

**CHADDS FORD TOWNSHIP  
DELAWARE COUNTY, PENNSYLVANIA  
ORDINANCE No. 174**

**AN ORDINANCE OF CHADDS FORD TOWNSHIP,  
DELAWARE COUNTY, PENNSYLVANIA REPEALING  
AND RESTATING CHAPTER 110 OF THE CHADDS FORD  
TOWNSHIP CODE ENTITLED SUBDIVISION AND LAND  
DEVELOPMENT.**

**WHEREAS**, the Chadds Ford Township Board of Supervisors desires to modernize its land use ordinances to ensure smart and measured development of land within the Township;

**WHEREAS**, the restated Subdivision and Land Development Ordinance (the "SALDO") set forth below has received favorable recommendations from the Chadds Ford Township Planning Commission and the Delaware County Planning Department;

**WHEREAS**, the Chadds Ford Township Board of Supervisors (the "Board") conducted a public hearing on the SALDO on April 3, 2024;

**WHEREAS**, after consideration of the aforementioned recommendations and the commentary during the public hearing, the Board believes it to be in the best interest of the Township and the health, safety and welfare of its residents, land owners and businesses to repeal the existing Chapter 110 of the Chadds Ford Township Code (the "Code"), to be replaced with the SALDO attached hereto.

**NOW, THEREFORE**, be it **ORDAINED** by the Chadds Ford Township Board of Supervisors that:

1. Repeal of the Existing Chapter 110 of the Code. Chapter 110 of the Code is hereby repealed.
2. Adoption of SALDO. The Amended and restated SALDO, attached hereto as Exhibit "A," is hereby adopted as the Subdivision and Land Development Ordinance of Chadds Ford Township, to replace Chapter 110 of the Code.
3. Effective Date. This Ordinance shall become effective, and the SALDO shall become the Subdivision and Land Development Ordinance of Chadds Ford Township on the fifth (5<sup>th</sup>) day after its enactment by the Board.

**ENACTED and ORDAINED** this 3<sup>rd</sup> day of April 2024.

[EXECUTION TO FOLLOW]

**CHADDS FORD TOWNSHIP BOARD OF SUPERVISORS**

*- Absent -*

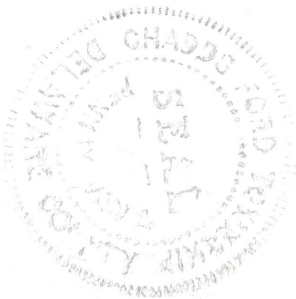
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**Samantha Reiner**  
Chair

*[Handwritten Signature]*  
\_\_\_\_\_  
**Timotha Trigg**  
Vice-Chair

*[Handwritten Signature]*  
\_\_\_\_\_  
**Kathleen Goodier**  
Supervisor

Attest:

*[Handwritten Signature]*  
\_\_\_\_\_  
**Lacey Faber**  
Township Manager



# EXHIBIT "A"

SALDO

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- § 110-54 **Schedule of application fees.**
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Chapter 110  
**Subdivision and Land Development**

**[HISTORY: Adopted by the Board of Supervisors of Chadds Ford Township (formerly Township of Birmingham) 12-30-1985 by Ord. No. 65. Amendments noted where applicable.]**

**GENERAL REFERENCES**

- Planning Commission — See Ch. 27.  
Construction Codes — See Ch. 59.  
Sewers — See Ch. 95.  
Stormwater management — See Ch. 105.  
Zoning — See Ch. 135.

**Article I: General Provisions**

**§ 110-1 Title.**

This chapter shall be known and may be cited as the "Chadds Ford Township Subdivision and Land Development Ordinance of 1985, as amended."

**§ 110-2 Purpose.**

This chapter is enacted to provide for and accomplish the following:

- A. To assist in the harmonious, orderly, efficient, and integrated Development of Chadds Ford Township;
- B. To preserve the character of the Township by ensuring that the arrangement and design of Subdivisions and Land Developments conform to the Comprehensive Plan; the Official Sewage Facilities Plan; Chapter 135, Zoning; and all other ordinances, Codes, regulations, Plans, and maps adopted in furtherance thereof;
- C. To promote and protect the health, safety, and welfare of the residents of the Township;
- D. To ensure Sites will be suitable for Building purposes and human habitation and use;
- E. To facilitate and accommodate prospective pedestrian and vehicular movement, fire protection, and the provision of other essential services through a coordinated system and design of Streets;
- F. To ensure the coordination and conformity of Subdivision and Land Development Plans with the public Improvement Plans of the Township regarding such facilities as Streets, Sewers, and other facilities and Improvements;
- G. To establish a uniform and equitable procedure for the Review and processing of Subdivision and/or Land Development Plans;
- H. To establish standards to ensure that Developments are environmentally sound by requiring preservation of existing natural features to the greatest possible extent in areas affected by Excavation, Construction, or other Land Development activities; and
- I. To establish minimum standards for the design and Construction of Improvements, which aid in the use and enjoyment of land, such as Streets, sidewalks, adequate Drainage, and water and Sewage facilities,

and which would aid in precluding adverse environmental effects, such as sedimentation, Soil Erosion, Flooding, deforestation, and water pollution.

**§ 110-3 Interpretation.**

The provisions of this chapter shall be deemed to be minimum requirements necessary to meet the foregoing purposes. However, when interpreting such requirements, the following shall be noted:

- A. When, owing to special or unique conditions, the life, health, safety, or property of Persons may be menaced or jeopardized by the application of any of the requirements of this chapter, more stringent or restrictive requirements necessary to eliminate or alleviate such menace or jeopardy may be applied or imposed by the Board of Supervisors;
- B. When, owing to special or unique conditions, the provisions of this chapter will inflict unnecessary hardship upon the Applicant, reasonable exceptions to such provisions may be made by the Board of Supervisors as will not be contrary to the foregoing purposes, or to the public interest;
- C. When the provisions of this chapter impose more stringent requirements than those of any statute, ordinance, or regulation, the provisions of this chapter shall prevail; when the provisions of any statute, ordinance, Code or regulation impose more stringent requirements than those of this chapter, such statute, ordinance, Code, or regulation shall prevail; and
- D. When it is desirable to effect economy and ingenuity in the layout of Subdivisions and Land Developments and to protect critical environmental areas, modifications of Plan requirements may be made in accordance with the guidelines set forth in § 110-52 herein.

**§ 110-4 Authority and scope.**

In accordance with Article V, Section 501 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968 (P.L. 805), as amended, the Chadds Ford Township Board of Supervisors shall have the authority to regulate Subdivision and/or Land Development within the Township by enacting this chapter. Through such authority, the following shall be governed by this chapter:

- A. The Improvement of one Lot or two or more Contiguous Lots, Tracts, or Parcels of land for any purpose involving 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 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;
- B. The Subdivision of land, including the division or redivision of a Lot, Tract, or Parcel of land by any means into two or more Lots, Tracts, Parcels, or other divisions of land, including changes in existing Lot Lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or Building or Lot Development;
- C. No Subdivision, Resubdivision, or Land Development of any Lot, Tract, or Parcel of land within the Township shall be made, and no Street, Alley, Sanitary Sewer, Capped Sewer, Storm Sewer, water main, or other such facility in connection therewith, or other Improvement of any kind, shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of Occupants of Buildings abutting thereon, except in accordance with the provisions of this chapter; Chapter 135, Zoning, as amended; and all other Township ordinances, Codes, regulations, Plans, and maps, as amended;

- D. No Lot in a Subdivision may be sold; no permit to erect, alter or add to any Building or other Structure or portion thereof 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 Subdivision and/or Land Development Plan has been approved and recorded;
- E. No Construction of any nonresidential or multifamily Improvement or Structure, nor Construction of any exterior addition to or expansion of any existing nonresidential or multifamily Improvement or Structure shall occur on any Lot other than in accordance with a Subdivision and/or Land Development Plan approved by the Township; and
- F. Every use that does not constitute a Subdivision or Land Development shall comply with all of the provisions of Article V: Design Standards, before receiving a Building, Grading, and/or Occupancy Permit from the Township.

**§ 110-5 Jurisdiction and Enforcement.**

- A. The Board of Supervisors shall have jurisdiction of Subdivision and Land Development within the Township. In order that the actions of the Board of Supervisors under this chapter may be correlated with all relevant data and procedures, the Board of Supervisors hereby designates the Township Planning Commission as the agency to which the following responsibilities are assigned:
  - (1) To Review, upon filing with the Township Secretary, all Sketch Plan proposals;
  - (2) To Review, upon filing with the Township Secretary, all applications for either preliminary or final approval of Subdivision and/or Land Development Plans;
  - (3) To engage in all preliminary consultations with the Applicant relating to such Plans;
  - (4) To make recommendations to the Board of Supervisors concerning the rationale for granting approval, disapproval, or modifications to the provisions and conditions of approval of such Plans; and
  - (5) To make recommendations to the Board of Supervisors concerning the rationale for the granting of modifications to the provisions, requirements, and standards of this chapter.
- B. The Board of Supervisors hereby designates the Chadds Ford Township Secretary as the Person to determine whether or not any sketch, preliminary, or Final Plan submissions are complete and acceptable to the Township for the purpose of establishing the Date of Filing. All submissions must be made in person at the Township office directly to the Township Secretary or his/her appointed representative. The Township shall, within seven working days, inspect such submissions to see if the following have been submitted:
  - (1) The required Application Form and filing fee;
  - (2) The required number of copies;
  - (3) The required types of Plans, reports, and other papers;
  - (4) The required checklist completed by a professional Engineer;
  - (5) Planning Modules as required by the Final Plan submission; and



(6) A copy of the existing Deed and current title report.

- C. The Board of Supervisors shall appoint one or more Code Enforcement Officer(s) to enforce the provisions of this chapter and the accompanying Design Standards and requirements, and obtain the assistance of the Township Engineer and other consultants to aid the Code Enforcement Officer.
- D. Inspection of Construction to ensure compliance with any approved Subdivision or Land Development Plan shall be the prerogative of the Township.
- E. In the event of any action by the Landowner or Developer that is inconsistent with the provisions of this chapter, the Board of Supervisors or its authorized representative may issue a cease-and-desist order or take such other appropriate action as is deemed necessary under the circumstances.

## **Article II: Terminology**

### **§ 110-6 Application and interpretation.**

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated below:

- A. The present tense includes all other tenses; the singular includes the plural, and the plural includes the singular; the masculine gender includes the feminine and neuter; the word "used" includes the words "designed" or "arranged"; the word "occupied" includes the words "designed, or intended to be occupied"; the word "shall" is always mandatory; the word "may" is always permissive; the words "as amended" as applied to any statute, ordinance, Code, regulation, Plan, or map include replacements, supplements, or restatements thereof; and reference to a particular article, section, or subsection that inherently refers to other articles, sections, or subsections includes all articles, sections, or subsections referred to. Numbers and numerals are written in accordance with the APA style guide.
- B. The terms "such as," "including," and the like are intended to introduce matters that are illustrative of the meaning of the sentence, clause, or phrase in which such terms appear without limiting or derogating from the general application of the sentence, clause, or phrase in which such terms appear.
- C. The abbreviation "PennDot" shall mean Pennsylvania Department of Transportation; the abbreviation "PA DEP" shall mean Pennsylvania Department of Environmental Protection; and the abbreviation "DCPD" shall mean Delaware County Planning Department.
- D. Words not defined shall have the meaning given in Chapter 135, Zoning, or other Township Codes and ordinances, the Municipalities Planning Code, or other applicable state and federal statutes, laws, and regulations. If not defined in the aforementioned, the definition in the most recent edition of Merriam-Webster's Unabridged Dictionary shall be used.
- E. Words in the present tense may imply the future tense.

### **§ 110-7 Definitions.**

- A. When capitalized in this chapter, the terms defined below have the meanings given them in this section. When not capitalized, the same terms have their common meaning.

**ABUTTING OWNER** –The Owner of record of a Parcel of land that is contiguous at any point to the Parcel to be subdivided and/or developed or that has Frontage on a common Road or Street (public or private) across

from the Parcel to be subdivided and/or developed.

**ACCELERATION LANE**

An added roadway lane that permits integration and merging of slower moving vehicles into lanes of the main vehicular flow.

**ACCESS** – A way or means of approach to provide physical Ingress to and Egress from a Parcel, Tract, or other Lot.

**ACCESSORY**–Incidental or subordinate.

**ADVERSE EFFECTS** – Results contributing to a harmful or degraded condition and/or producing an unfavorable outcome.

**AGENT** – Any Person or entity, other than the Landowner or Developer, who, acting upon written authority for the Landowner or Developer, files Subdivision and/or Land Development Plans with the Township for the purpose of obtaining approval thereof.

**AGRICULTURE OR AGRICULTURAL OPERATION** – An enterprise that is actively engaged in the commercial production and preparation for market of crops, Livestock, and Livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, Livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

**ALLEY** – A Right-of-Way providing secondary vehicular access to the side or rear of two or more Lots.

**ALTERATION** – Any change in the exterior or structural components of a Building; any change to or in a Building that would alter its use classification; or any change that would substantially alter the type, method, or scope of a Sewage disposal system or traffic condition.

**ALTERNATIVES** – Choices between or among two or more Plans, layouts, approaches, solutions, and/or outcomes.

**APPLICANT** – A Landowner or Developer who has filed an application for Subdivision and/or Land Development, as hereinafter defined, including his or her heirs, successors, assigns, and grantees.

**APPLICATION FORM** – A form available from the Township Secretary (included as an attachment to this chapter) that is to be used to provide information to aid in the review of a Subdivision and/or Land Development Plan and for general administrative purposes.

**ARCHITECT** – A Person duly registered by the Commonwealth of Pennsylvania to practice architecture.

**BASEMENT** – Any area of the Building having its floor subgrade (below ground level) on all sides.

**BEARINGS AND DISTANCES** – See "Metes and Bounds."

**BENEFICIAL EFFECTS** – Results contributing to an Improvement in condition and/or producing a favorable outcome.

**BERM** – An earthen embankment that serves purposes such as retaining/detaining the flow of surface water runoff or preventing Soil Erosion or is used to aid in visual Screening between Land Uses, often by supporting plant materials.

**BIOLOGICAL RESOURCES** – Living organisms and their genetic material, providing ecological, economic, and cultural value.

**BLOCK** – A developed area bounded by three or more Streets.

**BOARD** – Unless explicitly stated otherwise, the Board of Supervisors of the Township of Chadds Ford, Delaware County, Pennsylvania.

**BUFFER AREA** – An area adjacent to a neighboring Lot or Tract that is designed and intended to lessen the proposed use's Impact on the adjacent property.

**BUILDER** – A Person, who is not necessarily the Owner of the land or Agent of the same, who by contract or other agreement is charged with the responsibility of Construction of Buildings or other Structures, or of making any Construction Improvements on any Parcel of land.

**BUILDING** – Any roofed Structure supported by walls or columns that is intended or used for the shelter, housing, or enclosure of any individual(s), animal, process, equipment, goods, or materials of any kind.

**BUILDING ENVELOPE** – The area bounded by the Building Lines.

**BUILDING LINE** – A line that is parallel to a Lot Line at a distance equal to the required Setback. The Rear Building Line is parallel to the Rear Lot Line. A Side Building Line is parallel to a Side Lot Line. A Front Building Line is parallel to a Street Line.

**BUILDING PERMIT** – A document issued by the Township granting permission for the Construction, repair, Alteration of, or addition to a Structure.

**CALIPER** – The diameter of a new tree measured 6 inches above the top of the root ball.

**CAPPED SEWERS** – Sanitary Sewage facilities that are installed and capped where existing Sanitary Sewage facilities are not accessible and available, but are planned for. Such facilities shall include Sanitary Sewers, force mains, pumping stations, and all other appurtenances necessary to serve the entire Subdivision and/or Land Development.

**CARTWAY** – The area of a Road or Street within which vehicles are permitted, including travel lanes but not including shoulders, Curbs, Gutters, sidewalks, or Drainage Swales.

**CATCH BASIN** – An inlet designed to intercept and redirect surface waters.

**CHANNEL** – An area that conveys the normal continuous or intermittent flow of water.

**CLEAR SIGHT TRIANGLE** – An area of unobstructed visibility at Street intersections defined by lines of sight between points at a given distance from the intersection of Street center lines.

**CODE** – The Code of Chadds Ford Township.

**CODE ENFORCEMENT OFFICER**– The Township's Code Enforcement Officer (CEO) or any duly authorized representative who is charged with the administration and enforcement of this Code.

**COMMUNITY FACILITIES** –The physical location where services that cater to diverse community needs such as health, education, safety, leisure, and similar amenities are offered. Examples of typical Community Facilities include schools, parks, libraries, hospitals, fire stations, police stations, ambulance and rescue

services, Wireless Communications Facilities, and postal services.

**COMMUNITY SEWER** – A community Sewage disposal system consisting of approved Sanitary Sewage disposal Structures that serves more than one Lot or one Building, which along with its appurtenant facilities is administered and maintained by an organization or other entity having the right and obligation to administer and maintain such system in accordance with federal, state, county and Township regulations.

**COMMUNITY WATER SUPPLY SYSTEM** – A well or a group of wells, along with their associated facilities, that serve multiple Lots or Buildings. The administration and maintenance of the system are carried out by organizations such as homeowners' associations or other entities that have the authority or responsibility of managing and/or maintaining it in compliance with federal, state, county, and Township regulations.

**COMPREHENSIVE PLAN** – The Comprehensive Plan Update 2017 for Chadds Ford Township, or the most recent update thereto.

**CONDITIONAL USE** – A use that is not appropriate in a particular zoning district as a whole, but which may be suitable in certain locations within the district only when specific standards, criteria, and conditions are met in accordance with Chapter 135, Article XXVIII. Conditional Uses, and applications for permits therefor, are allowed or denied by the Board of Supervisors after recommendations are provided by the Planning Commission.

**CONSERVATION PLAN** – A Plan filed as and forming part of the Preliminary Plan and the Final Plan detailing the measures to be taken by the Landowner or Developer for the purposes of the protection of Watercourses, Notable Trees, and other important natural features, and for the control of Grading, Soil Erosion and sedimentation, and Stormwater management.

**CONSTRUCTION** – The erection, reconstruction, renovation, repair, extension, Alteration, or relocation of a Building or other Structure.

**CONTIGUOUS LOTS** – Contiguous Lots shall have a common Lot Line of 100% of one side of the smaller Lot; the common Lot Line shall not be less than 50 feet. Contiguous Lots shall not be separated by a Public Street or Right-of-Way.

**CONTINUOUS VISUAL BUFFER** – A visually impenetrable screen created through the effective use of plant materials, fencing, walls, and/or earthen Berms.

**CONTOUR** – An invisible line on the surface of the earth along which all points are at the same Elevation above sea level.

**CUL-DE-SAC** – A Street having vehicular access to and from another Street at one end and terminating in a vehicular turnaround at the other end.

**CULTURAL ENVIRONMENT** – A representation of man's influence on land and/or water through the use, organization, adornment, and maintenance of property and Structures.

**CULVERT** – A Structure designed to convey water under a Street or pedestrian walk.

**CURB** – A stone or concrete boundary marking the edge of the Cartway or paved area.

**CUT** – A portion of land or other area from which earth has been removed or will be removed by Excavation, or the depth below the original ground surface or excavated surface.

**DATE OF FILING** – The date when a complete application for Subdivision and/or Land Development, as herein defined, has been submitted to the Township Secretary and accepted by the Township.

**DATUM** – A reference point from which Elevations are measured. The standard Datum is sea level as established by the U.S. Geological Survey (U.S.G.S.).

**DECELERATION LANE** – An added roadway lane that permits vehicles to slow down and leave the main vehicular flow.

**DEDICATION** – The act of voluntarily transferring ownership of property by its Owner to the Township or another designated entity.

**DEED** – A legal document conveying an estate or other right, title, or interest in property.

**DESIGN STANDARDS** – Standards adopted pursuant to this chapter.

**DETENTION BASIN** – A Structure designed, built, and used to retard surface water runoff for a period of time sufficient to cause the deposition of Sediment and to reduce the velocity and volume of surface flows leaving a Site.

**DEVELOPER** – Any Landowner, equitable Owner, or authorized Agent of such Landowner who makes or causes to be made a Subdivision of land or a Land Development.

**DEVELOPMENT** – Any Alteration or modification made to improved or unimproved real estate. This includes, but is not limited to, the Construction of Buildings or other Structures, placement of manufactured homes, creation of Streets and other Infrastructure, implementation of Construction activities such as paving, Utilities installation, filling, Grading, Excavation, mining, dredging, or drilling operations, as well as the Subdivision of land.

**DIAMETER AT BREAST HEIGHT (DBH)** – The diameter of a tree trunk measured at a point 4½ feet from the ground surface at the center of the base of the tree.

**DITCH** – A small Drainage Channel.

**DRAINAGE** – A system of Structures and facilities designed to manage and direct surface water or groundwater from the land. Its primary purposes are to control runoff, reduce sedimentation, and prevent Soil Erosion during and after Construction or Development activities.

**DRAINAGE FACILITY** – Any trench, Ditch, Swale, Gutter, pipe, Culvert, Storm Sewer, or other similar depression or Structure designed, intended, or constructed for the purpose of diverting surface water or conveying surface water or groundwater from a Subdivision, Land Development area, or contiguous areas.

**DRAINAGE PLAN** – A Plan that depicts existing and proposed Drainage as required by this chapter.

**DRAINAGE WAY** – Any Watercourse or trench, Ditch, Swale, Gutter, pipe, Culvert, Storm Sewer, or other similar depression or Structure in which water flows in a definite direction either continuously or intermittently and has a definite Channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow.

**DRIVEWAY** – An individual or shared portion of a Lot that provides access for vehicles to a Parking Space, garage, Dwelling, or other Structure from a Street.

**DRIVEWAY, SHARED** A Driveway used for shared vehicular access by two or more uses or Lots.

**DRYWELL** – A covered pit with open jointed lining through which water from roofs, Basement floors, or areaways may seep or leech into the surrounding soil.

**DWELLING** – A Building designed for and occupied exclusively for residential purposes, including a

Mobile Home.

**DWELLING UNIT** – A Building, or portion thereof, providing complete housekeeping facilities for one Family.

**EARTHMOVING ACTIVITY** – Land disturbance activity resulting in the movement of earth or Stripping of vegetative cover from the earth.

**EASEMENT** – That portion of land or property reserved for present or future use by a Person or agency other than the legal fee Owner(s) of the property. The Easement shall be permitted to be for use under, on, or above a Lot or Lots.

**ECONOMIC AND FISCAL CHARACTERISTICS** – Characteristics related to the expenditures and revenues in conjunction with the management of income of a household, private business, community, association, and/or government.

**EGRESS** – An exit.

**ELEVATION** – A vertical distance above or below a fixed reference level, or a Scale drawing of the front, rear, or side of a Building.

**EMPLOYEE** – A Person employed for wages or salary.

**END LINE** – The line that represents the termination area of a Shared Driveway.

**ENGINEER** – A Person duly registered by the Commonwealth of Pennsylvania to practice professional engineering.

**ENVIRONMENT** – The conditions, resources, and/or characteristics that exist within and around the area to be affected by a proposed Subdivision and/or Land Development, including natural elements such as land, water, air, Minerals, natural flora, and natural fauna; and man-made components such as objects of historic or aesthetic significance, Infrastructure, and man-related attributes of a social and/or economic nature.

**ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIA)** – An assessment that objectively describes, analyzes, and documents both the beneficial and adverse environmental effects of a proposed Subdivision and/or Land Development and the measures to be undertaken to mitigate Adverse Effects in accordance with the provisions set forth in this chapter and Chapter 135, Zoning.

**EXCAVATION** – Removal or recovery by any means whatsoever of soil, rock, Minerals, mineral substances, or organic substances other than Vegetation from water or land or beneath the surface thereof, whether exposed or submerged.

**FAMILY** –

- A. One or more individuals living together in a Dwelling Unit as a single housekeeping unit and doing their cooking on the Premises when said individuals are related by blood, marriage, foster relationship, or adoption; or
- B. Not more than three unrelated individuals living together in a Dwelling Unit as a single nonprofit housekeeping unit and doing their cooking on the Premises; or
- C. A group of Individuals with Disabilities (as defined by applicable law) living together as the functional equivalent of a Family and entitled to a reasonable accommodation to allow the equal opportunity to use or occupy a Dwelling under applicable law.
- D. This definition does not include or apply to the residents or Employees of a Club, fraternity house, Lodge, or lodging, boarding or rooming house, or other facility in which lodging is provided for compensation.

**FILL** – Material such as sand, gravel, earth, and other suitable and approved composition, or any act by which earth, sand, gravel, rock, or any other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of a stripped or otherwise cut surface.

**FLOOD HAZARD AREA** – A designated area, also known as a Special Flood Hazard Area, as defined by the U.S. Department of Housing and Urban Development, Federal Insurance Administration. It is represented as the Floodplain Conservation District on the Chadds Ford Township Zoning Map and requires a Setback of 50 feet from the banks of any Watercourse, in accordance with Act 166, as amended.

**FLOODING** – A general or temporary condition of partial or complete inundation of areas from the overflow of inland waters and/or the unusual and rapid accumulation of water on or under the ground.

**FLOODPLAIN** – A relatively flat or low land area that is subject to partial or complete inundation from an adjoining or nearby Stream, river, or Watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

**FLOOR AREA** – The sum of the several floors of a Building or Buildings measured from the face of the exterior walls or from center lines of walls separating two Buildings. In particular, Floor Area includes, but is not limited to, the following:

- A. Basement space, if it meets the requirement of a Building Story.
- B. Elevator shafts, stairwell, and attic space (but only where a floor has been laid in the attic) providing structural headroom of 8 feet or more.
- C. Roofed terraces, exterior balconies, breezeways, or porches, provided that over 50% of the perimeter of these is enclosed.
- D. Any other floor space used for Dwelling purposes, no matter where located within the Building.

**FRONTAGE** – The portion of a Lot that fronts upon a Street or Road.

**FUNCTIONAL CLASSIFICATION (OF STREETS, ROADS AND HIGHWAYS)** – The categorization of Streets, Roads, and highways according to a hierarchy of service characteristics for which various Design Standards have been established.

**GRADE** – The slope of a Street, Road, or other installation expressed as a percent; or the Elevation of existing, finished, or proposed conditions as hereinafter defined.

- **EXISTING GRADE** – The Elevation, relative to a given Datum, of the ground surface prior to any Excavation, Cut, or Fill.
- **FINISHED GRADE** – The Elevation, relative to a given Datum, of the ground surface after completion of any Excavation, Cut, or Fill.

**GRADING** – The process of altering the surface of the ground through activities such as cutting, filling, or excavating.

**GROSS FLOOR AREA (GFA)** – The sum of the gross horizontal areas of the several floors of a Building, measured from the exterior face of exterior walls, or from the center line of a wall separating two Buildings, but not including interior Parking Spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than 6 feet.

**GROUNDWATER RECHARGE** – Replenishment of geologic Structures and rock or soil interstices that have the capacity to store water, or permit the transfer of water to a geologic storage area.

**GUARANTEE, COMPLETION** – The financial security that may be accepted by the Township as a guarantee that Improvements required as part of an application for Subdivision and/or Land Development are completed to the satisfaction of the Township. Such financial security shall include, but is not limited to, performance bonds, federal or commonwealth-chartered lending institution irrevocable letters of credit, and restrictive or escrow accounts in such lending institutions.

**GUARANTEE, MAINTENANCE** – The financial security that may be accepted by the Township as a guarantee that Improvements required as part of an application for Subdivision and/or Land Development shall be in first class condition and working order for a specific period of time. Such financial security shall be similar to that accepted for a Completion Guarantee.

**GUTTER** – The area within a Street Right-of-Way, outside the Cartway, designed for surface Drainage, whether paved or otherwise.

**HISTORIC RESOURCE(S)** –All certified Sites, Buildings, and other Structures within the boundaries of the Historic Overlay District; or Sites, areas, Buildings, Structures, Trails, and/or routes that are valued due to their significance as locations of events, customs, skills, and/or arts of the past.

**IMPACT** – The power of an event to produce changes in a condition. In the context of Impact exerted on the Environment, changes that affect the existing conditions and/or quality are of greatest concern.

**IMPERVIOUS SURFACE** – A surface that does not normally absorb rainfall, such as Buildings, Streets, parking areas, walks, decks, pools, Sheds, and similar surfaces and Structures.

**IMPOUNDMENT** – A confined body of water, such as a Pond, Detention Basin, or Retention Basin, created by a barrier such as a headwall, dike, floodgate, or dam.

**IMPROVEMENTS** – Physical additions and changes to land such as Grading, paving, curbing, fire hydrants, water mains, Sanitary Sewers, Capped Sewers, Storm Sewers, storm drains, Catch Basins, Culverts, sidewalks, Monuments, crosswalks, bridges, earthworks, Street lights, wells, On-Site Sewage Disposal systems, Street Trees and other plantings, and other Structures that may be necessary to produce usable and desirable Land Development.

**INFRASTRUCTURE** – The basic installations and facilities on which the continuance and growth of a community depend, such as Roads, schools, electrical transmission facilities, Transportation, and communication systems.

**INGRESS** – An entrance.

**INTERIOR LOT** – Any Lot that only has access to a Street by an Easement or Right-of-Way such as a Shared Driveway and may be characterized as "landlocked" in that said Lot does not front on a dedicated Street.

**INVERT** – The lowest visible surface of a Drainage conduit or Channel.

**LAND DEVELOPMENT** –

(1) The Improvement of one Lot or two or more Contiguous Lots or Tracts 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.

(2) A Subdivision of land.

**LANDOWNER** – The record holder of legal title to land; the rightful holder of an option or contract to purchase (whether or not such option or contract is subject to any condition); a lessee if he or she is authorized expressly under the lease to exercise the rights of the Owner of the land that is the subject of an application for Subdivision and/or Land Development.

**LAND PLANNER** – A Person who is recognized as a certified planner by the American Institute of Certified Planners, an Institute of the American Planning Association.

**LANDSCAPE ARCHITECT** – A Person duly registered by the Commonwealth of Pennsylvania to practice landscape architecture.

**LANDSCAPED AREA** – That portion of a Tract or Lot in which plantings have been installed in accordance with the special provisions for landscaping in **Article XXV** of Chapter 135, Zoning. The Landscaped Area includes the buffer Planting Strip as well as plantings that serve a functional and/or aesthetic purpose when located around and between Buildings, Roads, parking areas, sidewalks, Walkways, sitting areas, service or maintenance Structures, courtyards, and the like.

**LAND USE** – The purpose and arrangement of land, typically expressed in terms of the type of activity or Development that exists, such as agricultural, residential, commercial, industrial, institutional, recreational, municipal and the like, whether such use is principal or Accessory.

**LIVESTOCK** – Domesticated animals raised in an agricultural setting to produce commodities such as milk, meat, and wool.

**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.

- **CORNER LOT** – A Lot that abuts two Streets (or a Street and a Shared Driveway) at their intersection if the interior angle of intersection does not exceed 135°. Both Yards abutting said accessways are deemed Front Yards; the Yard opposite one Front Yard is designated a Side Yard, and the Yard opposite the other Front Yard is designated the Rear Yard.
- **FLAG LOT** - A Lot that has Street Frontage connected to the major portion of the Lot by means of a narrow strip of land. A Lot whose configuration resembles a flag and a connecting pole or post.

**LOT AREA** – The area of land contained within the Property Lines of a Lot, excluding the following features (NOTE: This definition applies equally to all Zoning Districts):

<b>Feature</b>	<b>Percent of feature to be excluded</b>
Area within any Utility Easements and Utility Rights-of-Way	100%
Area within Road Rights-of-Way or Easements for public or private access	100%
Area within one-hundred-year Floodplains	85%
Area of Watercourses and surface water bodies	85%
Area within Wetlands	85%
Area of Very Steep Slopes 25% and greater	70%
Area within Wetland/Watercourse Margins	50%

**LOT LINE** – A title line or, in the case of a title line located within a Right-of-Way, the Street Line.

- **FRONT LOT LINE** - The Lot Line abutting a Street, or, in the case of an Interior Lot, a Shared Driveway. In the case of a Corner Lot, whichever Street or Shared Driveway abutting Lot Line is elected by the Landowner or Developer when filing any application for Subdivision and/or Land Development subject to the approval of the Township Engineer and the Planning Commission may be deemed the Front Lot Line.
- **REAR LOT LINE** – The Lot Line opposite and most distant from the Front Lot Line. If the Rear Lot Line is less than 10 feet in length, or if the Lot forms a point at the rear, the Rear Lot Line shall be deemed to be a line 10 feet in length within the Lot, between the Side Lot Lines, parallel to and at the maximum distance from the Front Lot Line.
- **SIDE LOT LINE** – Any Lot Line other than a front or Rear Lot Line.

**MARKER** – An iron pipe or steel bar 3/4 of an inch in diameter and 30 inches in length that is used to identify and establish property lines, Lot boundaries, Easements, or other important features for surveying, Construction, and legal purposes.

**METES AND BOUNDS** – A surveying method that describes the land’s boundaries by providing directions or Bearings and Distances from a known point of reference. This method not only defines the boundaries, but also includes details about the land’s content and the measurement of each Lot in square feet and acres and fractions thereof.

**MINERALS** – Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, Fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

**MITIGATION** – The act of precluding a potentially adverse effect and/or making a potentially adverse effect less severe through measures that will improve a condition and/or lessen a negative Impact.

**MOBILE HOME** – A transportable, Single-Family Detached Dwelling intended for permanent Occupancy contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, that arrives at a Lot 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 PARK** – A Lot or Tract that contains two or more Mobile Home Lots for the placement of Mobile Homes.

**MONUMENT** – A permanent marker of stone or concrete, set to mark a boundary or a control point in a survey.

**MUNICIPALITIES PLANNING CODE (MPC)** – The Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247 as amended.

**NATURAL ENVIRONMENT** –The physical surroundings and Biological Resources of the Earth, including land, water, and air.

**NOISE** – Any sound that annoys or disturbs humans or animals or that causes or tends to cause an adverse psychological or physiological effect on humans or animals.

**NOTABLE TREES** – Trees of 12-inch DBH or greater.

**OCCUPANCY** – The purpose for which a Building or portion thereof is utilized or occupied.

**OCCUPANCY PERMIT** – A document issued by the Township Code Enforcement Officer allowing the Occupancy or other use of a permitted Building or other Structure and certifying that the Building or other Structure and the use thereof has been constructed and will be used in compliance with all applicable Township ordinances, Codes, regulations, Plans, and maps, as amended from time to time.

**OCCUPANT** – Any individual occupying, living, or sleeping in a Building or having possession of a space within a Building.

**OFFICIAL MAP** – A legally adopted map that conclusively shows the location of such features as existing and proposed Public Streets, Watercourses, and public grounds.

**OFFICIAL SEWAGE FACILITIES PLAN** – The Plan adopted by the Township and approved by the Pennsylvania Department of Environmental Protection that sets forth recommendations for the provision of adequate sewage systems in the Township in accordance with the Pennsylvania Sewage Facilities Act, Act 537.

**ON-LOT SEPTIC DRAIN FIELD** – An underground system of pipes and media intended to distribute effluent from the Septic Tank into the ground for absorption.

**ON-SITE SEWAGE DISPOSAL** – A single system of piping, a Septic Tank, or other approved facility serving a single Lot that is designed to collect and dispose of Sewage in whole or in part into the soil through an On-Lot Septic Drain Field and that is not connected to Public Sanitary Sewer.

**ON-SITE WATER SUPPLY** – An individual well serving one Lot and/or a water supply on a Lot occupied or to be occupied and serving permitted Buildings.

**OPEN SPACE** – An area of land, an area of water, or a combination of land and water, designed and intended to be restricted against development.

**OPEN SPACE PLAN** – The Chadds Ford Township Open Space Plan of 2007 and 2018, and any updates thereto.

**OWNER** – Any Person, Agent, Operator, firm, or corporation having a legal or equitable interest in the property or recorded in the official records of the state, county, or municipality as holding title to the property or otherwise having control of the property, including the guardian of the estate of any such Person, and the executor or administrator of the estate of such Person if ordered to take possession of real property by a court.

**PARCEL** – See **LOT**.

**PARKING SPACE** – A place of the size required in Chapter 135, Zoning to park one motor vehicle, car, truck, etc.

**PASTURE** – Land covered with grass or other Vegetation suitable for grazing animals, especially cattle or sheep.

**PERCOLATION TEST** – A field test in accordance with criteria of the Pennsylvania Department of Environmental Protection and the Sewage Enforcement Officer conducted to determine the suitability of the soil for On-Site Sewage Disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

**PERMEABLE** – Porous to water or to other liquids.

**PERSON** – An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public Utility, or any other legal entity whatsoever that is recognized by law as the subject of rights and duties.

**PHYSICAL RESOURCES** – Tangible elements or components of the natural environment that can be used or harnessed by humans. These resources include soils, minerals, landforms (such as mountains, valleys, and plains), geological structures (such as surface or subsurface rock), bodies of water (such as rivers, lakes, and oceans), and other natural features.

**PLAN** – A drawing or set thereof depicting the current and proposed physical features of and Improvement to land, and the proposed Development thereof.

- **AS-BUILT PLAN**– A Plan prepared by a Surveyor or Engineer showing dimensions and locations of all Improvements as actually constructed.
- **FINAL PLAN** – A Subdivision Plan and/or Land Development Plan prepared for official recording purposes depicting all features required in §§ 110-19 and 110-20 herein and all Plans, documents and submissions required therein.
- **IMPROVEMENT CONSTRUCTION PLAN** – A Plan prepared by an Engineer, Architect, or Landscape Architect showing the Construction details of Streets, drains, Sewers, bridges, Culverts, and other Improvements as required by this chapter, including horizontal Plans, profiles, and cross-sections.
- **LANDSCAPE PLAN** – A Plan depicting the design intent for the form, composition, species, sizes, quantities, installation, and maintenance of plantings, prepared in accordance with Chapter 135, Zoning and Chapter 110, Subdivision and Land Development.
- **PRELIMINARY PLAN** – A Subdivision and/or Land Development Plan filed as a basis for consideration and approval prior to preparation of a Final Plan depicting all features required in § 110-19 herein including an Improvements Construction Plan, Conservation Plan, and all other Plans, documents, and submissions required therein.
- **RECORD PLAN** – A Final Plan prepared for recording by an Engineer, Architect, Landscape Architect, or Surveyor, showing the ultimate width of Streets, Lot Lines, Easements, and any other relevant information pertaining to a Subdivision and/or Land Development as required by this chapter.
- **SKETCH PLAN** – A schematic Plan, not necessarily to exact Scale, indicating topographic, vegetative, and other salient existing features of a Tract and its surroundings and the general layout of the proposed Subdivision and/or Land Development in sufficient detail to provide disclosure of all significant Review matters prior to the filing of a Preliminary Plan for a proposed Subdivision and/or Land Development.
- **SOIL EROSION AND SEDIMENTATION CONTROL PLAN** – A Plan and related narrative report prepared in accordance with this chapter for the control and Mitigation of Soil Erosion and sedimentation.

**PLANNED RESIDENTIAL DEVELOPMENT** – An area of land controlled by a Landowner, to be developed as a single entity for a number of Dwelling Units, or combination of residential and nonresidential uses, the Land Development Plan for which does not correspond in Lot size, bulk, type of Dwelling, or use,

density, or intensity, Lot coverage, and required Open Space to the regulations established in any one district created, from time to time, under the provisions of this chapter.

**PLANNING COMMISSION** – The Chadds Ford Township Planning Commission.

**PLANNING COMMISSION SECRETARY** – An individual duly appointed by the Board of Supervisors who serves as the Secretary for the Township Planning Commission.

**PLANNING CONSULTANT** – A certified planner, recognized as such by the American Institute of Certified Planners, an Institute of the American Planning Association, who provides technical assistance to the Township in matters such as Subdivision and/or Land Development.

**PLANNING MODULE** – The process through which the township amends its official Act 537 Plan and all documents created incident to that process.

**PLANTING SCREEN** – A Planting Strip of specified dimensions consisting of required plantings that create or provide a Continuous Visual Buffer.

**PLANTING STRIP** – A strip of land lying between the Curb line, or edge of the Cartway, and the sidewalk or Walkway, and any area requiring a Planting Screen as specified in this chapter; Chapter 135, Zoning; or any other Township ordinances, Codes, regulations, Plans, and maps.

**POND** – A natural or artificial body of water that retains water year-round and is less than 2 acres in size.

**PREMISES** – The property including any Structures thereon.

**PRINCIPAL PERMITTED USE** – The primary Building, use, or other Structure permitted and intended for a Lot or Parcel.

**PRINCIPAL STRUCTURE** – The primary Structure on a Lot where the Principal Permitted Use takes place.

**PRIVATE SEWAGE DISPOSAL SYSTEM** – An on-site or off-site system in which Sewage is collected, conveyed, treated, and disposed of by means: approved by the Pennsylvania Department of Environmental Protection; in accordance with the Township's Sewage Facilities Plan; and administered, operated, and maintained by an approved homeowners' association or other private entity.

**PROFESSIONAL REVIEW FEES** – All fees and costs incurred by the Township in the course of its Review of an Application for Subdivision and/or Land Development

**PUBLIC HEARING** – A formal meeting held pursuant to Public Notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this chapter.

**PUBLIC NOTICE** – Notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

**PUBLIC SANITARY SEWER** – An off-site system in which Sewage is collected, conveyed, treated and disposed of by means: approved by the Pennsylvania Department of Environmental Protection; in accordance with a Sewage Facilities Plan approved by the Township; and administered, operated and maintained by a governmental agency, authority, or commission.

**PUBLIC WATER (PUBLIC WATER SYSTEM)** – An off-site system in which water is distributed and supplied by means approved by the state and Township, and administered, operated, and maintained by an organization that is regulated by a governmental agency, authority, or commission.

**RECREATION, ACTIVE** – Recreational activities that involve athletic and/or rigorous physical exertion. Such activities include but are not limited to individual or team sports, running, biking, boating/canoeing, swimming, and horseback riding.

**RECREATION, PASSIVE** – Recreational activities that are low Impact, usually quiet and not rigorously athletic. Such activities may include, but are not limited to walking, hiking, picnicking, bird watching and wildlife observation, and fishing.

**RECREATIONAL USE** – Any Active Recreation or Passive Recreation use.

**RESTRICTION** – A limitation on property that may be created in a Deed, lease, mortgage, through certain zoning, Subdivision, or other Township Codes, ordinances, regulations, Plans, or maps or conditions of approval of an application for Subdivision and/or Land Development.

**RESUBDIVISION** – The further division of Lots or the relocation of Lot Lines of any Lot or Lots within a Subdivision previously made and approved or recorded, or the Alteration of any Streets or the establishment of any new Streets within any such Subdivision. "Resubdivision" does not include conveyances made so as to combine entire existing Lots by Deed or other instrument.

**RETENTION BASIN** – A reservoir, formed from soil or other material that is designed to retain permanently a certain amount of Stormwater from a catchment area and may be designed to detain temporarily additional Stormwater runoff from the catchment area. Retention Basins also may receive fresh water from year-round Streams. Retention Basins always contain water, and thus may be considered man-made lakes or Ponds.

**REUSE** – A use for an existing Building or Parcel or Lot of land other than the use for which it was originally intended or made.

**REVIEW** – An examination of the Sketch, Preliminary, and/or Final Plan by the Township Planning Commission, Township Engineer, Planning Consultant, other Township officials, representatives and bodies, and the Board of Supervisors to determine compliance with this chapter and its regulations, Design Standards, and all other Township ordinances, Codes, regulations, Plans, or maps.

**RIGHT-OF-WAY** – A strip of land granted or reserved for public or private use.

**ROAD** – See **STREET**.

**SANITARY SEWAGE** – Any liquid waste containing animal or vegetable matter in suspension or solution, or the water-carried waste resulting from the discharge from bathrooms, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin generated by residential, commercial, institutional, industrial, recreational, or other establishments.

**SANITARY SEWER** – A pipe or piping system that conveys Sanitary Sewage.

**SCALE** – The relationship between distances on a map and the actual ground distances.

**SCREENING** – The use of plant materials, fencing, walls, earthen Berms, or combinations thereof, to aid in the concealment of such features as parking areas and vehicles within them, and to provide privacy between two or more different Land Uses or activities; a visual and/or sound buffer or other barrier.

**SEDIMENT** – Deposited Silt or other matter that is being or has been moved from its Site of origin by water or other means of erosion.

**SEPTIC TANK** – A watertight receptacle that receives the discharge of Sewage from a Building, Sewer or part thereof, and is designed and constructed so as to allow the settling of solids from this liquid, digestion of the organic matter, and discharge of the liquid portion into a disposal area.

**SETBACK** – 1) The required distance from a Lot Line to a Structure; 2) The required distance between two Structures, e.g., “the Setback between Buildings.”

**SEWAGE ENFORCEMENT OFFICER** – The local official who issues and reviews permit applications made pursuant to the Pennsylvania Sewage Facilities Act and conducts such investigations and inspections as are necessary to implement that Act and the rules and regulations thereunder.

**SEWER** – Any pipe or conduit used to collect and carry away Sewage or Stormwater runoff from the generating source of origin to treatment plants and to a receiving Stream or other Drainage Way.

**SEWER AUTHORITY** – Chadds Ford Township Sewer Authority.

**SEWER AUTHORITY ENGINEER** – A professional engineer (P.E.) licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Sewer Authority; or a firm of such engineers employed by the Sewer Authority or retained as a consultant thereto.

**SHADE TREE** – A woody plant, usually deciduous, that normally grows with one main trunk to a height in excess of 40 feet and has a canopy that provides shade in the summer and filters sunlight in the winter.

**SIGHT DISTANCE** – The required length of unobstructed visibility along a Street for a motorist.

**SINGLE AND SEPARATE OWNERSHIP** – The ownership of property by any Person, which ownership is separate and distinct from that of any adjoining property.

**SILT** – Finely divided particles of soil or rock, often carried in cloudy suspension in water and eventually deposited as sediment.

**SITE** – A Tract or Parcel of land or combination of Contiguous Lots or Parcels of land on which Grading, Construction, or Land Development is taking place, or is proposed to take place.

**SLOPE, STEEP** – Those areas of land that are characterized by a change in Elevation of 15% up to 25% based on three consecutive 2-foot Contours, which is six cumulative vertical feet of Grade change.

**SLOPE, VERY STEEP** – Those areas of land that are characterized by a change in Elevation in excess of 25% based on three consecutive 2-foot Contours, which is six cumulative vertical feet of Grade change.

**SOCIAL AND DEMOGRAPHIC CHARACTERISTICS** – Characteristics related to the distribution, density, and vital statistics of populations.

**SOIL EROSION** – The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, and/or ice.

**SOIL SURVEY** – A report entitled "Soil Survey - Chester and Delaware Counties, Pennsylvania," published May 1963 by the U.S. Department of Agriculture, Soil Conservation Service, and updated from time to time.

**SPECIAL EXCEPTION** – A use that is not permitted by right or as a Conditional Use but may be authorized by the Zoning Hearing Board after Public Hearing, provided that the proposed use is in accordance with the express standards and criteria specified in Chapter 135, Zoning and is in conformity with

other applicable general standards.

**STORM SEWER** – A Sewer that carries storm, surface, and ground water Drainage but excludes Sewage and residential, commercial, and industrial wastes.

**STORMWATER** – The water that accumulates from precipitation and is manifest in surface runoff.

**STORMWATER DETENTION** – Any storm Drainage technique that retards or detains runoff, in rate, volume, or otherwise, such as a Detention or Retention Basin, parking lot storage, rooftop storage, porous pavement, Drywell, or any combination thereof.

**STORMWATER MANAGEMENT PLAN** – A Plan for controlling surface water runoff to preclude erosion or Flooding and/or the Adverse Effects of impervious areas on surface water runoff as required by the Township ordinances, Codes, regulations, Plans, and maps.

**STREAM** – A type of Watercourse.

**STREET** – A Street, avenue, pike, boulevard, Road, highway, freeway, parkway, lane, Alley, viaduct, and any other way used or intended to be used by vehicular traffic or pedestrians whether public or private.

- **COLLECTOR STREET** - A Street intended to serve a principal role in collecting traffic from local Streets and providing access to higher classification roadways.
- **FRONT STREET** – The Street that the front of the Dwelling faces.
- **LOCAL STREET**
  - **CUL-DE-SAC** See "Cul-de-Sac."
  - **PRIMARY** A Street intended to serve a principal role in providing access to Lots abutting thereon, and as a means of collecting traffic from Local Secondary Streets and gaining access to Collector Streets.
  - **SECONDARY** A Street intended to serve a principal role in providing access to Lots abutting thereon and to Loop and Cul-de-Sac Streets and as the means for gaining access to Local Primary Streets.
- **LOOP STREET**– A Local Street that has its only Ingress and Egress at two points of the same connecting Street, or, at one point with the connecting Street, as would be the case if the Loop Street were in the form of a circle.
- **MINOR ARTERIAL STREET** – A Street intended to serve a principal role in accommodating traffic from Collector Streets and in carrying relatively large volumes of traffic between Principal Arterials and other Minor Arterial Streets.
- **PRINCIPAL ARTERIAL STREET**– A Street intended to serve a principal role in accommodating large volumes of traffic from lower classification roadways.
- **PRIVATE STREET** - A Street not offered or required to be offered for Dedication or duly accepted by the Board of Supervisors as a Public Street.
- **PUBLIC STREET** – A paved accessway that is manifest in one or more of the following: all state Roads and highways; all dedicated Roads maintained by the Township; all Roads for which the offer



of a Deed of Dedication has been made; and all Private Streets over which the general public has the right of access.

**STREET LINE** – The edge of a Street Right-of-Way.

**STREET TREE** – A Shade Tree within a Street Right-of-Way not less than 3 to 3½ inches in DBH. Street Trees recommended for use in the Township are listed as an attachment to this chapter.

**STRIPPING** – Cutting or any other activity that removes the vegetative surface cover such as tree removal, clearing, grubbing, and removal of topsoil.

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

**SUBDIVISION** – The division or redivision of a Lot, Tract, or Parcel of land by any means into two or more Lots, Tracts, Parcels, or other divisions of land including changes in existing Lot Lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, conveyance or other 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 10 acres, not involving any new Street or Easement of access or any residential Dwelling, shall be exempted.

**SURVEYOR** – A Person duly registered by the Commonwealth of Pennsylvania to practice surveying.

**SWALE** – An elongated depression in the ground that collects and Channels surface water runoff.

**TENANT** – A Person, corporation, partnership or group, whether or not the legal Owner of record, occupying a Building or portion thereof as a unit.

**TOWNSHIP** – Chadds Ford Township

**TOWNSHIP ENGINEER** – A professional Engineer (P.E.) licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for the Township; or a firm of such Engineers employed by the Township or retained as a consultant thereto.

**TRACT** –

- A. An area of land that is the subject of an Application for Subdivision and/or Land Development; or
- B. In the context of all other Development, an area of land that is or previously was the subject of a Subdivision and/or Land Development Plan application.

**TRAIL** – A route or path developed primarily for outdoor recreational purposes.

**TRANSPORTATION (CIRCULATION)** – A system for the movement of people or goods, including conveyors such as Streets and highways, Accessory facilities such as parking facilities and Driveways, attributes of conveyance such as traffic volumes, trip generation, and traffic controls.

**UTILITIES** – Facilities and provisions that are necessary for the proper functioning and habitability of the land and Structures within the Subdivision. Common examples of Utilities include water mains, fire hydrants, and Street lights; as well as Sewage and refuse disposal, storm Drainage, electrical distribution, natural gas, and telecommunications.

**VEGETATION** – All the plants or plant life of a place, taken as a whole.

**VISUAL RESOURCES** – Characteristics of the Natural and/or Cultural Environment that are visible. The Visual Resources of a particular area are typically expressed in terms of their visibility, character, and/or attractiveness relative to their amenity value and/or quality, or lack of it.

**WALKWAY** – A thoroughfare for pedestrian travel.

**WATERCOURSE** – A Channel or conveyance of surface water having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

**WETLAND** – An area with hydric soils that are inundated or saturated by surface water and/or groundwater that supports hydrophytic Vegetation such as swamps, bogs, marshes, and the like, such areas being regulated by the U.S. Army Corps of Engineers and/or the PA DEP.

**WOODLAND** – A Tree Mass or plant community of 10,000 square feet or more, in which either:

- A. Tree species are dominant or co-dominant and in which the branches of trees form a complete, or nearly complete, aerial canopy; or
- B. Trees are growing in close proximity to each other with the average size of such trees being not less than 4 inches DBH; or
- C. It is an area where timber has been harvested or trees damaged in the recent past that is being rejuvenated.

**YARD** – An area of each Lot, extending along the pertinent Lot Line and inward to a Principal Structure. The depth of the Yard is the shortest distance between the Principal Structure and the pertinent Lot Line.

- **FRONT YARD** – A Yard between a Principal Structure and a Street Line, extending the entire length of the Street Line.
  - For a Corner Lot, the Yards extending along all Streets or Shared Driveways are Front Yards.
  - For a Reverse Frontage Lot, the Yard extending along the Street to which access is provided is the Front Yard.
- **REAR YARD** – A Yard between a Principal Structure and a Rear Lot Line, extending the entire length of the Rear Lot Line. For a Corner Lot, the Yard opposite the Front Street is the Rear Yard.
- **SIDE YARD** – A Yard between a Principal Structure, not including a fence or wall under 4 feet in height, and a Side Lot Line, extending the entire length of the Side Lot Line. For a Corner Lot, all Yards that are neither Front Yards nor Rear Yards are Side Yards.

### **Article III: Plan Procedures**

#### **§ 110-8 General procedure.**

Whenever any Subdivision or Land Development is proposed, and before any permit for the erection of a Structure is granted, the Landowner or Developer shall apply for and obtain approval of such proposed Subdivision or Land Development in accordance with the procedures set forth herein for a Preliminary Plan and a Final Plan. Whenever a Conditional Use permit or Special Exception is required by Chapter 135, Zoning, for any use proposed or inherent in any proposed Subdivision and/or Land Development, all applications therefor shall be filed and all Plans, documents, and other submissions required to accompany same shall be filed with the Township at the same time of filing for Review of a Preliminary Plan for Subdivision and/or Land Development. Further, whenever the Landowner or Developer opts to do so, a Sketch Plan may be submitted in accordance with the procedures for same set forth herein.

### **§ 110-9 Sketch Plan.**

The Landowner or Developer may choose to submit a Sketch Plan for any proposed Subdivision and/or Land Development. The submission of a Sketch Plan does not constitute submission of an application for approval of a Subdivision and/or Land Development Plan. However, it does represent a basis for an informal discussion between the Planning Commission and the Landowner or Developer that may prove to be valuable to the prospective Applicant in formulating Plans, documents, and other submissions for Preliminary Plan approval. In the event that the Landowner or Developer submits a Sketch Plan, the following shall apply:

- A. Twelve copies of the Sketch Plan shall be submitted to the Township Secretary. In addition to the paper Plans and documents submitted, the Landowner or Developer shall submit an electronic copy of all documents, Plans, submittals, etc. in Portable Document Format (PDF) or other medium as recommended by the Township Secretary;
- B. In addition to furnishing copies of the Sketch Plan, the Landowner or Developer shall identify the name, address, and telephone number of the holder of legal title to the land involved; the nature of the Landowner's interest in the land (whether holder of legal or equitable title or otherwise); and the name, address, and telephone number of the Agent, if any. Such information shall be provided in writing;
- C. The Sketch Plan shall be submitted at least 21 days prior to the regular monthly public meeting of the Township Planning Commission at which the Plan will be Reviewed. Within this time period, the Township Engineer and/or Township Planning Consultant may submit Review comments on said Plan by letter or memorandum to the Secretary of the Planning Commission;
- D. The Planning Commission shall Review the Sketch Plan with the Landowner or Developer if such Person attends the regular monthly public meeting of the Planning Commission. In the event such Person does not attend said meeting, the Planning Commission Secretary shall indicate any and all Review comments pertaining to the Plan to the Landowner or Developer by written correspondence; and
- E. The Planning Commission's Review shall take into consideration the requirements of this chapter and all other Township ordinances, Codes, regulations, Plans, studies, and maps. special attention will be given to the following aspects: the arrangement, location, and width of Streets and their relation to the topography of the Site; the arrangement, size, and positioning of Lots and any proposed Structures; Drainage; the relation of the Subdivision and/or Land Development to the natural features of the Site; the potential further Development of adjoining lands that may not yet be subdivided; the compatibility of the Sketch Plan with the Comprehensive Plan; and the requirements set forth in Article IV pertaining to the Sketch Plan submission.

### **§ 110-10 Preliminary Plan.**

The preliminary Subdivision and/or Land Development Plan shall be prepared in accordance with the requirements set forth in Article IV pertaining to Preliminary Plan filing or submission. When a Preliminary Plan is filed, the following shall apply:

- A. The Applicant shall complete and sign the Application Form provided by the Township and shall accompany such Application Form with the type and number of Plans, documents, and other submissions required and the requisite filing fee(s). The Applicant must identify the name, address, and telephone number of the record holder of legal title to the land involved (if different from the Applicant), the nature of the Applicant's interest in the land (whether holder of legal or equitable title or otherwise), and the name, address, and telephone number of the Agent, if any. No application shall be deemed filed unless all requirements have been met and all fees therefor paid in full;
- B. Fifteen black line or blue line prints of the Preliminary Plan submission and eight neatly bound, clear, and legible copies of all required documents and other submissions shall be submitted to the Township

Secretary. In addition to the paper Plans and documents submitted, the Landowner or Developer shall submit an electronic copy of all documents, reports, Plans, submittals, etc. in Portable Document Format (PDF) or other medium as recommended by the Township Secretary. Additional electronic files may be required by the Township Engineer;

- C. The Preliminary Plan and application for Subdivision and/or Land Development shall be submitted at least 21 days prior to the regular monthly public meeting of the Township Planning Commission at which the Preliminary Plan is to be Reviewed. Within this time period, the Township Engineer, the Planning Consultant, and other professionals may submit Review comments on said Plan by letter or memorandum to the Secretary of the Planning Commission with copies to the Township Secretary, the Board of Supervisors, and the Chairman of the Township Planning Commission. The Applicant shall notify the Abutting Owners that a Preliminary Plan proposed for the subject Tract has been filed. Such notification shall occur at least 10 days prior to the aforementioned meeting. Evidence of such notification shall be presented to the Planning Commission at said meeting;
- D. The Planning Commission shall Review the Preliminary Plan at its regular monthly public meeting and discuss the submission with the Applicant to determine if it meets the regulations and standards set forth in this chapter and the other Township ordinances, Codes, regulations, Plans and maps. The Planning Commission shall submit its report to the Board of Supervisors for consideration at the next regularly scheduled meeting of the Board following the completion of the Planning Commission's Review;
- E. During the course of the Planning Commission's Review of the Preliminary Plan and prior to any action by the Board of Supervisors, the Preliminary Plan may be revised by the Applicant. Fifteen copies of any revised Preliminary Plan shall be submitted, which shall note the dates of any and all revisions and a summary of the nature thereof. The 90-day time period referenced in § 110-10.H shall recommence from the date of the Planning Commission's meeting next following the filing of the revised Preliminary Plan. The revised Preliminary Plan shall be submitted to the Township at least 21 days prior to a regular monthly public meeting of the Planning Commission;
- F. Before acting on any Preliminary Plan, the Board of Supervisors or the Planning Commission may hold a Public Hearing thereon after Public Notice;
- G. In acting upon the Preliminary Plan, the Board:
  - (1) Shall Review the report and/or written comments of the Planning Commission, Township Engineer, Planning Consultant, and county agencies as well as comments from Public Hearings, if any, to determine its conformance to this chapter and all other Township ordinances, Codes, regulations, Plans, and maps;
  - (2) May modify any Subdivision or Land Development Plan requirement and may specify conditions, changes, or additions thereto, which it deems necessary; and
  - (3) May decide to grant approval of a Preliminary Plan subject to conditions, changes, or additions.
- H. The Board of Supervisors shall render a decision on every Preliminary Plan not later than 90 days following the date of the regular monthly public meeting of the Planning Commission next following the date the complete application is filed, provided that should the Planning Commission meeting occur more than 30 days following the filing of such application, the said 90-day period shall be measured from the thirtieth day following the day the complete application has been filed;
- I. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to the Applicant at the address shown on the Application Form not later than 15

days following the decision or at the end of the above mentioned 90-day period, whichever shall occur first; and

- J. In the event the Preliminary Plan is not approved as filed, the decision shall specify the defects found in the Preliminary Plan for Subdivision and/or Land Development and describe the requirements that have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon.

**§ 110-11 Final Plan.**

The final Subdivision and/or Land Development Plan shall be prepared in accordance with the requirements set forth in Article IV pertaining to Final Plan submission. When a Final Plan is filed, the following shall apply:

- A. Within 1 year after the date of approval of the Preliminary Plan, the Applicant shall file a Final Plan and all supplementary information, data, and documents together with a completed and signed Application Form provided by the Township and the appropriate filing fees. No such application shall be deemed filed unless all requirements have been met and all fees therefor paid in full;
- B. Unless an extension of time has been granted by the Board of Supervisors upon written request of the Applicant, a Final Plan filed after the 1-year period shall be considered a new Preliminary Plan, which shall be required to comply with all Preliminary Plan application procedures and requirements of this chapter, and shall be subject to a Preliminary Plan application fee;
- C. The Board of Supervisors may authorize submission of the Final Plan in sections, each covering approximately 25% of the entire area proposed for Subdivision and/or Land Development or 25% of the number of Buildings or other Structures proposed for Land Development as shown on the approved Preliminary Plan, provided that the first Final Plan section shall be submitted within the aforementioned 1-year period, and the last Final Plan section shall be submitted within 3 years after the date of Preliminary Plan approval;
- D. The Final Plan shall conform in all respects to the Preliminary Plan as previously Reviewed, and to which approval or conditional approval was granted, or the Plan shall be considered as a new Preliminary Plan;
- E. Fifteen black line or blue line prints of the Final Plan submission and eight neatly bound, clear, and legible copies of all required documents and other submissions shall be submitted to the Township Secretary. In addition to the paper Plans and documents submitted, the Landowner or Developer shall submit an electronic copy of all documents, reports, Plans, submittals, etc. in Portable Document Format (PDF) or other medium as recommended by the Township Secretary. Additional electronic files may be required by the Township Engineer;
- F. The application and Final Plan for Subdivision and/or Land Development shall be submitted at least 21 days prior to the regular monthly public meeting of the Township Planning Commission at which the Final Plan is to be Reviewed. Within this time period, the Township Engineer and the Planning Consultant may submit Review comments on said Plan by letter or memorandum to the Secretary of the Planning Commission, the Board of Supervisors, and the Chairman of the Township Planning Commission;
- G. The Planning Commission shall Review the Final Plan at its regular monthly public meeting and discuss the Final Plan with the Applicant to determine if the Final Plan meets the regulations and standards set forth in this chapter and all other Township ordinances, Codes, regulations, Plans, and/or maps. The Planning Commission shall promptly submit its report to the Board of Supervisors for consideration at the next regularly scheduled meeting of the Board following the completion of the Planning Commission's Review. A copy of the report shall also be given to the Applicant;

- H. During the course of the Planning Commission's Review of the Final Plan and prior to any action by the Board of Supervisors within the required 90-day period, the Final Plan may be revised according to the procedure for Preliminary Plan revisions and as set forth in § 110-10.E herein, and a new 90-day Review period will begin as also set forth in § 110-10.E;
- I. After a report on the Final Plan has been submitted to the Board of Supervisors by the Planning Commission, the Board shall place such Final Plan on its agenda for Review and action;
- J. Before acting on any Final Plan, the Board of Supervisors or Planning Commission may hold a Public Hearing thereon after Public Notice;
- K. The Board shall within the 90-day period referenced in § 110-11.L:
  - (1) Review the recommendations of the Township Planning Commission and other reviewing agencies;
  - (2) Determine whether the Final Plan meets the requirements of this chapter, other ordinances of the Township, and other applicable regulations; and
  - (3) Approve or disapprove the Final Plan. Approval of the Final Plan may include certain conditions of approval.
- L. The Board of Supervisors shall render a decision on the Final Plan and communicate it to the Applicant not later than 90 days following the date of the regular monthly public meeting of the Planning Commission next following the date the complete application was filed, provided that should the said meeting occur more than 30 days following the filing of the complete application, the said 90-day period shall be measured from the thirtieth day following the day the complete application was filed;
- M. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or mailed to the Applicant at the address shown on the Application Form not later than 15 days following the decision, or at the end of the above mentioned 90-day period, whichever shall occur first;
- N. In the event the Final Plan is not approved as filed, the decision shall specify the defects found in the Final Plan and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon;
- O. In the event the Final Plan is approved, it shall be signed by the following individuals:
  - (1) An Engineer, Surveyor, or other qualified professional employed by the Applicant, certifying that the Monuments shown thereon exist as located, and that all dimensions, topographic details, and other Plan information is correct;
  - (2) The Applicant, signifying his or her acceptance of the Final Plan approval;
  - (3) The Township Engineer, signifying that s/he has examined the Final Plan and that it conforms to all Township ordinances, Codes, regulations, Plans, and maps;
  - (4) Two of the Supervisors, signifying the approval of the Final Plan by the Board of Supervisors; and
  - (5) Planning Commission Chair, signifying the Review of the Plan by the Planning Commission.
- P. When properly signed, the Township Secretary shall distribute six copies of the Final Plan on behalf of the Board of Supervisors, as follows:

- (1) Two copies shall be returned to the Applicant, together with an executed copy of the Subdivision agreement;
  - (2) Two copies shall be forwarded to the Applicant for recording purposes in accordance with §110-14 herein;
  - (3) One copy to DCPD; and
  - (4) One copy shall be retained by the Township Secretary.
- Q. Approval of the Final Plan shall constitute approval of the Subdivision and/or Land Development as to the character and intensity, the arrangement and approximate dimension of the Streets, Lots, and other proposed features, but shall not authorize the sale or transfer of Lots, or the Development of land until Construction is permitted to commence in accordance with § 110-15 herein. Nor shall such approval constitute a waiver or release, or assumption by the Township of any requirements of any Township ordinances, Codes, regulations, Plans, or maps;
- R. Every Final Plan approval shall be subject to the following:
- (1) The Applicant shall execute a Subdivision and Land Development agreement in accordance with § 110-13 herein;
  - (2) The Applicant shall execute a Completion Guarantee in accordance with Article VI herein, when deemed applicable by the Board of Supervisors;
  - (3) The Applicant shall tender a Deed of Dedication to the Township, if requested by the Board of Supervisors, for public Improvements, Easements and other appurtenances, and Improvements thereto, after such Improvements are completed and such completion is certified as being satisfactory by the Township Engineer; and
  - (4) The Applicant shall file with the Township copies of all required permits, approvals, agreements, clearances, and the like from all required governmental agencies (such as the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection, and/or the Township); authorities and companies that may provide water supply or Sewage disposal facilities; and pipeline Easement holders or others.

**§ 110-12 Plan requirements for recreational lands and facilities.**

**A. Residential Subdivisions and Land Developments.**

- (1) In reviewing a Sketch Plan, Preliminary Plan, or Preliminary/Final Plan for a proposed Subdivision or Land Development other than a one-Lot residential Subdivision, the Township Planning Commission shall consider the needs of the prospective residents for recreational lands and/or facilities, whether on-site or off-site, and shall discuss its findings in relation to the requirements of this section.
- (2) The final approval of the plan by the Board of Supervisors shall be contingent on the following: the Dedication of suitable land for public use, the Construction of recreational facilities (if agreed upon with the Applicant), the payment of fees in lieu of land Dedication, the private reservation of land, or a combination thereof, all for the purpose of park or recreation use. It is the intent of the Township to further and more effectively implement the Chadds Ford Township Comprehensive Plan and the Township Open Space Plan as they relate to Open Space, recreation, and natural feature protection needs within Chadds Ford Township. Residential Development creates demands for local recreational lands and facilities, and Developers of residential land need to contribute proportionately to meeting

that demand.

(3) Land meeting other objectives.

- (a) The Board of Supervisors, at its sole discretion, may determine that land within the Tract that meets other objectives can satisfy some or all of the requirements of this section. It shall be the burden of the Applicant to demonstrate why such land is a suitable alternative to recreational lands and/or facilities and how such land will serve the residents of the Development. In reaching its decision, the Board shall evaluate the Applicant's proposal in relation to objectives and factors that may include, among others:

[1] Opportunities for Passive Recreation;

[2] Protection of important and characteristic scenic and/or natural features, particularly where such features are delineated in the Chadds Ford Township Open Space Plan;

[3] Retention, creation, and/or Improvement of important Trail linkages or corridors; and

[4] Neighborhood or sub-neighborhood scale park areas designed especially for the ages and needs of the prospective new residents (e.g., tot lots, fitness Trail, etc.).

- (b) The Applicant must also demonstrate that the active recreational needs of the residents are adequately addressed by the Applicant's proposal, and that the proposed alternative is consistent with the Township's open space goals and programs, including but not limited to those presented in the Chadds Ford Township Open Space Plan.

(4) If the Board of Supervisors determines that the Preliminary Plan does not provide land and facilities meeting the criteria of Subsection A(2) or (3) above, the Board of Supervisors may accept a fee in lieu of the required recreational lands and facilities, as set forth in Subsection A(8), below.

- (a) The Board, in its sole discretion, may accept a combination of land, facilities, and fee if that arrangement best meets the purposes of this section and the needs of Township residents.

- (b) If a combination of land, facilities, and fee is proposed, the Applicant may request that, in determining the partial fee amount, the Board give appropriate credit for the value of any Improvements within the Open Space that may be proposed, including Trails. The Board may give the Applicant credit for some, all, or none of such value.

(5) In determining whether the Applicant may pay a fee in lieu of recreational lands and/or facilities within the proposed Development, the Board of Supervisors may, as it deems appropriate, be guided by the following additional criteria:

- (a) The provisions of the Township's Comprehensive Plan and Open Space Plan;

- (b) The proximity of the proposed Development to existing or proposed public Open Space and recreational areas;

- (c) The natural and scenic characteristics of the Tract on which the Development is proposed and their compatibility with active and Passive Recreation; and

- (d) Any existing commitments of the Township to purchase or improve land for Open Space and recreational purposes.



- (6) The standards of this section are intended to apply to all residential Subdivisions and Land Developments, including applications submitted for any single-family, two-family, and multifamily Development; and Mobile Home Park.
- (7) If the Board determines that a set-aside of land and the provision of recreational facilities within the Tract proposed for Development will satisfy the requirements of this section, the minimum amount of such land to be set aside shall be calculated on the basis of 1 acre per 20 new Dwelling Units to be constructed on the Tract, or the proportional equivalent thereof. The type and extent of recreational facilities shall be as determined appropriate by the Board of Supervisors.
- (8) Standards for the payment of fees in lieu of land and/or recreational facilities.
  - (a) If the Board of Supervisors determines that a combination of land/facilities and fee is to be provided, the amount of the fee shall be prorated in accordance with the amount of land to be set aside and the value of facilities to be provided.
  - (b) A note shall be placed on the Plan submitted for final approval, stipulating the amount of the fee to be paid.
  - (c) The full amount of the fee shall be paid or otherwise secured in a manner deemed acceptable by the Board of Supervisors as a condition of Final Plan approval and prior to recording the approved Final Plan.
  - (d) All fees received pursuant to this section shall be placed in a special capital reserve fund for Open Space and recreation, the purpose of which shall be to hold, invest, and disburse such monies. Disbursements from this fund shall be made from time to time as the Board shall deem appropriate, only in conjunction with the Planning, purchase, Improvement, maintenance, replacement, and addition to Township lands for use as Open Space and recreation for the benefit of the citizens of the Township as provided for in the Second Class Township Code or other applicable rules, regulations, or statutes. All sums received for and deposited in the Open Space Fund shall be held, invested, and reinvested in the same manner as other funds of the Township, but shall not be considered part of the general revenues of the Township.
- (9) Characteristics and Design Standards for recreational lands and facilities. In designing lands for recreational purposes within the Subdivision or Land Development Plan, the following criteria and standards shall be adhered to by the Applicant. Areas shall be:
  - (a) Consistent with the Township's Comprehensive Plan and the Township's Open Space Plan;
  - (b) Suitable for Recreational Uses, unless approved by the Board for other purposes, and in any case they must not interfere with adjacent Dwelling Units, parking, Driveways, and/or Roads;
  - (c) Comprised of open land that contains none of the following features: Floodplains, Woodlands, slopes exceeding 15%, wetlands, and surface waters, except when the Board specifically accepts land with such features as satisfying the purposes of this section, consistent with Subsection A(3), above;
  - (d) Interconnected with parkland or with Open Space areas on abutting Parcels wherever possible;
  - (e) Comprised of areas not less than 100 feet in width and not less than 15,000 square feet of contiguous area, except that the minimum width may be reduced to not less than 10 feet where that portion of the Open Space is being used solely as a Trail corridor;

- (f) Provided with sufficient perimeter parking when necessary, and with safe and convenient access by adjoining Street Frontage or other Rights-of-Way or Easements capable of accommodating pedestrian, bicycle, maintenance equipment, and other vehicular traffic, and containing appropriate access Improvements;
- (g) Undivided by any public or private Street except when the Board of Supervisors determines that such division is necessary for efficient traffic circulation;
- (h) Free of all Structures, except those related to outdoor Recreational Use;
- (i) Suitably landscaped, whether by retaining existing natural cover and/or by a Landscape Plan for enhancing open space areas through plantings that are consistent with the purposes of this section and that minimize maintenance costs; and
- (j) If the land is not dedicated to the Township, the land shall be subject to the terms of a conservation Easement for the purpose of preserving the Open Space land for the purposes intended.

**B. Nonresidential Subdivisions and Land Developments.**

- (1) Statement of intent. After reviewing the recommendations of the Planning Commission, the Board of Supervisors shall assess the need for specific obligations prior to granting Final Plan approval. These obligations may entail the Dedication of suitable public land for the intended use, the Construction of recreational facilities, the payment of fees in lieu of public land Dedication, the private reservation of land, or a combination of these measures. These requirements serve as conditions for the final approval of the plan, with the aim of fulfilling park or recreation needs. It is the intent of the Township to further and more effectively implement the Chadds Ford Township Comprehensive Plan and the Township Open Space Plan as they relate to Open Space, recreation, and natural feature protection needs within Chadds Ford Township. Nonresidential Development creates additional demands upon local recreational lands and facilities, and Developers of nonresidential land need to contribute proportionately to meeting that demand.
- (2) Required recreational lands and facilities or fees in lieu thereof.
  - (a) Except as exempted in Subsection **B(2)(b)**, below, any proposed nonresidential Subdivision or Land Development shall provide recreational lands and facilities. The Board of Supervisors may accept, pursuant to Subsection **A(4)** herein, a fee in lieu of the required recreational lands and facilities, and/or fees in lieu thereof in accordance with the terms of this chapter. These requirements are designed to address the demand for park and recreational facilities resulting from the additional Employees, customers, and/or clients that will be generated by the proposed Development.
  - (b) Applications for Subdivision or Land Development approval where the principal uses are to be agricultural shall be exempt from the provisions of this section.
  - (c) For commercial Developments, the Board of Supervisors may consider the permanent set-aside or Dedication of on-site lands and facilities, or a combination of land, facilities, and fees, or the payment of a fee in lieu thereof. The Applicant must demonstrate how the chosen alternative will meet the purposes of this subsection and the recreational demands created by the proposed Development. In evaluating a request, the Board shall also consider:

[1] Whether the location complements other existing or proposed recreational or Open Space

lands, or meets the needs of an area with particularly strong demands;

[2] Whether the site is suited for public recreation rather than being restricted to recreation for occupants and visitors to the primary use located thereupon.

[3] The potential relationship to future Township Plans and programs; and

[4] The factors in Subsection A(5), above.

- (d) If the Board determines that allocating land (or land and facilities) within the proposed Development Tract fulfills the criteria of this section, the minimum land set aside shall be determined by allocating 250 square feet of land, meeting the criteria of this section, per every 500 square feet of Gross Floor Area, or any portion thereof, designated for the primary use of the property. The type and size of recreational facilities shall be determined by the Board of Supervisors.
- (e) Characteristics and design of lands to be set aside shall be in accordance with the standards in Subsection A(9), above.
- (f) Responsibility for ownership and maintenance of on-site recreational lands and Trails facilities shall remain with the Developer or subsequent Owner of the Site, unless the Board accepts an offer of Dedication of some or all of the land.
- (g) The standards governing documentation, payment, deposit, and use of any fees accepted as an alternative to reserving land and facilities shall be as set forth in Subsection A(8), above.
- (h) The fee in lieu of reserving recreational land and/or facilities for residential or commercial Development shall be established by the Board of Supervisors by resolution and shall be subject to adjustment as the Board deems appropriate.

**§ 110-13 Land Development and Improvement Security Agreement.**

Every Applicant who receives Final Plan approval shall execute agreements upon a form to be provided by the Township before the Final Plan is signed by the Board of Supervisors for recording. The agreements shall include but not be limited in scope to the following:

- A. That the Applicant agrees to accurately lay out and properly construct all Improvements and comply with the prescribed practices as specified in the approved Final Plan, including the Plans, profiles, notes, and other relevant documentation. These Improvements and practices must meet the conditions set forth for approval. Additionally, the Applicant is obligated to submit an As-Built Plan in accordance with § 110-16 to confirm the implementation of these requirements;
- B. That the Applicant shall complete the Improvements and engage in the practices as referenced in § 110-11.A herein within the time or times specified by the Board of Supervisors, and in accordance with § 110-15 herein;
- C. That the Applicant guarantees completion and maintenance of all Improvements by means of acceptable forms of financial security to the Township as set forth in Article VI herein;
- D. That the Applicant agrees to tender a Deed of Dedication to the Township if requested by the Board of Supervisors for public Improvements, Easements, and other appurtenances and Improvements thereto, except that the Township shall not accept any offer of Dedication of same by ordinance or resolution until their completion is certified as being satisfactory by the Township Engineer;

- E. That the Applicant shall reimburse the Township for all of its costs in connection with: (i) reviewing and approving plans and specifications; (ii) inspecting Construction of the public and quasi-public Improvements associated with the Final Plan; (iii) removing snow from the Streets in the Subdivision or Land Development that are to be offered for Dedication until such time as Dedication is duly accepted by the Board of Supervisors; and (iv) legal or other expense incurred by the Township in connection with the drafting, implementation, and enforcement of the Record Plan or the agreements contemplated by this paragraph;
- F. That the Applicant shall comply fully with all of the terms and conditions of this chapter as the same relate to the Subdivision or Land Development and all other Township ordinances, Codes, regulations, Plans, and maps;
- G. That in case a proposed Street is not intended for Dedication or is not accepted by the Board of Supervisors, the Applicant must agree to abide by stipulations that will be duly noted on the Final Plan. These stipulations may include the following:
  - (1) That the Township shall not be responsible for repairing or otherwise maintaining any undedicated Streets;
  - (2) That the method of assessing repair and maintenance costs of undedicated Streets shall be established in recorded Deed Restrictions so as to be binding on all successors, assigns, or grantees; and
  - (3) That if Dedication be sought at any time, the Street shall conform in its entirety to Township Design Standards for same in all respects; or that the Owners of the Lots shown on the approved Final Plan, at their own expense, modify the Street to conform with or otherwise render the Street in conformance with such standards.
- H. That the Applicant procure insurance coverage designating the Township as an additional insured. The specific types of insurance and the minimum coverage amounts shall be determined by the Township.

**§ 110-14 Recording of Final Plan.**

- A. Within 90 days after the Board of Supervisors approves a Final Plan, except as that date may be extended by resolution of the Board of Supervisors affirming such approval, the Applicant shall cause one copy of the Final Plan to be recorded in the office of the Recorder of Deeds in and for the County of Delaware, Pennsylvania, and shall notify the Board of Supervisors in writing, certified mail return receipt requested, of the date of such recording, and the Plan Book and page in which the same has been recorded. Should the Plan not be recorded within such period, the action of the Board of Supervisors in approving the Final Plan shall be null and void.
- B. The Final Plan to be recorded shall be: in the precise form of the approved Final Plan; subject to any conditions of approval; prepared in accordance with the provisions of this chapter; and filed with the Recorder of Deeds before proceeding with the sale of Lots or Construction of Buildings or other Structures, or Improvements.

**§ 110-15 Commencement of Construction of Improvements.**

- A. Once the Township has received a copy of the Recorder of Deeds receipt for the recording of the Final Plan, the Township Secretary shall issue a Subdivision and Land Development permit to the Applicant. No Construction shall be commenced until the Subdivision and Land Development permit has been issued by the Township along with any other Township permits, when applicable, such as a Grading, Soil Erosion and sedimentation control, and Stormwater management permit and/or a Building Permit.

- B. Construction shall not be commenced until the Applicant files with the Township Secretary all permits, approvals, clearances and the like from government agencies (such as those from the Pennsylvania Department of Transportation, the Pennsylvania Department of Environmental Protection and/or the Township); authorities and companies that may provide water supply or Sewage disposal facilities; and pipeline Easement holders or others.
- C. The Applicant shall initiate Construction of the approved Improvements within 5 years from the date of Final Plan approval. If Construction has not commenced or has failed to remain in general compliance with the approved construction schedule during this timeframe, the Final Plan shall become invalid and void. Consequently, the approval granted for the Plan shall be automatically revoked without the need for additional actions upon the expiration of the 5-year period.

**§ 110-16 As-Built Plan.**

After Final Plan approval and upon completion of all required Improvements, the Applicant shall submit an As-Built Plan prepared by an Engineer or Surveyor showing the location, dimension, and Elevation of all Improvements in accordance with §§ 110-23 and 110-42 herein. Said Plan shall indicate that the resultant Grading, Drainage, and sedimentation and erosion control practices are in conformance with the previously approved drawings and specifications. Said Plan shall note any and all deviations from the previously approved drawings and specifications. Three paper copies and one electronic copy of the As-Built Plan shall be filed with the Township Secretary.

**Article IV: Plan Requirements**

**§ 110-17 General requirements**

Subdivision and/or Land Development Plans, with the exception of the Sketch Plan, shall be prepared by an Architect, Land Planner, Landscape Architect, Engineer, or Surveyor, as defined in Article II herein, and an Engineer shall certify that all Plans, documents, and other submissions comprising such Plans are correct.

**§ 110-18 Sketch Plan.**

As a Sketch Plan is not required under the terms of this chapter, the submission thereof shall not be construed to mean or imply the submission or filing of a Subdivision and/or Land Development Plan for approval. Landowners or Developers are urged for their own benefit to prepare a Sketch Plan and to Review the same with the Planning Commission prior to the preparation of the preliminary Subdivision and/or Land Development Plan. Such a Review may be conducted for the purpose of engaging in a discussion of the proposed use(s) and the location and arrangement of Lots, Streets, Improvements, and other Construction with regard to such items as existing Township ordinances, Codes, regulations, Plans, studies and maps, the Comprehensive Plan, the Site and its natural features, and adjoining areas and facilities. When submitted, the Sketch Plan shall include the following:

- A. A location map that highlights the location of the Tract within the Township and depicts adjoining and nearby Roads;
- B. Tract boundaries, with dimensions, and names of Abutting Owners;
- C. North arrow, Scale, and date;
- D. Streets on and adjacent to or near the Tract, properly named or identified;
- E. Natural features of the Site related to existing topography, soils, Vegetation, and Watercourses, including such features as Steep Slopes, Very Steep Slopes, Flood Hazard Areas, and other critical environmental areas;

F. Man-made features of the Site including existing Buildings and major Structures;

G. Proposed general Street and Lot layout;

H. In the case of a Land Development Plan, the proposed location of all Buildings and major Structures, parking areas, and other Construction and/or Improvements; and

I. Proposed method(s) of water supply and Sewage disposal.

**§ 110-19 Preliminary Plan.**

The preliminary Subdivision and/or Land Development Plan and all accompanying maps and Plans required by this chapter shall be drawn to a Scale of 1 inch equals 50 feet or less and shall be submitted no smaller than 17 inches by 22 inches and no larger than 24 inches by 36 inches. If two or more sheets are required, a key shall be shown on each sheet, and an overall index sheet (24 inches by 36 inches) shall be submitted. The Preliminary Plan shall reflect the following:

A. Illustrations and notes including the following:

- (1) A location map that highlights the location of the Tract within the Township and depicts properties of Abutting Owners and adjoining and nearby Roads. The location map shall be drawn at a Scale of 1 inch equals 2,000 feet or less;
- (2) Proposed Subdivision or Land Development name or identifying title;
- (3) North arrow, Scale, and date;
- (4) Name, address, and telephone number of the Applicant, Landowner, Developer, and the authorized Agent, if any;
- (5) Name and signature of Engineer, Surveyor, Landscape Architect and Land Planner, or Architect responsible for having prepared the Plans forming a part of the Preliminary Plan and any other documents or submissions forming a part of the Preliminary Plan;
- (6) Proposed Lot boundaries, with dimensions and Bearings and Distances;
- (7) When the Preliminary Plan includes only a portion of a Landowner or Developer's entire Tract or such portion is contiguous to another Tract of the Landowner or Developer, the dimensions and Bearings and Distances of the balance of such entire Tract or other Tract shall also be shown;
- (8) Names and addresses of Abutting Owners;
- (9) Zoning on and adjacent to the Tract, including notes regarding the relevant area and bulk regulations for each zoning district that pertains to the Tract, with an indication of conformance to same, such as the percent of any Lot Area covered by Impervious Surfaces and the percent of any Lot Area covered by Buildings. In addition, should the Floodplain Conservation District overlay the Tract, the following shall apply:
  - (a) Within the Floodplain Conservation District, Flood Hazard Areas shall be accurately and conspicuously delineated, depicted and otherwise noted in accordance with same described in Article XIX of Chapter 135, Zoning, and shown on the Floodplain Conservation District Map. Such delineation and notation shall include graphic symbolism to distinguish the Flood Hazard Area, and a brief but accurate summary of the regulations pertaining to such areas.

- (10) The use(s) proposed in the Chadds Ford Township Comprehensive Plan that pertain(s) to the Tract;
- (11) Existing Contours at vertical intervals of 2 feet based on Contour information derived from the most recent U.S. Geological Survey Quadrangles for West Chester, Pennsylvania; and Wilmington North, Delaware-Pennsylvania, unless the subject property includes Steep or Very Steep Slopes, in which case the Contour information shall be derived from an actual topographic survey for the property, consistent with national mapping accuracy standards, evidence of which may be required by the Planning Commission. Slopes shall be accurately and conspicuously depicted as follows:
  - (a) Very Steep Slopes and Steep Slopes shall be shown for all portions of the Tract with Contour lines at 2-foot intervals; and
  - (b) Slopes from 0% to 4%, 4% to 10%, and 10% to 15% shall be shown for all portions of the Tract that are proposed for Streets and individual and Shared Driveways.
- (12) Datum to which Contour Elevations refer, and reference to known, established benchmarks and Elevations;
- (13) All existing surface water resources, such as Watercourses, Ponds and springs, and other natural Drainage features;
- (14) Existing wooded areas, hedgerows, and freestanding trees indicating the DBH of those that are to be removed;
- (15) Soil types as identified in the Soil Survey of Chester and Delaware Counties, including a listing of the soil characteristics pertaining to slope, depth to seasonal high-water table, and depth to bedrock;
- (16) All existing man-made features such as Buildings, Storm and Sanitary Sewers, water mains, Culverts, Utility lines and pipe lines, fire hydrants, and the like;
- (17) All existing Streets, on or adjacent to the Tract, including name, Right-of-Way width, and Cartway width;
- (18) All existing property lines, Easements, and Rights-of-Way, along with their dimensions and Bearings and Distances, and the purpose for which such Easements or Rights-of-Way have been established;
- (19) Total acreage of the Tract, the acreage and square footage of the individual Lots proposed therein, and the number of Lots, Dwelling Units, Buildings, and other Structures proposed;
- (20) A full Land Development Plan including the following:
  - (a) Proposed Lot Lines with dimensions, proposed minimum Setbacks, the proposed Building Envelope (using a dashed line to reflect the minimum Yard and Setback requirements), End Lines of all Shared Driveways, and Lot numbers in consecutive order;
  - (b) Proposed Contours at vertical intervals of 2 feet;
  - (c) The first-floor Elevation of each proposed Building;
  - (d) Location, alignment, and width of all proposed Streets, Alleys, Driveways, Rights-of-Way, and Easements; the identification of Street names; and the purpose for which private Rights-of-Way or other Easements are proposed;

- (e) Location, size, and Invert Elevation of all sanitary and Storm Sewers and location of all manholes, inlets, and Culverts;
- (f) Building locations and parking areas in relation to industrial, commercial, or institutional Land Development and, when applicable, provisions for traffic control, loading areas and docks, and lighting;
- (g) A preliminary Landscape Plan depicting proposed Street Trees, plantings within Cul-de-Sac turnaround areas, Buffer Area plantings, and other plantings as required;
- (h) Proposed public Buildings, public areas, playgrounds, and Parcels of land proposed to be offered for Dedication or reserved for public use; and
- (i) Any proposed Structures, Improvements, and/or Construction in addition to the above.

(21) Proposed location and method of water supply and Sanitary Sewage disposal on each Lot.

B. The Preliminary Plan shall also be accompanied by the following materials:

- (1) A copy of the Deed for the subject Tract;
- (2) Architectural elevations of Buildings, other Structures, and/or Dwelling Units proposed to be constructed, indicating proposed materials and colors;
- (3) An environmental Impact Assessment (EIA) Report as set forth in Article VII, § 110-52, herein;
- (4) A preliminary timetable for the proposed sequence of the Subdivision and/or Land Development. The timetable shall indicate the order in which Construction activities will occur, and may either be in letter form or shown on the Plan;
- (5) A Planning Module for Land Development as required by Act 537, the Pennsylvania Sewage Facilities Act;
- (6) A written report indicating the feasibility of proposals for water supply and Sanitary Sewage disposal:
  - (a) With regard to water supply, there shall be an objective description of the ability to achieve a successful system for an individual or community well, whenever such well is proposed. The description shall reference geologic and hydrogeologic data relative to groundwater conditions and potential yields. In addition to such information regarding water supply, the description shall indicate the demand for water from the proposed Subdivision and/or Land Development and its related uses and users; and
  - (b) With regard to Sanitary Sewage disposal, there shall be an objective description of the ability to achieve a successful system for the on-site disposal of Sewage whenever such a system is proposed. The description shall reference soils data relative to limitations for On-Lot Septic Drain Fields, and indicate various indices of suitability for such a system, such as permeability and depth to seasonal high-water table. In addition, Percolation Test results shall be discussed and exhibited;
- (7) A preliminary Conservation Plan, in accordance with § 110-20 herein;
- (8) Whenever Improvements are to be constructed or installed, a preliminary Improvements Construction Plan in accordance with § 110-21 herein;



- (9) A draft of any proposed covenants or Restrictions upon or against the Subdivision or any Lot thereof, or upon or against any Land Development subject to the approval of the Township Solicitor;
- (10) When connection to Public Water and/or Public Sanitary Sewer facilities is proposed, assurance of the availability of such service. This assurance shall be in the form of a letter signed by an officer of the company or authority concerned, indicating their ability and willingness to make such service available within the timetable cited under § 110-19.B herein;
- (11) When the proposed Tract involves a gas pipeline, petroleum products transmission line, electric power transmission line, or any other pipeline or cable located thereon, a letter from the Owner or authorized Agent of such facility indicating minimum Setback distance requirements or a true and correct copy of the Easement or grant of record shall be filed;
- (12) When the Preliminary Plan includes only a portion of the entire or contiguous Tract, a Sketch Plan that shows the prospective future Street system and other Improvements of the remaining land;
- (13) A list of all permits, agreements, approvals, clearances, and the like required to be obtained in connection with the proposed Subdivision and/or Land Development and the governmental agencies, authorities, and companies from which same are to be obtained;
- (14) A draft of all other Plans, documents, and submissions that by terms of any Township ordinance, Code, or regulation may be required by the Board of Supervisors for Final Plan approval, shall be required in preliminary form and shall accompany and form a part of any Preliminary Plan when the Application Form for approval thereof is filed;
- (15) Certification of the accuracy of the Plan and details of such Plans shall be prepared in accordance with Act 367, known as the "Engineer, Land Surveyor and Geologist Registration Law" (P.L. 913, No. 367, 63 P.S. § 151), as amended; and
- (16) If the proposed Lot(s) abuts a Street under the jurisdiction of the state, a note shall be added to the Preliminary Plan to indicate that a highway Occupancy Permit is required before a Driveway or Street can access a state highway.

**§ 110-20 Conservation Plan.**

A Conservation Plan, which shall accompany and become a part of the preliminary and final Subdivision and/or Land Development Plan, shall be drawn at the same Scale as that of other Plans forming a part of the Preliminary Plan and the Final Plan. The Conservation Plan shall be filed as a separate sheet or drawing in addition to that submitted in accordance with §§ 110-19 and 110-22 herein. However, the information contained in said Plan shall be added so as to overlay with that delineated in conformance with the requirements of §§ 110-19 and 110-22 herein, whereby the attributes of the proposal such as Tract boundaries, existing and proposed Contours, existing natural features, proposed Subdivision and Land Development layout, and the like are reflected. In addition to the foregoing, the Conservation Plan shall reflect the following:

- A. The Conservation Plan shall be in complete conformance with the Design Standards of Article V, in particular §§ 110-34 and 110-35. The Conservation Plan shall indicate measures to be taken to protect surface and groundwater resources, topography, Vegetation, and other natural features through the control of Grading, Soil Erosion and sedimentation, and Stormwater management;
- B. The Plan, map, report, calculations, and computations required for the control of Grading, Soil Erosion, and sedimentation, and Stormwater management shall be as follows:

- (1) A map depicting the total watershed. A U.S.G.S. Quadrangle Map is suitable as the source for such a map. However, the watershed area must be highlighted or otherwise distinguished from other areas outside the watershed;
- (2) Maps and drawings showing all existing and proposed Drainage Facilities affecting the subject property;
- (3) A Plan of the Site at a Scale of 1 inch equals 50 feet or less, prepared by a registered Engineer including the following:
  - (a) All existing topographic features with Contour intervals of 2 feet or less, as per section § **110-19.A(11)**;
  - (b) Boundary survey information, as per § **110-19.A(18)**;
  - (c) Location and description of all vegetative characteristics as per § **110-19.A(14)**, plus all other land cover characteristics;
  - (d) All existing Utilities, as per § **110-19.A(16)**;
  - (e) Soil types, as per § **110-19.A(15)**;
  - (f) All proposed Improvements such as proposed Buildings, Driveways, Stormwater management facilities, Grading, Soil Erosion and sedimentation controls and procedures, and the like;
  - (g) Profiles of all proposed Sewers, including Elevation, sizes, slopes, and materials, at a Scale of 1 inch equals 50 feet or less horizontal and 1 inch equals 5 feet vertical, as per § **110-21**;
  - (h) Staging of Earthmoving Activities and program of operation;
  - (i) Locations, dimensions, and design details required for the Construction of all such facilities, as per § **110-21.G**;
  - (j) All Soil Erosion and sedimentation control measures, temporary as well as permanent, and sufficient detail in order to clearly indicate effectiveness of the Plan;
  - (k) Project specifications relative to Stormwater control, Soil Erosion, and sedimentation; and
  - (l) When major control facilities, such as Detention/Retention Basins, are Planned, soil structures and characteristics shall be investigated. Plans and data shall be prepared and submitted by a licensed professional Engineer or geologist with experience and education in soil mechanics. These submissions should consider and offer design solutions for frost heave potential, shrink-swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and backfilling procedures, and soil treatment techniques as required to protect the Improvements or Structures.
- (4) The design computations for the Stormwater Drainage systems including storm drain pipes and inlets, runoff control measures, and Culverts and Drainage Channels;
- (5) A narrative report of the project stating the purpose and engineering assumptions and calculations for control measures and facilities. The following information shall be included:
  - (a) General description of the project;

- (b) General description of accelerated runoff control Plan;
  - (c) General description of the Soil Erosion and sedimentation control Plan;
  - (d) Expected project time schedule, including anticipated start and completion dates;
  - (e) The project's Stormwater characteristics as related to its location within the watershed(s);
  - (f) On-site detention methods;
  - (g) Methodology and basis of design computations; and
  - (h) Brief description of soils and their characteristics.
- (6) Stormwater Drainage Plan. A complete Plan of the Stormwater Drainage system showing all pipes, Swales, Channels, Structures, and Detention Basins shall be submitted as part of the Stormwater Management Plan. The Drainage areas and the design flow into each inlet or Structure shall be delineated on a copy of the Stormwater Management Plan.

**§ 110-21 Improvements Construction Plan.**

Whenever Improvements are proposed, the Improvement Construction Plan shall accompany and become a part of the preliminary and final Subdivision and/or Land Development Plans. Said Plan shall be drawn at a ten-to-one ratio of horizontal to vertical Scale, whereby the horizontal Scale shall be 1 inch equals 50 feet and the vertical Scale shall be 1 inch equals 5 feet unless otherwise directed by the Township Engineer. Said Plan shall be prepared by an Engineer, and shall show thereon, or be accompanied by, the following:

- A. On all Plans, profiles and other sheets that depict the information required in this section, the following shall be provided:
  - (1) Proposed Subdivision and/or Land Development name or identifying title;
  - (2) North arrow, Scale, and date;
  - (3) Name of the Landowner, Developer, and the authorized Agent, if any; and
  - (4) Name of the Engineer responsible for having prepared the Plan(s), profile(s), cross-section(s), documents, and/or other submissions forming the Improvement Construction Plan.
- B. The horizontal Plan shall show details of the horizontal layout of Streets, including:
  - (1) Center line with bearings, distances, curve data, and stations corresponding to the profile;
  - (2) Right-of-Way and Curb lines with radii at intersections;
  - (3) Beginning and end of proposed Construction;
  - (4) Tie-ins by bearing and distances to intersections of all Public Streets, with the names and widths thereof;
  - (5) Location of all proposed Monuments with references thereto;
  - (6) Property lines and ownership of abutting properties; and

- (7) Location and size of all Drainage Structures, public Utilities, sidewalks, lighting standards, Street name signs, and other Improvements.
- C. The profile shall be a vertical section of Streets, with details of vertical alignment including:
- (1) Profiles and Elevations at 50-foot stations along the center line of the existing ground surface and along both Right-of-Way lines as well as the profile of the nearest connecting Streets for a distance of 100 feet beyond the boundary of the Subdivision and/or Land Development;
  - (2) Profiles and percentage of Grade along the proposed center line, and Elevations at 50-foot intervals at tangent points at Grade intersections and at either end of Curb radii; and
  - (3) The length of vertical curves, and Elevations at 25-foot intervals.
- D. The cross section of Streets prepared in accordance with the Design Standards in Article V, including:
- (1) Right-of-Way width and location and width of paving within the Right-of-Way;
  - (2) Type, thickness, and crown of paving;
  - (3) Type and size of Curb, with detail of concrete chair;
  - (4) Grading of sidewalk areas;
  - (5) Location, width, type, and thickness of sidewalk; and
  - (6) Location of Sewers and underground Utilities, with sizes.
- E. Horizontal Plan of Storm drains and Sanitary Sewers, which may be shown on a separate Drainage Plan, including:
- (1) Location and size of line with stations corresponding to the profile;
  - (2) Locations of manholes or inlets with Grade between and Elevation of flow line and top of each manhole or inlet;
  - (3) Property lines and properties of Abutting Owners, with details of Easements;
  - (4) Beginning and end of proposed Construction;
  - (5) Location of laterals;
  - (6) Location of all other Drainage Facilities and Utilities in the vicinity of storm and/or Sanitary Sewer lines; and
  - (7) Hydraulic design data for Culverts and/or bridge Structures, and details of proposed handling of surface and/or subsurface Drainage problems.
- F. Profile of storm drains and Sanitary Sewers, which may be shown on a separate Drainage Plan, including:
- (1) Profile of existing and proposed ground surface with Elevations at the top of manholes or inlets; and
  - (2) Profile of Storm drains or Sewers showing the type and size of pipe, Grade, cradle (if any), manhole, or inlet locations with the length and slope of the pipe between Structures shown, and Elevations at

the flow line.

- G. Plans and details of bridges, Street Trees, Stormwater management Structures, erosion and sedimentation control Structures, and all other proposed Improvements, containing sufficient information that would customarily be included in working drawings and specifications for the proposed Construction and that would enable the Township Engineer to perform an effective evaluation of the proposed Improvements. Such information shall be provided as typical cross-sections and details, unless the Planning Commission determines that typical cross-sections and details would not be appropriate to communicate the specific measures needed to perform Construction under Steep Slope, extreme soil moisture, or other varying Site conditions where special Construction practices may be necessary. Such information shall also be provided whenever any proposed Improvement is not depicted on any of the aforementioned Plans, profiles, cross-sections, documents, or other submissions forming the Improvements Construction Plan.

**§ 110-22 Final Plan.**

The final Subdivision and/or Land Development Plan and all Plans forming a part thereof required by this chapter shall be drawn to a Scale of 1 inch equals 50 feet or less. Said Plans shall be submitted on black line or blue line paper prints no smaller than 17 inches by 22 inches and no larger than 24 inches by 36 inches. If the Final Plan is drawn in two or more sections, a key map showing the location of the sections shall be depicted on each sheet and an overall index sheet shall be submitted. The Final Plan shall reflect the following:

- A. In addition to all illustrations and notes required under § 110-19 to accompany the Preliminary Plan, the following shall be submitted:
- (1) All dimensions shall be shown and noted in feet and hundredths of a foot;
  - (2) Tract boundaries and individual Lot boundaries with dimensions and Bearings and Distances, closing with an error of not more than 1 foot in 10,000 feet;
  - (3) Total acreage and square feet of the Tract and total square feet of the individual Lots proposed therein to the hundredths of a foot; and the number of Lots, Dwelling Units, Buildings and other Structures proposed;
  - (4) Lots and Blocks numbered in a logical sequence;
  - (5) Location of permanent reference Monuments indicated by an "X" and the location of Lot corner Markers indicated by an "O";
  - (6) Pedestrian ways including all sidewalks, Walkways, pedestrian Rights-of-Way, and other Improvements intended for general public use;
  - (7) A final Landscape Plan, signed and sealed by a Registered Landscaping Architect indicating precise types, quantities, and sizes of proposed trees, shrubs, groundcovers, and other landscaping elements;
  - (8) A signature block used for signing the Final Plan in accordance with Article III, § 110-11.O;
  - (9) The location of Percolation Test pits, whenever On-Site Sewage Disposal is proposed;
  - (10) The location of test pits where Stormwater is to be disposed and a listing of absorption rates, whenever seepage pits are proposed; and
  - (11) The following certifications, which shall be noted on the Final Plan:

- (a) An Engineer's certification of the suitability of the proposed Site for the intended Sewage disposal system;
- (b) The seal of the Engineer responsible for having prepared the Plans forming a part of the Final Plan;
- (c) A note indicating the intent to make an offer of Dedication of the Streets and other Improvements;
- (d) A note indicating any area, Street, and other Improvement not to be offered for Dedication or not to be accepted;
- (e) A note indicating that the Township is not responsible for Construction or maintenance of any area not duly accepted by the Board of Supervisors as dedicated for public use and identifying the party responsible for such Construction and maintenance; and
- (f) Certification as to the accuracy of the Plan and details of such Plans shall be prepared in accordance with Act 367, known as the Engineer, Land Surveyor and Geologist Registration Law (P.L. 913, No. 367, 63 P.S. § 151), as amended.

B. In addition to all materials required under § 110-19 to supplement the Preliminary Plan, the following shall be submitted for the Final Plan:

- (1) A final timetable for the proposed sequence of the Subdivision and/or Land Development. The timetable shall indicate the order in which Construction activities will occur;
- (2) A final Conservation Plan reflecting, in final form, the information required under § 110-20;
- (3) Whenever Improvements are to be constructed or installed, a final Improvements Construction Plan, reflecting in final form, the information required under § 110-21;
- (4) Final documents for any proposed covenants or Restrictions upon or against the Subdivision or any Lot thereof, or upon or against the Land Development subject to the approval of the Township Solicitor and the final Deed forms for all Lots;
- (5) An approved Planning Module for Land Development as required by the Pennsylvania Sewage Facilities Act, Act 537;
- (6) An Engineer's report describing Percolation Test results and the soil suitability to create a successful system for On-Site Sewage Disposal whenever such a system is proposed;
- (7) An Engineer's report evidencing the suitability to create a successful system for on-site water supply whenever such a system is proposed;
- (8) An Environmental Impact Assessment (EIA) Report as set forth in Article VII, § 110-52, herein;
- (9) A bond, certified check, or other security to guarantee the completion and maintenance of Improvements in accordance with the provisions of Article VI, which shall:
  - (a) Be made payable to, or otherwise inure to the benefit of, the Township;
  - (b) Be in an amount determined by the Township Engineer to be sufficient to complete and maintain the Improvements in compliance with this chapter; and

- (c) Specify the time for the completion of the required Improvements in accordance with the final timetable presented under § 110-22.B(1) herein.
- (10) If the proposed Lot(s) abuts a Street under the jurisdiction of the state, a note shall be added to the Final Plan to indicate that a highway Occupancy Permit is required before a Driveway or Street can access a state highway; and
- (11) All other Plans, documents and submissions that were filed in preliminary form as required in § 110-19 herein shall be filed in final form to accompany and form part of any Final Plan.

**§ 110-23 As-Built Plan.**

The As-Built Plan shall be drawn to the same Scale as the Final Plan, Conservation Plan, and Improvements Construction Plan certified by the Engineer of the Landowner or Developer and approved by the Township Engineer. Said Plan shall indicate the actual location, dimensions, and/or Elevations of all completed Improvements, including but not limited to:

- A. Concrete Monuments;
- B. The edge of the Cartway and top of the Curb, for both sides of each Street;
- C. Sanitary Sewer main, manholes, and laterals;
- D. Storm Sewers, inlets, and Culverts;
- E. Water mains and fire hydrants;
- F. Street lights;
- G. Landscaping and Planting Screens;
- H. Permanent sedimentation, erosion control, and Stormwater management Structures; and
- I. All Easements.

**Article V: Design Standards**

**§ 110-24 General standards.**

All Subdivision and/or Land Development Plans to be approved by the Board of Supervisors must comply with the standards contained within this article. Such standards shall be considered minimum requirements for the promotion of the public health, safety, and general welfare. In general, the following shall apply:

- A. Land shall be developed in conformance with the Comprehensive Plan; Chapter 135, Zoning; and other ordinances, Codes, and regulations in effect in the Township and with the Official Sewage Facilities Plan and other Township Plans and maps;
- B. Land shall be developed in conformance with all pertinent statutes, regulations, rules, and Codes of federal, state, and county agencies concerned with Subdivision, Land Development, Construction, and Improvements, or any activity arising out of or related thereto in any way whatsoever;
- C. The design of Subdivisions and Land Developments shall preserve, insofar as possible, the natural terrain, natural Drainage, existing topsoil, and existing trees;
- D. Land that poses risks to life, health, or property, including potential dangers from fire, floods, disease, or

other causes shall not be used for Building purposes unless the hazards have been mitigated or unless the Plan demonstrates sufficient safeguards to address them;

- E. No portion of a Tract being developed shall be landlocked; and
- F. The name of any Subdivision or Land Development shall not be similar to or conflict with the name of any existing project in the Township, and shall be subject to the approval of the Board of Supervisors.

**§ 110-25 Monuments and Markers.**

- A. Monument locations must be shown on the Final Plan to define the exact location of all Streets and to enable the reestablishment of all Street Lines. Monuments shall be placed at the following locations:
  - (1) At each intersection;
  - (2) At changes in direction of Street Lines, excluding Curb arcs at intersections;
  - (3) At each end of every Cartway, excluding Curb arcs at intersections;
  - (4) At locations where topographical conditions obstruct sighting between two otherwise required Monuments; and
  - (5) At other locations along the lines of Streets as may be determined to be necessary by the Township Engineer.
- B. Monument locations defining the perimeter of the Tract shall be determined by the Township Engineer.
- C. Markers shall be set at locations shown on the Final Plan as follows:
  - (1) At all points where Lot Lines intersect curves, either front or rear;
  - (2) At all angles in property lines of Lots; and
  - (3) At all other Lot corners.
- D. Markers required under § 110-25.C shall be placed by an Engineer or Surveyor when final Grading has been completed. Such Markers shall be placed before any Lot is conveyed.
- E. Monuments and Markers shall be placed so that the scored and marked point shall coincide exactly with the intersection of lines to be marked, and shall be set so that the top of the Monument or Marker is level with the surface of the surrounding ground. Monuments and Markers shall consist of the following:
  - (1) Monuments shall be of concrete or stone with a minimum of 6 inches by 6 inches by 30 inches. Concrete Monuments shall be permanently marked on top with an indented cross or drill hole of 1/4 inch in diameter that shall coincide exactly with the point of intersection of the lines being monumented; and
  - (2) Markers shall consist of iron pipes or steel bars 30 inches in length and 3/4 of an inch in diameter.
- F. Monuments shall be placed for all areas of land, Improvements, or public Easement to be offered for Dedication prior to acceptance thereof by the Township or other entity to which same are offered. Monuments shall be placed by an Engineer or Surveyor and shall be inspected by the Township Engineer before they are covered.



G. All Elevations shown on Plans must be based on Datum from the U.S. Geological Survey Quadrangles for West Chester, Pennsylvania; and Wilmington North, Delaware-Pennsylvania.

§ 110-26 **Street design.**

A. Streets shall be designed in accordance with the following general principles and criteria:

- (1) The proposed Street pattern and layout shall be properly and logically related to existing Streets and their functional characteristics;
- (2) The proposed Street pattern and layout shall be properly and logically related to the topography of the land with regard to Grades and conditions of Drainage. Grades of Streets shall conform as closely as possible to Existing Grade;
- (3) The proposed Street pattern shall be designed to enhance views from the Road and to create a greater variety of Lot appearance through a curvilinear alignment;
- (4) The proposed Street pattern and layout shall provide suitable access to each Lot and permit safe and convenient circulation of vehicular and pedestrian traffic;
- (5) Every Lot shall abut a Public Street, except that four or fewer residential Lots may use a Shared Driveway, and thereby share the required minimum Lot width at the Street Line. All Setback requirements from Streets shall apply to Shared Driveways;
- (6) Provisions shall be made for the extension and continuation of Streets into and from adjoining areas, except when topographical or hydrological conditions shall make the same impracticable;
- (7) All Streets shall be laid out to the boundary lines of the Subdivision or Land Development if the Subdivision or Land Development adjoins lands that may be developed in the future, and the same shall be provided with Easements for turnarounds;
- (8) If Lots resulting from Subdivision are large enough to permit Resubdivision, or if a portion of the Tract is not subdivided, adequate Street Rights-of-Way to permit further Subdivision shall be provided as necessary;
- (9) Reserve strips controlling access to public ways will not be permitted except where the control and disposal of the land comprising such strips are placed within the jurisdiction of the Township;
- (10) Streets that are extensions of or in alignment with existing named Streets shall bear the names of such existing Streets; new Street names shall not duplicate or be phonetically similar to existing Street names; and all Street names shall be subject to the prior approval of the Board of Supervisors and the Postmaster of the local postal service districts;
- (11) Where Streets continue into adjoining municipalities, compatibility of design, particularly with regard to Cartway widths, shall be used to avoid abrupt changes in the Cartway width or to other Improvements within the Right-of-Way;
- (12) Streets shall be designed so as to avoid edge erosion through the use of Curbs and Gutters as required in § 110-28 herein; and;
- (13) Dead-end Streets shall be prohibited, except when designed as a Cul-de-Sac.

B. Cul-de-Sac Streets shall be designed as follows:

- (1) All Cul-de-Sacs, whether permanently or temporarily designed as such, shall not exceed 1,000 feet in length, with a paved turnaround having a minimum radius of 50 feet to the outside Curb or pavement line, and an additional 10-foot Right-of-Way outside the pavement or Curb line;
  - (2) The pavement width of the Cartway leading to the turnaround shall be a minimum of 24 feet and the Right-of-Way shall be a minimum of 50 feet. However, whenever a Cul-de-Sac is employed to service industrial, commercial, and institutional Lots and/or Land Development, then the minimum Cartway width shall be 26 feet;
  - (3) When required for future extension, the turnaround Right-of-Way shall be adjacent to the Tract boundary with sufficient width along the boundary line to permit extension of the Street at full width;
  - (4) Drainage of Cul-de-Sacs shall, whenever possible, be in the direction of the open end thereof; and
  - (5) All Design Standards in § 110-26.C herein that are pertinent to Cul-de-Sacs shall apply.
- C. In addition to the aforementioned principles and criteria set forth in §§ 110-26.A and B, the following shall apply to all Streets:
- (1) The Township Planning Commission, in conjunction with the Township Engineer, shall evaluate proposed Streets according to their Functional Classification, as defined by the Pennsylvania Department of Transportation for state-owned and -maintained Roads, and as defined by the Township for Township-owned and -maintained Roads, and Review all Plans, documents, and profiles to determine their conformance to the Cartway and Right-of-Way width and other standards set forth in this section for various types of Streets according to the classification that they deem to be most appropriate and logical;
  - (2) The following Right-of-Way and Cartway widths shall apply:
    - (a) Every Principal Arterial Street shall have a Cartway width as required by PennDOT and a 120-foot Right-of-Way;
    - (b) Every Minor Arterial Street and Collector Street shall contain a minimum Right-of-Way width of 60 feet, and a minimum Cartway width of 36 feet;
    - (c) Every Local Primary Street shall contain a minimum Right-of-Way width of 50 feet and a minimum Cartway width of 26 feet. For the purposes of this chapter, Streets proposed within the Light Industrial, B Business, POC, and PBC Zoning Districts of the Township shall be designed as Local Primary Streets, as well as the principal or major Street proposed within any Planned Residential Development or R-MA District;
    - (d) Every Local Secondary Street and every Loop Street shall contain a minimum Right-of-Way width of 50 feet and a minimum Cartway of 24 feet;
    - (e) Right-of-Way widths in excess of the aforementioned standards shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of three to one; and
    - (f) Additional Cartway widths may be required by the Board of Supervisors in specific cases for the following:
      - [1] Public safety and convenience; and

[2] Access to off-street parking in commercial and industrial areas and for Planned Residential Development projects and multifamily residential projects.

- (3) A minimum Grade of 1% shall be provided on all Streets; a maximum Grade of 7% shall be permitted on all Collector Streets, and 10% on all Local Streets;
- (4) The finished Road Grade on all Streets shall be carried the entire width of the Right-of-Way. However, Grading behind the Curbs or beyond the edge of the Cartway may be modified, as determined by the Township Engineer, provided the minimum Sight Distances are maintained along the vertical and horizontal curvatures of the Street, provided no obstructions exist at intersections within the Clear Sight Triangle, and provided that no sidewalks are required;
- (5) Maximum slopes of banks measured perpendicular to the center line of the Street shall be 3 feet horizontal to 1 foot vertical in Fill areas and 3 feet horizontal to 1 foot vertical in Cut areas;
- (6) Vertical curves are required for changes in Grade greater than 1%. The rate of change of Grade on vertical curves shall be no more than 4% per 125 feet of Road, provided that proper Sight Distance is maintained at all points along the center line. Any Street classified higher than a local Road shall be designed to PennDOT standards relative to vertical curves; ;
- (7) The maximum Grade on the approach to any intersection shall be 4% for the distance of 50 feet, measured from the nearest Right-of-Way line of the intersecting Street along the Curb line or edge of the Cartway;
- (8) No Cul-de-Sac turnaround shall have a Grade that exceeds 4%;
- (9) The minimum radius at the center line for curves on Local Streets shall be 150 feet; the minimum radius at the center line of Collector Streets shall be 300 feet. The foregoing minimum radii shall apply in all cases where the Street deflects 10° or more, and variations in radii may be permitted when topographic or other conditions so require;
- (10) A minimum Curb or paving radius of 30 feet and a minimum radius of 20 feet for Right-of-Way lines shall be provided at all Local Secondary and Loop Street intersections; and minimum radii of 50 feet and 40 feet, respectively, as above shall be provided on all other Street intersections;
- (11) A tangent of at least 100 feet, measured at the center line between reverse curves, shall be required for all Streets;
- (12) Proper Sight Distance shall be provided with respect to both horizontal and vertical alignment;
- (13) Proper sight lines shall be maintained at all Street intersections where there shall be a Clear Sight Triangle of 75 feet, measured along the center lines from the point of intersection. The triangular shaped portion of land forming the Clear Sight Triangle shall not have anything erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the Sight Distance of motorists entering or leaving the intersection;
- (14) Right angle intersections shall be used whenever practical and no intersection angle, measured at the center line, shall be less than 60°;
- (15) No more than two Streets shall intersect at the same point;
- (16) Proposed intersections along one side of an existing Street shall coincide with any existing intersections on the opposite side of such Street, or shall be offset by at least 200 feet from center line

to center line; and

- (17) Intersections along Principal Arterial, Minor Arterial, and Collector Streets shall be a minimum of 1,000 feet apart.
- (18) Where a Subdivision or Land Development borders an existing Street or intersection that is determined to be in need of Improvement based on the traffic/Transportation analysis conducted as part of the EIA report process as set forth in Article VII, § 110-52.C(11), and according to the traffic control standards of Chapter 135, Zoning, said Street or intersection shall be improved to the full extent as required in § 110-26.C(2), with the following considerations:
  - (a) This requirement shall apply only to Township Roads and those sides of intersections that pertain to Township Roads, unless the state imposes certain requirements along Roads that they own and maintain;
  - (b) Should the Tract border any undersized Road or intersection on only one side, then the Improvements shall take place only on the side of the Road or intersection that is tangent to the Tract;
  - (c) All Improvements to be made to said Roads and intersections shall be determined by the Township Engineer;
  - (d) Land associated with the Rights-of-Way for undersized Roads and intersections shall be delineated, depicted, and otherwise noted on all Subdivision and/or Land Development Plans for the subject Tract and shall be offered for Dedication with the Improvements associated therewith.
- (19) When a Subdivision or Land Development fronts on an existing Street having a Right-of-Way less than the minimum width required in this chapter, an ultimate Right-of-Way line shall be established with the following considerations:
  - (a) The distance of this ultimate Right-of-Way line from the center line of the existing Right-of-Way shall be one half the width of the required minimum Right-of-Way; and
  - (b) The ultimate Right-of-Way shall be delineated, depicted, and otherwise noted on all Subdivision and Land Development Plans and shall be offered for Dedication with the Improvements associated therewith.
- (20) Acceleration and Deceleration Lanes shall be provided to aid in Ingress and Egress relative to Principal Arterial, Minor Arterial, and Collector Streets, with the following considerations:
  - (a) Where a Subdivision or Land Development borders a state Road, the Landowner or Developer shall confer with the Pennsylvania Department of Transportation (PennDOT) regarding specific Design Standards for such lanes; and
  - (b) Where a Subdivision or Land Development borders a Township Road, the Landowner or Developer shall confer with the Township Engineer regarding specific Design Standards for such lanes.
- (21) Street signs similar to those that exist in the vicinity of the property shall be provided and erected by the Landowner or Developer at all intersections, subject to the prior approval of the Board of Supervisors.

§ 110-27 **Street Construction.**

A. All materials used in the Construction of Streets, and the methods of Construction and Drainage thereof, shall be in accordance with the requirements of the most recent edition of the Pennsylvania Department of Transportation Publication 408 Specifications.

- (1) Subgrade Construction shall be performed in accordance with PennDOT's Publication 408 and the following standards:
  - (a) The area within the limits of the proposed Road surface shall be shaped to conform to the line, Grade, and cross section of the proposed Road including the width to be occupied by shoulders;
  - (b) All large, loose rocks shall be removed or broken off to a depth of 9 inches below the base course;
  - (c) All unsuitable subgrade materials shall be removed or stabilized;
  - (d) All wet or swampy areas shall be permanently drained and stabilized;
  - (e) Fills shall be made with suitable materials and thoroughly compacted for full width in uniform layers of not more than 8 inches in thickness; and
  - (f) Subgrades shall be thoroughly compacted by rolling with a three-wheel, 10-ton roller or similar equipment.
- (2) The Construction of crushed aggregate base course shall adhere to PennDOT's Publication 408 and comply with the applicable standards outlined below:
  - (a) The base shall be a crushed stone base course thoroughly compacted to a depth of not less than 8 inches after compaction by roller. The coarse aggregate for crushed stone base shall conform to the grading requirements of No. 4 aggregate. Fine aggregate shall conform to the grading requirements of No. 1 aggregate;
  - (b) Before spreading any material, the Landowner or Developer shall place a sufficient number of Grade stakes to represent the Finished Grade of the proposed Street as shown on the approved Plans and profiles. Said placement of stakes shall be inspected by the Township Engineer;
  - (c) Prior to placing the coarse aggregate, a 2-inch layer of limestone screenings shall be spread over the subgrade to serve as a bed for the coarse aggregate. This initial layer of limestone screenings shall not be placed on a wet, frozen, or unsuitable subgrade;
  - (d) Coarse aggregate shall be spread uniformly on the prepared bed as follows:
    - [1] Mechanical stone spreaders shall be used to spread the material the full width of the base to the proposed Curbs or rolled Gutters;
    - [2] In areas inaccessible to spreading equipment, the material may be spread directly from trucks provided the distribution is satisfactory to the Township Engineer;
    - [3] After each layer of material has been spread, it shall be checked with approved templates and straightedges and all irregularities shall be satisfactorily corrected prior to rolling;
    - [4] The coarse material shall be rolled and thoroughly compacted with a three-wheel, 10-ton roller. The rolling shall begin at the sides and progress to the center of the Road. Rolling shall be parallel to the proposed center line, uniformly lapping each preceding track, covering the

entire surface with the rear wheels and continuing until the material does not creep or wave ahead of the roller wheels; and

- [5] Red flags shall be placed at the boundaries of satisfactorily compacted coarse material. The Township Engineer shall move the flags ahead as additional material is compacted, and no fine aggregate shall be spread over the coarse material ahead of the flag-marked sections.
- (e) After the coarse aggregate has been satisfactorily rolled and compacted, fine aggregate, suitably conditioned to assure thorough filling of the voids in the coarse aggregate shall be spread uniformly over the surface as follows:
- [1] Approved mechanical equipment shall be used for spreading the fine aggregate. However, in areas inaccessible to spreading equipment, the Township Engineer may permit manual spreading which shall be performed in a sweeping motion with a square-pointed shovel, alternately in opposite directions, until the voids are completely filled;
  - [2] Immediately following the aforementioned operation, the fine material shall be broomed and rolled until the voids in the coarse material are completely filled and the base course is thoroughly compacted and firmly set. Brooms attached to the roller and hand brooms shall be used to uniformly spread the fine material;
  - [3] The rolling and brooming of the surface shall be continued during the process of spreading the fine material. Rolling shall begin at the sides and shall progress as stated in § 110-27.A(2)(d)[4] herein; and
  - [4] After the completion of the application and rolling of fine materials, the surface shall be sprinkled with water and rolled. The sprinkling and rolling shall be continued and additional fine material applied where necessary until all voids are filled and until a slight wave of grout forms in front of the roller wheels. Brooms attached to the roller and hand brooms shall be used to distribute the grout uniformly into any unfilled voids. After the wave of grout has been produced over the entire section of the base course, this portion shall be left to dry. The quantity of fine material and water used shall be determined by the Township Engineer and shall be sufficient to provide a smooth, hard, monolithic surface.
- (3) Bituminous pavement Construction shall be performed in accordance with PennDOT's Publication 408 and the following standards:
- (a) The bituminous surface course shall be SUPERPAVE Asphalt Mixture Design, which shall consist of a 2-inch HMA binder course, PG 64-22, 0.3 million to 3 million design ESALs, 19 mm mixture; and a one-and-one-half-inch HMA wearing course, PG 64-22, 0.3 million to 3 million design ESALs, 9.5 mm mixture, Skid Resistance Level H;
  - (b) All bituminous surface courses shall have a total thickness of 2½ inches minimum after compaction;
  - (c) No visible moisture shall be present prior to the laying of each course, and the air temperature shall be 40° Fahrenheit or greater during the operation;
  - (d) All edges of bituminous pavement shall be kept straight and sharp forming a clean-cut line between the finished Road and the proposed Curbs or rolled Gutters;
  - (e) The completed Road surface shall have a slope from the center to the edge of the pavement,

ranging from a minimum of 1/4 inch per foot to a maximum of 1/2 inch per foot. However, on super elevated curves, the slope shall be at least 1/4 inch per foot and shall extend from the inner edge to the outer edge of the paving; and

- (f) No Road shall be constructed from November 1 to March 31 without written permission of the Township Supervisors.

**§ 110-28 Curbs and Gutters.**

- A. Curbs and/or Gutters shall be provided along all new Streets in any Subdivision or Land Development. Raised vertical Curbs, flush vertical Curbs, and/or rolled Gutters shall be constructed subject to the approval of the Board of Supervisors.
- B. Raised vertical Curbs shall be used where Lot sizes are 1 acre or less in industrial, commercial, multifamily, and Planned Residential Development projects or where the gradient of any Street as proposed would be 4% or greater.
- C. The Board of Supervisors have the option to allow an Applicant to use flush vertical Curbs as a substitute for raised vertical Curbs in any residential Subdivision where: i) Lot sizes are greater than 1 acre; and ii) the gradient of the Street as proposed would be less than 4%.
- D. Rolled Gutters may be used as a substitute for raised vertical Curbs or flush vertical Curbs, subject to the approval of the Board of Supervisors.
- E. Curbs and rolled Gutters shall be provided on both sides of the Street and shall be constructed in accordance with PennDOT's Publication 408.
- F. The dimensions of the Curbs and Gutters, unless specified otherwise by the Township Engineer, shall be as follows:
  - (1) For raised vertical Curbs, the dimensions shall be as shown in PennDOT's Standards for Roadway Construction, Publication No. 72, or any amendment thereto, Standard Drawing No. RC-64, using the detail entitled "Plain Cement Concrete Curb";
  - (2) For flush vertical Curbs a depth of 12 inches from Finished Grade shall be used, and the Curb shall be 6 inches across the top and 8 inches across the bottom tapered from the edge of the Curb that joins the Street; and
  - (3) For rolled Gutters, the dimensions shall be subject to the approval of the Township Engineer based on design criteria for varying Street gradient conditions and Stormwater management considerations. However, no rolled Gutter shall measure less than 10 inches at its most concave point nor less than 24 inches in width.

**§ 110-29 Driveways.**

- A. Driveways, either individual or shared, shall be provided for all residences.
- B. Any Shared Driveway that exceeds 1,000 feet in length or that furnishes access to more than four Lots must conform to all Design Standards for Local Secondary Streets as set forth in this article.
- C. Individual Driveways must have a minimum width of 10 feet, expanding to 16 feet within the intersecting Street Right-of-Way. Shared Driveways that are less than 1,000 feet long must have a minimum width of 18 feet, increasing to 26 feet within the Street Right-of-Way.
- D. All Driveways must have a minimum Grade of 1%. Within the Right-of-Way of a Street, the maximum

Grade allowed for any Driveway is 4%. Within the property line exclusive of the Right-of-Way the maximum Grade of an individual Driveway and a Shared Driveway that is less than 1,000 feet in length shall be less than 15%, unless no other viable alternative alignment or location is feasible, as acknowledged by the Township Engineer.

- E. The edge of the Driveway shall be located not less than 40 feet from the tangent point of the Curb radius of Corner Lots.
- F. All individual or Shared Driveways shall be surfaced with erosion resistant materials, approved by the Township Engineer from the edge of the Street Cartway to a point in the Lot 25 feet from the Right-of-Way line.
- G. The surface of the Driveway sloping toward the Street shall be graded so that Stormwater runoff from the property shall discharge to the existing Drainage system along the Street, such as Swales, Curbs, or Gutters. Further, discharge of roof drains or downspouts onto a Driveway that slopes toward the Street shall not be permitted and no drain pipe from any Basement sump pump, foundation drain, or any type of facility shall be discharged onto the Street.
- H. A Clear Sight Triangle of 25 feet shall be provided and maintained at Driveway intersections with Streets.
- I. Proper Sight Distance shall be provided and maintained at Driveway intersections with Streets.

**§ 110-30 Sidewalks.**

Sidewalks shall be required along new Streets in any Subdivision or Land Development where the proposed Lot sizes are 1 acre or less or for any multifamily residential Development project. The Board of Supervisors may also require sidewalks that connect to those in existing neighborhoods, provide access to Community Facilities, or ensure safety of pedestrians in certain conditions with respect to existing or prospective traffic. Sidewalks shall be designed as follows:

- A. Sidewalks shall be constructed in accordance with PennDOT Publication 408, pertaining to ~~ement~~ concrete sidewalks and the following standards:
  - (1) Sidewalks shall be a minimum of 5 feet wide;
  - (2) Sidewalks shall be constructed with 4 inches of Class A concrete, placed on an approved aggregate bed 4 inches in depth, except at Driveway crossings where the thickness of the sidewalk shall be increased to 6 inches;
  - (3) When proposed sidewalks adjoin existing sidewalks that are wider than 5 feet a tapered transition shall be constructed; and
  - (4) Sidewalks shall be located within the Street Right-of-Way 3 feet from the Right-of-Way line. A grass Planting Strip shall be provided between the Curb and the sidewalk. The Planting Strip shall be adequately graded and sodded to provide for proper Stormwater runoff.
- B. The Board of Supervisors may permit Trails in lieu of sidewalks to meet the requirements of this section.

**§ 110-31 Blocks and Lots.**

- A. Blocks shall be between 500 and 1,600 feet in length.
- B. The side property lines of Lots shall be at right angles or radial to the Right-of-Way lines.
- C. Blocks shall be two Lot depths in width and, except for Lots located at Street intersections, no Lot shall



front on more than one Street.

D. Flag Lots may be permitted only when no other practical design layout is possible and in consideration of the following:

(1) Every Flag Lot must be separated from every other Flag Lot as follows:

(a) When along the same Street, no two Flag Lots shall be located next to one another, but shall be separated from one another by a minimum of two Lots of conventional width. This requirement shall apply to all Flag Lots, whether or not they are part of the same Subdivision, or are owned by the same Persons, or are subdivided at different times; and

(b) When along the same Street in a proposed new Subdivision, all Flag Lots also shall be varied in placement so that they are alternating on opposite sides of the Street, and separated from one another by a minimum of two Lots of conventional width.

(2) The narrow strip of land that provides access to the Street shall be at least 50 feet wide, and no portion of the Lot shall be narrower than 50 feet;

(3) The length of the narrow portion of the Lot shall not exceed 800 feet, measured from the Street Right-of-Way line to the point where the Lot first meets the minimum Lot width requirement;

(4) The Front Yard Setback for a Flag Lot is determined by the zoning district in which the Lot is located and shall be measured from the point where the Lot first meets the minimum Lot width measurement;

(5) When a Flag Lot design is proposed for any pre-existing Corner Lot, the narrow section of the Lot shall be at least 400 feet from the Right-of-Way of the intersecting Streets at the corner; and

(6) No Flag Lot shall be permitted on the turnaround of a Cul-de-Sac.

#### § 110-32 Sanitary Sewers

A. In accordance with the Official Sewage Facilities Plan, Dwellings and/or Lots within a Subdivision or Land Development shall be connected with a Public Sanitary Sewer system when such system is located within 150 feet of the Subdivision and/or Land Development. Where such Sewer system is not yet within 150 feet of the Subdivision and/or Land Development but is planned for extension to the Tract, the Landowner or Developer shall install Sewer lines and other facilities, including lateral connections, force mains, pumping stations and all other appurtenances to provide adequate service to each Lot when connection with said Sewer system is made. Sewer lines shall be suitably capped at the limits of the Subdivision or Land Development, and the laterals shall be capped at the Street Right-of-Way. When Capped Sewers are so provided, On-Site Sewage Disposal facilities shall also be installed provided they are so located as to permit the easiest and least expensive connection to the Public Sanitary Sewer system when such connection becomes available.

B. The Landowner or Developer is responsible for the Construction and installation of all Sanitary Sewer lines, lateral connections, manholes, and other facilities in accordance with the standards set by the Township, county, or Sewer Authority. These facilities shall serve each Lot and shall be solely dedicated to Sanitary Sewer usage, without carrying Stormwater. The costs and expenses associated with these installations shall be borne by the Landowner or Developer.

C. When such Sanitary Sewer facilities are installed in accordance with this section, the same shall be inspected by the Township Engineer and Sewer Authority Engineer during such Construction, at the cost and expense of the Landowner or Developer, in accordance with the standards and procedures established

for inspection in Article **VIII** of this chapter.

- D. When such Sanitary Sewer facilities are not to be constructed or otherwise installed on-site, Community Sewer, and Private Sewage Disposal Systems shall be constructed in accordance with statutes and regulations of the Pennsylvania Department of Environmental Protection and the Township, and as approved by the Sewage Enforcement Officer. When On-Site, Community Sewer, and Private Sewage Disposal Systems are to be utilized, the Landowner or Developer shall furnish evidence of the feasibility and satisfactory operation of the system to be utilized in the Subdivision or Land Development as required in Article **IV** herein.
- E. A one-hundred-percent replacement area shall be provided for any on-lot disposal system or any sand mound system. Such replacement area shall serve as an absorption area as necessary.
- F. No more than five Lots may utilize a separate Community Sewer.
- G. No Principal Building or other Principal Structure shall be placed on a Lot used for a Community Sewer.

**§ 110-33 Water supply.**

- A. Where a Public Water supply system is within 600 feet of the Subdivision and/or Land Development, all mains, laterals, and other facilities for connection from the Lots to such systems shall be installed by the Landowner or Developer according to standards and materials recommended by the Township Engineer.
- B. When a Public Water supply system is accessible and available, the Landowner or Developer shall install fire hydrants in order that there shall be at least one hydrant within 600 feet of every Dwelling or Structure intended for public use. Such fire hydrants shall be reviewed relative to their location by the local fire company and shall be energized prior to public Dedication.
- C. When no Public Water supply system is accessible or available to the Subdivision or Land Development, the Landowner or Developer shall furnish evidence as part of any Plan submission and filing of the quality and adequacy of the water supply proposed to be utilized in the Subdivision or Land Development as required in Article **IV** herein. The type and method of Construction or other installation to be utilized in the installation of individual or Community Water Supply Systems shall be subject to the approval of the Board of Supervisors, the Township, the county, and, when applicable, the Pennsylvania Department of Environmental Protection.
- D. Wherever a public or Community Water system is provided, Applicants shall present evidence to the Board of Supervisors that the Subdivision or Land Development is to be supplied by a certificated public Utility, a bona fide cooperative association of Lot Owners, or by a municipal authority or Utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

**§ 110-34 Stormwater management.**

Stormwater management shall be regulated as set forth in Chapter **105**, Stormwater Management, of the Code of Chadds Ford Township.

**§ 110-35 Soil Erosion and sedimentation control.**

Soil Erosion and sedimentation control shall be regulated as set forth in Chapter **105**, Stormwater Management, of the Code of Chadds Ford Township.

**§ 110-36 Trees and landscaping.**

Standards for the planting of trees as part of Screening requirements are set forth in Chapter **135**, Zoning, in

Article XXV. In addition, the following shall apply:

- A. Street Trees shall be planted along all new Streets and along any existing Street that abuts a Subdivision or Land Development Site;
- B. A list of approved Street Trees for planting in Chadds Ford Township is included in 110 Attachment 1, which lists their botanical and common names.;
- C. All Street Trees shall be a minimum of 3 to 3½ inches in Caliper at the time of planting. Street Trees shall be maintained and limbed up 7 feet above sidewalk and Walkway surfaces, and 14 feet above roadway surfaces;
- D. Requirements and standards for landscaping, in addition to that specified above, shall be as determined by the Board of Supervisors. The Board may require plantings to reduce glare; to abate other nuisances; to enhance the planting area in conjunction with a Cul-de-Sac; to fulfill Screening and other functional purposes; to comply with general standards of § 110-24 herein; and to fulfill the purposes of § 110-2 herein;
- E. Trees of 12 inches DBH or more shall be preserved to the extent possible, and the Landowner or Developer shall plant one tree of not less than 3 inches in Caliper for each tree of 12 inches DBH or more to be destroyed;
- F. The Landowner or Developer shall protect remaining trees from damage during Construction. The following procedures shall be followed in order to so protect remaining trees:
  - (1) Areas in which trees are to be preserved shall remain at original grade level and in an undisturbed condition;
  - (2) All trees and other Vegetation to be preserved shall be protected from damage by tree protection fencing or other effective barriers approved by the Township. Fencing or barriers around trees shall be placed outside the dripline, unless otherwise approved by the Township. Tree protection fencing shall be installed and approved by the Township prior to the start of any clearing or earth disturbance and monitored periodically. The tree protection fencing shall be removed only after all Construction activities that may Impact tree roots are completed;
  - (3) Trees within 25 feet of a Building Site or bordering entrances or exits to Building Sites shall be protected by a temporary barrier to be maintained in place throughout the duration of Construction activity;
  - (4) No boards or other material shall be affixed to trees during Construction, and no trees shall be sprayed with brightly-colored paint;
  - (5) Heavy equipment operators shall avoid damaging existing tree trunks and roots. Roots shall not be cut closer than 25 feet from tree trunks;
  - (6) Tree trunks, limbs, and roots damaged during Construction shall be protected from further damage by being treated immediately in accordance with accepted professional landscape procedures;
  - (7) The operation of heavy equipment over root systems of such trees shall be minimized in order to prevent soil compaction;
  - (8) The Applicant shall repair or replace trees damaged by Construction operations at the direction of the

Township;

(9) Construction material, equipment, soil and/or debris shall not be stored nor disposed of near or within the driplines of trees to remain, except for mulched vegetative matter use to prevent soil compaction; and

(10) If any tree that is intended to be preserved dies or deteriorates within 18 months after the completion of Construction activities, as determined by the Township, that tree must be replaced following the guidelines for tree replacement plantings.

G. Following Construction, all trees and plants shall be guaranteed for a period of 18 months by the Developer. Any plant that dies within the guarantee period shall be replaced. After the 18-month guaranteed period, the Landowner shall be responsible for maintaining the trees and plants in perpetuity per the approved Landscape Plan.

**§ 110-37 Recreation areas.**

Active and Passive Recreation areas shall be provided as required in Chapter 135, Zoning, within any Planned Residential Development or multifamily residential project.

**§ 110-38 Topsoil retention.**

All topsoil that is stripped in the Subdivision or Land Development shall remain on Site. Topsoil shall be stockpiled in designated locations on Site in a fashion that minimizes erosion or other loss. At the time of final Grading, the topsoil shall be spread to a depth of at least 3 inches where possible, especially over areas to be seeded or sodded or needing rapid vegetative growth to preclude Soil Erosion.

**Article VI: Improvements**

**§ 110-39 Completion of Improvements.**

A. No Subdivision and/or Land Development application shall be finally approved unless the Streets shown on such Plan have been improved to a mud-free or otherwise permanently passable condition, or improved as required by this chapter and any Walkways, Curbs, Gutters, Street lights, fire hydrants, Shade Trees, water mains, Sanitary Sewers, storm Sewers, and other Improvements as required by this chapter have been installed in accordance with this chapter. In lieu of the completion of any Improvements required as a condition for Final Plan approval, the Landowner or Developer may deposit financial security with the Township in an amount sufficient to cover the costs of such Improvements or common amenities including, but not limited to:

(1) Roads;

(2) Stormwater Detention and/or Retention Basins, and other related Drainage Facilities;

(3) Recreational facilities;

(4) Open Space Improvements;

(5) Buffer or Planting Screens; and

(6) The installation of water mains and sanitary sewer lines, together with any apparatus incident thereto, under the jurisdiction of a public utility or municipal authority and any fees incident to such installation that are or may be required.

B. When requested by the Landowner or Developer, in order to facilitate financing, the Board of Supervisors

shall furnish the Developer with a signed copy of a resolution indicating approval of the Final Plan contingent upon the Developer obtaining satisfactory financial security. The Record Plan shall not be signed nor recorded until an Improvement security agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the Improvement security agreement is not executed within 90 days unless a written extension is granted by the Board of Supervisors. Such extension shall not be unreasonably withheld and shall be placed in writing at the request of the landowner or developer.

**§ 110-40 Completion Guarantee.**

In lieu of the completion of the Streets and other Improvements required as a condition for the final approval of the Subdivision and/or Land Development Plan as set forth in §§ 110-11.R and 110-39 herein, the Landowner or Developer may deposit financial security acceptable to the Board of Supervisors (except as set forth in § 110-40.E, herein) in an amount sufficient to cover the costs of such Improvements, estimated, calculated, and determined in accordance with the following:

- A. Such financial security shall include, but is not limited to, performance bonds, surety bonds, federal or commonwealth-chartered lending institution irrevocable letters of credit, and restrictive or escrow accounts in such lending institutions. Such bond or other security shall provide for and secure to the Township the completion of all Improvements that may be required within 1 year or such other time that may be fixed by the Board of Supervisors for such completion. Such financial security shall be posted with a bonding company or federal or commonwealth-chartered lending institution, provided said company or institution is authorized to conduct such business within the commonwealth.
- B. Amount of security.
  - (1) The amount of financial security to be posted for the completion of the required Improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the Landowner or Developer. The Township may adjust the amount of the financial security annually, by comparing the actual cost of the Improvements that have been completed and the estimated cost for the completion of the remaining Improvements as of the expiration of the 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 Landowner or Developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the Landowner or Developer in accordance with this subsection.
  - (2) The amount of financial security required shall be based upon an estimate of the cost of completion of the required Improvements, submitted by a Landowner 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, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the Landowner or Developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional Engineer licensed as such in this commonwealth and chosen mutually by the Township and Landowner or 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 so chosen, fees for the services of said Engineer shall be paid equally by the Township and the Landowner or Developer.
- C. If the party posting the financial security requires more than 1 year from the date of posting the financial security to complete the required Improvements, the amount of financial security may be increased by an additional 10% for each 1-year period beyond the first anniversary date from the posting of financial security, or to an amount not exceeding 110% of the cost of completing the required Improvements as

reestablished on or about the expiration of the preceding 1-year period through an estimate of costs as set forth in § 110-40.B above.

- D. If the Development is planned to occur over multiple years, the Board of Supervisors has the authority to permit the submission of Final Plans in sections or stages of Development. However, this is subject to certain requirements or guarantees for future sections or stages of Development that are deemed necessary to protect the approved sections of the Development. As the work of installing the required Improvements proceeds, the party posting the financial security may request that the Board of Supervisors release, or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such request shall be in writing addressed to the Board of Supervisors, whereupon, the Board shall have 45 days from receipt of such request within which to allow the Township Engineer to certify in writing to the Board that said Improvements have been completed in accordance with the approved Plans. Upon such certification the Board of Supervisors 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 or, if the Board of Supervisors fails to act within said 45-day period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by the Township Engineer, require 10% of the estimated cost of the aforementioned Improvements to be retained. The Township Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the Developer, but shall certify to the Board of Supervisors an independent evaluation of the proper number of partial releases.
- E. If water mains or Sanitary Sewer lines, or both, along with apparatus or other facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public Utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public Utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

**§ 110-41 Release from Improvement bond.**

- A. Upon the completion of the required Improvements, the Landowner or Developer shall so notify the Board of Supervisors in writing, by certified or registered mail, sending a copy thereof to the Township Engineer. Within 10 days after receipt of such notice, the Board of Supervisors shall direct and authorize the Township Engineer to inspect all of the said Improvements for compliance with the terms of this chapter.
- B. Within 30 days after receipt of the aforementioned authorization from the Board of Supervisors, the Township Engineer shall file a report in writing of such inspection with the Board of Supervisors and shall concurrently mail a copy thereof to the Developer by certified or registered mail. Such report shall be detailed and shall clearly and specifically indicate approval or rejection of such Improvement, either in whole or in part, and if such Improvements, or any part or portion thereof, shall not be approved, or shall be rejected by the Township Engineer, such report shall contain a statement of the reasons for such nonapproval or rejection.
- C. The Board of Supervisors shall notify the Landowner or Developer, within 15 days of receipt of the Township Engineer's report, in writing by certified or registered mail of the action of the Board of Supervisors with relation thereto.
- D. If the Board of Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all Improvements will be deemed to have been approved and the Landowner or

Developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

- E. If any part or portion of the said Improvements is not approved, or is rejected by the Board of Supervisors, the Landowner or Developer shall correct and complete the same; and the same procedure as set forth within this section shall be followed and applied.
- F. The Landowner or Developer shall be responsible for maintenance of all Improvements until such Improvements as are offered for Dedication are accepted by the Township. Ten percent of the Completion Guarantee shall be retained as financial security until a Maintenance Guarantee as provided for in § 110-44 herein has been posted and As-Built Plans are verified and accepted by the Township Engineer.
- G. When the Board of Supervisors accepts Dedication of all or some of the required Improvements following completion, the Board 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 as depicted on the Final Plan for a term not to exceed 18 months from the date of acceptance of Dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such Improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said Improvements.
- H. If financial security has been provided in lieu of the completion of Improvements required as a condition for the Final Plan approval, the Township shall not condition the issuance of building, Grading, or other permits relating to the erection or placement of Improvements, including Buildings, upon the Lots of land as depicted upon the Final Plan upon actual completion of the Improvements depicted upon the approved Final Plan. Moreover, if said financial security has been provided, Occupancy Permits for any Building or Buildings to be erected shall not be withheld following the Improvement of the Streets providing access to and from existing public Roads to such Building or Buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other Improvements as depicted upon the approved Final Plan, either upon the Lot or Lots or beyond the Lot or Lots in question if such Improvements are necessary for the reasonable use of or Occupancy of the Building or Buildings
- I. Nothing herein, however, shall be construed as a limitation of the Landowner's or Developer's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township Engineer.

**§ 110-42 As-Built Plan submission.**

Within 30 days after completion of Improvements and approval of same by the Township, and before acceptance of such Improvements, the Landowner or Developer shall submit to the Board of Supervisors a corrected set of As-Built Plans and profiles in accordance with §§ 110-16 and 110-23 herein.

**§ 110-43 Remedies to effect completion of Improvements.**

In the event that any Improvements that may be required under this chapter have not been installed as provided in this chapter, or in accordance with the approved Final Plan, the Board of Supervisors may enforce the bond or other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or correction to all the Improvements covered by such bond or security, the Board of Supervisors 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 from the land Developer the monies necessary to complete the said Improvements. All of the proceeds, whether resulting from the security or from legal or equitable action brought against the Landowner or Developer, or both, shall be used solely for the installation of Improvements covered by such security.

**§ 110-44 Dedication and acceptance of Improvements.**

Upon completion of the Construction of Improvements in accordance with the approved Subdivision or Land Development Plan, the following conditions shall apply to the offer of Dedication of the same and the acceptance thereof:

- A. The Board of Supervisors shall have no obligation to take over and make public any Street or other Improvement in or abutting a Subdivision or Land Development. If the Board of Supervisors elects to accept an offer of Dedication, such acceptance shall not occur unless and until:
  - (1) The required Improvements and Monuments as shown on the approved Subdivision and/or Land Development Plan, Conservation Plan, and Improvement Construction Plan shall have been certified by the Township Engineer as having been constructed and installed in accordance with the provisions of this chapter, and all other ordinances, Codes, regulations, Plans and maps of the Township as shall be applicable.
  - (2) A Maintenance Guarantee is provided through the posting of financial security, such as that deemed to be acceptable to the Township as set forth in § 110-40.A herein. Such guarantee shall assure the structural integrity of required Improvements as well as the functioning of said Improvements, in accordance with the design and specifications as depicted on the approved Final Plans for a term not to exceed 18 months from the date of acceptance of Dedication. Said financial security shall be in an amount equivalent to 15% of the actual cost of installation of the required Improvements.

**Article VII: Additional Provisions**

**§ 110-45 Coordination with adjoining or nearby areas.**

All proposed Subdivisions or Land Developments shall be coordinated and Planned so as to be compatible with adjoining or nearby neighborhoods or approved Subdivisions or Land Developments so that harmonious Development will result. Such coordination shall also pertain to Subdivisions or Land Developments located adjacent to neighboring townships.

**§ 110-46 Official Map incorporation.**

Upon the recording of an approved Subdivision and/or Land Development Plan, the Streets, parks, and other public Improvements shown thereon shall be and become a part of the Official Map of the Township, subject, however, to the provisions of § 110-44 herein.

**§ 110-47 Inspection of work and materials.**

All work and materials shall be subject to inspection for conformity with the terms of this chapter by the Township Engineer.

- A. When any work or materials are determined by the Township Engineer to be out of compliance with the terms of this chapter or any other Township ordinance, Code, regulation, Plan, or map, or at variance with any permit issued therefor, the Township Engineer may, by notice in writing or verbal order followed by notice in writing, direct that all work upon Improvements in the Subdivision or Land Development forthwith stop until such noncompliance or variance is corrected; except as the Township Engineer may deem necessary to prevent injury or damage to Persons or property, no work shall thereafter be performed upon the same except in accordance with further instruction of the Township Engineer.
- B. No underground pipes, works, lines, Structures, subgrades, or base courses shall be covered until the same has been inspected and approved by the Township Engineer, and if the same has been covered contrary to the provisions hereof, upon the order of the Township Engineer the Landowner or Developer shall cause the same to be forthwith uncovered so as to permit the inspection thereof.



- C. When an inspection of any Improvements shall be required, or desired by the Landowner or Developer, the Landowner or Developer shall give the Township Engineer 48 hours' notice in advance.

**§ 110-48 Lot purchasers and mortgagees.**

When a Subdivision or Land Development Plan has been approved and recorded in accordance with the provisions of this chapter, and the Improvements thereon have been completed and approved by the Board of Supervisors, or, in lieu thereof, an Improvement bond or other security has been furnished to the Township, the purchasers and mortgagees of Lots in the Subdivision or Land Development shall be relieved of any and all liability for any deficiency in, lack of, or failure to complete the said Improvements by the Landowner or Developer, and any failure to complete or properly complete the said Improvements shall not encumber any Lot or Lots in the said Subdivision or Land Development.

**§ 110-49 Public Hearing.**

Before acting upon any Subdivision and/or Land Development Plan, the Board of Supervisors may conduct a Public Hearing thereon, pursuant to Public Notice.

**§ 110-50 Notice to contractors.**

The Landowner and/or Developer shall notify all Builders and/or contractors that they shall perform all work in accordance with the regulations and requirements of this chapter and such other Township ordinances, Codes, regulations, Plans, and maps as shall be applicable thereto.

**§ 110-51 Modification of Plan requirements.**

The Township Planning Commission may recommend to the Board of Supervisors that the Plan requirements for a Subdivision and/or Land Development be modified or altered in order to encourage or promote economy and ingenuity in the layout and design of Subdivisions and Land Developments, to more effectively protect unique and/or sensitive environmental areas, or to more effectively conform to the purposes of this chapter, as follows:

- A. With respect to encouraging or promoting economy and ingenuity in the layout and design of Subdivisions and Land Developments, the Township Planning Commission may recommend modifications to Plan requirements for, but not limited to, the following types of proposals:
- (1) Those that may involve earth sheltered housing design.
  - (2) Those that may involve energy conservation.
  - (3) Those that may involve the conversion, Reuse and/or adaptation of an existing Structure or Building.
- B. With respect to more effectively protecting various critical environmental areas, the Township Planning Commission may recommend modifications to Plan requirements for, but not limited to, the following types of proposals:
- (1) Those that would more effectively protect existing tree growth, especially Notable Trees and stands of indigenous Vegetation;
  - (2) Those that would minimize extensive Grading and the displacement of soil;
  - (3) Those that would enhance Groundwater Recharge;
  - (4) Those that would minimize surface water runoff and improve the management of Stormwater;
  - (5) Those that would preserve historic or cultural Sites or Structures;

(6) Those that would conserve prime agricultural lands and soils; and/or

(7) Those that would minimize visibility of Development and protect the visual quality of ridges and other exposed areas.

C. In granting modifications to the Landowner or Developer, the Board of Supervisors may impose such conditions as will, in its judgment, substantially secure the objectives of the standards or requirements so varied or modified.

§ 110-52 Environmental Impact Assessment Report.

A. In order to more effectively evaluate Subdivision and/or Land Development proposals, the Applicant shall be required to disclose the environmental consequences or effects of such proposals through the submission of an Environmental Impact Assessment (EIA) Report.

(1) An EIA report shall be submitted with the Preliminary Plan for:

(a) Any Development in a PRD District or a multifamily Development district including R-MA;

(b) Any Development in the LI, LI-1, POC, PBC, PBC-1, B and B-1 Districts;

(c) Any Development for which a Conditional Use permit is required as per Chapter 135, Zoning; and

(d) Any Development that is proposed to have more than 10 Dwelling Units; any Development of any type that is proposed on a Tract greater than 15 acres in size; or any Development where the gross density is in excess of two Dwelling Units per acre.

(2) An updated EIA report shall accompany and form a part of the Final Plan for any of the above.

B. The EIA report shall contain text, tables, maps, and analyses that document the probable Impact resulting from the proposed Subdivision and/or Land Development in accordance with the format and content outline specified below.

C. Eighteen copies of the EIA report shall be submitted in accordance with the format and content specified below. Within the EIA report, specific emphasis shall be directed toward the proposed project's effects on and relationship to applicable Site, neighborhood (including areas in adjacent townships where applicable), and Township-wide resources, conditions, or characteristics. The EIA report shall include text, tables, maps, and analyses for the purpose of describing the project Site, proposed use(s), environmental characteristics, and the environmental effects of the proposal in accordance with the required disclosures listed below. One or more Plans or maps may be used to display the required information, and the information shall be coordinated with requirements set forth in Article IV.

(1) An identification of the Site location and area through the use of a location map drawn at a Scale of 1 inch equals 2,000 feet or less. The location map shall depict all Streets, adjoining properties, zoning district boundaries, and municipal boundaries within 1,000 feet of any part of the Tract. In the case of Development of a section of the entire Tract, the location map shall also show the relationship of the section to the entire Tract.

(2) An identification of the Site character and appearance through the presentation of black and white photographs or copies thereof. Such photographs shall provide a representation of what the Site looks like from the ground. Photographs should be properly identified or captioned and shall be keyed to a map of the Site.

- (3) An identification of the nature of the proposals through the presentation of the following:
- (a) A Site Development Plan including notes pertaining to the number and type of Lots or units, the square footage and/or acreage of the Tract, and a depiction of the features that are proposed, such as Streets, Driveways, parking areas, Buildings and other Structures, and all Impervious Surfaces. The Plan shall be drawn at a Scale of 1 inch equals 50 feet and may be submitted as an attachment to the report. The Plan shall reflect all the information required under § 110-20 herein;
  - (b) Plans and Elevations depicting the proposed size, square footage, height, and, where applicable, number of rooms of Buildings and/or other Structures;
  - (c) A statement indicating the existing and proposed ownership of the Tract and, where applicable, the type of ownership, operation, and maintenance proposed for areas devoted to Open Space or otherwise not under the control of a single Lot Owner; and
  - (d) A statement indicating the proposed staging or phasing of the project and a map depicting the boundaries of each stage or phase of the project. Such boundaries shall be superimposed on a version of the Site Development Plan.
- (4) An identification of Physical Resources associated with the Tract including such features as topography, soils, hydrology, and the like. The identification of Physical Resources shall include a narrative description of the qualitative and quantitative aspects of each of the resources mentioned above. In addition, these resources may be either incorporated into the EIA report or submitted as attachments to the report.
- (a) A map depicting the topographical characteristics of the Tract. Such map shall have Contour intervals of 2 feet or less, and shall depict slopes from 0% to 4%, 4% to 10%, 10% to 15%, 15% to 25%, and greater than 25%, as required in Article IV.
  - (b) A map depicting the soil characteristics of the Tract. Such map shall depict all soil types and shall include a table identifying soil characteristics pertinent to the proposed Subdivision and/or Land Development such as depth of bedrock, depth of water table, flood hazard potential, and limitations for On-Lot Septic Drain Fields.
  - (c) A map depicting the hydrological characteristics of the Tract. Such map shall depict surface water resources, their Drainage characteristics, watersheds and Floodplains, and groundwater resources. Surface water resources include features such as creeks, runs and other Streams, Ponds, other natural bodies of water, springs, Wetlands, and any man-made Impoundments. Groundwater resources include features such as aquifers and aquifer recharge areas.
- (5) An identification of Biological Resources associated with the Tract including Vegetation. The identification of Biological Resources shall include a narrative description of each of the resources mentioned above. In addition, these resources shall be mapped at a Scale of 1 inch equals 50 feet and may be either incorporated into the EIA report or submitted as attachments to the report.
- (a) A map depicting the Vegetation characteristics of the Tract. Such map shall delineate the locations and boundaries of the wooded areas of the Tract and shall note the sizes and species of Vegetation.
  - (b) All trees with a DBH of 12 inches or greater shall be accurately located on the map either as freestanding trees or as tree masses.

- (6) An identification of the Land Use conditions and characteristic associated with the Tract, including current and past use, land cover, and encumbrances, and the relationship of these to adjacent Tracts. The identification of Land Use conditions and characteristics shall include a narrative description of the above. In addition, the following maps drawn at a Scale of 1 inch equals 50 feet shall be incorporated into the EIA report or submitted as attachments to it.
  - (a) A map depicting the land cover characteristics of the Tract. Such map shall define existing features, including paved or other Impervious Surfaces, wooded areas, cultivated areas, Pasture, old fields, lawns, Landscaped Areas, and the like.
  - (b) A map depicting any encumbrances to the Tract. Such map shall define Easements and other areas where certain use privileges exist.
  - (c) A map depicting the Land Uses adjacent to the proposed Tract.
- (7) An identification of the Historic Resources associated with the Tract such as areas, Structures, and/or routes and Trails that are significant. Areas, Structures, and/or routes and Trails included on the National Register of Historic Places, the Pennsylvania Inventory of Historic Places and the Historic American Building Survey, and those identified in the Comprehensive Plan shall be identified. The identification of Historic Resources shall include a narrative description of the above. In addition, a map drawn at a Scale of 1 inch equals 50 feet depicting Historic Resources shall be incorporated into the EIA report or submitted as an attachment to the report.
- (8) An identification of the Visual Resources associated with the Tract such as areas that have a particular amenity value and areas that offer interest in viewing the Tract. The identification of Visual Resources shall include a narrative description of the above. In addition, a map drawn at a Scale of 1 inch equals 50 feet depicting Visual Resources shall be incorporated into the EIA report or submitted as an attachment to the report.
- (9) An identification of the Community Facility needs associated with the user and/or resident of the proposed Subdivision and/or Land Development. The Community Facility needs assessment shall indicate in narrative form the type of services that will be in demand. When applicable, Community Facilities (such as schools, park and recreation areas, libraries, hospitals, and other health care facilities, fire protection, police protection, ambulance, and rescue service) shall be discussed in terms of the ability of existing facilities and services to accommodate the demands of future users and/or residents of the Lots and/or Tract and the need for additional or expanded Community Facilities.
- (10) An identification of the Utility needs associated with the user and/or resident of the proposed Subdivision and/or Land Development. The Utility needs assessment shall indicate in narrative form the type of installations that will be in demand. Utilities (such as those used for water supply, Sewage disposal, refuse disposal, storm Drainage, communications, and electrical transmission) shall be discussed in terms of the ability of existing Utility installations to accommodate the demands of the future users and/or residents of the Lots and/or Tract; the need for additional or expanded Utility installations; the ability to achieve an adequate, potable quantity of water whenever individual wells are proposed; the ability to achieve an adequate system for On-Site Sewage Disposal whenever such a system is proposed; and the ability to achieve an adequate system for storm Drainage and Stormwater management.
- (11) An identification of the relationship of the Transportation and circulation system needs of the proposed Subdivision and/or Land Development to the existing Street or highway network through the preparation of a traffic Impact study. traffic Impact study shall be prepared by a professional Engineer with verifiable experience in traffic engineering. The study shall indicate

factors such as methods to be used for traffic control within the Tract and at points of Ingress to and Egress from it, and expected traffic volumes generated from the Subdivision and/or Land Development including their relationship to existing traffic volumes on existing Streets for both peak-hour and nonpeak-hour traffic conditions. In addition, there shall be a discussion of the physical condition of existing Streets that will service the proposed Subdivision and/or Land Development and what Improvements are proposed to remedy any physical deficiencies.

- (12) An identification of the Social and Demographic Characteristics related to the proposed Subdivision and/or Land Development. The characteristics that shall be presented in narrative form shall include a profile of the future users and/or residents of the Lot and/or Tract including information such as the number of people expected. Such information shall be related to initial and completed Subdivision and/or Land Development conditions.
- (13) An identification of the Economic and Fiscal Characteristics related to the proposed Subdivision and/or Land Development. The characteristics that shall be presented in narrative form shall include a profile of the Township, county and school district revenues that the proposal may generate and the Township, county and school district costs it may create. Such information shall be related to initial and completed Subdivision and Land Development conditions.
- (14) An identification of characteristics and conditions associated with existing, Construction related, and future air and water quality and Noise levels, vibration, toxic materials, electrical interference, odor, glare and heat, fire and explosion, smoke, dust, fumes, vapors and gases and/or radioactive materials.
- (15) The potential consequences of the proposed Subdivision and Land Development, including the beneficial or adverse Impacts that may arise from it, as well as the timeframe during which these effects may occur, distinguishing between short-term and long-term Impacts. To denote such effects, there shall be a discussion of the implications of the proposed Subdivision and/or Land Development to the resources, conditions and characteristics described in Subsections C(4) through (14) above. In addition to a narrative presentation of implications, the Applicant shall indicate where the Subdivision and/or Land Development adversely affects the Tract's resources, conditions or characteristics through the use of a map drawn at a Scale of 1 inch equals 50 feet wherein the areas adversely affected by the proposed Development are highlighted. Such map may be either incorporated into the EIA report or submitted as an attachment to the report. Further, the Applicant must demonstrate and specify in the EIA report how and where the findings in the EIA report and its attachments are reflected in the Subdivision and/or Land Development Plan.
- (16) Alternatives to the proposed Subdivision and/or Land Development. To indicate such Alternatives, the Applicant shall submit exhibits or diagrams that will depict the type of Alternatives described in narrative form. The Applicant shall comment on how Alternatives such as revised location, redesign, layout, or siting of Buildings, Roads, and other Structures; alternate methods for Sewage disposal and water supply; reduction in the size of proposed Structures or number of Structures; and the like would preclude, reduce, or lessen potential adverse Impact or produce Beneficial Effects.
- (17) Probable Adverse Effects that cannot be precluded. In indicating such effects, a discussion shall be presented regarding whether they will have primary or secondary implications, that is, whether the Adverse Effects will have direct or indirect influence on a particular resource, condition or characteristic.
- (18) Measures to mitigate Adverse Effects. To indicate such measures, the Applicant shall submit exhibits or diagrams that will depict the type of remedial, protective, and mitigative measures described in narrative form. These resources shall include those required through existing procedures and standards, and those unique to a specific project, as follows:

- (a) Mitigation measures that pertain to existing procedures and standards are those related to current requirements of the state, county, and/or Township for remedial or protective action, such as sedimentation and Soil Erosion control, Stormwater runoff control, water quality control, air quality control, and the like.
- (b) Mitigation measures related to Impacts that may be unique to a specific Subdivision and/or Land Development are those related to efforts such as revegetation, Screening, fencing, emission control, traffic control, Noise control, relocation of people and/or businesses, land acquisition, and the like.

(19) Any irreversible environmental changes that would occur due to the proposed Subdivision and/or Land Development should it be implemented. To indicate such changes, the use of nonrenewable resources during the initial and continued phases of the Subdivision and/or Land Development shall be discussed. Further, the loss of environmental resources shall be indicated through a presentation of the quantity of loss and related qualitative effects.

(20) An identification of the measures taken to provide sustainable Stormwater management to reduce the surface discharge of Stormwater, reduce the creation of unnecessary Impervious Surfaces, prevent the degradation of waters of the commonwealth, and maintain the natural hydrologic regime of the Site to the maximum extent practicable. The Applicant shall demonstrate that the design preserves existing environmental features beneficial for Stormwater management and minimizes increases in Stormwater runoff and Impacts to water quality resulting from the proposed regulated activity by:

- (a) Preparing an Existing Resource and Site Analysis Map (ERSAM) showing environmentally sensitive areas, including, but not limited to, Steep Slopes, Ponds, lakes, Streams, Wetlands, hydric soils, vernal pools, Stream buffers, and hydrologic soil groups;
- (b) Establishing a Stream buffer in accordance with Chapter 105, Stormwater Management.
- (c) Preparing a draft project layout that avoids sensitive areas identified in § 110-52.C(20)(a);
- (d) Identifying Site-specific existing conditions Drainage areas, discharge points, recharge areas, and Hydrologic Soil Groups A and B (areas conducive to infiltration)
- (e) Implementing nonstructural Stormwater management Alternatives, including:
  - [1] Minimizing earth disturbance;
  - [2] Minimizing Impervious Surfaces;
  - [3] Breaking up large Impervious Surfaces;
  - [4] Routing roof runoff over lawns;
  - [5] Reducing the use of storm Sewers by utilizing Swales and other natural Drainage features;
  - [6] Reducing Street widths to the minimum Cartway widths outlined in § 110-26.C; and
  - [7] Using Permeable paving materials where appropriate (e.g., Driveways, overflow parking areas, emergency access Roads).

D. In making its evaluation, the Board of Supervisors and/or the Planning Commission may request any additional information it deems necessary to adequately assess potential environmental Impacts. Further,

whenever any information requested in Subsection C above is not applicable to the proposed Subdivision and/or Land Development, the Board of Supervisors may waive certain requirements to address such information upon a finding of such inapplicability. A written request for a waiver shall be made by the Applicant and shall be submitted at the time when an application for Subdivision and/or Land Development, Conditional Use, and/or Special Exception is made.

E. The EIA report shall be prepared by an Engineer, Architect, Landscape Architect, or Land Planner.

#### **Article VIII: Administration and Enforcement**

##### **§ 110-53 Records.**

The Township shall keep a record of its findings, decisions and recommendations relative to all Subdivision and/or Land Development Plans filed with the application for Review. All such records shall be public records.

##### **§ 110-54 Schedule of application fees.**

Upon the filing of an application for preliminary and final approval of a Subdivision and/or Land Development Plan, the Landowner or Developer shall submit to the Township Secretary such fees as the Board of Supervisors shall from time to time establish by resolution.

##### **§ 110-55 Inspection fees.**

- A. The Applicant shall reimburse the Township for the 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 ordinance or 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 Township, 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. Invoices shall be due upon presentation to the Applicant.
- B. The Township shall submit to the Applicant an itemized bill showing the work performed in connection with the inspection of Improvements performed and 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 100 days after the date of transmittal of an invoice 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 its 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 an Applicant to dispute a bill within 100 days shall be a waiver of the Applicant's right to arbitration of that bill under this section.
- C. 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 Township a bill for inspection services, specifically designated as a final bill, which the Township shall submit to the Applicant. The final bill shall include inspection fees incurred through the release of financial security.
- D. 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.

- E. 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 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 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 60 days reimburse the excess payment.
- F. In the event that the Township's professional consultant and the Applicant cannot agree upon the arbitrator to be appointed within 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 the judicial district in which the municipality is located (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 5 years.
- G. The fee of the arbitrator shall be paid by the Applicant if the disputed fee is upheld by the arbitrator. The fee of the arbitrator shall be paid by the charging party if the disputed fee is \$2,500 or greater than the payment decided by the arbitrator. The fee of the arbitrator shall be paid in an equal amount by the Applicant and the charging party if the disputed fee is less than \$2,500 of the payment decided by the arbitrator.
- H. In the event that the disputed fees have been paid and the arbitrator finds that the disputed fees are unreasonable or excessive by more than \$10,000, the arbitrator shall:
  - (1) Award the amount of the fees found to be unreasonable or excessive to the party that paid the disputed fee; and
  - (2) Impose a surcharge of 4% of the amount found as unreasonable or excessive to be paid to the party that paid the disputed fee.
- I. A Township or an Applicant shall have 100 days after paying a fee to dispute any fee charged as being unreasonable or excessive.

**§ 110-56 Fees for Review of Plans.**

- A. An Applicant shall pay the Township's Professional Review Fees incident to Review of the Applicant's Plan. Such Review fees shall be based upon a schedule established by ordinance or resolution. Such Review fees shall be reasonable and in accordance with the ordinary and customary charges for similar service in the Township, 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. Fees charged to the Township relating to any appeal of a decision on an Application shall not be considered Review fees and may not be charged to an Applicant. Invoices shall be due upon presentation to the Applicant.
- B. 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 municipal escrow or other security requirements. In the event the Applicant disputes the amount of any such Professional Review Fees, the Applicant shall, no later than 100 days after the date of transmittal of the bill to the Applicant, notify the municipality and the



municipality'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 100 days shall be a waiver of the Applicant's right to arbitration of that bill under § 110-55 D-I.

- C. In the event that the Township's professional consultant and the Applicant cannot agree on the amount of Professional Review Fees that are reasonable and necessary, then the Applicant and the Township shall follow the procedure for dispute resolution set forth in § 110-55 D-I, provided that the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.
- D. Subsequent to a decision on an Application, the Township shall submit to the Applicant an itemized bill for Professional Review Fees, specifically designated as a final bill. The final bill shall include all Professional 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 Professional Review Fees shall be charged to the Applicant as a supplement to the final bill.

**§ 110-57 Costs for material tests.**

The Landowner or Developer shall pay to the Township, upon invoice rendered by the Township, the cost of performing all material tests determined by the Board of Supervisors to be necessary or desirable in connection with the inspection or approval of all Subdivision and/or Land Development Plans or Improvements.

**§ 110-58 Other fees.**

The Landowner or Developer is required to make payment to the Township for all fees incurred by the Township in the preparation of the Subdivision and Land Development agreements, Improvement and maintenance bonds, escrow agreements, and other instruments deemed necessary or desirable by the Board of Supervisors in connection with Subdivisions or Land Developments. The payment shall be due upon receipt of an invoice issued by the Township.

**§ 110-59 Remedies, violations, and penalties.**

**A. Preventive remedies.**

- (1) In addition to other remedies, 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, or Premises. The description by Metes and Bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- (2) The Township may refuse to issue any permit or grant any approval necessary to further improve or Develop any real property that has been Developed or that has resulted from a Subdivision of real property in violation of any chapter provisions. This authority to deny such a permit or approval shall apply to any of the following Applicants:
  - (a) The Owner of record at the time of such violation;
  - (b) The vendee or lessee of the Owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation;

(c) The current Owner of record who acquired the property subsequent to the time of violation without regard as to whether such current Owner had actual or constructive knowledge of the violation; 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.

(3) As an additional condition for issuance of a permit or the granting of an approval to any such Owner, current Owner, vendee, or lessee for the Development of any such real property, the 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.

B. Jurisdiction. Magisterial District Judges shall have initial jurisdiction in proceedings brought under § 110-59.

C. Enforcement remedies.

(1) Any Person, partnership, or corporation who or that has violated the provisions of this chapter shall, upon being found liable therefor 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. No judgment shall commence or be imposed, levied, or be payable until the date of the determination of a violation by the Magisterial District Judge. 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 Magisterial District Judge determining that there has been a violation further determines that there was a good faith basis for the Person, partnership, or corporation violating the chapter to have believed that there was no such violation; in that 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 Magisterial District Judge and thereafter each day that a violation continues shall constitute a separate violation.

(2) The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

(3) Nothing contained in this section shall be construed or interpreted to grant to any Person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

**§ 110-60 Collection of fines.**

All fines collected for violations of this chapter, as provided in § 110-59 herein, shall be paid over to the Township.

**Attachments:**

Attachment 1 – List of Approved Street Trees

Attachment 2 – Subdivision & Land Development Application

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

110 Attachment 1

Chadds Ford Township

Approved List of Street Trees

<b>Botanical Name</b>	<b>Common Name</b>
<i>Acer rubrum</i>	Red Maple
<i>Acer saccharum</i>	Sugar Maple
<i>Carya ovata</i>	Shagbark Hickory
<i>Celtis occidentalis</i>	Common Hackberry
<i>Ginkgo biloba</i> 'Fastigiata'	Upright Ginkgo
<i>Gleditsia triacanthos var. inermis</i> 'Shademaster'	Shademaster Locust
<i>Liquidambar styraciflua</i> 'Rotundiloba'	Fruitless Sweet Gum
<i>Liriodendron tulipifera</i>	Tulip Tree
<i>Nyssa sylvatica</i>	Black Tupelo/Black Gum
<i>Phellodendron amurense</i>	Amur Corktree
<i>Platanus x acerifolia</i>	London Planetree
<i>Platanus occidentalis</i>	American Sycamore
<i>Prunus yedoensis</i>	Yoshino Cherry
<i>Quercus alba</i>	White Oak
<i>Quercus borealis</i>	Red Oak
<i>Quercus imbricaria</i>	Shingle Oak
<i>Quercus palustris</i>	Pin Oak
<i>Quercus phellos</i>	Willow Oak
<i>Tilia cordata</i>	Littleleaf Linden
<i>Zelkova serrata</i>	Japanese Zelkova

**NOTES:**

1. Any other trees proposed for street planting shall be approved by the Board of Supervisors, upon the recommendation of the Planning Commission.
2. For details concerning tree height, habit and other characteristics consult *Tree for American Gardens* by Donald Wyman, the Macmillan Company, 1971, *Manual of Woody Landscape Plants* by Michael A. Dirr, or other sources.
3. For standards pertaining to street tree planting, refer to Article V of Chapter 110, Subdivision and Land Development, and Article XXV and § 135-185 of Chapter 135, Zoning



# CHADDS FORD TOWNSHIP

# Subdivision/Land Development

## SUPPLEMENTAL INFORMATION

FOR BUSINESS ENTITIES, CORPORATIONS, FICTITIOUS NAME, PARTNERSHIPS, FOREIGN ENTITIES, ETC.

If Applicant, Landowner or Developer is a business entity, Corporation, Limited Liability Corporation, Partnership, Limited Liability Partnership, Trust, operates under a fictitious name or is a foreign entity, please complete 4, 5, & 6 on Page 1 and provide the following information:

<b>4a</b> <b>APPLICANT</b> Business Entity: _____  Officers & Titles: _____ _____ _____	Jurisdiction in which incorporated, organized or registered: _____  Date entity formed: _____  If foreign entity, date registered in Pennsylvania: _____ Contact information for parent company: _____ _____
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<b>5a</b> <b>LANDOWNER</b> Business Entity: _____  Officers & Titles: _____ _____ _____	Jurisdiction in which incorporated, organized or registered: _____  Date entity formed: _____  If foreign entity, date registered in Pennsylvania: _____ Contact information for parent company: _____ _____
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<b>6a</b> <b>DEVELOPER</b> Business Entity: _____  Officers & Titles: _____ _____ _____	Jurisdiction in which incorporated, organized or registered: _____  Date entity formed: _____  If foreign entity, date registered in Pennsylvania: _____ Contact information for parent company: _____ _____
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### ADDITIONAL INFORMATION AND NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# CHADDS FORD TOWNSHIP

# PRELIMINARY PLAN CHECKLIST

For Subdivision and/or Land Development Plans - Processing and Review

Name of Subdivision and/or Land Development _____  Name of Applicant _____	Application No. _____  Date of Filing _____							
<b>Plan Requirements</b>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="3" style="padding: 5px;">Concurrence</th> <th rowspan="2" style="padding: 5px;">COMMENTS</th> </tr> <tr> <th style="padding: 5px;">Yes</th> <th style="padding: 5px;">No</th> <th style="padding: 5px;">N/A</th> </tr> </table>	Concurrence			COMMENTS	Yes	No	N/A
Concurrence			COMMENTS					
Yes	No	N/A						
<p><b>SECTION 110-19 - PRELIMINARY PLAN</b></p> <p>The Preliminary Subdivision and/or Land Development Plan and all accompanying maps and plans required by this Ordinance shall be drawn to a scale of not more than one (1) inch equals fifty (50) feet and shall be submitted on black line prints no smaller than seventeen (17) by twenty-two (22) inches and no larger than twenty-four (24) by thirty-four (34) inches. If two (2) or more sheets are required, a key shall be shown on each sheet, and an overall index sheet (24" x 34") shall be submitted. An "electronic" copy of all plans, documents and submissions in Adobe® PDF format shall be submitted on CD-R media. The Preliminary Plan shall reflect the following:</p> <p>A. Conformance with Article III, Section 110-10 regarding Preliminary Plan procedure, and in particular:</p> <ol style="list-style-type: none"> <li>1. The completion of the application form. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>2. The submission of twenty (20) copies of the plans forming a part of the Preliminary Plan as well as twenty (20) copies of all other required documents and submissions. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>3. Evidence of notification of the plan submission to the abutting owners. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>4. The filing at least twenty-one (21) days prior to the regular monthly public meeting of the Planning Commission. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> </ol> <p>B. Illustrations and notes including the following:</p> <ol style="list-style-type: none"> <li>1. A location map which highlights the location of the tract within the Township and depicts properties of abutting owners and adjoining and nearby roads. The location map shall be drawn at a scale of not smaller than 1" = 2000'. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>2. Proposed subdivision or land development name or identifying title. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>3. North arrow, scale and date. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>4. Name, address and telephone number of the Applicant, landowner, developer, and the authorized agent, if any. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>5. Name and signature of Engineer, Surveyor, Landscape Architect, Land Planner or Architect responsible for having prepared the plans forming a part of the Preliminary Plan and any other documents or submissions forming a part of the Preliminary Plan. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>6. Tract boundaries, with dimensions, bearings and distances. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>7. When the Preliminary Plan includes only a portion of a landowner's or developer's entire tract or such portion is contiguous to another tract of the landowner or developer, the dimensions, bearings and distance of the balance of such entire tract or other tract, shall also be shown. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> <li>8. Names and addresses of abutting owners. <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</span></li> </ol>								

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-19 - Continued				
9. Zoning on and adjacent to the tract, including notes regarding the relevant area and bulk regulations for each zoning district that pertains to the tract, with an indication of conformance to same, such as the percent of any lot area covered by impervious surface and the percent of any lot covered by buildings. In addition, should the Flood Control District overlay tract, the following shall apply:				
a. Within the Flood Control District, flood hazard areas and flood fringe areas shall be accurately and conspicuously delineated, depicted and otherwise noted in accordance with same as described in Article XV Section 135 of the Township Code and shown on the Floodplain Conservation District Map. Such delineation and notation shall include: graphic symbolism to distinguish the flood hazard area and the flood fringe area and a brief but accurate summary of the regulations pertaining to such areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. The use(s) proposed in the Chadds Ford Township Comprehensive Plan which pertain to the tract.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. Existing contours at vertical intervals of two (2) feet based on contour information derived from the most recent U.S. Geological Survey Quadrangles for West Chester, PA and Wilmington North, DE, PA, unless the slope of the subject property is either steep or very steep, in which case the contour information shall be derived from an actual topographic survey for the property consistent with National Mapping Accuracy Standards, due evidence of which may be required by the Planning Commission. Slopes shall be accurate and conspicuously directed as follows:				
a. Very steep slopes (25% & greater) and steep slopes (15 to 25%) shall be shown for all portions of the tract on the basis of a two (2) foot contour interval.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Slopes from zero to four percent (0-4%), four to ten percent (4-10%) and ten to fifteen percent (10-15%) shall be shown for all portions of the tract that are proposed for streets and individual and shared driveways.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Datum to which contour elevations refer, and reference to known, established benchmarks and elevations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. All existing surface water resources such as watercourse, ponds and springs and other natural drainage features.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Existing wooded areas, hedgerows and free standing trees generally indicating which are to be removed and which are to remain.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Soil types as identified in the Soil Survey of Chester and Delaware Counties including a listing of the soil characteristics pertaining to slope, depth to seasonal high water table and depth of bedrock.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. All existing man-made features such as buildings, storm and sanitary sewers, water mains, culverts, utility lines and pipe lines, fire hydrants and the like.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. All existing streets on or adjacent to the tract, including name, right-of-way width and cartway width.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. All existing property lines, easements and rights-of-way, and dimensions, bearings and distance for same, and the purpose for which such easements or rights-of-way have been established.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Total acreage of the tract and the acreage and square footage of the individual lots proposed therein and the number of lots, dwelling units, buildings and other structures proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-19 - Continued				
20. A full plan of land development including the following:				
a. Proposed lot lines with dimensions, proposed minimum setback areas, the proposed buildable area (using a dashed line to reflect the minimum yard and setback requirements), end lines of all shared driveways and lot numbers in consecutive order.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Proposed contours at vertical intervals of two (2) feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. The first floor elevation of each proposed building.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Location, alignment and width of all proposed streets, alleys, driveways, rights-of-way and easements and, the identification of street names and the purpose for which private rights-of-way or other easements are proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. Location, size and invert elevation of all sanitary and storm sewers and location of all manholes, inlets and culverts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. Building locations and parking areas in relation to industrial, commercial or institutional land development and, when applicable, provisions for traffic control, loading areas, docks and lighting.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. A preliminary landscaping plan depicting proposed street trees, plantings within cul-de-sac turnaround areas, buffer area plantings, and other plantings as required.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Proposed public buildings, public areas, playgrounds, and parcel of land proposed to be offered for dedication or reserved for public use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. Any proposed structures, improvement and/or construction in addition to the above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. Proposed location and method of water supply and sanitary sewage disposal on each lot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C. The Preliminary Plan shall also be accompanied by the following materials:				
1. A copy of the deed for the subject tract.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. A statement on the types of buildings, other structures, and/or dwelling units proposed to be constructed, indicating whether same will be of uniform construction or different in design, and whether same will be custom or production styled.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. An Environmental Impact Assessment (EIA) report as set forth in Article VII, Section 110-52 therein.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. A preliminary timetable for the proposed sequence of the subdivision and/or land development. The timetable shall indicate the order in which construction activities will occur, and may either be in letter form or shown as an overlay to the plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A planning module for land development as required by Act 537, the Pennsylvania Sewage Facilities Act.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. A written report indicating the feasibility of proposals for water supply and sanitary sewage disposal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a. With regard to water supply, there shall be an objective description of the ability of achieving a successful system for an individual or community well, whenever such well is proposed. The description shall reference geologic and hydrogeologic data relative to groundwater conditions and potential yields. In addition to such information regarding water supply, the description shall indicate the demand for water from the proposed subdivision and/or land development and its related uses and users.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-19 - Continued				
b. With regard to sanitary sewage disposal, there shall be an objective description of the ability of achieving a successful system for the on-site disposal of sewage whenever such a system is proposed. The description shall make reference to soils data relative to limitations for septic tank filter fields, and indicate various indices of suitability for such a system, such as permeability and depth to seasonal high watertable. In addition, percolation test results shall be discussed and exhibited.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. A Preliminary Conservation plan in accordance with Section 110-20 herein.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Whenever improvements are to be constructed or installed, a Preliminary Improvements Construction Plan in accordance with Section 110-21 herein.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. A draft of any proposed covenants or restrictions upon or against the subdivision or any lot thereof, or upon or against any land development subject to the approvals of the Township Solicitor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. When connection to public water and/or public sewer facilities is proposed, assurance of the availability of such service should be included. This assurance shall be in the form of a letter signed by an officer of the company or authority concerned, indicating their ability and willingness to make such service available within the timetable cited under Section 110-19.C.4. herein.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. When the proposed tract involves a gas pipeline, petroleum products transmission line, electric power transmission line, or any other pipeline or cable located thereon, a letter from the owner or authorized agent of such a facility indicating minimum setback distance requirements or a true and correct copy of the easement or grant of record shall be filed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. When the Preliminary Plan includes only a portion of the entire or contiguous tract, a Sketch Plan which shows the prospective future street system and other improvements of the remaining land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. A list of all permits, agreements, approvals, clearances and the like required to be obtained in connection with the proposed subdivision and/or land development and the governmental agencies, authorities and companies from which same are to be obtained.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. A draft of all other plans, document and submissions which by terms of any Township ordinance, code or regulation may be required by the Board of Supervisors for Final Plan approval, shall be required in preliminary form and shall accompany and form a part of any Preliminary Plan when the application form for approval thereof is filed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. A notarized statement indicating that the Applicant has the approval of the owner for submitting the subdivision and/or land development which shall be signed by the landowner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. If the proposed lot(s) abuts on a street under the jurisdiction of the state, a note shall be added to the preliminary plan to indicate that a highway occupancy permit is required before a driveway or a street can access a state highway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SECTION 110-20 - CONSERVATION PLAN				
A Conservation Plan, which shall accompany and become a part of the Preliminary and Final Subdivision and/or Land Development Plan, shall be drawn at the same scale as that of other plans forming a part of the Preliminary Plan and the Final Plan. The Conservation Plan shall be filed as a separate sheet or drawing in addition to that submitted in accordance with Sections 110-19 and 110-22 herein. However, the information contained in said plan shall be added so as to overlay with that delineated in conformance with the requirement of Sections 110-19 and 110-22 herein, whereby the attributes of the proposal such as tract boundaries, existing and proposed contours, existing natural features, proposed subdivision and land				

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-20 - Continued				
development layout, and the like are reflected. In addition to the foregoing, the Conservation Plan shall reflect the following:				
A. The Conservation Plan shall be in complete conformance with the design standards of Article V, in particular Sections 110-34 and 110-35. The Conservation Plan shall indicate measures to be taken to protect surface and groundwater resources, topography, vegetation and other natural features through the control of grading, soil erosion and sedimentation and stormwater management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B. The plan, map, report, calculations and computation requirements for the control of grading, soil erosion and sedimentation and stormwater management shall be as follows:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1. A map depicting the total watershed. A USGS Quadrangle Map is suitable as the source for such a map. However, the watershed area must be highlighted or otherwise distinguished from other areas outside the watershed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Maps and drawings show all existing and proposed drainage facilities affecting the subject property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. A plan of the site at a scale of no less than one inch equals fifty feet (1" = 50'), prepared by a registered engineer including the following:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a. All existing topographic features with a contour interval of at least two (2) feet, as per Section 110-19.B.11.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Boundary survey information as per Section 110-19.B.18.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Location and description of all vegetative characteristics as per Section 110-19.B.14., plus all other land cover characteristics.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. All existing utilities, as per Section 110-19.B.16.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. Soil types, as per Section 110-19.B.15.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. All proposed improvements such as proposed buildings, driveways, stormwater management facilities, grading, soil erosion and sedimentation control and procedures, and the like.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. Profiles of all proposed sewers, including elevation, sizes, slopes and materials, at a scale of no less than one inch equals fifty feet (1" = 50') horizontal and one inch equals five feet (1" = 5') vertical, as per Section 110-21.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Staging of earthmoving activities and program of operation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
i. Locations, dimensions, and design details required for the construction of all such facilities, as per Section 110-21.G.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
j. All soil erosion and sedimentation control measures, temporary as well as permanent, and sufficient detail in order to clearly indicate effectiveness of the plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
k. Project specifications relative to stormwater control, soil erosion and sedimentation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
l. When major control facilities, such as detention/retention basins, are planned, soil structures and characteristics shall be investigated. Plans and data shall be prepared and submitted by a licensed professional engineer or geologist with experience and education in soil mechanics. These submissions should consider and offer design solutions for frost heave potential, shrink-swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and backfilling procedures and soil treatment techniques as required to protect the improvements or structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-20 - Continued				
4. The design computations for the stormwater drainage systems including storm drain pipes and inlets, runoff control measurers, and culverts and drainage channels.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. A narrative report of the project stating the purpose and engineering assumptions and calculations for control measures and facilities. The following information shall be included:				
a. General description of the project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. General description of the accelerated runoff control plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. General description of the soil erosion and sedimentation control plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Expected project time schedule, including anticipated start and completion dates.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. The project's stormwater characteristics as related to its location within the watershed(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. On-site detention methods.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
g. Methodology and basis of design computations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
h. Brief description of soils and their characteristics.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Stormwater Drainage Plan				
a. A complete plan of the stormwater drainage system showing all pipes, swales, channels, structures, and detention basins shall be submitted as part of the stormwater management plan. The drainage areas and the design flow into each inlet or structure shall be delineated on a copy of the stormwater management plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SECTION 110-21 - IMPROVEMENTS CONSTRUCTION PLAN				
Whenever improvements are proposed, the Improvements Construction Plan shall accompany and become a part of the Preliminary and Final Subdivision and/or Land Development Plans. Said Plan shall be drawn at a ten to one (10:1) ratio of horizontal to vertical scale, whereby the horizontal scale shall be at least fifty (50) feet to the inch and the vertical scale shall be five (5) feet. However, the horizontal scale may be forty (40) feet to the inch with a vertical scale of four (4) feet to the inch; or twenty (20) feet to the inch and (2) feet, respectively, when directed by the Township Engineer. Said Plan shall be prepared by an Engineer and shall show thereon, or be accompanied by the following:				
A. On all plans, profiles and other sheets which depict the information required in this Section, the following shall be provided:				
1. Proposed Subdivision and/or Land Development name or identifying title.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. North arrow, scale and date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Name of the landowner, developer and the authorized agent, if any.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Name of the engineer responsible for having prepared the plans(s), profile(s), cross-section(s), documents and/or other submissions forming the Improvements Construction Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B. The horizontal plan shall show details of the horizontal layout of streets, including:				
1. Centerline with bearings, distances, curve data and stations corresponding to the profile.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Right-of-way and curb lines with radii at intersections.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Beginning and end of proposed construction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-21 - Continued				
4. Tie-ins by bearing and distances to intersections of all public streets, with the names and widths thereof.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Location of all proposed monuments with references thereto.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Property lines and ownership of abutting properties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Location and size of all drainage structures, public utilities, sidewalks, lighting standards, street name signs and other improvements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C. The profile shall be a vertical section of streets, with details of vertical alignment including:				
1. Profiles and elevations at fifty (50) foot stations along the centerline of the existing ground surface and along both right-of-way lines as well as the profile of the nearest connecting streets for a distance of one hundred (100) feet beyond the boundary of the subdivision and/or land development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Profiles and percentage of grade along the proposed centerline and elevations at fifty (50) foot intervals at tangent points at grade intersections and at either end of curb radii.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. The length of vertical curves and elevations at twenty-five (25) foot intervals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
D. The cross section of street prepared in accordance with the Design Standards in Article V. including:				
1. Right-of-way width and location and width of paving within the right-of-way.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Type, thickness and crown of paving.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Type and size of curb with detail of concrete chair.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Grading of sidewalk areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Location, width, type, and thickness of sidewalk.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Location of sewers and underground utilities with sizes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Horizontal plan of storm drains and sanitary sewers, which may be shown on a separate Drainage Plan including:				
1. Location and size of line with stations corresponding to the profile.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Locations of manholes or inlets with grade between and elevation of flow line and top of each manhole or inlet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Property lines and properties of abutting owners, with details of easements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Beginning and end of proposed construction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Location of laterals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Location of all other drainage facilities and utilities in the vicinity of storm and/or sanitary sewer lines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Hydraulic design data for culverts and/or bridge structures and details of proposed handling of surface and/or subsurface drainage problems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
F. Profile of storm drains and sanitary sewers, which may be shown on a separate Drainage Plan, including:				
1. Profile of existing and proposed ground surface with elevations at the top of manholes or inlets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Profile of storm drains or sewers showing the type and size of pipe, grade, cradle (if any), manhole or inlet locations with the length and slope of the pipe between structures shown, and elevations at the flow line.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
SECTION 110-21 - Continued				
G. Plans and details of bridges, street trees, stormwater management structures, erosion and sedimentation control structures, and all other proposed improvements, containing sufficient information which would customarily be included in working drawings and specifications for the proposed construction and which would enable the Township Engineer to perform an effective evaluation of the proposed improvements. Such information shall be provided as typical cross-sections and details, unless the Planning Commission determines that typical cross-sections and details would not be appropriate to communicate the specific measures needed to perform construction under steep slope, extreme soil moisture or other varying site conditions where special construction practices may be necessary. Such information shall also be provided whenever any proposed improvements is not depicted on any of the aforementioned plans, profiles, cross-sections, documents or other submissions forming the Improvements Construction Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

# CHADDS FORD TOWNSHIP

# FINAL PLAN CHECKLIST

For Subdivision and/or Land Development Plans - Processing and Review

Name of Subdivision and/or Land Development \_\_\_\_\_

Application No. \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Date of Filing \_\_\_\_\_

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
<b>SECTION 110-22 - FINAL PLAN</b>				
The Final Subdivision and/or Land Development Plan and all plans forming a part thereof required by this Ordinance shall be drawn to a scale of not more than one (1) inch equals fifty (50) feet. Said plans shall be submitted on black line prints no smaller than seventeen by twenty-two (17x22) inches and no larger than twenty-four by thirty-four (24x34) inches. If the Final Plan is drawn in two (2) or more sections, a key map showing the location of the sections shall be depicted on each sheet and an overall index sheet shall be submitted. An "electronic" copy of all plans, documents and submissions in Adobe® PDF format shall be submitted electronically. The Final Plan shall reflect the following:				
A. Conformance with Article III, Section 110-11 regarding Final Plan Procedure, and in particular:				
1. The completion of the application form.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The submission of twenty (20) copies of the plans forming a part of the Final Plan as well as twenty (20) copies of all other required documents and submissions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Evidence of notification of the plan submission to the abutting owners.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. The filing at least twenty-one (21) days prior to the regular monthly public meeting of the Planning Commission.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
B. In addition to all illustrations and notes required under Section 110-19.B. to accompany the Preliminary Plan, the following shall be submitted:				
1. All dimensions shall be shown and noted in feet and hundredths of a foot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Tract boundaries and individual lot boundaries with dimensions, bearings and distances, closing with an error of not more than one (1) foot in ten-thousand (10,000) feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Total acreage and square feet of the tract and total square feet of the individual lots proposed therein to the hundredths of a foot and the number of lots, dwelling units, buildings and other structures proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Lots and blocks numbered in a logical sequence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Location of permanent reference monuments indicated by an 'X' and the location of lot corner markers indicated by an 'O'.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Pedestrian ways including all sidewalks, walkways, and pedestrian rights-of-way and other improvements to be used for general public use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. A final landscaping plan indicating precise types, quantities and sizes of proposed trees, shrubs and groundcovers, and other landscaping elements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. A signature block used for signing the Final Plan in accordance with Article III Section 110-11.O.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. The location of percolation test pits, whenever on-site sewage disposal is proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
<b>SECTION 110-22 - Continued</b>				
10. The location of test pits where stormwater is to be disposed and a listing of the absorption rates, whenever seepage pits are proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. The following certifications, which shall be noted on the Final Plan:				
a. Certification of adequacy, by an Engineer, of the proposed site of the type of sewage disposal system which is proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. The seal of the Engineer responsible for having prepared the plans forming a part of the Final Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. A note indicating the intent to make an offer of dedication of the streets and other improvements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. A note indicating any areas, street and other improvement not to be offered for dedication or not to be accepted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. A note indicating that the Township is not responsible for construction or maintenance of any areas not duly accepted by the Board of Supervisors as dedicated for public use and identifying the party responsible for such construction and maintenance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
f. Certification as to the accuracy of the plan and details of such plans shall be in accordance with Act 367, known as the Professional Engineer's Registration Law (P.L. 913 No. 367, 63 P.S. §151) as amended.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C. In addition to all materials required under Section 110-19.C. to supplement the Preliminary Plan, the following shall be submitted for the Final Plan:				
1. A final timetable for the proposed sequence of the subdivision and/or land development. The timetable shall indicate the order in which construction activities will occur.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. A final Conservation Plan reflecting, in final form, the information required under Section 110-20.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Whenever improvements are to be constructed or installed, a final Improvements Construction Plan, reflecting in final form, the information required under Section 110-21.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Final documents for any proposed covenants or restrictions upon or against the subdivision or any lot thereof, or upon or against the land development subject to the approval of the Township Solicitor and the final deed forms for all lots.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. An approved planning module for land development as required by the Pennsylvania Sewage Facilities Act 537.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. An Engineer's report describing percolation test results and the ability to create a successful system for on-site sewage disposal whenever such a system is proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. An Engineer's report evidencing the ability to create a successful system for on-site water supply whenever such system is proposed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Environmental Impact Assessment (EIA) report as set forth in Article VII, Section 110-52 herein.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. A bond, certified check or other security to guarantee the completion and maintenance of improvements in accordance with the provisions of Article VI which shall:				
a. Be made payable to or otherwise inure to the benefit of the Township.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_



Plan Requirements	Concurrence			COMMENTS
	Yes	No	N/A	
<b>SECTION 110-22 - Continued</b>				
b. Be in an amount determined by the Township Engineer to be sufficient to complete and maintain the improvements in compliance with this Ordinance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. The bond, certified check or other security shall specify the time for the completion of the required improvements in accordance with the final timetable presented under Section 110-22.C.1., herein.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. If the proposed lot(s) abuts on a street under the jurisdiction of the state, a note shall be added to the final plan to indicate that a highway occupancy permit is required before a driveway or street can access a state highway. REF: Section 420 of Act 428, known as the State Highway Law (P.L. 1242, No. 428, 36 P.S. §670-420), as amended.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11. All other plans, documents and submissions which were filed in preliminary form as required in Section 110-19 herein shall be filed in final form to accompany and form part of any Final Plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. All documents, plans, and submissions shall include an "electronic" copy in Adobe® PDF format as well as other formats as determined by the Township Engineer and/or Township Manager delivered on CD-R media.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>SECTION 110-23 - AS BUILT PLAN</b>				
The As Built Plan shall be drawn to the same scale as the Final Plan, Conservation Plan and Improvements Construction Plan certified to by the Engineer of the landowner or developer and approved by the Township Engineer.				
A. Said Plan shall indicate the actual location, dimensions and/or elevations of all completed improvements, including but not limited to:				
1. Concrete Monuments.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. The edge of the cart way and top of the curb for both sides of each street.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Sanitary sewer main, manholes and laterals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Storm sewers, inlets and culverts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Water mains and fire hydrants.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Street lights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Landscaping and screen planting.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Permanent sedimentation, erosion control and stormwater management structures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. All easements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_