

**TOWNSHIP OF BARRETT
MONROE COUNTY, PENNSYLVANIA**

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

**ORDINANCE
ADOPTED FEBRUARY 8, 1995
AS AMENDED MAY 4, 2005**

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ORDINANCE NO. 114
BARRETT TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ARTICLE 1
ADOPTION, AUTHORITY AND PURPOSE

Section 101 Adoption and Authority

The Township of Barrett, Monroe County, Pennsylvania pursuant to Article V of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, does hereby adopt the following regulations governing the subdivision and development of land within the Township.

Section 102 Short Title

This Ordinance shall be known and may be cited as “The Barrett Township Subdivision and Land Development Ordinance”.

Section 103 Purpose

The purpose of these rules and regulations is to assure the orderly development of residential, commercial, industrial and other non-residential areas in Barrett Township in the following manner:

- 103.1 To assist in the orderly, efficient and integrated development of land.
- 103.2 To provide for the coordination of existing streets and public utilities with new facilities.
- 103.3 To provide for the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
- 103.4 To insure the conformance of land utilization with a physical development plan for Barrett Township specifically prepared or accrued through the approval of land development applications.
- 103.5 To promote thereby the health, safety, morals and general welfare of the residents of the Township.
- 103.6 To secure the equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance, both by subdividers, developers and the Township.

103.7 To insure the preservation of natural resources and the recreational character of the Township.

103.8 To insure that proper provision shall be made for drainage, water, sewage and other needed improvements.

103.9 To insure that land to be subdivided or developed shall be of such character that it can be used for the intended purposes without danger to health, or peril from fire, flood or other menace.

The integration of all of these services will be of mutual advantage to the developer and the Township in providing the necessary services at minimum cost and maximum convenience, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of the Township.

ARTICLE 2
DEFINITIONS

Section 201 Intent

For the purpose of this Ordinance, words used in the present tense include the future tense. Words in the singular include the plural and words in the plural include the singular. The words "person" and "owner" include a corporation, unincorporated association and a partnership, as well as an individual. The words "building" and "street" are used generally and shall be construed as if followed by the phrase "or part thereof". The words "may" and "should" are permissive; the words "shall" and "will" are mandatory. The words "used" or "occupied" include designated, intended or arranged to be used or occupied. Where terms or words are not specifically defined, they shall have their ordinarily accepted meanings or such as the context may imply.

Section 202 Specific Words and Phrases

The following words or phrases used herein shall be interpreted or defined as follows:

Adjacent – A state of being side by side, next to, adjoining, contiguous or abutting one to another.

Adjusted Tract Area – Total lot area minus the constrained land. *(Revised by Ord. # 137, 5/4/05)*

Administrator – A person who receives plans or otherwise acts in a clerical capacity for and on behalf of the Planning Commission.

Agent – Any person, other than the subdivided, who submits to the Commission subdivision or land development plans for the purpose of obtaining approval thereof.

Alley – A minor vehicular right-of-way providing only a secondary means of access solely to abutting commercial or industrial property; such alley shall be privately improved and maintained by the owners using or benefiting from the same.

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

Application for Development – Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for 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.

Board of Supervisors – The Board of Supervisors of Barrett Township, Monroe County, Pennsylvania.

Building – Any type of structure designed for the shelter of people, animals or property.

Building Setback Line – A line within a property defining the required minimum distance between any building and the adjacent right-of-way line or property line. Such line shall be measured at right angles from the street right-of-way line or lot line which abuts the property upon which said building is located and shall be parallel to the said right of way line or property line.

Campground – A planned development, under single ownership, for rental or lease only, of sites for use as tent and/or recreational vehicle camping, on a temporary basis only, with or without recreational facilities and serviced with central water and central sewage.

Cartway – The graded portion of a street or alley including the travel way and shoulders.

Commission or Planning Commission – The Barrett Township Planning Commission.

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 designed and intended for the use and enjoyment of residents of the development, not include streets, off-street parking areas and areas set aside for public facilities. *(Revised by Ord. 137 5/4/2005)*

Comprehensive Plan – The complete plan or any part of the plan for the development of Barrett Township adopted in accordance with the Pennsylvania Municipalities Planning Code.

Constrained Land – The sum of certain physical features, each of which is multiplied by a net-out factor in this ordinance and the Township Zoning Ordinance. *(Revised by Ord. 137 5/4/2005)*

County – Monroe County, Pennsylvania.

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

Cul-de-sac – A street having one end open to traffic and being permanently terminated at the other end by a vehicular turnaround.

D.E.R. – The Pennsylvania Department of Environmental Resources.

Dead End Street – A street or portion of a street with only one vehicular outlet but may have a temporary turnaround at the other end and which may be designed to be continued when adjacent open land is subdivided.

Dedication – The deliberate appropriation of land by its owner for any general and public, or limited public, use reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

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.

Development Plan – The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase “provision of the development plan” when used in this ordinance shall mean the written and graphic materials referred to in the definitions.

Drainage Facility – Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public right-of-way, parks, recreational areas, or any part of any subdivision, land development or contiguous land areas.

Drainage Plan – A plan showing all existing and proposed facilities to collect and convey surface drainage, described by grades, contours, topography and appurtenances.

Driveway – A privately owned and constructed vehicular access from an approved private or public road into a lot or parcel having frontage on the said road.

Dwelling – Any building, vehicle, or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons as further defined below.

Dwelling, Single Family – A detached building, designed for and occupied exclusively by one family.

Dwelling, Two Family – A detached or semi-detached building where not more than two individual family dwelling units are entirely separated by vertical walls and/or horizontal floors.

Dwelling, Multi-Family – A building containing three or more dwelling units per building and being designed for occupancy of families living independently of each other.

Dwelling Unit – One or more rooms, including a kitchen (or kitchenette) and sanitary facilities in a dwelling structure, designed as a unit for occupancy by not more than one family for living and sleeping purposes.

Easement – A grant by the property owner of the use of land by the public, a corporation or persons for specified purposes.

Engineer – A professional engineer licensed by the Commonwealth of Pennsylvania.

Flood Hazard Area – The flood hazard area is that land, adjoining any perennial stream or adjoining any wetlands, ponds or lakes designated as such on the latest Federal Insurance Rate Maps. (FIRM)

Flood Plain – A relatively flat or low land area adjoining a river, a stream or water course which is periodically subject to partial or complete inundation or flooding.

Future Right-of-Way –

A. The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads.

B. A right-of-way established to provide future access to or through undeveloped land.

Governing Body – The Board of Supervisors of Barrett Township.

Half or Partial Streets- A street parallel and adjacent to a property line having a lesser right-of-way width than required for satisfactory improvement and use of the street.

Historic Resource – Any structure or site that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.

C. Individually listed on a state inventory of historic places.

D. Individually listed on the Township's Open Space and Recreation Plan, as amended.

(Revised by Ord. 137 5/4/05)

Highway – Same as street

House Trailer – Same as Mobile Home

Home Association – An organization operating under recorded agreements through which each lot and/or home or unit owner in a planned or other described land area is automatically a member or each lot or unit is automatically subject to charge for a proportionate share of expenses for the organization's activities, such as maintaining a common property and the charge, if unpaid, becomes a lien against the property.

Improvements – Those physical additions, installations and changes required to render the land suitable for the use proposed. Required improvements shall be those as are listed in this ordinance as required for the said subdivision or land development.

Land Development – The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

A. A group of two or more residential or nonresidential buildings, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure.

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

C. A subdivision of land.

Land Development does not include:

(1) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.

(2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

(3) The addition or conversion of buildings or rides within the confines of an enterprise, which would be considered an amusement park. For purposes of this sub clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until plans for the expanded area have been approved by proper authorities.

Land Development Plan – Land development plans depict uses defined as land developments and shall be drawn and/or submitted pursuant to Article 6 of this ordinance except where otherwise specified.

Land Owner – The legal or beneficial owner of owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to conditions) a lessee if he is authorized under the lease to exercise the rights of the landowner or other persons having a proprietary interest in the land.

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

Lot Area – The computed area contained within the lot lines. The net area of all lots shall conform to Section 708.5.

Lot, Corner – A lot situated at and abutting the intersection of two streets.

Lot Depth – The horizontal distance between the front and rear lot lines, measured perpendicular or radial from the mid point of the front lot line.

Lot Lines – The property lines bounding the lot.

Lot Line, Front – The line separating the lot from an existing or proposed street right-of-way.

In the case of corner lots, the front lot line shall be that line separating the lot from the street right-of-way, which has the lesser classification; the line separating the lot from the other street right-of-way is called the side street lot line. The yard adjacent to the side street lot line shall be the same as the yard adjacent to the front lot line.

In the case of through lots, the frontage from which access is gained shall be the front lot line.

Lot Line, Rear – The lot line opposite and most distant from the front lot line.

Lot Line, Side – Any lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a side street lot line.

Lot Line, Street or Alley – A lot line separating the lot from a street or alley.

Lot, Through – A lot which fronts upon two (2) parallel or approximately parallel streets which do not intersect at the boundaries of the lot.

Lot Width – The horizontal distance between the side lot lines, measured along the prescribed front setback line as set forth in the Barrett Township Zoning Ordinance and parallel to the front lot line.

Lot Owners Association – A group of two (2) or more individual property owners, whether or not formally organized and duly constituted, having the intent and purpose of constructing, preserving, operating, or maintaining land and/or facilities which are not dedicated to or accepted by the Township and which are provided for or intended to be provided for the common use of said property owners or for the general benefit of the community.

Mobile Home – A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

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.

Mobile Home Park – A parcel of land which has been so designated and improved that it contains two or more mobile home sites for the placement thereon of single mobile homes.

Modification – A waiver, granted by the Barrett Township Board of supervisors from the terms and conditions of the Barrett Township subdivision and Land Development Regulations where literal enforcement would create unnecessary hardship as a result of peculiar or unique conditions or circumstances pertaining only to the street in question and when granting the said modification would not be contrary to the public interest.

Municipal – An adjective describing a type of facility or activity owned and/or operated by a municipality or municipal authority.

Municipality – Barrett Township, Monroe County, Pennsylvania.

Natural Features – Existing and proposed contours, areas subject to flooding or storm water overflows, water courses, wetlands and marshes, steep slope and wooded areas, rock outcrops, isolated trees with a diameter of eight (8) inches or more measured four (4) feet above the average ground level and other significant existing features.

Net Acreage – The acreage of a lot, tract or parcel of land that does not include any street right-of-way or any permanent, easement other than easements located between the lot lines and the required building setback line.

Official Map – A map adopted by ordinance pursuant to the Pennsylvania Municipalities Planning Code Article IV.

Official Plans – The comprehensive development plan as may be adopted by the Barrett Township Board of Supervisors pursuant to the Pennsylvania Municipalities Planning Code.

Performance Guarantee – A written instrument which may be accepted by the Township Board of Supervisors in lieu of a requirement that certain improvements be made by a Subdivider or Developer before the record plan is endorsed and released for recording or prior to the issuance of a certificate of occupancy, which shall provide for the deposit with the Township of financial security in an amount sufficient to cover the costs of any improvements or common amenities including, but not limited to, streets, sanitary sewage facilities, water supply and distribution facilities, storm water management facilities, recreational facilities, open space improvements and buffer or screen plantings which may be required. The financial security provided by the developer shall be in the form of an escrow or trust agreement, or other similar collateral or surety agreement, executed by the developer, in form acceptable to the Township, supported by collateral or security in the form of (1) cash or certified check payable to the Township, (2) an unconditional guarantee by a corporate surety company authorized and qualified for the issuance of surety bonds in the Commonwealth of Pennsylvania, (3) an irrevocable unconditional letter of credit from a Federal or Commonwealth chartered lending institution, having its principal place

of business located within the Commonwealth of Pennsylvania, and with credit approved by the Township, or (4) a restrictive or escrow account in a Federal or Commonwealth chartered lending institution.

Plan or Plat – The map or plan of a subdivision or land development whether preliminary or final.

A. **Sketch Plan** – An informal plan, identified as such with the title SKETCH PLAN on the map, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision to be used as a basis for consideration by the Township.

B. **Preliminary Plan** – A complete plan prepared by an engineer or surveyor, identified as such with the wording PRELIMINARY PLAN in the title, accurately showing proposed streets, lot layout and such other information as required by this Ordinance.

C. **Final Plan** – A complete and exact plan identified as such with the wording FINAL PLAN in the title, with engineer's or surveyor's seal affixed and prepared for official recording as required by this Ordinance to define property and proposed streets and other improvements.

D. **Record Plan** – An exact copy of the approved final plan, reproducible, of standard size, with necessary signatures and prepared for recording with the Monroe County Recorder of Deeds.

Planning Commission – Same as Commission

Prefabricated Home or Modular Home – A single family dwelling exceeding twenty (20) feet in width designed for transportation after fabrication, on streets and highways on its own wheels or on a flatbed trailer and arriving at a site ready to be occupied as a dwelling except for assembly operations, location on a permanent foundation and connection to utilities.

Primary Conservation Areas – Lands located within the 100-year floodplain, wetlands and slopes in excess of 25 percent. *(Revised by Ord. 137 05/04/05)*

Public – The general citizenry and/or the specific residents of a particular subdivision.

Public Grounds – Includes:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas.
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
- C. Publicly owned or operated scenic and historic sites.

Public Hearing – A formal meeting held pursuant to public notice by the Governing Body or Planning commission, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code.

Public Meeting – A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388 No. 84), known as the SUNSHINE ACT.

Public Notice – Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. 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 be not more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

Recreation Vehicle – Travel Trailer – A truck mounted camper, an auto, a truck, van, bus or trailer built or adapted to vacation living, a floating houseboat, tent camper or other similar device used for temporary portable housing.

Reserve Strip – A parcel of ground in separate ownership separating a street from other adjacent properties or from another street.

Resubdivision – Any re-subdivision or re-platting of land, which includes changes to a recorded plan.

Reverse Frontage Lots – Lots which front on one public street and back on another with vehicular access from only one street.

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

Rock Outcroppings – Areas where the bedrock protrudes through the surface of the ground.
(Revised by Ord. 137 5/4/05)

Secondary Conservation Area - Special features of a property that would ordinarily be overlooked or ignored during the design process. Such features include the following, listed in order of significance:

- a. Hydric soils, swales, springs and lowland areas other than wetlands, including adjacent buffer areas, which may be required to insure their protection.
- b. Moderately steep slopes up to 25 percent, particularly those adjoining watercourses and ponds, where disturbance and resulting soil erosion and sedimentation could be detrimental to water quality.
- c. Healthy woodlands, particularly those performing important ecological functions such as soil stabilization and protection of streams, wetlands and wildlife habitats.
- d. Areas where precipitation is most likely to recharge local groundwater resources because of topographic and soil conditions affording high rates of infiltration and percolation.
- e. Hedgerows, groups of trees, large individual trees of botanic significance, and other vegetative features.
- f. Historic structures and sites.
- g. Visually prominent topographic features such as knolls, hilltops and ridges, and scenic viewsheds as seen from public roads (particularly those with historic features).
- h. Existing trails connecting the tract to other locations in the township.

(Revised by Ord. 137 5/4/05)

Sensitive Area Disturbance – Disturbance of environmentally sensitive areas, such as lands within the 100-year floodplain, wetlands, slopes in excess of 25 percent, and rock outcroppings.
(Revised by Ord. 137 5/4/05)

Sewer Connection – The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a dwelling or building to the inlet of the street or main collector sewer pipe of the sewerage system serving the subdivision or development.

Sewage Disposal System, Centralized – A public and/or private utility system designed to collect, centrally treat and dispose of sewage from users in compliance with D.E.R. regulations pursuant to Act No. 394, the Clean Streams Act as amended, and Act No. 537, the Pennsylvania Sewage Facilities Act as amended) or regulations of the Township, whichever may be more stringent.

Sewage Disposal, Community – A sewage collection and disposal system in which sewage is carried from more than one individual lot, dwelling unit or commercial building by a system of pipes to a central treatment facility or subsurface disposal area in compliance with the Pennsylvania Department of Environmental Resources regulations.

Sewage Disposal, Individual On-Site – Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot for one dwelling unit or one building located on the said lot.

Shoulder – The improved portion of a street immediately adjoining the travelway.

Sight Distance – The length of street, measured along the center-line which is continuously visible from any point 3.5 feet above the center-line to an object six (6) inches above the road surface.

Single Ownership – Any entity owning property or having any equitable interest in any property as it relates to the subdivision ordinance.

Site Alterations – Site alterations shall include regarding of the existing topography, filling of lakes, ponds, marshes or flood plains, extensive clearing of existing vegetation or trees and altering of watercourses.

Slope – The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slope is expressed as a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

- a. **Slope, Moderately Steep** – Areas between 15 and 25 percent slope as measured over a minimum vertical distance of six feet or three contiguous contour segments at two foot contour intervals.
- b. **Slope, Steep** – Areas with slopes in excess of 25 percent slope as measured over a minimum vertical distance of six feet or three contiguous contour segments at two foot contour intervals.

(Revised by Ord. 137 5/4/05)

Soil Survey – A scientific survey of soil conditions and characteristics prepared by an engineer, soil scientist, or by the Soil Conservation Service in the County.

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. Streets are further classified as follows:

A. **Connector Streets** – Connector streets collect traffic from minor and collector streets and provide a connection between villages. Connector streets serve an unlimited number of dwelling units and unlimited average daily traffic, a large portion thereof generally being through traffic.

B. **Collector Streets** – Collector streets gather traffic from minor streets and feed this traffic to connector streets. Collector streets carry heavier traffic volumes than minor streets although they also provide direct access to individual uses located along them. Collector streets serve up to an ultimate six hundred fifty (650) dwelling units or up to an ultimate average daily traffic count of four thousand (4000) vehicles.

C. **Minor Street** – Minor streets primarily provide direct access to individual abutting uses and feed this traffic to collector streets. Minor streets serve up to an ultimate two hundred (200) dwelling units or up to an average daily traffic count of twelve hundred fifty (1250) vehicles.

1. **Cul-de-sac Street** – A cul-de-sac street is a minor street permanently terminated at one end by a vehicular turnaround and intersects another street at the other end. The length of the cul-de-sac street shall not exceed 2000 feet.

D. **Private Access** – A minor vehicular right of way or strip of land providing access to private property not having frontage on an approved street which shall be privately improved and maintained by the owners using or benefiting from the same; use of such access is limited solely to Minor Subdivisions or undeveloped land and shall not serve more than one lot, parcel or principal building.

Structure – Any manmade 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 re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines of r the purpose, whether immediate or future of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision, Major – A division of any part, parcel or area of land, which does not fall within the category of a minor subdivision as defined within this Ordinance.

Subdivision, Minor – Division of land under any one of the following classifications:

A. A division of any part, parcel or area of land which (1) involves no new road or street or extension of improvement of an existing road or street other than a private street as defined by this Ordinance, provided such private street has a minimum right-of-way width of fifty (50) feet; and (2) prohibits any further subdivision of the lots except as provided in Subparagraph "C." of this Section or unless approval of the Supervisors is first obtained.

B. A division of any part, parcel or area of land for agricultural, lumbering, hunting or fishing purposes which (1) involves no new road or street or extension or improvement of an existing road or street other than a private street as defined by this Ordinance, provided such private street has a minimum right-of-way width of fifty (50) feet; (2) provides that the installation of any sewage facilities shall conform to the requirements of the Department of Environmental Resources; (3) provides that the use of any lot is limited to agricultural, lumbering, hunting or fishing purposes unless the approval of the Supervisors is first obtained; and (4) prohibits any further subdivision of the lots unless the approval of the Supervisors is first obtained.

C. A division of any part, parcel or area of land for the purpose of joining, merging or annexing a lot to an existing lot, parcel or tract of land, providing a covenant running with the parcel to be conveyed merges it with and makes it an inseparable part of the parcel to which it is joined.

Provided however that any such minor subdivision (including the residual use thereof):

1. Is consistent with any Township Development Plan or Official Map.
2. Is consistent with the Township Zoning Ordinance
3. Is consistent with all provisions of this Ordinance.
4. Provides for and does not adversely affect development of the remainder of the tract.
5. Contains not more than five (5) lots.
6. Involves no extension of municipal facilities.

Supervisors – The Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, which is the present Township Governing Body of Barrett Township.

Surveyor – A registered surveyor licensed by the State of Pennsylvania.

Township – Barrett Township, Monroe County, Pennsylvania.

Township Development Plan – Same as Comprehensive Plan.

Township Engineer – The professional engineer designated by the Township supervisors to perform all duties required of the Township Engineer by the provisions of this Ordinance.

Township Secretary – The Secretary of the Board of Supervisors of Barrett Township.

Tract – The entire plot or parcel of land, which is to be subdivided or developed in whole or in part.

Travel Trailer Park – Same as Campground.

Travelway – That portion of a street, which is intended for vehicular movement.

Undeveloped Land – Land in parcels sufficiently large for future subdivision, which is presently in agricultural, woodland or lying fallow.

Vehicle, Recreational – A vehicle designed for recreational use, used for temporary living or sleeping purposes, which is self-propelled or is designed to be towed by a light duty vehicle.

Water Connection – The connection consisting of all pipes, fittings and appurtenances from the water pipe of a dwelling or building to the pipe of the water distribution system serving the subdivision or development.

Watercourse – A discernable, definable natural course of channel along which water is conveyed ultimately to streams and/or rivers at lower elevations. A watercourse may originate from a lake or underground spring and be permanent in nature or it may originate from a temporary source such as a runoff from rain or melting snow.

Water Supply System, Centralized – A public and/or private utility system designed to transmit water from one or more common utility systems designed to transmit water from one or more common sources to users in compliance with D.E.R. regulations or regulations of the Township, whichever may be more stringent.

Water Supply, Individual On-Site – A system for supplying and transmitting water to a single family dwelling or other buildings from a source located on the same lot in compliance with the Pennsylvania Department of Environmental Resources regulations.

Wetlands – Those areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

Yard – An open space, as may be required by this ordinance, on the same lot with a building or a group of buildings, which open space lies between any building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward except as specified in the Zoning Ordinance.

A. **Yard, Front** – An open space extending the full width of the lot between a building and the front lot line of side street lot line, unoccupied and unobstructed from the ground upward except as specified in the Zoning Ordinance.

B. Yard, Rear – An open space extending the full width of the lot between a building and the rear lot line, unoccupied and unobstructed from the ground upward except as specified in the Zoning Ordinance.

C. Yard, Side – An open space extending from the front yard to the rear yard between a building and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified in the Zoning Ordinance.

Zoning Ordinance – The Barrett Township Zoning Ordinance and all amendments thereto.

ARTICLE 3
JURISDICTION

Section 301 Jurisdiction

The Board of Supervisors shall have jurisdiction and control of the land development, subdivision and re-subdivision of land located within the Township limits. Whenever any land development or subdivision of land is proposed, before any contract for the sale, lease or use of any part thereof, and before the erection of a structure in such proposed land development and subdivision, the developer or subdividing owner or his authorized agent shall apply for and secure approval of such proposed land development or subdivision in accordance with the procedures set forth in this Ordinance.

301.1 **Creation of a Subdivision Committee** – The Township Planning Commission is hereby designated as the Township Subdivision Committee, and shall have all the powers and duties vested in it by law and by this Ordinance.

Section 302 Separability and Severability

Should any section or provision of these regulations be for any reason held void and invalid, it shall not affect the validity of any other section or provision hereof which is not itself void or invalid.

Section 303 Conflict with Other Ordinances

Whenever there is a difference between minimum standards or dimensions specified herein and those contained in a Zoning Ordinance or other official regulations, the highest standards shall apply.

Section 304 Amendments

The Board of Supervisors may from time to time adopt amendments that will tend to increase the effectiveness of these regulations or expedite the approval of plans. These regulations and amendments thereto may be changed or amended by the board of Supervisors after a public hearing after giving due notice as required by law.

Section 305 Records

The Board of Supervisors and the Planning Commission shall keep a record of the findings, decisions and recommendations relative to all plans filed with it for review and/or approval. Such records shall be open to the public.

Section 306 Preventive Remedies

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

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

- A. The owner of record at the time of such violation.
- B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the municipality may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

Section 307 Jurisdiction

District Justices shall have initial jurisdiction in proceedings brought under Section 308.

Section 308 Enforcement Remedies –

Any person, partnership or corporation who or which has violated the provisions of any subdivision or land development ordinance enacted under this act or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgment

shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each time that a violation continues shall constitute a separate violation.

The court of common pleas, upon petition, may grant an order to stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

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

ARTICLE 4
PROCEDURE

Section 401 Approval Required

No land development or subdivision of any lot, tract or parcel of land shall be affected, no street, sewer system, storm sewer, water system or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel or for the common use of occupants of buildings or land abutting thereon, except in strict accordance with the provisions of these regulations or except as provided in Act No. 247, the Pennsylvania Municipalities Planning code.

Section 402 Resubdivision Procedure

For any resubdivision of land, the same procedure, rules and regulations shall apply as prescribed herein for an original subdivision.

Section 403 General Procedure

403.1 Submission of a sketch plan is not required by this Ordinance, however a sketch plan may be submitted to the Planning Commission for informal discussion.

When a sketch plan is submitted, it will be informally discussed by the Planning Commission at the regularly scheduled meeting at which it is presented.

If the Planning Commission or the applicant desires a report from the Township Engineer, the plan shall be tabled until the next regularly scheduled meeting.

When the applicant requests a review and report from the Township Engineer, he shall be responsible for the Engineer's review fee.

Submission of a sketch plan shall no under any cumstances constitute an official submission to Barrett Township.

Three (3) copies of the sketch plan and supporting data may be submitted to the Planning Commission which plan and supporting data shall be in sufficient detail to establish the overall objectives of the applicant and determine the extent to which the proposed plan conforms to the provisions of this Ordinance.

403.2 All applications for approval, whether preliminary plans or final plans, shall be submitted to the Planning Commission for review.

403.2.1 All plans, supporting data and fees shall be submitted by certified mail or delivered in person to the Administrator who, with or without the assistance of the Township Engineer, shall make a preliminary check to

determine that the submission is complete in all aspects and is in compliance with this Ordinance. The Administrator shall transmit copies of the plan and supporting data to the Township Engineer, the Township Sewage Enforcement Officer, and other appropriate persons or agencies. The applicant shall present proof that the plan has been submitted to the County Planning commission. The official submission date shall be the regularly scheduled meeting of the Planning Commission at which the application is initially considered, not the date of submittal to the Administrator.

403.2.2 Plans and supporting data submitted for approval will be considered at the Planning Commissions next regularly scheduled meeting, provided that they are received at least ten (10) calendar days in advance of said meeting. The applicant or his duly authorized representative should endeavor to attend the Commission meetings to discuss the preliminary plan and the final plan. The failure to appear at such Commission meeting where said plan is being reviewed may be sufficient cause for disapproval if an extension in time is not agreed to in writing by the applicant.

403.3 Preliminary and final plans shall be prepared in accordance with the requirements set forth in Article 6 herein. Preliminary plans shall be submitted in seven (7) sets and additional copies as required by other agencies; final plans shall be submitted in seven (7) sets and additional copies as required by other agencies. At the time the final plan is presented to the Planning Commission for their final approval, the applicant shall have available for signatures by the Planning Commission, two Mylar or linen reproduces.

403.3.1 The Administrator shall refer the plan and appropriate supporting data to the following agencies or individuals:
Township Engineer
Township Sewage Enforcement Officer
Township Solicitor

403.3.2 The applicant shall be responsible for submitting plans, fees and other supporting documents to the following agencies as applicable:
Penna. Department of Transportation
Penna. Department of Environmental Resources
Monroe County Planning Commission
Monroe County Conservation District
Utility Companies
Other Agencies

403.4 The Planning Commission shall review the preliminary plan or final plan and shall recommend to the Board of supervisors approval, approval subject to conditions or rejection of the plan within sixty (60) days of the submission date.

- 403.5 The Planning Commission shall consider the comments from the above reviewers prior to making its recommendation to the board of supervisors, if such comments are received within thirty (30) days from the date the plan was forwarded to such agency or individual.
- 403.6 The Board of Supervisors shall make their decision with respect to an application and shall communicate such decision with respect to an application to the applicant within ninety (90) days of the official submission date to the Planning Commission. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. In the event the date of the next meeting of the Planning Commission, following the date of submission to the Administrator, exceeds thirty days, the Planning Commission shall take action within ninety (90) days of the date of submission to the Administrator and the Board of Supervisors shall take action within one hundred twenty (120) days of the date of submission to the Administrator. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required shall be deemed an approval of the application 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.
- 403.7 When a plan, whether preliminary or final, is recommended for approval by the Planning Commission subject to conditions or approved by the Supervisors subject to conditions, the applicant shall be notified in writing within 10 days of the meeting at which the plan was acted upon. Such notification shall set forth the conditions for approval. Within 20 days of the meeting at which the plan was acted upon, the applicant shall notify the acting body of acceptance or rejection of imposed conditions. When the applicant does not accept the conditions within the time limits, the subject plan shall be automatically rejected with no further action by the Township and a new plan submission in accordance with this ordinance will be required.

The time limit for the applicant to address the accepted conditions shall be six months from the date of action on the plan when conditions were imposed. Failure of the applicant to satisfactorily address the conditions within the time limits, the subject plan shall be automatically rejected with no further action by the Township and a new plan submission in accordance with this ordinance will be required.

- 403.8 When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall in each case site to the provisions of the Statute or Ordinance relied upon.

403.9 No subdivision plan shall be submitted for approval, whether preliminary or final, to either the Planning Commission or the Board of Supervisors, unless the plan has been submitted for review, together with the fee required for said submission, not less than ten (10) days prior to any public meeting at which said plan is to be reviewed.

Section 404 Preliminary Plan

404.1 Minor Subdivisions

404.1.1 Preliminary plans shall include all land which the applicant proposes to be subdivided.

404.1.2 Plans shall be accompanied by the fee as set forth by a resolution duly adopted from time to time by the Board of Supervisors.

404.1.3 Preliminary plans shall comply in all respects with Article 7 of these regulations and with the Zoning Ordinance.

404.1.4 Where a minor subdivision plan in the opinion of the Planning commission presents no engineering problems and few, if any, planning problems, the Planning Commission may waive the filing of the preliminary plan and require only the filing of a final plan.

404.2 Major Subdivision

404.2.1 Preliminary plans shall include all land which the applicant proposes to subdivide.

404.2.2 Preliminary plans shall include, but not necessarily with the same accuracy as above, all land, streets, structures and significant details for a distance of five hundred (500) feet beyond the property lines.

404.2.3 Plans shall be accompanied by a fee as set forth by a resolution duly adopted by the Board of Supervisors.

404.2.4 Preliminary plans shall comply in all respects with Article 7 of these regulations and with the Zoning Ordinance.

404.3 If a preliminary plan and supporting data comply in all respects with the requirements for final plans, the Planning commission may proceed to final action at the first consideration of the plan.

404.4 When the board of supervisors communicates their decision on the preliminary plan to the applicant, they will inform the applicant, in addition to what may be required pursuant to paragraph 403.7, of any specific changes required in the plan, if any, and the character and extend of the improvements, and the terms of the

performance bonds or other security which the supervisors may require among other conditions in the public interest and prerequisite to the approval of the final plan to be submitted subsequently.

404.4.1 Any modification of the preliminary plan by the supervisors as prerequisite to final approval, shall be noted on the preliminary plan.

404.4.2 Approval of the preliminary plan shall constitute approval of the plan as to the arrangement and approximate dimension of streets, lots and other planned features, but shall not authorize the sale of lots or construction of buildings.

404.4.3 The Board of supervisors shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be located as to accommodate the probable volume of traffic thereon, afford adequate light and air, facilitate fire protection, provide access of fire fighting equipment to buildings, and provide a coordinated system of streets conforming to the Township's official Plan of streets, if any.

404.4.4 The Board of Supervisors shall allow a subdivision to proceed with required improvements after approval of the preliminary plan.

404.5 The Planning Commission and/or the Board of supervisors may conduct a site inspection of the proposed subdivision prior to taking action upon the preliminary or final plan. If deemed necessary, the site inspection should preferable, but not necessarily, take place prior to preliminary approval.

404.5.1 If weather conditions prevent an adequate inspection, the Commission and/or the Supervisors may take conditional action subject to a subsequent inspection.

404.5.2 The center-lines of all proposed streets and alleys shall be physically marked on the site prior to the site inspection.

404.6 At the time of the filing of a preliminary plan, the applicant may submit a revision or supplement to the official plan as required by the Penna. Sewage Facilities Act and amend the township sewage feasibility study, if required.

Section 405 Final Plan

405.1 The applicant, after official notification by the Board of supervisors of approval of the preliminary plan, and the changes acceptable to the applicant, if any, to be made thereon, shall within five (5) years thereafter prepare and submit to the Supervisors the final or record plan. Otherwise the approval of the preliminary plan will become null and void unless the applicant submits to the Supervisors a

written request for an extension of time and such request is granted by the supervisors.

- 405.2 An applicant may submit the final plan in sections, each covering a portion of the proposed subdivision as shown on the preliminary plan; subject to the provisions of Section 509.5
- 405.3 No changes, erasures, modifications or revisions shall be made on any final plan after approval has been granted by the Board of supervisors and endorsed in writing on the plan. In the event that any final plan when recorded contains any such changes, the final plan shall be considered null and void, and the Board of supervisors shall institute proceedings to have said plan stricken from the records of the County Recorder of Deeds.
- 405.4 If the provision of section 404.6 has not been met, then at the time of filing of the final plan, the applicant shall submit a revision or supplement to the official plan as required by the Penna. Sewage Facilities Act and amend the township sewage feasibility study, if required.
- 405.5 Should the Supervisors request an independent appraisal of the submitted amended sewage feasibility study, the reasonable cost for this appraisal shall be paid by the applicant.

Section 406 Approval and Recording Final Plan

- 406.1 Every street, park or other improvement shown on a plan that is recorded as provided herein, shall be deemed to be a privately owned street, driveway, park or improvement until such time as the same has been offered for dedication to the township and accepted by resolution or until it has been condemned for use as a public street, park or other improvement.
- 406.2 After completion of these procedures and upon approval of the final plan, such approval shall be indicated by a statement to that effect on the record plan with the signatures of the Planning commission and the signatures of the Board of supervisors.
- 406.3 The approval of any subdivision plan by the supervisors or by the court on appeal shall, within ninety (90) days of the date of the approval, be recorded by the owner in the Office of the Recorder of Deeds of Monroe County. Should the subdivider fail to record the final plan within ninety (90) days from the date of approval by the constituted authorities of Barrett Township, after proper notification of final approval, the approval shall be null and void unless an extension is granted in writing or the plan is re-submitted for the purpose of redating.

- 406.4 After a subdivision plan has been duly recorded, the streets and public grounds become part of the Official Map of the Township.

Section 407 Affect of Ordinance Changes

- 407.1 From the time an application for approval of a plat, whether preliminary or final, is duly filed, 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 and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied any subsequent application shall be subject to intervening changes in governing regulations and ordinances.
- 407.2 When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the 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.
- 407.3 Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
- 407.4 Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five-year limit, or any extension thereof as may be granted by the governing body, no change of municipal ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.
- 407.5 In the case of a preliminary plat calling for the installation of improvements beyond the five-year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final

section has been granted and any modification in the aforesaid schedule shall be subject to approval of the governing body in its discretion.

- 407.6 Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan unless a lesser percentage is approved by the governing body in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvement depicted upon the final plat within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period the aforesaid protections shall apply for an additional term or terms of three years from the date of final plat approval for each section.
- 407.7 Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinance enacted by the municipality subsequent to the date of the initial preliminary plan submission.

ARTICLE 4A
PLAN PROCESSING PROCEDURES

(This section 4A in its entirety was added by Ordinance 137 adopted 5/4/05)

Section 400A General

- 400.1A All preliminary and final subdivision or land development plans shall be referred to and reviewed by the Planning Commission and shall be approved or disapproved by the Board of supervisors in accordance with the procedures specified in this Article and in other sections of this Ordinance. Any application, not processed as required herein shall be null and void unless it was made prior to the adoption of these regulations.
- 400.2A Overview of Procedures.
Items 1 and 5-9 below are required under this Ordinance, unless specifically waived by the Township. Items 2-4 (Pre-sketch plan Conference, Site Inspection by Planning Commission and Applicant, and Sketch Plan Submission and Review) are optional but strongly encouraged as important, valuable and highly recommended steps that will speed the review process and may result in lower costs for the project. The following steps shall be followed sequentially, and may be combined only at the discretion of the Township:
- 400.2.1A Existing Resources and Site Analysis Plan, as described in Section 609.3 of this Ordinance.
- 400.2.2A Pre-Sketch Plan Conference.
- 400.2.3A Site Inspection by Planning Commission and Applicant.
- 400.2.4A Sketch Plan Submission and Review (diagrammatic sketch, optional step).
- 400.2.5A Conceptual Preliminary Plan; Determination of Completeness; Preliminary Resource Conservation Plan and Sewage Planning Module Submission; Review by Township and county Planning commissions and Township Engineer; and Approval by Supervisors on advise of the township Planning commission. (In the Conservation Design Overlay District, the Four-Step Design Process described in Section 609.4 of this Ordinance must be followed.)
- 400.2.6A Detailed Final Plan, Preparation: Incorporation of all Conceptual Preliminary Plan Approval Conditions, Documentation of all other agency approvals, as applicable.

- 400.2.7A Detailed Final Plan, Submission: Determination of Completeness, Review, and Approval.
- 400.2.8A Township Board signatures.
- 400.2.9A Recording of approved Detailed Final Plan with the Monroe county Recorder of Deeds.
- 400.3A If an applicant requests to have the Township Engineer attend the pre-application meeting, site inspection, or pre-sketch conference, or review and issue a report on a sketch plan, the applicant shall reimburse the Township for the cost of the Township Engineer's attendance and/or report.

Section 401A Plan Classification for Major and Minor Subdivisions.

- 401.1A Classification. For purposes of procedure, all applications shall be classified as either major or minor:
- 401.1.1A Minor A minor subdivision is any subdivision which meets all of the following criteria:
- a. No new public or private street is constructed, or no existing public or private street is required to be lengthened or widened.
 - b. No other completion of public improvement or guarantee thereof is required other than individual on-lot storm water management systems.
 - c. No earthmoving activities will take place except those incidental to construction of a single-family detached dwelling on each lot.
 - d. No more than three lots are created.
- 401.1.2A Major. Any land development or subdivision application not in compliance with Section 401.1.1A or any part thereof, or for any use other than single family detached residential, shall be considered a major subdivision plan.
- 401.2A Review.
- 401.2.1A Major applications shall be subject to all review procedures specified in this Article.

- 401.2.2A When an application includes only a portion of a landowner's entire tract, or when such portion is contiguous to an adjoining tract of the landowner, a sketch layout shall be included showing future potential subdivision of all the contiguous lands belonging to the landowner to ensure that subdivision may be accomplished in accordance with current codes and with appropriate access. Submission and review of the sketch plan described in this section shall not constitute approval of the future subdivision shown thereon.

Section 402A Submission and Review of Sketch Plan.

- 402.1A **Applicability.**
A diagrammatic sketch plan is strongly encouraged for all proposed minor or major subdivisions. Sketch Plans, as described in Sections 602 and 608 of this Ordinance, shall be submitted to the township for review by the Planning Commission. Such plans are for informal discussion only. Submission of a Sketch Plan does not constitute formal filing of a plan with the township, and shall not commence the statutory review period as required by the Pennsylvania Municipalities Planning code, Act 247 as amended. The procedure for submission of a diagrammatic Sketch Plan is described below, and may be altered only at the discretion of the Township.
- 402.2A **Existing Resources and Site Analysis Plan.**
The applicant shall submit an Existing Resources and Site Analysis Plan, in its context, prepared in accordance with the requirements contained in Section 609.3. The purpose of this key submission is to familiarize officials with existing conditions on the applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for officials in making a site inspection. This Plan shall be provided prior to the site inspection, and shall form the basis of the development design as shown on the diagrammatic Sketch Plan (or on the Conceptual Preliminary Plan, if the optional Sketch Plan is not submitted).
- 402.3A **Pre-Sketch Plan Conference.**
Prior to the site inspection and submission of a diagrammatic sketch plan, the applicant shall meet with the Planning Commission to develop a mutual understanding on the general method for subdividing and/or developing the tract in accordance with the four-step design procedure described in Section 609.4 of this Ordinance, where applicable. At the discretion of the Planning commission, this conference may be combined with the site inspection.

402.4A

Site Inspection.

After preparing the Existing Resources and Site Analysis Plan, the applicant shall meet with the Planning commission and other Township officials for a site inspection of the property, and shall distribute copies of the site analysis plan at that on-site meeting. The applicant, the site designers, and the landowner are encouraged to accompany the Planning Commission. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of designated greenway lands (if applicable), and potential locations for proposed buildings and street alignments. Comments made by Township officials or their staff and consultants shall be interpreted as being only suggested. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made, at the Site Inspection.

402.5A

Sketch Plan Submission and Review.

402.5.1A

Copies of a diagrammatic Sketch Plan, meeting the requirements set forth in Section 608, shall be submitted to the Township Secretary during business hours for distribution to the Board, the Planning Commission, the Township Engineer and applicable Township advisory boards, at least 14 days prior to the Planning Commission meeting at which the Sketch Plan is to be discussed. The Sketch Plan diagrammatically illustrates initial thoughts about a conceptual layout for greenway lands, house sites, and street alignments, and shall be based closely upon the information contained in the Existing Resources and Site Analysis Plan. The sketch Plan shall also be designed in accordance with the four-step design process described in Section 609.4, and with the design review standards listed in Sections 709 and 710.

402.5.2A

The Planning Commission shall review the Sketch Plan in accordance with the criteria contained in this Ordinance and with other applicable Ordinances of the Township. Without starting the timetable as required by the Municipalities Planning Code, the Planning commission shall informally advise the applicant of the extent to which the proposed subdivision or land development conforms to the relevant standards of this Ordinance, and may suggest possible modifications that would increase the degree of conformance. This review shall include but not be limited to:

- a. The location of all areas proposed for land disturbance (streets, foundations, yards, septic disposal systems, storm water management areas, etc.) with respect to notable features of

natural or cultural significance as identified on the applicant's Existing Resources and Site Analysis Plan and on the Township's Map of Potential Conservation Lands.

- b. The potential for street connections with existing streets, other proposed streets, or potential developments on adjoining parcels.
- c. The location of proposed access points along the existing road network.
- d. The proposed building density and impervious coverage.
- e. The compatibility of the proposal with respect to the objectives and policy recommendations of the comprehensive Plan and the Open Space Plan.
- f. Consistency with the Zoning Ordinance

The Commission shall submit its written comments to the applicant and the Board.

402.5.3A The Township may require the applicant to submit the Sketch Plan to the Monroe County Planning Commission for review and comment. The county Planning Commission shall submit its written comments to the applicant and the Board.

402.5.4A The Township may request the applicant to submit a second draft of the Sketch Plan to ensure that all review comments have been properly incorporated into the revised plan. This request shall be included in the written comments described above. The Township may request a third or fourth draft depending on the plan's conformance to the agreed upon design goals. Each draft shall be submitted for review and comment by the township Planning Commission before proceeding on to the Board.

Section 403A Submission of Conceptual Preliminary Plan Documents.

403.1A The Conceptual Preliminary Plan is a preliminarily engineered scale drawing in which layout ideas are illustrated in more than the rough, diagrammatic manner appropriate for Sketch Plans, but before heavy engineering costs are incurred in preparing detailed alignments and profiles for streets, and/or detailed calculations for storm water management. If an applicant opts not to submit a Sketch Plan, the conceptual Preliminary Plan shall include all information required for Sketch Plans listed in Section 608, specifically including the Existing Resources and Site Analysis Plan, plus further details as noted below and in Section 609.

- 403.2A The applicant shall complete and sign the application form provided by the township and shall accompany such application form with the type and number of plans, documents and other submissions required, and the appropriate filing fee(s). The applicant must identify the name, address and telephone number of the agent, if any. No application shall be deemed filed unless all requirements have been met and all fees paid in full.
- 403.3A The application "window" and deadline dates for submission of Conceptual Preliminary Plans shall be as follows.
- 403.3.1A Applicants shall submit to the Township Secretary 14 days prior to the date of the next regularly scheduled Planning Commission meeting at which official review is requested, seven copies of a complete Conceptual Preliminary Plan and all other required documents and information, including the same number of copies of the Existing Resources and Site Analysis Plan drawn at the same scale (generally 1" = 100' or 1" = 200', at the discretion of the township Engineer).
- 403.3.2A All applications shall be accompanied by full payment of the required fees and escrow deposits established in accordance with the terms of this Ordinance for proposed subdivisions.
- 403.3.3A The Township Secretary shall note the date of receipt of the application, fees, and escrow deposit, and shall forward copies of the proposed plan to the appropriate individuals and bodies.
- 403.3.4A At its next meeting, the Township Planning Commission shall examine the application for completeness. If deemed complete, the township shall accept the plan for review and comment. The official 90-day review period provided for Preliminary Plans under the Municipalities Planning Code shall commence at the Planning Commission meeting at which the plan is accepted for review.
- 403.4 The date of receipt is subject to review by the Township to determine if all required materials, fees and escrow deposits have been submitted by the applicant. If the application is defective or incomplete, the applicant shall be notified in writing within 15 days of the date of receipt and the application shall be null and void *ad initi*, and shall be deemed withdrawn by the applicant. If no such notice is given to the applicant that the application is defective or incomplete, then the date of filing shall be determined as follows: the review process for the plans required by the Township shall include no more than 90 days following the date of the next regular meeting of the Planning Commission following the date the application was filed, provided that should said next regular meeting occur more than 30 days following the filing of the application, the said 90 day period shall be measured from the 30th day following the day the application was filed. The applicant may agree to extend the time requirement.

Section 404A Review of Conceptual Preliminary Plan.

404.1A Planning Commission Review.

- 404.1.1A The Planning Commission shall review the plan and any recommendations made by County, State, Federal agencies, the Township Zoning Officer and the Township Engineer, to determine conformance of the plan to this Ordinance, the Zoning Ordinance, and any other relevant ordinances of the Township.

- 404.1.2A After such review, the Planning Commission shall submit its report to the Board, containing its findings, recommendations, and reasons, citing specific sections of the statutes or ordinances relied upon. A cop of said report shall be given to the applicant.

- 404.1.3A If the applicant agrees that this review period shall be extended for a period of 30 or more days, to provide additional time for him or her to submit all the required materials and for the Planning commission to review the same, a written agreement to this effect shall be signed in duplicate, with a file copy being retained by the Planning commission and by the applicant. Such an extension shall be entered in good faith and for specific reasons relating to the review process, including but not limited to providing sufficient time for the Township to receive the written report of the county Planning Commission, The Township Zoning Officer and the Township Engineer, or to allow the applicant additional time in which to revise his or her application documents.

404.2A Board Review.

- 404.2.1A When the recommendations on the Conceptual Preliminary Plan have been officially submitted to the Board of Supervisors by the Planning Commission, such recommendations shall be placed on the Board's agenda for review and action.

- 404.2.2A In acting on the preliminary subdivision or land development plan, the Board shall review the plan and the written comments of the Township Zoning Officer, the Township Engineer, the Planning Commission, the County Planning Commission and Monroe County Soil Conservation District and all other reviewing agencies, and comments from public hearings or meetings, if any. The Board may specify conditions, changes, modifications or additions thereto, which it deems necessary or appropriate, and may make its decision to grant preliminary approval subject to such conditions, changes, modifications or additions. Whenever the approval of a Conceptual Preliminary Plan is subject to conditions, the written action of the Board should specify each condition of approval, and

request the applicant's written agreement to the conditions within 10 days of receipt of the boards written decision.

- 404.2.3A If the Conceptual Preliminary Plan is not approved, the Board's decision shall specify the defects found in the plan, shall describe the requirements that have not been met, and shall cite in each case the provisions of the Ordinance relied upon.
- 404.2.4A Notwithstanding the foregoing procedure, unless the applicant agrees in writing to extend the period for decision, the Board shall render a decision on all Conceptual Preliminary Plans not more than 90 days from the date of the first regular meeting of the Planning Commission held after the complete application was accepted for review. However, if that regular meeting of the Planning Commission occurred more than 30 days after the complete application was filed; the 90-day period shall be measured from the 30th day following the date the complete application was accepted for review.
- 404.2.5A The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to him or her at his or her last known address not later than 15 days following the decision. The form and content of the decision shall comply with applicable requirements of the Municipalities Planning Code.
- 404.2.6A At the time a revised plan is submitted, it shall be accompanied by the applicant's written and executed agreement of an extension of the period for decision.
- 404.2.7A The decision of the Board shall also be communicated to the governing body of any adjacent municipality, if the plan includes land in that municipality and/or directly abuts its boundaries.

Section 405A Submission of Detailed Final Plan Documents.

- 405.1A Within one year after approval of the Conceptual Preliminary Plan, a Detailed Final Plan and all supplementary data, together with an application form provided by the Township and filing fees, shall be officially submitted to the Township Secretary. The Detailed Final Plan shall conform to the requirements set forth in Section 610. It shall also conform to the Conceptual Preliminary Plan as previously reviewed by the Planning Commission and the Board, and shall incorporate all conditions set by the Township in its approval of the conceptual Preliminary Plan. No application shall be deemed filed unless all requirements have been met and all fees paid in full.
- 405.2A The Board may permit submission of the Detailed Final Plan in phases, each covering a reasonable portion of the entire proposed development as shown on the approved Conceptual Preliminary Plan; provided that the first Detailed Final Plan phase shall be

submitted within one year after approval of the Conceptual Preliminary Plan. Each subsequent phase shall be submitted within one year of approval of the previous phase, provided all phases have been submitted within three years after the date of Preliminary Plan approval.

405.3A Unless the filing deadline in Section 405.1A is waived or extended by the Board, failure to make timely submission of final plans renders void a Conceptual Preliminary Plan, and the applicant shall be required to file a new application and fee for Conceptual Preliminary Plan approval.

405.4A Official submission of the Detailed Final Plan to the Township Secretary shall consist of:

405.4.1A Three copies of the application for review of final subdivision or land development plan.

405.4.2A Seven or more copies of the Detailed Final Plan and all supporting plans and information to enable proper distribution and review, as required by the Board.

405.4.3A Copies of all applications made or notices provided to Federal, State, and County agencies by or on behalf of the applicant for permits, certifications, approvals or waivers required or sought for either subdivision or land development as proposed in the Conceptual Preliminary Plan for in the Detailed Final Plan, including, but not limited to, applications or notices provided to the U.S. Army Corps of Engineers, the Monroe County Soil Conservation District, the U.S. Environmental Protection Agency, the state Department of Environmental Protection (DEP), or the State Department of Transportation.

405.4.4A Payment of application fees and deposit of escrow, if required, for plan review costs.

405.5A Seven or more copies of the Detailed Final Plan and all required supplementary data shall be submitted to the township Secretary together with the required fees and escrow deposit as prescribed by resolution of the board. The Township Secretary shall note the date of receipt and shall then forward the copies to the appropriate individuals or agencies as follows:

405.5.1A Detailed Final Plan and application to the Planning Commission.

405.5.2A Township Zoning Officer and the Township Engineer.

405.5.3A Board of Supervisors

405.5.4A Township files.

- 405.5.5A Township Environmental Advisory Council
 - 405.5.6A Township Open Space Committee
 - 405.5.7A Township Sewage Enforcement Officer
 - 405.5.8A Plan, along with the referral letter and sufficient fee, to the Monroe County Planning Commission, when required by the Board (to be delivered by the applicant).
 - 405.5.9A Other state and county agencies, when applicable.
 - 405.5.10A The governing body of any adjacent municipality or municipalities if the tract to be subdivided abuts or lies partially in that municipality.
 - 405.5.11A Sedimentation and Erosion Control plan and application form to the Monroe County Soil Conservation District, where applicable.
- 405.6A Where the final plan is a minor subdivision, the applicant shall submit the plan in accordance with the requirements of Section 404A above.

Section 406A Review of Detailed Final Plan.

406.1A General.

- 406.1.1A The Detailed Final Plan shall conform in all important respects to the Conceptual Preliminary Plan as previously reviewed and approved by the Board, and shall incorporate all modifications and revisions specified by the Board in its approval.
- 406.1.2A The Detailed Final Plan and supporting data (including reports from the State Department of Environmental Protection, the Monroe County Soil conservation District, and the Monroe county planning Commission) shall comply with the provisions of this Ordinance and those of the Zoning Ordinance. Failure to do so shall be cause for denying the plan (or, in situations where only minor details are missing and when the official approval deadline allows, tabling the plan).

406.2A Planning Commission Review.

- 406.2.1A The Planning Commission shall review the Detailed Final Plan and the recommendations of the Township Engineer and any other reviewing agencies, to determine its conformance with the requirements of this Ordinance and with those of the Zoning Ordinance.

406.2.2A After such review, and prior to any action by the Board within the required 90-day review period, the Planning Commission shall forward its recommendations and its reasons to the Board and the applicant. If the plan includes land in any adjacent municipality and/or directly abuts its boundaries, then such notice and recommendation shall also be transmitted to the governing body of the adjacent municipality.

406.3A Board Review.

406.3.1A Prior to the Detailed Final Plan review process, the Board should complete its review of the proposed Sewage Facilities Planning Module in accordance with DEP regulations and procedures. When approved or adopted by the board, the Planning Module shall be forwarded to DEP for review and approval.

406.3.2A No approval of the Detailed Final Plan shall be granted by the Board until the Township receives notification of DEP's approval of the Sewage Facilities Planning Module. Should such notifications not be received within the time limitations for Detailed Final Plan approval, in accord with the Act, the time limitations shall be extended for not more than 90 days with the written consent of the applicant. If the applicant refuses to provide such written consent, the Detailed Final Plan shall be disapproved.

406.3.3A When a recommendation on a Detailed Final Plan has been submitted to the Board by the Planning Commission, such plan shall be placed on the agenda of the Board for its review and action.

406.3.4A Upon receipt of the Planning Commission's recommendation and other supporting information, the Board may, at one or more regular or special public meetings, review the Detailed Final Plan and shall, within the time limitations set forth herein below, either approve, approve with conditions, or disapprove the plan. Whenever the approval of a Detailed Final Plan is subject to conditions, the written action of the Board shall specify each condition of approval, and request the applicant's written agreement to the conditions within 10 days of receipt of the Board's written decision.

406.3.5A If the Final Plan is not approved, the decision shall specify the defects found in the plan, shall describe the requirements that have not been met, and shall, in each case, cite the provisions of the Ordinance relied upon.

406.3.6A Notwithstanding the foregoing procedure, unless the applicant agrees in writing to extend the time period for decision, the Board shall render a decision on all Detailed Final Plans within the statutory time limitations.

406.3.7A The decision of the board shall be in writing and shall be communicated to the applicant as required by the MPC.

406.3.8A If at any time the applicant submits a revised Detailed Final Plan it shall be deemed a new application and shall not be accepted unless it is accompanied by the applicant's written and executed agreement of a 90 day extension of the period required by the Act for decision. No new application fee shall be required for any revision submitted within two years of the first final plan application.

406.3.9A Copies of the Detailed Final Plan, as finally approved with the appropriate endorsement of the Board, shall be distributed as follows:

- a. At least three copies to the applicant, of which two shall be recorded at the office of the Monroe County Recorder of Deeds.
- b. One copy to the Monroe County Planning Commission.
- c. One copy to be retained in the Township files. If a new street is proposed, an additional "as-built" plan with deed of dedication application shall be submitted.

406.4A Conditions of Detailed Final Plan Approval.

In addition to any other applicable provisions of this Ordinance, approval of any Detailed Final Plan shall be subject to the following conditions:

406.4.1A The landowner shall execute a Subdivision Agreement in accordance with this Ordinance, verifying that he or she agrees to construct all required improvements and common amenities, and further verifying that he or she guarantees completion and maintenance of these improvements and amenities through a type of financial security acceptable to the Township.

406.4.2A Where applicable, the landowner shall execute an Escrow Agreement to cover the cost of all required improvements and common amenities, in accordance with this Ordinance.

406.4.3A If requested, the landowner agrees to tender to the Township a deed of dedication in a form satisfactory to the Township Solicitor for streets and improvements thereto, including street paving, water mains, fire hydrants, storm sewers, inlets, pumping stations and other appurtenances as shall be constructed as public improvements within the public right-of-way and are required for the promotion of public welfare, after all streets and improvements to be dedicated to the Township are completed and are certified by the Township Engineer as being satisfactory. The Board may require that the applicant provide a certificate from a duly licensed title insurance company certifying that the title to be conveyed is good and marketable, free of all liens and encumbrances, except utility easements, before any property is accepted by the Township.

- 406.4.4A Whenever the landowner is providing greenway land as part of the development, an easement in perpetuity restricting such open space against further subdivision or development shall be executed between the landowner and the Township or a conservation organization acceptable to the Township.
- 406.4.5A The landowner shall submit to the Township all required permits, approvals, or waivers from agencies having jurisdiction over ancillary matters necessary to effect the subdivision or land development, such as Pennsylvania Departments of Transportation, Environmental Protection or Public Utility Commission, U.S. Army Corp of Engineers, and Monroe County Soil Conservation District.
- 406.4.6A All final approvals or waivers required by Federal, State, and County agencies for development in accord with the Detailed Final Plan including, but not limited to approval of the Sewage Facilities Planning Module by the DEP, approval by the Monroe County Soil Conservation District, and a highway occupancy permit, if required, from the Pennsylvania Department of Transportation or from the Township shall be presented to the Township.

ARTICLE 5
REQUIRED IMPROVEMENTS AND BONDS

Section 501 Application

- 501.1 **Required Improvements** – The minimum improvements shall be as set forth in this Article and are summarized in Table 5-1. The Developer is solely responsible for the installation of all such improvements.
- 501.2 **Alternatives** – The Supervisors recognize that alternative designs may be prepared and all requests for a variance from the requirements of this Article will be considered on an individual basis. Alternate designs must provide capabilities equivalent to the requirements set forth in these Sections. In granting such variances, the Supervisors may impose requirements or conditions that they deem fit and proper.

Section 502 Streets

- 502.1 **General** – Streets and alleys shall be graded and improved to the grades and dimensions shown on plans, profiles and cross-sections submitted by the developer and approved.
- 502.2 **Clearing and Grading** – The right-of-way shall be graded to the extent shown on the approved cross-section. All trees, stumps, roots, muck, organic material, sanitary land fill and similar unstable and/or unsuitable material shall be removed from the sub grade and thereafter backfilled and compacted to the satisfaction of the Township Supervisors.
- 502.3 **Cut and Fill** – The maximum slope of any earth embankment or excavation shall not exceed one foot vertical to three feet horizontal. The maximum slope of any rock excavation shall not exceed four feet vertical to one foot horizontal. All excavations and embankments shall have a continuous slope to the point of intersection with the natural grade. The slope easement as required by paragraph 702.8 shall have sufficient width to contain the entire required slope.
- 502.4 **Drainage**
- 502.4.1 Parallel and cross drainage facilities shall be properly located, designed and installed to maintain proper drainage of the completed streets. Drainage facilities shall be designed in accordance with the requirements of section 704. Proper design and construction in accordance with those requirements may require the use of paved drainage swales to prevent erosion.

502.4.2 Consideration shall be given for sub grade drainage of those soils subject to frost heave. Design of the road bed in such locations may require parallel drainage facilities and/or under drains to properly stabilize the sub grade. Such sub grade drainage facilities shall be subject to the review and approval of the township Supervisors.

502.5 Sub grade – The design and construction of the road bed shall take cognizance of the supporting capacities of the sub grade, which particular attention to those soils, which are subject to frost heave. Unsuitable soils shall be removed and replaced, drained or otherwise stabilized to provide adequate support for the road bed and anticipated loads.

502.6 Sub base course – The subbase course shall consist of material, which conforms in type and is compacted to the depths shown in Table 5-2 of this Ordinance. All such material shall meet the specifications of PennDOT Publication 408 and any requirements of Barrett Township.

502.6.1 All streets shall have the minimum depth of subbase to a minimum cart way width as set forth in Table 7-1.

502.7 Base Course – The base course shall consist of material, which conforms in type and is compacted to the depths shown in Table 5-2 of this Ordinance. All such material shall meet the specifications of PennDOT Publication 408 and any requirements of Barrett Township.

502.8 Surface Course – The surface course shall consist of bituminous material, which conforms in type and is compacted to the depths shown in Table 5-2 of this Ordinance. All such material shall meet the specifications of PennDOT Publication 408 and any requirements of Barrett Township.

502.9 Shoulders – Shoulders shall be constructed of the material, which conforms in type and is compacted to the depth shown in Table 5-2 and to the width shown in Table 7-1 of this Ordinance.

502.10 Cross Section –

502.10.1 Travelway and shoulder widths shall conform to the requirements set forth in Table 7-1.

502.10.2 Shoulder surfaces shall be graded at a slope of one (1) inch per foot away from the travelway.

502.10.3 The travelway surface of tangent sections, and curved sections not Required to be superelevated, shall be crowned at one-quarter (1/4) of an inch per foot away from the centerline. Properly superelevated cross-sections shall be required on connector and

collector streets when the curve radii are less than five hundred (500) feet. The maximum permissible superelevation shall be 0.08 feet per foot.

502.10.4 See Figure 5-1 for a typical road cross-section.

502.10.5 The maximum slope of a roadway cross-section between the edge of a shoulder and the bottom of an adjoining parallel drainage swale shall not exceed one foot vertical to three feet horizontal.

502.11 Curbs

502.11.1 Curbing may be required to physically separate parking areas from streets or to intercept storm drainage and convey it for proper disposal. The requirements will be evaluated on a site basis and will be at the discretion of the Supervisors with recommendations by the Planning Commission.

502.11.2 Curbs will be constructed of Portland cement concrete, 21 inches in depth, 6 inches wide with an exposed face of 6 to 8 inches. Expansion joints shall be provided at least every 20 feet.

502.12 Driveway Entrances – All driveways shall provide for adequate drainage parallel to the street across or under the driveway. Sheet flow of water from the driveway to the street shall be prohibited. The shoulder grade and flow line of the street shall not be interrupted.

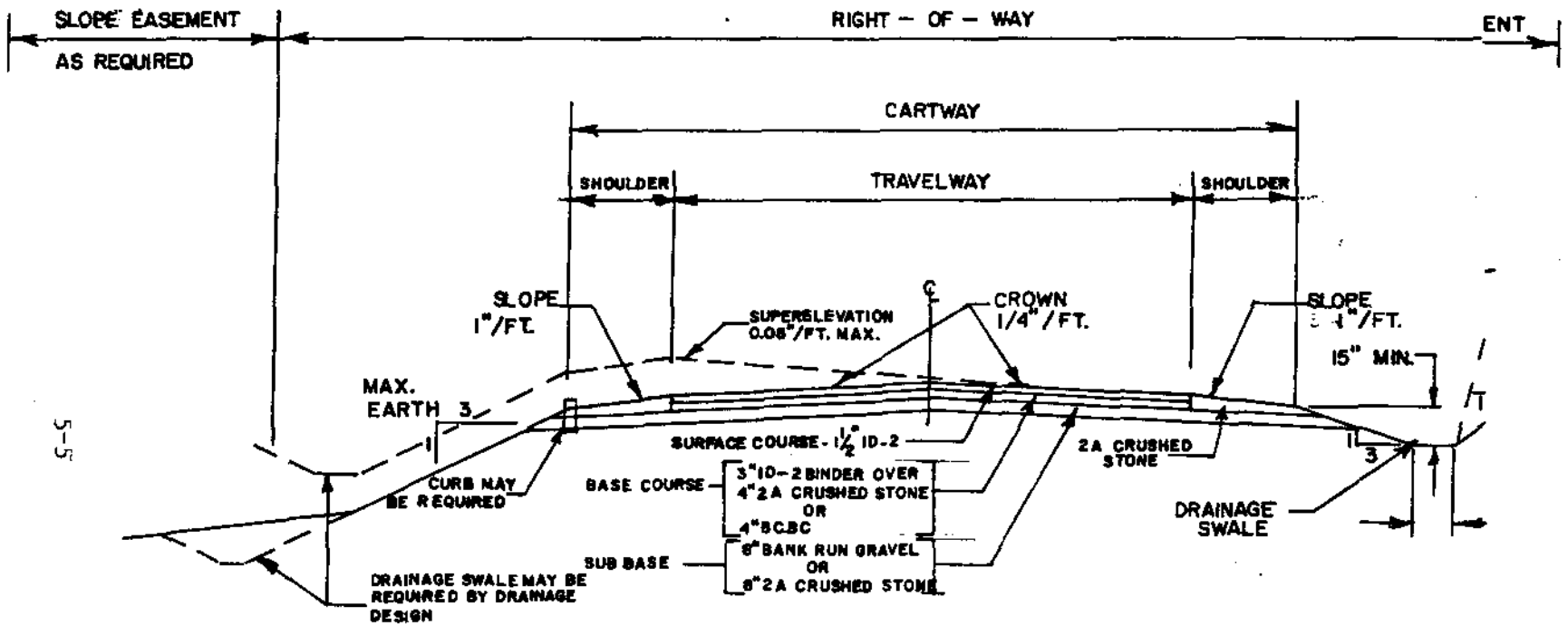
502.13 Guide Rails – Guide rails shall be required along all embankments 5 feet or more in height above the natural level of the adjacent terrain. Guide rails shall be of the strong post type designed in accordance with PennDOT Publication No. 13, "Highway Design Manual, Part 2" and shall conform to specifications contained in PennDOT Form 408.

502.14 Bridges and Stream Crossings – Bridges and other stream crossing structures, which are part of the proposed street system, shall be designed and constructed in accordance with current PennDOT standards and specifications. Evidence of compliance with and approval by D.E.R. and/or the Corps of Engineers shall be provided, if applicable.

Section 503 Storm and Surface Drainage

503.1 All storm drains and drainage facilities such as gutters, inlets and culverts shall be installed and the land graded for adequate drainage as shown on the drainage plan submitted and approved with the preliminary and final plans.

- 503.2 All proposed drainage swales and natural watercourses, which are shown to be relocated on the drainage plan, shall be installed and the land graded for adequate drainage.
- 503.3 Drainage plans shall be prepared in accordance with Section 704.
- 503.4 Where the conveyance of storm water and/or the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities, an adequate storm sewer system consisting of inlets and other underground drainage structures with approved outlets shall be constructed.
- 503.5 Outlets shall be approved by the owners of properties affected, by the Commission and by the Board of Supervisors.
- 503.6 Exposed surfaces in all parts of the subdivision shall be paved or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather. The vegetative cover shall not be poisonous in nature.



TYPICAL ROAD CROSS-SECTION

FIGURE 5-1

Section 504 Monuments and Markers

504.1 Monuments and markers shall be placed so that the center or a scored or marked point shall coincide exactly with the intersection of the lines to be marked.

504.2 Monuments shall:

504.2.1 Consist of either:

504.2.1.1 A two (2) inch galvanized pipe filled with concrete at least thirty-six (36) inches in length.

504.2.1.2 Four (4) inch plastic pipe filled with concrete at least thirty-six (36) inches in length.

504.2.1.3 Such other monument as the Township Engineer of Planning Commission may approve.

504.2.2 Be placed flush with the ground, including the rod or pipe and the concrete.

504.2.3 Not be placed until road grading has been completed.

504.2.4 Be located as follows:

504.2.4.1.1 Monuments shall be accurately placed at the intersection of all lines forming angles and at changes in direction of lines in the boundary (perimeter) of the property being subdivided where permanent corners did not exist at the time of the boundary survey, except on that portion of the property where only a record plot is required. Where physical or topographical features preclude the placement of monuments at required locations, a monument shall be placed on line as near to the required location as practical. When the boundary lines are in streams, existing roadways or other locations where the placement of monuments is impractical, monuments shall be offset from the line to be monumented and placed not further than eight hundred feet (800') apart, preferable on lot lines, and referenced to other monuments.

corner most nearly opposite the intersecting road.

- (2) One at a lot corner on each side of the road approximately midway through the block when the distance between intersecting roads exceeds eight hundred feet (800').
- (3) One on each side of the road near the turnaround on a temporary or permanent cul-de-sac road.
- (4) One at the intersection of a road right-of-way with an exterior property line.
- (5) At such other places along the line of roads as may be determined by the Township Engineer to be necessary so that any road may be readily defined in the future.

504.2.3 Monuments shall not be required in minor subdivisions.

504.3 Markers shall:

504.3.1 Consist of either:

- 504.3.1.1 Solid steel rods not less than one-half (1/2) inch in diameter or less than eighteen (18) inches in length.
- 504.3.1.2 Steel pipes not less than three-quarters (3/4) inch in diameter or less than eighteen (18) inches in length.
- 504.3.1.3 A distinct "X" cut or drill hole extending a minimum of one-quarter (1/4) inch into solid, unfractured rock, provided such rock is at least one (1) cubic yard in size.
- 504.3.1.4 Such other markers as the Township Engineer may approve.

Section 505 Central Sewage Disposal

- 505.1 Where applicable, sanitary sewers shall be installed to adequately serve all lots with connections to a public or private central system and shall be subject to inspection by the Township Engineer and approval by the Board of Supervisors.
- 505.2 Central sewage systems shall conform to Section 705.
- 505.3 Sewer laterals will be installed from the main line to a plug at the right-of-way line for all lots prior to the installation of the roadway surface course.

Section 506 Central Water Supply

- 506.1 Where applicable, water mains and lines shall be installed to adequately serve all lots with connections to a public or private central system, to include fire department connections, and shall be subject to inspection by the Township Engineer and approval by the Board of Supervisors.
- 506.2 Central water systems shall conform to Section 706.
- 506.3 Water laterals will be installed from the main line to a curb stop at the right-of-way line for all lots prior to the installation of the roadway surface course.

Section 507 Other Amenities

- 507.1 Proposed amenities, not mentioned in the preceding paragraphs, shall be designed to preserve the health, safety and welfare of the affected property owners and shall be consistent with good engineering design, and practice.
- 507.2 All amenities included in the preliminary or final submission shall be considered as required improvements.

Section 508 Inspection

- 508.1 Whether the subdivider elects to complete the required improvements prior to approval of the final plan or to post a performance guarantee with the Supervisors, an inspection of such improvements shall be conducted by the Township Engineer and the Roadmaster in accordance with an approved schedule upon their completion to assure that said improvements are satisfactory. The cost of all inspections conducted by the Township shall be borne by the developer.

Section 509 Performance Guarantee

- 509.1 Before the Supervisors approve any plan or a section of said plan for recording, the subdivider shall complete all required improvements or shall assure the

Township of the completion of the same by means of a proper performance guarantee.

- 509.2 Performance guarantees shall provide for and secure to the public, the completion of all required improvements within one (1) year of the date fixed on the subdivision plan for the completion of such improvements. Any such improvement completion s\date fixed on the plan shall not extend beyond three (3) years from the date of final plan approval. In all cases, the performance guarantee shall be in accordance with Section 509 of the Municipalities Planning Code.
- 509.3 The amount of financial security provided by a performance guarantee shall be equal to one hundred ten percent (110%) of the cost of the required improvement for which financial security is being posted. The cost of the improvement shall be based upon an estimate submitted by the applicant or developer and prepared by a professional engineer licensed in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of cost. The municipality, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown.
- 509.4 If the subdivider requires more than one year from the date of posting of financial security to complete the required improvements, the amount of financial security may be fixed by either of the following methods.
- 509.4.1 The amount of financial security shall be increased by an additional ten percent (10%) for each one year period beyond the anniversary date from posting of financial security.
- 509.4.2 The amount of financial security for the first one (1) year period shall be established as set forth in paragraph 509.3. On or about the expiration of the preceding one (1) year period, the subdivider shall submit to the Township a current cost estimate for the required improvements. The amount of financial security for the upcoming one (1) year period shall be equal to one hundred ten percent (110%) of the cost of completing the required improvements.
- 509.5 Where the development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by sections or stages of development, subject to such requirements or guarantees as to improvements in future sections or stages as it finds essential for the protection of any finally approved section of the development.

509.6 Partial Release from Performance Guarantee

- 509.6.1** The developer may request, from time to time, as work progresses, the release of such portions of the financial security necessary for payment to the contractor performing the work.
- 509.6.2** All such requests shall be in writing, by certified mail, addressed to the Board of Supervisors with a copy thereof sent to the Township Engineer. The Board of Supervisors shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plan and to act upon such request.
- 509.6.3** Accompanying all requests for the release of financial security, there must be a certification to the Board of Supervisors from the developers engineer that the subject portion of work has been completed in accordance with the approved plans and to Township standards. The certification must be specific in regards to type, amount, and actual location of the work completed. The period of time allocated to the Township for such inspections and action will not begin until such Certification has been received by the Township.
- 509.6.4** Upon the Township Engineer's certification, the Board of Supervisors shall authorize the release of an amount of financial security as estimated by the Township Engineer to fairly represent the value of the improvements completed. The Board of Supervisors may, prior to final release at the time of completion and certification by the Township engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvements.
- 509.6.5** Should the Board of Supervisors fail to act within said forty-five (45) day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested.

509.7 Release from Performance Guarantee

- 509.7.1** When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors, in writing, by certified mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Board of Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board of Supervisors and shall promptly mail a copy of the same to the developer by certified mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board of Supervisors and said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvement, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain, by reference to Section s of this Ordinance, a statement of reasons for such nonapproval or rejection.
- 509.7.2** A certification, as specified in paragraph 509.6.3, must be submitted with all requests for the release of financial security.
- 509.7.3** The Board of Supervisors shall notify the developer, in writing, by certified mail, of the action of said Board of Supervisors with relation thereto.
- 509.7.4** If the Board of Supervisors of the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guarantee.
- 509.7.5** If any portion of the said improvements are not approved or are rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- 509.7.6** Prior to final approval of any improvement by the supervisors, the Supervisors may require the Developer to furnish to the Township three (3) complete sets of paper prints and one (1) set of mylar reproducible "AS BUILT" drawings of all completed improvements, including but not limited to street plans and profiles, storm water management plans, sewage systems and water systems, if applicable. All drawings shall be signed and

sealed by a Professional Engineer and/or a Professional Land Surveyor. Drawings shall show the improvements as originally designed and approve with the final plans as well as the improvements after the construction thereof.

509.8 In the event that any improvements, which may be required, have not been installed as provided in this Ordinance or in accord with the approved plan, the Board of supervisors may enforce any corporate bond, or other security by appropriate and equitable remedies. If proceeds of such bond, or other security, are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the board of supervisors may, at its option, install part of such improvements in all or part of the subdivision and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security of from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security and not for any other municipal purposes.

**Table 5-1
SCHEDULE OF REQUIRED IMPROVEMENTS**

MINIMUM IMPROVEMENTS REQUIRED BY TYPE OF SUBDIVISION OR LAND DEVELOPMENT

<u>Type Of Improvements</u>	<u>Residential</u>		<u>Mobile</u>	<u>Camp-</u>	<u>Commercial</u>
	<u>Single</u>	<u>Multi-</u>	<u>Home</u>	<u>Grounds</u>	<u>Industrial</u>
	<u>Family</u>	<u>Family</u>	<u>Parks</u>		<u>Developments</u>
Roads & Streets	X	X	X	X	X
Alleys	na	na	na	na	a
Driveway Entrances	c	X	X	X	X
Off Street Parking	c/d	X	X	X	X
Off Street Loading Areas	na	na	na	na	b
Storm Drainage Facilities	X	X	X	X	X
Erosion Control Facilities	X	X	X	X	X
Concrete Curbs	c	c	c	c	c
Community/Central Water Supply System	c	X	X	X	c
Community/Central Sewer Disposal System	c	X	X	X	c
Individual On-Site Water Supply	d	na	na	na	d
Individual On-Site Sewage Disposal	d	na	na	na	d
Underground Utilities	Y	Y	X	X	Y
Survey Monuments	X	X	X	X	X
Survey Lot Markers	X	X	c	c	X
Street Name Signs	X	X	X	X	X
Street Traffic Signs	X	X	X	X	X
Street Lights	na	X	X	X	X
Traffic Lights	c	c	c	c	c

- NOTES:** X = Required for the particular type of development.
 Y = Required wherever practical and/or required by the Penna. Public Utilities Commission.
 a = Permitted to provide service as needed.
 b = Required according to the number of units and size of facilities planned.
 c = The Township Planning Commission and/or the Township Board of Supervisors may require according to individual site characteristics.
 d = By lot owner at time of construction of principal dwelling.
 na = Not applicable for the particular type of development.

Additional minimum improvements may be required by the Township Planning Commission and/or the Township Board of Supervisors when deemed necessary or advisable.

Table 5-2

MINIMUM CONSTRUCTION STANDARDS FOR STREETS

<u>CLASS OF STREET</u>	<u>SUBBASE COURSE</u>		<u>BASE COURSE</u>		<u>SURFACE COURSE</u>		<u>SHOULDERS</u>	
	<u>Material</u>	<u>Depth</u>	<u>Material</u>	<u>Depth</u>	<u>Material</u>	<u>Depth</u>	<u>Material</u>	<u>Depth</u>
Connector	2A crushed stone	8"	ID-2 Binder over	3"	ID-2 Wearing Course	1.5"	2A Crushed Stone	As Required by Base Choise & Cross Slope
	or		2A Crushed Stone	4"				
Colector minor	Bank Run Gravel	8"	or BCBC	4"				
Alley	Not Applicable		Crushed Stone Broken Shale Bank Run Gravel	8"	ID-2 Wearing Course	2.5"	Not Applicable	
Private Access	Not Applicable		Crushed Stone Broken Stone Bank Run Gravel	6"	Not Applicable		Not Applicable	

ARTICLE 6
PLAN REQUIREMENTS

Section 601 Purposes and Applicability.

601.1 The provisions of this Article shall apply to all subdivision and land development applications in this Township. For the convenience of applicants, the Township provides a complimentary Plan Requirements Checklist listing all the documents that this Ordinance requires to be submitted at each step of the review process. Copies of this checklist are available from the Township Office. The checklist also facilitates review by staff and officials as they review each application for completeness and conformance with relevant ordinance provisions.

(Revised by Ord. 137 5/4/05)

601.2 All Sketch Plans, Preliminary Plans, and Final Plans for Major Subdivisions, Minor Subdivisions and Land Developments shall comply with the provisions of Sections 602 through 610 of this Ordinance.

Section 602 All Plans

602.1 All plans submitted shall conform to the following:

602.1.1 Plans shall be clear, legible, white prints.

602.1.2 Plans shall be prepared on one of the following sheet sizes: 8.5"x14", 12"x 18", 18" x 24", or 24" by 36".

602.1.3 If necessary, the subdivision shall be shown on two or more sheets or sections.

602.1.4 Plans shall have a one (1) inch margin along all borders.

602.1.5 Plans shall be drawn in conformity with the following schedule, provided all courses, metes and bounds and other information can be legibly and accurately presented on the plan.

602.1.5.1 All plans, except as provided below, shall be drawn at a scale of one (1) inch equals fifty (50) feet or one (1) inch equals one hundred (100) feet.

602.1.5.2 Where more than one half of the total number of lots or parcels shown on the plan have an area of ten (10) acres or more, the plan may be drawn at a scale of one (1) inch equals two hundred (200) feet.

602.2 All plans shall contain the following:

- 602.2.1 Name of proposed subdivision.**
- 602.2.2 Name and address of record owner.**
- 602.2.3 Name and address of subdivider or developer if different than owner. When the owner or developer is a corporation, corporation officers and major stockholders shall also be listed. When the owner of developer is a partnership the names of the partners shall be listed, and if it is a joint venture or other legal entity, the names of the individuals involved shall also be listed.**
- 602.2.4 Name of municipality(ies) in which the subdivision is located.**
- 602.2.5 Municipal boundary lines, if applicable.**
- 602.2.6 Date of submission.**
- 602.2.7 North arrow – magnetic or true.**
- 602.2.8 Scale and graphic scale.**
- 602.2.9 Name, address, license number and seal of the engineer or surveyor responsible for the plan.**
- 602.2.10 Tract boundaries.**
- 602.2.11 Proposed and existing street and lot layout.**
- 602.2.12 Names of adjoining property owners including those across adjacent roads. If an existing subdivision is adjoining, include the book and page where recorded.**
- 602.2.13 All existing wetland watercourses, streams, ponds, lakes or other bodies of water.**
- 602.2.14 Any proposed deed restrictions and protective or restrictive covenants.**
- 602.2.15 Zoning District.**
- 602.2.16 Deed Book Volume and page number of tract recording.**
- 602.2.17 Tax Map number.**

Section 603 Sketch Plan – Major Subdivisions

603.1 The sketch plan shall show or be accompanied by the following information, in addition to that required by paragraph 602.2:

603.1.1 Site data: acreage subdivided, number of new lots and length of new road.

603.1.2 The use to which the various areas will be put; residential, commercial, industrial, recreational.

603.1.3 Lot width, depth and area (typical).

603.1.4 Topography, soils mapping and classifications, and other significant physical features.

603.1.5 Swampy areas, springs, wetlands and areas subject to flooding.

603.1.6 Areas of rock outcropping.

603.1.7 A sketch to an appropriate scale, on one sheet, covering the entire contiguous holdings of the owner or developer showing that road extensions can be provided throughout the remainder of the tracts considering the factors listed above.

603.1.8 A portion of the latest U.S.G.S. Quadrangle with the perimeter of the subdivision accurately plotted thereon.

603.2 The sketch plan must be to scale but precise dimensions are not required.

Section 604 Preliminary Plan – Major Subdivisions

Copies of the preliminary plan shall be submitted as described in Section 403 of this Ordinance.

604.1 The preliminary plan shall show or be accompanied by the following information, in addition to that required by paragraph 602.2:

604.1.1 Site data: acreage subdivided, number of new lots and length of new road.

604.1.2 A location map for the purpose of locating the site to be subdivided. It shall be at a scale of one (1) inch equals two thousand (2000) feet and shall show the relationship of the tract to adjoining property and to all streets and municipal boundaries

within four thousand (4000) feet of any part of the proposed subdivision.

- 604.1.3 Location of all existing buildings, sewer systems, water systems, bridges, petroleum and gas lines, utility lines and other significant man-made features of the tract.
- 604.1.4 Location of all existing property lines, easements and rights-of-way with recording date, if any, and the purpose for which the easements or rights-of-way have been established.
- 604.1.5 Location of all existing streets on or adjacent to any part of the tract, including name, right-of-way width and pavement width.
- 604.1.6 Location and width of any proposed streets or other public ways shown upon an adopted Township or County development plan, if such exists for the area to be subdivided.
- 604.1.7 Tract boundaries with bearings in degrees, minutes and seconds, and the distances in feet and hundredths.
- 604.1.8 Location and width of all proposed streets, suggested street names, and proposed driveway access points on corner lots.
- 604.1.9 Proposed lot layout, lot numbers in consecutive order, approximate dimensions of lots, approximate lot areas, and proposed building setback lines.
- 604.1.10 Location, width and purpose of all proposed rights-of-way and easements, including those required by paragraph 702.8.
- 604.1.11 Location and approximate dimensions of parks, playgrounds, lakes, ponds or other bodies of water, and other community buildings, facilities and areas, together with any conditions on such dedications.
- 604.1.12 Location of all significant natural features, such as swampy areas, wetlands, springs, and rock outcroppings.
- 604.1.13 Location of any annual high water flow line and 100-year flood plain.

- 604.1.14 Contour lines at vertical intervals of not more than twenty (20) feet as accurately superimposed from the latest U.S.G.S. Quadrangle or at a closer interval as may be available or required to provide adequate design of improvements.
- All contours and elevation points within the subdivision shall be established and run direct from U.S.G.S. benchmarks. In the event U.S.G.S. benchmarks are not readily available, a beginning benchmark will be established from the U.S.G.S. Quadrangle and noted on the plan.
- 604.1.15 Location and extent of various soil types, and in the case of on-site sewage disposal systems, the location of soil test pits and the D.E.R. classification for each soil type.
- 604.1.16 Preliminary road profiles, including grades, points of vertical intersection and lengths of vertical curve; typical street cross-sections and specifications.
- 604.1.17 Evidence that a PennDOT or Township Highway Occupancy Permit application has been submitted for all classes of streets, which enter into a street under the jurisdiction of PennDOT or the Township.
- 604.1.18 Preliminary designs of any bridges or culverts, which may be required.
- 604.1.19 Preliminary drainage plan consisting of the location, type and character of all storm sewers, culverts, natural watercourses, drainage easements, impoundment areas, and existing and proposed topographic contours.
- 604.1.20 Proposed location of all required monuments.
- 604.1.21 Type of water supply and sewage disposal facilities proposed; central or on-lot.
- 604.1.22 Preliminary designs of any sewage disposal or water supply systems which may be proposed; letter from a public company or authority guaranteeing adequacy (if appropriate); and copies of any correspondence relating to said systems.
- 604.1.23 Proposed areas for the location of wells and subsurface disposal fields and the D.E.R. Land Planning Module (if appropriate).

- 604.1.24 A sketch to an appropriate scale, on one sheet, covering the entire contiguous holdings of the owner or developer showing the proposed road system for any area not included in the preliminary plan.
- 604.1.25 Final contours may be required in the event of a question regarding the suitability of the topography for any intended use.
- 604.1.26 A portion of the latest U.S.G.S. Quadrangle with the perimeter of the subdivision accurately plotted thereon.
- 604.1.27 A place on the plan for approval signatures and plan revisions.

Section 605 Final Plan – Major Subdivision

Copies of the final plan shall be submitted as described in Section 403 of this Ordinance.

605.1 The final plan shall show or be accompanied by the following information, in addition to that required by paragraph 602.2 and Section 604:

- 605.1.1 Boundary lines of the area for which approval is being sought. These boundaries shall be determined by accurate field survey, closed with an error not to exceed one (1) in five thousand (5000) and balanced.
- 605.1.2 Street lines and names, lot lines, rights-of-way, easements, community or public areas, and any limitations associated herewith.
- 605.1.3 Excepted parcels or sections shall be marked “NOT INCLUDED IN THIS PLAT” and their boundary completely indicated by bearings and distances.
- 605.1.4 Sufficient bearings, length of lines, radii, arc lengths, street widths, rights-of-way and easements widths, of all lots, streets, rights-of-way, easements, and community or public areas, to accurately and completely reproduce each and every course on the ground. All dimensions shall be shown in feet and hundredths of a foot and all bearing shall be shown to one second of arc.
- 605.1.5 Lots shall be numbered consecutively and lot areas shall be shown in square feet or acres.
- 605.1.6 Location of all required monuments and markers as approved by the Township Engineer.

- 605.1.7 Proposed area for the location of wells and subsurface disposal fields (if appropriate).
- 605.1.8 A place on the plan for recommendation by the Planning commission and for approval by the Board of supervisors, including a space for the date of approval.
- 605.1.9 The following items shall be on all plans in the form of protective covenants:
 - 605.1.9.1 Building setbacks.
 - 605.1.9.2 Corner lot sight easements.
 - 605.1.9.3 Utility, drainage and slope easements.
 - 605.1.9.4 “Well and sewage disposal systems shall be constructed in accordance with recommended standards of the Pennsylvania Department of Environmental Resources.” (if appropriate)
 - 605.1.9.5 “Individual owners of lots must apply to the township for a sewage or a well permit prior to undertaking the construction of an on-lot system.” (if appropriate)
 - 605.1.9.6 “The Planning Commission and the Supervisors have not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system.” (if appropriate)
 - 605.1.9.7 “By approval of this plan the Township of Barrett has neither confirmed nor denied the existence and/or extent of any wetland areas whether or not delineated on the said plan and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the subdivider and/or developer, his heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or the Pennsylvania Department of Environmental Resources and the said encroachment shall conform to the rules and regulations of the jurisdictional agencies”.

- 605.1.10 The following general note shall be on all final plans, if appropriate:
- “All roads shall remain private, not open to the public travel, and shall not in the future be offered for dedication to Barrett Township by the subdivider, heirs, successors or assigns, unless all requirements of Township Ordinance No. 100, or any amendment thereto, shall have been installed”.
- The developer must set forth a method, satisfactory to the township, to; be instituted to insure the perpetual maintenance of private roads and related features.
- 605.1.11 A highway occupancy permit is required pursuant to Section 420 of act of June 1, 1945 (P.L. 1242, No. 428) known as the “State Highway Law” before driveway or street access to a State Highway is permitted. A highway occupancy permit is required pursuant to Ordinance No. 102 before driveway or street access to a Municipal street is permitted.
- Access to a State Highway or Municipal street shall be only as authorized by a highway occupancy permit.
- 605.1.12 Existing and final profiles along the center-line of Roads plotted accurately to scale; typical street cross-sections and specifications. Final road profiles shall include: tangent grades, stations and final elevations of points of vertical curve, points of vertical intersection, points of vertical tangency, and the lengths of all vertical curves.
- 605.1.13 Final plans or drainage, storm sewer, sanitary sewer, and water distribution systems and their associated construction improvement standards, such as typical channel sections, erosion control measures, water and sewer connections, and any other special designs.
- 605.1.14 Final designs of any bridges or culverts, which may be required.

605.1.15 Approval by the appropriate agencies for the storm water runoff, soil and erosion control, sewage disposal, water supply, highway occupancy, and wetland encroachment.

605.1.16 Final contours may be required in the event of a question regarding the suitability of the topography for any intended use.

605.2 All plan sheets comprising the set of final plans shall be consecutively numbered as "SHEET ___ OF ___".

605.3 The set of plans shall be neatly bound on the left or top to make a book of drawings.

605.4 After all signatures have been affixed to the reproducible print of the final plan, the subdivider shall supply four (4) black line or blue line prints to the Township.

Section 606 Minor Subdivision Plans

606.1 The minor subdivision plans shall show or be accompanied by the following information, in addition to that required by paragraph 602.2:

606.1.1 A plan of the area proposed to be subdivided, including tract boundaries, if appropriate, street lines and names, lot lines, rights of-way or easements (existing or proposed, if any).

606.1.2 Sufficient data, acceptable to the Township Engineer, to determine readily the location bearing and length of every boundary, street and lot line (based upon an accurate field survey, closed with an error not to exceed one in five thousand and balanced). All dimensions shall be shown in feet and hundredths of a foot and all bearings shall be shown to one second of arc.

606.1.3 Lots shall be numbered consecutively and lot areas shall be shown in square feet or acres.

606.1.4 Monuments and/or markers shall be shown on the plan and shall be placed in accordance with Section 504.

606.1.5 Any existing buildings located on the tract being subdivided shall be plotted, to determine compliance with setback requirements.

- 606.1.6 A place on the plan for recommendation by the Planning Commission and for approval by the Board of Supervisor, including a space for the date of approval.
- 606.1.7 Minor subdivisions qualifying under subparagraphs (A) and (B) of the definition of Minor Subdivision in this Ordinance shall prepare and submit a completed Minor Subdivision Planning Module and the plan shall show:
- 606.1.7.1 Contour lines at an interval of not greater than twenty (20) feet as transposed from the U.S.G.S. Quadrangle or from survey.
 - 606.1.7.2 The location and extent of various soil types together with the D.E.R. classification for each type.
 - 606.1.7.3 The location of any soil test pits. The log of the test pit evaluation shall accompany the plan.
 - 606.1.7.4 The location of any percolation test holes. The results of the percolation tests shall accompany the plan.
 - 606.1.7.5 The recommended areas for well locations (if any) and for subsurface disposal fields (if any).
- 606.1.8 The location and width of any streets or other public ways or parcels shown upon an adopted Township or County development plan, if such exists for the area being subdivided.
- 606.1.9 The latest U.S.G.S. Quadrangle or portion thereof with the perimeter of the subdivision plotted thereon to scale.
- 606.1.10 A sketch to an appropriate scale, on one sheet, covering the entire contiguous holdings of the owner or subdivider showing that the proposed subdivision provides for the orderly development of any residual lands and/or does not adversely affect the residual lands.
- 606.1.11 The following shall be on the plan in the form of protective covenants:
- 606.1.11.1 “This plan is under and subject to all requirements and restrictions as set forth in both the Barrett

Township Subdivision Ordinance and Zoning Ordinance, as amended”

- 606.1.11.2 In the event the subdivision incorporates a private access as defined in this Ordinance the following: “The improvement and maintenance of the private access shall be the sole responsibility of those persons benefiting by the use thereof.”
- 606.1.11.3 In the event the subdivision qualifies under subparagraph (C) of the definition of Minor Subdivision in this Ordinance, the following: “Lot Number ____ shall be merged into and become an inseparable part of lands of (grantee) as recorded in Deed Book Volume ____, Page ____ and cannot be subdivided or sold separately or apart therefrom without Township approval.”
- 606.1.11.4 Specific restrictions and covenants, which the Commission deems, fit and appropriate.
- 606.1.11.5 A highway occupancy permit is required pursuant to Section 420 of act of June 1, 1945 (P.L. 1242, No. 428) known as the “State Highway Law” before driveway or street access to a State Highway is permitted. A highway occupancy permit is required pursuant to Ordinance No. 102 before driveway or street access to a Municipal street is permitted. Access to a State Highway or Municipal street shall be only as authorized by a highway occupancy permit.
- 606.2 In the event the subdivision incorporates a private access, as defined in this Ordinance, the design of such street shall conform to the requirements set forth in Table 7-1. Typical cross-sections shall be submitted for al private access, the design of which shall be adequate for the anticipated traffic. The Commission may require that center-line profiles, together with all vertical curve data, be submitted.
- 606.3 Following the initial review and site inspection of the area to be subdivided, the Commission may require the subdivider to submit any additional information as may be required for a major subdivision, as the Commission deems fit and appropriate.
- 606.4 After all signatures have been affixed to the final plan, the subdivider shall supply four (4) prints to the Township.

- 606.5 Approved minor subdivision plans prepared on a sheet size of 8 ½ inches by 14 inches shall be attached to the Deed and be recorded therewith; all other minor subdivision plans shall be recorded in the Map Book Volumes.

Section 607 Land Development Plan

All land development plans submitted shall be drawn in full conformance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, date and material.

- 607.1 **Scale** – The land development plan shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet or larger. A smaller scale can be used if it can be demonstrated that the smaller scale is capable of showing in sufficient detail all elements of the proposed use.
- 607.2 **Sheet Size** – An size capable of setting forth clearly all details of the proposed use, not to exceed twenty-four (24) inches by thirty-six (36) inches.
- 607.3 **Key Diagram** – If the land development plan requires more than one (1) sheet, a key diagram showing the relative location of the several section shall be drawn on each sheet.
- 607.4 **Plan Information** – The land development plan shall contain at least the following information in addition to Section 602.2:
- 607.4.1 Location, name and number, pavement and right-of-way widths of all interior and adjacent roads.
 - 607.4.2 Location, width and purpose of all existing and proposed easements, building set-backs, reservations and areas dedicated to the public use within or adjoining the property.
 - 607.4.3 Complete outline of any existing and/or proposed deed restrictions or covenants applying to the property.
 - 607.4.4 **Natural Features, including but not limited to:**
 - a. Existing and proposed contours with intervals of two (2) feet or less, based on an actual or approximate USGS datum.
 - b. Approximate boundaries of any areas subject to flooding or storm water overflows.
 - c. Locations of existing water courses, wetlands and marshes, steep slope and wooded areas, rock outcrops. Isolated trees

with a diameter of eight (8) inches or more, measured four (4) feet above the average ground level and other significant existing features.

d. Soils as identified from Soil Conservation soils maps.

607.4.5 Existing structures and utilities on or within fifty (50) feet of property including:

a. Location of uses and outlines of structures accurately drawn to scale.

b. Location and design of all uses not requiring structures, such as off-street parking and loading areas.

c. Location, direction, description and time of use of any proposed outdoor lighting or public address systems.

d. Location and design of any proposed or existing outdoor signs.

e. Location and arrangement of proposed means of access or egress, including sidewalks, driveways or other paved areas.

1) Profiles and/or contours indicating grading areas and cross-sections showing width and proposed construction design of roadways, sidewalks, driveways and other paved areas.

f. Proposed screening or landscaping including types and locations of proposed trees.

g. Location of all proposed water lines with valves and hydrants

1) Profiles indicating depth, grades and elevations of proposed water and sewer lines.

h. Parcel use plans shall give attention to specialized requirements of wetland, flood plain and steep slope areas.

i. If the development plan only indicates a first stage, a supplement plan shall indicate ultimate development.

- 607.4.7 Any and all other information deemed by the Planning Commission, the Zoning Hearing Board or the Board of Supervisors necessary to determine conformity of the development plan with the intent and provisions of this and any other applicable Ordinance.
- 607.4.8 A place on the plan for recommendation by the Planning Commission and for approval by the board of Supervisors, including a space for the date of approval.

Section 608 Sketch Plan Overlay Sheet *(This section in its entirety was added by Ord. 137 5/4/05)*

- 608.1 A Sketch Plan may be submitted by the applicant as a diagrammatic basis for informal discussion with the Board, the Planning Commission, and the county Planning commission regarding the design of a proposed subdivision or land development.
- 608.2 To provide a full understanding of the site's potential and to facilitate the most effective exchange with the Planning commission, the Sketch Plan shall include the information listed below. Many of these items can be taken from the Existing Resources and Site Analysis Plan, a document that must in any case be prepared and submitted no later than the date of the Site Inspection, which precedes the conceptual Preliminary Plan (see Section 609.3). In fact, the diagrammatic Sketch Plan may be prepared as a simple overlay sheet placed on top of the Existing Resources and Site Analysis Plan.
- 608.3 The Sketch Plan shall comply with the requirements of Section 602 of this Ordinance. In addition, the Sketch Plan shall show the following information:
 - 608.3.1 100-year floodplain limits, and approximate location of wetlands, if any.
 - 608.3.2 Topographic, physical, and cultural features including fields, pastures, meadows, wooded areas, individual trees with a diameter of 21 inches or greater, hedgerows, steep slopes (15 to 25 percent, and 25 percent or greater), rock outcroppings, soil types, ponds, ditches, drains, dumps, storage tanks, streams within 200 feet of the tract, existing rights-of-way and easements, and all structures and wells.
 - 608.3.3 Schematic layout indicating a general concept for land conservation and development. This is acceptable for Step One of the four-step design process described in Section 609.4 of this ordinance.

608.3.4 General description of the proposed method of water supply, sewage disposal, and stormwater management.

(This section in its entirety was added by Ord. #137 5/4/05)

Section 609 Documents Required For The Conceptual Preliminary Plan.

The application for a Conceptual Preliminary Plan shall provide the name and address of the legal owner or equitable owner of the subject property, and the name and address of the applicant if not the same party, plus the following elements listed below. A deed or agreement of sale shall be submitted which shows that the applicant is the legal or equitable owner of the land to be subdivided or developed.

609.1 Conceptual Preliminary Plan Application Submission Requirements.

The submission requirements for a Conceptual Preliminary Plan shall consist of the following elements. Drafting Standards and plan requirements shall comply with Section 602 of this Ordinance.

609.1.1 Site Context Map (see Section 609.2).

609.1.2 Existing Resources and Site Analysis Plan (see Section 609.3).

609.1.3 Preliminary Resource Impact and Conservation Plan (see Section 609.5).

609.1.4 Preliminary Improvements Plan (see Section 609.6).

609.1.5 Preliminary Studies and Reports as set forth in other parts of this Ordinance and in Section 609.7.

609.2 Site Context Map.

A map shall be submitted showing the location of the proposed subdivision within its neighborhood context.

609.2.1 For sites under 100 acres in area, such map shall be at a scale not less than 1"=200', and shall show the relationship of the subject property to natural and man-made features existing within 1,000 feet of the site. For sites of 100 acres or more, the scale shall be 1"=400', and shall show the above relationships within 2,000 feet of the site.

609.2.2 Features to be shown on Site Context Maps include the following:

- a. Topography and ridge lines (from U.S.G.S. maps).
- b. Stream valleys and wetland complexes (from maps published by the U.S. Fish and Wildlife Service or the U.S.DA. Natural Resources Conservation Service).

- c. Woodlands over one-half acre in area (from aerial photographs).
- d. Public roads and trails, utility easements and rights-of-way, public land, and land protected under conservation easements.

609.2.3 An aerial photograph (or photographs, if the site extends into more than one photograph) shall be submitted, showing the site and its context. The aerial photograph shall include some or all of the features to be shown, above.

609.3 Existing Resources and Site Analysis Plan.

For all conservation subdivisions (except those in which all proposed lots are to be ten or more acres in area), an Existing Resources and Site Analysis Plan shall be prepared to provide the developer and the township with a comprehensive analysis of existing conditions, both on the proposed development site and within 500 feet of the site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies, and from aerial photographs. The Township shall review the Plan to assess its accuracy, conformance with Township ordinances, and likely impact upon the natural and cultural resources on the property. The following information shall be included in this Plan:

609.3.1 An aerial photograph enlarged to a scale not less detailed than 1 inch = 400 feet, with the site boundaries clearly marked. The aerial photograph may be a separate sheet as part of the Existing Features and Site Analysis Plan.

609.3.2 Topography, the contour lines of which shall generally be at two-foot intervals, (although 10-foot intervals are permissible beyond the parcel boundaries, interpolated from U.S.G.S. published maps). The determination of appropriate contour intervals shall be made by the township, which may specify greater or lesser intervals on exceptionally steep or flat sites. Slopes between 15 and 25 percent and exceeding 25 percent shall be clearly indicated. Topography for major subdivisions shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official U.S.G.S. benchmarks.

609.3.3 The location and delineation of ponds, streams, ditches, drains, and natural drainage swales, as well as the 100-year floodplains and wetlands, as defined in the Zoning Ordinance. Additional areas of wetlands on the proposed development parcel shall also be

indicated, as evident from testing, visual inspection, or from the presence of wetland vegetation.

- 609.3.4 Vegetative cover conditions on the property according to general cover type, including cultivated land, permanent grass land, meadow, pasture, old field, hedgerow, woodlands, and individual trees with diameter of 21 inches or greater.
- 609.3.5 Soil series, types and phases, as mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for Monroe County, and accompanying data published for each soil relating to its suitability for construction (and, in unsewered areas, for septic suitability).
- 609.3.6 Watershed boundaries and ridge lines shall be identified.
- 609.3.7 Geologic formations on the proposed development parcel, including rock outcroppings and cliffs, based on available published information or more detailed data obtained by the applicant.
- 609.3.8 All existing man-made features, including but not limited to streets, driveways, farm roads, woods roads, trails in public use, buildings, foundations, walls, wells, drainage fields, dumps, utilities, fire hydrants, and storm and sanitary sewers.
- 609.3.9 All easements and other encumbrances of property, which are or have been filed of record with the Recorder of Deeds of Monroe County, shall be shown on the plan.
- 609.3.10 Total acreage of the tract, the Adjusted Tract Area, and the constrained land area with detailed supporting calculations.

609.4

Four-Step Design Process for Conservation Subdivisions.

This process shall be used in all conservation subdivisions in the R-1, T-1, and S-1, Districts. All Conceptual Preliminary Plans in the Conservation Design Overlay District shall include documentation of a four-step design process in determining the layout of proposed greenway lands, house sites, streets, and lot lines, as described below. Graphics illustrating the four-step design process can be found in the appendix of this ordinance.

609.4.1 **Step 1: Delineation of Greenway Lands.**

- a. The minimum percentage and acreage of required greenway lands shall be calculated by the applicant and submitted as part of the Sketch Plan or Conceptual

Preliminary Plan in accordance with the provisions of this Ordinance and of the Zoning Ordinance. Greenway lands shall include all Primary Conservation Areas and those parts of the remaining buildable lands with the highest resource significance, as described below and in Sections 709 and 710.

- b. Proposed greenway lands shall be designated using the Existing Resources and Site Analysis Plan as a base map and complying with the applicable provisions of the Zoning Ordinance and Sections 709 and 710 herein, dealing with Resource Conservation and Greenway Delineation Standards. The Township's Map of Potential Conservation Lands in the Comprehensive Plan shall also be referenced and considered. Primary Conservation Areas shall be delineated comprising floodplains, wetlands and slopes over 25 percent. (The definition of Primary Conservation Areas is independent of the "density factors" applied to various categories of constrained lands to calculate "Adjusted Tract Area" in section 10.430 of the Zoning Ordinance.)
- c. In delineating Secondary Conservation Areas, the applicant shall prioritize natural and cultural resources on the tract in terms of their highest to least suitability's for inclusion in the proposed Greenway, in consultation with the Planning Commission and in accordance with Section 710 herein ("Prioritized List of Resources to be Conserved" and "Other Design Considerations").
- d. Secondary Conservation Areas shall be delineated to meet at least the minimum area percentage requirements for greenway lands. SCA's shall be shown with their boundaries as well as the types of resources included within them. SCA's shall take into account those priorities and practical considerations given to the tract's configuration, its context in relation to resources areas on adjoining and neighboring properties, and the applicant's subdivision objectives.

609.4.2

Step 2: Location of House Sites.

Potential house sites shall be tentatively located, using the proposed greenway lands as a base map as well as other relevant data on the Existing Resources and Site Analysis Plan such as topography and soils. House sites should generally be located not closer than 100 feet from Primary Conservation Areas and 50 feet

from Secondary Conservation Areas, taking into consideration the potential negative impacts of residential development on such areas as well as the potential positive benefits of such locations to provide attractive views and visual settings for residences.

609.4.3 **Step 3: Location of Infrastructure.**

- a. Upon designating the house sites, a street plan shall be designed to provide vehicular access to each house, complying with the standards in Article 7 herein and bearing a logical relationship to topographic conditions. Impacts of the street plan on proposed greenway lands shall be minimized, particularly with respect to crossing environmentally sensitive areas such as wetlands and traversing slopes exceeding 15 percent. Street connections shall generally be encouraged to minimize the number of new cul-de-sacs to be maintained by the Township and to facilitate access to and from homes in different parts of the tract (and adjoining parcels).
- b. Preferred locations for stormwater and wastewater management facilities shall be identified using the Existing Resource and Site analysis Plan and the proposed greenway lands as the base maps. The applicant is encouraged to use these facilities as additional buffers between the proposed greenway lands and development areas. These facilities should generally be designed to improve the quality of stormwater runoff and wastewater effluent with emphasis placed on achieving maximum groundwater recharge. The facilities should be located in areas identified as groundwater recharge areas as indicated on the Existing Resources and Site analysis Plan. The design of the facilities should strive to use the natural capacity and features of the site to facilitate the management of stormwater and wastewater generated by the development.

609.4.4 **Step 4: Drawing in the Lot Lines:**

Upon completion of the preceding three steps, lot lines are drawn as required to delineate the boundaries of individual residential lots.

609.4.5 Applicants shall be prepared to submit four separate sketch maps indicating the findings of each step of the design process, if so requested by the Planning Commission or the Board.

609.5

Preliminary Resource Impact and Conservation Plan.

- 609.5.1 A Preliminary Resource Impact and conservation Plan shall be prepared for all major subdivision and land development applications to categorize the impacts of the proposed activities and physical alterations on those resources shown on the Existing Resources and Site Analysis Plan (as required under Section 609.3). All proposed improvements, including but not necessarily limited to grading, fill, streets, buildings, utilities, and stormwater detention facilities, as proposed in the other conceptual Preliminary Plan documents, shall be taken into account in preparing the Preliminary Resource Impact and Conservation Plan, which shall clearly demonstrate that the applicant has minimized site.
- 609.5.2 Using the Existing Resources and Site Analysis Plan as a base map, impact areas shall be mapped according to the following categories: (1) primary impact areas, i.e., areas directly impacted by the proposed subdivision, (2) secondary impact areas, i.e., areas in proximity to primary areas which may be impacted, and (3) designated protected areas, either to be included in a proposed Greenway or an equivalent designation such as dedication of a neighborhood park site.
- 609.5.3 This requirement for a Preliminary Resource Impact and Conservation Plan may be waived by the Board of Supervisors upon recommendation of the Planning commission if, in the Board's judgment, the proposed development areas as laid out in the Sketch Plan or in the Conceptual Preliminary Plan would likely to cause no more than an insignificant impact upon the site's resources.

609.6

Preliminary Improvements Plan.

This plan shall include the following items:

- 609.6.1 Historic resources, trails and significant natural features, including topography, areas of steep slope, wetlands, 100-year floodplains, swales, rock outcroppings, vegetation, existing utilities, and other site features, as indicated on the Existing Resources and Site Analysis Plan.
- 609.6.2 Existing and approximate proposed lot lines, lot areas, any existing easements and rights-of-way, including all street extensions or spurs that are reasonable necessary to provide adequate street connections and facilities to adjoining development or

undeveloped areas; preliminarily engineered profiles for proposed streets.

- 609.6.3 Approximate location, alignment, width, and tentative names of all proposed streets and street rights-of-way, including all street extensions or spurs that are reasonably necessary to provide adequate street connections and facilities to adjoining development or undeveloped areas; preliminarily engineered profiles for proposed streets.
- 609.6.4 Approximate location of proposed swales, drainage easements, stormwater, and other management facilities.
- 609.6.5 Where community sewage service is to be permitted, the conceptual layout of proposed sewage systems, including but not limited to the tentative locations of sewer mains and sewage treatment plants showing the type and degree of treatment intended and the size and capacity of treatment facilities.
- 609.6.6 Where central water service is to be permitted, the conceptual layout of proposed water distribution facilities including water mains, fire hydrants, storage tanks and, where appropriate, wells or other water sources.
- 609.6.7 Location of all percolation tests as may be required under this Ordinance including all failed test sites or pits as well as those approved, and including an approved alternate site for each lot requiring a sand mound system. All approved sites shall be clearly distinguished from unapproved sites.
- 609.6.8 Limit-of disturbance line.
- 609.6.9 Approximate location and dimensions of proposed playgrounds, public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use.
- 609.6.10 If land to be subdivided lies partly in or abuts another Township, the applicant shall submit information concerning the location and conceptual design of streets, layout and size of lots and provisions of public improvements on land subject to his or her control within the adjoining municipalities. The design of public improvement shall provide for a smooth, practical transition where specifications vary between townships. Evidence of approval of this information by appropriate officials of the adjoining Townships also shall be submitted.

- 609.6.11 Where the applicant proposes to install the improvements in phases, he or she shall submit with the Conceptual Preliminary Plan a delineation of the proposed sections and a schedule of deadlines within which applications for final approval of each section are intended to be filed.
- 609.6.12 Typical street cross-section drawing(s) for all proposed streets shall be shown, including details relating to thickness, crowning and construction materials.
- 609.6.13 Utilities and Easements. The plan shall show the exact location of existing utility easements and approximate locations of proposed utility easements; the approximate layout of all proposed sanitary and storm sewers and location of all inlets and culverts, and any proposed connections with existing facilities (these data may be on a separate plan); and the tentative location of proposed on-site sewage and water facilities.
- 609.6.14 Approximate location of proposed landscaping, plus locations of existing vegetation to be retained.
- 609.6.15 Signature blocks for the Planning Commission, Board, and the County Planning Commission shall be provided on the right-hand side of the Preliminary Improvements Plan.

609.7

Preliminary Studies and Reports.

When required by the Board, typically in cases involving large subdivision and land development proposals (those with more than 25 lots) or smaller development plans where the Board believes that potential impacts could be significant, the Conceptual Preliminary Plan submission shall include one or more of the following studies to assist in determination of the impact of the application upon Township services and facilities:

- 609.7.1 Sewer and Water Feasibility Report.
- 609.7.2 Groundwater Protection and Replenishment Study.
- 609.7.3 Erosion and Sedimentation Control Plan.
- 609.7.4 Traffic Impact Study.
A Traffic Impact Study shall be required for all proposed uses that will create 750 or more vehicle trips per day, according to the standards of the Institute of Transportation Engineers, *Trip Generation*, latest edition.

609.7.5

Preliminary Community Association Document.

A Community Association Document, also known as a Homeowner's Association Document of a Condominium Association Document, shall be provided for all subdivision and land development applications which propose lands or facilities to be used or owned in common by all the residents of that subdivision or land development and not deeded to the Township. The elements of the community Association Document shall include, but shall not be limited to the following:

- a. A description of all lands and facilities to be owned by the Community Association. This description shall include a map of the proposal highlighting the precise location of those lands and facilities.
- b. Statements setting forth the powers, duties, and responsibilities of the Community Association, including the services to be provided.
- c. A Declaration of Covenants, Conditions, and Restrictions, giving perpetual easement to the lands and facilities owned by the community Association. The Declaration shall be a legal document, which also provides for automatic Association membership for all owners in the subdivision or land development and shall describe the mechanism by which owners participate in the Association, including voting, elections, and meetings. Furthermore, it shall give power to the Association to own and maintain the common property and to make and enforce rules.
- d. Statements prescribing the process by which community Association decisions are reached and setting forth the authority to act.
- e. Statements requiring each owner within the subdivision or land development to become a member of the Community Association.
- f. Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.
- g. Requirements for all owners to provide a pro rata share of the cost of the operations of the Community Association.

- h. A process of collection and enforcement to obtain funds from owners who fail to comply.
- i. A process for transition of control of the community Association from the developer to the unit owners.
- j. Statements describing how the lands and facilities of the Community Association will be insured, including limit of liability.
- k. Provisions for the dissolution of the community Association, in the event the Association should become no longer viable.
- l. See also Section 10.900 of the Zoning Ordinance, "Ownership and Management of Greenway Land and Common Facilities"

609.8

Preliminary Greenway Ownership and Management Plan.

Using the Conceptual Preliminary Plan as a base map, the boundaries, acreage and proposed ownership of all proposed Greenway areas shall be shown. In addition, the applicant shall also submit a Preliminary Greenway Ownership and Management Plan detailing the entities responsible for maintaining various elements of the property, and describing management objectives and techniques for each part of the property. Such management plans shall be consistent with the requirements of Section 10.900 of the Zoning Ordinance ("Ownership and Management of Greenway Land and Common Facilities").

609.9

Preliminary Engineering Certification.

Prior to approval of the conceptual Preliminary Plan, the applicant shall submit to the Planning Commission a "Preliminary Engineering Certification" stating that the approximate layout of proposed streets, house lots and greenway lands complies with the Township's Zoning Ordinance and Land Development and Subdivision Ordinance, particularly those sections governing the design of subdivision streets and storm water management facilities. This certification requirement is meant to provide the Planning Commission with assurance that the proposed plan can be accomplished within the township's current regulations. The certification shall also note any waivers needed to implement the plan as drawn.

(This section in its entirety was added by Ord. 137 5/4/05)

Section 610

Detailed Final Plan.

Final plans shall conform to the Conceptual Preliminary Plan, including any conditions specified by the Board. A Detailed Final Plan shall consist of and be prepared in accordance with the following:

- 610.1 Drafting Standards. All drafting standards as required in Section 602 shall apply. Also, final plans shall be prepared at the scale of 1"=100'.
- 610.2 Existing Resources and Site Analysis Plan. A plan as stipulated in Section 609.3 consistent with the terms of Conceptual Preliminary Plan approval and modified as necessary to reflect the proposal for final approval.
- 610.3 Final Resource Impact and Conservation Plan.
- 610.3.1 This plan shall comply with all of the requirements for the Preliminary Resource Impact and Conservation Plan, as set forth in Section 609.5 to reflect all proposed improvements described in the other Detailed Final Plan documents, as required by Section 610 herein.
- 610.3.2 In addition to the requirements of Section 609.5 the applicant shall submit an accompanying Resource Assessment Report divided into the following sections: (1) description of existing resources (as documented in Section 609), (2) impacts of the proposed subdivision on existing resources, correlated to the areas depicted in the Final Resource Impact and Conservation Plan, and (3) measures taken to minimize and control such impacts both during and following the period of site disturbance and construction. The qualifications and experience of the preparer of this report shall be provided.
- 610.4 Final Improvements Construction Plan. Where public or private improvements other than monuments and street traffic signs are to be required for any subdivision or land development, an Improvements Construction Plan and specifications prepared by a registered professional engineer, shall be filed, setting forth the precise nature and exact location of the work and all engineering data necessary for completion of the work. The Improvements Construction Plan and specifications shall be subject to approval of the Township Engineer and the Board as a prerequisite to approval of the Detailed Final Plan. The Improvements construction Plan shall conform to the following standards and contain the following information.
- 610.4.1 All information required in Sections 602 and 609.6 relating to existing features and resources on the site.
- 610.4.2 Detailed profile sheets for all proposed streets within the tract.
- 610.4.3 If required, plans, details and specifications of streetlights to be installed, together with the necessary contract for street light installation for approval by the Township.

- 610.4.4 Detailed design of any stormwater management facilities that may be required.
- 610.4.5 Where off-site or community sewer service is to be provided the final detailed design of all facilities, including but not limited to sewer mains, manholes, pumping stations, and sewage treatment facilities.
- 610.4.6 Where off-site or central water service or water supply is to be provided, the final detailed design shall be shown, including location and size of water service facilities within the subdivision, wells, storage tanks, pumps, mains, valves, and hydrants.
- 610.4.7 Detailed designs for all other improvements as required by this Ordinance.
- 610.4.8 All other applicable Township, County, State and Federal permits.
- 610.5 Final Stormwater Management and Erosion & Sedimentation Control Plan.
- 610.6 Final Greenway Ownership and Management Plan.
Using the Detailed Final Plan as a base map, the precise boundaries, exact acreage, and proposed ownership of all proposed Greenway areas shall be shown. A narrative report shall also be prepared indicating how and by whom such Greenway areas will be managed, and demonstrating compliance with Article 10 of the Zoning Ordinance.
- 610.7 Additional Approvals, Certificates and Documents.
 - 610.7.1 All offers of dedication of realty or structures and all declarations, easements and covenants governing the reservation and maintenance of undedicated open space, for the Detailed Final Plan shall be in such form as shall be satisfactory to the Board.
 - 610.7.2 A copy of such deed restrictions, easements, covenants and declarations which are to be imposed upon the property to comply with the Detailed Final Plan as approved by the Board. All such documents shall be in such form as is satisfactory to the Board.

ARTICLE 7
DESIGN STANDARDS

Section 701 Application

The design standards and requirements set forth in this Article shall be observed as minimums by the subdivider or developer in the design of each subdivision, land development or portion thereof within Barrett Township and will be applied in evaluating plans for all proposed subdivisions and land developments. The Supervisors recognize that design standards and requirements set forth in each Section of this Article may be modified and a request for a variance from the standards or requirements of any Section will be considered on an individual basis. The applicant must justify the request for a variance and demonstrate that the proposed design is equal or superior to that set forth in the Section and substantially in conformance with the intent thereof. In granting a request for a variance the Supervisors may impose such requirements and conditions as they deem fit and proper.

Section 702 General Planning Considerations

- 702.1 Where either or both an Official Map or development plan has been adopted, a subdivision or land development shall conform to the proposals and conditions shown thereon. The streets, drainage rights-of-way, school sites, public parks and playgrounds shown on an officially adopted development plan or Official Map shall be considered in approval of plans.
- 702.2 The sequence of development shall permit the logical extension of public improvements simultaneously with the lots they serve in order to provide adequate traffic circulation, fire protection, utilities and general Township services.
- 702.3 All portions of a tract being subdivided shall be taken up in lots, streets, public lands, easements, buffer strips, or proposed uses so that remnants and landlocked areas shall not be created.
- 702.4 Reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands are prohibited.
- 702.5 Wherever possible, lot lines shall follow municipal and county boundary lines rather than cross them.
- 702.6 The subdivider or developer shall minimize or preserve, to the greatest extent possible, natural groundwater recharge areas, springs, streams, lakes, ponds, agriculturally suited soils, woodlands, prime wildlife habitats and steep slopes with grades of 25% or greater.

- 702.6.1 Flood plains of the one hundred recurrence interval flood shall not be altered, regarded, filled or built upon except in conformance with Barrett Township Flood Plain Ordinance No. 95 as amended from time to time and approval of the Department of Environmental Resources, if applicable.
- 702.6.2 Streams, springs, watercourses, wetlands, lakes or ponds shall not be altered, regarded, developed, filled, piped, diverted or build upon without obtaining design approval and permits from agencies having jurisdiction thereof.
- 702.6.3 All subdivisions and land developments shall control accelerated erosion and sedimentation in accordance with PA Title 25, Chapter 102, Erosion Control regulations of the Department of Environmental Resources. A plan of control found adequate by the Monroe County Conservation District shall be submitted when applicable.
- 702.6.4 Any proposed land use which may directly or indirectly be means of effluent discharge into the ground or indirectly through leaching of stored material result in the pollution of the ground water shall be prohibited.
- 702.6.5 The disturbance or removal of vegetation occupying environmentally sensitive areas shall be only as necessary and shall minimize the adverse environmental impact.
- 702.6.6 Any site disturbance on slopes with a grade between 15% and 25% shall be minimized and site disturbance on slopes with a grade of 25% or greater shall be avoided if possible.
- 702.6.7 All areas where rare, threatened or endangered species exist and rare, threatened or endangered plant communities are present shall be left as permanent open space if possible.
- 702.6.8 Any historic or archaeological resources located within a project area shall be preserved by a plan acceptable to the Historical and Museum Commission.
- 702.7 Land Suitability - Land shall be suited to the purpose for which it is to be developed. Land subject to hazards against life, health, or property shall not be developed unless adequate safeguards are provided and approved by the Supervisors.

702.7.1 Residential Subdivision or Development – Each lot or area plotted for residential use shall provide, inside of the required yards, an area for each dwelling unit. Such area shall be accessible from the existing or proposed street by means of a driveway or private access. Any access on slopes exceeding 25% shall not have an average grade exceeding 15%. Grades between 15% and 18% for a length not exceeding 100 feet will be permitted if connected at both ends by grades not exceeding 12% for a minimum length of 100 feet. Vertical curves shall connect all changes in grade. The access drives shall be designed to manage stormwater runoff and all slopes of cut and fill areas shall be stabilized to prevent soil erosion and sedimentation. In the case of lots utilizing an on-site sewage disposal system, there shall be sufficient area for a primary and a replacement sewage disposal field, which meets current Department of Environmental Resources Regulations.

702.7.2 Industrial/Commercial Subdivision or Development – Each lot or area plotted for industrial and/or commercial use shall provide, inside of the required yards, an area at least equal to the projected horizontal area of the proposed buildings, plus such additional area as is required for parking in conformance with the Zoning Ordinance. Such area shall be accessible from the existing or proposed street by means of adequately and properly designed service drives having a maximum grade of twelve percent (12%). In the case of lots utilizing an on-site sewage disposal system, there shall be an area sufficient for the installation of a primary and a replacement sewage disposal field, which meets current Department of Environmental Resources Regulations.

702.7.3 Flooding – Where any area within the proposed subdivision or land development is subject to flooding, such area shall be clearly marked “SUBJECT TO PERIODIC FLOODING” on the plan and shall not be plotted in streets or lots, except as provided for by Section 708 of this Ordinance and/or the Barrett Township Zoning Ordinance. Land, which will be inundated once in one hundred (100) years, shall be marked on the lot plan and shall be developed to comply with the Township Floodplain

Regulations. In any event, easements must be reserved from the normal flow line to the annual high water flow line of any water course or lake.

- 702.8 **Required Easements** – (See Figures 7-1 through 7-4) – Easements shall be provided for all storm water facilities, drainage ditches, sewer lines, water lines, utility lines, water courses, wetland areas and roadway slopes outside of the road right-of-way. Minimum easements are as follows.
- 702.8.1 Slope and drainage easements, having a minimum width of 10 feet, shall be provided adjacent to all street right-of-ways. Additional widths may be required, based on the design, to encompass all proposed improvements.
- 702.8.2 Drainage easements, having a minimum total width of 10 feet, shall be provided along all side and rear lot lines. Additional widths may be required, base on the design, to encompass all proposed improvements.
- 702.8.3 Drainage easements shall be provided along all watercourses. Such easements shall substantially conform to the line of the watercourse and shall be of such width as will adequately preserve the unimpeded flow of natural drainage. In no case shall the easement be less than 50 feet on either side of the normal flow line, for a minimum width of 100 feet.
- 702.8.4 Easements shall be provided along all wetland areas. Such easements shall substantially conform to the line of the wetland area and shall be of such width as will help safeguard the wetlands. In no case shall the easement be less than 50 feet in width adjacent to the wetlands and no development shall be permitted within the easement.
- 702.8 The Township or its agents shall have the right to enforce the restrictive covenants relative to water supply and sewage disposal in the event the developer, the Lot Owners or Lot Owners Association fail or are unable to enforce them. They shall further have free access to all subdivisions and lots at all times for the purpose of inspection and enforcement.

Section 703 Street System

703.1 General

- 703.1.1 Proposed streets shall conform in all respects to the Official Map and general development plan of the Township as such may apply.
- 703.1.2 Proposed streets shall further conform to such county and State street and highway plans as have been prepared, adopted and/or filed as prescribed by law and to the requirements of a general plan of the area as developed by the Planning Commission.
- 703.1.3 Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- 703.1.4 Minor streets shall be so laid out as to discourage through traffic, however, the arrangement of streets wherever possible shall provide for the continuation of existing or proposed streets and for adequate access to adjoining undeveloped tracts suitable for future subdivision.
- 703.1.5 If lots resulting from original subdivision are large enough to permit resubdivision, or if a portion of a tract is not subdivided, adequate street rights-of-way to permit future subdivision shall be provided as necessary
- 703.1.6 Dead-end streets, except private streets in a minor subdivision, greater than one (1) lot depth in length shall be provided with a turnaround and shall conform to paragraph 703.2
- 703.1.7 Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the Township or adjacent areas and all street names shall be subject to the approval of the Planning Commission and the Board of Supervisors.
- 703.1.8 Driveways shall be located not less than forty (40) feet from the intersection corner of corner lots and shall provide access to the street of lower classification when a corner lot is bounded by streets of two different classifications as herein defined.

- 703.1.9 All streets and driveways which enter unto a street under the jurisdiction of PennDOT of the township must secure a Highway Occupancy Permit from the appropriate authority prior to construction. All such access must be constructed in strict accordance with the provisions of the permit.
- 703.2 Cul-de-sacs (See Figures 7-13 and 7-14)
- 703.2.1 Cul-de-sacs shall not exceed two thousand (2000) feet in length.
- 703.2.2 Cul-de-sacs shall have at the closed end a turnaround with a right-of-way having a minimum outside radius of not less than fifty (50) feet and shall be paved to a radius of not less than forty (40) feet.
- 703.2.3 The circular right-of-way of the cul-de-sac shall be connected to the approach right-of-way by an arc having a radius of not less than thirty feet (30')
- 703.2.4 The circular paving of the cul-de-sac shall be connected to the approach paving by an easement arc having a radius of not less than forty (40') feet.
- 703.3 Street Widths
- 703.3.1 Minimum required street widths shall be as set forth in Table 7-1.
- 703.3.2 Additional right-of-way and cartway widths may be required in order to lessen traffic congestion, to secure safety from fire, panic and other dangers, to facilitate the adequate provision for transportation and other public requirements and to promote the general welfare.
- 703.3.3 New half or partial street or partial streets will not be permitted except where essential for reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street is secured and the construction of the street carried out simultaneously as a whole.

703.3.4 Wherever a tract to be subdivided borders an existing half or partial street the other part of the street shall be plotted within such tract.

703.3.5 Street widths shall be measured from lot line to lot line.

703.3.6 Where a subdivision or land development abuts or contains an existing public street of inadequate right-of-way width, additional setback shall be provided to reflect such additional width as may be required by this Ordinance. A strip of land with a width sufficient to provide the required width from the centerline shall be reserved for future road purposes.

703.4 Street Alignment

703.4.1 Wherever street lines are deflected a total of seven and one-half (7 ½) degrees or more, within five hundred (500) feet, connection shall be made by horizontal curves.

703.4.2 To insure adequate sight distance, minimum center-line radii for horizontal curve shall be as set forth in Table 7-1.

703.4.3 Except on minor streets, a minimum tangent of sufficient length to provide for the proper transition of superelevation as set forth in paragraph 502.9.3, shall be required between curves or deflection points.

703.4.4 A long radius curve shall be preferred in all cases to a series of curves and tangents.

703.4.5 The approaches to an intersection shall follow a straight course for a distance of fifty feet (50').

703.5 Street Grades

703.5.1 The minimum grade of any street gutter shall be not less than one-half of one percent (0.5%).

703.5.2 Center-line grades shall not exceed the grades set forth in Table 7-1.

703.5.2.1 Maximum grades shall be limited in length to two hundred fifty (250) feet on connector and collector streets and four hundred (400) feet on minor streets.

TABLE 7-1

DESIGN STANDARDS FOR STREETS (a)

Design Specification	Connector	Collector	Minor	Private Access
Design Speed (MPH)	45	35	25	20
Right-of-Way Width	60 (b)	60 (b)	50 (b)	50 (b)
Cartway Width	38	36	30	20
Travelway Width	22	20	18	16
Shoulder Width	4	4	4	4
Minimum Center-line Radii (c)	500	350	200	100
Minimum Sight Distance	325	225	150	100
Maximum Grade (%)	10	12	14	17
Sustained Grade (%)	6	8	12	17

ALL DIMENSIONS IN FEET EXCEPT AS SPECIFIED

- NOTES:
- (a) See Section 5 for Construction Standards.
 - (b) Plus slope, drainage and utility easements, as required.
 - (c) Larger radii may be required as determined by alignment to provide the required as determined by alignment to provide the required sight distance. To be determined or confirmed by the Township Engineer and/or PennDOT.

703.5.2.2 Maximum grades shall be separated from one another by a grade not exceeding a sustained grade, which shall be not less than five hundred (500) feet in length.

- 703.5.3 Summit vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed in relation to the extent of grade change and to provide the minimum sight distance, as set forth in Table 7-1, measured along the center-line from the driver's eye 3.50 feet above road surface to the top of an object six (6) inches high and on the road surface.
- 703.5.4 Sag vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed as follows:
- 703.5.4.1 On minor streets and private streets, curves shall have a minimum length of fifteen (15) feet for each one percent (1%) algebraic difference in tangent grade with an absolute minimum length of seventy-five (75) feet. (i.e. 1% to 5% - 75' v.c.; 5.1% to 6% - 90' v.c.; etc.)
- 703.5.4.2 On all other streets, curves shall have a minimum length of twenty-five (25) feet for each one percent (1%) algebraic difference in tangent grade with an absolute minimum length of one hundred (100) feet. (i.e. 1% to 4% - 100' v.c.; 4.1% to 5% - 125' v.c.; etc.)
- 703.5.5 A leveling area for all street intersections shall be provided as follows:
- 703.5.5.1 The tangent grade of the through street at the point of intersection of the center-lines of the two streets shall not exceed eight percent (8%). Crest and sag vertical curves shall be provided in accordance with paragraphs 703.5.3 and 703.5.4
- 703.5.5.2 The tangent grade of the connecting street shall not exceed four percent (4%) within the right-of-way lines of the through street. Crest and sag vertical curves shall be provided.
- 703.5.6 The maximum grade across the turnaround in a cul-de-sac shall not exceed eight percent (8%).

703.6 Street Intersections (See Figures 7-5 through 7-8)

- 703.6.1 Streets shall be laid out to intersect at right angles. In individual cases where this is not physically possible, streets will be permitted to intersect one another at an angle of not less than eighty (80) degrees, provided written justification is supplied by the developer.
- 703.6.2 Multiple intersections involving the junction of more than two (2) streets shall be prohibited.
- 703.6.3 Street right-of-way intersection shall be rounded by a tangential arc having a minimum radius of forty (40) feet. The street pavement shall be rounded by a tangential arc having a minimum radius of twenty (20) feet.
- 703.6.4 Intersections with major traffic streets preferably shall be located not less than eight hundred (800) feet apart, measured from center-line to center-line except in commercial areas where the distance preferable shall be not less than five hundred (500) feet.
- 703.6.5 Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred sixty feet between their center-lines.
- 703.6.6 Intersection Sight Distance – At intersections, all obstructions of any type, including vegetation and earth, shall be removed (by excavation, if necessary) and deed or lease restrictions established to maintain such improvements, such that clear and unobstructed sight is provided from a point on the center-line of the intersecting road distant fifteen (15) feet from the nearest edge of the travelway of the through road to a point on the center-line of the through road for a distance of:
- 703.6.6.1 Four hundred seventy-five (475) feet if the through road is a connector street.
- 703.6.6.2 Four hundred (400) feet if the through road is a collector street.
- 703.6.6.3 Three Hundred (300) feet if the through road is a minor street.

Section 704 Storm Water Management

704.1 Lots shall be laid out wherever possible to provide positive drainage away from proposed buildings and prevent cross lot drainage.

704.2 Drainage facilities shall be provided for the following:

704.2.1 To permit unimpeded flow of natural drainage or water courses.

704.2.2 To insure adequate drainage of all low points along the line of streets.

704.2.3 To intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.

704.2.4 To manage the anticipated peak discharge from the property being subdivided and the runoff from all property at a higher elevation in the same watershed.

704.3 Storm water management systems shall be designed using either the rational method or a soil-cover-complex methodology.

704.3.1 Runoff Curve Numbers (CN's), Rational Runoff Coefficients (C) Rainfall amounts and the time of concentration shall be or calculated as set forth in the Brodhead Creek Storm Water Management Plan, Volume 1, Technical Manual.

704.3.2 All detention facilities shall be designed for the 2.33 and 50 year, 24 hour storms. All storm water conveyance structures or facilities shall be designed for the 25 year storm unless other agencies having jurisdiction require the use of storms of lesser frequency.

704.3.3 The velocity of flow in open channels and in closed drains not under pressure shall be determined by Manning's velocity equation. Values of Manning's coefficient of roughness (n) shall be as set forth in the Department of Environmental Resources Erosion and Sediment Pollution Control Program Manual;

704.4 Storm Water Release Rate

704.4.1 For areas within the Brodhead Creek Watershed, the release rate from any subdivision or land development shall be as set forth in the Brodhead Creek Storm Water Management Plan, Volume 1, Technical Manual.

704.4.2 For areas within the Wallenpaupack Creek Watershed, the release rate from any subdivision or land development shall be as set forth in the Wallenpaupack Creek Stormwater Management Plan Vol. 1.

704.4.3 For areas outside the Brodhead Creek Watershed and the Wallenpaupack Creek Watershed, the release rate from any subdivision or land development shall be controlled so that the post development flow does not exceed the pre-development flow and said flow shall not be reached prior to the existing time of concentration.

704.4.4 When a project is located in more than one storm water management area, storm water shall not be transferred from an area with stricter storm water management criteria to an area with less strict criteria unless the need for such transfer is approved by the Engineer and Supervisors and the stricter criteria are maintained in the area which receives the storm water.

704.5 Detention Basin Design

704.5.1 The basin is to be sodded or topsoiled and seeded, including the bottom, side slopes and all earthen dams and embankments.

704.5.2 Suitable lining shall be required to all points of inflow to the basin where erosion and scour may occur.

704.5.3 An easement to allow maintenance crews access to the basin and outlet areas shall be established around all basins to be maintained. The limits of such easements shall be not less than 15 feet from the outside toe of all dams and embankments and top of all pond side slopes and shall be connected to a public right-of-way.

704.5.4 The design dimensions of the detention basin shall be maintained throughout construction unless it is to be used as a sedimentation basin during construction in the watershed. If so, it shall be immediately returned to design dimensions following the completion of such construction. If used as a temporary sedimentation basin, it shall be designed based upon state DER standards for sedimentation basins.

704.5.5 Runoff from areas uphill or upstream from the development site may be passed across the development site without detention or storage. If it is more convenient, part or all of such water may be passed through the detention means described above, and an equal amount of water that originates on the site may be passed downhill or downstream. If any such upstream water enters a detention

structure, the amount of detention provided shall be increased accordingly.

- 704.5.6 The inlet shall enter at the opposite end of the basin, if possible. The basins shall have a minimum bottom slope of 1% towards the primary outlet to assure positive drainage and prevent saturated conditions, swampy conditions and maintenance problems. Low flow channels may be required to convey small inflows to the basin outlet.
- 704.5.7 Side slopes shall be maximum of three feet horizontal to one foot vertical (3:1), unless the design slopes are less than 3 feet deep, whereas a 4:1 slope is required. The design engineer may propose steeper side slopes if justifiable evidence is submitted.
- 704.5.8 Basins greater than 3 feet deep shall be fenced the entire perimeter. The height of the fence shall be six feet (6'). A basin less than three feet deep may have a 3:1 side slope if fencing is provided. A gate shall be installed to allow access to the basin for maintenance.
- 704.5.9 The runoff entering the basin may result in the accumulation in the detention basin of considerable amounts of sediment, including particulate polluting substances and debris. Provision must be made for periodic removal of accumulated solid materials. A witness stick shall be place din the basin where sediment accumulates and the sediment removed upon reaching an established elevation on the witness stick.
- 704.5.10 Responsibility for operation and maintenance of detention facilities installed, including periodic removal and disposal of accumulated particulate material and debris unless assumed by a governmental agency, shall remain with the owner of the property and shall be passed to any successor owner. In the case of development where lots are to be sold, permanent arrangements satisfactory to the municipality shall be made to ensure continued performance of these obligations.
- 704.5.11 Safety ledges shall be constructed on the side slopes of all detention basins having a permanent pool of water. The ledges shall be 4 to 6 feet in width and located approximately 2-1/2 to 3 feet below and 1 to 1-1/2 feet above the permanent water surface.
- 704.5.12 All basins shall have, at a minimum, a primary outlet used to control the design storm and an emergency spillway to safely convey the 100 year design storm with one (1) foot of freeboard.

- 704.6 All of the drainage systems and structures shall be subject to the approval of the Township Supervisors.
- 704.7 The minimum size of any drainage pipe shall be fifteen (15) inches diameter.
- 704.8 Existing points of natural drainage which discharge onto adjacent property shall not be altered nor shall the rate of water runoff be increased, discharged or concentrated because of development without the written approval of all affected land owners. The developer must document that there is adequate downstream conveyance facilities to safely transport the discharge or otherwise prove that no harm will result from the discharge.

Section 705 Sewage Disposal

- 705.1 All subdivision and developments shall be served by an adequate sewage disposal system, either a public or private central system or an on-lot system, acceptable to D.E.R. and to the Board of Supervisors.

705.2 Public Central Sewage System

- 705.2.1 When the subdivision is to be served by a public sewer company or authority, the developer shall comply with the requirements of paragraph 705.5.

705.3 Private Central Sewage System

- 705.3.1 If a public central sewage system is not available and sewage disposal is on a project basis, the developer shall comply with the requirements of paragraph 705.5.
- 705.3.2 All suppliers of non-municipality owned sewer services shall be organized in such fashion as to fall within the jurisdiction of the Pennsylvania Public Utility Commission or the developer shall provide for operation and continuity of services in a manner, which is acceptable to the Board of Supervisors.
- 703.5.3 Central sewers are required for all residential lots and non-residential developments where the Board of Supervisors determine that on-site soil conditions are unsuitable for on-lot subsurface disposal systems.

705.4 On-lot Sewage System

- 705.4.1** If a public central sewage system is not available and a private central sewage system is not to be provided, the developer shall:
- 705.4.1.1** Submit a plan of recommended locations for subsurface disposal areas.
 - 705.4.1.2** Submit four (4) copies of a completed D.E.R. Planning Module. An adequate number of test pits and soil percolation tests shall be undertaken to determine the general suitability of soils throughout the subdivision or development for on-lot subsurface sewage disposal.
 - 705.4.1.3** Either install on-lot sewage disposal facilities or require by restrictive covenant that such facilities be installed by the purchaser of a lot at the time the principle building is constructed.
- 705.4.2** The standards of Title 25, Chapter 73, "Standards Sewage Disposal Facilities", D.E.R. shall be strictly adhered to.

705.5 Central Sewage System Design

- 705.5.1** All centralized sewage system designs, plans and/or construction shall:
- 705.5.1.1** Be compatible with sewage feasibility studies and plans of the Township.
 - 705.5.1.2** Comply with all requirements of D.E.R. and/or Ordinances of the Township.
 - 705.5.1.3** Be approved by all the appropriate agencies prior to final plan submission.
- 705.5.2** All plans and specifications for proposed central sewage systems shall be prepared by a registered professional engineer well versed and knowledgeable in the field.
- 705.5.3** All sewage collection shall be designed and constructed in accordance with regulations and requirements of D.E.R. (as set

forth in the Sewerage Manual prepared by the Bureau of Water Quality Management) and/or the Township or Township Authority. In the case of relatively small community Sewage Systems (as defined in Chapter 73 of the Department regulations), the developer may submit a written request for a variance from such requirements together with justification thereof.

- 705.5.4 All sanitary sewers shall be designed and constructed to provide adequate capacity for the ultimate flow of the subject development. The Township may also require that any sanitary sewer be designed and constructed to provide for service to adjacent or nearby properties. In such instances, developers shall be financially responsible solely for those costs associated with their individual development.
- 705.5.5 All systems utilizing subsurface disposal of sewage effluent shall be designed and constructed in accordance with applicable D.E.R. regulations. The registered professional engineer employed by the developer shall certify that the existing or proposed facility has been designed in accordance with such requirements.
- 705.5.6 The developer shall demonstrate compliance with or cause to be prepared such revisions as may be required for the Official Township Sewage Plan and/or Township Sewage Feasibility Study.
- 705.5.7 The following information shall be submitted for review of a central sewage system:
- 705.5.7.1 Four (4) complete sets of preliminary plans for such systems shall be submitted for review with the preliminary plan. Four (4) complete sets of approved plans and specifications shall be submitted with the final plan.
 - 705.5.7.2 In the case of a public central sewage system, a letter from the company or authority which states that the company or authority can adequately serve the subdivision shall be submitted with the preliminary plan.
 - 705.5.7.3 Four (4) copies of a completed D.E.R. Planning Module shall be submitted with the preliminary plan.

- 705.5.7.4 One (1) copy of all correspondence, supporting documentation, applications for permits and certificates of operation submitted to applicable State agencies for the right to provide such service.
- 705.5.7.5 One (1) copy of the permit and/or certificate of convenience issued by applicable State agencies authorizing such services.

705.5.8 The Planning Commission and Board of Supervisors shall have the right to review any such plans to determine compliance and compatibility of the same with any Township plans or studies and the overall adequacy of the proposed system.

Section 706 Water Supply

706.1 All subdivisions shall be served with an adequate water supply system, either public or private central system or on-lot system, acceptable to DE.R. and to the Board of Supervisors of an agency that may have jurisdiction.

706.2 Public Central Water System

706.2.1 When the subdivision is to be served by a public water company or authority, the developer shall comply with the requirements of paragraph 706.5.5.

706.3 Central Water System

706.3.1 If the water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the governing body and planning commission that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment of agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

706.3.2 If a public central water system is not available and water supply is on a project basis, the developer shall comply with the requirements of paragraph 706.5.5.

706.4 On-Lot Water System

706.4.1 If a public central water system is not available and a private central water system is not to be provided, the developer shall:

706.4.1.1 Submit a plan of recommended locations for wells.

706.4.1.2 Either install on-lot well facilities or require by restrictive covenant that such facilities be installed by the purchaser of a lot at the time the principle building is constructed.

706.4.2 On-lot water supply systems shall comply with all requirements of D.E.R. and/or Ordinances of the township or Township Authority, whichever may be more stringent.

706.5 Central Water System Design

706.5.1 All plans and specifications for proposed central water systems shall be prepared by a registered professional engineer well versed and knowledgeable in the field.

706.5.2 Deep Well Source Requirements

706.5.2.1 Wells shall be sited, drilled, and tested under the direct supervision of a qualified registered professional engineer or a professional ground water geologist.

706.5.2.2 The projected capacity of the well or wells shall be sufficient to produce at least 100 gallons per capita per day and/or 400 gallons per day for each residential dwelling unit to be served. Service to industrial or commercial establishments shall show adequacy of supply to meet such needs as established by the American Water Works Association.

706.5.2.3 The wells shall be pump tested utilizing a controlled step-drawdown test to establish the specific capacity of each well and to establish a long term pumping rate. The well shall be pumped at the above determined long term pumping rate for a sufficient period of time for stabilization to occur and the recovery noted. In no case will a pumping rate greater than the recharge rate be allowed.

- 706.5.2.4 Well construction and testing shall be consistent with good practice and the guidelines of D.E.R.
- 706.5.2.5 Wells shall be located away from potential sources of pollution. The well shall be located on a reserved one (1) acre parcel.
- 706.5.2.6 The effect of the a real drawdown shall be carefully evaluated and reported.

706.5.3 Water Distribution System Requirements

- 706.5.3.1 The system design shall follow good engineering practice and the guidelines of D.E.R. and the Public Utilities Commission. The distribution system shall be designed and sized to provide the design flows at a minimum pressure of 25 psi at curb stops.
- 706.5.3.2 Pipe classes shall be consistent with design pressures.
- 706.5.3.3 Before being placed into service, the system must be tested and disinfected by procedures established by D.E.R.
- 706.5.3.4 The proposed utility shall provide for adequate flow of water for the subdivision supplied, by interconnecting two or more wells or by providing storage for a minimum of one (1) day's demand.
- 706.5.3.5 Flow Rates
 - i) Distribution systems serving residential developments shall provide for a minimum flow rate of at least five (5) gallons per minute for each lot or proposed dwelling unit for domestic purposes only.
 - ii) Distribution systems serving commercial or industrial developments shall provide for a minimum flow rate of at least twenty-five (25) times the projected average daily flow rate.

- iii) Distribution systems intended to provide for fire flow shall provide for minimum flow rates in accordance with the standards of the National Fire Underwriters.

706.5.4 Fire Department Connections

- 706.5.4.1 Fire Department connections shall be installed on all central water systems and shall consist of hydrants with threads approved by the Fire Company.
- 706.5.4.2 Hydrants shall be of standard approved type and shall be utilized where water systems are specifically required or designed to provide for fire flow.
- 706.5.4.3 All fire department connections shall be located on the street right-of-way lines.
- 706.5.4.4 All fire department connections shall be painted with a reflective paint; the color and shade of which shall be approved by the local fire company.
- 706.5.4.5 Hydrants shall be located in accordance with the requirements of the National Board of Fire Underwriters. The locations of all fire department connections shall be subject to review by the local fire company and the approval of the Board of Supervisors.

706.5.5 The following information shall be submitted for review of a central water system:

- 706.5.5.1 Four (4) complete sets of preliminary plans for such systems shall be submitted for review with the preliminary plan. Four (4) complete sets of approved plans and specifications shall be submitted with the final plan. In the case of a public central water system, final plans shall include the approval of the company or authority operating the system.

706.5.5.2 In the case of a public central water system, a letter from the company or authority which states that the company or authority can adequately serve the subdivision shall be submitted with the preliminary plan.

706.5.5.3 One (1) copy of all correspondence, supporting documentation, applications for permits and certificates of operation submitted to applicable state agencies for the right to provide such services.

706.5.5.4 One (1) copy of the permit an/or certificate of convenience issued by applicable State agencies authorizing such services.

706.5.6 The Planning Commission and board of Supervisors shall review any such plans to determine the overall adequacy of the proposed system.

Section 707 Blocks

707.1 Residential blocks ordinarily shall have a maximum length of twelve hundred (1200) feet, and commercial blocks ordinarily shall have a maximum length of six hundred (600) feet.

707.2 Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a minimum width of ten (10) feet and shall be covered by an all weather surface of not less than four (4) feet in width.

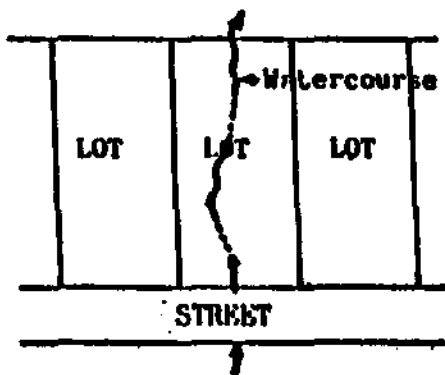
Section 708 Design of Lots (See Figures 7-9 through 7-12)

708.1 Lot dimensions, area and setback lines shall not be less than set forth in the Zoning Regulations of the Township.

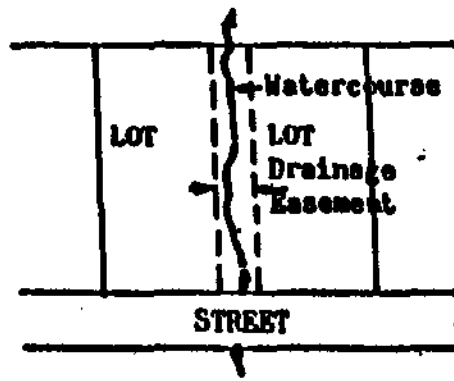
708.2 All lots shall front upon a minor or collector street except as provided for private access for minor subdivisions.

708.3 Side lines of lots shall be perpendicular or radial to the street line at their point of intersection. At the discretion of the Commission, some variation from this requirement may be permitted if physical and/or topographical features so warrant.

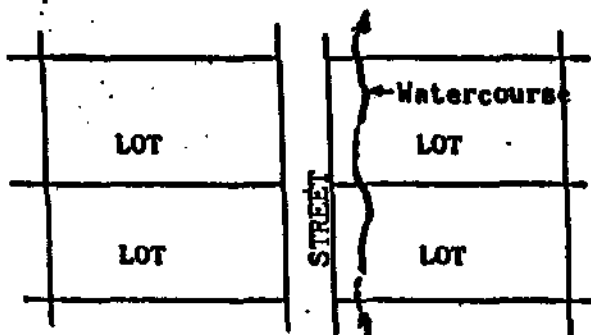
708.4 Double frontage lots shall ordinarily not be plotted.



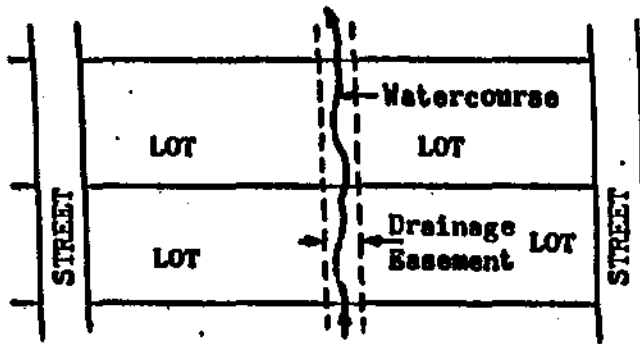
**DRAINAGE
UNACCEPTABLE DESIGN
Figure 7-1.**



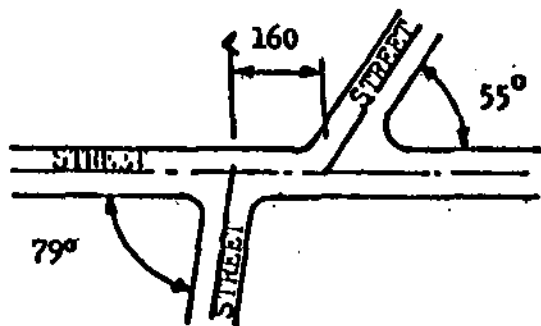
**DRAINAGE
ACCEPTABLE DESIGN
Figure 7-2.**



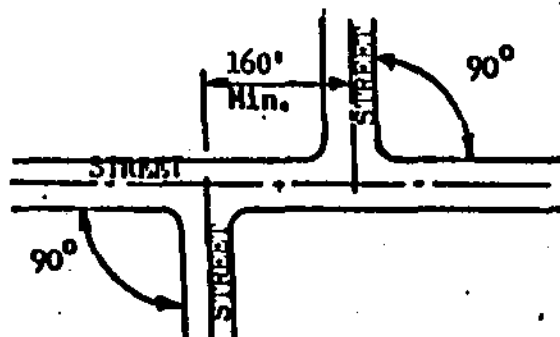
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UNACCEPTABLE DESIGN
Figure 7-3.**



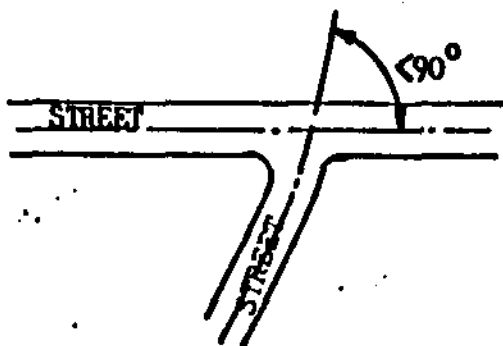
**DRAINAGE
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Figure 7-4.**



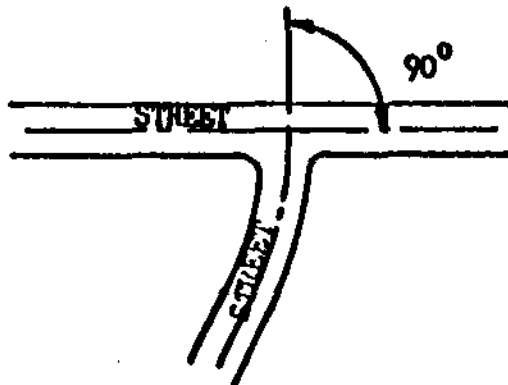
**STREET INTERSECTION
UNACCEPTABLE DESIGN
Figure 7-5**



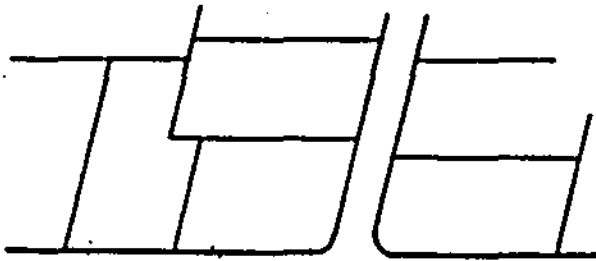
**STREET INTERSECTION
ACCEPTABLE DESIGN
Figure 7-6**



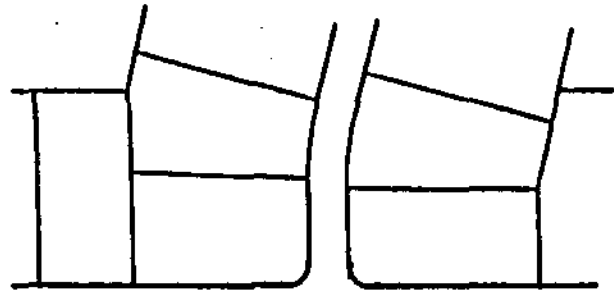
**STREET INTERSECTION
UNACCEPTABLE DESIGN
Figure 7-7**



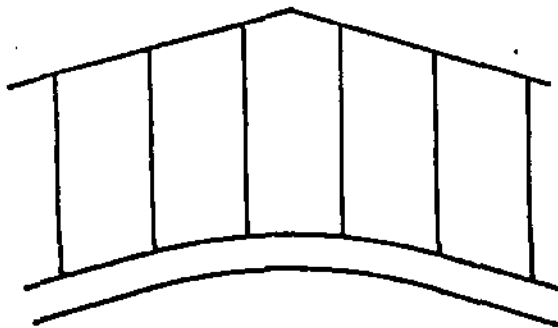
**STREET INTERSECTION
ACCEPTABLE DESIGN
Figure 7-8**



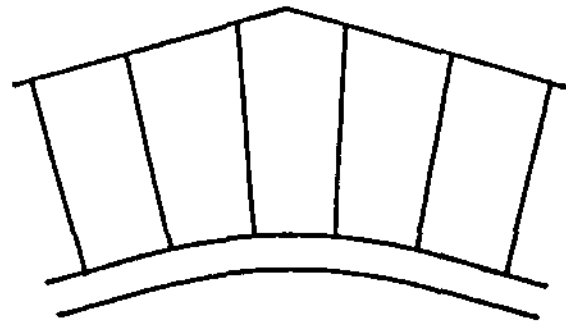
UNACCEPTABLE LOT LAYOUT
Figure 7-9



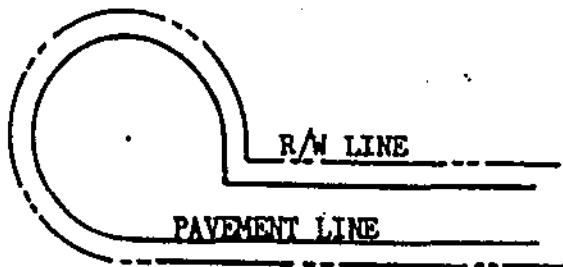
ACCEPTABLE LOT LAYOUT
Figure 7-10



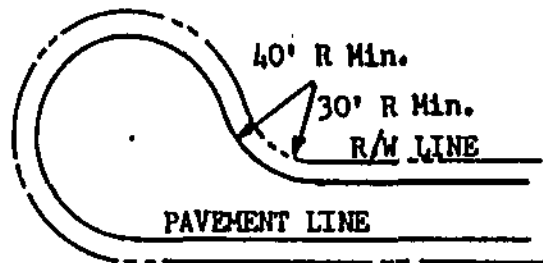
UNACCEPTABLE LOT LAYOUT
Figure 7-11



ACCEPTABLE LOT LAYOUT
Figure 7-12



UNACCEPTABLE TURNAROUND
Figure 7-13



ACCEPTABLE TURNAROUND
Figure 7-14

708.5 The net lot area shall be determined by computing the gross area contained within the lot lines and subtracting therefrom the following non-qualifying areas:

708.5.1 Any area or portion of the lot lying within or subject to any road, road right-of-way, access easement or access right-of-way.

708.5.2 The area of any flood plain, wetland area, utility easement/right-of-way, or easement/right-of-way of any other type which encroaches upon the area available for building as determined from the minimum front, side and rear building setback lines prescribed in the Barrett Township Zoning Ordinance.

708.6 The applicant must demonstrate that the net lot area of each lot is adequate and sufficient to provide for all requirements of the Barrett Township Zoning Ordinance and to provide for buildings and required facilities such as water supply and primary and replacement sewage disposal areas, if appropriate.

(This section in its entirety was added by Ordinance 137 5/4/05)

Section 709 Resource Conservation Planning and Design Standards

709.1 General Standards to Minimize Adverse Impacts.

All subdivisions and land development shall avoid or minimize adverse impacts on the Township's natural and cultural resources, as defined below. The standards for resource conservation, as set forth in this Article, shall apply to all subdivision and land developments in the Township.

709.2 **Groundwater Resources** Disturbance to natural infiltration and percolation of precipitation to the groundwater table shall be minimized in accordance with any applicable Township, County, State and Federal Regulations.

709.3 Woodlands.

Woodlands occur extensively throughout the township, often in association with stream valleys and wet areas, poor and erodible agricultural soils, and steep slopes.

709.3.1 When designing subdivision and land development plans for any tract, applicants shall be guided by the following standards:

- a. Proposed site improvements shall be located, designed and constructed to minimize the loss or degradation of woodland areas.
- b. Subdivisions shall be designed to preserve woodlands along roadways, property lines and lines occurring within a site such as streams, swales, stone fences and hedgerows. Such lines and the native vegetation associated with them shall be preserved as buffers between adjacent

properties and between areas being subdivided within a property. Preservation shall include; ground, shrub, understory, and canopy vegetation.

- c. Disturbance or removal of woodlands occupying environmentally sensitive areas (such as woodlands on steep slopes, those providing a visual buffer between adjacent land uses, or those providing significant wildlife habitat) shall be undertaken only when approved by the board and on a limited, selective basis to minimize the adverse impacts of such actions. This shall include but not necessarily be limited to vegetation performing important soil stabilizing functions on wet soils, stream banks, and sloping lands.
- d. No clearing or earth disturbance (except for soil analysis for proposed sewage disposal systems) shall be permitted on a site before the completion of subdivision and land development agreements. The determination of clear sight distances along roadways shall be made graphically and not be clearing on-site prior to final plan approval.

709.4 **Slopes** – Moderately sloping lands (15 to 25 percent) and steeply sloping lands (over 25 percent) are prone to severe erosion if disturbed. Erosion and the resulting overland flow of soil sediments into streams, ponds, and public roads are detrimental to water quality and aquatic life, and a potential hazard to public safety.

709.4.1 Areas of steep slope shall be preserved in accordance with any applicable requirements of the Township zoning Ordinance, and as required below.

709.4.2 All grading and earthmoving on slopes exceeding 15 percent shall be minimized.

709.5 **Scenic Road Corridors** – The Barrett-Mt. Pocono-Paradise Open Space and Recreation Plan identifies scenic roads in the Township including but may not be limited to Pennsylvania State Routes 447, 390, and 191. All applications for subdivision and land development shall maximize preservation of scenic visual corridors along such roads. The Township may require naturalistic landscape buffers to minimize any adverse visual impacts. Such buffers shall include tree and shrub species found in existing hedgerows and along wooded roadside edges in the vicinity of the site.

Section 710 Greenway Design Review Standards

(This section in its entirety was added by Ordinance #137 5/4/05)

The standards for Greenway lands shall apply to all subdivision and land developments within the Conservation Design Residential Overlay District.

710.1 **Prioritized List of Resources to be Conserved** – The design of greenway lands in any subdivision or land development plan shall reflect the standards set forth in this Ordinance and the resources identified on the Map of Potential Conservation Lands.

Greenway lands shall to the fullest extent possible incorporate any of the following resources if they occur on the tract (listed in order of significance):

- 710.1.1 Stream channels, floodplains, hydric soils, swales, springs and other lowland areas, including adjacent buffer areas which may be required to insure their protection.
- 710.1.2 Moderate and steep slopes, particularly those adjoining watercourses and ponds, where disturbance and resulting soil erosion and sedimentation could be detrimental to water quality.
- 710.1.3 Healthy woodlands, particularly those performing important ecological functions such as soil stabilization and protection of streams, wetlands and wildlife habitats.
- 710.1.4 Areas where precipitation is most likely to recharge local groundwater resources because of topographic and soil conditions affording high rates of infiltration and percolation.
- 710.1.5 Hedgerows, groups of trees, large individual trees of botanic significance, and other vegetative features.
- 710.1.6 Historic resources, including structures and sites.
- 710.1.7 Visually prominent topographic features such as knolls, hilltops and ridges, and scenic viewsheds as seen from public roads (particularly those with historic features).
- 710.1.8 Existing trails connecting the tract to other locations in the Township.

710.2 Other Design Standards

- 710.2.1 Greenway lands shall be free of all structures except historic buildings, stone walls, and structures related to Greenway uses. The Board of Supervisors may grant approval of structures and improvements required for storm drainage, sewage treatment, and water supply within the Greenway provided that such facilities would not be detrimental to the Greenway and that the acreage of lands required for such uses is not credited towards minimum Greenway acreage requirements for the tract, unless the land they occupy is appropriate for passive recreational use.
- 710.2.2 Greenway lands shall include parcels at least three acres in size, shall have a length-to-width ratio of not less than 4:1, and shall have a minimum width of 75 feet. The only exceptions to these provisions are for such lands specifically designed as neighborhood greens, playing fields or trail links.

- 710.2.3 Greenway lands shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe and convenient pedestrian access to greenway land. Except in those cases where part of the greenway is located within private house lots, greenway lands shall provide for pedestrian pathways for use by the residents of the subdivision. Consideration shall be given to providing for public access on such trails if they are linked to other publicly accessible pathway systems within the Township, and if the greenways through which the trails run are publicly owned. Provisions should be made for access to the greenway lands for land management and emergency purposes.
- 710.2.4 Greenway lands shall be suitable for active recreational uses to the extent deemed necessary by the Board of Supervisors upon recommendation of the Planning Commission, without interfering with adjacent dwelling units, parking, driveways, and roads.
- 710.2.5 Greenway lands shall be interconnected wherever possible to provide a continuous network within and adjoining the subdivision.
- 710.2.6 Greenway lands shall provide buffers to adjoining parks, preserves or other protected lands.
- 710.2.7 Greenway lands shall be made subject to such agreement with the township and such conservation easements duly recorded in the office of the Monroe county Recorder of Deeds as may be required by the board of Supervisors for the purpose of preserving the common open space for such uses.
- 710.2.8 Greenway lands shall be consistent with the Township's Comprehensive Plan and the Barrett-Mt. Pocono-Paradise Open Space and Recreation Plan.

710.3 **Ownership and Maintenance** – Applicants shall comply with Greenway ownership and maintenance standards in Section 10.900 of the Township Zoning Ordinance.

Section 711 Dedication of Greenway Land for Public Use *(Added by Ord. 137 5/4/05)*

In subdivisions with fewer than ten dwelling units, where there would be no particular benefit from a public dedication, any greenway land shall be designated for private usage among all subdivision lot owners.

Section 712 Resource Conservation Standards for Site Preparation and Cleanup

(This section in its entirety was added by Ordinance #137 5/4/05)

712.1 **Protection of Vegetation from Mechanical Injury** – Where earthwork, grading or construction activities will take place in or adjacent to woodlands, old fields or other

significant vegetation or site features, the Board of Supervisors may require that the limit of disturbance be delineated and vegetation protected through installation of temporary fencing or other approved measures. Such fencing shall be installed prior to commencing of construction and shall be maintained throughout the construction period.

712.2 Protection of Vegetation from Excavations – If trenches must be excavated in the root zone, all disturbed roots shall be cut as cleanly as possible, and the trench shall be backfilled as quickly as possible.

712.3 Protection of Topsoil

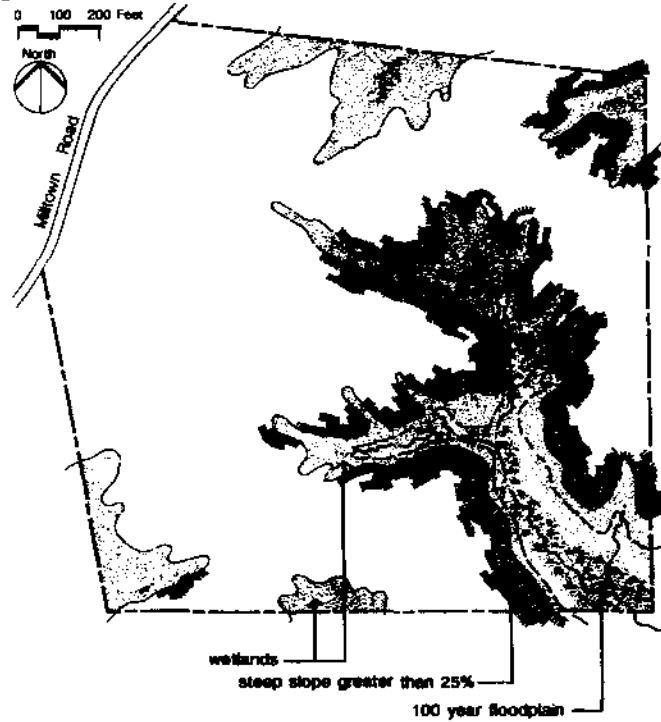
712.3.1 No topsoil shall be removed from the site.

712.3.2 Prior to grading operations or excavation, topsoil in the area to be disturbed shall be removed and stored on site.

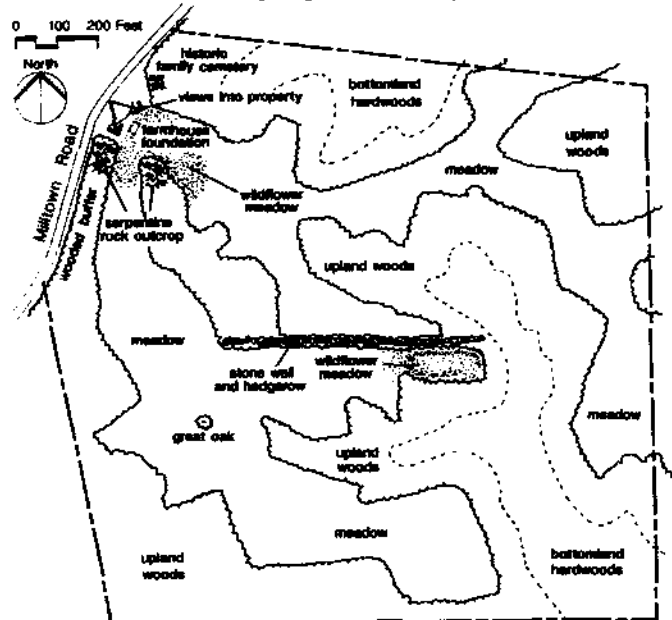
712.3.3 Topsoil removed shall be redistributed and stabilized as quickly as possible following the final grading for a project or project phase. All exposed earth surfaces shall be stabilized by hydro seeding or any other best management practice approved by the DEP.

Appendix – Four Step Design Process.

Step 1, Part 1 – Identifying Primary Conservation Areas



Step 1, Part 2 – Identifying Secondary Conservation Areas



Step 1, Part 3 – Identifying Potential Development Areas



Step 2 – Location of House Sites



Step 3 – Alignment of Streets and Trails



Step 4 – Drawing in the Lot/Development Lines



ARTICLE 8
MOBILE HOME PARK STANDARDS

Section 801 Application

- 801.1 No person shall establish, alter, add to or construct any mobile home park except as provided in this Ordinance.
- 801.2 The design and development standards and requirements of this Article apply to mobile home parks developed and maintained under single ownership, a partnership, corporation or other legal entity where spaces are leased or rented for a period of not more than twelve (12) months. Mobile home parks developed for sale or lease of spaces for a period of more than twelve (12) months shall meet all standards and requirements for a single family structure residential subdivision.

Section 802 General Standards and Requirements

- 802.1 All Mobile Home Parks shall have a total land area of not less than twenty (20) acres.
- 802.2 All Mobile Home Parks shall be located on well drained land; the average natural slope of the area of the site intended for development shall not exceed ten percent (10%).
- 802.3 No mobile home site shall be located within fifty (50) feet of any swamps, marshes or streams nor shall any mobile home park be adjacent to swamps, marshes, breeding places for insects and rodents or heavy industrial zones with objectionable odors or noise.
- 802.4 The location and layout of the proposed mobile home park shall be consistent with the Township Comprehensive Plan.
- 802.5 The site of the proposed mobile home park shall not be subject to flooding or to any other hazards.
- 802.6 The proposed Mobile Home Park shall have direct access to paved public streets.
- 802.7 Good natural drainage shall be required for all proposed sites; drainage shall not be such as would endanger the water supply. The area of a mobile home park shall be properly graded so as to prevent the accumulation of storm water and to encourage drainage away from roadways. Ditching, when done, shall not create an accident hazard, accumulation of storm water and to encourage drainage away from roadways. Ditching, when done, shall not create an accident hazard.

Section 803 Submission, Application and Compliance

- 803.1 All provisions of Article 4 shall apply with respect to submission, application and approval.**
- 803.2 The design of the Mobile Home Park shall conform to the requirements of this Ordinance and the requirements of D.E.R. for Trailer Parks, the developer shall submit proof of approval of the proposed plan by D.E.R. before the plan will be considered for final approval by the Commission and the Board of Supervisors.**
- 803.3 The Plans of the proposed Mobile Home Park shall conform in content to the following:**
- 803.3.1 The name and address of the owner of the piece or parcel of land and his authorized agent, if applicable.**
 - 803.3.2 Location, extent and area of the proposed mobile home park, including bearings and distances of the perimeter of the proposed park.**
 - 803.3.3 Location of roadways, driveways, walkways and public streets.**
 - 803.3.4 Location and size of lots.**
 - 803.3.5 Location of vehicle parking areas.**
 - 803.3.6 Location of service buildings and statements of details of construction heating, ventilation and sanitary systems which are to be included herein.**
 - 803.3.7 Location of swimming pools and other recreation or playground areas.**
 - 803.3.8 Plan for surface drainage.**
 - 803.3.9 Location of electrical power lines and lighting facilities for the mobile home park, mobile homes and service buildings.**
 - 803.3.10 Location of water lines and a statement as to the water source, expected capacity and size of well, pump rating, water storage facilities, method of sealing well, housing for pump and storage tank, distribution system together with size of materials therefore and valve locations.**
 - 803.3.11 Location of sewage lines and a statement as to details of construction, size slope, materials and manhole and clean-out**

construction and location and the results of approved soil testing, if soil absorption type system is used; further, a copy of the plan of the sewage disposal facility meeting the standards of DE.R. regardless of whether it is an in-ground system or a treatment plant.

- 803.3.12 Location and construction of refuse and garbage storage areas and proof as to disposal methods.
- 803.3.13 Fire extinguisher locations.
- 803.3.14 Statement as to rodent and vector control methods.
- 803.3.15 North arrow on all maps.
- 803.3.16 Names of adjoining property owners.
- 803.3.17 Water courses, lakes, swamps, wetlands, rock out crops and stone fields.
- 803.3.18 Location and type of existing rights-of-way and easements.
- 803.3.19 Scale of the plan
- 803.3.20 Contour lines, existing and proposed.
- 803.3.21 Road profiles.
- 803.3.22 Street alignment
- 803.3.23 Delineation of any defined 100-year flood plain area.

803.4 The Board shall retain and keep on file, copies of approved plans.

Section 804 Design Standards

804.1 All interior roadways shall be continuous, have a right-of-way width of at least thirty (30) feet and a paved travelway width of at least twenty (20) feet meeting requirements of Minor Streets. Roadways shall be easily accessible to a public street or highway. Access to all spaces shall be from interior roadways. No parking shall be permitted along roadways.

804.2 No mobile home park street may be offered for dedication. Constructing and maintenance of mobile home park streets shall be the sole responsibility of the record owner, developer or operator of the mobile home park as the case may be.

- 804.3 Adjoining each mobile home shall be not less than two (2) paved parking spaces. Each such parking space shall have a minimum width of ten (10) feet and a minimum length of twenty (20) feet. Every mobile home space shall be served by a separate parking spaces.
- 804.4 In addition to the individual parking spaces there shall also be an area or areas reserved for general parking. Said area shall be for general use. The total area to be reserved for general parking shall be one hundred and fifty (150) square feet, exclusive of aisles multiplied by the number of mobile home spaces. The area or areas shall be distributed throughout the park to provide general parking within 1000 feet of any site. The parking area shall be paved.
- 804.5 Mobile home spaces shall be at least fifty (50) feet wide and comprise an area of not less than seventy-five hundred (7,500) square feet. There shall not be less than twenty-five (25) feet between mobile homes, buildings, or structures and not less than twenty (20) feet between a mobile home and an interior roadway or not less than one hundred (100) feet between a mobile home and a public street, highway or exterior property line.
- 804.6 Every mobile home space shall be graded to provide a level, well drained stand for the mobile home. The stand shall be gravel, crushed stone or impervious material.
- 804.7 All mobile home parks shall require that all mobile homes in the park be enclosed from the bottom of the mobile home to the ground or stand using industry approved fire resistant skirting material.
- 804.8 All mobile home parks shall provide not less than ten percent (10%) of the total land area for public open space purposes, which shall be improved whereby the same will be accessible for recreational purposes to all families residing within the said mobile home park. The required public open space shall consist of areas free of health and safety hazards and of adequate size, shape, slope, soil type and other physical characteristics suitable for outdoor recreational use or be improved to insure suitability for such use. Such area provided for public open space shall be in addition to the buffer strip around the perimeter of the mobile home park.
- 804.9 A buffer strip of one hundred (100) feet shall be required for the separation of this land use from all other property and existing public roads or highways.
- 804.10 With the exception of access roadways, there shall be no construction of any kind, outdoor storage or parking of vehicles permitted in any buffer strip.
- 804.11 Buffer strips shall be required to be planted with evergreens so as to form an effective screen. Existing plant material may be considered as part of the required screening in the buffer zone. Such new or existing planting shall not be less than five (5) feet in height above the ground when planted.

- 804.12 Additional planting as indicated herein shall be required, where necessary, and in sufficient widths as necessary, to effectively screen from view all units, vehicles, construction and land use within the area from any point or structure existing outside thereof.
- 804.13 All subdivisions or developments for this land use shall have a total land area of not less than twenty (20) acres.
- 804.14 No permanent structures or buildings or sewage collection or disposal systems shall be located within any defined 100-year flood plan area.
- 804.15 All mobile home parks shall have a safe, potable, adequate and approved supply of water to each mobile home and to all service buildings.
- 804.15.1 If a public water supply system is available, connection shall be made thereto. Where no public supply is available, a private central water supply system shall be developed and constructed in accordance with plans and standards approved by the Board of supervisors the Pennsylvania Department of Environmental Resources and the Environmental Protection Agency.
- 804.15.2 Wells shall be located at a safe distance from sources of contamination, shall be constructed in accordance with DE.R. standards for public water systems, and shall be approved by the Board of Supervisors.
- 804.15.3 No pumps, or appurtenances which are necessary for the proper functioning of a water system shall be located in pits below ground level except where pit floor drainage is provided by gravity to the surface if the ground. The casing of a well shall extend at least twelve (12) inches above platform level and for additional protection, the platform shall be sloped away from the casing.
- 804.15.4 Plumbing shall be in accordance with such standards as will prevent the contamination of the water supply by backflow or siphonage.
- 804.15.5 A potable water supply shall be provided under pressure at each space.
- 804.15.6 In service buildings, any potable water supply faucet or outlet shall be separate from other outlets or facilities such as sinks or washbasins.

- 804.15.7 If drinking fountains are provided, they shall be of an approved type of angle jet nozzle with guard.
- 804.16 All mobile home parks shall have a centralized sewage system.
- 804.16.1 All sewer connections shall be constructed as not to become a public health hazard. Each space shall be individually connected to a sewer line and mobile home sewer connections shall be concrete aproned at ground level. When a space is not in use, the sewer connection shall be capped to prevent the escape of sewer gases. All collection and disposal systems shall be designed and constructed to Department standards relative to public sewage facilities and shall be approved by the Board of Supervisors.
- 804.17 The mobile home park record owner, operator or licensee shall be responsible for the storage, collection and disposal of refuse in such a manner as to avoid the creation of a health hazard, and shall keep the mobile home park area free of litter, rubbish and inflammable material at all times.
- 804.18 All refuse collected and temporarily stored within the mobile home park shall be placed in a rodent proof enclosure. Such enclosure shall be screened from public view.
- 804.19 Each record owner, operator or licensee shall develop and carry out an approved program of vector control.
- 804.20 An electrical outlet supplying at least 110 volts shall be supplied to each space. All electric lines, telephone wired, cable television wires, and any other wiring shall be installed underground in an approved manner. No electrical line, which would endanger life or limb, shall be permitted to lie on the ground. Mobile homes shall be grounded in accordance with Underwriter Laboratories Standards. Capacity of service to each space shall be a minimum of 100 amps.
- 804.21 Whenever a food service establishment is conducted as part of a mobile home park, the establishment shall meet the minimum requirements of the Department of Environmental Resources and other appropriate agencies.
- 804.22 Each mobile home park shall be provided with one or more approved service buildings which shall be constructed to; the following specifications, and provide as follows:
- 804.22.1 Is of permanent construction of moisture resistant material, which will permit easy and effective cleaning.
- 804.22.2 Has the required facilities properly installed and connected to an approved sewer system.

804.22.3 Has adequate heating and ventilating equipment. Heating of at least seventy (70) degrees F. shall be maintained during cold weather. All openings to outer air shall be effectively screened.

804.22.4 Has a minimum hot water capacity of one and one-half (1 ½) gallons per hour, per space during peak demand hours.

804.22.5 Has a minimum illumination level of five (5) foot candles at all times with additional illumination on closer working task areas such as on ironing boards.

804.22.6 Service buildings for independent mobile home parks shall have the following minimum facilities for each twenty (20) spaces or fractions thereof:

<u>Toilets</u>		<u>Lavatories</u>		<u>Washers & Dryers</u>	
Men	Women	Men	Women		
1	1	1	1	1	1

804.22.7 Separate toilet and lavatory facilities shall be maintained for each sex.

804.23 The Board shall have the right to order removal of any vacated mobile home when it is evident that it has become a health hazard to the balance of the mobile home park or community by virtue of insect or rodent harborage condition, or is a menace to the welfare of the mobile home park or the Township.

ARTICLE 9
CAMPGROUND STANDARDS

Section 901 Application

- 901.1 No person shall establish, alter, add to or construct a campground except as provided in this Ordinance.
- 901.2 The design and development standards and requirements of this Article apply to campgrounds developed and designed under single ownership, a partnership, corporation or other legal entity where spaces are leased or rented for a period of not more than six (6) months. Campgrounds developed for sale or lease of spaces for a period of more than six (6) months shall meet all standards and requirements for a single family structure residential subdivision. Camp sites are permitted in approved campgrounds only.

Section 902 General Design Standards

- 902.1 All campground subdivisions or developments shall have a total land area of not less than twenty (20) acres.
- 902.2 All campgrounds shall be located on well drained land; the average natural slope of the area to be improved for camp sites shall not exceed twelve (12%) percent.
- 902.3 The location and layout of the proposed campground shall be consistent with the Township Comprehensive Plan.
- 902.4 No permanent structures or buildings or sewage collection or disposal systems shall be located within any defined 100 year flood plain area.
- 902.5 The proposed campground shall have direct access to an existing paved public street or road which provides access to the proposed campground shall be free of traffic hazards and shall meet the geometric, grade and sight requirements otherwise set forth in this Ordinance.
- 902.6 The area improved for camping sites shall not exceed fifty (50%) percent of the total gross areas of the tract being developed as a campground.
- 902.7 No camping site may be occupied on a permanent basis.

Section 903 Submission, Application and Compliance

- 903.1 All provisions of Article 4 relative to submission, application and approval of plans shall apply to this section.

- 903.2 The design of the campground shall conform to the requirements of this Ordinance and/or the requirements of the Pennsylvania Department of Environmental Resources for Travel Trailer Parks, whichever is greater or more restrictive. The applicant shall submit proof of approval of the proposed plan by the Department of Environmental Resources before the plan will be considered for final approval by the commission and the Board of Supervisors.**
- 903.3 The plans of the proposed campground shall conform in content to the following:**
- 903.3.1 The name and address of the owner of the piece or parcel of land and his authorized agent if appropriate.**
 - 903.3.2 Location extent and area of the proposed campground, including bearings and distances of the perimeter of the proposed park.**
 - 903.3.3 Location of roadways, driveways, walkways and public streets.**
 - 903.3.4 Location and size of lots.**
 - 903.3.5 Location of vehicle parking areas.**
 - 903.3.6 Location of service buildings and statements of details of construction, heating, ventilation and sanitary systems which are to be included therein.**
 - 903.3.7 Location of swimming pools and other recreation or playground areas.**
 - 903.3.8 Plan for surface drainage.**
 - 903.3.9 Location of electrical power lines and lighting facilities for the campground, camp sites and service buildings.**
 - 903.3.10 Location of water lines and a statement and size of well, pump rating, water storage facilities, method of sealing well, housing for pump and storage tank, distribution system together with size of materials therefore and valve locations.**
 - 903.3.11 Location of sewage lines and a statement as to details of construction, size, slope, materials and manhole and clean-out construction and location and the results of approved soil testing, if soil absorption type system is used; further, a copy of the plan of the sewage disposal facility meeting the standards of D.ER. regardless of whether it is an in-ground system or a treatment plant.**

- 903.3.12 Location of refuse and garbage storage areas and proof as to disposal methods.
- 903.3.13 Fire extinguisher locations, if any.
- 903.3.14 Statement as to rodent and vector control methods.
- 903.3.15 North arrow on all maps.
- 903.3.16 Names of adjoining property owners.
- 903.3.17 Water courses, lakes, swamps, wetlands, rock out crops and stone fields.
- 903.3.18 Location and type of existing rights-of-way and easements.
- 903.3.19 Scale of the plan.
- 903.3.20 Contour lines, existing and proposed.
- 903.3.21 Road profiles.
- 903.3.22 Street alignment.

903.4 The Board shall retain and keep on file copies of approved plans.

Section 904 Design Standards

- 904.1 Each camping site shall have a minimum area of thirty-five hundred (3,500) square feet exclusive of street rights-of-way and walkways. Each camping site shall also have a minimum width of fifty (50) feet.
- 904.2 The maximum gross density of development in the area improved for camp sites shall not exceed six (6) sites per acre.
- 904.3 A buffer strip of one hundred (100) feet shall be required for the separation of this land use from all other property and existing public roads or highways.
- 904.4 Electric service shall be provided to each camp site. Such electric service shall be installed underground.
- 904.5 All camp sites designed and improved for recreational vehicles shall be provided with a connection to a centralized sewage system and a centralized water system.
- 904.6 All camp sites which are not provided with a connection to a centralized sewage system and a centralized water system shall be located within three hundred (300)

feet of a bath house/toilet facility which shall be equipped with toilets, urinals, lavatories and a potable water supply in accordance with Department of Environmental Resources regulations. Camp sites which are provided with a connection to a centralized sewage located within seven hundred fifty (750) Feet of such facilities. There shall be at least one shower head for each sex for each twenty (20) camp sites. The bath house/toilet facilities shall be so located that the line of travel thereto, without encroachment on other campsites, does not exceed the aforesaid distances.

- 904.7 All camp sites designed for recreational vehicles shall have off-street , on-site parking spaces for the recreational vehicle and for one passenger vehicle. The parking spaces shall be level in a longitudinal direction and shall be uniformly crowned in a transverse direction and shall be well drained. The parking spaces need not be paved, but shall have a minimum depth of six (6) inches of compacted crushed stone, bank run gravel or shale.
- 904.8 All camp sites designed for tenting shall be provided with on-site parking spaces in accordance with Section 904.7 or shall have a common parking area not over three hundred (300) feet from the most distance camp site. Common parking areas shall provide at least 1.5 spaces per camp site. The minimum area of each parking space shall be at least two hundred (200) square feet, exclusive of any aisle.
- 904.9 The centralized water and centralized sewerage system shall be designed in accordance with the requirements of the Department of Environmental Resources and approved by the Department.
- 904.10 The campground shall be equipped with sewage dumping stations designed and constructed in accordance with the Department of Environmental Resources requirements.
- 904.11 Streets within the campground shall conform to the following:
- 904.11.1 One way streets shall have a minimum right-of-way width of twenty (20) feet and shall be improved to the requirements for Minor Streets with a travelway not less than fifteen (15) feet in width.
- 904.11.2 Two way streets shall have a minimum right-of-way width of thirty (30) feet and shall be improved to the requirements for Minor Streets with a travelway not less than twenty (20) feet in width.
- 904.11.3 The minimum center-line radius of any interior campground street shall be not less than fifty (50) feet.

- 904.11.4 The maximum grade of any campground street shall not exceed twelve (12%) percent.
- 904.11.5 Drainage facilities shall be designed and constructed in accordance with this Ordinance.
- 904.11.6 No campground street may be offered for dedication. Construction and maintenance of campground streets shall be the sole responsibility of the developer, owner, licensee or operator of the campground.
- 904.12 The access road(s) serving the campground shall be designed and constructed in accordance with the standards for Minor Streets set forth in this Ordinance.
- 904.13 Buffer strips shall be required to be planted with evergreens so as to form an effective screen. Existing plant material may be considered as part of the required screening in the buffer zone. Such new or existing planting shall not be less than five (5) feet in height above the ground when planted.
- 904.14 With the exception of access roadways, there shall be no construction of any kind, outdoor storage or parking of vehicles permitted in any buffer strip.
- 904.15 Additional planting as indicated herein shall be required, where necessary, and in sufficient widths as necessary to effectively screen from view all units, vehicles, construction and land use within the area from any point or structure existing on lands adjacent thereto.
- 904.16 Good natural drainage shall be required for all proposed sites; drainage shall not be such as would endanger the water supply. The area of the campground shall be properly graded to as to prevent the accumulation of any storm water and to encourage drainage away from roadways. Ditching, when done, shall not be constructed so as to create an accident hazard.
- 904.17 There shall be provided in each campground such other improvements as the Commission and the Board of Supervisors may require whereby such requirements shall at all times be in the best interests of the public's health, safety and general welfare and may include, but not be limited to, garbage and trash collection, removal and disposal as approved by the Department of Environmental Resources; adequate park lighting.

Section 905 Refuse Disposal

- 905.1 The campground record owner, operator or licensee shall be responsible for the storage, collection and disposal of refuse in such a manner as to avoid the creation of a health hazard, and shall keep the campground area free of litter, rubbish and inflammable material at all times.**

- 905.2 All refuse collected and temporarily stored within the campground shall be placed in a rodent-proof enclosure. Such enclosure shall be screened from public view.**

ARTICLE 10
PROCEDURE ON DEDICATION OF STREETS AND IMPROVEMENTS TO TOWNSHIP

Section 1001 Request for Inspection

When the owner has constructed and installed all required improvements in accordance with the Township regulations, standards, specifications, and the construction detail shown on the plans, and is satisfied that the owner has complied fully with the provisions of these regulations, the Township Supervisors shall notify the owner to that effect and the owner shall thereupon proceed as follows:

Section 1002 Dedication Procedures

If the Township Engineer finds that the required improvements have been constructed in accordance with Township regulations, standards, specifications and the construction detail shown on the plans, and is satisfied that the owner has complied fully with the provisions of these regulations, the Township Supervisors shall notify the owner to that effect and the owner shall thereupon proceed as follows:

1002.1 To insure the structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan, the owner shall provide financial security to the Township.

1002.1.1 Financial security shall be of the same type as the performance guarantee described in Section 202 and Section 509 of this Ordinance. The amount of financial security required shall equal fifteen percent (15%) of the actual cost of installation of said improvements and shall be held for a term of eighteen (18) months from the date of dedication.

1002.1.2 At the termination of the performance guarantee, the Township Engineer shall conduct another inspection of the improvements to assure compliance with the plans and specifications and with applicable Ordinances. In the event any deficiencies exist, the owner shall make all corrections indicated and required or the Township shall make all corrections indicated or required using funds from the posted security.

1002.2 The owner shall furnish to the Township:

1002.2.1 Three (3) complete sets, on mylar or linen reproducible, of all plans of the subdivision which shall be titled "AS BUILT" drawings, including but not limited to drainage and profile plans, showing thereon all approval required by these regulations and specifically approvals of "AS BUILT" plans, and also three (3)

like sets of plans on paper. Sheets, which would duplicate in every respect those submitted as the final plan may not be required.

1002.2.2 A deed to all public property.

1002.2.3 The fees or charges of the Clerk of the Court of the Quarter Sessions on the petition and resolution of the Board of Supervisors to the said court for its approval of the acceptance of the dedication of streets and/or other improvements.

1002.3 Upon receipt of the above requirements and upon performance of all obligations by the owner to be performed under the contract, the Board of Supervisors may proceed but not be under any obligation to accept said streets and/or other improvements in the manner provided by law.

Section 1003 Construction Standards

1003.1 No street, proposed to be dedicated to Barrett Township, shall be accepted unless it is constructed and paved in accordance with the standards and specifications of the Barrett Township Ordinance providing for minimum improvements and construction standards required for streets offered for dedication.

1003.2 The "AS BUILT" profile drawings hereinabove referred to, shall show the center-line profile grades of the streets within the subdivision as originally computed, designed and approved with the final plan, and also the final profile grades of said street after the construction thereof.

ARTICLE 11
ADMINISTRATION

Section 1101 Hardship and Variances

If an applicant has shown that any mandatory provisions of these regulations are unreasonable or cause undue hardships as they may apply to his propose subdivision or development, the Supervisors may grant a variance to such applicant from such mandatory provisions so that substantial justice may be done and the public interest secured; provided that such variance may be granted only upon concurrence of a majority vote of the entire Board of Supervisors, by roll call vote, and that such variance will not have the effect of nullifying the intent and purpose of this Ordinance. In granting variances and modifications, the Supervisors may impose such conditions as will, in their judgment, secure substantially the objectives of the standards or requirements so modified. The burden of proof of demonstrating hardship or unreasonableness shall be upon the applicant.

Section 1102 Reconsideration

Any developer aggrieved by a finding, decision, or recommendation of the Supervisors may request and receive opportunity to appear before the Planning Commission, present additional relevant information and request reconsideration of the original finding, decision or recommendation.

Section 1103 Planned Residential Development

The Commission and the Board of Supervisors shall have flexibility in applying these design standards with regard to planned residential or unit developments if these developments establish design criteria which will preserve the environment, protect the health, safety and general welfare of the public and which will not unduly tax the Township fiscal-service obligations. Such developments shall comply with all requirements of any planned residential development ordinance subsequently adopted by the Township.

Section 1104 Effective Date

This Ordinance shall take effect five days after enactment thereof.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Supervisors of the Township of Barrett, Monroe County, Pennsylvania, this ____ day of _____, 19__.

TOWNSHIP OF BARRETT

, Chairman

ATTEST _____
Secretary

, Vice-Chairman

TOWNSHIP SEAL

, Supervisor