

**HEIDELBERG TOWNSHIP  
LEBANON COUNTY, PENNSYLVANIA**

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

**MARCH 2006**

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**CHAPTER 1  
PURPOSE AND AUTHORITY**

**An ordinance providing for the control of the subdivision and development of land and the approval of plats and replats of land within Heidelberg Township, Lebanon County, Pennsylvania.  
Now, therefore, be it ordained by the Board of Supervisors of Heidelberg Township, Lebanon County, Pennsylvania, under authority of Article V of the “Pennsylvania Municipalities Planning Code”, of the Act of the 1968 General Assembly No 247; as amended.**

**SECTION 101      TITLE**

These regulations, rules, and standards for planning, subdividing, and developing land within Heidelberg Township, Lebanon County, Pennsylvania, including procedures for the application and administration, and penalties for the violation thereof, shall be known, cited and referred to as the SUBDIVISION AND LAND DEVELOPMENT ORDINANCE for Heidelberg Township (Ordinance No. \_\_\_\_\_).

**SECTION 102      PURPOSE**

The general purpose of this ordinance shall be to guide and regulate the planning, subdividing, and development of land in order to promote and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the residents of Heidelberg Township in Lebanon County.

**SECTION 103      OBJECTIVES**

It is intended that the provisions of these regulations shall be applied to achieve the following objectives:

- A.    Orderly development of the land to obtain harmonious and stable neighborhoods;
- B.    Safe and convenient vehicular and pedestrian circulation;
- C.    Adequate and economical provision for utilities and public services to conserve the public funds;
- D.    Ample public open spaces for schools, recreational and other public purposes;
- E.    Accurate surveying of land, preparing and recording of plats;
- F.    Discouraging of premature, uneconomical, or scattered subdivision;
- G.    Maximize conservation of all forms of energy;

- H. Storm water management, by managing accelerated runoff and erosion and sedimentation problems at their source and by regulating activities that cause these problems;
- I. Utilize and preserve the existing natural drainage systems;
- J. Encourage recharge of groundwater where appropriate and prevent degradation of groundwater quality;
- K. Maintain existing flows and quality of streams and watercourses in the Township and the commonwealth;
- L. Preserve and restore the flood-carrying capacity of streams;
- M. Provide proper maintenance of all permanent stormwater management facilities that are constructed in Heidelberg Township;
- N. Provide performance standards and design criteria for watershed-wide storm water management and planning; and,
- O. Coordination of land development in accordance with the Zoning Ordinance, Storm Water Management and Earth Disturbance Ordinance, Comprehensive Plan, Watershed Plans, and other plans of Heidelberg Township and Lebanon County.

#### **SECTION 104 APPLICATION OF REGULATIONS**

No subdivision or land development of any lot, tract or parcel of land located within Heidelberg Township shall be effected; no street, sanitary sewer, storm sewer, water main, storm water control facilities, or other facilities in connection therewith shall be laid out, constructed, opened, or dedicated for travel or public use, until a subdivision or land development plan has been approved in the manner prescribed herein, and recorded. Furthermore, no property shall be developed, no building shall be erected and no site improvements shall be completed except in strict accordance with the provisions of this Ordinance.

No lot in a subdivision may be sold or transferred; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected in a subdivision or land development, unless and until a final subdivision or land development plat has been approved or recorded, and until construction of any required site improvements in connection therewith has been completed or guaranteed in the manner prescribed herein.



Approvals issued pursuant to this Ordinance do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by other agencies or levels of government.

**SECTION 105 JURISDICTION**

Applications for subdivision and land development located within Heidelberg Township shall be forwarded, upon receipt by the Township, to the Lebanon County Planning Department for review and report, together with a fee as established elsewhere herein. Furthermore, the Board of Supervisors shall not approve such applications until the county report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.



## **CHAPTER 2 DEFINITIONS**

### **SECTION 201      GENERAL TERMS**

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated.

Words in the singular include the plural and those in the plural include the singular.

Words in the present tense include the future tense.

The word “shall” is always mandatory; the word “may” is permissive; and the word “should” means a suggested or preferred action.

The words "person" or "subdivider" or "developer" or "owner" include a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The word “includes” or “including” shall not limit the term to the specific example, but is intended to extend its meaning to all other instances of like kind and character.

The words “used or occupied” include the words “intended, designed, maintained, or arranged to be used, occupied or maintained”.

### **SECTION 202      SPECIFIC TERMS**

Unless otherwise expressly stated, the following words shall, for the purpose of this Ordinance, have the meaning herein indicated. Undefined terms or words used herein shall have as their ordinarily accepted meanings or such meanings as the context of this Ordinance may imply.

**ACCELERATED EROSION** – the removal of the surface of the land through the combined action of man’s activities and the natural processes at a rate greater than would occur because of the natural process alone.

**AGRICULTURAL ACTIVITIES** – the work of producing crops and raising livestock including tillage, plowing, disking, harrowing, pasturing and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

ALTERATION – as applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

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

ACT 247 - see "Pennsylvania Municipalities Planning Code".

BASE FLOOD – the flood, also known as the 100-Year Flood, which has a one percent (1%) chance of being equaled or exceeded in any given year; the flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared.

BASE FLOOD ELEVATION – the determination by the Federal Insurance Administrator of the water surface elevation of the Base Flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.

BUILDING - a structure which has a roof supported by columns, piers, or walls, which is intended for the shelter, housing, or enclosure of persons, animals, or chattel or which is to house a use of a commercial or manufacturing activity.

BUILDING (SETBACK) LINE - a line established by municipal zoning codes or the subdivision regulations, which defines the required minimum distance between any building and the adjacent public right-of-way or property line.

CARBONATE GEOLOGY – limestone or dolomite bedrock.

CARTWAY - the portion of the street right-of-way, paved or unpaved, intended for vehicular use. The shoulder is not considered part of the cartway.

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

COMMONWEALTH – the Commonwealth of Pennsylvania.

CONSERVATION DISTRICT - The Lebanon County Conservation District.

CONSTRUCTION – the term “construction” shall include the building, reconstruction, extension, expansion, alteration, substantial improvement, erection or relocation of a building or structure including manufactured homes, and gas or liquid storage tanks. For flood plain purposes, “new construction” includes structures for which the “start of construction” commenced on or after the effective date of a flood plain management regulation adopted by the municipality.

COUNTY - Lebanon County, Pennsylvania

CULVERT – a structure with appurtenant works, which carries a stream or other surface drainage under or through an embankment or fill.

DAM – an artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semifluid, or a refuse bank, fill or structure for highway, railroad or other purposes, which does or may impound water or another fluid or semifluid.

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 – any man-made change to improved or unimproved real estate, including but not limited to buildings, manufactured homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or the storage of equipment or materials.

EASEMENT - a right-of-way granted for limited use of land for public or quasi-public purpose.

ENGINEER, REGISTERED - an individual licensed and registered as a Professional Engineer by the Commonwealth of Pennsylvania.

ENGINEER, TOWNSHIP – the Township Engineer or any consultant designated by the Board of Supervisors to review a subdivision plan and perform the duties of engineer on behalf of the Township.

EROSION - the movement of soil particles by the action of water, wind, ice, or other natural forces.

EROSION AND SEDIMENT POLLUTION CONTROL PLAN – a plan that is designed to minimize accelerated erosion and sedimentation.

FLOOD – a general and temporary inundation of normally dry land areas by water from waterway overflows or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD PLAIN - (1) a relatively flat or low land area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation by water; (2) an area subject to the unusual and rapid accumulation or runoff of surface water from any source. For the purposes of this Ordinance, the flood plain shall be considered to be the One Hundred (100) Year Flood Plain which is a flood plain having a one percent (1%) chance of being subject to the above conditions during any given year.

FLOODWAY – the channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the Base Flood without cumulatively increasing the water surface elevation of that flood more than one (1) foot at any point.

GOVERNING BODY – The Board of Supervisors of Heidelberg Township.

GRADE – a slope, usually of a road, channel or natural ground specified in percent and shown on plans as specified herein. (To) Grade – to finish the surface of a roadbed, top of embankment or bottom of excavation.

GROUNDWATER RECHARGE – replenishment of existing natural underground water supplies.

IMPROVEMENTS – physical additions and changes to the land, necessary to produce usable and desirable lots.

INLET – a surface connection to a closed drain a structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

LAND DEVELOPMENT – (i) the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or (b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; (ii) a subdivision of land; (iii) development in accordance with Section 503(1.1) of the PA Municipalities Planning Code.

LAND/EARTH DISTURBANCE – any activity involving grading, tilling, digging, or filling of ground or stripping of vegetation or any activity that causes an alteration to the natural condition of the land.

LANDOWNER – the legal or beneficial owner or owners of land, including the holder of an option or contract to purchase, a lessee if he is authorized under the lease to exercise the lights of the landowner, or other person having a proprietary interest in land.

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

LOT AREA – the area contained within the property line of a lot or the allocation of land, excluding space within any street right-of-way.

MANUFACTURED HOME – a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without permanent

foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes (1) all mobile homes and (2) camping trailers, recreational vehicles, travel trailers, and other similar vehicles placed on a site; for greater than 180 consecutive days.

MANUFACTURED HOME PARK AND/OR SUBDIVISION – a lot or area which is a planned development and designated to contain two or more manufactured homes for rent or for sale. Any lot or area proposed to utilize such design where individual manufactured home sites are proposed for sale shall be known as a manufactured home subdivision.

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

MOBILE HOME LOT – a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single-mobile home.

MOBILE HOME PARK – a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon to mobile homes.

MUNICIPALITY – Heidelberg Township, Lebanon County, Pennsylvania.

NATURAL SUBDIVISION – the division of land into two or more portions by virtue of the location of a public road.

ONE HUNDRED (100) YEAR FLOOD (BASE FLOOD) – a flood selected as the Base Flood, that has a one percent (1%) or greater chance of occurring in any given year.

OPEN CHANNEL – a drainage element in which storm water flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainageways, swales, streams, ditches, canals, and pipes flowing partly full.

OUTLET – points of water disposal from a stream, river, lake, tidewater or artificial drain.

PEAK DISCHARGE – the maximum rate of storm water runoff from a specific storm event.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE – adopted as Act 247 of 1968, this act enables municipalities to plan for, and regulate, community development with

subdivision and land development ordinances. The code also contains guidelines for subdivision and land development ordinance content. For the purpose of this Ordinance, the Code is referred to as "Act 247" and is intended to include the current code and any further amendments thereto.

PLAN, FINAL – a complete and exact subdivision or land development plan prepared for recording as required by statute, to define property rights, proposed streets and other improvements; a final plat.

PLAN, PRELIMINARY – a tentative subdivision or land development plan showing proposed street and lot layout as a basis for consideration prior to preparation of a final plat. A preliminary plan shall include engineering design for all required site improvements.

PLAN, SKETCH – an informal plan, indicating existing features of a tract and the surrounding area and outlining the general layout of a proposed subdivision or land development ordinance.

PLANNING COMMISSION – the Heidelberg Township Planning Commission.

PLANNING DEPARTMENT – the Lebanon County Planning Department.

PLAT – the map or plan of a subdivision or land development, whether preliminary or final.

PROFESSIONAL CONSULTANTS - Persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

RIGHT-OF-WAY – the total width of any land reserved or dedicated for use as street, alley, or for any public purpose.

RUNOFF – any part of precipitation that flows over the land surface.

SEDIMENT POLLUTION – the placement, discharge or any other introduction of sediment into the waters of the Commonwealth occurring from the failure to design, construct, implement or maintain control measures and control facilities in accordance with the requirements of this Ordinance.

SEDIMENTATION – the process by which mineral or organic matter is accumulated or deposited by the movement of water.

SITE IMPROVEMENTS – physical additions or changes to the land that may be necessary to provide usable and desirable lots, including but not limited to, utilities, streets, curbing, sidewalks, street lights and storm water facilities.



SPILLWAY – a depression in the embankment of a pond or basin, which is used to convey excess water from the impoundment.

STORM SEWER – a system of pipes, and/or open channels that convey intercepted runoff and storm water from other sources, but excludes domestic sewage and industrial wastes.

STORM WATER – the total amount of precipitation reaching the ground surface.

STORM WATER MANAGEMENT – the control of runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site does not exceed the late prior to development.

STORM WATER MANAGEMENT FACILITY – any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects storm water runoff Typical storm water management facilities include, but area not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

STORM WATER MANAGEMENT AND EARTH DISTURBANCE ORDINANCE – the Heidelberg Township Storm Water Management and Earth Disturbance Ordinance, adopted in accordance with the guidelines of Act 167 of 1978, the Pennsylvania Storm Water Management Act.

STORM WATER MANAGEMENT PLAN – a plan for managing storm water runoff on a watershed-wide basis, in accordance with the guidelines of Act 167 of 1978, the Pennsylvania Storm Water Management Act.

STREET – a strip of land including the entire right-of-way used or intended for use as a means of vehicular and pedestrian circulation, whether public or private. The word "street" includes street, thoroughfare, avenue, boulevard, court, expressway, highway, road, lane, and alley.

STREET, PRIVATE – a strip of private land providing access to abutting properties and not offered for dedication or accepted for municipal ownership and maintenance.

STRUCTURE – a walled or roofed building, including a gas or liquid storage tank (principally above ground), a manufactured home, or any other man-made object usually assembled of interdependent parts or components which is designed to have a more or less fixed location, whether or not permanently attached at that location.

SUBDIVIDER – any landowner, agent of such landowner or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or land development.

SUBDIVISION – the division or resubdivision 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.

SUPERVISORS – the governing body of Heidelberg Township, Lebanon County, Pennsylvania.

SURVEYOR, REGISTERED – an individual licensed and registered as a Professional Land Surveyor by the Commonwealth of Pennsylvania.

SWALE – a low lying stretch of land which gathers or carries surface water runoff.

TOWNSHIP – Heidelberg Township, Lebanon County, Pennsylvania.

WATERCOURSE – a stream of water; river; brook; creek; or a channel or ditch for water, whether natural or manmade.

WATERS OF THE COMMONWEALTH – any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

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

## **CHAPTER 3 PROCEDURES**

### **SECTION 301      INTENT**

The procedures established in this Chapter are intended to define the steps by which a developer shall design, make an application, record plats, and construct improvements, and by which the Township Planning Commission and Board of Supervisors may review, make recommendations, approve plans and otherwise administer these regulations and this Ordinance.

For those subdivisions hereinafter classified as minor subdivisions, a sketch plan and abbreviated final plan procedure is established. For all others, which are classified as major subdivisions or land developments, a preliminary plan and final plat procedure is established.

### **SECTION 302      PRE-APPLICATION**

The Township shall make available to developers copies of this subdivision and land development ordinance, the zoning ordinance, the thoroughfare and other adopted plans, street maps, and other information, which may affect the development of the property under consideration. Applications for approval of a subdivision or land development shall be in accordance with these regulations, other codes and plans as adopted and information furnished.

Prior to the formal submission of a subdivision or land development plan for review and approval, the subdivider or land developer is urged to submit a sketch plan to the Planning Commission for advice on the requirements necessary to achieve conformity to the standards of these regulations as well as to alert the subdivider or land developer as early as possible to factors which must be considered in the design of a subdivision, such as pertinent elements of any Township land use, thoroughfare or other community plans. Review of a sketch plan is an informal, advisory process to guide the subdivider or land developer in eventual preparation of a formal preliminary or final plan.

Sketch plans and subsequent official minor and major subdivision and land development plans should be accompanied by any letters of transmittal or development details necessary to explain existing or proposed site conditions which are not self-explanatory on the actual sketch, minor or major subdivision or land development plan.

### **SECTION 303      MINOR SUBDIVISION**

- A. Classification - A division of land to facilitate a lot addition or a land exchange or a division of land which adjoins an existing public street and does not involve the opening, widening, extension or improvement of any street or the installation of any public utility outside the frontage road and does not involve more than five

(5) lots or dwelling units (except that subdivision of lots from a property after five (5) or more lots have been previously subdivided is a major subdivision).

Dedication or establishment of an unimproved right-of-way or easement shall be a minor subdivision, natural subdivision or replatting, resubdivision or revision of five (5) lots or less shall also be considered a minor subdivision. Multi-family, commercial, industrial and mobile home park development, shall be a major, not minor subdivision, or land development, regardless of the number of lots or units created.

B. Application -

1. Plans may be filed with the Township on any Township business day; however, the Planning Commission may review a plan at a particular meeting only if the plan was filed at least thirty-one (31) calendar days prior to that meeting in order to be placed on the agenda for said meeting.
2. All plan applications shall include the following:
  - a. At the discretion of the Township Planning Commission, up to ten (10) copies of the plan. The Applicant shall consult with the Township Planning Commission to determine the number of copies required to be submitted. All plans shall be either black on white, blue on white, or color on white paper prints. Copies shall be distributed as follows:
    - i. One (1) copy to the Township Office.
    - ii. Two (2) copies to the Township Engineer.
    - iii. Five (5) copies to the Township Planning Commission.
    - iv. One (1) or two (2) copies to the Lebanon County Planning Department (See Appendix No. 12).
  - b. Four (4) copies of all notifications and certifications which are not provided on the preliminary plan. Copies shall be distributed as follows:
    - i. One (1) copy to the Township Office.
    - ii. One (1) copy to the Township Engineer.
    - iii. One (1) copy to the Township Planning Commission.
    - iv. One (1) copy to the Lebanon County Planning Department.

- c. Four (4) copies of the application form (See Appendix No. 10). Copies shall be distributed as follows:
    - i. One (1) copy to the Township Office.
    - ii. One (1) copy to the Township Engineer.
    - iii. One (1) copy to the Township Planning Commission.
    - iv. One (1) copy to the Lebanon County Planning Department.
  - d. Two (2) copies of a completed fee schedule and the appropriate filing fee and deposit account.
- C. Review - Upon receipt of the minor subdivision or land development plan application and fees, and upon acceptance for review by the Township Planning Commission at a public meeting, the Planning Commission shall begin to review the final plan for compliance with this Ordinance. Where applicable, the plan may be forwarded to the Township Engineer, the County Conservation District, or other agencies for review and comment. The plan shall also be forwarded to the Lebanon County Planning Department for review. The Planning Department shall convey any comments within thirty (30) days of the date that the plan was forwarded. Review comments, conditions, and findings of the Lebanon County Planning Department may be used as substantiation for plan approval or disapproval. After completion of the review process, the Township Planning Commission shall recommend that the Board of Supervisors grant or deny approval.
- D. Approval or Disapproval - After an application for approval of a minor subdivision or land development has been filed with the Township Planning Commission, together with all maps, necessary data, and fees, the plan shall be reviewed and processed. The applicant shall pay required review fees at the time of official submission of the plat and official submission shall not be deemed to have been made until receipt of all the required review fees. The Township Planning Commission shall complete the review and recommend to the Board of Supervisors approval or disapproval. The Board of Supervisors shall approve or disapprove the application not later than ninety (90) days following the date of the regular meeting of the Township Planning Commission next following the date the application is filed. Should the said next regularly scheduled meeting occur more than thirty (30) days after the application is filed, the said 90-day period shall be measured from the 30<sup>th</sup> day following the day the application has been filed. The decision shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.

The Township Planning Commission shall have the authority to recommend specific conditions for approval upon a subdivision or land development plan. If such specific conditions are accepted by the applicant, the plan shall be recommended for approval. If the applicant fails to accept, or rejects, such conditions, the Planning Commission shall recommend the plan be disapproved by the Board of Supervisors.

All such conditions for approval shall be communicated by the Township Planning Commission Secretary, or such other person as designated by the Township Planning Commission or Board of Supervisors, within ten (10) calendar days of the imposition of such conditions by the Township Planning Commission. The applicant shall respond in writing to the Township Planning Commission secretary, or such other person as designated by the Township Planning Commission or Board of Supervisors, within fourteen (14) calendar days of the mailing of the written notice of the conditions indicating an acceptance or rejection of the conditions imposed. Failure of the applicant to respond to the notice of conditions shall be deemed a rejection of the proposed conditions.

When the application is approved, it shall be appropriately signed and dated and copies shall be distributed according to Section 303 E. of this Ordinance. When the application is disapproved, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite to the provisions of the Ordinance relied upon. A disapproved copy of the subdivision or land development plan shall be sent to the Lebanon County Planning Department, a similar copy shall be retained by the Township, and the remaining copies shall be returned to the subdivider, developer, and/or his agent.

Failure of the Board of Supervisors to render a final decision and communicate it to the applicant within the time and in the manner required herein shall be deemed approval of the application in the terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. However, removal or withdrawal of the subdivision or land development plan by the applicant and/or his agent shall be considered withdrawal of plan application, shall not obligate the Board of Supervisors to approve or disapprove the plan within the herein described timetable and shall not result in a deemed approval when ninety (90) days have elapsed. Upon knowledge of plan withdrawal, the Township Planning Commission shall notify, in writing, the subdivider or land developer that plan withdrawal has disrupted the approval process and no approval or disapproval will be rendered unless this subdivision or land development is resubmitted as a new application.

- E. Recording – after approval of a minor subdivision or land development plat by the Board of Supervisors, the mylar copy shall be placed on record in the municipal office. The opaque mylar and one (1) blue line print shall be filed and recorded in the office of the County Recorder or Deeds, said recording to occur within ninety (90) days of the final or deemed approval date of the plan or the approval shall be null and void. The Recorder of Deeds shall not accept any plat for recording unless such plat officially notes the recommended approval of the Township Planning Commission and the approval of the Board of Supervisors. Likewise, whenever plan review and comment by the Lebanon County Planning Department is required (Section 303 C.), the Recorder of Deeds shall not accept any plat for recording unless such plat officially notes the review of the Planning Department. The applicant shall be responsible to adhere to any and all policies and procedures adopted by the Recorder or Deeds. Copies of an approved plat shall be sent to the applicant and a mylar copy shall be sent to the Lebanon County Planning Department. Additional copies may be distributed to the Pennsylvania Department of Transportation (PENNDOT), County Emergency Management Agency, County Assessment Office, Metropolitan Edison Company, Pennsylvania Power and Light Company, Verizon, or other utility or related agency making timely request for copies.

**SECTION 304 MAJOR SUBDIVISION OR LAND DEVELOPMENT - PRELIMINARY PLAN**

- A. Classification - Any subdivision or land development involving more than five (5) lots or dwelling units; or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from that property; or any subdivision or land development proposing the opening, widening, extension or improvement of a street shall be deemed to be a major subdivision or land development. Multi-family, mobile home park, institutional, commercial and industrial development shall be considered major subdivision or land development, regardless of the number of lots or units created.
- B. Application -
1. Plans may be filed with the Township on any Township business day; however, the Planning Commission may review a plan at a particular meeting only if the plan was filed at least thirty-one (31) calendar days prior to that meeting in order to be placed on the agenda for said meeting.
  2. All plan applications shall include the following:
    - a. At the discretion of the Township Planning Commission, up to ten (10) copies of the plan. The Applicant shall consult with the Township Planning Commission to determine the number of copies required to be submitted. All plans shall be either black on white, blue

on white, or color on white paper prints. Copies shall be distributed as follows:

- i. One (1) copy to the Township Office.
  - ii. Two (2) copies to the Township Engineer.
  - iii. Five (5) copies to the Township Planning Commission.
  - iv. One (1) or two (2) copies to the Lebanon County Planning Department. (See Appendix No. 12)
- b. Four (4) copies of all notifications and certifications which are not provided on the preliminary plan. Copies shall be distributed as follows:
- i. One (1) copy to the Township Office.
  - ii. One (1) copy to the Township Engineer.
  - iii. One (1) copy to the Township Planning Commission.
  - iv. One (1) copy to the Lebanon County Planning Department.
- c. Four (4) copies of the application form. (See Appendix No. 10) Copies shall be distributed as follows:
- i. One (1) copy to the Township Office.
  - ii. One (1) copy to the Township Engineer.
  - iii. One (1) copy to the Township Planning Commission.
  - iv. One (1) copy to the Lebanon County Planning Department.
- d. Two (2) copies of a completed fee schedule and the appropriate filing fee and deposit account.
- e. Four (4) copies of all reports required by Section 403 F. Copies shall be distributed as follows:
- i. One (1) copy to the Township Office.
  - ii. One (1) copy to the Township Engineer.
  - iii. One (1) copy to the Township Planning Commission.



iv. One (1) copy to the Lebanon County Planning Department.

- C. Review - Upon receipt of the preliminary plan (and improvement plan, if separate) application, and fees, and upon acceptance for review by the Township Planning Commission at a public meeting, the Planning Commission shall begin to review the plan for compliance with this Ordinance. The preliminary plan shall be examined for suitable relationship to adjoining subdivisions or undeveloped land, feasibility of the program for improvements, and provide an opportunity for advice, suggestions, and adjustments to meet Ordinance requirements before the plan becomes rigid. The submission of alternate plans is recommended.

Where applicable, the plan may be forwarded to the Township Engineer, County Conservation District, or other appropriate agency for review and comment. The preliminary plan, plus any applicable improvement plan shall be forwarded to the Lebanon County Planning Department to provide comment. Review comments, conditions, and findings of the Lebanon County Planning Department shall be received by the Township within thirty (30) days of the date the plan was forwarded. These comments may be used as substantiation for plan approval or disapproval. After completion of the review process, the Township Planning Commission shall recommend that the Board of Supervisors grant or deny approval.

- D. Approval or Disapproval - After an application for preliminary approval of a plat of a major subdivision or land development has been filed with the Township Planning Commission, together with all improvement plans, maps, necessary data and fees, the Township Planning Commission shall complete the review, and recommend either approval or disapproval of the plan in accordance with the procedure outlined in Section 303 D.

- E. Recording - After approval of a preliminary plan for a major subdivision or land development plat, recording of the preliminary plan is not authorized. Approval of the preliminary plan shall assure the subdivider for a period of five (5) years from the date of approval that:

1. The general layout of streets, lots, and other features are approved and shall be the basis for the preparation of the final plan; and
2. The general terms and any special conditions under which the approval of the plan was granted will not be changed; and
3. The subdivider may install improvements as required in Chapter 5 of this Ordinance in accordance with the approved preliminary plan and other requirements contained in this Ordinance and the ordinances of Clay Township. Approval of a preliminary plan does not constitute approval of the final plan, and therefore, does not authorize the recording of the subdivision or land development plan or the sale or transfer of lots. After a

period of five (5) years, approval of the preliminary plan shall expire, unless extended by the Board of Supervisors.

**SECTION 305 MAJOR SUBDIVISION OR LAND DEVELOPMENT - FINAL PLAN**

- A. Classification - Any subdivision or land development involving more than five (5) lots or dwelling units; or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from that property; or any subdivision or land development proposing the opening, widening, extension or improvement of a street shall be deemed to be a major subdivision or land development. Multi-family, mobile home park, institutional, commercial and industrial development shall be considered major subdivision or land development, regardless of the number of lots or units created.
- B. Application -
1. Plans may be filed with the Township on any Township business day; however, the Planning Commission may review a plan at a particular meeting only if the plan was filed at least thirty-one (31) calendar days prior to that meeting in order to be placed on the agenda for said meeting.
  2. All plan applications shall include the following:
    - a. At the discretion of the Township Planning Commission, up to ten (10) copies of the plan. The Applicant shall consult with the Township Planning Commission to determine the number of copies required to be submitted. All plans shall be either black on white, blue on white, or color on white paper prints. Copies shall be distributed as follows:
      - i. One (1) copy to the Township Office.
      - ii. Two (2) copies to the Township Engineer.
      - iii. Five (5) copies to the Township Planning Commission.
      - iv. One (1) or two (2) copies to the Lebanon County Planning Department. (See Appendix No. 12)
    - b. Four (4) copies of all notifications and certifications which are not provided on the preliminary plan. Copies shall be distributed as follows:
      - i. One (1) copy to the Township Office.
      - ii. One (1) copy to the Township Engineer.

- iii. One (1) copy to the Township Planning Commission.
      - iv. One (1) copy to the Lebanon County Planning Department.
    - c. Four (4) copies of the application form. (See Appendix No. 10) Copies shall be distributed as follows:
      - i. One (1) copy to the Township Office.
      - ii. One (1) copy to the Township Engineer.
      - iii. One (1) copy to the Township Planning Commission.
      - iv. One (1) copy to the Lebanon County Planning Department.
    - d. Two (2) copies of a completed fee schedule and the appropriate filing fee and deposit account.
    - e. Four (4) copies of all reports required by Section 403 F. Copies shall be distributed as follows:
      - i. One (1) copy to the Township Office.
      - ii. One (1) copy to the Township Engineer.
      - iii. One (1) copy to the Township Planning Commission.
      - iv. One (1) copy to the Lebanon County Planning Department.
  - 4. The final plan may be submitted in sections, each section covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plan; provided that each section, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of units of occupancy as depicted on the approved preliminary plan.
  - 5. The Township may accept a final plan modified to reflect a change to the site or its surroundings, which occurs after the preliminary plan review. The Township shall determine whether a modified final plan will be accepted or whether a new preliminary plan shall be submitted. The Township Planning Commission may make recommendations to the Board of Supervisors.
- C. Review – Upon receipt of the final plan application, fees and acceptance by the Township Planning Commission for review, the Township Planning Commission shall begin to review the plan for compliance with this ordinance. The final plan shall be examined for conformity to the preliminary plan, for design and detail for required site improvements, and for adherence to other standards of this

Ordinance. The plan shall also be examined to determine if the required site improvements have been installed or, in lieu thereof, a bond or financial security has been submitted. Where applicable, the plan may be forwarded to the Township Engineer, the County Conservation District, or other appropriate agencies for review and comment. The final plan shall be forwarded to the Lebanon County Planning Department to provide opportunity for review and comment. These comments shall be conveyed to the Township within thirty (30) days of the date that the plan was forwarded.

Review comments, conditions, and findings of the Lebanon County Planning Department may be used as substantiation for plan approval or disapproval. After completion of the review process, the Township Planning Commission shall recommend approval, with or without conditions, or disapproval by the Board of Supervisors.

- D. Approval or Disapproval – After an application for final approval of a plat of a major subdivision or land development has been filed with the Township Planning Commission, approval or disapproval with or without conditions shall be granted in accordance with Section 303 D. of this Ordinance.

However, no plat shall be finally approved unless the streets on such plat have been improved as required by this ordinance, and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, landscaping, water mains, sanitary sewers, storm sewers, storm water managements facilities, and other site improvements as may be required by this ordinance and any applicable Township requirements have been installed in accordance with such requirements. In lieu of the completion of any site improvements required as a condition for the final approval of a plat, financial security shall be deposited by the subdivider/developer with the Township in an amount to cover the costs of any site improvements which may be required by ordinance. Such financial security shall provide for and secure to the public, the completion of any site improvements which may be required for the subdivision or land development. Financial improvement guarantees shall further be subject to the requirements of Section 514 of this ordinance and Sections 509 - 511 of Act 247.

- E. Recording - After approval of a final plat for a major subdivision or land development by the Township, the plat shall be recorded and copies distributed in the manner prescribed in Section 303 E. of this Ordinance.

Recording shall entitle the subdivider to sell, transfer or develop the land shown on the plat in accordance with the approved plat, subject to any conditions attached thereto. Where final plans are approved for only a portion, section or phase of the entire subdivision or land development, sale, transfer or development may proceed only on that approved portion, section or phase.

When a final plat has been approved, no subsequent change or amendment in zoning, subdivision or other governing ordinance shall be applied to affect adversely the right of the subdivider or land developer to commence and complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval.

When the subdivider or land developer has failed to substantially complete development of the approved plan within five (5) years of the aforesaid approval date and when changes in a zoning, subdivision, or other governing ordinance have occurred which affect the design of the approved plat, the subdivision or land development shall be subject to the changes in the zoning, subdivision, or other governing ordinance. The Township shall notify, in writing, the subdivider or land developer that approval has expired and submission and approval of a revised preliminary and/or final plan (as necessary to detail changes), illustrating compliance with the revised Ordinance, is required prior to further development or lot transfer.



**CHAPTER 4  
PLANS AND PLATS: REQUIRED INFORMATION**

**SECTION 401      INTENT**

Plans, maps, data and plats shall be prepared and furnished by the developer as required herein to assure accurate surveying, to provide adequate information for designing and preparing plans, and to facilitate review, approval and recording of plats. Plans and maps shall be neat, legible, uncluttered and easily readable to provide clear documentation of all data.

**SECTION 402      MINOR SUBDIVISION AND LAND DEVELOPMENT PLANS**

The subdivider or land developer shall furnish, as part of an application for approval of a minor subdivision or land development plan, the following information on the required 18" X 24" final plan sheets:

A.    Title Block

1.    Identification of the plan as a final plan;
2.    Name of the development, if any;
3.    Name, address and phone number of the record owner(s), subdivider(s), developer(s), and authorized agent(s);
4.    Name of the municipality in which the subdivision or land development is located;
5.    Written and graphic scale of plan;
6.    Name, address and phone number of plan preparer;
7.    Date of plan preparation and date of subsequent revisions; and,
8.    Deed reference or source of title.

B.    Signature Blocks

Space for date, signature and type of formal action by each of the following:

1.    County Planning Department (See Appendix No. 8)
2.    Board of Supervisors (See Appendix No. 7)

3. Township Planning Commission (See Appendix No. 5)
4. Township Engineer, where applicable
5. Recorder of Deeds Certificate. (See Appendix No. 9)
6. Other officials, where required by this Ordinance or other Township ordinance.

C. Maps and Data

1. Location drawing or map section, at a scale of 1" = 800', showing the location of the proposed subdivision in relation to named streets, boundaries, previous subdivisions, etc.

The proposed subdivision or land development area shall be identified by a tone or pattern differentiation and residual land of the subdivider shall be outlined.

The location drawing shall also contain a reference to north and, where possible, be depicted in northerly alignment with the property drawing.

2. Property drawing of the parcel, which is to be subdivided. Residual land shall be shown to the extent necessary to assure compliance with all applicable standards. The lot, tract or parcel drawing shall include:
  - a. Bearings and dimensions for all property lines; corporation lines; center and right-of-way lines of streets; easements and other rights-of-way; natural and artificial water courses, streams and flood plain boundaries; wetlands; and other boundary lines with distances, radii arcs, chords and tangents of all deflection angles, nearest second and error of closure of not more than one (1) foot in 10,000 feet.
  - b. Proposed lot, tract, or parcel lines in prominent, solid lines. Lot, tract, or parcel lines proposed for removal shall be shown in dashed or broken lines.
  - c. Location and identification of all control points (iron pins, monuments, etc.) to which all dimensions, angles and bearings are to be referred.
  - d. Lot numbers or letters in progressive order to identify each lot or tract. Numbers shall be utilized only for lots, tracts or parcels which are eligible for independent or individual use, whereas letters shall be utilized for lot additions, land exchanges and transfer of lots or



parcels which are not eligible for individual use or development. Lot numbers or letters from previous plans shall be encircled by a dashed or broken line circle while currently proposed lot numbers or letters shall be encircled by a solid line circle.

- e. Square footage and acreage of all lots or parcels involved in the subdivision or land development, exclusive of land dedicated for public right-of-way.
  - f. The location, size and use of all existing buildings. Proposed buildings shall be shown to the extent necessary to demonstrate compliance with other ordinance criteria.
  - g. The building setback line prescribed in the applicable zoning code.
  - h. In the case of lot annexation plans, the boundary of the receiving tract shall also be identified as a deed plotting and may be drawn at any legible scale.
3. Streets, utilities, topography and natural features on the proposed subdivision and within 100 feet of the boundaries, in accordance with the following:
- a. Layout, right-of-way, pavement width and name of all roads and streets.
  - b. Size and location of all existing and proposed utilities including easements.
  - c. Existing and proposed on-lot well and sewage disposal system locations, as well as soil probe and percolation test locations for sewage disposal systems.
  - d. The existing and proposed topography and drainage of all proposed development sites shall be depicted. Existing and proposed contour intervals shall be a maximum of five (5) feet, except that development areas with a grade of less than 5% shall be depicted utilizing two (2) foot contour intervals. Lot additions and currently developed sites shall be required to stipulate only lot corner elevations or general topographic information.
  - e. Streams, ponds, waterways, flood plains, quarries, sinkholes and other significant topographical, physical or natural features.
  - f. Identify and illustrate all soil series and soil boundaries.

- g. The size, capacity and condition of the existing storm water management system and any other facility that may be used to convey storm flows.
  - h. The location of wetlands and subsequent data or information required by Section 407 of this Ordinance.
  - i. The location of threatened or endangered plant and animal species and communities and subsequent data or information required by Section 408 of this Ordinance.
  - j. Easements for the on-lot sewage replacement locations.
  - k. Easements around delineated wetlands.
  - l. Clear sight triangles and stopping sight distances for all intersections as described in Sections 510 C.1. of this Ordinance shall be shown on the plan.
  - m. Parks, playgrounds, and other areas proposed to be dedicated or reserved for public use with any condition governing such use.
  - n. Preliminary designs of any bridges or culverts that may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection (PADEP), PENNDOT, and other applicable agencies. Calculations for waterway opening shall be included. All designs shall be subject to approval by the Township.
- 4. Storm water management facilities, including ground water recharge and water quality design, where required by the Heidelberg Township Storm Water Management and Earth Disturbance Ordinance.
  - 5. North arrow and graphic and written scale. The scale shall not exceed 50' to the inch. Deed reference and source of title to the land being subdivided shall be included, as shown by the County Recorder of Deeds.
  - 6. Name of all surrounding property owners.

D. Plan Notes and Conditions

All necessary or recommended supplementary subdivision or land development plan notes or conditions shall be prominently lettered on the plan. This shall include, but not be limited to:

- 1. Total number of lots or dwelling units proposed by the plan.

2. Applicable zoning standards for front, rear and side yard setbacks, minimum lot area, minimum lot width and zoning district.
3. Statement of intended use for all lots except those intended for single-family detached dwellings.
4. Statement of deed restrictions or covenants, which may be a condition of sale of the property.
5. Other specifics or clarifications necessary to complete the plan.
6. The total acreage of the entire existing tract.
7. A statement on the plan indicating any special exception, conditional use or variance, if applicable, related to the property, along with a copy of any Zoning Hearing Board or Board of Supervisors decision, so that any conditions imposed will be readily evident.
8. A listing on the plan identifying all waivers of the requirements of this ordinance requested by the subdivider/developer. The listing should be specific and refer to the particular section of this ordinance for which waiver is being requested.
9. Where the tract described in the application includes any public utility, electric transmission line, gas pipeline, or petroleum product transmission line located within the tract, the applicant or lessee of such right-of-way shall notify the owner of the right-of-way of his intentions. A note stating any conditions regarding the use of the land, minimum building setback or right-of-way lines shall be included on the plan. This requirement may also be satisfied by submitting a copy of the recorded agreement.
10. Where the land included in the subject application has an agricultural, woodland or other natural resource easement located within the tract, the application shall be accompanied by a letter from the party holding the easement stating any conditions on the use of the land. This requirement may also be satisfied by submitting a copy of the recorded easement.

E. Certifications and Dedications

1. A certification of ownership shall be signed by the property owner(s) verifying ownership and acceptance of the plan. (See Appendix No. 4)
2. A statement shall be signed by the owner(s) offering land for dedication to public use for all appropriate streets, rights-of-way, easements, parks, etc. (See Appendix No. 4)

3. A certification statement by the plan preparer (registered surveyor, engineer, or landscape architect) verifying the plan accuracy. (See Appendix No. 1)
4. Seal of the registered surveyor, engineer or landscape architect responsible for plan preparation. Any plan establishing property boundaries shall be prepared and sealed by a registered surveyor. (See Appendix No. 2)
5. Certificate, signature and seal of a professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, indicating compliance with the provisions of Section 507 of this Ordinance. (See Appendix No. 3)

**SECTION 403 MAJOR SUBDIVISION OR LAND DEVELOPMENT - PRELIMINARY PLAN**

The subdivider or land developer shall furnish, as part of an application for preliminary approval of a major subdivision or land development plan, the following information on the required preliminary plan sheets.

A. Title Block

All information required in Section 402 A. of this Ordinance.

B. Signature Blocks

All information required in Section 402 B. of this Ordinance. (See Appendix No. 6)

C. Maps and Data

All information required in Section 402, Subsection C., Paragraphs 1, 4, 5, and 6 of this Ordinance. Information required in Paragraphs 2 and 3 shall also be supplied as specified, except that:

1. Lots shall be depicted, but individual bearings and dimensions are not required. Lot areas may be approximated.
2. Topographic information shall be completed at two (2) foot contour intervals. It shall show approximate direction and gradient of ground slope on immediately adjacent land; indicate subsurface condition of tract if not typical; show water courses, marshes, sinkholes, wetlands, wooded areas, isolated preservable trees and other significant features.

3. Street and utility information shall be detailed. Street profiles, cross sections and grades shall be specified, detailing cartway, curb, and shoulder design where applicable. Location, size, profiles, elevations and cross sections shall be submitted for all sanitary sewers, water lines, storm sewers, sidewalks, street lights, storm water management facilities and other proposed site improvements.

D. Plan Notes and Conditions

All information required in Section 402 D. of this Ordinance.

E. Certifications and Dedications

All information required in Section 402 E. of this Ordinance.

F. Reports - the following reports shall be submitted with the plan:

1. A hydraulic report and erosion and sedimentation narrative as required by Section 507 of this Ordinance.
2. A water and sewer feasibility report as described in Section 405 of this Ordinance.
3. A preliminary traffic impact study as described in Section 406 of this Ordinance.
4. A wetland report as described in Section 407 of this Ordinance.
5. Documentation regarding the location of threatened or endangered plant and animal species and communities and subsequent data or information required by Section 408 of this Ordinance.

**SECTION 404 MAJOR SUBDIVISION OR LAND DEVELOPMENT - FINAL PLAN**

The subdivider or land developer shall furnish, as part of an application for final approval of a major subdivision or land development plan, the following information on the required 18" x 24" final plan sheet(s):

A. Title Block

All information required in Section 402 A. of this Ordinance.

B. Signature Blocks

All information required in Section 402 B. of this Ordinance.

C. Maps and Data

The plan shall include only the phase or section of the subdivision or land development proposed for immediate recording and development. All information required in Section 403 C. of this Ordinance shall be supplied.

In addition, final street names and where required to satisfy a requirement of the Township Zoning Ordinance or other governing regulation, a complete landscape plan, prepared by a landscape architect, showing the location, size and type of all plant material required by provisions of this Ordinance or any other applicable Township regulations, including but not limited to, screening, buffer planting, parking landscaping, replacement trees, and street trees. The landscape plan should be provided on separate sheets and must include the signature and seal of the registered landscape architect responsible for preparation of the plan.

The following storm water management data shall be provided for all plans designed in accordance with the Heidelberg Township Storm Water Management and Earth Disturbance Ordinance. This information may be provided on a sheet with other data or on separate sheets and need not necessarily be recorded with the final plan. In the case of any dispute in the methodology used in the design of any storm water management plan and/or in the presentation of such information, the Board of Supervisors shall make the final determination on the design criteria, methodology, and form of presentation.

1. All calculations, assumptions, criteria, and references used in the design of the storm water management facilities, the establishment of existing facilities' capacities, and the pre and post development peak discharges.
2. All plans and profiles of the proposed storm water management facilities, including the horizontal and vertical location, size, and type of material. This information shall be to a detail required for construction of the facilities.
3. For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow and outflow hydrographs.
4. For all basins which hold (2) acre-feet or more of water and have an embankment that is six (6) feet or more in height, soil structure and characteristics shall be provided. An engineer shall prepare plans and data. These submissions shall provide design solutions for the frost-heave potential, spring-swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and back-filling procedures, and soil treatment techniques as required to protect the improvements for adjacent structures.

5. All erosion and sedimentation control measures, temporary as well as permanent, including the staging of earth-moving activities, in sufficient detail to clearly indicate their function. The erosion and sedimentation control plan shall meet all requirements of the PADEP Erosion and Sedimentation Control Manual. The applicant shall demonstrate that the applicant has submitted the erosion and sedimentation control plan to the Conservation District for review.
6. The guidelines for lot grading within subdivisions. This information shall identify the direction of storm water runoff flow within each lot and the areas where storm water flows will be concentrated.
7. Finished first floor elevations for all residential units shall be shown on the plan.
8. A note on the plan indicating any area that is not to be offered for dedication along with a statement that the Township is not responsible for maintenance of any area not dedicated to and accepted for public use, and that no alteration to swales, or basins, or placement of structures shall be permitted within easements.
9. Designation of limits of on-site watershed areas, including a map which shows the off-site watershed areas.
10. Description of an ownership and maintenance program, in a recordable form, that clearly sets forth the ownership and maintenance responsibilities for all temporary and permanent storm water management facilities, including the following:
  - a. Description of the method and extent of the maintenance requirements.
  - b. When maintained by a private entity, identification of an individual, corporation, association, or other entity responsible for ownership and maintenance.
  - c. When maintained by a private entity, a copy of the legally binding document, in recordable form, which provides that the Township shall have the right to:
    - i. Inspect the facilities at any time.
    - ii. Require the private entity to take corrective measures and assign the private entity reasonable time periods for any necessary action.

iii. Authorize maintenance to be done and lien the cost of the work against the properties of the private entity responsible for maintenance.

d. Establishment of suitable easements for access to storm water management facilities.

D. Plan Notes and Conditions

All information required in Section 403 D. of this Ordinance. In addition, a detailed schedule of inspections as generally outlined by Section 605 of this Ordinance, which is tailored for the site under consideration.

E. Certification and Dedications

All information required in Section 403 E. of this Ordinance. In addition, the following shall also be provided:

1. Notification from PADEP that approval of the sewage facilities plan revision (plan revision module for land development) or supplement has been granted or notice from PADEP that such approval is not required. A note to that effect shall also be placed on the plan.
2. Notice from the postmaster of the postal district in which the tract is located and the emergency service providers in the Township stating that the proposed private and/or public street names are acceptable.
3. Written notice from the Township Engineer that all proposed improvements have been designed to the standards of the Township and that financial guarantees in a form suitable to the Township have been received.
4. Notification from the appropriate state and federal agencies that approvals have been received, permits have been issued, or are not required, for any proposed activities within streams, wetlands or any other state or federally regulated body of water. These permits and/or approvals include, but are not limited to, Erosion and Sediment Control, Floodplain Encroachment Permits, Dam Safety Permits, Earth Disturbance Permits, Stream Encroachment Permits, and General Permits.

When the final plan is submitted in sections, the above notifications for all applicable activities on the entire site, shown on the approved preliminary plan shall be provided upon submittal of the first final phase of the project.

F. Reports

Final versions of all information required in Section 403 F. of this Ordinance.



## **SECTION 405            FEASIBILITY REPORT ON SEWER AND WATER FACILITIES**

The applicant shall submit a feasibility report, in triplicate, on sewer and water facilities for all proposed subdivision and land development plans that meet the following criteria:

- A.     Residential – five (5) or more lots or dwelling units.
- B.     Commercial, Industrial or Institutional – all projects.

The feasibility report shall discuss the availability of a public sewer and public water system in or near the proposed subdivision or land development. Said report shall be prepared by a registered professional engineer. Said report(s) shall address the requirements of Sections 508 and 509 of this Ordinance.

## **SECTION 406            TRAFFIC IMPACT STUDY REQUIRED OF CERTAIN DEVELOPMENTS.**

- A.     Traffic Study Required. A traffic impact study will be required for developments or subdivisions that meet the following criteria:
  - 1.     Residential - 25 or more dwelling units.
  - 2.     Commercial - 10,000 or more square feet of gross floor area.
  - 3.     Industrial - 25,000 or more square feet of gross floor area.
  - 4.     Any proposed use or combination of uses that is projected to generate 300 or more vehicle trips per day.

All developments that do not meet the above stated criteria shall submit the information required in Section 406 C.

- B.     Traffic study and report required to be submitted with preliminary plan. All subdivisions and/or land developments meeting the criteria set forth in Section 406 A. shall submit a traffic impact study and report with the preliminary plan application meeting all of the following:
  - 1.     The traffic impact study shall be prepared under the supervision of a qualified and experienced engineer with specific training in traffic and transportation engineering and at least two years of experience related to preparing traffic impact studies.
  - 2.     The ultimate scope of the Traffic Impact Area (TIA) will be subject to the approval of the Township Engineer and projected scopes shall be submitted for review prior to collection of traffic count data. At a minimum, the TIA shall include all streets and major intersections within a one-half mile radius of each access for the proposed development. If a street

abutting the proposed development does not contain an intersection with another street within the one-half mile area, the first intersection with such abutting street shall be included. Whenever a proposed project will generate one hundred (100) new vehicle trips in the peak direction (inbound or outbound) during the site peak or adjacent street peak hours, the traffic impact area shall include, at a minimum, all streets and major intersections within a one mile radius.

3. The traffic impact study shall include existing 24-hour and peak hour traffic volume data, including weekdays and, where deemed appropriate, Saturdays and Sundays, for all streets and intersections included in the TIA.
4. Traffic forecasts shall be prepared for the design and horizon years of the development, assuming both no-build and full build-out scenarios and including projected adjacent approved development traffic volumes. Forecasts will cover the same time periods as the existing traffic volume data noted in Section 406 B.3. above. The design year shall be considered the point in time when the development is completed and shall be determined in accordance with accepted engineering practices. In the event of a dispute as to the design year, the determination of the Township Engineer shall be final. The horizon year shall be considered the point in time 10 years beyond the design year of the development.
5. Background traffic growth used for traffic forecasts will be estimated based on growth rates from the current edition of PENNDOT Pennsylvania Traffic Data, County growth projections, or other accepted information sources, subject to the approval of the Township Engineer.
6. The traffic impact study shall include estimates of the total number of vehicle trips to be generated by the development for a typical 24-hour period and typical a.m. and p.m. peak periods, including weekdays, Saturdays and Sundays.
7. The traffic impact study report shall include a table showing the categories and quantities of land uses, with the corresponding trip generation rates or equations (with justification for selection of one or the other), and resulting number of trips. The trip generation rates used must be from the latest edition of the ITE Trip Generation Manual, from a local study of corresponding land uses and quantities, or from another source as approved by the Township Engineer. All sources must be referenced in the study.
8. Any significant difference between the sums of single-use rates and proposed mixed-use estimates shall be justified in the traffic impact study report.

9. The reasoning and data used in developing a trip generation rate for special/unusual generators must be justified and explained in the report, and such trip generation rates shall be subject to the approval of the Township Engineer.
10. Trip distribution must be estimated and analyzed for the design and horizon years. A multi-use development may require more than one distribution and coinciding assignment for each phase. Consideration shall also be given to whether inbound and outbound trips will have similar distributions.
11. Assignments shall be made considering logical routings, available roadway capacities, left turns at critical intersections, and projected minimum travel times. In addition, multiple paths shall be considered between origins and destinations to achieve realistic estimates rather than assigning all of the trips to the route with the shortest travel time. The assignments shall be carried through the external site access points. When the site has more than one access, logical routing and possibly multiple paths shall be used to obtain realistic driveway volumes. The assignment shall reflect conditions at the time of the analysis. Assignments can be accomplished either manually or with applicable computer models.
12. If pass-by or shared trips are a consideration for the land use in question, studies and interviews at similar land uses must be conducted or referenced.
13. If a thorough analysis is required to account for pass-by trips, the following procedure should be used:
  - a. Determine the percentage of pass-by trips in the total trips generated.
  - b. Estimate a trip distribution for the pass-by trips.
  - c. Perform two separate trip assignments based on the new and pass-by trip distributions.
  - d. Combine the pass-by and new trip assignment.
14. Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's redevelopment, but also the trips subtracted from the traffic stream because of the removal of a land use. The traffic impact report shall clearly depict the total traffic estimate and its components.

15. Capacity analysis shall be performed at each of the street and project site access intersection locations (signalized and unsignalized) within the TIA for each of the forecast scenarios. When deemed necessary by the Township Engineer, analyses shall also be completed for major roadway segments within the study area. These may include such segments as internal site roadways, parking facility access points, and reservoirs for vehicles queuing off site and on site. Other locations may be deemed appropriate depending on the situation.
16. The recommended level-of-service analysis shall follow the procedures detailed in the Highway Capacity Manual. Overall and approach level-of-service ratings A, B, C and D will be acceptable for existing signalized and unsignalized intersections, (Levels C or better are considered desirable); level-of-service E or F is considered to be unacceptable. For new or newly signalized intersections, level-of-service C will be considered as the minimum acceptable level-of-service.
17. The operational analyses in the Highway Capacity Manual shall be used for analyzing existing conditions, traffic impacts, access requirements, or other future conditions for which traffic, geometric, and control parameters can be established. Other methods of operational analysis, such as the Synchro Analysis package may be acceptable, subject to the approval of the Township Engineer.
18. The recommendations of the traffic impact study shall provide safe and efficient movement of traffic to and from the proposed development, while minimizing the impact to non-site trips. The current approach and overall levels of service shall be maintained if they are C or D, not allowed to deteriorate to worse than C if they are currently A or B, and improved to D if they are E or F. If an improvement to a resultant level of service E or F cannot be met, then there can be no increase in delay (overall, approach, and lane) from the future pre-developed condition to the post-developed condition.
19. A traffic impact study report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the study.
  - a. The documentation for a traffic impact study shall include, at a minimum:
    - i. Study purpose and objectives.
    - ii. Description of the site and study area.

- iii. Existing conditions in the area of the development, including, but not limited to, detailed descriptions of the studied intersections, roadway conditions, and existing deficiencies.
- iv. Recorded or approved nearby development traffic.
- v. Analysis of accident data for the previous five-year period for the intersections within the TIA.
- vi. Trip generation, trip distribution, and modal split.
- vii. Projected future traffic volumes.
- viii. An assessment of the change in roadway operating conditions resulting from the proposed development traffic.
- ix. Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable level of service.
- x. Approximate costs associated with the implementation of the necessary improvements.

- b. The analysis shall be presented in a straightforward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations. All assumptions are to be noted and sufficient justification provided.
- c. The recommendations shall specify the time period within which the improvements should be made (particularly if the improvements are associated with various phases of the development construction) and any monitoring of operating conditions and improvements that may be required.
- d. Data shall be presented in tables, graphs, maps and diagrams wherever possible for clarity and ease of review.
- e. To facilitate examination, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, assessment of the change in roadway operating conditions resulting from the development traffic, conclusions and recommendations.

C. All developments that do not meet the criteria in Section 406 A. shall, as a minimum, identify the amount of traffic generated by the site for daily and the

three (3) peak hour conditions (AM, PM and site generated). The trip generation rates shall be justified and documented to the satisfaction of the Township.

#### **SECTION 407 WETLANDS STUDY**

- A. The applicant shall submit a wetland study in duplicate with the submittal of all subdivision and land development plans. The purpose of the study shall be to determine the presence and extent of wetlands on the site.
- B. The study shall be performed by a qualified wetland scientist. Qualified individuals should possess a minimum of a bachelor's degree in biology, botany, zoology, ecology, or environmental sciences. In general, other professionals, such as engineers, landscape architects, surveyors, planners, and geologist are not considered fully qualified to perform wetland delineations, unless they possess special ecological training and experience beyond their discipline. The Township reserves the right, in as much as no recognized certification program exists for wetland scientists, to determine the qualification of those preparing wetland delineations. Should a state or federal wetland scientist certification program be established, the Township will consider only those certified individuals qualified to perform delineations.
- C. Requirements for Wetland Studies:
  - 1. Delineations should follow the procedures outlined in the Environmental Laboratory 1987 Corps of Engineers (COE) Wetland Delineation Manual and 1992 Regulatory Guidance Letters.
  - 2. Delineations shall be supported by reports - The report shall contain the following sections:
    - a. Introduction - Description of the physical features of the site, its location and the proposed plans for the site.
    - b. Methods - Description of the methods used for the survey, with particular emphasis on any deviation from the outlined federal method. Relevant information includes the date of the field studies, the number of transects and plots used, the size of vegetation quadrants employed, the size of soil pits used, taxonomic references used, and the disposition of any voucher specimens.
    - c. Results and Discussion - Description of the findings of the study. Soils, vegetation and hydrology for wetland and upland areas of the site should be discussed. Any problem areas should be thoroughly treated.

- d. Conclusions - The extent of wetlands on the site should be discussed. The impact of the proposed project on these wetlands should also be considered.
  3. Included in the report as appendices or tables should be:
    - a. Site location map (USGS 7.5' quadrangle will suffice).
    - b. NWI map.
    - c. Soil survey map with soil descriptions.
    - d. Data sheets for each plot.
    - e. Wetland boundary map - Wetland boundaries shall be surveyed by a registered professional surveyor and shown on a plan of appropriate scale. The limits of the wetland study shall be clearly shown. The plan shall also show the location of all plots and/or transects used in the study, the date of the delineation, a statement of the method used for the study, the name of the consulting firm which performed the delineation, the name of the surveyor, and a disclaimer statement indicating no wetland boundary is considered jurisdictional until approved by PADEP and COE.
    - f. Color photos of wetland areas on the site, with locations and directions of view keyed to the wetland boundary map.
    - g. Resumes of the wetland scientist(s) who performed the delineation.
- D. For sites on which no wetlands occur, or are expected of occurring, an abbreviated report may be submitted. The abbreviated report should contain the introductory material, the methods section and a discussion of the result of the study. Site location, NWI and soil maps should also be provided.
- E. All subdivision plans shall contain notes for future lot owners. The wetland boundary on each lot will be clearly marked. Each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states state and federal laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot. Easements around delineated wetlands shall be provided and shown on the plans.
- F. Compensatory mitigation projects required as part of state or federal permits shall be shown on the subdivision plans. Future lot owners whose property encompasses all or part of a mitigation area shall be notified that the portion of their property that includes the mitigation area may not be altered, and is considered a

jurisdictional wetland by the state and federal governments. Lot owners may be responsible for maintenance of mitigation areas. In order to help ensure the long-term viability of wetland mitigation efforts, the Township discourages multiple ownership of mitigation areas. Ownership by one individual or a homeowners association is encouraged. Owners of the wetland mitigation areas must be clearly identified to the Township.

- G. The Township reserves the right to reject any submitted wetland delineations. Should the Township feel the actual wetland area differs from that shown on the subdivision plan, the Township has the right to secure, at the developer's expense, qualified personnel to check the delineation and redraw the boundary as necessary. Should the developer subsequently disagree with the Township's delineation, a jurisdictional delineation by PADEP and COE will be requested. Any charges for the jurisdictional delineation will be the responsibility of the developer.
- H. Where the study shows the existence of wetland areas, the delineated wetland boundary shall be temporarily flagged at the time of plan submission to aid in plan evaluation. Upon plan approval, the delineated boundary shall be properly fenced off to prevent encroachment. Snow fence or other acceptable material shall be used (the use of silt fence is not acceptable). The fence shall be properly installed, at a minimum distance of five (5) feet outside the delineated boundary, prior to any construction or issuance of building permits. The fence must be properly maintained until all occupancy permits have been issued and/or for the extent of all construction.

#### **SECTION 408 THREATENED OR ENDANGERED PLANT AND ANIMAL SPECIES AND COMMUNITIES**

- A. The applicant shall submit a request for review and comment to the Department of Conservation and Natural Resources' Bureau of Forestry, which correspondence shall include a description of the proposed subdivision and/or land development and a topographic map of the site that highlights the project site. Where applicable, this request may be included as part of the DEP Planning Module process. The purpose of this requirement shall be to determine the presence or absence of rare, threatened or endangered floral or faunal species or habitat on the proposed project site.
- B. A copy of the correspondence made by the reviewing agency in reply to the request for review and comment. Should the reviewing agency determine that the project site does not contain any existing rare, threatened or endangered floral or faunal species or habitat, the letter should reflect this finding. Should the reviewing agency fail to respond to the request for review and comment, evidence of submission shall be provided with the application, such as a return receipt card from a certified letter, demonstrating that the applicant requested such a review at least sixty (60) days prior to the submission of the plan application.



- C. Should the reviewing agency determine that the project site does contain rare, threatened or endangered floral or faunal species or habitat, the Township will require that a revised plan be prepared which identifies the means which will be employed to prevent any adverse impact raised by the agency review, and describe those measures employed and any additional design, construction or use restrictions that would further protect identified species and the required buffer area. Said revised plan shall be resubmitted to the reviewing agency according to the procedure provided in Paragraphs A. and B. above.
  
- D. Should the reviewing agency determine that the project site does contain rare, threatened or endangered floral or faunal species or habitat, and that such species cannot be adequately protected from the effects of the proposed use, Heidelberg Township will require that a revised plan be prepared which notates a permanent conservation easement for the identified location of the rare, threatened or endangered floral or faunal species or habitat and its corresponding buffer area.



## **CHAPTER 5 REQUIRED IMPROVEMENTS AND DESIGN STANDARDS**

### **SECTION 501      INTENT**

The design standards established in this Chapter are intended to be fundamental requirements to be applied with professional skill in the subdividing and planning of land so as to produce attractive and harmonious neighborhoods, convenient and safe streets, and economical layouts of residential and other land development. The design standards are further intended to encourage and promote flexibility and ingenuity in the layout and design of subdivisions and land developments, in accordance with modern and evolving principles of site planning and development.

It is also the intent of this Chapter to require subdividers and developers to follow all applicable codes, regulations, and standards adopted by this municipality relative to improvements to the subdivision or development site. In all cases, the codes, regulations, and standards of Heidelberg Township shall be followed and the improvements shall be approved by the Board of Supervisors of Heidelberg Township before the final plan is approved. In cases where there are no other development codes, regulations, and standards, the requirements of this Chapter shall be followed and approved by the Board of Supervisors of Heidelberg Township. All improvements as specified in this Chapter or in applicable Township ordinances shall be installed before the final plat is approved or, in-lieu thereof, a guarantee of installation shall be provided by the subdivider or developer prior to final plat approval in accordance with Section 514 herein below. The guarantee shall assure Heidelberg Township that the required improvements will be installed in accordance with the subdivision or land development plan.

During the design and approval of subdivision and land development plans the Township Planning Commission, Board of Supervisors and the developer shall give primary consideration to all thoroughfare plans, watershed plans, water plans, sewer plans, community facility plans, and official maps as may be in effect in the municipality.

### **SECTION 502      GENERAL STANDARDS**

In addition to the standards contained elsewhere in these regulations, the following general standards shall be observed.

- A. Existing utilities and improvements shall be utilized wherever possible. New roads and extended utility services shall be discouraged if existing services and facilities may be utilized. Scattered urban development shall be avoided.
- B. Development designs shall minimize street lengths necessary to serve developed properties.

- C. Side lot lines should be substantially at right angles or radial to street lines, unless the purpose of lot line orientation is to obtain greater solar access.
- D. Depth of residential lots shall be not less than one (1) not more than two and a half (2-1/2) times the lot width.
- E. Every lot shall abut a street. Lot frontage or access shall be physically accessible by standard vehicle in existing condition or the Township shall require illustration of the site improvements planned and necessary to alter steep banks, flood plains, visibility limitations, etc. to a condition that will facilitate safe and adequate access. The Township may also require that lots be arranged to reserve a right-of-way for street access to future lots.
- F. Double or reverse frontage lots may be preferred or required when lot access to an adjoining street is not permitted or separation from the street is desired because of topographic, orientation, aesthetic, congestion, safety or high noise level considerations. Landscaping and buffering should be provided along the adjoining street.
- G. Adequate easements or rights-of-way shall be required for drainage and utilities. Easements shall be a minimum of twenty (20) feet in width and, whenever possible, shall be centered on side or rear lot lines. No structure or buildings shall be erected within such easements.
- H. Additional lot areas beyond minimum size may be required:
  - 1. On slopes in excess of 15%.
  - 2. To control erosion or storm water runoff.
  - 3. To provide sufficient area for sewage disposal.
- I. Lots shall be suitably shaped to encourage and facilitate use and maintenance of all portions of the lot. Accordingly, lots shall be square or generally rectangular in shape. Lot configurations which result in flag lots and L-shaped, T-shaped, triangular or otherwise inappropriately shaped lots shall be avoided.
- J. Site design and development shall include reasonable efforts to save existing trees and vegetation.
- K. The standards of this Ordinance shall apply to all lots being subdivided or developed and residual land, which is created by the subdivision or land development activity.
- L. Subdivision of property with existing dwellings or development shall be regulated by the following:

1. Each dwelling or use shall be serviced by separate utility connections. Shared sewage systems are not permitted.
  2. Each dwelling or use subdivided shall be on sufficient land area to satisfy minimum lot area and yard setback requirements. Where adequate land area is not available to satisfy minimum standards, subdivision may be permitted when:
    - a. Each dwelling or principal building is in good structural condition.
    - b. Mobile homes are not involved.
    - c. An equitable distribution of land is proposed between the existing uses or buildings.
- M. Lot additions, land exchanges, agricultural use only lands, and any other specific or special purpose subdivision or land development shall include prominent plan notes to avoid misinterpretation of the intent of the subdivision or land development plan. Applicable deed restrictions may be required.
- N. Deeds filed subsequent to subdivision or land development approval shall accurately and correctly describe the property therein. Deeds and use of the property shall be in complete compliance with all plan notes and conditions.

Recording a deed, which omits or contradicts the information on an approved subdivision or land development plan, shall be a violation of this Ordinance.

### **SECTION 503 ENERGY CONSERVATION STANDARDS**

Conservation of energy shall be an important principle in the design of subdivisions and land developments. Plans shall facilitate the energy efficient placement of homes and buildings on lots. Whenever the following criteria are found to be appropriate to a site, development design *should* be in accordance with the standards contained herein.

#### **A. Orientation**

1. Lots shall be designed for energy efficient siting of buildings with respect to slopes and existing trees.
2. Southerly exposures should be utilized for development. North slopes, especially those over 10% slope, should be avoided because the long shadows created severely restrict solar access.
3. New lots and new residences shall be oriented to make maximum effective use of passive solar energy. The long axis (depth) of each lot should run North-South, with a possible East-West variation of 22 ½

degrees. Lot design should provide for lots of adequate width, depth, and slope for solar orientation. Lot layout should facilitate solar access by at least 75% of the proposed dwellings or buildings within a development.

4. The largest yard setback should be stipulated on the south side of proposed buildings. Buildings should be situated to the North end of the lot to permit maximum on-lot control of solar sky space.

#### B. Streets

1. Streets should be oriented along an East-West axis, with maximum North-South deviations of 30 degrees. This should be required to the maximum extent possible, although size, configuration or orientation of the property; nature of the surrounding development; circulation patterns; existing physical features such as topography and vegetation (trees); and improved design potential may be considered to determine the feasibility of this requirement for a given site.
2. Street system shall be designed to reduce overall lengths and facilitate traffic flow (minimum number of intersections).

#### C. Vegetation and Wind

1. Site design shall emphasize the preservation of all beneficial natural features of the site, such as existing slope, naturally wooded areas, and watercourses. The site design should also avoid requiring removal of large isolated trees and desirable woods and other vegetation, particularly those existing plant materials that serve as wind barriers and aide in energy conservation.
2. Developments shall be designed to maximum wind buffering and/or breeze channelization capabilities of vegetation, topography and structure layouts. Windbreaks and buffers should utilize evergreens to protect north and northwesterly exposures. Cooling breezes from the southwest should be channeled past buildings. Deciduous trees shall be located in areas that will enable them to shade buildings from the summer sun, but still allow penetration of the winter sun.

### **SECTION 504 TOPOGRAPHY**

Subdivisions shall be planned to take advantage of the topography of land in order to: utilize the natural contours, economize in the construction of drainage facilities, reduce the amount of grading, and minimize destruction of trees and topsoil. The natural features and other distinctive characteristics of the site shall be integrated into the plan to create functional variations in the neighborhoods.

Additionally, environmental safeguards may be mandated on slopes in excess of 15%. On steep slopes (in excess of 15%), site and lot design shall be adjusted, where necessary, to mitigate the detrimental effects of development on steeper slopes. The following topographic considerations shall be utilized in design of subdivisions and land developments:

- A. Streets - Land which is relatively flat or of very gentle slopes should be planned so that the streets follow the natural drainage courses and as many lots as possible shall be above the street grade. On more irregular topography, streets shall be designed to avoid extensive cuts and fills and follow the ridges or be planned approximately parallel to contour lines, and adjusted, however, so that lots on one (1) side of the street will not be excessively below the street grade.
- B. Natural Drainage - Subdivisions shall be designed, particularly on land of very gentle slopes, to take every advantage of natural grades so that all the land can be drained without excessive grading. Unless watercourses or drainage ways are enclosed, the plan shall be adjusted so that rear lot lines shall be approximately parallel to an open drainage course. Easements for drainage ways and low-lying land which are subject to flooding may be included as part of a lot but shall not be used as building sites or included in calculating the required lot area or width.
- C. Natural Features - Natural features, irregularities, changes in level, brooks, lakes, hilltops, and other focal points within the site, and distant views outside the subdivision shall be integrated in the design to obtain variations and interest in each neighborhood and more attractive building sites. Trees, topsoil, and other natural resources shall be preserved and utilized in the development of the subdivision.
- D. Driveways - Private driveways shall be designed to furnish safe and convenient access, with reasonable clear sight distance at intersection with the street. Site improvements shall be required to insure adequate site visibility at the point of access and installation of a stable, erosion resistant driveway surface.

Steep slopes shall be traversed diagonally to minimize grades Driveway grades shall not exceed 15% slope at any point. All driveways shall be designed and improved with a rolled stone or paved surface, sufficient to avoid erosion. When driveway grades exceed 10% slope driveways shall be paved to minimize erosion. Driveway improvements shall be guaranteed in accordance with Section 514 of this Ordinance.

The first twenty-five (25) feet of driveway (measured from the street) shall be paved.

## **SECTION 505 GRADING**

The developer shall grade each subdivision or land development to establish street grades, floor elevations of buildings, and lot grades in proper relation to each other and to existing topography. However, grading shall be kept to a minimum to avoid loss of topsoil and erosion potential. Lots shall be graded to secure drainage away from buildings. The grading shall facilitate collection of storm water in designated areas to avoid concentration of water in the sewage system location.

The grading of the roadway shall extend the full width of the cartway, shoulder and swale area, if applicable. Where possible, grass strips or channels between the curb or shoulder and right-of-way line should be graded at 3:1 slope; however, when unusual topographic conditions exist, good engineering practice shall prevail.

## **SECTION 506 LOT SIZES AND STANDARDS**

The minimum lot size and lot width requirements established by the zoning ordinance shall be utilized as minimum subdivision standards. All lots shall satisfy the zoning standard for lot width and lot size at the time of subdivision. Additionally, the building setback lines established by the zoning ordinance shall be applicable and shall be noted on each subdivision or land development plan. Additionally, each subdivision or land development plan shall satisfy all other applicable zoning standards, unless variance thereto has been granted.

## **SECTION 507 STORM WATER MANAGEMENT AND DESIGN CRITERIA**

A Storm Water Management Plan shall be required for each subdivision or land development plan in accordance with the Heidelberg Township Storm Water Management and Earth Disturbance Ordinance, unless an exemption has been granted in accordance with said Ordinance. A Storm Water Management Plan must be approved prior to subdivision/land development plan approvals.

## **SECTION 508 SEWAGE DISPOSAL**

Sewage disposal facilities shall be designed and constructed to meet the needs of the proposed subdivision or land development. Sewage disposal facilities shall also meet all requirements of the PADEP and the Township's Act 537 Sewage Plan. The following requirements specify the design and installation standards for subsurface sewage disposal and public and private sewerage systems.

- A. Subsurface Sewage Disposal - All subdivisions and land developments proposing subsurface sewage disposal shall be designed and submitted in compliance with the prevailing requirements of the Pennsylvania Sewage Facilities Act, PADEP and, where applicable, the Delegated Local Agency. It is the intent of this section to co-ordinate a simultaneous review of subdivision and land development plans with sewage planning modules at the municipal level,



thereby avoiding the approval of lots that are not suitable for sewage disposal. Where required by municipal sewage plans, on-site sewage testing shall be supplemented with a hydrogeologic study, which may dictate increased lot sizes or reservation of ground water easement areas, subject to approval of the Township SEO. In accordance with those standards, application for subdivision or land development approval shall satisfy the following procedural requirements:

1. Minor Subdivision or Land Development – The subdivider shall submit the sewage planning module and required associated information to the sewage enforcement officer at the time of final plat application. The subdivision or land development plan shall not be processed until documentation is provided to verify that the sewage enforcement officer has received the sewage planning module. All newly created lots, whether for immediate or future use, shall be tested and approved for sewage suitability.
  2. Major Subdivision or Land Development - The subdivider shall submit a preliminary plan depicting general lot layout and street design, as required elsewhere herein. The subdivider shall submit the required sewage planning module and associated information to the sewage enforcement officer at the time of preliminary plan application. The subdivision or land development plan shall not be processed until documentation is provided to verify that the sewage enforcement officer has received the sewage planning module
  3. The Board of Supervisors will approve on-site sewage disposal systems only when the Sewage Enforcement Officer or a sanitarian of PADEP shall certify that both an initial location and a replacement location for the on-site sewage disposal system are present on each lot.
    - a. The replacement location shall be of a size and capacity to allow complete abandonment of the initial system in the event of failure.
    - b. The replacement location shall be protected from traffic and no filling or excavation shall be allowed within its boundary.
    - c. The standards for installation of the replacement system shall be as required by PADEP at the time of its construction.
- B. Existing Public Sewers - When a subdivision or land development has public sewers available on-site or within one thousand (1,000) feet of the site, sewer lines shall be included on the subdivision or land development plan and installation must be approved by the municipal authority responsible for the sewer system. Written documentation is required from the Authority to verify adequate capacity, agreement to provide service, and specific design approval.

- C. Planned Sewer Area - When a proposed subdivision or land development is located in an area not presently served by public sewers, but which has received design data preparatory to sewer system installation within eighteen (18) months, then the municipality shall determine the necessity of installing house connections and/or capped mains, even though on-site facilities will be required in the interim. Installation of house connections and capped mains shall be in accordance with municipal design data and approved by the municipal engineer prior to approval of a preliminary or final plan.
- D. Private Sewerage System - When a subdivision or land development is to be provided with a private sewerage system, a statement shall be submitted to the Township from the PADEP verifying that a permit has been issued approving the proposed facilities. Additionally, the Township must be satisfied that adequate provisions have been made to guarantee the construction and maintenance of the proposed private sewerage system.
- E. Plan Notice
1. Subsurface Sewage Disposal – All subdivision and land development plans shall contain a plan note specifying that approval of the plan does not guarantee permit issuance for sewage disposal.
  2. Public Sewers – All subdivision and land development plans shall contain a plan note specifying that connection to public sewer lines is required.

## **SECTION 509 WATER SUPPLY**

A water supply system shall be designed and constructed by the subdivider or developer as required by the Township in relation to the specific site of the proposed subdivision or land development. The water supply system shall be capable of meeting the domestic and fire protection needs of the site. When possible, the subdivision or land development should be served by a public water supply system approved by municipal water officials or a community water system approved by the PADEP. If the subdivision or land development is to be supplied by a public or community water system, the subdivider or developer shall submit a written certification, commitment or evidence that the municipal water company or authority or the association of lot owners or private company, as applicable, has adequate water capacity, has agreed to provide water service and has approved the specific water system design.

When a subdivision or land development has public water on-site or within one thousand (1,000) feet of the site, public water lines shall be extended as necessary to service the lots and uses on the subdivision and land development plan, subject to approval by the municipal authority responsible for the water system. In those cases where a public or community water system is not available or practical, a well shall be provided for each lot. Wells shall be placed uphill from sewage disposal systems. Wells shall not be within one hundred feet (100') of any part of the absorption field of any

onsite sewage disposal system and they shall not be placed within fifty feet (50') of lakes, streams, ponds, quarries, etc.

Subdivision or land development proposals which involve the daily use of 10,000 gallons or more of well or surface water shall be accompanied by a Hydrologic Study to document the adequacy of the water supply without endangering water availability for adjoining landowners. Review and, where applicable, approval may be required from PADEP and the Delaware or Susquehanna River Basin Commission as applicable.

Subdivision and land development plans shall contain a plan note specifying the source of water supply. Plans proposing the use of public or community water shall contain a note specifying that connection to the public or community water lines, as applicable, is required. Plans proposing the use of individual wells shall contain a note specifying that the lot(s) has not been tested for the availability of water of adequate quality or quantity and no guarantee of water availability is provided.

## **SECTION 510      STREETS**

In addition to relating to topography, natural features and solar orientation, streets shall be designed according to the function served, the use of abutting land, and standards of width, intersections, maximum grades and curvatures. The Township shall require that all developments have adequate access. Where major subdivision is proposed or may occur because of the patterns started by minor subdivision activity, the Township should require reservation for, or installation of, two or more streets to insure safe and convenient access. Elimination or vacation of previously approved streets shall be approved only when the Township determines that (1) alternate access has been provided in another, more suitable location; (2) further development is not possible utilizing the street; and (3) any landowners who purchased property with reliance upon the street agree in writing to its elimination.

### **A.      Classification and General Design Goals**

1.     Major Streets - function primarily for the movement of fast traffic between points of heavy traffic generation. They are often known as arterial streets or highways. They shall be planned for continuation of existing streets in the system at the same or greater width in accordance with adopted municipal standards. Major streets shall contain as few intersections as possible
  
2.     Collector Streets - function to collect traffic from local streets and distribute it into major streets, and, as such, they will normally contain a relatively large number of intersections with local streets and few with main streets. A collector street system may be required wherever a residential neighborhood near a major street is over 150 acres in area or where the local street pattern is so designed as to converge and serve over 500 one-family dwellings, or 100 multi-family units. Collector streets shall be

planned for continuity and to lead more or less directly to one or more focal points or centers of traffic generation, and may become bus routes.

3. Local Streets - provide direct access to each lot and function to allow traffic to circulate toward the principal directions of travel, bus routes, schools and playgrounds; however, the design shall discourage through and high speed traffic. The street pattern shall be indirect and yet continuous to prevent through traffic, formed of straight, moderately winding, curved, looped or angular streets. Tee-intersections shall predominate and cross-intersections shall be minimized. There shall be an underlying systematic neighborhood pattern; however, gridiron and other rigid geometrical patterns should be avoided where possible. The street pattern shall include extensions to the boundaries of the development to provide circulation between adjoining neighborhoods.
4. Cul-de-Sac Streets - provide direct access to properties from other streets. Ordinarily, a cul-de-sac is a short street with only one outlet and having an appropriate terminal for safe and convenient reversal traffic movement. Drainage should be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer. Other design alternatives such as through or looped streets shall be used where possible.

B. Minimum Street Standards - See Chart on next page.

C. Supplementary Street Standards - In addition to the specific standards cited in Section B, the following street standards shall apply to design and construction of streets:

1. Intersections
  - a. Streets shall be designed to intersect at right angles (90 degrees) and should be at right angles for at least 100 feet from the point of cartway intersection.
  - b. No more than two (2) streets shall intersect at any one point.
  - c. Proposed new intersections along one side of an existing street shall coincide with any existing intersections on the opposite side of the street. Where intersections cannot practically be connected, a minimum of 150 feet shall separate the center lines of offset local streets, and 400 feet minimum shall be provided for collector and major streets.

B. Minimum Street Standards

Street Classification	Right-of-Way Width	Street W/O Curbs		Street Width with Curbs	Grade (Vertical Alignment)	Radium Curvature (Horizontal Alignment)	Reverse Curve Tangent	Sight Distance	Other Requirements
		Paved Cartway Width	Improved Shoulder Width (each)						
Major Streets	80'	44'	10'	48'	6%	500'	200'	400'	Subject width subject to PENNDOT requirements
Collector Streets	60'	34'	8'	34'	8%	300'	100'	200'	
Local Streets	50'	26'	4'	30'	10%	150'	50'	125'	Pavement width shall be increased where on-street parking is planned or lots average 80' or less in width.
Cul-de-Sac Streets	50' (90' at turn-around)	20' (80' at turn-around)	4'	26'	10% (5% at turnaround)	150'	50'	100'	Maximum length of 600'. Serve a maximum 12 single family detached residential lots/units, 24 duplex lots/units or 30 townhouse/ multi-family lots or units

- d. Street curb intersections shall be rounded with a minimum radius of twenty (20) feet for local streets and thirty (30) feet for collector or major streets. The radius point shall be concentric with that for the property lines.
- e. Intersections shall be designed with a flat grade. In hilly or rolling topography, a leveling area shall be provided for seventy-five (75) feet preceding the intersection, measured from the edge of cartway of the intersecting street. The leveling area shall have a maximum grade of four percent (4%) for local and cul-de-sac streets and a maximum grade of two percent (2%) for collector and major streets.
- f. Clear sight triangles of seventy-five (75) feet measured along the centerline from the point of intersection shall be provided and maintained at all intersections.

g. Safe Stopping Sight Distance (SSSD):

- i. Street intersections shall be located at a point, which provides optimal sight distance in both directions.

ii. Calculation of Safe Stopping Sight Distance (SSSD).

(1) For each intersection, the available sight distance for each direction shall equal or exceed the SSSD computed from the following formula:

$$SSSD = 1.47Vt + \{V^2 / [30 \times (f+G)]\} \quad \text{WHERE:}$$

SSSD = Safe stopping sight distance (feet).  
 V = Speed limit, or 85th percentile speed or safe operating speed.  
 t = Perception time of driver (2.5 seconds).  
 f = Wet friction of pavement as follows:

<u>Speed</u>	<u>f</u>
25 mph	0.38
30 mph	0.35
35 mph	0.34
40 mph	0.32
45 mph	0.31
50 mph	0.30
55 mph	0.30

G = Percent grade of roadway divided by 100.

- (2) If the 85th percentile speed varies by more than ten (10) miles per hour from the speed limit, the Township may require the 85th percentile speed to be used to determine stopping distance.
- (3) Table 1 depicts stopping sight distance for selected speeds. The sight distances in Table 1 apply for roadway grades in whole numbers from +13% to -13% along with speeds from 15 to 60 miles per hour in increments of 5 miles per hour. The designer may use this table in-lieu-of the above formula.

TABLE 1  
FORMULA SIGHT DISTANCE TABLE

Speed (V) (Miles Per Hour)	Average Grade (G) (Percent)										
	<u>0.0</u>	<u>+1.0</u>	<u>+2.0</u>	<u>+3.0</u>	<u>+4.0</u>	<u>+5.0</u>	<u>+6.0</u>	<u>+7.0</u>	<u>+8.0</u>	<u>+9.0</u>	<u>+10.0</u>
25	147	145	144	143	142	140	139	138	137	136	135
30	196	194	191	189	187	185	183	182	180	178	177
35	249	245	242	239	236	233	231	228	226	224	221
40	314	309	304	299	295	291	287	284	280	277	274
45	383	376	370	364	358	353	348	343	339	334	330
50	462	453	444	436	429	422	415	409	403	397	392
55	538	527	517	508	499	490	482	475	468	461	454
	<u>0.0</u>	<u>-1.0</u>	<u>-2.0</u>	<u>-3.0</u>	<u>-4.0</u>	<u>-5.0</u>	<u>-6.0</u>	<u>-7.0</u>	<u>-8.0</u>	<u>-9.0</u>	<u>-10.0</u>
25	147	148	150	151	153	155	157	159	161	164	166
30	196	199	201	204	207	210	214	217	221	226	230
35	249	252	256	260	265	269	275	280	286	292	299
40	314	319	325	331	338	345	352	360	369	379	389
45	383	390	398	406	415	425	435	447	459	472	487
50	462	471	481	492	504	517	531	546	563	581	600
55	538	550	562	576	590	606	622	641	661	682	706

iii. Measurement of Sight Distance:

- (1) The correct measurement of available sight distance at each proposed street intersection shall be the responsibility of the applicant.
- (2) For the purpose of measuring available sight distance, the height of each driver's eyes shall be 3.50 feet above the road surface, and the height of each vehicle shall be 4.25 feet above the road surface. The lateral placement of vehicles on the roadway and at the proposed access point shall be

consistent with the operation of the access and roadway.

- (3) For each direction, the shortest of the following measurements shall be considered the available sight distance for that direction:
  - (a) The maximum length of roadway along which a driver at the proposed street intersection can continuously see another vehicle approaching on the roadway. The driver's eyes at the proposed point of access shall be ten (10) feet back from the near edge of the closest travel lane.
  - (b) The maximum length of roadway along which a driver on the roadway can continuously see a vehicle which is located in his travel lane on the roadway in order to make a left turn into the proposed access or as a result of a left or right turn out of the proposed access.
  - (c) The maximum length of roadway along which the driver of a vehicle intending to make a left turn into the proposed access can continuously see vehicles approaching from the other direction. This is measured from the point where the left turning vehicle stops.
- iv. Inadequate sight distance remedies. If it is impossible to achieve required stopping sight distance, in both directions the Township may:
  - (1) Prohibit left turns by entering or exiting vehicles.
  - (2) Require alteration of the horizontal or vertical geometry of the roadway or access; all such work shall be at the expense of the applicant.
  - (3) Require removal of physical obstruction from the line of sight, at the expense of the applicant.
  - (4) Deny access to the roadway.
- v. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections.



- vi. All street intersections with a state highway shall be subject to PENNDOT approval.
- 2. Street Names - shall not duplicate others nearby, and shall be subject to the approval of the municipality. Street signs shall be erected to identify all streets.
- 3. Street Expansion - where a subdivision adjoins unsubdivided land or future development phases sufficient streets shall be planned to extend to the boundary lines so that all parcels may be subdivided and a coordinated street system obtained. Traffic circulation shall be assured by installation of a temporary, stoned cul-de-sac for short term use (less than 2 years) or paved cul-de-sac for longer use until a through street is completed.
- 4. Streets for Multi-family Development - shall be planned to connect with major or collector streets to avoid generating large volumes of traffic on local residential streets.
- 5. Reserve Strips - the creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.
- 6. Right-of-way Widths - land for the right-of-way for the opening or extension of any street within a subdivision shall be dedicated by the developer. Where a property abuts a street which does not conform to the right-of-way width required by this Ordinance or other ordinances of the municipality, the additional width necessary to meet current standards shall be dedicated when such land is subdivided.
- 7. Vertical Curves - The minimum length of crest and sag vertical curves shall be determined by multiplying the following "K" value by the percent change in grade for the curve (expressed as a whole number).

Design Speed (In Miles per hour)	"K" <u>Crest Vertical Curves</u>	"K" <u>Sag Vertical Curves</u>
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

Regardless of the vertical curve calculation, no street vertical curves shall be less than seventy-five (75) feet in length.

8. Auxiliary Street Improvements – In addition to the required pavement and shoulder widths, streets shall be designed and constructed with curbs, street lights, gutters, culverts, catch basins, sidewalks, traffic control signs and other improvements required by the Township or determined by the Township to be necessary for a proposed subdivision or land development. Specific improvements guidelines are:
- a. Curbs – Vertical, slant and rolled curbs are all permissible designs, functionally coordinated with the overall development design, and constructed in accordance with the following:
    - i. Curbing shall be plain cement concrete, with a minimum strength of 4000 PSI, placed on a four (4) inch deep base of AASHTO # 57 (2B) stone.
    - ii. Curbing shall be saw cut every ten (10) feet and expansion joints installed every fifty (50) feet.
    - iii. Curbing shall be free of stress cracks and other deformities.
  - b. Sidewalks - Sidewalks of a minimum four (4) feet in width shall be required for townhouse or multi-family developments, within residential subdivisions containing public sewer or lots of 12,000 square feet or less, to connect to adjacent or nearby sidewalk systems or when determined by the Township to be necessary for the safety and convenience of the projected pedestrians.

Sidewalk specifications are:

All sidewalks shall conform to Architectural Barriers Act (ABA) and Americans with Disabilities Act (ADA) standards.

- i. Sidewalks shall be plain cement concrete four (4) inches thick, with a minimum strength of 3500 PSI, placed on a four (4) inch deep base of AASHTO # 57 (2B) stone.
- ii. At driveway crossings, sidewalks shall be reinforced cement concrete six (6) inches thick, with a minimum strength of 3500 PSI, placed on a four (4) inch deep base of AASHTO # 57 (2B) stone. Reinforcement shall be by 6" x 6" W2.9 x W2.9 woven wire fabric (WWF).
- iii. Expansion joints shall be provided at maximum intervals of twenty (20) feet.

- iv. Sidewalks shall have a one-quarter (1/4) inch per foot slope towards the curb and street.
  - v. In residential developments, when a grass (beauty) strip is provided, it shall be a minimum three (3) feet in width and shall be located between the curb line and the sidewalk.
- c. Traffic Control Signs - Signage within all subdivisions and land developments shall be designed and installed by the developer in accordance with PENNDOT and Township regulations. Adequate vertical and horizontal area shall be reserved for sign placement at intersections.
- d. Street Lights - Street lights shall be designed and installed to illuminate all major subdivisions and land developments, unless waiver is obtained for low density developments or similar subdivisions. Street lights shall be placed at all street intersections and accesses to land developments, within parking lots and along streets at intervals of 250 feet or less, in accordance with an illumination plan approved by the electric service provider.
- D. Unimproved Streets or Rights-of-way - Subdivision on unimproved (unpaved) streets or access rights-of-way is discouraged. However, in municipalities without prohibitive regulations, one lot may access via an unimproved right-of-way provided that the right-of-way is a minimum of 50' in width and so located and designed that a street could be installed in the event of future subdivision activity.
- E. Private Streets - Private streets are to be discouraged. They will be approved only if they are designed and constructed to meet public street standards and maintenance is guaranteed in perpetuity via a bonafide homeowner's association (or similar organization) agreement and appropriate financial security for repair and maintenance.
- Subdivision of new lots for immediate or future development is not permitted along private lanes, alleys or streets which have not been designed, constructed and approved in accordance with these standards and those of this Ordinance.
- F. Street Construction Standards – Streets and rights-of-way shall be improved to meet the following standards. It shall be the developer's responsibility to satisfy all applicable Township construction requirements and design standards, or in lieu thereof, deposit a security in compliance with Section 514 of this Ordinance and established Township policies. All public and private streets shall meet the following standards for design and construction:

1. Excavation
  - a. All topsoil shall be removed from the area from the area to be paved.
  - b. During construction, excavation shall be graded to drain.
2. Embankment
  - a. Placement of embankment shall be in layers not exceeding eight (8) inches, prior to compaction.
  - b. Embankment material shall consist of all excavation on the project, except such materials as may be determined to be unsuitable under PENNDOT Publication 408, current edition, and when required will include borrow excavation.
3. Subgrade
  - a. All required underground utilities and storm drainage shall be installed within the cartway area prior to preparation of the subgrade. Trench backfilling shall be completed in layers no greater than eight (8) inches.
  - b. Adequate surface and subsurface drainage shall be provided, including underdrains for springs or spongy areas.
  - c. All large rocks, boulders or ledges shall be broken off six (6) inches below the improved subgrade surface.
  - d. Completed subgrade shall be maintained and protected in advance of the succeeding operation.
  - e. Disturbed areas shall be moistened as necessary to minimize dust.
4. Subbase
  - a. No subbase shall be placed on wet, frozen, or unsuitable material. Unsuitable material such as sod, stumps, tree roots, spongy soil and excess rock shall be removed and replaced. Disturbed areas shall be reshaped and recompact. Where deemed necessary by the Township Engineer, a geotextile material may be required before placement of the subbase.
  - b. The subbase shall be a stone aggregate material consisting of six (6) inches of compacted 2A or 3A modified stone under the paved

surface of the cartway. A minimum of four (4) inches of the same aggregate shall be installed on the shoulder of the road, extending at least four (4) feet on each side of the cartway.

- c. The stone aggregate subbase shall be compacted to the required depth with a vibrating tamper or vibrating roller. The subbase shall be proof rolled and the proposed crown and grade shall be checked. Proof rolling should be performed with a fully loaded, tri-axle dump truck. This inspection must occur prior to any binder or base course being placed. All soft and yielding areas shall be repaired prior to construction of any binder or base course.

5. Base Course

- a. The base course shall be applied as soon as possible after subbase preparation to avoid damage to the subbase.
- b. The base course shall be a bituminous treated aggregate consisting of compacted ID-2 Binder Course (BCBC), in accordance with PENNDOT Form 408 specifications. Four (4) inches compacted shall be required for arterial and collector roads and three (3) inches compacted shall be required for local roads. Equivalent Superpave materials may be substituted for ID-2 and BCBC with Township Engineer approval.

6. Wearing Course

- a. A bituminous tack coat is required between the base course and wearing course.
- b. Paving notches shall conform to PENNDOT RC-28 Standards.
- c. The wearing course shall be a bituminous mix with fine aggregates consisting of a minimum of one (1") and one-half (1-1/2) inches compacted ID-2 Wearing Course, in accordance with PENNDOT Form 408 specifications. Equivalent Superpave materials may be substituted for ID-2 with Township Engineer approval.
- d. All paving seams, including at curbs, inlets and manholes, shall be sealed using AC-20 or equivalent.

7. Shoulders

Shoulders shall be provided where curbing is not utilized. Shoulders shall be a minimum of four (4) feet in width and conform to PENNDOT Type 6 shoulders, as per PENNDOT RC-25.

8. Inspections

Inspections shall be requested from the Township Engineer and applicable Township Officials after completion of each of the following phases of street construction:

- a. Preparation of the subgrade.
- b. Placement and compaction of the subbase.
- c. Installation of the base course.
- d. Completion of the wearing course.

9. State Approval of Streets and Access - to insure that street designs comply with all applicable standards, the Township may submit any preliminary and final subdivision or land development plans to the PENNDOT for review and comment.

Subdivision and land development plans which will require access to a state highway under the jurisdiction of the PENNDOT shall contain a plan note specifying that a highway occupancy permit is required from PENNDOT before driveway access to the state highway is permitted. The plan note shall also specify that plan approval does not guarantee that a PENNDOT permit will be issued.

**SECTION 511 MONUMENTS**

Sufficient monuments shall be set to ensure that reliable survey points are available for all parts of the subdivision. At least one (1) monument shall be placed for every two (2) lots or every two hundred (200) feet of streets, whichever requirement is less. The monument shall consist of either a cast iron box inside of which shall be placed a 3/4 inch steel pin three (3) feet in length, with the top of the pin set to serve as the survey point, or 4" square x 30" in length concrete containing an iron bar for strength and drill hole for line, set level with finished grade. All lot corners and changes in direction shall be identified by steel pins.

The top of the monument box shall be set at the finished grade upon completion of the grading of the street.

**SECTION 512 UTILITIES AND OTHER IMPROVEMENTS**

All subdivisions shall be designed and serviced with adequate utilities, including electricity and telephone service. The developer shall be responsible to cooperate with the utility companies to insure installation of the necessary utilities. All utilities shall be underground, except where developments of five (5) lots or less are exempted by the

Pennsylvania Public Utility Commission. Where required, the developer shall obtain a letter from the utility company confirming that service may be extended to the development.

When required by the Township, the developer shall provide a street lighting duct system, in accordance with the specifications of the appropriate public utility.

In areas where public water lines are available, fire hydrants shall be installed by the developer. Fire hydrants shall be located no more than 100 feet apart and within 500 feet of any dwelling or inhabited structure. The nearest fire protection unit may be contacted for input regarding the design and placement of a fire hydrant network.

### **SECTION 513      REQUIRED IMPROVEMENTS**

The land improvements required to be completed by the developer of a subdivision or land development, as set forth in this Chapter, shall be designed and installed in accordance with this Ordinance and other codes of the Township. The improvements shall be of such size and capacities as are required for the development of the proposed subdivision and of extra sizes as may be necessary to serve nearby land which is an integral part of the neighborhood service or drainage areas.

The developer shall be required to extend the improvements to serve adjoining unsubdivided land. If streets or utilities are not available at the boundary of a proposed subdivision, the Township may require the developer to construct off-site extensions of the improvements. Procedures for providing any necessary extra-size and off-site improvements and general standards for pro-rating costs shall be coordinated with the Township and shall be in accordance with the following:

- A. Extra-Size Improvements - The developer shall be required to pay for all of the materials or construction of streets, sewers or water lines which are determined by the Township according to the standards set forth in this Ordinance to be in excess of the size required for the development of the subdivision and the integral neighborhood, service, or drainage area.

If a storm sewer in excess of 18 inches, or a sanitary sewer in excess of 8 inches or a water main in excess of 6 inches is required, but each less in size than the sewer trunk lines or water mains which are to be constructed and financed on a regional basis, the Township shall construct the extra size utility and require a deposit in advance from the developer for the cost of the utility he is required to install and his portion of other costs which the municipality may assess against the benefited property owners of the service or drainage area.

- B. Extensions to Boundaries - The developer shall be required to extend the improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land; however; where the Township determines that a connecting street is necessary for the future subdividing of adjoining land, but the present

construction pavement and/or utilities therein are not warranted, the Township may require the dedication of land, the pavement intersections constructed, utilities extended at least three (3') feet beyond the pavement, and connections provided and made available for future extensions by other developers.

C. Off-Site Extensions – If streets or utilities are not available at the boundary of a proposed subdivision, the Township may require as a precedence to approval of a preliminary or final plan, assurances that such improvement extensions shall be provided as follows:

1. If the Township finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or a municipal expense until some future time, the developer may be required, if he wishes to proceed with the development, to obtain necessary easements or rights-of-way and construct and pay for extensions. Such improvements shall be available for connections by developers of adjoining land, or
2. The Township may construct and pay for the extensions and assess the costs to the owners benefited and require a deposit from the developer as described in subsection (A) herein. The Township may establish a rotary fund to pay for such development costs and not collect the assessments on the intervening land until it is developed.

D. Prorating Costs – In making determinations for prorating costs for the construction of off-site extensions or extra-size improvements, the Township shall consider in addition to the standards set forth in this Chapter and other regulations of the Township the following conditions:

1. The relative locations and size of the proposed subdivision;
2. The traffic estimated to be generated by the development in relation to present streets;
3. The natural drainage area for sewers and the service area for water;
4. The development benefits that will accrue to the subdivision;
5. The sequence of land and utility developments in the vicinity; and,
6. Any other condition it may find pertinent.



**SECTION 514 COMPLETION OF IMPROVEMENTS OR GUARANTEE  
THEREOF PREREQUISITE TO FINAL PLAN APPROVAL**

- A. Release from Guarantee - As the work of installing the required improvements proceeds, the party posting the financial security may request the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be made in writing to the Township Board of Supervisors and within forty-five (45) days of receipt of such request the Township Engineer shall certify, in writing, to his employers whether or not such portion of the work upon the improvements has been completed in accordance with the approved plat. When the improvements are certified to be in accordance with the approved plat, the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed. If the Township fails to act within said forty-five (45) day period, the release of funds shall be deemed to have been approved as requested. The Township may, prior to final release at the time of completion and certifications by its engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvement.
- B. Type Guarantee - Without limitation as to other types of financial security which the Township may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive escrow accounts in such ending institutions shall be deemed acceptable financial security for the purposes of this section. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth. Such bond or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. With respect to those types of security that could expire, the subdivider or developer must provide the Township with notification of expiration of the security at least sixty (60) days prior to the effective date of the expiration. The Township may require a subdivider or developer, as a condition of plan approval, to enter into an agreement with the Township (Developer's Agreement) for the completion of such improvements in all cases deemed appropriate by the Township and in a form acceptable to the Township.
- C. Amount of Guarantee - The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten percent. (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the

ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion.

Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said one hundred and ten percent (110%). Any additional security shall be posted by the developer in accordance with this subsection.

The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township Engineer shall review and approve the cost estimate or, for good cause, refuse to accept the estimate, in which case he shall calculate an accurate cost estimate of the required site improvements. If the applicant or developer and the Township Engineer are unable to agree upon an estimate, then the estimate shall be recalculated and rectified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or the developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred and ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.

Any financial guarantee other than a cash escrow shall state on its face, certified by the issuing financial institution, that the issuing financial institution agrees that the financial guarantee shall be irrevocable and shall not be allowed to expire, be withdrawn, or reduced in amount without at least sixty (60) days written notice to the Township until the financial guarantee is released by the Township. A developer who fails to complete the improvements within the allotted time specified in the financial guarantee shall, at least thirty (30) days in advance of the guarantee expiration date, renew or submit the required financial guarantee. Failure to keep the required financial guarantee in effect until the completion and approval of all improvements shall be a violation of this ordinance.

- D. Progressive Installation - In the case where development is projected over a period of years, the Township may authorize submission of final plats by sections

or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

- E. Release from Guarantee - As the work of installing the required improvements proceeds, the party posting the financial security may request the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be made in writing to the Township Board of Supervisors and within forty-five (45) days of receipt of such request the Township Engineer shall certify, in writing, to his employers whether or not such portion of the work upon the improvements has been completed in accordance with the approved plat. When the improvements are certified to be in accordance with the approved plat, the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed. If the Township fails to act within said forty-five (45) day period, the release of funds shall be deemed to have been approved as requested. The Township may, prior to final release at the time of completion and certifications by its engineer, require retention of ten percent (10%) of the estimated cost of the aforesaid improvement.

The applicant shall assume the necessary expense incurred for the inspection of improvements. Such inspection costs shall be based upon a schedule established by the Township by resolution and amended in the same fashion from time to time as deemed necessary.

- F. Maintenance Guarantee - Where the Township accepts dedication of all or some of the required improvements following completion, the Township may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements. The amount of financial security shall not exceed fifteen percent (15%) of the actual cost of installation of said improvements. The Township may require subdividers and developers, as a condition of plan approval, to enter into a maintenance guarantee agreement in a form acceptable to the Township.
- G. Remedies to Effect Completion of Improvements - In the event that any required improvements have not been installed as provided in this ordinance or in accordance with the approved final plat, the Township 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 Township 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 developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose. Failure to properly install the required improvements shall also constitute a violation of this Ordinance, punishable as provided by Chapter 7 of this Ordinance.

#### **SECTION 515 INSURANCE**

The developer agrees to indemnify and save harmless the Township against and from any and all loss, cost, damage, liability, and expense, including reasonable legal fees, on account of damage to property of, or injury to or death of, the parties thereto or third person, caused by, growing out of, or in any way whatsoever attributable to the construction of said improvements and the use of the street delineated on the subdivision plat during construction. The developer further agrees, but without limiting its liability to indemnify the Township, to carry liability insurance contracts with a reliable insurance company for injury to or death of person(s) and for damage to or destruction of property, which insurance contracts shall include the Township as named insured. The amounts of insurance coverage shall be determined as part of the preparation of the Developer's Agreement, but shall in no case be less than \$1,000,000.00 for bodily injury or death and in no case be less than \$500,000.00 for property damage.

#### **SECTION 516 BUILDING CONSTRUCTION AND OCCUPANCY**

A building or zoning permit may be issued and building construction started only after the approval of the final plat. Occupancy shall not be permitted prior to the completion of streets, storm water management facilities and other improvements necessary for the reasonable use of the building, unless written authorization is granted by the Township where improvements have been guaranteed by valid bond or other security.

#### **SECTION 517 AS-BUILT PLAN**

At such time as the construction of the required improvements are found to meet all requirements of this Ordinance and the approved plans, as modified, the Developer, prior to release of financial security, shall submit to the Township a mylar as-built plan of the road and any stormwater drainage facilities which shall form a part of the permanent records of the Township. The plan shall be prepared by using the approved Final Plan as a base plan and shall be made available to the Township prior to the final inspection of the project. As-built plans shall show the following:

- A. Actual location of all concrete monuments that were set at all angle breaks, points of curvature and tangents around the perimeter of the total tract. When the outside perimeter of a tract falls within or along an existing road right-of-way, then the right-of-way of that roadway shall be monumented at the above referenced points.

- B. Actual location of all iron pins or drill holes in curbs for all individual lot lines.
- C. Actual cul-de-sac radius.
- D. Actual location of cartway centerline versus right-of-way centerline.
- E. Actual location of floodplain by elevation and dimension from property line.
- F. Actual location and cross section of swales and accompanying easements.
- G. Actual horizontal and vertical location of storm water management, sanitary sewer and waterline facilities including type and size of storm drainage, sanitary and waterline pipes.
- H. Detention basin:
  - 1. Actual contours of the detention basin.
  - 2. Actual outlet structure details including type, size and inverts of outlet pipes.
  - 3. Actual elevation of the embankment and emergency spillway.
  - 4. A table showing the stage/storage/discharge curve for the constructed conditions.



## CHAPTER 6 FLOOD PLAIN MANAGEMENT

### **SECTION 601 INTENT**

The purpose of the regulations set forth in this Ordinance is to monitor the subdivision and/or development of flood plain areas in order to promote and protect the general health, welfare, and safety of the community; to require that each subdivision lot in flood plain areas be provided with a safe building site with adequate access; to insure that public facilities which serve such lots or development be designed and installed to preclude flood damage; and to protect individuals from purchasing lands which are unsuitable for development because of flooding. The subsequent sections shall be considered requirements supplemental to those procedures and standards specified elsewhere in the Subdivision and Land Development Ordinance, Township zoning ordinance, the Lebanon County Floodproofing Building Code, and any other applicable ordinances and codes.

### **SECTION 602 DEFINITIONS OF TERMS UTILIZED IN THIS CHAPTER**

- A. **BASE FLOOD** - The flood, also known as the 100 Year Flood, which has a one percent (1%) chance of being equaled or exceeded in any given year, the flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared.
- B. **BASED FLOOD ELEVATION** - The determination by the Federal Insurance Administrator of the water surface elevation of the Base Flood, that is, the flood level that has a one percent (1%) or greater chance of occurrence in any given year.
- C. **BUILDING** - A structure which has a roof supported by columns, piers, or walls, which is intended for the shelter, housing, or enclosure of persons, animals, or chattel or which is to house a use of a commercial or manufacturing activity.
- D. **CONSTRUCTION** - The term "construction" shall include the building, reconstruction, extension, expansion, alteration, substantial improvement, erection or relocation of a building or structure, including manufactured homes, and gas or liquid storage tanks. For flood plain purposes, "new construction" includes structures for which the "start of construction" commenced on or after the effective date of a flood plain management regulation adopted by the municipality.
- E. **DEVELOPMENT** – Any man-made change to improved or unimproved real estate, including, but not limited to buildings, manufactured homes, or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or the storage of equipment or materials.

- F. FLOOD - A general and temporary inundation of normally dry land areas by water from waterway overflows or the unusual and rapid accumulation of runoff of surface waters from any source.
- G. FLOOD PLAIN - (1) a relatively flat or low area adjoining a river, stream, or watercourse which is subject to partial or complete inundation by water, (2) an area subject to the unusual and rapid accumulation of runoff of surface water from any source. For the purposes of this Ordinance, the flood plain shall be considered to be the One Hundred (100) Year Flood Plain which is a flood plain having a one percent (1%) chance of being subject to the above conditions during any given year.
- H. FLOODWAY – The channel of a river or other watercourse and adjacent land area that must be reserved to discharge the Base Flood without cumulatively increasing the water surface elevation of that flood more than one (1) foot at any point.
- I. MANUFACTURED HOME - A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes (1) all mobile homes and (2) camping trailers, recreational vehicles, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.
- J. MANUFACTURED HOME PARK AND/OR SUBDIVISION - A lot or area which is a planned development and designated to contain two or more manufactured homes for rent or for sale. Any lot or area proposed to utilize such design where individual manufactured home sites are proposed for sale shall be known as a manufactured home subdivision.
- K. ONE HUNDRED (100) YEAR FLOOD (BASE FLOOD) - A flood selected as the Base Flood, that has a one percent (1%) or greater chance of occurring in any given year.
- L. STRUCTURE - A walled or roofed building, including a gas or liquid storage tank (principally above ground), a manufactured home, or any other man-made object usually assembled of interdependent parts or components which is designed to have a more or less fixed location, whether or not permanently attached at that location.



## **SECTION 603 APPLICATION PROCEDURES AND PLAT REQUIREMENTS**

The following procedures shall be required in addition to those specified otherwise in these regulations.

### **A. Pre-Application Procedures**

1. It is suggested that prospective developers consult the PADEP and the municipal Sewage Enforcement Officer concerning soil suitability when on-site sewage disposal facilities are proposed.
2. Prospective developers shall consult the County Conservation District representative concerning erosion and sediment control and the probable effect of geologic conditions on the proposed development. Concurrently, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the proposed subdivision or development.

### **B. Preliminary Plan Requirements**

The following information shall be required as part of the Preliminary Plan when a subdivision is in a flood plain area and shall be prepared by a registered surveyor:

1. A map illustrating the location of the proposed subdivision or land development with respect to the municipality's flood plain areas including information on, but not limited to, Base Flood Elevations, boundaries of flood plain areas, proposed lots and sites, fill, and flood or erosion protective facilities.
2. All subdivision proposals and other proposed new developments shall provide base flood delineations; however, subdivision proposals and other proposed new development greater than 50 lots or 5 acres, whichever is lesser, shall include actual base flood elevation data. It shall be the responsibility of the developer to provide the required base flood elevation data, in a form comparable to HEC-2, which will be certified as accurate by a Registered Professional Engineer.
3. Where the subdivision or land development lies partially or completely in the flood plain area or where the subdivision borders on the flood plain area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building lots. All such maps shall also show contours at intervals of two (2) feet and identify accurately the boundaries of the flood plain area.

C. Final Plan Requirements

The following information shall be required as part of the Final Plan and shall be prepared by a registered engineer or surveyor:

1. All information required for submission of the Preliminary Plan plus any changes required by the Township.
2. A map showing the exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed in flood plain areas. All such maps shall show contours at intervals of two (2) feet and identify accurately the boundaries of the flood plain area.

**SECTION 604 DESIGN STANDARDS AND IMPROVEMENTS**

The design standards and improvements specified herein shall be considered requirements in addition to those of Chapter 5 and otherwise listed in this Ordinance.

A. General

1. Where not prohibited by this or any other laws or ordinances, land located in flood plain areas may be platted for development with the provisions that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other laws and ordinances regulating such development.
2. Building sites for residences or any other type of dwellings or accommodations and building sites for structures or buildings other than residential uses shall be permitted in the flood plain only when in compliance with the zoning ordinance, the Lebanon County Floodproofing Building Code and any other applicable regulations.
3. If the Township determines that only a part of a proposed plat can be safely developed, they shall limit development to that part and shall require that development proceed consistent with this documentation.
4. When a developer does not intend to develop the plat himself and the Township determines that additional controls are required to insure safe development, they may require the developer to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.
5. Whenever a developer intends to alter or relocate a watercourse within the designated flood plain, the developer shall notify, in writing by certified mail, all adjacent communities and the Pennsylvania Department of Community and Economic Development (or its successor agency) of all

such intended activities prior to any alteration or relocation of the watercourse. Copies of such notification shall be submitted to the Federal Insurance Administrator. The developer shall also assure the Board of Supervisors in writing that the flood carrying capacity within the altered or relocated portion of the watercourse in question will be maintained.

6. No new construction or development shall be located within a designated floodway. Where the floodway has not been specifically identified for a stream or waterway, no new construction or development shall be permitted within the stream channel (from top of bank to top of bank). Furthermore, construction or development outside the stream banks but within the flood plain district shall be permitted only when in compliance with this Ordinance and PADEP permit requirements.
7. Lots which are within the flood plain shall be subject to the following:
  - a. Any lots created or revised shall have not more than 50% of their area within the flood plain, except lots may be exempted provided the minimum lot size established by the applicable zoning district or 1 acre, whichever is less, is provided outside the flood plain.
  - b. Lot access to a public road shall not be restricted or prevented by flood plain areas.

B. Excavation, Grading and Use of Fill

Any excavation activities, grading and use of fill shall be in compliance with all applicable terms of the zoning ordinance and the Lebanon County Floodproofing Building Code. Furthermore, where excavation or grading is proposed or where any existing trees, shrubs, or other vegetative cover shall be removed, the developer shall consult the County Conservation District representative concerning plans for erosion and sediment control and to also obtain a report on the soil characteristics of the site so that determination can be made as to the type and degree of development the site may accommodate. Before undertaking any excavation or grading, the developer shall obtain a Grading and Excavation Permit if such is required by the Township.

C. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of surface water without damage to persons or property. The system shall insure drainage at all points along streets, and provide positive drainage away from buildings and on-site disposal sites.

Plans shall be subject to the approval of the Township. The Township may also require a primarily underground system to accommodate frequent floods and a

secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be designed to prevent the discharge of excess runoff onto adjacent properties.

D. Streets

The finished excavation of proposed streets shall be no more than two (2) feet below the Regulatory Flood Elevation. The Township may require, where necessary, profiles and elevations of streets to determine compliance with this requirement. Drainage and bridge openings shall be sufficient to discharge flood flows without unduly increasing flood heights.

E. Sewer Facilities

All sanitary sewer systems located in flood plain areas, whether public or private, shall be floodproofed to a point three (3) feet above the Base Flood Elevation.

1. The Township may prohibit installation of sewage disposal facilities requiring soil absorption systems where such systems will not function due to high ground water, flooding, or unsuitable soil characteristics. The Township may require that the developer note on the face of the plat and in any deed of conveyance that soil absorption fields are prohibited in designated areas.
2. The Township may prescribe adequate methods for waste disposal. If a sanitary sewer system is located on or within 1000 feet of the proposed subdivision and/or land development, the Township shall require the developer to provide sewage facilities to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

F. Water Facilities

All water systems located in flood plain areas, whether public or private, shall be floodproofed to a point three (3) feet above the Base Flood Elevation. If there is an existing public water supply system on or near the subdivision, the Township shall require the developer to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

G. Other Public and/or Private Utilities and Facilities

All other public and/or private utilities and facilities shall be elevated or floodproofed to a point three (3) feet above the Base Flood Elevation.

## **SECTION 605      PERFORMANCE GUARANTEE**

No final plat shall be approved by the Board of Supervisors until the improvements required by this Ordinance are completed in a satisfactory manner and approved by the Township. In-lieu-of such construction, approval may be granted prior to completion providing:

- A. The developer enters into an agreement with the Township guaranteeing that improvements will be installed in accordance with the plans, specifications, and schedules approved by the Township prior to plat approval. This agreement shall also guarantee that no lot will be sold or building constructed in any flood plain area prior to completion of all protective works or measures planned for such lot and necessary access to facilities; and
- B. The developer provides a fiscal surety to guarantee performance of this agreement and completion of the improvements as planned. The surety may include a certified check, escrow account, irrevocable letter of credit or other bond acceptable to the Township. The procedural requirements of Section 514 of this Ordinance shall supply to any such bonding proposal.

## **SECTION 606      MUNICIPAL LIABILITY**

The grant of a permit or approval of a subdivision and/or land development plan in the identified flood plain area shall not constitute a representation guarantee, or warranty of any kind by the Township or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Township, its officials or employees.



**CHAPTER 7  
ADMINISTRATION, FEES AND PENALTIES**

**SECTION 701      INTENT**

This subdivision and land development ordinance shall be considered to set forth the minimum requirements for the protection of the public health, safety, comfort, property or general welfare, pursuant to the authority of the Pennsylvania Municipalities Planning Code, Act Number 247, 1968 sessions, as amended, or such statutes hereinafter in effect, and shall be construed most favorably to the Township as encouraging standards of planning and development exceeding these basic and minimum regulations.

**SECTION 702      ADMINISTRATION, ENFORCEMENT AND PENALTIES**

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

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

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

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

## **SECTION 703        MODIFICATIONS**

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare of the residents and inhabitants of Heidelberg Township. The Board of Supervisors may grant a modification of the requirements of one or more provisions of this Ordinance if the Board of Supervisors concludes that the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of this Ordinance is observed.

All requests for modifications shall be in writing to the Township and shall accompany and be part of the application for development. (See Appendix No. 11) The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.

All such modification requests shall be approved or disapproved by the Township. A written record of the action shall be kept for all modification requests.

## **SECTION 704        APPEALS TO COURT**

A subdivider of developer aggrieved by any action of the Board of Supervisors regarding refusal to approve a subdivision or land development plan may, within thirty (30) days of such refusal, appeal to the Common Pleas Court of Lebanon County. Any other appeals by aggrieved parties or other landowners shall be subject to the appeal procedures outlined in Article X-A of Act 247.

## **SECTION 705        SCHEDULE OF FEES**

### A.    Fee Resolution

1.    The Board of Supervisors shall establish by resolution a collection procedure and schedule of fees to be paid by the applicant at the time of submission of all plans.
2.    Fees for all other permits required for and by the Township shall be established by the resolution.
3.    Said schedule of fees shall be posted in the Township Office.

### B.    Professional Consultant Review Fees.

The Township's professional consultants' review fees with respect to an applicant's plan shall be paid by the applicant to the Township. Review fees shall include all reasonable and necessary charges by the Township's professional consultants for review and report thereon to the Township. Such review fees



shall be based upon a schedule established by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant for comparable services to the Township for services that are not reimbursed or otherwise imposed on applicants.

1. The Township shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. Nothing in this subparagraph shall prohibit interim itemized billing or Township escrow or other security requirements. In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than forty-five (45) days after the date of transmittal of the bill to the applicant, notify the Township and the Township's professional consultant that such fees are disputed and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's dispute over fees. Failure of the applicant to dispute a bill within forty-five (45) days shall be a waiver of the applicant's right to arbitration of that bill under Section 510(g) of the Pennsylvania Municipalities Planning Code.
2. In the event that the Township's professional consultant and the applicant cannot agree on the amount of review fees that are reasonable and necessary, then the applicant and the Township shall follow the procedure for dispute resolution set forth in Section 510(g) of the Pennsylvania Municipalities Planning Code, provided that the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.
3. Subsequent to a decision on an application, the Township shall submit to the applicant an itemized bill for review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including inspections and other work to satisfy the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final bill.

C. Professional Consultant Inspection Fees.

An applicant shall reimburse the Township for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the Township for any inspection that is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such reimbursement shall be based upon a schedule

established by resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township's professional consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant to the Township for comparable services when fees are not reimbursed or otherwise imposed on applicants.

1. The Township shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than thirty (30) days after the date of transmittal of a bill for inspection services, notify the Township and the Township's professional consultant that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove a request for release of financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within thirty (30) days shall be a waiver of the applicant's right to arbitration of that bill under Section 510(g) of the Pennsylvania Municipalities Planning Code.
2. Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the Township a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.
3. If, the professional consultant and the applicant cannot agree on the amount of expenses that are reasonable and necessary, then the applicant shall have the right, within forty-five (45) days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another professional consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged shall by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.
4. The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and shall render a decision no later than fifty (50) days after the

date of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within sixty (60) days. In the event the Township has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within sixty (60) days reimburse the excess payment

5. In the event that the Township's professional consultant and applicant cannot agree upon the arbitrator to be appointed within twenty (20) days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Court of Common Pleas of Lebanon County, Pennsylvania (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who has been retained by, or performed services for, the Township or the applicant within the preceding five (5) years.
6. The fee of the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator, otherwise it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than Five Thousand Dollars (\$5,000), the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The Township and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.

D. Engineering Fees

Engineering fees required to be paid in accordance with this Ordinance shall be paid to the Township by the applicant for the below listed services:

1. Reviewing all information submitted in conformance with provisions of this Ordinance. This includes all originally submitted and revised plans, reports and specification.
2. Inspecting the layout of the site for conformance to the submitted survey, plan and specifications.
3. Reviewing planning modules for land development.
4. Reviewing cost estimates of required improvements as submitted by the developer.
5. Inspecting required improvements during construction.

6. Final inspections of completion of installation of the required improvements.
7. Such other technical services as deemed necessary or required by the Township.

E. Legal Fees

Legal fees incurred by the Township for the review of all information submitted for conformance with provisions of this Ordinance, the preparation of improvements agreements pursuant to Section 514 B. of this Ordinance, and other similar services, shall be paid to the Township by the applicant.

**SECTION 706 PENALTIES**

Any person, partnership or corporation who or which has violated the provisions of this subdivision and land development ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof.

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

**SECTION 707 AMENDMENTS**

Amendments to this Ordinance may be initiated by the Township Planning Commission or the Board of Supervisors. If the amendments are initiated by the Board of Supervisors, the proposed amendment or amendments shall be submitted to the Planning Commission for review and comment at least thirty (30) days prior to a public hearing. Before enactment of a proposed amendment or amendments the Board of Supervisors shall hold a public hearing thereon pursuant to public notice.

**SECTION 708      VALIDITY**

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

Any ordinance or ordinance provision of Heidelberg Township that is inconsistent with any of the provisions of this Ordinance is hereby repealed to the extent of the inconsistency only.

**SECTION 709      EFFECTIVE DATE**

This Subdivision and Land Development Ordinance shall become effective on the \_\_\_\_\_

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

SIGNED: Board of Supervisors, Heidelberg Township

\_\_\_\_\_  
Township Secretary

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Supervisor



**HEIDELBERG TOWNSHIP, LEBANON COUNTY, PA**  
**RECOMMENDED SUBDIVISION AND LAND DEVELOPMENT PLAN**  
**REVIEW FEE SCHEDULE**

**Minor Subdivisions Not Involving New Lots** – (Lot Add-Ons, Annexations, Land Exchanges, etc.)

- \$150.00, of which \$75 is non-refundable.

**All Subdivisions and Residential Land Developments (apartment complex, rental townhouses, etc.)**

<u># of Lots/Units</u>	<u>Preliminary Plan Fee*</u>	<u>Final Plan Fee*</u>
1-5	\$200.00 + \$75.00/lot	\$200.00 + \$75.00/lot
6-10	\$200.00 + \$75.00/lot	\$200.00 + \$30.00/lot
11-20	\$250.00 + \$65.00/lot	\$250.00 + \$30.00/lot
21-50	\$325.00 + \$55.00/lot	\$300.00 + \$30.00/lot
51-100	\$400.00 + \$45.00/lot	\$350.00 + \$30.00/lot
101+	\$450.00 + \$40.00/lot	\$400.00 + \$30.00/lot

- \* Fee includes required Storm Water Management and Earth Disturbance Ordinance review associated with the Subdivision or Residential Land Development; \$100.00 + \$10.00/lot is non-refundable.

**Land Development other than Residential (commercial, industrial, institutional, etc.)**

<u>Acres**</u>	<u>Plan Review Fees***</u>
0-2.00	\$800.00
2.01-5.00	\$1,050.00
5.01-10.00	\$1,500.00
10.01-15.00	\$2,000.00
15.01-25.00	\$2,500.00
25.01-50.00	\$3,000.00
50.01-100.00	\$3,750.00
100.00+	\$4,500.00 + \$10.00/acre over 100 acres

- \*\* Acreage of tract to be based upon lot size of tract undergoing land development; acreage of disturbed land area stipulated in the Erosion and Sedimentation Control Permit application (as applicable); or ,NPDES Permit application (as applicable), whichever is greater.

- \*\*\* Fee includes required Storm Water Management and Earth Disturbance Ordinance Review associated with the Land Development; \$200.00 is non-refundable.

**Notes**

1. All fees for each plan are due at the time the plan is filed. If the correct fee is not paid, the filing is not complete and all plans will be returned by the Township to the Applicant.

2. Monies paid to the Township, except the non-refundable portion, which are not used for the cost of reviewing the Subdivision and/or Land Development Plan, will be refunded to the Applicant.
3. Should the cost of reviewing the Subdivision and/or Land Development Plan exceed the amount of the plan review fee which the Applicant has paid to the Township, the Applicant shall pay to the Township the amount in excess of the fees which have been expended, in addition to the original review fee, in reviewing the Subdivision and/or Land Development Plan, plus any additional fees as noted below, within thirty (30) days of notification.
4. Should the balance in the Applicant's account drop below one-half of the original review fee and if the review process is on-going, the Township shall require a minimum of one-half of the original review fee, including the non-refundable portion, be maintained in the account.
5. If a major revision to a plan is submitted, the applicant shall submit, with the revised plan, a fee equal to one-half of the original plan review fee for that particular plan stage, including the non-refundable portion.
6. The applicant shall, in addition to the fees imposed by Heidelberg Township, pay any fee required by the Lebanon County Planning Department to cover its cost for review of the proposed Subdivision and/or Land Development Plan.
7. The applicant shall pay the Township Construction Observation fees on a time and expense basis plus 5% for Township administration of the project. The fees shall be based on the attached fee schedule.



# **APPENDICES**



## APPENDICES

- 1 Certificate of Accuracy (Plan)
- 2 Certification of Accuracy (Survey)
- 3 Storm Water Management Certification
- 4 Certificate of Ownership, Acknowledgment of Plan Offer and Dedication
- 5 Heidelberg Township Planning Commission Review Certificate
- 6 Heidelberg Township Preliminary Plan Approval Certificate
- 7 Heidelberg Township Final Plan Approval Certificate
- 8 Lebanon County Planning Department Review Certificate
- 9 Lebanon County Recorder of Deeds Certificate
- 10 Application for Consideration of a Subdivision and/or Land Development Plan
- 11 Application for Consideration of a Modification
- 12 Request for Review of a Subdivision or Land Development Plan by the Lebanon County Planning Department



**APPENDIX NO. 1**

**CERTIFICATION OF ACCURACY (PLAN)**

I hereby certify that, to the best of my knowledge, the plan shown and described hereon is true and correct to the accuracy required by the Heidelberg Township Subdivision and Land Development Ordinance.

\_\_\_\_\_, 20\_\_\_\_ \* \_\_\_\_\_

\*\*

- \* Signature of a professional registered in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the plan.
- \*\* Seal of the registered professional.

**APPENDIX NO. 2**

**CERTIFICATION OF ACCURACY (SURVEY)**

I hereby certify that, to the best of my knowledge, the survey shown and described hereon is true and correct to the accuracy required by the Heidelberg Township Subdivision and Land Development Ordinance.

\_\_\_\_\_, 20\_\_\_\_ \* \_\_\_\_\_

\*\*

- \* Signature of the surveyor responsible for the survey.
- \*\* Seal of the surveyor.



**APPENDIX NO. 3**

**STORM WATER MANAGEMENT CERTIFICATION**

I hereby certify that, to the best of my knowledge, the storm drainage facilities shown and described hereon are designed in conformance with the storm water management requirements of Heidelberg Township.

\_\_\_\_\_, 20\_\_\_\_ \* \_\_\_\_\_

\*\*

\* Signature of a professional registered in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the storm drainage plan.

\*\* Seal of the registered professional.





**APPENDIX NO. 4**

**CERTIFICATE OF OWNERSHIP, ACKNOWLEDGMENT OF PLAN  
AND OFFER OF DEDICATION**

**INDIVIDUAL**

**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF LEBANON**

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who being duly sworn according to law, deposes and says that he is the \* \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at his direction, that he acknowledges the same to be his act and plan, that he desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use. He also hereby acknowledges that this proposed subdivision or land development may be subject to the requirements of additional Township, State and Federal regulations.

\*\* \_\_\_\_\_

\*\*\* \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_\_

- \* Identify Ownership or Equitable Ownership
- \*\* Signature of the Individual
- \*\*\* Signature and Seal of Notary Public or Other Authorized to Acknowledge Deeds.



**APPENDIX NO. 4**

**CERTIFICATE OF OWNERSHIP, ACKNOWLEDGMENT OF PLAN  
AND OFFER OF DEDICATION**

**COPARTNERSHIP**

**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF LEBANON**

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, being the members of the firm of \_\_\_\_\_, who being duly sworn according to law, deposes and says that the copartnership is the \* \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledges the same to be its act and plan and desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

\*\* \_\_\_\_\_

\*\*\* \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20 \_\_\_\_\_

- \* Identify Ownership or Equitable Ownership
- \*\* Signature of the Individual
- \*\*\* Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds.



APPENDIX NO. 4

CERTIFICATE OF OWNERSHIP, ACKNOWLEDGMENT OF PLAN AND OFFER OF DEDICATION

CORPORATE

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LEBANON

On this, the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, being \* \_\_\_\_\_ of \*\* \_\_\_\_\_ who being duly sworn according to law, deposes and says that the corporation is the \*\*\* \_\_\_\_\_ of the property shown on this plan, that he is authorized to execute said plan on behalf of the corporation, that the plan is the act and deed of the corporation, that the corporation desires the same to be recorded and on behalf of the corporation further acknowledges, that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

\*\*\*\* \_\_\_\_\_

\*\*\*\*\* \_\_\_\_\_

\*\*\*\*\* \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20 \_\_\_\_

- \* Individual's Title
\*\* Name of Corporation
\*\*\* Identify Ownership or Equitable Ownership
\*\*\*\* Signature of Individual
\*\*\*\*\* Corporate Seal
\*\*\*\*\* Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds.



**APPENDIX NO. 5**

**HEIDELBERG TOWNSHIP PLANNING COMMISSION  
REVIEW CERTIFICATE**

At a meeting held on \_\_\_\_\_, 20\_\_\_\_, the Heidelberg Township Planning Commission reviewed this plan and a copy of the review comments is on file in the Township office.

\* \_\_\_\_\_ \*

\*Signatures of the Chairman and Secretary or their designees.

**APPENDIX NO. 6**

**HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS  
PRELIMINARY PLAN APPROVAL CERTIFICATE**

At a meeting on \_\_\_\_\_, 20\_\_\_\_, the Heidelberg Township Board of Supervisors granted PRELIMINARY PLAN APPROVAL of this project, including the complete set of plans marked sheet(s) \_\_\_\_\_ through \_\_\_\_\_ which form a part of the application dated \_\_\_\_\_, last revised \_\_\_\_\_, and bearing Heidelberg Township File No. \_\_\_\_\_. This plan may not be recorded in the office of the Lebanon County Recorder of Deeds.

\* \_\_\_\_\_ \*

\*Signatures of the Chairman and Secretary or their designees.





**APPENDIX NO. 7**

**HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS  
FINAL PLAN APPROVAL CERTIFICATE**

At a meeting on \_\_\_\_\_, 20\_\_\_\_, the Heidelberg Township Board of Supervisors granted FINAL PLAN APPROVAL of this project, including the complete set of plans marked sheet(s) \_\_\_\_\_ through \_\_\_\_\_ which form a part of the application dated \_\_\_\_\_, last revised \_\_\_\_\_, and bearing Heidelberg Township File No. \_\_\_\_\_.

\* \_\_\_\_\_ \*

\*Signatures of the Chairman and Secretary or their designees.

**APPENDIX NO. 8**

**LEBANON COUNTY PLANNING DEPARTMENT  
REVIEW CERTIFICATE**

This Plan reviewed by the Lebanon County Planning Department this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Executive Director

**APPENDIX NO. 9**

**LEBANON COUNTY RECORDER OF DEEDS CERTIFICATE**

Recorded in the Office of the Recorder of Deeds in and for Lebanon County, Pennsylvania, in Plan Book \_\_\_\_\_, Page \_\_\_\_\_, on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Recorder



APPENDIX NO. 10

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TOWNSHIP FILE NO. \_\_\_\_\_  
DATE OF RECEIPT/FILING \_\_\_\_\_  
DATE TO COUNTY PLANNING DEPARTMENT \_\_\_\_\_

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APPLICATION FOR CONSIDERATION FOR A SUBDIVISION  
AND/OR LAND DEVELOPMENT PLAN

The undersigned hereby applies for approval under the Heidelberg Township Subdivision and Land Development Ordinance for the (Subdivision) (Land Development) Plan submitted herewith and described below:

1. Plan Name: \_\_\_\_\_  
Plan No.: \_\_\_\_\_ Plan Date: \_\_\_\_\_

2. Project Location: \_\_\_\_\_

3. Name of Property Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

4. Land Use and Number of Lots and/or Units (indicate answer by number):

\_\_\_\_\_ Single-Family (Detached)                      \_\_\_\_\_ Commercial

\_\_\_\_\_ Multi-Family (Attached-Sale)                      \_\_\_\_\_ Industrial

\_\_\_\_\_ Multi-Family (Attached-Rent)                      \_\_\_\_\_ Institutional

\_\_\_\_\_ Other (Describe) \_\_\_\_\_

5. Total Acreage: \_\_\_\_\_

6. Application Classification: (Check One)

\_\_\_\_\_ Preliminary Plan (Major)                      \_\_\_\_\_ Final Plan (Major)

\_\_\_\_\_ Minor Plan

\_\_\_\_\_ Revised Subdivision and/or Land Development Plan

7. Lebanon County Assessment Office Map and Parcel Numbers: \_\_\_\_\_

8. Name of Applicant (if other than owner): \_\_\_\_\_

\_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

9. Firm Which Prepared Plan: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Person Responsible for Plan: \_\_\_\_\_

10. Have all zoning approvals (special exception, conditional use, variance, zoning amendment) been obtained? Please specify approvals:

\_\_\_\_\_

\_\_\_\_\_

11. Type of water supply proposed:

\_\_\_\_\_ Public

\_\_\_\_\_ Community

\_\_\_\_\_ Individual

12. Type of sanitary sewer disposal proposed:

\_\_\_\_\_ Public \_\_\_\_\_ Live

\_\_\_\_\_ Community \_\_\_\_\_ Capped

\_\_\_\_\_ Individual

13. Lineal feet of new street \_\_\_\_\_

Identify all street(s) not proposed for dedication:

\_\_\_\_\_

\_\_\_\_\_

14. Acreage proposed for park or other public use: \_\_\_\_\_

I am aware that after Preliminary Plan approval I can proceed with site work and the installation of required improvements or common amenities; however, I cannot commence development of the property until a plan has been recorded in the office of the Recorder of Deeds. By signing this application, I certify that all facts in the application and all accompanying documentation are true and correct. This application is being made by me to induce official action on the part of Heidelberg Township, and I understand that any false statements made herein are being made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

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Date

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Signature of Landowner or Applicant



**APPENDIX NO. 11**

**APPLICATION FOR CONSIDERATION OF A MODIFICATION**

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**TOWNSHIP FILE NO.** \_\_\_\_\_  
**DATE OF RECEIPT/FILING** \_\_\_\_\_

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The undersigned hereby applies for approval of modification, submitted herewith and described below:

1. Name of Project: \_\_\_\_\_
2. Project Location: \_\_\_\_\_  
\_\_\_\_\_
3. Name of Property Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_
4. Name of Applicant (if other than owner): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No.: \_\_\_\_\_
5. Specify section(s) of the Heidelberg Township Subdivision and Land Development Ordinance for which modification is requested:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The proposed alternative to the requirement: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Justification for the modification (See Ordinance Section 703):

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8. Identification of plans, reports or supplementary data that is part of the application:

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The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct and complete.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



**APPENDIX NO. 12**

**TO:** Lebanon County Planning Department  
Municipal Building  
400 S. Eighth Street  
Lebanon, Pennsylvania 17042

**FROM:** Heidelberg Township

**SUBJECT:** Request for Review of a Subdivision or Land Development Plan

We do hereby request the Lebanon County Planning Department to review the enclosed subdivision or land development plan in accordance with the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, Article V, Section 502.

Plan Identification (check or complete the following items):

Municipal Plan No. (if any) \_\_\_\_\_

Plan Name: \_\_\_\_\_

\_\_\_\_\_ Preliminary Plan

\_\_\_\_\_ Final Plan

\_\_\_\_\_ Other (specify) \_\_\_\_\_

Name of Landowner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Additional Comments: \_\_\_\_\_

Fee:            Check #: \_\_\_\_\_            Amount: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Title

Heidelberg Township  
Mill Road, Box 188  
Schaefferstown, PA 17088-0188  
(717) 949-3885