

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT *

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CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 1

General Provisions

This chapter is based on Ordinance 56, adopted July 13, 1981.

§101. Short Title. This Chapter shall be known and may be cited as "The East Buffalo Township Subdivision and Land Development Ordinance". (Ordinance 292, January 22, 2007)

§102. Purpose. The purpose of this Chapter is to help protect and promote the safety, health and general welfare of the citizens of East Buffalo Township; to assist in accomplishing a coordinated development of the Township; to guide and protect amenity and convenience, development and growth; to guide uses of land and structures, type and location of streets, public grounds and other facilities, to plan and manage storm water runoff and prevent accelerated erosion; to maximize the use of renewable energy sources; and to permit the Township the opportunity to minimize such problems as may presently exist and/or which may be foreseen. (As amended by Ordinance 101, August 24, 1987; by Ordinance 292, January 22, 2007)

§103. Authority and Jurisdiction. The authority of the Board of Supervisors to adopt this Chapter regulating subdivision and land development within East Buffalo Township is granted by Article V of the Pennsylvania Municipalities Planning Code, as amended. As a result no subdivision or land development of any lot, tract or parcel of land shall be made, no street, sanitary sewer, storm sewer, water main or other improvements 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 abutting thereon, except in accordance with the provisions of this Chapter. (Ordinance 292, January 22, 2007)

§104. Interpretation. The provisions of this Chapter shall be interpreted to be the minimum requirements to meet the purposes of the Chapter and where the provisions of this Chapter conflict or are inconsistent with the provisions of any other Chapter, regulations or requirements, the more restrictive provisions in question shall apply.

§105. County Review. All applications for subdivision and/or land development approval within East Buffalo Township shall be forwarded upon receipt to the Union County Planning Commission for review and report at the applicant's expense. Such action shall occur at the Preliminary and Final Stages and the Township shall not take action on said plans until the county report is received or until the expiration of the time provided for in the PA Municipalities Planning Code.

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 2

Definitions

§201. General Terms.

TENSE, GENDER, and NUMBER - Words used in the present tense include the future; words in the masculine gender include the feminine and the neuter; the singular number includes the plural, and the plural the singular.

GENERAL TERMS - The word "shall" or "must" is always mandatory; the word "may" is permissive. The words "used for" includes "designed for", "arranged for", "intended for", "maintained for", or "occupied for". The word "building" includes "structure" and shall be construed as if followed by the phrase "or part thereof". The word "person" includes "individual", "profit or non-profit organizations", "partnership", "company", "incorporated association", or other similar entities.

TERMS, PHRASES, and WORDS NOT DEFINED - When terms, phrases, or words are not defined, they shall have their ordinarily accepted meanings or such as the context may imply.

(As amended by Ordinance 63, June 13, 1983)

§202. Definitions.

ADD-ON SUBDIVISIONS - An "add-on" subdivision, for the purposes of these rules shall be considered to be any lot, tract or parcel, which is substandard in area or certain dimension, created for transfer to the owner of a lot, tract or parcel which is contiguous to the proposed "add-on" lot, and further created for the purpose of expansion of the grantee's existing lot of record. (Ordinance 58)

ACCELERATED EROSION - The removal of the surface of the land through the combined action of man's activities and natural processes at a rate greater than would occur because of the natural processes alone. (Ordinance 101)

ALLEY - A minor right-of-way primarily for service access to the back or sides of properties otherwise abutting on a street.

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

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

BLOCK - An area bounded by streets.

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

BUILDING LINE OR BUILDING SETBACK LINE - A line, established by the Zoning Ordinance, within a property, defining the minimum distance between any building or structure or portion thereof to be erected or altered, and an adjacent right-of-way or street line. Such line shall be measured at right angles from the street right-of-way line and shall be parallel to said right-of-way line.

CARTWAY - The portion of a street or alley right-of-way which is improved, designated, or intended for vehicular use.

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

CLUSTER DEVELOPMENT - concept of design and site planning in which several units are grouped together on a tract of land. Each cluster is set off from the other by an intervening space, often held for the common use or enjoyment of the neighborhood. This includes but not limited to the following: Double Dwellings, Townhouses, PRD's and the like. (Ordinance 163, March 9, 1991)

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

CULVERT - A pipe, conduit or other similar enclosed structure including appurtenance work, which carries surface water. (Ordinance 101)

CURB CUT - Any cut into the road shoulder for the purpose of entrance or exit to a lot.

COMMERCIAL DEVELOPMENT - the improvement of any lot for the purposes of establishing a commercial business that provides or sells goods or services, shall include but not be limited to the following improvements: new construction, additions, incidental storage of hazardous or waste materials, and paving of more than 2,500 sq. ft. (Ordinance 163, March 9, 1991)

DESIGN STORM - The magnitude of precipitation from a storm event measured in probability of occurrence (e.g. 50 year storm) and duration (e.g. 24 hours) and used in computing storm water management control systems. (Ordinance 101)

DETENTION or RETENTION BASIN - A basin designed to retard storm water runoff by temporarily storing the runoff and releasing it at a predetermined rate. A detention basin can be designed to drain completely after a storm event, or it can contain a permanent pool of water. (Ordinance 101)

DEVELOPER - Any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT PLAN - The provisions for the creation of a Land Development, including a plat or 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, storm-water management and erosion and sediment control. The phrase "provisions of the Development Plan" when used in these regulations shall mean the written and graphic materials referred to in this definition.

DWELLING - A building designed for residential purposes and used as living quarters for one or more persons.

EASEMENT, UTILITY - A right-of-way granted for the limited use of land for public or quasi-public purposes.

ENGINEER - A registered professional engineer in Pennsylvania.

ENGINEERING SPECIFICATIONS - The requirements of the Township regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

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

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

FILL -

(1) Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface, it shall include the conditions resulting therefrom;

(2) The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade;

(3) The material used to make fill.

FLOOD-PRONE AREA - A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the usual and rapid accumulation of surface waters from any source, as defined in Township's Code of Ordinances. (Ordinance 292, January 22, 2007)

FLOODWAY AREA - The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of the one hundred (100) year magnitude, as defined in Township's Code of Ordinances. (Ordinance 292, January 22, 2007)

GOVERNING BODY - The East Buffalo Township Board of Supervisors.

IMPERVIOUS COVERAGE - the portion of a lot, expressed as a percentage, that does not absorb precipitation. All buildings, structures, parking areas, driveways, roads, sidewalks, and any area in concrete, asphalt, or other similar materials shall be considered impervious surface. (Ordinance 163, March 9, 1991).

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

INDUSTRIAL DEVELOPMENT - the improvement of any lot for the purposes of establishing an industry that produces goods or services, shall include but not be limited to the following improvements: new construction, additions, incidental storage of hazardous or waste materials, and paving of more than 2,500 sq. ft. (Ordinance 163, March 9, 1991)

LAND DEVELOPMENT - The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

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

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

(3) a subdivision of land.

(Ordinance 163, March 9, 1991)

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

LOT - A tract or parcel of land, regardless of size, held in single or joint ownership, not necessarily a lot or lots shown on a duly recorded map, which is occupied or capable of being occupied by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed, or required. The term lot shall also mean parcel, plot, site or any similar term.

LOT, REVERSE FRONTAGE - A lot with front and rear street frontage with vehicular access from each.

LOT AREA - The area of land contained within the limits of the property lines bounding that area. Any portion of a lot included in a street right-of-way shall not be included in calculating lot area.

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 construction so that it may be used without a permanent foundation. (Ordinance 163, March 9, 1991)

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with connections and other appurtenances necessary for the erection thereon and occupancy of a single mobile home. (Ordinance 163, March 9, 1991)

MOBILE HOME PARK - a parcel or contiguous parcels of land which have been designed and improved so that it contains two or more mobile home lots. (Ordinance 163, March 9, 1991)

OPEN SPACE - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the planned residential development, not including streets, off-street parking area, and areas set aside for public facilities.

PEAK DISCHARGE - the maximum rate of flow of water at a given point and time resulting from a storm event. (Ordinance 101)

PLAN - A map of a subdivision or land development

(1) PLAN, FINAL - A complete and exact subdivision plan prepared for official recording as required by statute, substantially conforming to previously approved preliminary plan.

(2) PLAN, PRELIMINARY - A subdivision plan indicating the proposed layouts of a subdivision as a basis for consideration prior to preparation of the final plan.

(3) PLAN, SKETCH - An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of and improvements to a proposed subdivision, prepared for the purpose of consultation with the East Buffalo Township Planning Commission.

PUBLIC GROUNDS - Publicly owned (i) parks, playgrounds, and other public areas; and (ii) sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

PUBLIC NOTICE - Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days nor less than fourteen (14) days prior to the date of the hearing.

RECREATIONAL VEHICLE PARKS - (Commonly referred to as campgrounds) - a tract of land used for the purposes of camping, tenting, and R.V.'s, including related or associated activities. The park shall be utilized for intermittent recreational use and not full-time residential occupancy. (Ordinance 163, March 9, 1991)

RIGHT-OF-WAY - The total width of any land reserved or dedicated as a street, sidewalk, walkway, or for other public or semi-public purposes.

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

SEDIMENT - Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water. (Ordinance 101)

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

SETBACK LINE - A line, established by the Zoning Ordinance, within a property, defining the minimum distance between any building or structure or portion thereof to be erected or altered, and an adjacent lot line. Such line shall be measured at right angles from the said lot line and shall be parallel to said lot line.

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

SLOPE - The face of an embankment or cut sections; any ground whose surface makes an angle with the plan of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per one hundred (100) feet of horizontal distance.

SOIL EROSION AND SEDIMENT CONTROL PLAN - The plan required by the provisions of the regulations of the appropriate Commonwealth of Pennsylvania Agency or Agencies when earth-moving activities are proposed. (Ordinance 101, Ordinance 292, January 22, 2007)

STREET - A public or private right-of-way built to public standards, excluding driveways, intended for use as a means of vehicular and pedestrian circulation which provides a means of access to abutting property. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, highway, land, alley, and road or similar terms, streets shall not be used for right angle parking where it will interfere with traffic movement.

(1) ARTERIAL STREET - A major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for commuting between large areas.

(2) COLLECTOR STREET - A major street or highway which carries traffic from minor streets to arterial streets including the principal entrance streets of a residential development and streets for circulation within such a development.

(3) MINOR STREET - A street used primarily for access to abutting properties.

(4) CUL-DE-SAC - A minor street intersecting another street at one end and terminating at the other in a vehicular turn-around.

(5) MARGINAL ACCESS STREET - A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides to abutting properties protection from through traffic.

STRUCTURE - Any material or a combination of materials which are constructed or erected, the use of which requires location on the ground, or attached to something located on the ground.

SUBDIVIDER - (See "Developer") - The owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or development under the terms of this ordinance.

SUBDIVISION - (See "Land Development") - The division or redivision 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 for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: 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. (Ordinance 173, October 25, 1993)

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

SURVEYOR - A registered professional surveyor in Pennsylvania.

SWALE - A low lying stretch of land which gathers or carries surface water runoff. (Ordinance 101)

TOPSOIL - Surface soils and subsurface soils which presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

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

WATERCOURSE - A stream of water, river, brook, creek, or a channel of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

(Amended by Ordinance 58, June 15, 1982; by Ordinance 63, June 13, 1983; and by Ordinance 101, August 24, 1987)

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 3

Application Procedures and Plat Requirements

§301. Pre-Application Procedures.

(1) Copies of this Chapter shall be available for use by any person seeking information concerning land development and/or subdivision standards and procedures in effect within East Buffalo Township. Any prospective Subdivider or Developer is encouraged to meet with the Township Planning Commission to discuss and review tentative plans and/or any provisions of this Chapter. Applicants should review specific design criteria and construction requirements described in this Chapter. (Ordinance 292, January 22, 2007)

(2) Prior to the preparation of any plans, it is suggested that prospective Developers consult with the East Buffalo Sewage Enforcement Officer concerning soil suitability when on-site sewerage facilities are proposed and with PennDOT regarding traffic congestion and curb cuts. (Ordinance 292, January 22, 2007)

(3) Prospective Developers are also advised to check with the Union County Conservation District representative concerning erosion and sediment control and assistance, if needed, in preparing the storm water management plan. At the same time, a determination can be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development. Land that is designated as flood prone shall not be platted, developed or used except in accordance with all ordinances, laws and regulations controlling said flood prone lands.

(As amended by Ordinance 101, August 24, 1987)

§302. Sketch Plan. Prior to the submission of a Preliminary Plan, Developers are encouraged to submit a sketch plan to the Township Planning Commission. This will enable the Planning Commission to review the proposal and to make any suggestions or inform the Developer of any proposed plans or factors that may affect his development. Such review and discussion shall be informal and advisory only.

A Sketch Plan should contain at least the following information:

(a) Location map.

(b) General information concerning any community facilities and/ or any other significant manmade or natural features that will affect the proposal.

(c) A property map at scale no smaller than 1" = 100' showing the specific parcel of land or site involved.

(d) A sketch of the proposed development on a map at a scale no smaller than 1" = 100' showing the proposed layout of streets and lots, and other features of the development.

§303. Preliminary Plan Procedures.

(1) Submission of the Preliminary Plan.

(a) Preliminary Plans and all required accompanying documentation shall be submitted by the Developer or his authorized representative to the Township Planning Director or his designee at least fourteen (14) days in advance of a regularly scheduled Planning Commission meeting.

(b) Submission shall consist of the following:

(a) Twelve completed copies of the appropriate application form available from the Township.

(b) Twelve blue-line or black-line paper prints of the Preliminary Plan showing all the information required herein plus 2 copies for each sewer module submitted.

(c) Twelve (12) copies of all other required documentation.

(d) Such fee or fees as shall be established from time to time by resolution of the East Buffalo Township Board of Supervisors.

(As amended by Ordinance 248, January 27, 2003; by Ordinance 292, January 22, 2007)

(2) Distribution of Preliminary Plan for Review and Comment. Copies of the application, Preliminary Plan and accompanying documentation shall be immediately distributed by the Planning Director or his designee as follows:

(a) One (1) copy each of the application, Plans and required documentation to the following:

- (1) County Planning Commission
- (2) Township Engineer
- (3) Township Zoning Officer if different from the Planning Director
- (4) County Conservation District
- (5) Lewisburg Area Joint Sewer Authority
- (6) Pennsylvania Department of Transportation District Office, but only if the proposed development abuts or is traversed by a state road.

(Ordinance 292, January 22, 2007)

(b) Remaining copies shall be retained by the Township.

(3) Action on Preliminary Plan by the Township.

(a) Action on a Preliminary Plan shall be taken by the Governing Body in such manner and within such time limits as provided for in the PA Municipalities Planning Code and other applicable laws. (Ordinance 292, January 22, 2007)

(b) The recommendation of the Planning Commission concerning the plan shall be in such manner and within such time limits as provided for in the Pennsylvania Municipalities Planning Code and other applicable laws. (Ordinance 292, January 22, 2007)

(c) Approval of a Preliminary Plan subject to conditions shall be automatically revoked if the Applicant or Applicant's representative does not accept the said conditions, in writing, within fifteen (15) days of the date said approval is delivered to Applicant or Applicant's representative, or mailed to Applicant or Applicant's representative, as the case may be. (Ordinance 292, January 22, 2007)

(d) The decision of the Governing Body shall be in such form and communicated to the Applicant or Applicant's representative as required by the provision of the Pennsylvania Municipalities Planning Code. (Ordinance 292, January 22, 2007)

(e) Approval of the Preliminary Plan shall not constitute approval of the Final Plan for any purpose or reason.

(f) When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the Developer, no subsequent change or amendment in this or any other applicable ordinance shall be applied to affect adversely the right of the Developer to commence and to complete any aspect of the approved development in accordance with the terms of such approval within three (3) years from such approval. Where final approval is preceded by preliminary approval, the three (3) year period shall be counted from the date of preliminary approval.

In 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 ordinance of plans as they stood at the time when the application for such approval was duly submitted to the Township.

§304. Preliminary Plan Requirements. The Preliminary Plan submission shall be prepared by such persons as are authorized by the Pennsylvania Municipalities Planning Code and consist of the following:

(1) The Plan. Drawn at a scale not greater than 1" = 10' or less than 1" = 100' on paper having a size of 18" x 24"; 22" x 34"; 24" x 36"; and showing the following:

(a) Name and address of Developer(s) and Owner(s).

(b) Proposed name of the development.

(c) North arrow, scale and date.

(d) Name and seal of the licensed person responsible for developing the plan.

(e) Location map showing the vicinity in which the proposed development is located.

(f) Tract map showing the entire parcel upon which the subdivision will occur. The tract map shall be prepared from a detailed field survey of the tract and all exterior boundaries and distances

shall be shown. A detailed boundary survey shall not be required for the first subdivision of an existing tract into no more than three (3) parcels if no new public or private rights of way are required and if the new parcels so formed are not greater than twenty (20) percent of the area of the original parcel.

(g) Topography showing existing and proposed contours at a vertical interval of no greater than two (2) feet. If the plan consists of five (5) lots or less for residential purposes and does not involve any new streets or rights of way for access, contours may be shown at a vertical interval of no more than ten (10) feet. In the case of relatively steep tracts, contours may be shown at such greater interval as may be determined to be necessary by the Planning Commission for satisfactory study and planning of the tract.

(h) Number of acres in the tract, number of lots, the zoning classification, and the type of proposed development.

(i) Lots shall be consecutively numbered, identified by a tax parcel number and street address, which shall be obtained from the appropriate Union County agencies. (As amended by Ordinance 239, May 6, 2002)

(j) Existing and proposed lot and boundary lines, including building setback lines, and information concerning lot dimensions, lot areas, and the location of any easements. The length and bearing of all existing and proposed lot and boundary lines shall be shown to the nearest 0.01 feet and the bearing shall be shown to the nearest second. Utility easements set forth in the Plan shall be in accordance with the respective utility company's requirements.

(As amended by Ordinance 415, adopted November 13, 2023)

(k) The location of all existing and proposed streets with information concerning right of way widths, types of paving and names.

(l) The location of any existing bodies of water or watercourses, the one hundred (100) year flood plain, tree masses, buildings or structures, public facilities, and any other man-made or natural features within or near the proposed development.

(m) The location of any parcels of land either existing or proposed to be dedicated or reserved for schools, parks, playgrounds, storm water management facilities, or other public, semi-public, or community purposes.

(n) All natural or proposed facilities for storm water management including the location of drainage swales, basins, culverts, storm sewers and inlets, or other structures.

(o) Signature blocks for each of the following Union County Planning Department review, the East Buffalo Township Commission review and the East Buffalo Township Board of Supervisors approval. (Ordinance 385, adopted January 3, 2017)

(2) Accompanying Data.

(a) Typical cross-sections for proposed streets showing rights-of-way, cartway widths, pavement design, proposed drainage, location of sidewalks, planting strips, gutters and berms.

(b) Centerline profiles of proposed streets showing existing and proposed grades.

(c) Plans and profiles of proposed sanitary and storm sewers including grades and pipe sizes shall be required, as shall also the plans for any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.

(d) Preliminary designs for any bridges, culverts, etc., which may be required; such designs to be subject to the approval of the Township engineer.

(e) The following specific information for use by the Township to amend the Official Township Plan for Sewage Facilities as required by the appropriate Commonwealth of Pennsylvania agency or agencies.

(1) The location of existing sewage and water supply systems.

(2) Information relating to the type of water supply and sewage disposal system to be provided.

(3) Information relating to adjacent property, buildings, sources of water supply, ponds, streams, sewage or sewage systems, rights-of-way, streets, that may have a significant effect on the environment and sanitary aspects of the proposed subdivision or development.

(4) Where subsurface disposal is planned, certification by the Township Sewage Enforcement Officer of the suitability of each proposed lot for on-lot treatment with an exact description of the site testing undertaken and any limitations on kinds of on-lot systems noted. Location of soil testing pits and holes shall be shown on the plan. If sanitary sewer service is planned, a certification by the Lewisburg Area Joint Sewer Authority that they are prepared to accept ownership and responsibility for operation and maintenance of the proposed sewer system.

(5) Direction and distance of the nearest sewage treatment plant and information as to its present or future accessibility in terms of time, finances and load capacity as well as the sources of this information.

(f) Proposed building restrictions and deed covenants.

(g) Runoff calculations for the proposed project except where the proposed residential development involves a total of five (5) or less residential lots and contains no new roads or rights-of-way for access. (Note: This exemption does not apply to sites where the total projected development exceeds five (5) lots even if construction is

staged in phases of five (5) or less lots.) An upstream watershed map shall be included with these calculations.

(h) A narrative describing all proposed earthmoving and grading along with the proposed soil stabilization and site restoration plans. As with the runoff calculations above, this narrative is optional for residential developments of five (5) or less lots having no new roads or rights-of-way.

(i) The following certification by the person preparing the plan shall be submitted:

I, _____, hereby certify that the storm water management plan meets all design criteria of the Township of East Buffalo Subdivision and Land Development Chapter.

(As amended by Ordinance 101, August 24, 1987)

(j) Written Certification from the appropriate Union County agencies approving and confirming the availability of street names, and reserving the same, tax parcel identification numbers for each lot and street addresses

(As amended by Ordinance 239, May 6, 2002)

(k) Traffic studies pursuant to the provisions and standards of this Chapter as amended from time to time. (Ordinance 385, adopted January 3, 2017)

Section §304(2)1 Single Lot Stormwater Plans. In the event the approved Stormwater Management Plan for the Subdivision and/or Land Development provides for individual on lot stormwater management facilities to service a single lot which will not be installed until the individual lot is developed the following shall apply to the said Subdivision and/or Land Development plan:

(a) The first, front or face sheet of the Subdivision and/or Land Development plan shall include the following statement:

The Stormwater Management Ordinance of East Buffalo, Union County, Pennsylvania (Chapter 26 of the Code of East Buffalo Township) provides that prior to the installation of single lot stormwater facilities a stormwater management plan for the said stormwater management facility, must be submitted to and approved by East Buffalo Township. Single lot stormwater management plans have not been prepared for the lots within this Subdivision and/or Land Development Plan. The preparation and approval of the single lot stormwater management plan for the individual lot within the plan shall be the responsibility of the person, persons, or entity erecting improvements upon the lot in the Subdivision and/or land Development Plan and the same to be in compliance with Stormwater Management Ordinance of East Buffalo Township.

(b) The developer and the developer's heirs, executors, administrators, successors and assigns as the case may be shall include the following statement on all documents transferring ownership of the lot upon which an individual on lot stormwater management facility is to be installed or has been installed:

Prior to the commencement of any work in furtherance of the development of the within described lands the Grantee shall enter into an Improvements Guaranty Agreement with East Buffalo Township assuring that the on lot stormwater management system servicing the within described lands as provided for in the subdivision and/or land development plan and related stormwater management plan shall be installed in accordance with the said plan and the said stormwater management plan. Said Improvements Guaranty Agreement shall require financial security and shall be in a form satisfactory to Township. This provision shall be a covenant running with the land and shall be binding upon the Grantee, his/her, their or its heirs, executors, administrators, successors and assigns.

Township shall not issue Zoning Permit and/or Building Permit unless and until the Grantee has complied with all provisions of applicable Township Ordinances and has entered into an Improvements Guaranty with financial security in a form satisfactory to the Township.

(As amended by Ordinance 333, August 23, 2010)

§305. Final Plan Procedures. Submission of a Final Plan for approval by the Township shall occur within the time specified in the Pennsylvania Municipalities Planning Code.

Except for modifications or changes required by the Township, the Final Plan shall conform to the approved Preliminary Plan. Where, in the opinion of the Planning Commission, there have been modification or changes, other than those required by the Township, made to an approved Preliminary Plan, the plan shall be submitted again as a Preliminary Plan.

A Final Plan may be prepared for only a portion of the area set forth in the approved Preliminary Plan where so desired by the Developer, provided the same is in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

(1) Submission of the Final Plan.

(a) Final Plans and all accompanying documentation shall be submitted by the Developer or his authorized representative to the Township Planning Director at least fourteen (14) days in advance of a regularly scheduled Planning Commission meeting.

(b) Submission shall consist of the following:

(a) Twelve (12) completed copies of the appropriate application form available from the Township.

(b) Twelve (12) blue-line or black-line paper prints of the Final Plan showing all the information required for Preliminary Plans plus 2 copies for each sewer module submitted.

(c) Twelve (12) copies of all other required documentation, the same to include letters from the respective utility companies stating that the utility easements as set forth on the Plan are in compliance with the respective utility company's requirements.

(As amended by Ordinance 415, adopted November 13, 2023)

(d) Such fee or fees as shall be established from time to time by resolution of the East Buffalo Township Board of Supervisors.

(As amended by Ordinance 248, January 27, 2003)

(2) Distribution of Final Plan for Review and Comment. One copy each of the Final Plan and accompanying documentation shall be immediately distributed by the Township Planning Director or his designee as follows:

- (a) County Planning Commission
- (b) Township Engineer
- (c) Township Zoning Officer if different than the Planning Director.
- (d) Such other agencies or persons as the Township Planning Director shall determine.

(3) Improvements. No Final Plan shall be approved unless the Applicant shall:

(a) Have installed all improvements set forth in the Final Plan and received the written approval of the said improvement from the Township engineer; OR

(b) Executed an Improvements Guaranty in a form satisfactory to the Township in accordance with the provision of the Pennsylvania Municipalities Planning Code to ensure the proper installation of all of the improvements set forth in the Final Plan. Applicant shall be responsible for the proper installation of said improvements.
(Ordinance 297, May 21, 2007)

(c) Single Lot Stormwater Plans. In the event the approved Stormwater Management Plan for the Subdivision and/or Land Development provides for individual on lot stormwater management facilities to service a single lot which will not be installed until the individual lot is developed the following shall apply to the said Subdivision and/or Land Development plan:

(a) The first, front or face sheet of the plan shall include the following statement:

The Stormwater Management Plan for this development provides for individual stormwater facilities to be installed on individual lots to service the lot upon which it is to be installed. The lots upon which the said individual stormwater facilities are to be installed are _____ . The Developer will not be

installing the said individual facilities. The installation shall be the responsibility of the person, persons, or entity developing the said lot. The person, persons or entity developing the said lots shall be required to sign an Agreement with East Buffalo Township assuring the proper installation and maintenance of the said facility, the same to include financial security.

(b) The developer and the developer's heirs, executors, administrators, successors and assigns as the case may be shall include the following statement on all documents transferring ownership of the lot upon which an individual on lot stormwater management facility is to be installed or has been installed:

Prior to the commencement of any work in furtherance of the development of the within described lands the Grantee shall enter into an Improvements Guaranty Agreement with East Buffalo Township assuring that the on lot stormwater management system servicing the within described lands as provided for in the subdivision and/or land development plan and related stormwater management plan shall be installed in accordance with the said plan and the said stormwater management plan. Said Improvements Guaranty Agreement shall require financial security and shall be in a form satisfactory to Township. This provision shall be a covenant running with the land and shall be binding upon the Grantee, his/her, their or its heirs, executors, administrators, successors and assigns.

Township shall not issue Zoning Permit and/or Building Permit unless and until the Grantee has complied with all provisions of applicable Township Ordinances and has entered into an Improvements Guaranty with financial security in a form satisfactory to the Township.

(As amended by Ordinance 333, August 23, 2010)

(d) Utility Easements. The location, width and construction of utility easements shall be in compliance with all local, state and federal Ordinances, statutes, laws, rules and regulations, as well as compliance with the respective utility company requirements.

(Added by Ordinance 415, adopted November 13, 2023)

(4) Action on Final Plan by the Planning Commission. Action on the Final Plan shall be taken in the same manner as for Preliminary Plans. In addition, if Final Plan approval is recommended by the Planning Commission, the Chairman and the Secretary of the Planning Commission shall sign the Record Plan and all prints and forward them to the Board of Supervisors along with a copy of their written recommendation.

(5) Action on Final Plan by the Governing Body.

(a) Following receipt of the written recommendation from the Planning Commission, if there be any, otherwise after the period set forth in the Pennsylvania Municipalities Planning Code, or any extension thereof, the Governing Body shall consider the Final Plan at a regularly scheduled or special meeting. If the Plan is to be

considered at a special meeting, the Developer shall be so notified, and in addition, the Governing Body may schedule a public hearing before taking any action on the Plan.

(b) Action on a Final Plan shall be taken by the Governing Body in such manner and within such time limits as provided for in the Pennsylvania Municipalities Planning Code and other applicable laws.

(c) Approval of a Final Plan subject to conditions shall be automatically revoked if the Applicant or Applicant's representative does not accept the said conditions, in writing, within fifteen (15) days of the date said approval is delivered to Applicant or Applicant's representative or mailed to Applicant or Applicant's representative, as the case may be.

(d) The decision of the Governing Body shall be in such form and communicated to the Applicant as required by the provision of the Pennsylvania Municipalities Planning Code.

(6) Recording of Plan.

(a) Upon approval of a Final Plan by the Township, the Developer shall record the Final Plan (Plan) in the Office of the Union County Recorder of Deeds within the time limits set forth in the Pennsylvania Municipalities Planning Code. Contemporaneously with the recording of the Plan, the Developer shall record the Storm Water Management Agreement (Agreement) and any written utility easements prepared in accordance with the respective utility company's requirements (Easements). The Plan and Agreement shall not be recorded unless both have been officially approved by the Township and been signed by the Township Board of Supervisors with original signatures of the Chairman and Secretary of the Board of Supervisors.

(b) Developer shall, immediately upon recording the Plan, Agreement and Easements, provide the Township with a full and complete copy of the Plan and Agreement with all recording information set forth therein and provide the Township Zoning Officer with proof that the Easements were recorded at the same time as the Plan and Agreement.

(c) No permits shall be issued by the Township with regard to the land within the area set forth in the Plan until Township shall have evidence, satisfactory to it, that the Plan, Agreement and Easements have been recorded as herein provided.

(d) If the Plan is not recorded within the time frames set forth in the Pennsylvania Municipalities Planning Code, the same shall be null and void unless an extension of time is granted by the Governing Body upon request from the Developer.

(e) Recording of the Final Plan after approval has the effect of an irrevocable offer to dedicate all streets and other public areas to public use except as noted on the Final Plan. The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Township concerning maintenance or improvement until the Governing Body has made actual appropriation by ordinance or resolution, by entry or improvement. This offer of dedication of all streets and public areas for public use shall be set forth on the

subdivision plan itself. Any streets or public areas not being dedicated to the municipality, or any conditions attached to the dedications shall be noted on the plan to be recorded.

The Governing Body may approve a Final Plan without an offer of dedication of streets or public areas, provided that such Final Plan contains a notation that there is no dedication and that the owner and subsequent owner or owners shall be responsible for the improvement and maintenance of all streets and other public areas.

(As amended by Ordinance 415, adopted November 13, 2023)

(7) Add-On Subdivisions. The procedure applicable to add-on subdivision plans shall be the same as for Preliminary and Final subdivision plans, provided that requirements for Preliminary and Final subdivision plans that are, in the opinion of the Township, unnecessary because of the nature of an add-on subdivision may be waived by the Township.

(a) A statement shall be placed on the plan that shall be conspicuous in bold print with letters at least one-quarter inch in size. The statement shall be "This add-on lot may be conveyed only as an addition to an adjacent lot as shown on this plan".

(b) A statement shall be placed upon the plan as follows: "Lot # _____ is an addition to the lands of _____ and shall hereafter be considered to be a part of said lands for future subdivision and/or land development purposes".

(c) The owner/subdivider of the lands which are the subject of the add-on subdivision plan, shall, at the time of the filing of the application for plan approval, execute a written statement provided by the Township acknowledging his, her, their or its understanding of the restrictions on the transfer and conveyance of an add-on lot.

(d) The approved Add-On Subdivision plan shall be recorded within 90 days of approval. The same may be recorded as a separate document or as an attachment to the deed transferring the add-on lot. Failure to record the said plan and transfer the add-on lot in accordance with the plan within the said 90 days shall revoke the approval of the plan. In the event of such revocation the Township shall adopt a resolution to the effect that the plan has been revoked and shall record a copy of the said resolution.

(e) Applicant shall deposit such sum of money as established by the Township from time to time by resolution to be held by the Township to defray the costs of preparing and recording the resolution revoking approval of the add-on plan for failure to record the plan and transfer the said add-on lot in accordance with the plan within the 90 days provided for herein. The said sum of money shall be refunded to Applicant if the plan is recorded within the said 90 days, the lot transferred as herein provided within the said 90 days and proof of the same is provided to the Township.

(Ordinance 292, January 22, 2007; Ordinance 298, May 21, 2007)

§306. Final Plan Requirements. The Final Plan submission shall be prepared by such persons as authorized by the Pennsylvania Municipalities Planning Code and consist of the following:

(1) A plan showing:

(a) Streets. Existing and proposed streets and lot lines with distances and bearings of all straight lines; and arcs, chords, and chord bearings of all curves.

(b) Updated material from the approved Preliminary Plan. The final plot plan must be in substantial agreement with the approved preliminary plot plan, as amended by any conditions imposed.

(c) Seal. Seal or stamp of the person preparing the plan to the effect that the:

(1) Survey and plan or map is correct and true to the specifications shown and according to the requirements of this Chapter.

(2) Monuments and markers have been placed as shown on the plan.

(d) Ownership. An acknowledged affidavit or certificate of ownership with all appropriate signatures and dated prior to submission.

(2) Materials To Be Submitted With Final Plan.

(a) Improvements. Copies of detailed drawings and specifications, if any, for all improvements set forth in the Final Plan.

(b) Written approval of the Township engineer certifying that all improvements installed prior to the submission of the Final Plan are properly installed and in full compliance with all local, state and federal ordinances, laws, statutes and regulations.

(c) An Improvements Guarantee in a form provided by the Township and in an amount equal to the maximum amount permitted by the Pennsylvania Municipalities Planning Code to secure proper installation and maintenance of all improvements set forth in the Final Plan and not installed on the date of the submission of the Final Plan. The terms of the Improvements Guaranty Agreement as well as the release of funds and the termination of the Agreement shall be in accordance with the provisions of the Pennsylvania Municipalities Planning Code and all other applicable ordinances, laws, statutes and regulations.

(d) A copy of all deed restrictions imposed by the Applicant, if any, as well as any Agreements for the maintenance of private roads, streets, easements, rights of ways, storm water facilities and systems, the same being subject to approval of the Township.

(e) All required permits (or letters of intent to issue such permits pending final approval) from all appropriate local, state and federal agencies.

(As amended by Ordinance 101, August 24, 1987; by Ordinance 292, January 22, 2007; Ordinance 297, May 21, 2007)

§307. Conditional Approval. The Township Board of Supervisors may grant Preliminary or Final Plan approval subject to conditions acceptable to the applicant. The Township Board of Supervisors shall set forth the conditions upon which the plan is approved in writing and shall deliver the same to the applicant as provided for in the Pennsylvania Municipalities Planning code. Failure of applicant to accept the said conditions, in writing and delivered to the Township within 30 days of the approval of the said plan subject to the conditions shall nullify the said approval.

§307.1 Acceptable Conditions. Except for extraordinary circumstances no subdivision or land development plan will be approved subject to the condition other than the following conditions:

- (a) Receipt of an approved sewer planning module.
- (b) Receipt of Pennsylvania Department of Transportation Highway Occupancy Permit.
- (c) Receipt of an approved Erosion and Sedimentation Control Permit or Plan.
- (d) Receipt of an approved NPDES Permit.
- (e) Receipt of a permit or approval of another government agency.
- (f) Receipt of properly executed Storm Water Agreement.
- (g) Receipt of properly executed Improvements Guaranty.

Provided that upon submission of the said plan and upon approval of the said plan subject to conditions the applicant has submitted proof, satisfactory to the Township, that applicant has diligently pursued the said approval or permit.

§307.2 Termination of Conditional Approval. Failure of applicant to satisfy the conditions attached to the approval within 90 days of the approval shall cause an automatic revocation of the approval. Township shall notify applicant of said revocation upon expiration of the said 90 days.

§307.3 Review of Revised Plans. The costs of review, by Township employees, officers, agents or consultants, of revisions to submitted subdivision and/or land development plans shall be paid by the applicant, the same to be in addition to the fee charged for the original submission of a subdivision and/or land development plan. The charge for review by a Township employee or officer shall be at the rate established from time to time by resolution of the Township. The charge for review by an agent or consultant shall be the same as the agent's or consultant's charge to the Township.

§307.4 All revised plans shall be submitted to the Township Planning Commission for review prior to action by the Board of Supervisors. The Board of Supervisors shall take action within the time prescribed by the Pennsylvania Municipalities Planning Code.

(As amended by Ordinance 334, August 23, 2010)

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 4

Design Standards

S401. General Standards.

(1) A Developer shall consider coordinating proposed development with neighboring development.

(2) In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation by the Township. Examples of such features would include, but not be limited to, large trees or stands of trees, watercourses, historic areas and structures, scenic views, etc.

To ensure the protection of such features, the Township may require any or all of the following to be submitted:

(a) A grading plan showing the existing and proposed ground elevations relative to the features to be protected.

(b) The accurate location of the features to be protected.

(c) An explanation of the precautions to be taken by the Developer to protect such features.

(3) Where any earth work or change in existing contours is proposed or where any existing trees, shrubs or other natural vegetative cover will be removed, the Developer shall obtain a permit for earthmoving activities. Such a permit is not required for agricultural activities.

(4) In a development where the average slope exceeds fifteen percent (15%), the Township may require additional design standards as recommended by the Township Engineer. (Ordinance 292, January 22, 2007)

(5) Developments adjacent to a river, stream or other significant body of water shall adhere to the requirements of Chapter 8 of the East Buffalo Township, Union County, Pennsylvania, Code of Ordinances regulating development on areas subject to flooding, as amended from time to time. (Ordinance 292, January 22, 2007)

(6) Where the lots in a subdivision are large enough for re-subdivision or where a portion of the tract is not subdivided or developed suitable access to these areas shall be provided with adequate provisions being made for future development.

(7) To the extent possible, general street layout and lot orientation shall maximize potential solar heating and energy efficiency for future development.

§402. General Design Standards and Requirements.

(1) Street System General Arrangement. The following criteria shall be considered in the design of streets (including private streets not dedicated):

(a) The arrangement of streets shall be in a manner that minimizes congestion, avoids hazardous intersections, provides convenient and safe access to the property and shall conform to the circulation plan of the Township comprehensive plans, to official maps, and to such County, Municipal, and State road and highway plans as have been duly adopted.

(b) Proposed streets shall be coordinated with existing or proposed streets on adjacent properties and shall be planned and designed for the continuation of existing streets in adjoining areas, the proper projection of streets into adjoining undeveloped or unplatted areas and the continuation of proposed streets to the boundaries of the tract being developed.

(c) Streets shall be laid out to be harmonious with the existing and proposed site characteristics including, but not limited to, slope, best use, parcel layout, runoff, soil capacity, water table, floodplain, sight distance, traffic volume and safety, pedestrian use, traffic control, and parking.

(d) Curvilinear streets should be utilized only where their use will be consistent with adjoining development patterns, topography, and natural features of the site.

(e) Curvilinear streets shall not be used immediately adjacent to an existing grid street system without providing a transition that continues and projects the historic grid.

(f) Streets shall be laid out to preserve the integrity of their design.

(g) Streets shall be laid out to conform as much as possible to the topography in order to permit efficient drainage and utility systems, to require the minimum number of streets necessary to provide for convenient and safe access, and to result in usable lots and satisfactory street grades.

(h) Streets which provide ingress and egress to residential areas of single and multiple family dwellings shall be laid out to discourage and minimize their use by through traffic and to discourage excessive speeds; however, street connectivity into and from adjacent areas is encouraged and will generally be required.

(i) If lots resulting from a subdivision or land development, including the residual tract, are large enough for re-subdivision, adequate street right-of-way to permit further subdivision and land development shall be provided as necessary.

(j) Where a subdivision or land development abuts a collector or arterial street the Township may require an internal street system, marginal access street, rear service street, reverse frontage lots,

shared driveways, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections and driveways with the collector or arterial street, and to separate local and through traffic.

(k) Adequate vehicular and pedestrian access shall be provided to all lots abutting the street.

(l) Where streets continue into adjacent municipalities the applicant shall coordinate the design of the street with the Township and the adjacent municipalities in order to ensure uniform cartway widths, pavement cross sections, and other public improvements.

(m) All proposed connections to existing streets shall be approved by the jurisdiction in which the existing streets are situate.

(n) Streets shall be designed with drainage grates that are safe for crossing by bicycles and horse drawn vehicles.

(o) All streets being offered for dedication must meet the Pennsylvania Department of Transportation (Penn DOT) requirements for liquid fuel allocation.

(p) Streets offered for dedication shall provide any required dedicated facilities to include the stipulated right-of-way, street geometry, street section, drainage facilities, and traffic control. Additional infrastructure may be required where design standards warrant further improvements based on traffic impact studies.

(q) Proposed private streets (those not offered for dedication) shall meet all the design standards of this Chapter, including but not limited to right-of-way, curbs, sidewalks, drainage, construction, traffic control, and setbacks.

(r) Where a subdivision or land development abuts or contains an existing street right-of-way of improper width or alignment, the Township may require the dedication or reservation of additional land sufficient to widen the street or correct the alignment.

(s) The Township shall determine the classification of roadway and street systems. This determination, if necessary, should be obtained prior to the design process.

(2) Traffic Studies.

(a) The applicant developer shall prepare a Traffic Impact Study (TIS) where any of the following conditions are met. All calculations shall be based on the Institute of Transportation Engineers, or its successor's, most recent manual and shall be based on full, complete build out of project regardless of the number of stages or phases.

(1) The site is expected to generate 100 or more vehicle trips entering or exiting the development during any one hour time period of any day of the week.

(2) If the entire site, upon final build-out, is expected to generate 3,000 or more average daily trips or 1,500 average vehicles per day.

(3) Existing development sites that are expanded or redeveloped and the expanded or redeveloped site is expected to generate 100 or more additional trips entering or exiting the site during any one hour period of any day of the week.

(4) The elimination of a street or road resulting in redistribution of traffic onto the existing roadway network.

(5) The Township may require a Traffic Impact Study when its Engineer determines that the development is expected to have significant impact on its existing highway, street and/or road system regarding safety or traffic flows even if none of the conditions above are met.

(As amended by Ordinance 388, adopted August 14, 2017)

(b) The Township and/or Pennsylvania Department of Transportation may require a Transportation Impact Assessment (TIA) for a proposed development or redevelopment even if the conditions set forth above are not met. Factors in determining if a TIA may be necessary include but are not limited to location of the proposed access and site configuration, existing or potential congestion and delay on surrounding roadway network, and/or safety concerns. The purpose of a TIA is to assess the impact of the development on specific intersections or elements of the state or local transportation system. A TIA shall be prepared in the same manner as a TIS as applicable and may be incorporated as part of a TIS.

(c) The said TIS and TIA shall be prepared by a person who possesses a current Professional Engineer's license issued by the Commonwealth of Pennsylvania, shall be prepared in compliance with the applicable Pennsylvania Department of Transportation's most recent policies and procedures for preparation of said report or study and the Engineer shall affix his/her seal and signature to the report.

(d) Prior to the commencement of a TIS and/or a TIA the applicant developer's engineer shall submit a scope of the study to the Township and the Township Engineer for review and approval.

(e) The Township may elect to have the studies and supporting documents reviewed by a qualified Engineer for completeness, accuracy and consistency with the applicable policies, practices, and procedures and report their findings as recommendations or comments to the Township for consideration of acceptance of the study. All costs associated with the reviews shall be the responsibility of the applicant developer.

(3) Required Right-of-Ways and Cartways.

(a) Right-of-way and cartway widths contained in this Chapter are the minimum required for public and private streets based upon the need to provide efficient movement of vehicles, serve utilities, accommodate ponding runoff, storage of plowed snow, emergency parking, temporary

roadway adjustments during maintenance and accidents, and to accommodate future improvements.

(b) The applicant shall certify that title to any street right-of-way is free and clear of all liens and encumbrances and that no prior right-of-way has been granted to any utility or any other person or, if so granted, shall be clearly identified.

(c) Right-of-way and cartway widths should not be less than that required for all elements of the design cross sections, utility accommodation, and appropriate border areas, such as in cul-de-sacs, and by the Penn DOT Liquid Fuels Regulations. All plans shall be designed to provide for the entire right-of-way and cartway widths. Refer to Table 1 of this resolution for the minimum requirements.

(d) The Township may require a right-of-way width greater than Penn DOT specifications and the standards set forth in Table 1 of this Chapter for reasons of public safety and convenience, for acceleration and deceleration lanes into parking lots, streets, or high density developments, or to provide for future service roads.

(e) The right of way and cartway width of a new public street that is a continuation of an existing street shall in no case be continued at a width less than the existing street. Where the right-of-way and cartway width of the new street is greater than the existing street, a transition area shall be provided, the design of which is subject to Township approval.

(f) All of the right-of-way shall be graded similar to the street grade. The slope of banks along street centerlines shall be no steeper than the following:

(1) One (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills.

(2) One (1) foot of vertical measurement for two (2) feet of horizontal measurement for cuts.

Where a cut or fill abuts a sidewalk there shall be a two (2) foot level area adjacent to the sidewalk and the fill slope shall not exceed three to one (3:1) slope.

(g) Private rights-of-way shall be in accordance with those requirements prescribed for private streets in this Chapter.

(h) Where a subdivision or land development adjoins undeveloped acreage, new streets or reserved right of ways shall be provided to the boundary lines of the development.

(4) Street Design Standards. The following design criteria shall be considered the minimum standards in the design of streets:

(a) Streets shall be designed for a twenty (20) year service life. If a street is to be utilized prior to completion of construction of buildings on land abutting the street, the utilized portion must be structurally designed to support all anticipated

loading without significant loss of the designed service life of the street.

(b) Special consideration for future bus and truck routes must be taken into consideration in the design of streets for pavement thickness and width, sight distances and curb radii.

(c) Streets located in floodplain or flood prone areas shall be designed and constructed to meet the requirements of the applicable statutes, laws, ordinances, rules and regulations.

(d) Traffic calming techniques should be considered with projects that result in high vehicular or pedestrian traffic areas of commercial development and transition areas between commercial and residential development. Techniques shall be employed based on Penn DOT regulations.

(e) The maximum design speeds and operating speeds shall be as shown in Table 1.

(f) Vertical Alignment.

(1) Vertical curves shall be used in changes of grade exceeding one percent. In order to provide proper sight distances, the minimum length (in feet) of vertical curves shall be as computed in accordance with the Penn DOT regulations.

(2) The minimum grade on all local streets shall be one half (0.5) percent. The maximum grade on any street shall not exceed twelve (12) percent; however, grades not more than sixteen (16) percent may be used for limited distances less than 300 feet and shall be subject to the approval of the Township prior to design. Refer to Table 1.

(3) Grades at intersections shall be as flat as possible. The grade of the approach shall not exceed four (4) percent grade change for forty (40) feet or greater depending on the stacking length of the vehicles caused by high traffic volume areas. Refer to Table 2 for further design requirements.

(g) Horizontal Alignment.

(1) Alignment between control points should conform to topography following closely the natural contours, consistent with the design speed, the traffic volumes to be served, the right-of-way and construction cost.

(2) Horizontal curves shall be designed in accordance with Table 1.

(h) Intersections.

(1) Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than seventy-five (75) degrees, or more than one-hundred and five (105) degrees.

(2) No more than two (2) streets shall intersect at the same point.

(3) Street intersections shall be designed with a minimum of fifteen (15) foot radii, but should at all times be designed to safely accommodate the intended vehicular traffic such as combination trucks and buses. Refer to Table 2 for additional minimum curb radii.

(4) The corner sight distances or clear sight triangle for each design speed shall be as specified in the Township Zoning Ordinance. The clear sight triangle shall be maintained as open space with no visual obstructions (Refer to Figure 1).

(5) Sight distances for all intersection, horizontal alignments, or vertical alignments shall be designed to achieve the required minimum safe sight distances and safe stopping distances as specified in accordance with the Penn DOT regulations.

(6) Any street intersecting with another street shall not be located closer than the distances specified in Table 2. Distances shall be measured from the centerline of the two intersecting streets along the centerlines.

(7) Where a subdivision or land development is provided access by a single street, the Township may, in its sole and absolute discretion, require a boulevard-type entrance that would consist of two streets having a width of 20 feet each separated by an island having a width of 10 feet within a right-of-way having a width of 70 feet.

(8) All signalized intersection shall be equipped with preemption devices acceptable to the fire company primarily responsible for the area of the Township in which the intersection is situated.

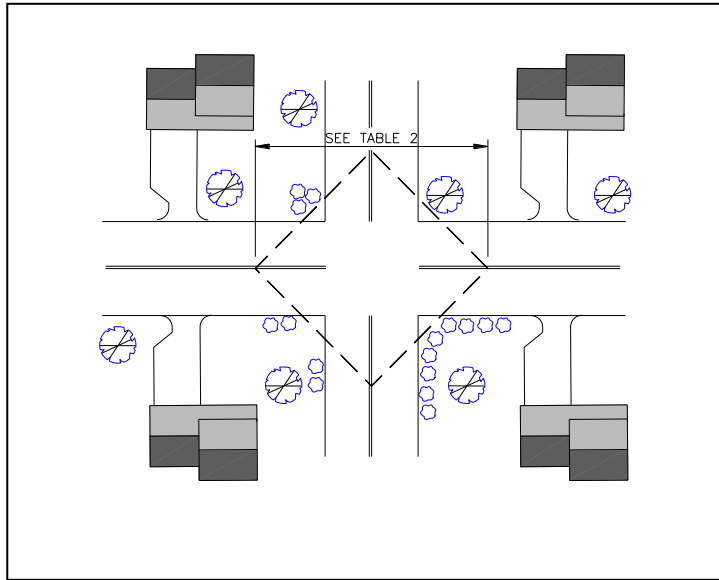


TABLE 1 - DESIGN STANDARDS

CRITERIA	ARTERIAL	COLLECTOR	LOCAL	PRIVATE
ADT	>3,000	1,000-3,000	200-1,000	25-750
DESIGN SPEED	55	40	30	25
OPERATING SPEED (MPH)	50	35	25	20
MINIMUM GRADE	0.5%	0.5%	0.5%	0.5%
MAXIMUM GRADE	6%	8%	12% ¹	12% ¹
RIGHT-OF-WAY WIDTH (FEET)	70 OR GREATER	60	50	50
CARTWAY WIDTH (FEET)	24	22	20 ³	20 ³
SHOULDER WIDTH WITH CURBS (FEET) ²	8	6	4	4
SHOULDER WIDTH WITHOUT CURBS (FEET) ²	8	8	6	6
PARKING LANE WIDTH (FEET)	NO PARKING LANE PERMITTED	10 IF PERMITTED	8 MIN.	8 MIN.
CARTWAY WITH PARKING AND CURB (FEET)	NO PARKING LANE PERMITTED	36	34	38 IF PERMITTED
HORIZONTAL CURVATURE (FEET) ⁴	750	500	150	150
REVERSE CURVE OFFSET (FEET)	300	150	100	100
VERTICAL CURVES (FEET)	SEE (4)	SEE (4)	SEE (4)	SEE (4)

¹—Greater grades may be allowed at the discretion of the Township with concurrence of the Township engineer.

²— Shoulders in streets with curbs shall be constructed to cartway standards.

³— All streets shall be curbed where lot widths are less than 80 feet.

⁴— All sight distances shall be in accordance with the Commonwealth of Pennsylvania, Title 67, Transportation, Chapter 441 as from time to time reenacted and amended.

TABLE 2 – INTERSECTION DESIGN SPECIFICATIONS

DESCRIPTION	INTERSECTION TYPES				
	ARTERIAL WITH COLLECTOR	ARTERIAL WITH LOCAL ²	COLLECTOR WITH COLLECTOR	COLLECTOR WITH LOCAL	LOCAL WITH LOCAL
MINIMUM DISTANCE BETWEEN CENTERLINES (Same Side/Opposite Side)	800'/800'	800'/300'	500'/300'	500'/300'	300'/150'
ANGLE OF STREET INTERSECTIONS ¹	90	90	90	75 TO 105	75 TO 105
LENGTH/GRADE CHANGE OF INTERSECTION APPROACHES	100'/4%	80'/4%	80'/4%	60'/4%	40'/6%
MINIMUM CURB RADIUS	50'	20'	35'	25'	20'

¹ – Angles should be designed to 90 degrees when possible.

² – Where the centerlines of local streets opening onto opposite sides of an arterial street are within 150 feet of each other, they shall be made to coincide by curving the streets to form a four-way intersection whenever possible.

³ – This includes railroads. Refer to the detail for proper alignments.

(9) Any subdivision or land development, which can be expected to generate more than 200 vehicle trips per day shall provide any or all of the following facilities as may be required to provide safe and efficient operation at any proposed driveway or street:

- (a) Acceleration or deceleration lanes;
- (b) Concrete median or median barriers;
- (c) Left-turn lanes;
- (d) Traffic signals;
- (e) Lane markers; and
- (f) Other such traffic control devices as may be necessary.

(10) Turning lanes, medians, acceleration and deceleration lanes, traffic signals, lane markers and other such traffic control devices required shall be designed in accordance with Penn DOT regulations.

(i) Minimum widths of roadway surface and shoulders shall be in accordance with Table 1 and Figure 2. All roadways, shoulders and berms shall be constructed in accordance with Penn DOT specifications and standards as established from time to time.

Any conflict in the provisions of this Chapter and Penn DOT specifications and standards shall be resolved in favor of the stricter standards.

(j) Structures.

(1) Bridges, culverts, walls, tunnels and other structures shall be designed in accordance with the current AASHTO

publication "Standard Specifications for Highway Bridges" and Penn DOT regulations.

(2) The design of all structures is subject to the review and approval of the Township Engineer.

(3) For new construction projects required bridge widths and design load structural capacities shall be designed using Penn DOT regulations.

(4) A 14'-0" minimum vertical clearance plus an allowance of six (6) inches to accommodate future resurfacing shall be provided for all new and reconstructed facilities on or over collector and local road facilities.

(5) A 16'-0" minimum vertical clearance plus an allowance of six (6) inches to accommodate future resurfacing shall be provided for all new and reconstructed facilities on or over Interstate, limited access, and arterial facilities.

(6) For additional vertical clearance requirements refer to Penn DOT regulations.

(7) The minimum width criteria and minimum design load structural capacities shall be as indicated in the applicable Penn DOT regulations.

(8) All laterals, pipes, conduit, tunnels or similar structures intended to provide utility services, storm water drainage or other similar use to a lot or parcel of land abutting a street or road shall be installed at the time the road or street is constructed. Said installation shall be subject to such reasonable requirements as the Township may impose to prevent settling around the same.

(k) Special Streets.

(1) Cul-de-Sacs.

(a) A cul-de-sac will not be permitted when a through street is feasible. The feasibility of a through street will be based on the physical features of the tract proposed for development, the potential for extension of the street to adjoining lands, restrictions imposed by other government regulations, and the ability to design to meet all other requirements of this Chapter. When cul-de-sacs are proposed, a written analysis of the merits of the design and the reasons that a through street would not be feasible shall be submitted. Approval of cul-de-sac streets shall be at the sole discretion of the Township.

(b) Cul-de-sacs shall not be used immediately adjacent to an existing grid street system without providing a transition that continues and projects the historic grid.

(c) Cul-de-sacs shall be prohibited where it is possible to provide loop streets that provide better access for emergency vehicles, fewer restrictions on snow removal, and improved pedestrian access.

(d) Permanently designed as such a cul-de-sac street shall not exceed six hundred (600) feet in length, the length of which is measured from the centerline intersection with the through street to the center point of the turnaround.

(e) Permanent cul-de-sac streets shall have a paved, circular turnaround with a minimum radius to the curb line of forty-five (45) feet and the minimum radius of the right-of-way lines shall be fifty (50) feet. Refer to Figure 3 for minimum geometrical requirements.

(f) An interior island may be permitted in the cul-de-sac turnaround in residential areas at the discretion of the Township.

(g) The centerline grade on a cul-de-sac street shall not exceed ten (10) percent and the grade of the diameter of the turnaround shall not exceed four (4) percent.

(h) Temporary cul-de-sacs shall be permitted at the sole and absolute discretion of the Township and only when the street is intended to be extended. Temporary cul-de-sacs shall be constructed to the same standards and designs as permanent cul-de-sacs. When the street is extended the improved area outside the street cartway and berm shall be placed in the same condition as the land adjacent to the berm and all required grades and storm water drainage systems shall be installed. At the time the temporary cul-de-sac is approved the Applicant shall execute an agreement with the Township guaranteeing the work to be done in removing the temporary cul-de-sac as well as the costs to vacate that portion of the cul-de-sac to be removed when the street is extended. Financial security satisfactory to the Township shall be pledged with the said agreement.

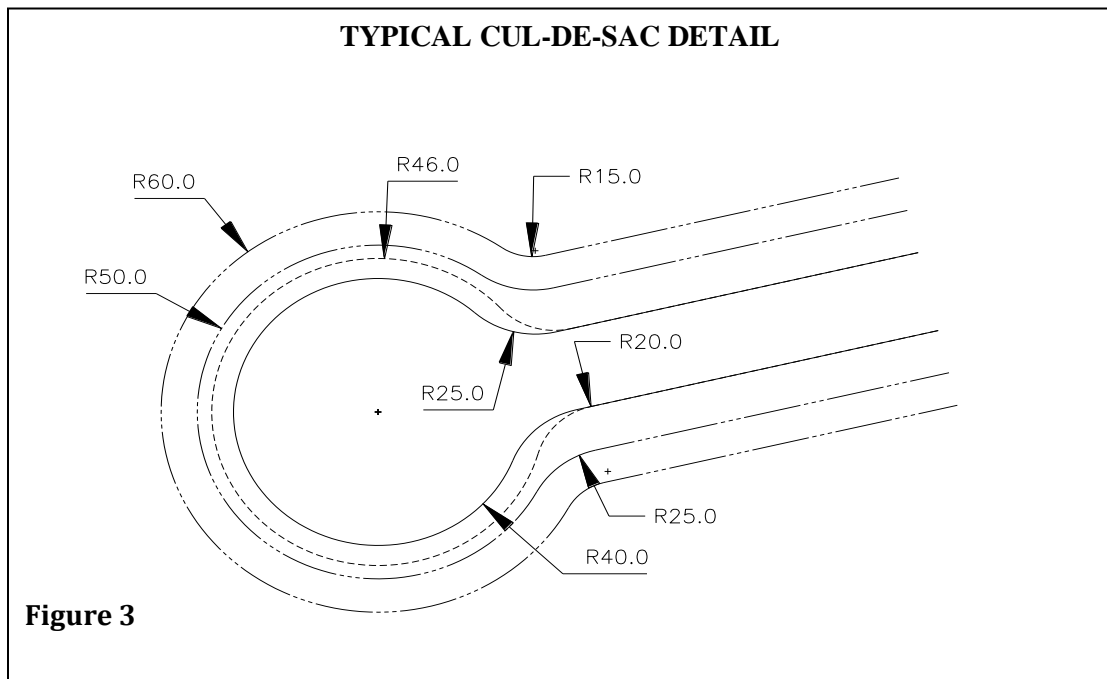
(i) Unless future extension is clearly impractical or undesirable and it is clearly demonstrated by the applicant to the Township, the turnaround right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.

(j) The mail and newspaper boxes servicing structures erected upon lands abutting cul-de-sac shall be placed in a cluster at either the beginning or end of the radius of the cul-de-sac, the same to be in accordance with the United State Postal regulations. No mailbox shall be erected or maintained upon or along the radius of any cul-de-sac. The location of the mailboxes as provided herein shall be set forth on the subdivision plan in which the cul-de-sac is located.

(k) There shall be no more than 3 driveways accessing a cul-de-sac. In the case of driveways accessing a single lot the width of the driveway within the right-of-way shall not exceed 10 feet in width. The driveways shall be at least 15 feet from the side lot lines measured at the point of the intersection of the said lot line and the right-of-way line of the street. Driveways in no case shall be closer than 5 feet from any lot line beyond the right-of-way.

Where there are more than 3 lots abutting a cul-de-sac common driveways shall be utilized to service 2 or more lots. Said common driveways will be placed at the location of the common boundary lot line with one half of the driveway on each lot. The width of common driveways shall not exceed 20 feet. Where common driveways are to be utilized the developer shall provide the Township with a written agreement as to the maintenance of said driveway, a copy of said agreement shall be recorded in Union County.

TYPICAL ROADWAY SECTIONS



(2) Dead End Streets.

(a) Dead end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining lands.

(b) Any dead end street for access to any adjoining lands or because of authorized phased development shall be provided with a temporary, all weather turnaround. The use of such turnaround shall be guaranteed to the public until such time the street is extended.

(3) New half or partial streets are prohibited.

(4) Alleys. Alleys may be permitted only in Commercial or Industrial land developments, with the concurrence of the Township and shall comply with the following standards:

(a) Alleys may not be used as the only means of access to a lot.

(b) Alleys shall have a minimum right-of-way width of 20 feet and a minimum cartway width of 16 feet. Where necessary, corners shall have a radius adequate to accommodate any large vehicles that may be expected to use the alley.

(c) Dead end alleys shall not be permitted without an all-weather turnaround subject to the approval of the Township.

(d) Alleys should be designed in accordance with the street standards in this Chapter.

(e) Alleys should be sized to accommodate emergency vehicles and the vehicular turning movements desired.

(5) Private Streets.

(a) All streets shall be planned to be offered for dedication as public streets.

(b) Private streets shall be approved at the sole discretion of the Township.

(c) Private streets shall be prohibited unless design objectives of the development warrant private ownership, the Township will not accept dedication of the street and the following conditions are met:

(1) The private street shall serve not more than five (5) lots and be at least 50' in length.

(2) A private right-of-way agreement shall be properly executed between the landowner granting the access to all lots and tracts abutting and adjoining said easement and shall run with the land and be available for the use of all owners, present and future. This agreement is subject to the approval of the Township;

(3) The adjoining landowners or an association of property owners agree that the street(s) shall not be dedicated but shall be maintained by the adjoining landowners or association of property owners;

(4) The adjoining landowners or association of property owners agree to the maintenance of the private street in a mud-free condition and agree that

the adjoining lot owners or an association of property owners agree to provide for repair, snow removal, and any other necessary maintenance;

(5) The agreement is entered into by the adjoining landowners or an association of property owners and shall be recorded with the Union County Recorder of Deeds as part of the Final Plan and subsequently reflected in the deeds of all future lot owners. This agreement shall establish the conditions under which the street will be constructed and maintained as well as conditions controlling the offer of dedication and provisions for funds sufficient to restore the private street to the standards required for public streets should dedication occur.

(d) The private street system shall be designed and built to accommodate the type and volume of traffic anticipated to be generated and shall be constructed in accordance with the standards and criteria established in this Chapter.

(e) A notation shall be included on the final plan and reflected in the deeds of conveyed lots identifying the street right-of-way as "Private" and identifying the entity responsible for maintenance.

(f) All gates on private streets shall be located a minimum of thirty (30) feet from the public right-of-way and shall not open outward. Local fire department personnel shall have ready access to locking mechanisms on any gate restricting access.

(g) Private streets shall be considered a required improvement and must be constructed prior to Final Plan approval or, in lieu of completion of improvements, the applicant must provide an acceptable guarantee to be approved by the Township.

(h) Streets proposed to be dedicated to the Township shall not be accepted by the Township as a public street until (1) dwellings have been erected on 80% of the lots abutting the street in the case of single family detached dwellings, (2) 80% of all multi family or attached single family dwellings to be serviced by the street have been erected, (3) in the case of commercial or industrial uses to be serviced by the street 80% of the anticipated gross floor space has been constructed and (4) in all other cases where the Township is satisfied that future construction will be of such limited extent that unusual damage and/or wear will not occur.

(5) Street Construction Standards.

(a) At a minimum all street construction activities shall be performed in strict accordance with Penn DOT regulations including all

references, supplements, and revisions, Table 3 of this Chapter, and to applicable Township ordinances and requirements in order to ensure proper serviceability.

(b) Liquid Fuels Requirement. Any street or part thereof offered for dedication or intended to be offered for dedication to the Township for inclusion into the road system, shall comply with the minimum requirements of Penn DOT covering the allocation of liquid fuel tax receipts and the standards outlined in this Chapter.

(c) All streets and related facilities shall be staked-out during construction by an individual qualified in the construction, engineering, or surveying field to ensure that infrastructure is constructed in accordance with the approved design drawings.

(d) The applicant shall be responsible for implementing all necessary plans to control, mitigate, and eliminate any forms of pollution, disturbance, or destruction resulting from noise, odor, stormwater, and/or excessive loads or repetitions of loads that may occur during construction.

(e) The applicant shall furnish the necessary guards, watchmen, warning lights and similar items necessary to maintain state highway and other street traffic in accordance with Penn DOT regulations. In general, the applicant shall not be permitted to interrupt traffic without specific arrangements for detouring traffic in accordance with Penn DOT requirements. When traffic cannot be detoured, a minimum of $\frac{1}{2}$ the roadway width shall be open at all times with traffic control.

(6) Street Improvements.

(a) Curbs and Gutter.

(1) Curbing may be required by the Township for:

- (a) Stormwater management;
- (b) Road stabilization;
- (c) To delineate parking areas;
- (d) Ten feet on each side of drainage inlets;
- (e) At intersections;
- (f) At corners; and
- (g) At tight radii.

(2) Curbs shall be required on public and private streets in subdivisions and land developments having lots 80 feet or less in width.

(3) Curbs shall be constructed in accordance with Penn DOT specifications as from time to time amended and/or replaced.

(4) Concrete curb shall be eighteen (18) inches high, eight (8) inches wide, and have an exposed face of eight (8) inches. Refer to Figure 4. Alternative types of concrete curb can be approved at the Township's discretion.

(5) Terminal concrete curbs or terminal radii shall be provided at the start or cut-off locations as needed for streets to transition from one pavement section to another.

(6) Curbing shall be designed to provide a ramp for bicycles and/or wheelchair access at each intersection, at the principal entrances to buildings which front on parking lots, and at all crosswalks and in compliance with the Americans with Disabilities Act.

(b) Shoulders.

(1) Paved shoulders and drainage swales shall be used instead of curbs when:

(a) Shoulders are required by law;

(b) Soil or topographic conditions make the use of shoulders and drainage swales preferable; and

(c) It is in the best interest of the community to preserve its rural character.

(2) Shoulders shall be required on public streets where curbing is not required. Refer to Figure 2.

(3) The depth of shoulders shall be the combined depth of the surface and base courses. Refer to Figure 2 for the roadway pavement depths.

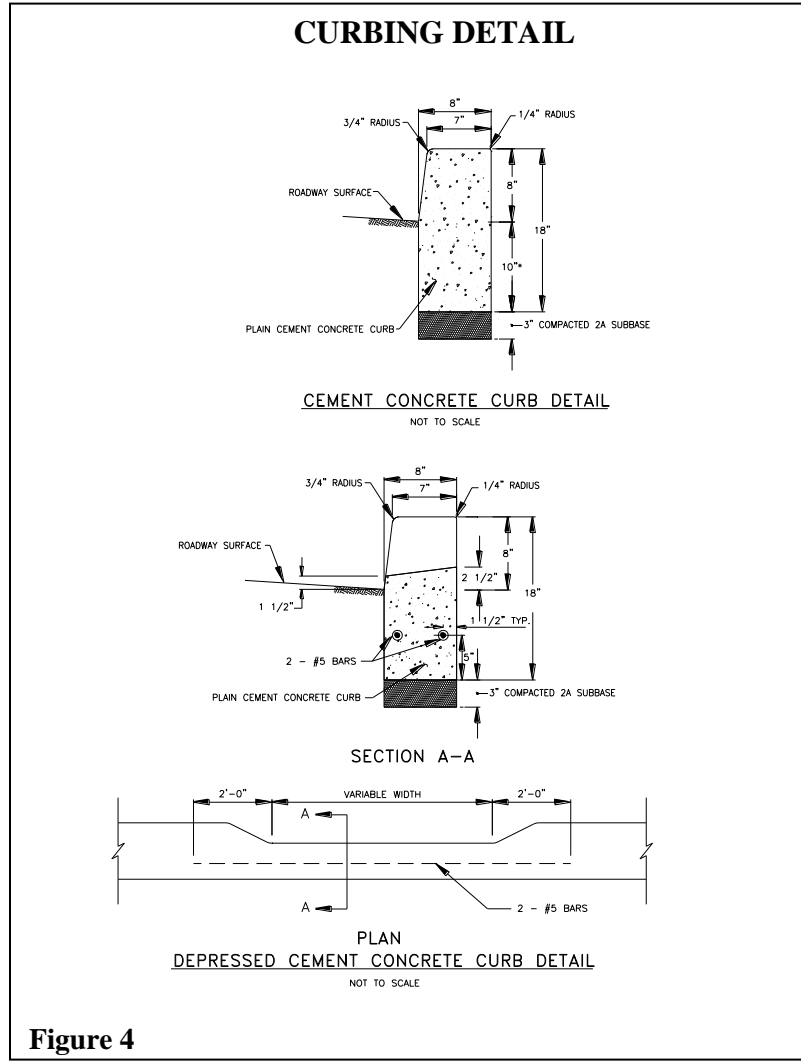


Figure 4

(c) Sidewalks and Pathways.

(1) Sidewalks shall be required for streets except where other provisions, satisfactory to the Township, are provided for pedestrian traffic.

(2) Pedestrian way easements ten (10) feet wide may be required by the Township to supplement the required sidewalks to provide circulation or access to schools, playgrounds, shopping, community facilities or adjacent lands, streets or pathways.

(3) Sidewalks shall be located within and be parallel with the street right-of-way; however, alternative locations may be required to preserve topographic features and to provide visual interest provided the alternative systems maintains safe and convenient pedestrian circulation to the satisfaction of the Township.

(4) The minimum width of all sidewalks and pathways shall be four (4) feet. Wider widths may be required near major pedestrian generators and employment centers.

(5) There shall be a minimum four (4) foot planting strip of grass between the curb or shoulder and the sidewalk or pathway. This planting strip may be used for the location of underground utilities, streetlights, and street signs but shall not be used for the planting of street trees.

(6) The grades and paving of the sidewalks and pathways shall be continuous across driveways except in non-residential and high-density developments and in certain other cases where heavy traffic volume dictates special treatment.

(7) The sidewalk shall be constructed of at least four (4) inches of Class AA concrete and a six (6) inch depth at intersections and handicap and curb cut ramps. All curbs and sidewalks shall be underlain by four (4) inches of compacted crushed stone or gravel. Where sidewalks cross streets serving commercial and industrial uses the Township may impose additional requirements.

(8) Pathways may be constructed of other materials including pervious materials provided that the proposed materials and construction are appropriate to the surrounding land use, expected volume of pedestrian traffic, and are approved by the Township Engineer and the Township.

(9) Sidewalks and pathways shall be laterally pitched at a slope toward the street not less than one eighth (1/8) inch per foot to provide for adequate surface drainage. Where sidewalks and pathways are not adjacent to a street, other arrangements acceptable to the Township shall be made.

(10) At corners and pedestrian street-crossing points, sidewalks, pathways and shall be extended to the curb line with an adequate apron area for anticipated pedestrian traffic and curb cuts and ramps designed in accordance with Federal Americans with Disabilities Act (ADA) accessibility requirements.

(11) Sidewalks and pathways shall not exceed a seven (7) percent grade. All sidewalks and ramps, e.g. slopes greater than five (5) percent, shall be designed in accordance with Federal ADA accessibility requirements.

(12) Minimum construction standards for sidewalks shall be in accordance with Penn DOT regulations if greater than those set forth herein.

(13) Sidewalks may be installed contemporaneously with the installation of the street adjacent to the said sidewalk or the sidewalks may be installed in phases as the subdivision or land development is developed where in the opinion of the Township phasing will prevent damage or destruction of the sidewalks. Provided however that the said sidewalks shall be installed when (1) dwellings have been erected on 80% of the lots abutting the

proposed sidewalk in the case of single family detached dwelling
(2) 80% of proposed multifamily and/or single family attached
and/or duplex dwelling within the development have been erected
(3) in the case of commercial or industrial uses when 80% of the
anticipated gross floor space has been erected and (4) in all
cases where the Township determines that the safety of the public
requires the installation of the said sidewalks.

(14) Pathways, if required as herein provided, shall be
installed within one year of approval of the subdivision and/or
land development plan provided however that if the Township
determines that the said pathway will not be of immediate benefit
to the occupants of the subdivision and/or land development or
the general public the installation may be postponed until such
time as the streets and other improvements are dedicated to the
Township at which time the pathways shall be installed and the
easement shall be dedicated to the Township. The said pathway
shall be constructed utilizing standards and materials approved
by the Township.

(d) Street Lighting.

(1) Street lighting shall be provided in accordance with an
illumination plan designed in conformance with the standards of
the local electric utility company and coordinated with the
Township.

(2) Street lighting shall be provided by the applicant and
shown on subdivision and land development plans as follows:

(a) All new intersections in commercial and
industrial areas;

(b) All new intersections on existing arterial or
collector streets;

(c) At the driveway, access, or entrance of any new
commercial or residential development with ten lots or more
or which enters onto an arterial road.

(3) A lighting plan shall be provided.

(4) Street lighting shall be provided as needed for public
safety and convenience.

(5) The placement, height, and shielding of lighting
standards shall provide adequate lighting without hazard to
drivers or nuisance to nearby residents and the design of the
lighting standard shall be of an appropriate type to the
development and the Township.

(6) Lighting types and levels shall be designed based on
recommended intensities specific to the area being lighted.

(7) All light fixtures, standards, and foundations shall be
approved by the Township and all lighting plans shall be prepared
by a person qualified in the design field.

(e) Street Signs.

(1) Design and placement of traffic control and street signs shall be provided by the applicant as needed and shall follow the requirements specified in Penn DOT regulations.

(2) At least two street name signs shall be placed at each four-way street intersection and one at each "T" intersection. Signs shall be installed under light standards (where applicable) and be free from visual obstruction.

(3) The design of street name signs shall be consistent, of a style appropriate to the Township, of a uniform size and color, and erected in accordance with Township standards.

(4) Private streets shall be provided with street name signs in accordance with Township Regulations and it is the responsibility of the developer to install the street name signs for private streets.

(5) The owner/developer/applicant shall be responsible to obtain and install all necessary street signs and posts in accordance with the materials and workmanship prescribed in Penn DOT regulations.

(7) Lot Access and Driveways.

(a) Lot Access. Access to any lot, tract, parcel, subdivision or development shall be provided in a manner that promotes a safe and efficient ingress and egress to a public street, limits the number of driveways, and promotes common points of ingress and egress that are adequate for existing and future growth, and in accordance with the following:

(1) The Township may disapprove any point of ingress or egress to any lot, tract, parcel, or development from any street or highway when the proposed ingress or egress would create unsafe conditions, reduce the capacity of the adjoining street or highway, or result in substandard circulation and impaired vehicle movement.

(2) The Township may require the applicant to provide ingress and egress to a particular lot or tract through the remainder of his/her/its property or other properties over which the applicant has control. Recorded written easements shall be required in such case.

(3) In approving ingress and egress from any State road or highway, the Township can only approve those access points that are not in conflict with safety standards of the Pennsylvania Department of Transportation. A Highway Occupancy Permit is required for each access point onto a state highway.

(4) The receipt of a Highway Occupancy Permit does not assume approval of the Township. The Township may require the applicant to reapply for a permit if the location of the Penn DOT approved access is in conflict with any provision of this

resolution or if the Township feels the location of the access will hinder the safe and efficient movement on any State road or highway or the proper development of the site.

(b) Driveways. Proposed driveways shall conform to standards set forth in Township Ordinances and regulations. Additionally, all driveways shall, at a minimum, be designed in accordance with the following:

(1) All proposed lots shall be situated in such a fashion that safe and efficient driveway access can be provided onto a public or private street in accordance with this Chapter in order to facilitate the design of common points of ingress and egress that are adequate for existing and future growth.

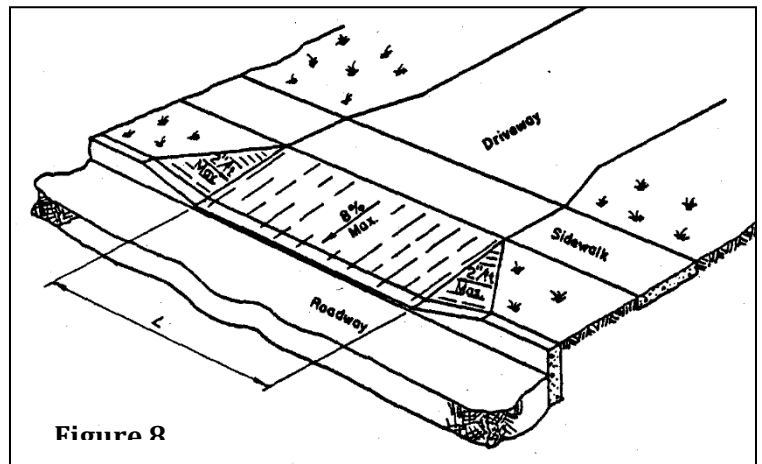
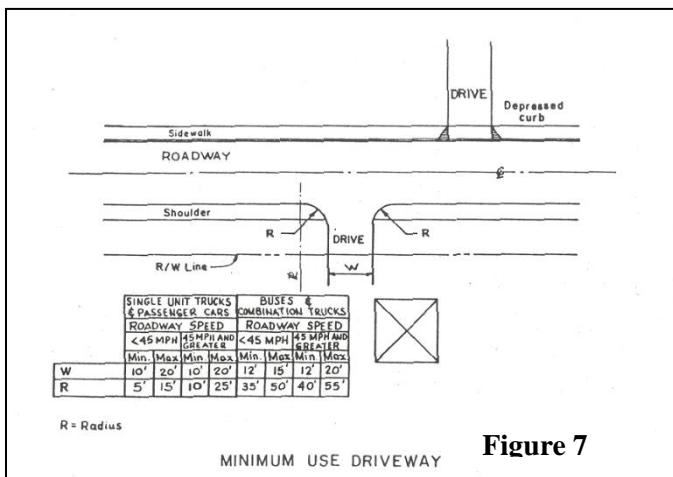
(2) Driveways shall not interfere with the normal traffic movement nor be inconsistent with the design, maintenance, and drainage of the street.

(3) The Township may require the joint or shared use of driveways to provide ingress and egress when such design would increase traffic safety by decreasing the potential for vehicular conflicts. In such cases a shared driveway maintenance and use agreement shall be entered into by the respective property owners and recorded.

(4) Driveway Classifications. For the purposes of this Chapter driveways are separated into the following four classifications:

(a) Minimum Use Driveway. A driveway normally used by not more than 25-vehicles per day (See Figures 7 & 8), such as:

- (1) Single family dwellings, duplexes; or
- (2) Apartments with five units or less.



(b) Low Volume Driveway. A driveway normally used by more than 25 vehicles per day but less than 750 vehicles per day (see Figure 9), such as:

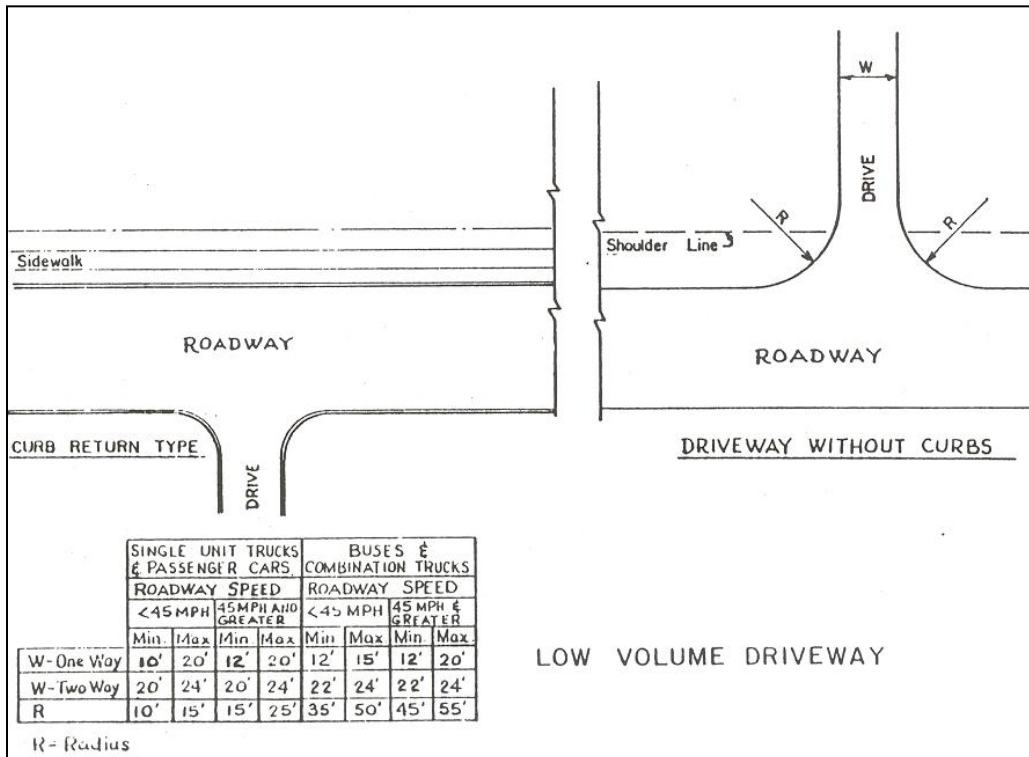
- (1) Office buildings;
- (2) Schools; or
- (3) Car washes

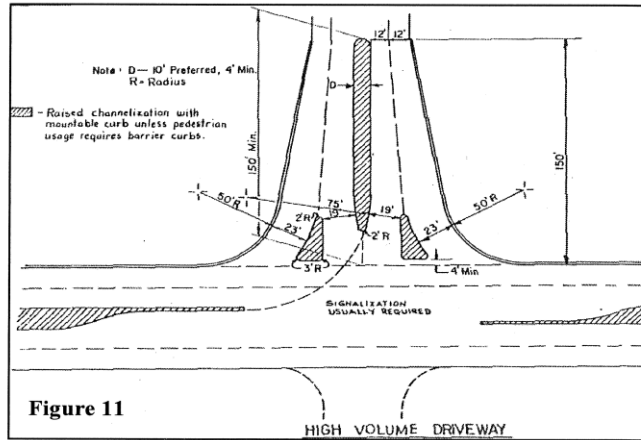
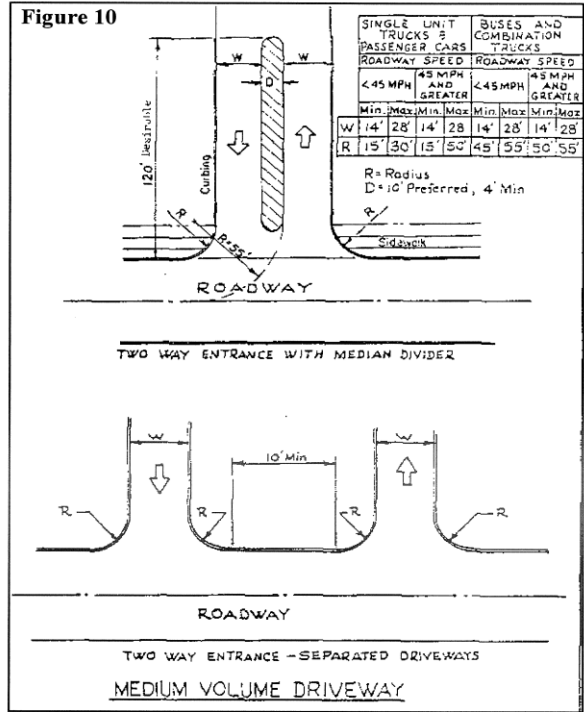
(c) Medium Volume Driveway. A driveway normally used by more than 750 vehicles per day but less than 1,500 vehicles per day, which does not normally require traffic signalization (See Figure 10), such as:

- (1) Motels;
- (2) Fast food restaurants; or
- (3) Service stations and small shopping centers or plazas.

(d) High Volume Driveway. A driveway normally used by more than 1,500 vehicles per day, which often requires traffic signalization (See Figure 11), such as:

- (1) Large shopping centers; or
- (2) Multi-building apartment or office complexes.





(5) Driveway Design Standards. Driveways shall be designed in accordance with Figure 12 and all geometric design standards shall be in accordance with Township Ordinances and Regulations.

(a) Driveways shall have a throat width and curb return radii based on the volume of traffic use of the intersection in accordance with Figures 7 through 11.

(b) Lots with less than 400 feet of street frontage shall only have 1 curb cut (drive access).

(c) Lots with more than 400 feet of street frontage may have 2 curb cuts.

(d) Double front lots may have 1 curb cut per street front.

(e) No driveway shall be placed within 5 feet from any side or rear lot line, or within 15 feet of any street or road right-of-way except as otherwise provided herein.

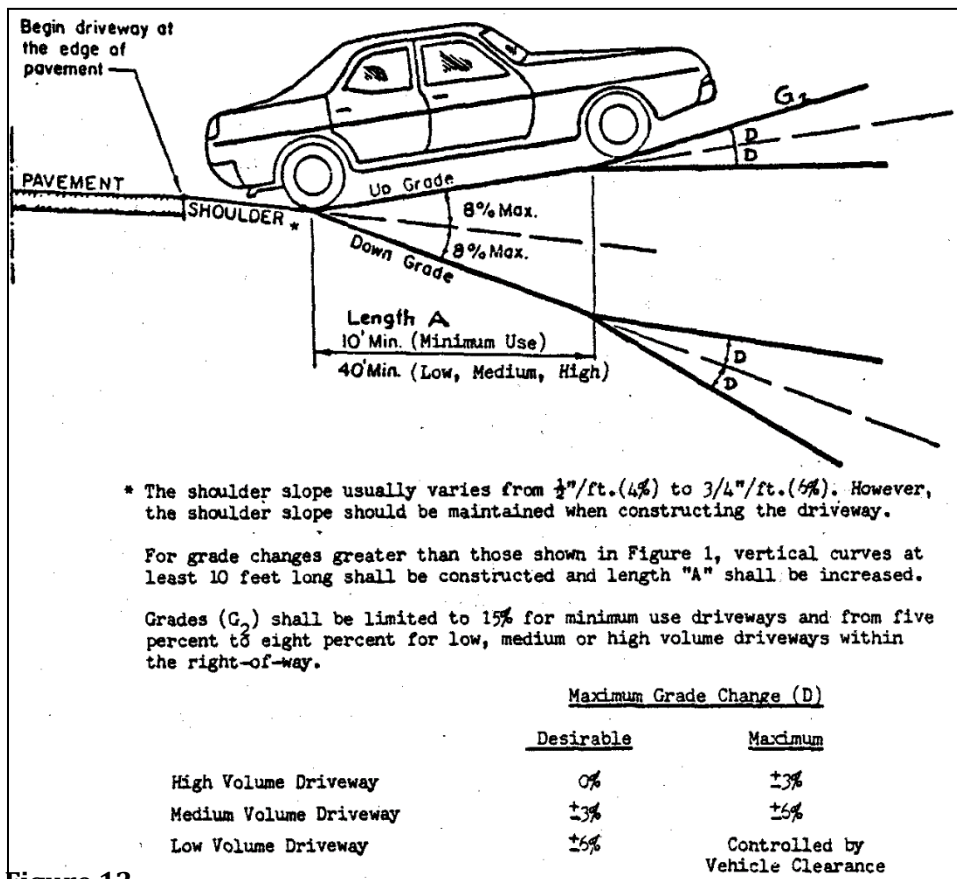


Figure 12

(6) Driveways shall be located at a point within the property frontage that provides at least the minimum sight distance as prescribed below.

(a) Sight distances shall be in accordance with the Township Ordinances and Regulations but in no case shall the sight distances be less than the minimum Safe Stopping Sight Distance as computed in accordance with Penn DOT regulations.

(b) If sight distance requirements specified in this Chapter cannot be met, the Township may:

(1) Prohibit left turns by exiting vehicles;

(2) Restrict turning movements to right turns in and out of a driveway;

(3) Require installation of a right turn acceleration or deceleration lane;

(4) Require installation of a separate left turn standby lane;

(5) Alter the horizontal or vertical geometry of the roadway; or

(6) Deny access to the highway.

(7) Driveway shall not be placed at such locations as would interfere with the placement and proper functioning and maintenance of street signs, signals, detectors, lighting or other devices that affect or regulate traffic control.

(8) Where a lot abuts two or more streets access to the lot may be restricted to the street which can more safely accommodate ingress or regress to and from the lot.

(9) The Township may require the driveway to be located directly across a street from a street or other driveway or the appropriate side of the street if it determines that left turns from the lot serviced by the driveway or access from the street or driving across the street will create a safety hazard.

(10) The number and location of driveways will be determined by the Township based upon usage, interior and exterior traffic patterns and current design standards. Normally 1 driveway will be permitted for residential use and no more than 2 driveways will be permitted for non-residential uses. Lots with unusually large street frontages may have additional driveways in the sole discretion of the Township.

(11) The location and angle of the driveway in relation to the street shall be such that a vehicle

entering or leaving the driveway may do so in a safe manner and within minimum interference with traffic.

(12) The design of the driveway shall be such as to accommodate the anticipated use of the lot.

(13) Driveways used for two-way traffic shall be positioned at a right angle (90°) to the street or as near thereto as site conditions permit. Where 2 driveways are located on the same lot and used for one-way traffic each driveway may be placed at an angle of less than a right angle, but not less than a 45 degree angle.

(14) Driveways accessing a street shall be located at least 50 feet from the paved portion of a street intersecting the street being accessed.

(15) Multiple driveways accessing a single lot shall be separated by at least 10 feet measured along the right-of-way line and at least 20 feet measured along the shoulder, ditch line or curb. When the distance separating the said multiple driveway is 50 feet or less the driveway the area between the driveway shall be curbed.

(16) Applications for driveways to be utilized for drive-in or drive through services shall, when requested, include information relative to the storage provided between the drive-in or drive-through facility and the street right-of-way line, the number of service applications during peak hours and the hours and days of operation.

(17) Curbing may be required when the Township determines that it is needed to control access, drainage of storm water better and/or control parking. The location and extent of the curbing shall be determined by the Township.

(18) Except for common driveways servicing more than one lot or except as otherwise permitted herein driveways shall not be located in side or rear yards as defined in the Township Zoning Ordinance.

(8) Inspections.

(a) All streets, roads and alleys as well as related storm water systems and utilities (Improvements) whether intended to be public or private, shall be subject to inspection during construction to assure that the same are in compliance with the provisions of this Ordinance and all applicable statutes, laws, ordinances, rules and regulations.

(b) Prior to the commencement of construction, the developer shall submit to the township a written schedule for the said construction setting forth the anticipated commencement date and completion date for the various stages of construction. Developer

shall, within 48 hours, communicate to Township, in writing, any deviation from the said schedule.

(c) Township shall cause inspections to be made of the construction at such times as it deems appropriate and/or necessary. The minimum inspections are as follows:

(1) Inspection of the placement of utilities within the right-of-way of said street, road and/or alley. Said inspection shall determine the materials used, the placement of components and structures in accordance with an approved plan, the compaction of back fill as well as any other matter deemed relevant by the Township. This inspection shall occur prior to the installation of the subbase.

(2) Inspection of subbase material and the compaction of the same. This inspection shall occur prior to the application of the base course.

(3) Inspection of the base course and compaction of the same. This inspection shall occur prior to the application of the wearing course.

(4) Inspection of the wearing course and compaction of the same.

(d) Developer shall provide Township with any information requested by it relative to the construction and its inspection including certifications from contractors, engineers and material suppliers. The same shall be provided promptly upon request and the information shall be in writing.

(e) Developer shall be responsible for the costs of said inspections and shall pay Township for the same within 15 days of the receipt of any invoice for said costs. The said costs to be in accordance with the Township's fee schedule.

(f) The said inspections shall be made by those persons or firms designated by the Township the same to include Township employees and officials and others retained by the Township for such purposes.

(g) Upon the completion of an inspection a written report shall be prepared for Township use and a copy of the same will be provided to developer.

(h) In the event the said inspections reveal a failure to comply with the provision of this Ordinance, with the approved plans or with applicable ordinance, laws, statutes, rules and regulations developer shall be notified of the same and shall take immediate steps to bring the work into compliance. Should developer fail to bring the work into compliance, the Township shall issue a cease and desist order and proceed according to law.

(9) Dedication.

(a) No street, road, alley and/or related stormwater systems will be accepted by Township unless the same are constructed in compliance with all applicable statutes, laws, ordinances, regulations and rules.

(b) No street, road, alley and/or related stormwater systems will be accepted for dedication without first having been inspected as provided by Township ordinances and regulations and all fees of said inspections having been paid.

(c) No street, road, and/or alley offered for dedication shall be accepted by the Township as a public street, road or alley until (1) dwellings have been erected on 80% of the lots abutting the street in the case of single family detached dwellings, (2) 80% of all multifamily or attached single family dwellings to be serviced by the street have been erected, (3) in the case of commercial or industrial uses to be serviced by the street 80% of the anticipated gross floor space has been constructed, (4) in all other cases where the Township is satisfied that future construction will be of such limited extent that unusual damage and/or wear will not occur, and (5) all utilities and stormwater drainage facilities required to be installed within the right-of-way of said street, road or alley have been installed in accordance with all applicable laws, statutes, ordinances, regulations and rules and the approved plans for the same.

(d) Township is under no obligation to accept any street, road, alley or related stormwater drainage system offered for dedication if, in the sole opinion of the Board of Supervisors of the Township, the said acceptance is unwarranted or not in the best interests of the Township.

(e) Where the Board of Supervisors of the Township, in their sole discretion, determines that it is in the best interests of the Township exceptions to the provisions of this Ordinance dealing with dedication of streets, roads, alleys and related stormwater drainage systems may be authorized.

(f) At the time of the offer of dedication the person or entity offering the said street, road, alley and related stormwater drainage facility for dedication shall provide the Township with the following:

(1) Properly executed and recordable deed.

(2) A plan or drawing of the area proposed for dedication.

(3) Fees as established from time to time by the Board of Supervisors.

(4) A maintenance bond as provided for in the Pennsylvania Municipalities Planning Code.

§403. Blocks.

(1) General. The length, width and shape of blocks shall be determined with due regard for:

(a) The provision of adequate sites for buildings of the type proposed;

(b) Topography;

(c) Any other codes, plans and ordinances;

(d) Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

(2) Block Length. The length of blocks shall not exceed sixteen hundred (1600) feet or be less than eight hundred (800) feet.

(3) Block Depth. Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except:

(a) Where reverse frontage lots are required along a major street;

(b) Where prevented by the size, topographical conditions or other inherent conditions of property, in which case the Township may approve a single tier of lots.

(4) Commercial and Industrial Block. Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of the use. In all cases, however, adequate provision shall be made for off-street parking and loading areas as well as for internal traffic circulation and parking for employees and customers.

§404. Lots.

(1) General.

(a) The size, shape and orientation of lots shall be appropriate for the type of development use contemplated.

(b) Where feasible, lot lines shall follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

(c) The depth of lots shall be not less than one (1) nor more than two and one-half (2 1/2) times their width.

(d) Depth and width of parcels intended for nonresidential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.

(e) If, after subdividing, there exists remnants of land, they shall be either incorporated in existing or proposed lots, or, if acceptable to the municipality, legally dedicated to public use.

(f) The centerline of all driveways entering the turn-around portion of a cul-de-sac street shall be at least 80' apart as measured along a straight line from centerline of a driveway to the centerline of another driveway where it meets the paved cartway portion of the said turn around and shall be so designated on the subdivision plan.

Mailboxes for the structure serviced by said driveway, shall be within 2' of the edge of said driveway and on the exterior arc of the berm. Said driveways shall be no greater than 20' in width. (Ordinance 212, July 14, 1997)

(2) Lot Frontage.

(a) All lots shall have access to a street.

(b) Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography, orientation, or location.

(c) All residential reverse frontage lots shall have a planting screen easement of at least twenty (20) feet in width across which there shall be no right of access.

(3) Lot Dimensions. Lots shall meet the minimum lot dimension requirements of the Township Zoning Ordinance, all local, state and federal ordinances, statutes and regulations. Where on-lot sewage treatment is to be provided, lots shall also be required to meet minimum spacing requirements for on-lot treatment established by Commonwealth of Pennsylvania agencies. (Ordinance 292, January 22, 2007)

(4) Lot Sizes and Soil Evaluation Tests. Where on-lot sewage treatment is proposed:

(a) The applicant shall arrange for soil evaluation tests to be made on the tract in order to provide the data necessary for the platting of lots of adequate size.

(b) Soil evaluation tests shall be conducted on each proposed lot in accordance with the Rules and Regulations of the appropriate Commonwealth of Pennsylvania agencies by the Township sewage enforcement officer at the Developer's expense.

(c) The results of these tests shall be submitted to the Township in a report signed by the subdivider and the Township sewage enforcement officer certifying that each proposed lot is suitable for on-lot treatment.

(d) Approval of a subdivision for on-lot disposal does not approve individual lots for on-lot disposal systems.

(Ordinance 292, January 22, 2007)

(5) Lot Sizes on Slopes. The minimum lot areas herein established shall be increased if reports from the appropriate agencies indicate that, because of slope, surface runoff or subsurface drainage of septic tank effluents are likely to result in hazardous conditions. (Ordinance 292, January 22, 2007)

(6) Wedge-shaped Lots. In the case of wedge-shaped lots, no lot shall be less than fifty (50) feet in width measured along the front street right-of-way line.

(7) Corner Lots. Corner residential lots must have enough extra width to permit appropriate set-backs from both streets as specified in the Township Zoning Ordinance.

(8) Building Set-backs. Refer to the Township Zoning Ordinance for all street set-back requirements.

(9) Side and Rear Yard Set-back Requirements. Refer to the Township Zoning Ordinance for all side and rear yard set-back requirements.

(10) Off-street Parking. Refer to the Township Zoning Ordinance for all off-street parking requirements.

§405. Easements.

(1) Utility Easements. Utility easements outside street right-of-way will be located at such places as to cause the least intrusion while still providing the utilities needed for the development or subdivision of the land. All utilities shall be installed underground unless severe natural conditions, not cost considerations, require otherwise.

(a) The size of the utility easement shall be the least area necessary to provide said services, but in no event less than twenty (20') feet in width and, where necessary, additional width shall be provided for maintenance of the said easement.

(b) The location, width and construction of the utility easement shall be in compliance with all local, state and federal Ordinances, statutes, laws, rules and regulations, as well as compliance with the respective utility company's requirements.

(c) Upon cause shown, the minimum width may be reduced upon approval of the Board of Supervisors.

(2) Drainage Easements. Drainage easements shall be provided of sufficient width so that design flows remain in the easement boundary.

(3) Utilities Within Right-Of-Way. Utilities within street right-of-way shall be installed, located and constructed in accordance with Chapter 21 of the Code of Ordinances of East Buffalo Township and all resolutions, regulations and rules adopted pursuant thereto.

(As Amended by Ordinance 415, adopted November 13, 2023)

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 5

Improvement and Construction Requirements

§501. Monuments and Markers. Monuments and markers shall be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They shall be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments shall be marked on top with a copper, steel, or brass plate or dowel set in the concrete.

(1) Monuments. Monuments shall be set:

(a) At the intersections of all right-of-way centerlines.

(b) At the intersections of lines forming angles in the boundaries of the subdivision.

(c) At such intermediate points as may be required by the Township.

(d) At reference points that may be deemed necessary or required by the Township.

Monuments shall be a minimum size of four (4) inches square or four (4) inches in diameter, thirty (30) inches long and made of concrete, stone, or a four (4) inch cast iron or steel pipe filled with concrete and shall be set by or under the direct supervision of an engineer or surveyor.

(Ordinance 292, January 22, 2007)

(2) Markers. Markers shall be set:

(a) At all lot corners including points of curve and tangent except those monumented.

(b) Prior to the time the lot is offered for sale.

Markers shall be a minimum size of five-eighths (5/8) of an inch square or five-eighths (5/8) of an inch in diameter, thirty-six (36) inches long. Markers shall be made of iron or steel bars and shall be set by or under the direct supervision of an engineer or surveyor.

(3) Removal. Any marker or monument that is removed shall be replaced by or under the direct supervision of an engineer or surveyor at the expense of the person disturbing the monument or marker.

§502. Streets. Street improvements shall be installed to the grades and dimensions shown on the plans, profiles and cross-sections submitted by the Developer and approved by the Governing Body. Before installing the street base, the Developer shall install all required utilities and provide,

where necessary, adequate storm water drainage for the street acceptable to the Governing Body.

All street construction shall be in accordance with Township specifications.

The Township shall determine if a collector or arterial street is required as a direct result of the construction of the development.

(Ordinance 292, January 22, 2007)

§503. Sewers.

(1) All properties shall be connected to a public sanitary sewer system if the same is available.

(2) Where a public sanitary sewer system is not presently accessible but is planned for extension to the development or to within one hundred (100) feet of the development within five (5) years, the Developer shall install sewer lines, including lateral connections to provide adequate service to each lot when connection with the public system is made. The sewer lines shall be capped at the limits of the development and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, onsite disposal facilities shall also be provided. All capped sewers shall be designed and constructed in accordance with the requirements of the Lewisburg Area Joint Sewer Authority.

(3) If connection to a central public sanitary sewer system is not possible as determined by the Lewisburg Area Joint Sewer Authority, the feasibility of constructing a separate public system and treatment works may be investigated and a report submitted setting forth the findings.

(4) Where neither of the above alternatives are possible or feasible, an individual sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system shall be considered. All such individual sewage disposal systems shall be constructed in accordance with the regulations of appropriate agencies. (Ordinance 292, January 22, 2007)

§504. Water.

(1) Where a water main supply system is within one hundred feet (100) feet of, or where plans approved by the Township provide for the installation of such public water facilities, the Developer shall provide the development with a complete water main supply system to be connected to the existing or proposed water main supply system in accordance with the water utility's specifications.

(2) If connection to a public water supply system is not possible, the feasibility of constructing a separate water supply system in accordance with the regulations of appropriate agencies may be investigated and a report submitted setting forth the findings. (Ordinance 292, January 22, 2007)

(3) Where neither of the above alternatives are possible or feasible, an individual water supply system shall be permitted. All such individual systems shall meet all applicable regulations. (Ordinance 292, January 22, 2007)

§505. Storm Drainage.

(1) The management of storm water on the site, both during and upon completion of the disturbances associated with the proposed subdivision or land development, shall be accomplished in accordance with the standards and criteria set forth in Chapter 26 of the East Buffalo Township, Union County, PA Code of Ordinances and all other applicable ordinances, laws, statutes, rules and regulations.

(2) Bridges and culverts shall have ample waterway to carry expected flows. Bridge and/or culvert construction shall be in accordance with the Township, State and Federal ordinances, statutes, laws, regulations and rules.

(3) The following provisions shall apply to the maintenance of Storm Water Management Facilities:

(a) An agreement, suitable for recording, shall be entered into between the Applicant and the Township, specifying:

(1) The legal entity responsible for maintaining the storm water management system.

(2) That the storm water management structures shall be maintained in proper working order.

(3) A maintenance guarantee in the maximum amount permitted by the Pennsylvania Municipalities Planning Code for the longest time permitted by the Pennsylvania Municipalities Planning Code shall be filed with the Township when the storm water management facilities are completed. (Ordinance 297, May 25, 2007)

(4) Any noncompliance with the applicable provisions of this section, as specified in the approved subdivision or land development plan, that is identified by the Township or their designated representative in the course of inspections shall be remedied by the developer immediately, but in no case shall such remedy fail to be completed within ten (10) calendar days and to the satisfaction of the Township. Failure to comply shall be deemed a violation of the approved plan.

(As amended by Ordinance 101, August 24, 1987; by Ordinance 292, January 22, 2007)

§506. Street Signs. The following provisions shall apply to the signs identifying streets within a subdivision.

(a) All streets within a subdivision, both public and private, shall be identified by a street sign setting forth the name of the street.

(b) At least one (1) street sign shall be erected at all intersections within a subdivision and at all intersections where a street within a new subdivision intersects with an existing street.

(c) Additional street signs may be required by the Board of Supervisors of East Buffalo Township, Union County, Pennsylvania, where, due to unusual circumstances, the health, safety, and welfare of the public or Township residents require such additional signs.

(d) The costs of erecting signs on any street prior to the acceptance as a public street by East Buffalo Township, Union County, Pennsylvania, shall be borne by the owner of the subdivision. The costs of maintaining and erecting signs after the acceptance of a street for dedication shall be borne by East Buffalo Township.

(e) Prior to the erection of any street signs, its location, height, materials used and design shall be approved in writing by the East Buffalo Township Board of Supervisors. The height, materials used and design shall be in accordance with the street signs then being installed by East Buffalo Township on a public street.

(f) Prior to the issuance of either a Zoning Permit or Building Permit street signs shall be erected on the street which abuts the lot for which a permit is being requested, whether the street is public or private.

(Ordinance 212, July 14, 1997)

§507. Installation and Completion of Improvements; Procedures. Before commencing with the construction or installation of any improvements, the developer shall obtain a permit from the Zoning Officer. Inspection of the improvements, releases from and termination of the Improvements Guaranty shall be in accordance with the procedures set forth in the Pennsylvania Municipalities Planning Code. (Ordinance 297, May 21, 2007)

§508. Remedies to Effect Completion of Improvements. In the event that any improvements which may be required have not been installed as required in this Chapter or in accord with the approved Final Plan, the Governing Body is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Governing Body may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the Subdivider, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other purpose. (Ordinance 292, January 22, 2007)

§509. Dedication of Improvements. Upon installation by the Developer and subsequent inspection by the Township, the Developer shall take final steps to dedicate the improvements and have them accepted by the Township or other responsible agency. The recording of the Final Plan, following approval by the Governing Body, has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty on the Township concerning maintenance or improvement until the proper authorities of the Township have made actual acceptance, either by Ordinance or Resolution.

§510. Private Streets. Whenever a Developer proposes to establish a street which is not offered for dedication, he shall submit a copy of a statement signed by the Township Solicitor that he has made an agreement on behalf of his heirs and assigns with the Township. Said agreement shall be subject to the Township Solicitor's approval and shall be recorded with the

development plan. Said agreement shall establish the conditions under which the street or streets may later be offered for dedication and shall stipulate among other things:

(1) That the street shall be in a good state of repair as certified by the Engineer, or that the owners of the lots along it agree to include with the offer of dedication sufficient money, as estimated by the Engineer, to restore the street to a good state of repair, prior to acceptance.

(2) That an offer to dedicate the street shall be made only for the street as a whole.

(3) The method of assessing repair costs.

§511. Dedication of Lands for Local Recreation and Other Public Sites. Where a proposed park, playground, open space, school or other public site is shown on the Township Comprehensive Plan the Developer may be requested to dedicate all or part of such a site in accordance with the following:

(1) The land to be dedicated must be suitable in size, shape, topography, and general character for the proposed use.

(2) The amount of land requested for the dedication may not exceed 0.02 acres of land for each gross acre developed on the Final Plan.

§512. Water Area. In a development abutting a lake, river, or other significant water body, the Governing Body, upon consultation with the Planning Commission, may request the dedication or reservation of:

(1) Any title to the water body the Developer may possess beyond the wharf or dock line for public use;

(2) Up to twenty percent (20%) of the land abutting the shore for public use.

§513. Reservations. On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation, said period of time not to extend more than eighteen (18) months without consent of the Developer. Such reservations shall be noted on the Final Plan.

§514. Soil Erosion and Sedimentation Control.

(1) In order to prevent accelerated erosion and resulting sedimentation, land disturbance activities relating to an approved subdivision or land development shall be conducted only in conformity with the following principles:

(a) There shall be no increase in discharge of sediment or other solid materials from the site as a result of storm water runoff.

(b) Erosion and sedimentation devices such as temporary vegetative/mulch, temporary detention basins, diversion terraces, rock filter berms, or hay bales (in areas of minimum flows) appropriate to the scale of operations shall be installed concurrent with earthmoving

activities and whenever a situation is created which would contribute to increased erosion.

(c) Earthmoving and the addition of fill shall be minimized where possible and practicable to preserve desirable natural features and the topography of the site. Changes in grade and topography and other earthmoving shall be in accordance with the storm and surface drainage plan prepared by the applicant and approved by the Township.

(d) Stripping of vegetation, re-grading, or other development shall be done in such a way that will minimize erosion.

(e) Sediment in runoff water shall be trapped and removed to assure adequate capacity in the basins or traps.

(2) Applicants shall submit a narrative describing all proposed earthmoving and grading along with the proposed soil stabilization and site restoration plans, except when the total developments consists of five (5) or fewer lots without any new roads or rights of way for access. Applicants shall also meet the requirements of local, state and federal ordinances, laws, statutes, rules and regulations with regard to the same. (Ordinance 292, January 22, 2007)

(3) Any Soil Erosion and Sedimentation Control Plan required, must be prepared by a person trained and experienced in erosion and sedimentation control methods and techniques. It will be examined for comparison with standards using an erosion control handbook, soil survey, and sound erosion control principles and appropriate ordinances, statutes, laws, rules and regulations as the basis for acceptability.

(As amended by Ordinance 101, August 24, 1987; by Ordinance 292, January 22, 2007)

§515. Street Lighting.

(1) Should a developer desire to erect street lights in a subdivision, the preliminary and final plans shall indicate the location of each street light which shall be no further apart than 300' unless the Township Supervisors determine, in their sole and absolute discretion, that another distance is preferred. The design of the street light standards and lights shall be approved by the electric company servicing the subdivision and the cost of the installing the street lights shall be borne by the owner of the subdivision. The owner of the subdivision will provide East Buffalo Township, as a prerequisite to final approval of the subdivision plan, with written confirmation from the electric company that the street lights standard and lights are approved and that the said company will be responsible for the maintenance and replacement of the standards and lights.

(2) The cost of the electricity supplied to the street lights is charged to East Buffalo Township by the electric company supplying the same. This said cost is paid by the Township from funds generated by street light taxes or fees. There are restrictions as to the amount that the Township can charge landowners for street lights. Until such time as the subdivision is developed and structures erected the street light taxes and fees do not cover the costs of the said electricity charge. Prior to final approval of the subdivision plan, Developer shall execute an Agreement with the Township which shall provide that the Developer will be responsible for and will pay

upon demand all the charges and/or costs for electricity for street lights within the subdivision. Developer's responsibility for payment for said charges or costs shall terminate upon the acceptance of the street upon which the street lights are erected as a public street by the Township unless otherwise agreed to in writing by the Developer and the Township. The Township reserves the right to not accept the said street as a public street if Developer refuses to execute an Agreement which shall provide, inter alia, that Developer will be responsible for all charges and/or costs of the said street lights not covered by Township's Uniform street light tax or fee applicable to the said subdivision.

(Ordinance 212, July 14, 1997)

§516. Fire Hydrants.

(1) Where a subdivision is serviced by public water the Developer shall install public fire hydrants and the preliminary and final plans for the subdivision shall designate the location of each fire hydrant. The placement of fire hydrants shall be subject to the approval of East Buffalo Township and in making such a determination the Developer shall provide East Buffalo Township with a written report from the Fire Company servicing the subdivision which shall contain the Fire Company's recommendation for placement of fire hydrants within the subdivision. Prior to the final approval of the Township as to the placement of fire hydrants the Developer shall obtain the written confirmation of the water company supplying water to the fire hydrants that the proposed placement is acceptable to it and that there is an adequate supply of water to service the proposed fire hydrants.

(2) The cost of supplying water to the fire hydrants is charged to East Buffalo Township by the water company supplying the same. This said cost is paid by the Township from funds generated by a fire hydrant maintenance tax or fee. There are restrictions as to the amount that the Township can charge landowners for fire hydrants. Until such time as the subdivision is developed and structures erected the fire hydrant maintenance tax or fee does not cover the costs charged by the said water company. Prior to final approval of the subdivision plan, Developer shall execute an agreement with the Township, which shall provide that the Developer will be responsible for and will pay upon demand, all charges or costs for water and maintenance for the fire hydrants within the subdivision. Developer's responsibility for payment for said charges or costs shall terminate upon the acceptance of the street upon which the fire hydrants are installed as a public street by the Township unless otherwise agreed to in writing by the Developer and the Township. The Township reserves the right to not accept the said fire hydrant maintenance if Developer refuses to execute an Agreement which shall provide, inter alia, that Developer will be responsible for all charges and/or costs of the said fire hydrant maintenance not covered by Township's Uniform fire hydrant maintenance tax or fee applicable to the said subdivision.

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 6

Mobile Home Parks

§601. Mobile Home Park Development. The standards outlined in this Article shall be applied by the East Buffalo Township in evaluating plans for mobile home park developments and shall be minimum standards. Plans for mobile home park developments shall comply with the following standards as well as all other applicable provisions of this Chapter and the East Buffalo Township Zoning Ordinance not in conflict herewith. Any portion of a mobile home park located within the flood hazard area, shall not be utilized for mobile home park lots but shall be set aside for non-structural uses which will not aggravate the flood hazard, such as recreation and open space or pervious parking areas and then only in accordance with applicable regulations, ordinances and laws. (Ordinance 292, January 22, 2007)

§602. Minimum Park Areas. Notwithstanding any provisions in this Chapter or any ordinances to the contrary, a mobile home park will have a gross area of at least 10 contiguous acres of land suitable for development, excluding lands within existing rights-of-way. (Ordinance 292, January 22, 2007)

§603. Mobile Home Lot Requirements.

(a) Gross Density. Notwithstanding any provisions in this Chapter or any ordinances to the contrary, the maximum number of mobile home lots within each mobile home park shall not be more than 5 lots per acre of the total area of the mobile home park, excluding existing rights-of-ways.

(b) Minimum Lot Sizes. Notwithstanding any provisions in this Chapter or any ordinances to the contrary, the minimum mobile home lot size shall be not less than 8,000 square feet of area. The minimum width of any mobile home lot shall be not less than seventy-five (75) feet.

(c) Mobile Home Lot Access. Notwithstanding any provisions in this Chapter or any ordinances to the contrary, all mobile homes shall abut a street of the mobile home park's internal street system.

(Ordinance 292, January 22, 2007)

§604. Setbacks, Buffer Strips, and Screening Requirements.

(a) Park Perimeter Buffer Strips. Notwithstanding any provisions in this Chapter or any ordinances to the contrary, all mobile homes, auxiliary park buildings and other park structures shall be located at least forty (40) feet from the mobile home park's perimeter boundary lines. The minimum buffer strip may be reduced to twenty-five (25) feet if a suitable perimeter screening of plantings or fencing is provided, the same being subject to the approval of East Buffalo Township.

(b) Minimum Distances Between Structures Within the Mobile Home Park. Notwithstanding any provisions in this Chapter or any ordinances to the

contrary, mobile homes shall be located at least fifty (50) feet from any auxiliary park buildings and other park structures except other mobile homes.

(c) Minimum Yard Dimensions for Each Mobile Home. Notwithstanding any provisions in this Chapter or any ordinances to the contrary:

Front Yard	25 ft.
Side Yard (principal structure)	15 ft.
Side Yard (accessory structure)	7 ft.
Rear Yard (principal structure)	20 ft.
Rear Yard (accessory structure)	10 ft.

(Ordinance 292, January 22, 2007)

§605. Mobile Home Park Appearance.

(a) Grading and Ground Cover Requirements. The ground surface in all parts of the mobile home park shall be graded and equipped to drain all surface water in a safe and efficient manner. Exposed ground surfaces in all parts of each mobile home park shall be treated in a manner approved by East Buffalo Township which will effectively prevent soil erosion and prevent the creation of dust during dry weather.

(b) Trees, shrubs, and/or other decorative vegetation shall be planted at strategic locations in order to provide an aesthetically pleasing appearance for the park.

(c) Open Space Requirements. A minimum of ten percent (10%) of the gross area of the mobile home park shall be provided and maintained as common space for persons occupying or utilizing the mobile home park. This common space shall be level and dry.

(d) Skirting of compatible design and material shall enclose the entire base of each mobile home.

§606. Parking Space Requirements. A minimum of two (2) off-street parking spaces (as defined in Chapter 27 of the Code of Ordinances of East Buffalo Township) per each mobile home lot within the development shall be provided and shall be located upon or within two hundred (200) feet of the mobile home lot to be serviced.

§607. Mobile Home Park Internal Street System Requirements. The street system within a mobile home park shall be designed and constructed according to required standards in this Chapter. (Ordinance 292, January 22, 2007)

§608. Mobile Home Lot Improvements.

(a) An all-weather patio of a minimum area of two hundred (200) square feet shall be provided on each mobile home lot.

(b) Any mobile home not located on a permanent, frost-free footer and a permanent foundation shall be provided with an anchoring system to prevent overturning or lateral movement. Construction of anchoring systems shall be in accordance with the standards for the Installation of Mobile homes including Mobile Home Park Requirements NFPA No. 501A-1974 (ANSI A119.3-1975), as sponsored by the Manufactured Housing Institute, National Fire

Protection Association, and Trailer Coach Association, as the same may be modified on a case by case basis by the Township engineer or building codes officer.

(c) It is recommended, but not required, that mobile homes be designed with a skew of approximately twenty (20) to thirty (30) degrees away from a line perpendicular to the street.

§609. Utilities and Park Facilities.

(a) Water and Sewer Systems. The water supply and sewage systems will be public or community systems. Each mobile home lot shall be connected to the said systems. The systems shall be designed and installed according to the standards of the appropriate agencies

(b) Other Utility Systems. Other utilities shall be provided in accordance with plans approved by the East Buffalo Township and the utility companies.

(Ordinance 292, January 22, 2007)

§610. Agency Requirements. All mobile home parks shall comply with the provisions of the regulations of appropriate agencies. (Ordinance 292, January 22, 2007)

§611. Design Standards. Except as modified in this Part 6, the provisions of Part 4 and Part 5 of this Chapter 22, as amended from time to time shall be applicable to mobile home parks.

§612. Natural Features. For plans submitted under this Part which involve the creation of 25 or more mobile home lots or generate 200 or more vehicle trips per average week day and for all other mobile home parks where East Buffalo Township, in its sole and exclusive judgment, determines there is a potential for an adverse environmental impact, the Developer shall be required to submit Natural Features and Community Impact Analysis as herein set forth.

(Ordinance 163, March 9, 1991; Ordinance 292, January 22, 2007)

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 7

Land Development Requirements

§701. General Requirements.

(a) The standards outlined in this Part shall be applied by East Buffalo Township in evaluating plans for specialized types of subdivision and land development projects. These standards shall be considered minimum standards and the Township may require performance based standards or more restrictive standards. Plans for specialized subdivision and land development projects shall comply with the following standards as well as with all other applicable provisions of this Chapter and with the East Buffalo Township Zoning Ordinance that are not in conflict herewith.

(b) Innovative design, including cluster development which enhances the character of the Township is permitted and encouraged. Among the criteria for review will be conformity with the Township Comprehensive Plan. Where the land development innovative design is determined not to be generally consistent with the Township Comprehensive Plan, one of the following conditions must be found to exist in order for the Township to approve the innovative plan:

(1) The Comprehensive Plan must be found not to be applicable in that particular instance, as determined by East Buffalo Township.

(2) The proposed land development will result in an improved quality of life and will be environmentally compatible with the existing natural resources.

(c) All types of land developments shall comply with all state, local and federal laws, ordinances and regulations.

(Ordinance 292, January 22, 2007)

§702. Land Development Plan Approval Process and Plan Requirements.

(a) Minor Land Developments. For the purpose of this Chapter, a minor land development shall be defined as a Land Development involving one (1) non-residential building of less than 2,000 square feet, a two (2) family dwelling, or the placement of two (2) single family detached dwellings on a single lot or parcel of land.

(1) A plan for a minor land development shall be prepared in accordance with the requirements specified for Sketch Plan as provided for in this Chapter and in accordance with the following conditions or provisions:

(a) The plan shall be drawn at a scale of not more than 100' to the inch and shall be on sheets 18" x 24" or 24" x 36".

(b) Twelve (12) copies of the plan and twelve (12) copies of proposed deed restrictions, if any, shall be submitted, plus 2

copies for each sewer module submitted. (As amended by Ordinance 248, January 27, 2003)

(c) The land development plan shall include detailed specifications for streets, sidewalks, parking lots, sewage disposal and water supply, other utilities, storm water facilities, and any other necessary site improvements; all areas to be subject to a utility easement shall be in accordance with the respective utility company's requirements.

(As Amended by Ordinance 415, adopted November 13, 2023)

(d) A copy of the required sewer planning module, if any, or other required certificates or approvals shall be provided.

(b) Major Land Developments. For the purposes of this Chapter, a major land development shall be defined as a Land Development other than a Minor Land Development.

(1) A Major Land Development shall be prepared in accord with the plan requirements specified in **PRELIMINARY AND FINAL PLANS** requirements in this Chapter.

(c) Design Standards. Except as modified in this Part, the provisions of Part 4 and Part 5 of this Chapter, as amended from time to time, shall be applicable to land development.

(Ordinance 292, January 22, 2007)

§703. Multi-Unit Housing Development.

(a) General Requirements.

(1) The developer shall submit with the plan, a description of the type of multi-family housing proposed, indicating the total number of dwellings per structure.

(2) All multi-unit housing development shall conform to any applicable zoning ordinance provisions.

(3) The developer shall submit with the plan, a written proposal for the maintenance of all facilities, other than those to be dedicated to the public, which are shared by residents within the proposed development. Said proposal shall be recorded with the plan and referenced in the deed to each unit, lot or residence. Said proposal shall be subject to the approval of East Buffalo Township.

(b) Design Standards.

(1) Access to and access within multi-unit housing developments shall be provided in accordance with the standards for streets and driveways contained in this Chapter.

(2) Multi-unit housing development shall be serviced by sewage disposal and water supply facilities designed and constructed in accordance with the standards of the appropriate agencies and as established by this Chapter and other applicable rules, regulations, statutes, laws and ordinances.

(Ordinance 292, January 22, 2007)

(c) Lots, Building Setbacks and Open Space.

(1) All lots shall conform to the East Buffalo Township Zoning Ordinance.

(2) Where the developer proposes to subdivide and convey individual units within a single structure, the proposed plan shall include an exact description of the area(s) or dwelling unit(s) to be conveyed.

(3) Notwithstanding anything in any ordinance or in this Chapter to the contrary, the minimum space between buildings shall be not less than 25'. If a greater distance is required elsewhere, the greater distance shall control.

(4) Notwithstanding anything in any ordinance or in this Chapter to the contrary, a minimum of 500 sq. ft. of usable open space, exclusive of streets, parking areas, structure, and service areas shall be provided for each dwelling unit within multi-unit housing developments. If a greater area is required elsewhere, the greater shall control.

(5) Notwithstanding anything in any ordinance or in this Chapter to the contrary, a minimum of two (2) off-street parking spaces (as defined in the Code of Ordinances of East Buffalo Township, Union County, PA) shall be provided for each dwelling unit within multi-unit housing developments. If a greater number is required elsewhere, the greater shall control.

(Ordinance 292, January 22, 2007)

§704. Recreational Vehicle Parks.

(a) General Requirements.

(1) A notice shall be placed on the land development plan stating that the recreation vehicle park has been designed for intermittent recreational use, and that full-time residential occupancy shall not be permitted within such developments.

(2) A notice shall be placed on the plan stating that it shall be the responsibility of the park owner to maintain all park facilities, including but not limited to internal roads, sewage disposal and water facilities, utilities and areas designated as open space.

(b) Design Standards.

(1) An internal system of private streets or roads shall be provided and constructed in accordance with the standards for private streets contained in this Chapter.

(2) Recreational vehicle parks shall be serviced by sewage disposal and water supply facilities designed and constructed in accordance with the standards of the appropriate agencies, applicable

East Buffalo Township regulations and any other applicable rules, regulations, statues, laws or ordinances. Areas, lots or spaces designed to accommodate travel trailer or recreational vehicles shall be provided with individual sewer hook-up at each lot or space or with an on site community dump station.

(3) Notwithstanding anything in any ordinance or in this Chapter to the contrary, the Township shall require the developer to provide a minimum of ten (10) percent of the gross area of the park for open space provided, however, that if a greater area is required elsewhere, the greater shall control, said open space to be for the occupiers of the said campground. This space shall be level and dry.

(Ordinance 292, January 22, 2007)

(c) Lot Requirements.

(1) Notwithstanding anything in any ordinance or in this Chapter to the contrary, the maximum number of lots of camping spaces within each park or campground shall be no more than 15 per acre of gross area of the park or campground exclusive of rights-of-way, provided, however, that if a different number is required elsewhere which is less, the lesser shall control.

(2) The minimum lot or camping space shall be 40' wide by 50' deep.

(3) All lots or spaces shall abut and have 40' frontage on an internal street of the park. No lot or space shall permit direct access to a public road.

(4) A minimum of two (2) off-street parking spaces (as defined in the Code of Ordinances of East Buffalo Township) shall be provided for each lot or space within the park and shall be situate either on the individual lots or spaces or in a common parking area.

(Ordinance 292, January 22, 2007)

§705. Commercial and Industrial Land Developments.

(a) General Requirements.

(1) Commercial land development proposals, including, but not limited to shopping centers, motels, and other similar types of development, and industrial land development such as industrial parks and multi-tenant industrial buildings, shall comply with the standards and requirements of this section as well as other applicable provisions of this Chapter that are not in conflict herewith.

(2) Commercial and industrial developments shall comply with any applicable zoning ordinance provisions.

(b) Design Standards.

(1) Access to public streets shall be limited to well-defined entrance and exit lanes. Exit lanes shall be separated from entrance

lanes by dividers or planting islands and shall be in accordance with the standards established in this Chapter.

(2) Painted lines, arrows, and dividers shall be provided to control parking and internal circulation. Customer parking and circulation shall be separated from delivery service drives and loading areas.

(3) Proposed sewage disposal and water supply facilities shall be designed and constructed in accordance with the requirements of the appropriate agencies' regulations, applicable East Buffalo Township regulations and applicable rules, regulations, statues, laws and ordinances.

(4) Screen planting shall be required by the Township where adjacent land use dictates the same.

(c) Parking and Loading Area Requirements.

(1) Compliance with the Parking and Loading requirements as set forth in the Township Zoning Ordinance shall be required.

(Ordinance 292, January 22, 2007)

§706. Cluster Housing Developments.

(a) Purpose. The purpose of the following standards and requirements is to permit the clustering of detached and semi-detached dwellings on reduced size lots and the grouping of open space. This type of development should be designed to achieve:

(1) A characteristic of design and site planning in which houses are grouped together on a tract of land and each cluster of houses serves as a module which is set off from other clusters by an intervening open space that helps give visual definition to each individual cluster;

(2) The preservation and utilization of unusual and important physical features of undeveloped land that is held for the common enjoyment; and

(3) More efficient use of the land required for the public facilities servicing the residential development.

(b) Design Standards.

(1) Notwithstanding anything in any ordinance or in this Chapter to the contrary, cluster housing developments shall have a minimum size tract of land of ten (10) acres, excluding rights-of-way and the maximum number of units permitted shall be five (5) units per acres.

(2) Notwithstanding anything in any ordinance or in this Chapter to the contrary, a minimum of forty (40) percent of the development tract area shall be allocated to and shall remain open space. Open space shall include areas of land and water, but shall not include roads, parking areas, structures, storm water management facilities or service lanes. The developer shall submit with the subdivision plan a

written proposal which adequately provides for the maintenance of such space. An agreement which assigns maintenance responsibility for the open space that is not dedicated to the public shall be recorded with the final plan and referenced in the deeds to each unit within the development. Said proposal is subject to approval by East Buffalo Township.

(3) Notwithstanding anything in any ordinance or in this Chapter to the contrary, no dwelling structure shall be located within 15' of any other structures or within 25' of the right-of-way line of any street right-of-way line or within fifty feet (50') of the perimeter of said development, whichever is greater.

(4) All cluster housing developments shall conform to any applicable zoning ordinance except as otherwise provided herein.

(5) Access to and within the cluster housing development shall be provided in accordance with the standards for streets and driveways, as outlined in this Chapter.

(6) Notwithstanding anything in any ordinance or in this Chapter to the contrary, a minimum of two (2) off-street parking spaces (as defined in the Code of Ordinances of East Buffalo Township) per each dwelling unit within the development shall be provided and shall be located within 200' of the dwelling unit to be served, provided that if a greater number of spaces is required elsewhere the greater shall control.

(7) Cluster housing development shall be serviced by a sanitary sewer system and water supply facilities in accordance with the standards of the appropriate agencies, East Buffalo Township regulations and any applicable rules, regulations, statues, laws or ordinances.

(Ordinance 292, January 22, 2007)

§707. Recreational Developments.

(a) Purpose. The purpose of the following standards and regulations is to recognize the special character of recreational development such as isolated or remote cottage or cabin sites or other such development designed for intermittent recreational use.

(b) General Requirements.

(1) The developer shall demonstrate to the Township that the character of the development is exclusively recreational and does not have potential for full-time residential occupancy. Where the Township finds that the proposed development may be suitable for full-time residential occupancy, the subdivision shall be required to adhere to the standards for residential subdivisions.

(2) A notice shall be placed on the plot plans and in the deeds to each parcel within the development stating that the development has been designed for intermittent recreational use, that lots within the development are not intended for full-time occupancy, and that the remote and undeveloped character of such development precludes the

providing of normally expected public services such as utilities, fire and police protection, ambulance response, road maintenance and improvement, or other such services.

(c) Design Standards.

(1) Recognizing the intermittent use of recreational properties, less restrictive standards for access to such developments may be permitted, notwithstanding anything in any ordinance or in this Chapter to the contrary, standards for private streets serving recreational subdivisions shall be as set forth in the following table:

MINIMUM DESIGN & CONSTRUCTION STANDARDS FOR
PRIVATE STREETS SERVING RECREATIONAL SUBDIVISIONS

PRIVATE STREETS	SERVING 1-4 LOTS OR PRINCIPAL BUILDING	SERVING 5 OR MORE LOTS OR PRINCIPAL BUILDING
RIGHT-OF-WAY WIDTH	33 FT.	50 FT.
CARTWAY WIDTH	-----	16 FT.
CARTWAY CONSTRUCTION (1) WEARING SURFACE (2) SUBBASE (3)	-----	4 IN. 6 IN.
TURNAROUND OF CUL-DE-SAC RIGHT-OF-WAY DIAMETER	-----	80 FT.
CARTWAY DIAMETER	-----	60 FT.
GRADE: maximum	20%	15%

Footnotes:

1. All components of the pavement structure shall be in accordance with Township regulations.
2. Depth of 2RC or equivalent material after compaction by a ten ton roller or equivalent.
3. Depth of shale or equivalent material after compaction by a ten ton roller or equivalent.

(2) Sewage disposal and water supply facilities shall be provided in accordance with the standards of the appropriate agencies and East Buffalo Township regulations and other applicable rules, regulations, statutes, laws and ordinances.

(3) All lots shall conform to any applicable Zoning Ordinance provisions.

(Ordinance 292, January 22, 2007)

§708. Other Land Developments. Plans for other types of development not specifically listed shall be submitted to the Township for approval or disapproval in accordance with the principles of site planning and development.

CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

Part 8

Administration, Enforcement and Penalties

§801. Administration and Enforcement.

(1) The Planning Commission and the Governing Body shall have the duty and authority for the administration and general enforcement of the provisions of this Chapter, as specified or implied herein.

(2) Permits required by the Township for the erection or alteration of buildings in a subdivision, the installation of sewers or sewage disposal systems, or for other appurtenant improvements to, or use of, the land, shall not be issued by the Township official until he has ascertained that the site for such building, alteration, improvement or use is located in a development approved and publicly recorded in accordance with the provisions of this Chapter.

(3) The Township Zoning Officer shall require that applications for building permits contain all the information necessary for him to ascertain that, and he shall not issue any building permit until he determines that, the site and plan for the proposed building, alteration or other improvement is acceptable in accordance with the provisions of this Chapter.

(4) Whenever the East Buffalo Township Planning Commission or the East Buffalo Township Board of Supervisors determines that professional assistance is needed in the review of subdivision and/or land development plans pursuant to the provisions of this Chapter, East Buffalo Township shall retain such professional assistance as is deemed necessary and appropriate and the person, persons or entity submitting the said plan for review shall be responsible for the charges, costs and fees incurred by East Buffalo Township for the same. The same to be imposed and collected in accordance with the provisions of the Pennsylvania Municipalities Planning Code. (Ordinance 161, January 13, 1992; Ordinance 292, January 22, 2007)

§802. Penalties. Any person, partnership, corporation, firm, entity or joint venture who or which, being owner or agent of the owner of any lot, tract or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers, or agrees, or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of, a plat of such subdivision or land development or otherwise, or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Chapter and of the regulations adopted hereunder and has been recorded as provided herein, shall upon being found liable therefore in a civil enforcement proceeding pay a judgment of not more than One Thousand and 00/100 Dollars (\$1,000.00), plus court costs and attorney fees incurred by the Township as a result thereof.

Each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Chapter shall be paid over to the Township. Nothing in this section shall be construed or interpreted to grant to any person, firm, partnership, entity, corporation or joint venture other than the Board of Supervisors or its duly designated agent the authority to commence or prosecute any action pursuant to this section.

The description of such lot or parcel by metes and bounds in instrument of transfer, or other document used in the process of selling or transferring, shall not exempt the seller or transferor from such penalties, or from the remedies herein provided. The Township may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdictions, in addition to the penalty herein provided.

(Ordinance 198, June 10, 1996; Ordinance 292, January 22, 2007)

§803. Action for Relief by Township. The Governing Body may obtain a writ of injunction against the owner or agency who attempts the improper sale or conveyance of land to set aside and invalidate any conveyances of land made prior to Final Plan approval of any development.

§804. Other Actions. Nothing herein shall prevent the Governing Body from taking such other action necessary to prevent or remedy any violation.

§805. Appeals. The decision of the Governing Body with respect to the approval or disapproval of plans may be appealed in accordance with the provisions of the Pennsylvania Municipalities Planning Code and applicable law and rules. (Ordinance 292, January 22, 2007)

§806. Severability. If any provisions of this Chapter shall be determined to be invalid or unconstitutional by a recognized court of the Commonwealth, such determination shall not affect the legality of the remaining provisions of the Chapter. (Ordinance 292, January 22, 2007)

§807. Fees. Fees for the processing, review and evaluation of plans submitted to East Buffalo Township pursuant to this Chapter shall be as established from time to time by resolution of the East Buffalo Township Board of Supervisors. All fees to be paid to East Buffalo Township by the Developer upon submission of any plan shall be paid in cash, check or money order and shall be due upon submission of the plan or at such other time as shall be required by said resolution. (Ordinance 163, March 9, 1991; Ordinance 292, January 22, 2007)