Borough Engineer.

6. Sidewalks. All mobile home parks shall be provided with safe, convenient, all season pedestrian walks of ID-2 Bituminous concrete or Portland cement concrete to a depth and width approved by the Borough Engineer between individual mobile homes and streets and all park facilities provided for the residents. Walkways serving park facilities shall have a minimum width of four (4) feet.

7. Recreation Areas. All mobile home parks shall be provided with a recreation area for mobile home park residents. A recreation area shall be no less than five (5%) percent of the total area of the park. Such an area shall be appropriately developed with recreation facilities and easily accessible to all homes in the park.

8. Laundromats. At least one (1) laundromat shall be provided for every mobile home park for the exclusive use of residents of that park. At least one (1) washer for every ten (10) mobile homes and one (1) dryer for every fifteen (15) mobile homes shall be provided unless it can be shown to the satisfaction of the Planning Commission that a higher ratio is more appropriate due to such facilities already installed in mobile homes. The water and sewerage systems serving the laundromat shall satisfy all requirements of the Pennsylvania Department of Environmental Resources.

9. Storage Sheds. Each mobile home park shall require of each mobile home and enclosed storage shed or partitioned space in such a shed, either of which shall have at least three hundred sixty (360) cubic feet and shall be located within one hundred fifty (150) feet of said mobile home.

10. Refuse Storage. Each home shall provide its own garbage and refuse containers in accordance with Borough regulations pertaining to garbage and other solid wastes, or the mobile home park owner shall provide for the weekly collection of garbage and refuse.

11. Drainage. Storm drainage from roofs and paved areas shall be handled in the manner prescribed in §506 Storm Water Drainage of this Chapter.

12. Sewerage System Each mobile home lot shall be provided with at least four (4) inch diameter vertical riser pipe which connects the mobile home sewage drain outlet to the sewer line. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be directed away from the riser. The rim of the riser pipe shall extend at least six (6) inches above ground elevation.

13. Water Systems. Each mobile home lot shall have a water riser pipe which connects the mobile home water system to the central water system. An outside hose bib shall be supplied for each mobile home.

14. Utilities. All utilities serving mobile home lots shall be placed at least four (4) feet underground. Each mobile home in the park shall be served by public water and sewerage or central water and sewerage systems as well as with electric and other utilities.

15. Street Signs. Street identification signs shall be provided for all streets at every street intersection in the mobile home park. Such signs shall be purchased by the developer and installed by the Borough.

(Ord. 86-2, 5/5/1986, Section 6.03)

Part 7

Administration

§701. Violations and Penalties.

1. General Any person, partnership or corporation who, being the owner or agent of the owner of any lot, tract, or parcel of land, shall lay out, construct, open, or dedicate any street, sanitary sewer, storm sewer, water main, or other improvements for public use, travel or other purposes, or for the common use of occupants or buildings abutting thereon, or who sells, transfers, or agrees or enters into an agreement to sell any land in a subdivision or land development, whether by reference to or by other use of a plan of such subdivision or land development, or erects any building thereon, unless or until a Final Plan has been prepared in full compliance with the provisions of this Chapter and has been recorded as provided herein, shall be guilty of a misdemeanor and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding One Thousand Dollars (\$1,000) per lot or parcel, or per dwelling within each lot or parcel. All fines collected for such violations shall be paid to Shamokin Dam Borough.

2. Injunction. The Borough of Shamokin Dam may also enjoin such transfer, sale, or agreement by action for injunction brought in any court of equity jurisdiction, in addition to the penalty set forth in (1) above.

3. Metes and Bounds. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferror from the penalties set forth in (1) or (2) above or from the remedies herein provided.

(Ord. 86-2, 5/5/1986, Section 7.01)

§702. Resubdivision of Land. For any change in a map of an approved or recorded subdivision plan, if such change affects any street layout shown on such map, or any reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by Shamokin Dam Borough by the same procedures, rules, and regulations as for a subdivision.

(Ord. 86-2, 5/5/1986, Section 7.02)

§703. Modifications.

1. General Requirement. If any provision of this Chapter is shown by the Subdivider or his engineer or surveyor to be unreasonable of application due to exceptional topographic or other physical conditions or where strict compliance with any requirement of this Chapter would cause practical difficulty or exceptional or undue hardship not of his own making, the Borough may grant a modification of the literal requirements of such provision, provided that such modification is the minimum modification required to give relief; that such modification will not be contrary to the public interest; and that the purpose and intent of this Chapter is observed.

2. Procedures.

1. Filing. Any request for a modification shall be in writing and shall accompany and be part of the submission of the plan, preliminary or final, to which it refers. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provisions(s) of this Chapter involved, and the exact modification which is requested.

2. Review. All proposals for modification of the provisions of this Chapter shall be reviewed and decided upon by the Planning Commission and Borough Council.

3. Record of Decisions. A record of the action on modification from the provisions of this Chapter shall appear in the official minutes of the Planning Commission and Borough Council.

(Ord. 86-2, 5/5/1986, Section 7.03)

§704. Planning Commission and Council Records. Both the Planning Commission and Borough Council shall keep a record of their respective findings, decisions, and recommendations relative to all subdivision plans filed for review. Such records shall be open to the public for review. (Ord. 86-2, 5/5/1986, Section 7.04)

§705. Appeals. All appeals from approval or disapproval of a subdivision or land development shall be governed by Sections 1006 and 1007 of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended). (Ord. 86-2, 5/5/1986, Section 7.05)

§706. Amendments.

1. Borough Council may, from time to time, amend this Chapter by appropriate action taken after a public hearing on said proposed revisions.

2. The public notice shall contain the date, time, and place of such public hearing together with a brief summary setting forth the principal provisions of such amendments, indicating the place and time where copies of the proposed amendments may be examined.

3. Unless the proposed amendment shall have been prepared by the Planning Commission, the Borough Council shall submit the amendment to the Planning Commission at least thirty (30) days prior to the hearing on such amendment to provide the Planning Commission an opportunity to submit recommendations.

4. After enactment, if the advertisement of an amendment is required by other laws respecting the advertisement of Ordinances, such advertisements may consist solely of a reference to the place or places within the Borough where copies of such amendment shall be obtainable for a charge not greater than the cost thereof and available for examination without charge. Amendments may be incorporated into official ordinance books by reference with the same force and effect as if duly recorded therein.

(Ord. 86-2, 5/5/1986, Section 7.06)

§707. Administrative Assistant. An Administrative Assistant to the Planning Commission shall be appointed by Borough Council and shall receive such compensation as the Council by Resolution shall provide. The Administrative Assistant shall not hold any elective office in the Borough. The duties of the Administrative Assistant shall be:

1. To provide prospective developers and subdividers with the Subdivision and Land Development Chapter at a fee to be established by Council.
2. To provide prospective subdividers and developers with other documents and information as they may require.
3. To supply application forms and collect fees with regard to the preliminary plan and final plan phases of subdivision and land development.
4. To accept fees, classify applications, review applications for completeness, and to prepare reports on those applications for the Planning Commission.
5. To inspect subdivision and land developments for compliance with the regulations and to report to the Planning Commission on such inspections.

(Ord. 86-2, 5/5/1986, Section 7.07)

§708. Fees. The following fees shall be paid by the developer, subdivider, or his agent to the Borough of Shamokin Dam by check or money order:

1. An application fee for preliminary plan review when such plan is required. The fee shall be as established from time to time by Resolution of Council.
2. An application fee for final plan review, which fee shall be as established from time to time by Resolution of Council,
3. A fee for review of the plan by the Snyder County Planning Commission if the County requires such fee.
4. A financial security in the amount of one hundred ten (110%) of the cost of proposed required improvements if the completion of such improvements is to be delayed as a condition of final approval. (See §302)
5. A financial security for the maintenance of improvements for no more than eighteen (18) months from the date of their acceptance of dedication and not to exceed fifteen (15%) percent of their actual cost of installation. (See §302 [9].)

(Ord. 86-2, 5/5/1986, Section 7.08)

Part 8
Definitions

§801. Definitions. Unless otherwise expressly stated the following definitions shall be used in the interpretation and construction of this Chapter. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the masculine gender shall include the feminine and neuter; the word "person" shall include any individual, partnership, firm, association, corporation, or organization the word "building" shall be so construed as if followed by the words "or part thereof". The word "street" shall include "road", "highway", and "lane"; and "water-course" shall include "drain", "ditch", and "stream"; and the word "shall" is mandatory and not directory. The word "Borough" means Shamokin Dam Borough, Snyder County, Pennsylvania.

ADMINISTRATIVE ASSISTANT. - The officer as appointed by the Borough Council to administer these regulations and to assist administratively the Planning Commission and other Boards and officers of the Borough.

ALLEY. - A publicly or privately owned right-of-way on which no dwelling or store fronts, serving as a secondary means of access to abutting property.

APPLICANT. - A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

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

BLOCK. - Property bounded on one side by a street and on the other three sides by a street, railroad right-of-way, waterway, unsubdivided area, or other definite barrier.

BOROUGH OF SHAMOKIN DAM COUNCIL. - The Borough Council of Shamokin Dam Borough, Snyder County, Pennsylvania.

BUILDING SETBACK LINE. - The line within a property defining the minimum distance required by the Zoning Chapter between any building or structure and an adjacent street right-of-way or side or rear property line.

CARTWAY (ROADWAY). - The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

CISTERN. - An underground reservoir or tank for storing rainwater.

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

COMMISSION, PLANNING. - The Planning Commission of Shamokin Dam Borough, Snyder County, Pennsylvania.

COMMON OPEN SPACE. - A parcel or parcels of land or an area of water, or a combination of land and water, within a development site and designed and intended for the use or enjoyment of residents of the development, not including streets, off-street parking areas, private yard space, and areas set aside for non-residential and public facilities. Common open space shall be substantially free of structures but may contain such improvements as are appropriate for recreational use by the residents.

COMPREHENSIVE PLAN. - The Comprehensive plan of the Borough of Shamokin Dam consisting of maps, charts, and textual material and containing recommendations of the Planning Commission and Council for the continuing development of the Borough in terms of community development objectives, plans and policies for the use of land, for housing, for community facilities, and for transportation, and a plan for implementation.

CONSTRUCTION PLAN. - The maps or drawings accompanying a subdivision or development plan and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission and Council as a condition of the approval of the plan.

COUNTY. - Snyder County, Pennsylvania.

CUL-DE-SAC. - (Court or dead-end street): A short street having one end open to traffic and being permanently terminated by a vehicle turnaround.

CULVERT. - A pipe, conduit, or similar enclosed structure, including appurtenant works, which carries surface water.

DENSITY:

HIGH DENSITY. Those residential developments in which the area of any lot is equal to or less than 10,000 square feet per dwelling unit.

LOW DENSITY. Those residential developments in which the area of any lot is equal to or greater than 20,000 square feet per dwelling unit.

MEDIUM DENSITY. Those residential developments in which the area of any lot is between 10,000 and 20,000 square feet per dwelling unit.

DESIGN STORM. - The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24-hour), and used in computing storm water management control systems.

DETENTION BASIN. - A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin can be designed to drain completely after a storm event or it can be designed to contain a permanent pool of water.

DEVELOPER. - Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development. (See also Subdivider and Land Development.)

DWELLING. - Any building or portion thereof which is designed for or used for residential purposes.

EASEMENT. - A right-of-access granted, but not dedicated, for a specific use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structure but shall have the right to make any other use of the land which is not inconsistent with the right of the grantee.

ENGINEER. - A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Borough of Shamokin Dam.

EROSION. - The removal of surface materials by the action of natural elements.

ACCELERATED WATER. - Erosion of the soil or rock over and above normal erosion brought about by changes in the natural cover or ground conditions, including changes caused by human activity. There are several kinds of accelerated erosion. They are: Sheet, Rill, and Gully erosion.

EXCAVATION. - Any act by which earth, sand, gravel, rock, or any other material is dug into, cut, quarried, uncovered, removed, displaced, re-located or bulldozed. It shall include the conditions resulting therefrom.

FILL. - Any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom. The difference in elevation between the point on the original ground and a designated point of higher elevation of the final grade. The material used to make fill.

FINANCIAL SECURITY. - Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit and restrictive or escrow accounts from Federal or Commonwealth chartered lending institutions in an amount and form satisfactory to Borough Council and to be used wherever required by these regulations. (See Part 3.)

FRONTAGE. - That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

GRADE. - The slope of a road, street, or other public way, specified in percentage terms.

GROUNDWATER RECHARGE. - Replenishment of existing natural underground water supplies.

IMPERVIOUS SURFACE. - A surface which prevents the penetration of water into the ground .

IMPROVEMENTS. - Those physical additions and changes to the land that may be necessary to produce usable and desirable lots.

INFILTRATION STRUCTURES. - A structure designed to direct runoff into the ground, e.g., french drains, seepage pits, dry wells, and seepage trenches.

LAND DEVELOPMENT: 1) The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving (a) a group of two or more buildings or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features; 2) a subdivision of land. (See also Subdivision.)

LANDOWNER. - The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Chapter.

LOT. - A parcel of land which is, or in the future may be, offered for sale, conveyance, transfer or improvement.

LOT AREA. - The total horizontal area of the lot lying within the lot lines, as shown on a subdivision plan, provided that no area of land lying within any street line shall be deemed a portion of any lot area. The area of any lot abutting a street shall be measured to the street right-of-way line only. The area of any lot shall include the area of any easement.

LOT, CORNER. - A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

LOT, REVERSE FRONTAGE. - A lot extending between and having frontage on an arterial and a minor street and with vehicular access solely from the latter.

LOT THROUGH OR DOUBLE FRONTAGE. - A lot with both front and rear street frontage.

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

MOBILE HOME PARK. - A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two or more mobile home lots.

MUNICIPAL OR MUNICIPALITY. - Borough of Shamokin Dam, Snyder County, Pennsylvania.

NONRESIDENTIAL SUBDIVISION. - A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these regulations.

OFFICIAL MAP. - The Municipal Map adopted by Ordinance showing the exact location of the lines of existing and proposed public streets, water-courses, and public grounds including widenings, narrowings, extensions, diminutions, openings or closings of same, for the entire municipality.

PEAK DISCHARGE. - The maximum rate of flow of water at a given point and time resulting from a storm event.

PLAN OR PLAT. - The map or plan of a subdivision or land development.

SKETCH PLAN. - A sketch preparatory to the preparation of the Preliminary Plan to enable the subdivider or developer to save time and expense in reaching general agreement with the Planning Commission as to the layout of his subdivision or development and the objectives of this Chapter.

PRELIMINARY PLAN. - The preliminary drawing or drawings, as described in this Chapter, indicating the manner or layout of the subdivision to be submitted to the Borough for approval.

FINAL PLAN. - A complete and exact plan prepared for official recording with the Recorder of Deeds of the County following approval by the Borough.

PUBLIC GROUNDS. - Parks, playgrounds, and other public areas and sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities.

PUBLIC NOTICE. - Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days or less than fourteen (14) days from the date of the hearing.

RESUBDIVISION. - Any replatting or resubdivision of land involving changes of street layout, or any reserved for public use, or any lot line on an approved or recorded plan. Any other more major changes shall be considered as constituting a new subdivision of land. (See also Subdivision.)

RIGHT-OF-WAY. - A public thoroughfare for vehicular or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, or alley.

RUNOFF. - The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SAME OWNERSHIP - Ownership by the same person, corporation, firm, entity, partnership, or unincorporated association; or ownership by different corporations, firms, partnerships, entities, or unincorporated associations, in which a stockholder, partner, or associate, or member of his family owns an interest in each corporation, firm, partnership, entity, or unincorporated association.

SANITARY SEWAGE DISPOSAL.

PUBLIC. - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, the total system being operated by a municipal agency or authority.

CENTRALIZED. - A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a neighborhood area or a subdivision.

INDIVIDUAL OR ON-LOT. - Any structure designed to biochemically treat sewage within the boundaries of an individual lot.

SEDIMENTATION. - The process by which mineral or organic matter is accumulated or deposited by moving, wind, water, or gravity. Once this matter is deposited (or remains suspended in water) it is usually referred to as "sediment".

SHADE TREE. - A tree in a public place, street, special easement, or right-of-way adjoining a street as provided in these regulations.

SIGHT DISTANCE. - The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SLOPE. - The rise or fall of the land usually measured in percent slope. The percent slope is equal to the rise or fall in feet for a horizontal distance of 100 feet.

<u>Description</u>	<u>Percent Slope</u>	<u>Slope Class</u>
(a) Nearly level	0-3 percent	A
(b) Gently sloping	3-8 percent	B
(c) Sloping	8-15 percent	C
(d) Moderately steep	15-25 percent	D
(e) Steep	25-35 percent	E
(f) Very steep	35 + percent	F

SOIL PERCOLATION TEST. - A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

SOLICITOR. - The licensed attorney designated by the Borough to furnish legal assistance for the administration of these regulations.

STABILIZATION. - Natural or mechanical treatment of a mass of soil or ground area to increase or maintain its stability and insure its resistance to erosion, sliding, or other movement.

STORM WATER MANAGEMENT PLAN. - The plan for managing storm water runoff adopted by Snyder County as required by Act of October 4, 1978, P.L. 864, (Act 167), and known as the "Storm Water Management Act".

STREET. - Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. The strip of land including the entire right-of-way, not just the cartway. Streets are further classified according to the functions they perform:

ARTERIAL. - A major street located and designed for the continuous movement of heavy volumes of all types of comparatively short-haul vehicular traffic between communities and for collecting and distributing traffic to and from expressways.

CUL-DE-SAC. - A local street intersecting another street at one end and terminating in a vehicular turnaround at the other.

MARGINAL ACCESS. - A local street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and control of intersections with the major street.

LOCAL. - A street providing local access to residences and other uses along its sides.

PERIMETER. - Any existing street to which the parcel of land to be subdivided abuts on only one (1) side.

PRIMARY COLLECTOR. - A street located and designed for all types of intracommunity vehicular traffic, having a heavier traffic volume than secondary collectors, and functioning to carry traffic to the arterials.

SECONDARY COLLECTOR. - A street located and designed for all types of intracommunity traffic, having a lighter volume than primary collectors, and functioning to carry traffic to the primary collectors or directly to the arterials.

STREET LINE - The dividing line between a lot and the outside boundary or ultimate right-of-way of a public street, road, or highway, legally opened or officially plotted; or between a lot and a privately owned street, road, or way over which the tenants of two (2) or more lots, which each holds in single and separate ownership, have the right of access.

STRUCTURE. - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVIDER. - (Same as Developer.)

SUBDIVISION. - 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, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings shall be exempted. (See also Land Development.)

SUBDIVISION, MAJOR. - All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street or extension of Borough facilities, or the creation of any public improvements.

SUBDIVISION, MINOR. - Any subdivision containing not more than five (5) lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Official Map, Zoning Chapter, or these regulations.

SUBSTANTIALLY COMPLETED. - Where, in the judgment of the Engineer, at least ninety percent (90%) based on the cost of the required improvements for which financial security was posted pursuant to Part 3 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.

SURFACE DRAINAGE PLAN. - A plan showing all present and proposed grades and facilities for storm water drainage.

SWALE. - A low-lying stretch of land which gathers or carries surface water runoff.

TOP SOIL. - Surface soil and subsurface soil which presumably is fertile soil and ordinarily rich in organic matter or humus debris.

UNDEVELOPED LAND. - Any lot, tract, or parcel of land which has not been graded or in any other manner prepared for the construction of a building or structure.

WATER-COURSE. - A permanent or intermittent stream, river, brook, creek, or channel or ditch for collection and conveyance of water, whether natural or man-made.

WATER SUPPLY AND DISTRIBUTION SYSTEM

PUBLIC. A system for supplying and distributing water from a common source to dwellings and other buildings, generally not confined to one neighborhood and operated by a municipal agency, authority or public utility.

CENTRALIZED. A system for supplying and distributing water from a common source to two or more dwellings and/or other buildings within a single neighborhood or subdivision.

INDIVIDUAL OR ON-LOT(WELLS). - A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

ZONING OFFICER - The person designated by the Borough Council to enforce the Zoning Chapter.

(Ord. 86-2, 5/5/1986, Section 8.01)