

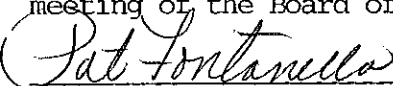
TOWNSHIP OF DEAN
CAMBRIA COUNTY
PENNSYLVANIA

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ORDINANCE NO. 2004 - 1

AN ORDINANCE REGULATING THE SUBDIVISION AND DEVELOPMENT OF
LAND WITHIN THE TOWNSHIP OF DEAN, CAMBRIA COUNTY,
PENNSYLVANIA BY: PROVIDING PROCEDURES FOR THE PREPARATION
AND PROCESSING OF SUBDIVISION PLANS; ESTABLISHING DESIGN
STANDARDS GOVERNING LOT AND STREET DESIGN, AND PUBLIC USE AND
SERVICE AREA; PROVISION OF REQUIRED IMPROVEMENTS SUCH AS
STREETS, CURBS, STORM DRAINAGE, SEWAGE DISPOSAL, WATER SUPPLY
AND OTHER IMPROVEMENTS; LAND DEVELOPMENT STANDARDS;
PROVISIONS REGARDING MOBILE HOME PARKS; ADMINISTRATION FEES,
REMEDIES, ENFORCEMENT, AND JURISDICTION PURSUANT TO THE
AUTHORITY SET FORTH IN THE PENNSYLVANIA MUNICIPALITIES
PLANNING CODE, ACT 247 OF 1968, AS RE-ENACTED AND AMENDED.

I hereby certify that this is a true and correct copy of
Dean Township Ordinance No. 2004 - 1 adopted at a public
meeting of the Board of Supervisors held on 2/2/2004


Secretary

(SEAL)

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ARTICLE I
SHORT TITLE AND PURPOSE

SECTION 101 SHORT TITLE

This Ordinance shall be known and may be cited as the Dean Township Subdivision and Land Development Ordinance and Regulations of 2004.

SECTION 102 PURPOSE

These regulations are adopted to protect, promote and create conditions favorable to the health, safety, morals and general welfare of the citizens by:

- A. Encouraging and promoting flexibility, economy, and ingenuity in the layout and design of subdivisions and land development including the provisions authorizing the Municipality to alter site requirements and for encouraging other practices which are in accordance with modern and evolving principles of site planning and development.
- B. Assuring sites suitable for building purposes and human habitation.
- C. Providing for the harmonious development of the Municipality as outlines in the Municipality's Comprehensive Plan (if applicable).
- D. Assuring coordination of existing streets and highways with proposed streets, parks, and other features of the official plan or map of the Municipality.
- E. Providing for adequate open spaces for traffic, recreation, light, and air and for proper distribution of population.
- F. Assuring equitable and just processing of subdivision plans by providing uniform procedures and standards for the observance of both the subdivider and Municipal officials.
- G. Planning and managing storm water runoff in each watershed by regulating subdivisions, land development, and mobile home parks in a manner consistent with the Pennsylvania Storm Water Management Act, No. 167.

- H. Utilizing and preserving the desirable existing natural drainage system.
- I. Encouraging recharge of groundwaters.
- J. Maintaining the existing flows and quality of streams and water courses in the Municipality and the Commonwealth.
- K. Preserving and restoring the flood carrying capacity of streams.
- L. Providing for proper maintenance of all permanent storm water management structures which are constructed in the Municipality.

ARTICLE II DEFINITIONS

SECTION 201 TENSE, GENDER AND NUMBER

Words in the singular include the plural and those in the plural include the singular; words in the present tense include the future tense; words used in the masculine gender include the feminine and neuter.

SECTION 202 GENERAL TERMS

The words "person," "subdivider," and "owner" include a corporation, unincorporated association and a partnership, or other legal entity, as well as an individual. The word "building" includes structures and shall be construed as if followed by the phrase "or part thereof." The word "watercourse" includes channel, creek, ditch, drain, dry run, spring, and stream. The words "should" and "may" are permissive; the words "shall" and "will" are mandatory and directive.

SECTION 203 TERMS OF WORDS NOT DEFINED

Where terms or words are not defined, they shall have their ordinary accepted meanings or such as the context may imply.

SECTION 204 SPECIFIC TERMS

Terms or words used herein, unless otherwise expressly stated, shall have the following meanings:

Block: A tract of land, a lot, or group of lots, bounded by streets, public parks, railroad right-of-way, water courses, boundary lines of the Municipality, unsubdivided land, or by any combination of the above.

Building: A structure having a roof supported by columns or walls, for the shelter of persons, animals, chattels, or property. When separated by walls which are common with the walls of adjoining dwellings, each portion of such structure shall be considered a separate building. It shall include any overhang, projection, or roof extending beyond a wall or support. Sun parlors and covered porches whether enclosed or unenclosed, but does not include walks, steps, or terraces.

Building Reserve Line (Setback): The line within the property defining the minimum required distance between any building to be erected and an adjacent right-of-way. Such line shall be measured at right angles from the front street right-of-way line which abuts the property upon which said building is located and shall be parallel to said right-of-way line.

Cartway (Roadway): The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

Clear Sight Triangle: An area of unobstructed vision at the street intersection defined by lines of sight between points at a given distance from the intersection of street center lines.

County: Cambria County, Commonwealth of Pennsylvania.

County Planning Commission: The Cambria County Planning Commission.

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

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

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

Dwelling Unit: Any structure, or part thereof, designed to be occupied as living quarters for a single housekeeping unit.

Easement: A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose, and within which the grantor shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Engineer: A licensed professional engineer registered in the Commonwealth of Pennsylvania.

Land Development:

- a. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 1. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure;

2. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups, or other features.
- b. A subdivision of land;
 - c. Excepting:
 - (i) the conversion of an existing single-family detached or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
 - (ii) the addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building;
 - (iii) the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

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

Lot Area: The area contained within the property lines of a lot excluding space within all streets and within all permanent drainage easements, but including the areas of all other easements.

Marker: A metal pipe or pin of at least one-half inch (1/2") in diameter and at least twenty-four inches (24") in length.

Municipality: Dean Township, Cambria County, Pennsylvania, acting through its Board of Supervisors.

Municipal Governing Body: The Supervisors of the Township of Dean.

Municipal Officials: The Supervisors of the Township of Dean; and Solicitor and Engineer if designated by the Supervisors.

Minor Subdivision: Any subdivision containing not more than three (3) lots fronting on an existing street, and not involving the extension of sanitary water and/or sewer lines, or the creation of any public improvements, and does not adversely affect the natural resources of the Municipality, and does not adversely affect the remainder of the parcel or adjoining property, and does not adversely affect the present or future development of the Municipality.

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

Mobile Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

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

Monument: At a minimum, each monument shall consist of an iron or steel pin at least 1/2" in diameter and 24" in length. This monument may be encased in concrete with a flat top of at least 6" in diameter (optional).

Official Plans: The Comprehensive Development Plan and/or Official Map and/or Topographical Survey and/or such other Plans or portions thereof, as may have been adopted by the Municipality pursuant to Statute, for the area of the Municipality in which the subdivision is located.

Paved or Pavement: An all-weather permanent surface composed of bituminous or concrete material applied over a base of stone or slag and used to convey motor vehicles.

Planning Commission or Planning Committee: The Planning Commission or Committee of the Township of Dean, if any.

Plat: The map or plan of a subdivision or land development, whether preliminary or final. The word Plat includes the word Plan.

Public Grounds: Includes:

1. parks, playgrounds, trails, paths, and other recreational areas and other public areas;
2. sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and,
3. publicly owned or operated scenic and historic sites.

Public Hearing: A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

Public Meeting: A forum held pursuant to notice under 65 Pa. C.S. Ch. 7 (relating to open meetings)

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

Resubdivision: Any replatting or resubdivision of land, limited to changes in lot lines on the approved Final Plan or Recorded Plan as specified in Article III, Section 311, of these regulations. Other platting shall be considered as constituting a new subdivision of land. See "Subdivision".

Record Plan: A copy of the Final Plan which contains the original endorsements of the Planning Commission and/or Municipality, and which is intended to be recorded with the County Recorder of Deeds.

Reverse Frontage Lot: A lot extending between and having frontage on two (2) generally parallel streets, (excluding service streets) with vehicular access solely from one street.

Review: Whenever the County Planning Commission possesses such review jurisdiction, the action of review shall not limit the appropriate authorities of the Municipality in their ultimate and final decisions.

Right-of-way (ROW): The total width of any land reserved or dedicated as a street, alley, crosswalk, or for other public or semi-public purposes.

Roadway: see "Cartway."

Runoff: That part of precipitation which flows over the land.

Sanitary Sewage Disposal, On-Site: Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot.

Sanitary Sewage Disposal, Community: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a temporary central treatment and/or disposal facility, generally serving a neighborhood area.

Sanitary Sewage Disposal, Public: A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

Sediment: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

Septic Tank: A covered watertight settling tank in which raw sewage is biochemically changed into solid, liquid, and gaseous states to facilitate further treatment and final disposal.

Sight Distance: The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurements shall be made from a point four and one-half feet (4 - 1/2') above the centerline of the road surface to a point one-half foot (1/2') above the centerline of the road surface.

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

Solicitor: The solicitor appointed by the local Municipality.

Storm Water Management Plan: The plan for managing storm water runoff within Cambria County as required by the Act of October 4, 1978, P.L. 864 (Act 167), and known as the "Storm Water Management Act."

Street: A strip of land, including the entire right-of-way not limited to the cartway, intended for use by the general public as a means of vehicular and pedestrian circulation to provide access to more than one lot. The word "street" includes street, avenue, boulevard, road, highway, freeway, thoroughfare, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private. Streets are further defined as follows:

1. Minor Street: A street used primarily to provide access to abutting properties.
2. Cul-de-sac Street: A minor street intersecting another street at one end and terminating at the other end by a permanent vehicular turn-around.
3. Half (Partial) Street: A street, generally parallel and adjacent to a property line, having a lesser right-of-way width than normally required for improvement and use of the street.
4. Marginal Access Street: A minor street, parallel and adjacent to a major street (but separated from it by a reserve strip) which provides access to abutting properties and controls intersections with the major street.
5. Collector Street: A street which, in addition to providing access to abutting properties, intercepts minor streets to provide a route and gives access to community facilities and/or other collector and major streets. (Streets in industrial and commercial subdivisions shall generally be considered collector streets.)
6. Major Street (Minor Arterial): A street serving a large volume comparatively high speed and long distance traffic, including all facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.
7. Service Street: A minor right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

All streets, of any nature, shall be constructed according to the design standards, as included in Article V, Section 502, and approved in writing by the Municipality and/or the Municipal Engineer.

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

Subdivider: Any individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit (or agent authorized thereby) which undertakes the subdivision of land, as defined by these regulations as the owner, equitable owner (or agent authorized thereby) of the land being subdivided. Subdivider can also be defined as a land developer.

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, or lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempt.

Substantially Completed: Where, in the judgment of the Supervisors, or municipal engineer if so designated by the Supervisors, at least 90% (based on the cost of the required improvements for which financial security was posted) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied, or operated for its intended use.

Surveyor: A licensed surveyor registered by the Commonwealth of Pennsylvania.

Water Distribution System, On-Site: A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

Water Distribution System, Community: A system for supplying and distributing water from a common source to dwellings and other buildings, but generally not confined to one neighborhood.

Zoning Officer: The agent or official designated by the Municipality to administrate and enforce the Municipal Zoning Ordinance, if any.

ARTICLE III
SUBMISSION AND REVIEW PROCEDURES
SECTION 301 - PROCEDURE

A. General

Hereafter all plans for the subdivision or development of land within the limits of the Municipality shall be reviewed by the Municipality Planning Commission, if any and other Municipal, State, or County officials as deemed necessary and shall be approved or disapproved by the Municipality in accordance with procedures specified in these regulations. The provisions and requirements of these regulations shall apply to and control all land subdivisions which have not been recorded in the Office of the Recorder of Deeds in and for Cambria County, Commonwealth of Pennsylvania, prior to the effective date of these regulations provided, however, that any change in a recorded plan, except as noted in Article III, Section 311, shall constitute a re-subdivision and shall make said plan subject to any and all of these regulations. Any approval not processed as required hereafter, shall be null and void unless it was made prior to the adoption of this Ordinance.

B. Phasing Development

If a developer proposes a large-scale development ((10) acres or more) he may desire to construct said development in steps or phases. As the Pennsylvania Municipal Planning Code (Act 247) allows for such phased developments, the Municipality shall grant preliminary approval for the entire project, or for that portion of the project that can be completed within five (5) years of preliminary or final plan approval. The developer shall then submit an application for final plan approval in phases, as delineated on the preliminary plan. As so submitted, site improvements would also be constructed in phases and not all at once. As each phase is completed, the developer shall submit an application for final approval of the next phase of development. This process shall continue until all phases of the project (development) are complete. If, however, no development takes place within five (5) years from the date of plan approval, the developer shall comply with any change in local ordinances that have been enacted since his preliminary plan was approved. Applicants are urged to consult with the Cambria County Conservation District for assistance in determining the most effective storm water management measures to be utilized on the development site both during and after construction. The applicant is also required to submit a sketch plan with a narrative description of these measures.

SECTION 302 SUBMISSION OF SKETCH PLAN:

A. Plan to be Filed with Municipality:

A Sketch Plan for the proposed subdivision or land development is to be submitted to the Municipal Secretary by the subdivider or developer or his/her representative authorized in writing to submit the plan.

B. Number of Copies:

Four (4) legible black-line or blue-line paper prints of the Sketch Plan shall be required.

C. Distribution of Sketch Plan:

The Municipal Secretary (or his/her representatives) shall immediately (next business day) refer the Sketch plan to the following:

- (1). One (1) copy to the County Planning Commission;
- (2). One (1) copy to the Municipal Planning Commission (if any);
- (3). One (1) copy to the Municipal Officials;
- (4). One (1) copy to the Municipal Engineer if so directed by the Supervisors;
- (5). One (1) copy to the Municipal Solicitor if so directed by the Supervisors.

SECTION 303 REVIEW OF SKETCH PLAN:

A. A Sketch Plan shall be considered as a submission for informal discussion between the subdivider/developer and the Municipality. Submission of a Sketch Plan shall not constitute official submission of a plan to the Municipality.

B. Review by the Municipal Planning Commission:

- (1) Whenever a Sketch Plan has been submitted to the Municipal Secretary, the Secretary shall notify and distribute all Sketch Plan materials to the Municipal Planning Commission, if any,

as required by Section 302 above. The Chairman of the Municipal Planning Commission shall then schedule a meeting to review the Sketch Plan within thirty (30) days of its receipt by the Municipal Planning Commission.

- (2). Within ten (10) calendar days after the meeting at which the Sketch Plan is reviewed by the Municipal Planning Commission, the Commission shall send written notice of the Municipal Planning Commission's comments, including changes or modifications, if any required or recommended that it deems necessary or advisable, to the following:

- (a). All Municipal Officials.
- (b). The County Planning Commission.
- (c). The subdivider/developer or his agent.

In addition, the Municipal Planning Commission shall forward to the Municipal Officials all copies of reports received from the County Planning Commission.

If directed by the Supervisors, a copy of same shall be submitted to the Township Engineer and/or Solicitor.

- (3). If no Municipal Planning Commission or Committee exists at the time the Sketch Plan submission, then the Municipal Officials shall act in lieu of this Commission, following each of the above cited subsections.

SECTION 304 SUBMISSION OF PRELIMINARY PLAN

A. Plan to File with the Municipality:

Copies of the Preliminary Plan and all required supporting data (Department of Environmental Protection, PennDOT, and Cambria County Conservation District) shall be officially submitted to the Municipal Secretary by the subdivider/developer or his representative authorized in writing to submit the plan.

B. Submission of Preliminary Plan Shall Comprise:

- (1) Three (3) completed copies of the Application for Review of Preliminary Subdivision Plan. (See Appendix.)

- (2). Eight (8) legible black-line or blue-line paper prints of the preliminary plan which shall fully comply with the requirements of Article IV, Section 402 of these regulations. Nine (9) copies required if a State road abuts or traverses subdivision.
- (3). Four (4) completed copies of the DEP Sewage Facilities Planning Module for Land Development whenever soil percolation tests are required.
- (4). Three (3) copies of all other required information (DEP, Cambria County Conservation District, PennDOT)

C. Filing Fee

The Municipal Secretary (or his/her representative) shall collect a filing fee as established by the Municipality, by Resolution, for all subdivisions and land developments. Fees shall be charged in order to cover the costs of examining plans and other expenses incidental to the approval of subdivisions/developments, including fees charged by the Municipal Engineer and Municipal Solicitor, if any. The subdivider/developer shall pay the fee at the time of application for review of a preliminary plan.

D. Distribution of Preliminary Plan:

The Municipal Secretary (or his/her representative) shall immediately (next business day) refer the Preliminary Plan, after all required fees have been collected, to the following:

- (1). One (1) copy of the plan to the Municipal Planning Commission, including one (1) copy of the application form and other required reports.
- (2). One (1) copy of the Plan to the County Planning Commission and one (1) copy of all required supporting documents.
- (3). One (1) copy of the Plan to the Municipal Officials (plus Municipal File Copy) including one (1) copy of the application form and other required reports.
- (4). One (1) copy of the Plan to the Municipal Solicitor including one (1) copy of the application form and other required reports, if directed by the Supervisors.

- (5). One (1) copy of the plan and sewage facilities planning module to the Municipal Engineer, if directed by the Supervisors.
- (6). One (1) copy of the plan to the Municipal Zoning Officer, if any.
- (7). One (1) copy of the plan to the District Office of PA DOT (if applicable)
- (8). One (1) copy of the Plan to the Municipal Water Authority (if applicable)
- (9). One (1) copy of the Plan to the Municipal Sewer Authority (if applicable)

SECTION 305 REVIEW OF PRELIMINARY PLAN

A. Review by the Municipal Engineer:

If requested by the Supervisors, the Municipal Engineer shall review the Preliminary Plan to determine its conformance to the Municipal Subdivision Regulations. The Municipal Engineer may recommend changes, alterations or modifications as he/she may deem necessary. The report of the Municipal Engineer shall be in writing and shall be submitted to the Municipal Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Municipal Planning Commission. The report shall include an estimate of the cost of construction of all improvements as required by this Ordinance. In the event that no Municipal Planning Commission exists, then all information requested above shall be sent to the Municipal Officials.

B. Review by the Municipal Zoning Officer:

The Municipal Zoning Officer, if any, shall review the Preliminary Plan to determine its conformance to the Municipal Zoning Ordinance, if any. The Zoning Officer shall check all zoning data as required to be shown under Article IV, Section 402, to determine if information shown is in accordance with latest amendments to the Zoning Ordinance. The report from the Municipal Zoning Officer as to the accuracy of the information shown shall be submitted to the Municipal Planning Commission if any, prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Planning Commission. In the event no Municipal Planning Commission exists, then all requested information stated above shall be sent to the Municipal Officials.

C. Review by the Pennsylvania Department of Transportation (PA DOT):

If a proposed subdivision abuts or is traversed by a State road, the Municipal Secretary shall require one (1) additional copy of the Preliminary Plan and shall transmit this copy to the district office of the Pennsylvania Department of Transportation for its review and comments.

D. Review by the Municipal Planning Commission:

- (1) Whenever a Preliminary Plan has been submitted to the Municipal Secretary, the Secretary shall notify and distribute all Preliminary Plan materials to the Municipal Planning Commission as required by Section 302 above. The Chairman of the Municipal Planning Commission shall then schedule a meeting to review the Preliminary Plan within thirty (30) days of its receipt by the Planning Commission.
- (2) No official action shall be taken by the municipal Planning Commission with respect to a Preliminary Plan until the Commission has received the written report of the County Planning Commission and the Pennsylvania Department of Transportation, provided, however, that if these reports are not received within thirty (30) days after transmittal to these agencies then the Municipal Planning Commission may officially act without having received and considered such report. In any event, the Municipal Planning Commission shall take official action no later than five (5) days after the expiration of the aforesaid thirty (30) day period.
- (3) During review of the Preliminary Plan, the Municipal Planning Commission shall consider the written reports of the Municipal Engineer and the Municipal Zoning Officer, if any, before making its final decision.
- (4) If review by the Municipal Planning Commission is favorable, or unfavorable because the requirements of this Ordinance have not been met, or the Municipal Planning Commission deems changes or modifications of the plan submitted are advisable or necessary, such decision and the reasons therefore (citing specific provisions of this ordinance) shall be given in written form by the Municipal Planning Commission within eight (8) days after the meeting

at which the Preliminary Plan is reviewed by the following:

- (A). The Municipal Officials.
- (B). The County Planning Commission.
- (C). The subdivider/developer or his agent.

In addition, the Municipal Planning Commission shall forward to the Municipal Officials copies of all reports received from the County Planning Commission, Department of Transportation, Municipal Zoning Officer, if any, and Municipal Engineer (if requested and as determined by the Supervisors).

If no Municipal Planning Commission or Committee exists at the time of submission of the preliminary plan, then the Municipal Officials shall act in lieu of this Commission following each of the above cited subsections.

E. Review by the Municipal Officials:

- (1). When a Preliminary Plan has been officially referred to the Municipal Officials by the Municipal Planning Commission, if any, together with its recommendation, such Plan shall be reviewed at the next regularly scheduled meeting of the Municipal Officials, or at the discretion of the Chairman at a special meeting, which may be held prior thereto.
- (2). In any event, the Municipal Officials shall render their decision and communicate it to the applicant no later than ninety (90) days following the date of the regular meeting of the municipality or the Municipal Planning Commission if any (whichever first reviews the application) next following the date the application is filed. Failure of the Municipal Officials to render a decision and communicate it to the applicant within the time and in the manner required (as outlined in subparagraph (4) below) shall be deemed an approval unless the applicant has agreed in writing to an extension of time.
- (3). The Municipal Officials shall review the Preliminary Plan and the written reports and recommendations thereon of the Municipal Planning Commission, if any, the County Planning Commission, (if same has been received), the Municipal Engineer if requested by the Supervisors, and by any other interested parties of the Municipality to determine the Preliminary Plan conformance to the standards contained in these

regulations. Prior to these reports and recommendations, the Municipal Officials may hold a public hearing thereon after public notice to receive comments from the general public. After all desired input is received, the Municipal Officials may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

- (4) The action of the Municipal Officials, either approving or disapproving the Preliminary Plan, shall be noted with the date of such action and the signature of the Chairman/President on two (2) sets of plans. The findings and reasons upon which the action is based and citing provisions of the statute or ordinance relied upon shall be stated in the minutes and in writing. Subject to the requirements of subparagraph (2), within fifteen (15) days after the meeting at which the Preliminary Plan is reviewed, the Secretary of the Municipality shall send written notice of the findings, action taken, and reasons thereof to the following:

- (a) The subdivider/developer or his agent.
- (b) The Municipal Planning Commission.
- (c) The County Planning Commission.

One (1) copy of the Plan shall be maintained for permanent records of the Municipality, and one (1) copy shall be sent to the subdivider/developer or his agent.

- (5) Approval of the Preliminary Plan shall not constitute acceptance of a subdivision for recording. Approval is only an expression of approval of a general plan to be used in preparing the Final Subdivision Plan for final approval and recording upon fulfillment of all requirements of these regulations.
- (6) When a Preliminary Plan has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete

any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.

F. Review by Water and/or Sewer Authority:

The local water and/or sewer authority having jurisdiction in the area of the proposed subdivision shall review the Preliminary Plan to determine its conformance with the Authority's water and/or sewer requirements. It is recommended that the subdivider review the Authority's water and/or sewer requirements prior to the preparation of the Preliminary Plan. This review shall be conducted at the expense of the subdivider.

G. Review by Municipal Solicitor:

If requested by the Supervisors, the Solicitor shall review the Preliminary Plan and submit comment thereon to the Supervisors.

SECTION 306: SUBMISSION OF FINAL PLAN:

Within four (4) years of the Municipal Officials' approval of the Preliminary Plan, a Final Plan should be officially submitted to the Municipality. However, an extension of time may be granted by the Municipality upon written request. Final Plans submitted after this expiration of time for which no time extension has been granted may be considered as a new Preliminary Plan.

The Final Plan shall conform in all respects to the Preliminary Plan as previously reviewed by the Municipal Planning Commission, if any, and the Municipal Officials and shall incorporate all modifications required by the Municipality in its review of the Preliminary Plan.

The Municipality may permit submission of the Final Plan in sections, or phases, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan.

A. Plans to be Filed with the Municipal Officials:

Copies of the Final Plan and all required supporting data shall be officially submitted to the Municipal Secretary by the subdivider/developer or his representative authorized in writing to submit the plan.

B. Official Submission of Final Plan Shall Comprise:

1. Three (3) completed copies of the Application for Review of Final Subdivision Plan.

- (2) Eight (8) legible black-line or blue-line paper prints and two (2) prints on mylar of the Final Plan which shall fully comply with Article IV, Section 403 of these regulations.
- (3) Two (2) copies of all other required information including the following, if applicable:
 - (a) All offers of dedication and covenants governing the reservation and maintenance of undedicated open space which shall bear the certificate of approval of the Solicitor of the Municipality as to their legal sufficiency.
 - (b) Such private deed restrictions, including building reserve lines, as may be imposed upon the property as a condition of sale together with a statement of restrictions previously imposed which may affect the title of the land being subdivided.
 - (c) Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Municipal Planning Commission or Municipal Officials may require the subdivider to submit, and also to record with the Municipality on behalf of his heirs, successors and assigns and approved by the Solicitor of the Municipality and which shall establish the conditions under which the street may later be offered for dedication and shall stipulate, among other things, the following:
 - (1) The street shall conform to Municipal specifications or that the owners of the abutting lots shall include with the offer or dedication sufficient money, as estimated by the Municipal Engineer, to restore the street to conformance with the Municipal specifications.
 - (2) An offer to dedicate the street shall be made only for the street as a whole.
 - (3) The method of assessing repair costs be stipulated.
 - (4) Agreement by the owners of fifty-one percent (51%) of the front footage thereon

shall be binding on the owners of the remaining lots.

- (d) Whenever approval by the Pennsylvania Department of Environmental Protection, the Cambria County Conservation District, or the Pennsylvania Department of Transportation is required for the water supply or sanitary sewage disposal system(s), erosion and sedimentation control, or a highway access permit for a proposed subdivision, the Municipal Planning Commission or Municipal Officials shall require that two (2) copies of such certification of approval shall be submitted with the Final Plan.

C. Filing Fees:

The subdivider/developer shall pay a filing fee for the review of a Final Plan. This fee shall be established by the Municipality by resolution. There shall be no refund or credit of any portion of the fee should the subdivider/developer fail to receive final approval.

D. Distribution of Final Plan:

The Final Plan shall be distributed in accordance with the requirements of Article III, Section 304 for Preliminary Plan. In addition, the Municipal Secretary shall retain one (1) mylar print of the Final Plan for safe-keeping in the Municipal files. The other mylar print shall be given to the subdivider/developer for filing with the County Recorder of Deeds.

SECTION 307 REVIEW OF FINAL PLAN

A. Review by the Municipal Engineer:

The Final Plan shall be reviewed and a written report submitted as required under Article III, Section 305 for Preliminary Plans, provided the Supervisor's have directed review by the Engineer and/or Solicitor.

B. Review by the Municipal Zoning Officer:
(If Applicable)

The Final Plan shall be reviewed and a written report submitted by the Municipal Zoning Officer, if any, as required under Article III, Section 305 for Preliminary Plans.

C. Review by the Municipal Planning Commission if any:

The Final Plan shall be reviewed, in accordance with the procedure required under Article III, Section 305 of these regulations for Preliminary Plans. In addition:

- (1) If all the requirements of this Ordinance are met and the review is favorable, the Planning Commission shall authorize its Chairman, with the Secretary so attesting, to endorse and seal the Final Plan "Reviewed and Approved by the Municipal Planning Commission," together with the date of such action.
- (2) The Final Plan with the Municipal Planning Commission's endorsement, shall be forwarded to the Municipal Officials.

D. Review by the Municipal Officials:

The Final Plan shall be reviewed in accordance with the procedures as required under Article III, Section 305 of these regulations for Preliminary Plan. In addition:

- (1) Before acting on a Final Plan, the Municipal Officials may arrange for a public hearing. The public hearing may be held by the Municipal Officials after the Final Plan has been submitted to the Municipality and before the review required by Section 307A, B, and C. If a public hearing has been held upon a Preliminary Plan, no public hearing is required unless the Final Plan departs substantially from the Preliminary Plan.
- (2) If the Municipal Officials approve the Final Plan, the Final Plan shall be signed by the Chairman/President and the Secretary, together with the date of action and municipal seal.
- (3) A performance guarantee or a certificate of satisfactory installation, as required under Article III, Section 309, shall be required before the Final Plan is released for recording.
- (4) The Final Plan with the Municipal Officials' approval and the Municipal seal, shall be forwarded to the subdivider for recording.

SECTION 308 RECORDING OF FINAL PLAN

- A. After approval by the Municipal Officials and the Municipal Planning Commission, and with all endorsements indicated on the Final Plan, the subdivider shall record his plan. No subdivision plan shall be legally recorded unless it bears the Municipal approval and seal. This action shall constitute the changing of the Final Plan to the Record Plan.
- B. After the Final Plan has been approved by the appropriate Municipal authorities, the Municipal Officials shall require that the developer supply one (1) reproducible copy of the Final Plan, as approved, for their permanent files.
- C. The Record Plan shall be a clear and legible black-line print on mylar.
- D. The subdivider shall file the Record Plan with the County Recorder of Deeds within ninety (90) days of the date of final approval by the Municipality. If the subdivider fails to record the Record Plan within such period, the action of the Municipal Officials and Municipal Planning Commission shall be null and void unless an extension of time is granted in writing by the Municipality after written request to do so by the subdivider.
- E. See Appendix J for the subdivision recording requirements as per the Office of the Recorder of Deeds.

SECTION 309 PERFORMANCE GUARANTEE

Prior to final approval of the Final Plan, the subdivider shall guarantee the installation of all required improvements by one of the following methods:

- A. By installing the improvements required by Article VI of these Subdivision Regulations to the satisfaction of the Supervisors and/or Township Engineer if directed/determined by the Supervisors, that all improvements have been installed in accordance with the standards and requirements contained in these regulations or required by the Municipality.
- B. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the applicant or subdivider shall provide for deposit with the Municipality of financial security in an amount.

sufficient to cover the costs of any improvements or common amenities, including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required. When requested by the developer, in order to facilitate financing, the Municipality shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Municipality; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer. Without limitation as to other types of financial security which the Municipality may approve, which approval shall not be unreasonably withheld, the following shall be deemed acceptable financial security for the purpose of this section:

- (1) Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
- (2) Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- (3) 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 ninety (90) days following the date scheduled for completion by the developer. Annually, the Municipality may adjust the amount of the financial security by comparing the actual cost of the

improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Municipality may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Municipality may refuse to accept such estimate for good cause shown with or without the recommendation of the Municipal Engineer. If the applicant or developer and the Municipality 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 Municipality and the applicant or developer. The estimate certified by such engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that such an additional engineer is so chosen, fees for the services of such engineer shall be paid equally by the Municipality and the applicant or developer.

- (4). If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as re-established on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
- (5). In the case where development is projected over a period of years, the Municipality may authorize submission of final plans by sections or stages of development subject to such requirements or

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

- (6). As the work of installing the required improvements proceeds, the party posting the financial security may request the Municipality to 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. Such request shall be in writing, addressed to the Municipality, and the Municipality shall have forty-five (45) days from receipt of such request within which to allow the Supervisors and/or Township Engineer if determined by the Supervisors, to certify, in writing to the Municipality that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification, the Municipality shall authorize release by the bonding company or lending institution of an amount as estimated by the Supervisors and/or Township Engineer if determined by the Supervisors, fairly representing the value of the improvements completed, or if the Municipality fails to act within said forty-five (45) day period, the Municipality shall be deemed to have approved the release of funds, as requested. The Municipality may, prior to final release at the time of completion and certification by the Supervisors and/or Township Engineer if determined by the Supervisors, require retention of 10% of the estimated cost of the aforesaid improvements.
- (7). Where the Municipality accepts dedication of all or some of the general improvements following completion, the Municipality 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 eighteen (18) months from the date of acceptance of dedication. Said financial securities shall be of the same type or 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.
- (8). If water mains or sanitary sewer lines, or both along with apparatus of facilities related thereto, are to be installed under the jurisdiction and

pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

- (9). If financial security has been provided (in lieu of completed improvements), the issuance of building, grading, or occupancy permits for any building or buildings to be erected shall not be withheld provided:
 - (a). the improvement of streets providing access to and from existing public roads to such building(s) to a mud-free or otherwise permanently passable condition is complete; and,
 - (b). all other improvements, as depicted on the approved 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(s) have been completed.

SECTION 310 RELEASE OF PERFORMANCE GUARANTEE

- A. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Municipality, in writing, by certified or registered mail, of the completion of the aforesaid improvements and the Municipality shall send a copy thereof to the Municipal Engineer. The Municipal Officials shall, within ten (10) days after receipt of such notice, direct and authorize the Municipal Engineer to inspect all of the aforesaid improvements. The Municipal Engineer shall, thereupon, file a report, in writing, with the Municipality, and shall promptly mail a copy of the same to the developer by certified mail. The report shall be made and mailed within thirty (30) days after receipt by the Municipal Engineer of the aforesaid authorization from the Municipal Officials; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be

rejected by the Municipal Engineer said report shall contain a statement of reasons for such non-approval or rejection.

- B. The Municipality shall notify the developer within 15 days of receipt of the Engineer's report, in writing, by certified or registered mail of their action.
- C. If the Municipality or the Municipal Engineer fail to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability pursuant to his performance guarantee.
- D. If any portion of said improvements shall not be approved or shall be rejected by the Municipal Officials, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
- E. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Municipality and/or the Municipal Engineer.
- F. Where herein reference is made to the Municipal Engineer, he shall be a duly registered professional engineer employed by the Municipality or engaged as a consultant thereto.
- G. The Municipality may prescribe that the applicant shall reimburse the Municipality for the reasonable and necessary expenses incurred for the inspection of improvements. 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 Municipal Engineer and/or consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Municipality when fees are not reimbursed or otherwise imposed on applicants.
 - (1). In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten working days of the date of billing, notify the Municipality that such expenses are disputed as unreasonable or unnecessary, in which case the Municipality shall not delay or disapprove a

subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

- (2) If, within twenty (20) days from the date of billing, the Municipality and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and Municipality shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- (3) The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- (4) In the event that the Municipality and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, 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 engineer, who, in that case, shall be neither the municipal engineer nor any professional engineer who has been retained by, or performed services for, the Municipality or the applicant within the preceding five (5) years.
- (5) The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by \$1,000.00 or more, the Municipality shall pay the fee of the professional engineer, but otherwise the Municipality and the applicant shall each pay one-half of the fee of the appointed professional engineer.

SECTION 311 RESUBDIVISION PROCEDURE

Any revision or resubdivision of land which includes changes to a recorded plan shall be considered a subdivision and shall comply with all regulations of this Ordinance, except that:

- A. Lot lines may be changed from those shown on a recorded plan, provided that in making such changes:
 - (1) No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Municipal Zoning Ordinance, if any.
 - (2) Easements or rights-of-way reserved for drainage shall not be changed.
 - (3) Street locations and block sizes shall not be changed.
 - (4) No lot shall be created which does not abut an existing or proposed street.
- B. In every case wherein lot lines are changed as permitted by the above, the subdivider shall prepare a new Record Plan and shall submit the Record Plan to the Municipality for the endorsement of the Municipal Planning Commission, if any, and/or Supervisors and any other municipal official as determined by the Supervisors (the new Record Plan shall specifically identify the previous Record Plan superseded and shall also contain the record reference if the previous Record Plan has been recorded). The subdivider shall then record the new plan in accordance with Article III, Section 308 of this Ordinance.

SECTION 312 DEDICATION AND MAINTENANCE GUARANTEE

All streets, parks or other improvements shown on the subdivision plan, recorded or otherwise, shall be deemed to be private until such time as the same has been offered for dedication to the Municipality and accepted by resolution of the Municipal Officials. Where the Municipality accepts dedication of all or some of the required improvements following completion, the Municipality 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 eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this

Ordinance with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15) percent of the actual cost of installation of said improvements.

ARTICLE IV
PLAN REQUIREMENTS

SECTION 401 SKETCH PLAN

- A. The Sketch Plan of a proposed subdivision shall be clearly and legibly drawn - preferably to scale.
- B. The Sketch Plan should contain at least the following information, but not necessarily showing precise dimensions.
 - (1) Tract boundaries;
 - (2) Name of the Municipality in which the subdivision is located and a general location map;
 - (3) Name of proposed subdivision or other identifying title;
 - (4) Type of development proposed for the subdivision (Residential, Commercial, Industrial, etc.); and
 - (5) General street and lot layout.

SECTION 402 PRELIMINARY PLAN

- A. The Preliminary Plan of a proposed subdivision shall be clearly and legibly drawn to an appropriate scale adequate to illustrate all necessary details. Maximum size of plan shall not exceed 18" x 24".
- B. If the Preliminary Plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.
- C. The Preliminary Plan shall include the following information:
 - (1) Date, including the month, day, and year that the Preliminary Plan was completed and the month, day, and year that the Preliminary Plan was revised, for each revision.
 - (2) Name of Proposed Development.
 - (3) Name of recorded owner and subdivider.

- (4) Name, address, license number, and seal of the registered surveyor responsible for the subdivision plan.
- (5) Names of all owners of all abutting unplatted land and the names of all abutting subdivisions, if any, with the book and page number where recorded.
- (6) A key map for the purpose of locating the property being subdivided drawn at a scale not less than one inch (1") equals two thousand feet (2000') and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries, zoning districts, water courses, and any areas subject to flooding.
- (7) Total tract boundaries of the property being subdivided showing bearings and distances and a statement of total acreage of the property.
- (8) Include all of the following zoning data:
 - (a) Existing Municipal zoning regulations, including district designations, requirements for lot sizes and front yards, and any zoning district boundary lines traversing the proposed subdivision.
 - (b) Any changes in the existing zoning to be requested by the subdivider.
 - (c) Any Municipal regulations other than zoning governing lot size and/or front yard requirements.
- (9) Contour lines at vertical intervals not more than five feet (5') for land with average natural slope of four percent (4%) or less and at intervals of not more than twenty feet (20') for land with average natural slope exceeding four percent (4%).
- (10) Locations and elevation of the data to which contour elevations refer; where reasonable practicable, datum used shall be a known and established bench mark. It is suggested that USC&G datum be used where possible.

- (11) All existing sewer lines, water lines, fire hydrants, electric and telephone utility lines, culverts, bridges, railroads, quarries, strip mines, water courses, flood plain areas, and other significant man-made or natural features within the proposed subdivision and fifty feet (50') beyond the boundaries of the proposed subdivision.
- (12) All existing buildings or other structures and the approximate location of all existing tree masses, rock out-crops, water courses within the proposed subdivision or other significant features.
- (13) All existing streets on the Official Map or Plans of the Municipality (including unpaved streets), including streets of record (recorded but not constructed), easements and rights-of-way, including names, right-of-way widths, cartway (pavement) widths and approximate grades within the subdivision or within four hundred feet (400') of any part of the tract.
- (14) The full plan of proposed development, including:
 - (a) Location and width of all streets, easements, and rights-of-way, with a statement of any conditions governing their use.
 - (b) Suggested street names and utility easement locations.
 - (c) Building reserve (setback) lines along each street.
 - (d) Lot lines with dimensions in feet and hundredths of a foot.
 - (e) Lot numbers and statement of number of lots and parcels.
 - (f) A statement of the intended use of all non-residential lots and parcels.
 - (g) Sanitary and/or storm sewers (and other drainage facilities) with the size and material of each indicated, and any proposed connections with existing facilities.

- (h) Parks, playgrounds, and other areas proposed to be dedicated or reserved for public use with any conditions governing such use.
- (i) The following data shall be shown for the cartway right-of-way and, if required, the ultimate right-of-way, for existing, recorded (except those to be vacated), and proposed streets within or abutting the property to be subdivided: The length and width (in feet to the nearest hundredth of a foot) of all straight lines and radii of curved lines. The length of all arcs (in feet, to the nearest hundredths of a foot) and the central angle (in degrees, minutes, and seconds).
- (15) Any trees to remain in the street ROW shall be indicated.
- (16) Location of all required soil percolation test holes, if required.
- (17) The following storm water management information shall be included:
 - (a) Runoff calculations for the proposed project except where the watershed storm water management plan (if any) has determined no hydrologic effect will occur downstream.
 - (b) A description of proposed storm water control measures and devices.
 - (c) Maps showing:
 - i - The location of the proposed subdivision, land development, or mobile home park within the designated watershed (consult the Cambria County Planning Commission or Conservation District for the appropriate Stormwater Management Plan.
 - ii - The one hundred (100) year flood plain for pre and post development conditions.
 - iii - Streams, swales, and drainage patterns (existing and proposed).

- iv - Storm water management control measures and devices (temporary and permanent).
- v - Areas subject to special deed restrictions affecting storm water management.
- vi - Contours of existing and proposed development elevations at intervals of five (5) feet. In areas of steep slopes (greater than 15%), 20-foot contour intervals may be used.
- vii - Show floodway boundaries if the subdivision is located in a detailed FEMA Study Area or included on a FEMA Insurance Rate Map.

B. The Preliminary Plan shall be accompanied by the following supplementary data as applicable:

- (1) Typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown on either the Preliminary Plan or on separate profile sheets:

Tentative profiles along the street centerline or along the top of curb for both sides of each proposed street shall be shown. Such profiles shall show existing and proposed grades at one of the following sets of scales:

- (a) One inch (1") equals ten feet (10') horizontal, one inch (1") equals two feet (2') vertical.
- (b) One inch (1") equals twenty feet (20') horizontal and one inch (1") equals four feet (4') vertical.
- (c) One inch (1") equals forty feet (40') horizontal and one inch (1") equals eight feet (8') vertical.
- (d) One inch (1") equals fifty feet (50') horizontal, and one inch (1") equals ten feet (10') vertical.

- (2) In lieu of the separate profile sheets required, the tentative finished cartway edge or top of curb grades for both sides of each street may be labeled on the Preliminary Plan.
- (3) Where deemed necessary by the Municipal Planning Commission or the Municipal Officials, a plan for the surface drainage of the tract to be subdivided shall be shown. Such plan shall include storm water runoff calculations for the entire property being subdivided and shall show the proposed method, subject to Municipal approval, of accommodating the anticipated runoff.
- (4) Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Department of Environmental Protection and/or the Pennsylvania Department of Transportation. Calculations for waterway opening shall be included. All designs shall be subject to approval by the Municipality.
- (5) Where a Preliminary Plan shows the proposed subdivision of only a part of the subdivider's total property, a sketch shall be required showing the prospective street system in the remainder of the property so that the street system in the submitted portion shall be considered in relation to future connections with the unsubmitted portion. To prevent undue hardship in the case of extremely large properties, the Municipal Planning Commission or Municipal Officials may, based on existing natural or man-made features, delimit the area for which a prospective street system shall be sketched.

SECTION 403 FINAL PLAN

A. The Final Plan shall be of a size drawn to scale, and show all information as required for Preliminary Plans under Article IV, Section 402 in these regulations. In addition, the Final Plan shall show the following:

- (1) Name of recorded owner (and subdivider) of the tract, and the source(s) of title to the land being subdivided, as shown by the County Recorder of Deeds.

- (2) The total tract boundary lines of the area being subdivided with accurate distances to hundredths of foot and bearings to one-quarter ($1/4$) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one foot (1') in ten thousand feet (10,000'); provided, however, that the boundary(s) adjoining additional unplotted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. Also, there shall be at least one elevation bench mark recorded for each subdivision. In addition, the surveyor shall certify, to the accuracy of the survey, the drawn plan, and the placement of the monuments.
- (3) The name (or number) and cartway width and lines of all existing public streets and the name and location of all other roads within the property.
- (4) The following data shall be shown for the cartway and, if required, the right-of-way, for existing, recorded (except those to be vacated), and proposed streets within or abutting the property to be subdivided: The length and width (in feet to the nearest hundredth of a foot) of all straight lines and radii of curved lines. The length of all arcs (in feet, to the nearest hundredths of a foot) and the central angle (in degrees, minutes and seconds).
- (5) All straight lot lines shall be dimensional (in feet, to the nearest hundredths of a foot) and all internal angles within lot lines shall be designated (in degrees, minutes, and seconds). Curved lot lines shall show length of arc (in feet, to the nearest hundredths of a foot) and the central angle (in degrees, minutes, and seconds).
- (6) A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if covenants are recorded, including the book and page number.

- (7) The proposed building reserve (setback) line for each lot, or the proposed placement of each building.
- (8) The location (and elevation, if established) of all existing and proposed required street monuments.
- (9) All easements of rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities.
- (10) Locations, size, and invert elevations of all sanitary and/or storm sewers and location of all manholes, inlets and culverts (this data may be submitted as a separate plan).
- (11) If the subdivision proposes a new street intersection with a State Traffic Route, the intersection's Highway Occupancy Permit number(s) shall be indicated for all such intersections.
- (12) A Certification of Ownership, Acknowledgment of Plan, and Offer of Dedication shall be lettered on the plan, and shall be duly acknowledged and signed by the owner(s) of the property, and notarized.
- (13) A blank space for approval of the Plan by the Municipal Officials and by the Municipal Planning Commission (if any).
- (14) A blank space measuring three and one-half inches (3-1/2") square shall be left, preferably adjacent to the Municipal certification, in which the endorsement stamp of the County Planning Commission may be applied, if required.
- (15) A blank space measuring three inches (3") square shall be left along the lower edge of the sheet, in order that the Recorder of Deeds may acknowledge receipt of the Plan when it is presented.

(16) The following storm water management information shall be included:

- (a) All information pertaining to storm water management from the preliminary plan along with any changes.
- (b) All required permits (or letters of intent to issue such permits pending final Municipal approval) from the Department of Environmental Protection, Pennsylvania Department of Transportation, Public Utility Commission, or any other agency if appropriate.
- (c) All deed restrictions, easements, and rights-of-way.
- (d) The ownership and maintenance responsibilities for storm water management control devices. The identity of the responsible individual corporation, association, or other specific entity and the specific maintenance responsibility must be detailed.
- (e) Where the applicant is proposing the dedication of permanent storm water management control facilities to the Municipality, such request must include:
 - 1. Easements to all facilities; and
 - 2. A financial guarantee (acceptable to the Municipality) to insure that the control facilities are properly installed and functioning satisfactorily.

B. The Final Plan shall be accompanied by such applicable supplementary data as is required in Article IV, Section 402 in addition to profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:

- (1) Existing (natural) profiles along both cartway edges or along the centerline of each street.

- (2) Proposed finished grade of the centerline, and proposed finished grade at the top of both curbs, or proposed finished grade at both cartway pavement edges.
- (3) The length of all vertical curves.
- (4) Existing and proposed sanitary sewer mains and manholes, storm sewer mains, inlets, manholes, and culverts and existing or proposed water mains.

SECTION 404 MINOR SUBDIVISIONS AND LAND DEVELOPMENTS AND NON-BUILDING LOTS

A. Definition of Minor Subdivision - in the case of any proposed subdivision, land development, or other division of land, the Plan Requirements of this Ordinance may be waived and the proposal deemed to be a Minor Subdivision/Development, or non-building lot, provided that the following criteria are met:

- (1) The proposal does not involve the extension of any public facilities including:
 - (a) New Streets
 - (b) Paving or other improvements
 - (c) New or improved water lines, sewer lines, or storm drainage lines
 - (d) New or improved public facilities or services.
- (2) The proposal does not adversely affect the natural resources of the Municipality, or have the potential to adversely affect the health or safety of the residents of the Municipality.
- (3) The proposal does not adversely affect adjoining property.
- (4) The proposal does not adversely affect the present or future development of the Municipality.
- (5) The proposal is compatible with the existing Zoning Ordinance (if any).

If the subdivision or land development contains not more than three (3) lots, sites, or other divisions of land, and such subdivision or land development meets with all of the five (5) criteria as stated above, then the Municipal Officials shall have the authority, at their discretion, to classify such subdivision or land development as "Minor" provided that the Municipality has received documents, guarantee, or proof of improvements installation as they may require.

B. Plan Requirements for Minor Subdivisions, Land Developments, and Non-Building Lots

- (1) Plans shall be clearly and legibly drawn to an appropriate scale, showing all properties and names of property owners of abutting properties. Maximum size of plan shall not exceed 18" x 24".
- (2) Plans shall be accompanied by that portion of the most current USGS (7-1/2 minute) quadrangle which covers the subject property.
- (3) All information or accompanying documentation required by Article IV, Section 401 and Section 403 shall be submitted as part of the application, only if applicable, except that the filing fee shall be established by the Municipality, by Resolution.
- (4) A survey prepared by a surveyor registered to practice in the Commonwealth of Pennsylvania.
- (5) An approved "Non-Building Waiver" from the Pennsylvania Department of Environmental Protection shall be furnished (if applicable).

C. Submission and Review Procedures for Minor Subdivision or Land Developments

The submission and review procedures for all minor subdivision and land developments shall comply with the applicable requirements of Article III, Sections 306, 307, and 308 (submission of Final Plan, Review of Final Plan, and Recording of Final Plan) except that Section 307 D(1) may be excluded (public hearing) at the discretion of the Municipality.

D. Non-Building Waiver

- (1) If the subdivision of land meets the five (5) criteria in paragraph A above, and is not being

subdivided for the intent of improvement with residential or non-residential buildings, the Municipal Officials shall have the authority, at their discretion, to classify such subdivision as a Non-Building Lot.

- (2). This action shall waive the requirements of Sections 401, 402 and 403 of this Ordinance for the non-building lot, provided that the Municipality has received all documentation as they may require for such determination.
- (3). All non-building lots shall be subject to the requirements listed in paragraph B above excluding sub-paragraph (3).

E. Submission and Review Procedures for Non-Building Lots:

- (1). All documents for non-building lots shall be submitted to such municipal officials including the Solicitor and Township Engineer as determined by the Supervisors, and the Municipal Planning Commission, if any.
- (2). The designated officials and Municipal Planning Commission, if any, shall review the above submission within thirty (30) days of the receipt of all necessary documents.
- (3). The reviewing officials and Municipal Planning Commission, if any, shall then submit their recommendation to the Supervisors for their review.
- (4). If the Supervisors approve the non-building lot, the survey shall be signed and dated by the appropriate Municipal Officials and forwarded to the subdivider for recording.
- (5). If the Supervisors do not approve the non-building lot, then the Municipal Officials shall state the reasons for refusal and submit them to the subdivider in writing.
- (6). One (1) signed copy of the survey shall remain with the Municipality for their records.

ARTICLE V
DESIGN STANDARDS

SECTION 501 GENERAL STANDARDS

- A. The standards and requirements contained in Articles V and VI are intended as the minimum for the promotion of the public health, safety, and general welfare, and shall be applied as such by the Municipal Planning Commission, if any, and Municipal Officials in reviewing all subdivision plans.
- B. Whenever other Municipal Ordinances and/or regulations impose more restrictive standards and requirements than those contained herein, such other Ordinances and/or regulations shall be observed; otherwise, the standards and requirements of these regulations shall apply.
- C. The subdivision shall be so designed that streets in and bordering the subdivision or land development shall be coordinated, and be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, and facilitate fire protection.
- D. Land subject to hazards to life, health, or property, such as may arise from underground fires, floods, diseases, subsidence, or other causes, shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plan shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.
- E. Subdivision plans shall conform to the Comprehensive Plan of the Municipality and of the County or to such parts thereof as may have been adopted pursuant to statute.

SECTION 502 STREETS

A. General Standards

- (1) The locations and width of all streets shall conform to the "Official Plan" or to such parts thereof as may have been adopted by the Municipality.
- (2) The proposed street system shall extend existing or other streets on the "Official Plans" at the same width or larger but in no case at less than the required minimum width.

- (3) Where, in the opinion of the Municipal Planning Commission or Municipal Officials, it is desirable to provide for street access to adjoining property, street stubs shall be extended by dedication to the boundary of such property.
- (4) New minor streets shall be so designed as to discourage through traffic, but the subdivider shall give adequate continuation of major and collector streets into and from adjoining properties.
- (5) Where a subdivision abuts or contains an existing street of improper width or alignment, the Municipal Planning Commission or Municipal Officials may require the dedication of land sufficient to widen the street or correct the alignment.
- (6) Private streets (streets not to be offered for dedication) are prohibited unless they meet the design standards of these regulations.

B. Partial and Half Streets:

New half or partial streets shall be prohibited except where essential for reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained.

C. Street Widths:

Minimum street right-of-way and pavement widths shall be as shown on the "Official Plans" or if not shown on such plans, shall be as follows. Refer to PennDOT publication on the construction of local streets if adequate information is not indicated on the following chart.

D. Restriction of Access:

- (1) Whenever a subdivision abuts or contains an existing or proposed street with a right-of-way of eighty feet (80') or more, the Municipal Planning Commission or Municipal Officials may require reconstruction of access to said street by:

(a) Provision of reverse frontage lots.

Road Classification	Current ¹ ADT	STREET DESIGN CRITERIA				
		Design Speed	Flexible Pavement ² Minimum Depths	Paved Cartway ³ Width	Shoulder ⁴ Width	Right-of-Way ⁵
Minor Street (Local Street)	1-250	30 mph	Surface - 1½" - 3½" Base Course - 4½" - 6" Subbase - 6"	18'	4' to 8'	26' to 34'
Collector Street	250-400	30 mph	Surface - 3½" Base Course - 4" - 8" Subbase - 6"	20'	8'	36'
Collector Street	400 and Over	40 mph	Surface - 3½" Base Course - 4" - 8" Subbase - 6"	22'	8'	38'

SOURCE: Guidelines for the Design of Local Roads and Streets - Publication #70 (1990)
PA Department of Transportation - Tables 2, 1 and 2.1.10.

- NOTES: 1 - ADT - Average Daily Traffic
 2 - Butuminous Surface and Base Course varies in thickness due to materials used (Table 2.1)
 3 - Two Lanes
 4 - Includes both left and right shoulders
 5 - Right-of-Way includes an additional 4 feet beyond both shoulders for rounding (see Typical Roadway Section). Additional right-of-way pavement widths may be required by Municipal Officials.

(b) Provision of service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the major streets.

(c) Provision of marginal access streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Municipality under an agreement meeting the approval of the Municipality's Solicitor.

(2) Except as specified under Paragraph c above, reserve strips shall be prohibited.

E. Street Grades:

(1) There shall be a minimum centerline grade of three-quarters percent (3/4%).

(2) Centerline grades shall not exceed the following:

(a) Minor Street -- ten percent (10%).

(b) Collector Street -- six percent (6%).

(c) Major Street -- six percent (6%).

(d) Street Intersection -- five percent (5%).

(3) Grades up to twelve percent (12%) may be permitted on a through minor street where access to the street is possible over streets with grades of ten percent (10%) or less.

F. Horizontal Curves:

(1) Whenever street lines are deflected in excess of five degrees (5°), connection shall be made by horizontal curves.

(2) To ensure adequate sight distance, minimum centerline radii for horizontal curves shall be as follows:

(a) Minor Streets - One hundred fifty feet (150').

(b) Collector Streets - Three hundred feet (300').

(c) Major Streets - Five hundred feet (500').

(3) A tangent of at least one hundred feet (100') shall be introduced between all horizontal curves on collector and major streets.

(4) To the greatest extent possible, combinations of the minimum radius and maximum grade shall be avoided.

G. Vertical Curves (Dip):

At all changes of street grades where the algebraic difference exceeds one percent (1%), vertical curves shall be provided to allow an easy or smooth transition.

H. Intersections:

(1) Streets shall intersect as nearly as possible at right angles, and no street shall intersect another at an angle of less than sixty degrees (60°) or more than one hundred twenty degrees (120°).

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

(3) Streets intersecting another street shall either intersect directly opposite to each other or shall be separated by at least one hundred fifty feet (150') between centerlines measured along the centerline of the street being intersected.

(4) Intersections shall be approached on all sides by a straight leveling area, the grade of which shall not exceed five percent (5%) within fifty feet (50') of the intersection of the nearest right-of-way lines.

(5) Intersections with major streets shall be located not less than one thousand feet (1,000') apart measured from centerline to centerline along the center line of the major street.

(6) Street curb intersections shall be rounded by a tangential arc with a minimum radius of:

(a) Thirty-five feet (35') for intersections involving only minor streets.

- (b) Fifty feet (50') for all intersections involving a collector street.
- (c) Fifty feet (50') for all intersections involving a major street.
- (7) Street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.

I. Sight Distance at Intersections:

- (1) Clear sight triangles shall be provided at all street intersections. Within such triangles, no vision-obstructing object other than utility poles shall be permitted which obscures vision above the height of thirty inches (30") and below ten feet (10') measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of:
 - (a) Seventy-five feet (75') from the point of intersection of the centerline, except that:
 - (b) Clear sight triangles of one hundred fifty feet (150') shall be provided for all intersections with Major Streets. (See Appendix.)
- (2) Wherever a portion of the line of such triangles occurs behind (i.e., from the street) the building reserve (setback) line, such portion shall be shown on the Final Plan of the subdivision and shall be considered a building setback (reserve) line.

J. Cul-de-Sac Streets:

- (1) Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.
- (2) Any dead-end street for access to an adjoining property or because of authorized stage development shall be provided with a temporary all-weather turn-around within the subdivision, and the use of such turn-around shall be guaranteed to the public until such time as the street is extended.
- (3) Cul-de-sac streets, permanently designed as such, shall not exceed six hundred feet (600') in length and shall not furnish access to more than twenty

(20) dwelling units.

- (4) Unless future extension is clearly impractical or undesirable, the turn-around right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street in full width.
- (5) All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a fully paved turn-around. The minimum radius to the pavement edge or curb line shall be forty feet (40') and the minimum radius of the right-of-way shall be fifty feet (50').
- (6) Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer.
- (7) The centerline grade on a cul-de-sac shall not exceed ten percent (10%), and the grade of the diameter of the turn-around shall not exceed five percent (5%).
- (8) All cul-de-sac street widths shall follow the same minimum street widths as prescribed for minor streets.

K. Street Names:

- (1) Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of the existing streets.
- (2) In no case shall the name of a proposed street be the same as or similar to an existing street name in the Municipality and in the postal district, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court, lane, etc.
- (3) All street names shall be subject to the approval of the Municipal Officials.

L. Service Streets (Alleys):

- (1) Service streets may be permitted, provided that

the subdivider produces evidence satisfactory to the Municipal Planning Commission or the Municipal Officials of the need for such service streets.

- (2) No part of any structure shall be located within twenty feet (20') of the centerline of a service street.
- (3) Dead-end service streets shall be avoided, but where this proves impossible, dead-end service streets shall terminate with a paved circular turn-around or equal with a minimum radius of the outer pavement edge of forty feet (40').
- (4) Service street intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be rounded or cut back sufficiently to permit safe vehicular circulation.

M. Driveway:

- (1) Private driveways on corner lots shall be located at least forty feet (40') from the point of intersection of the nearest street right-of-way lines.
- (2) In order to provide safe and convenient means of access, grades on private driveways shall not exceed seven percent (7%). Entrances should be rounded at a minimum radius of five feet (5'), or should have a flare construction that is equivalent to the radius at the point of intersection with the cartway edge.

SECTION 503 BLOCKS

A. Layout:

The length, width, and shape of blocks shall be determined with due regard to:

- (1) Provision of adequate sites for buildings of the type proposed.
- (2) Zoning requirements.
- (3) Topography.

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

B. Length:

- (1) Blocks shall have a maximum length of one thousand six hundred feet (1,600') and a minimum length of five hundred feet (500'), provided however that the Municipal Planning Commission or Municipal Officials may decrease the maximum and/or minimum lengths of blocks if in the opinion of either body, topography of the land in question and/or surface water drainage condition warrant such a decrease.
- (2) In the design of blocks longer than one thousand feet (1,000'), special consideration shall be given to the requirements of satisfactory fire protection.
- (3) Where practicable, blocks along major and collector streets shall not be less than one thousand feet (1,000') long.

C. Crosswalks:

- (1) Crosswalks shall be required in blocks of over one thousand feet (1,000') or wherever necessary to facilitate pedestrian circulation and to give access to community facilities.
- (2) Such crosswalks shall have a right-of-way width of not less than ten feet (10') and a paved walk of not less than five feet (5').

D. Depth:

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where prevented by the size, topographical conditions, or other inherent conditions of property, in which case the Municipal Planning Commission or Municipal Officials may approve a single tier of lots.

E. Commercial and Industrial Blocks:

Blocks in commercial and industrial areas may vary from the element of design detailed above as required by the nature of the use.

SECTION 504 LOTS AND PARCELS

A. General Standards:

- (1) Insofar as practical, side lot lines should be at right angles to straight street lines or radial to curved street lines.
- (2) Where feasible, lot lines should follow municipal boundaries rather than cross them in order to avoid jurisdictional problems.
- (3) Generally, the depth of residential lots should be not less than one (1) times their width.
- (4) Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
- (5) If, after subdividing, there exists remnants of land, they shall be either:
 - (a) Incorporated in existing or proposed lots, or
 - (b) Legally dedicated to public use, if acceptable to the Municipality.

B. Lot Frontage:

- (1) All lots shall have direct access to a public street, existing or proposed, or to a private street if it meets the requirements of these regulations.
- (2) Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation.
- (3) All residential reverse frontage lots shall have, within such rear yard and immediately adjacent to the right-of-way, a planting screen easement of at least ten feet (10') in width, across which there shall be no right of access.

C. Lot Size and Setback:

Lot dimensions, areas, and setbacks shall not be less than specified by the Municipal Zoning Ordinance, or if no municipal zoning exists then the following dimensions and areas shall prevail:

- (1) The minimum lot area for residential buildings with access to public water or on-lot water and public sewage collection and treatment shall be eleven thousand square feet (11,000 sq. ft.), and a width at the building line of not less than fifty feet (50 ft.).
- (2) The minimum lot area for residential buildings without access to public water and public sewage collection and treatment shall be one (1) acre, and a width at the building line of not less than one hundred feet (100 ft.).
- (3) The minimum lot area for residential buildings with public water and without public sewage collection and treatment shall be one-half (1/2) acre, and a width at the building line of not less than fifty feet (50 ft.).
- (4) The minimum building setback from any right-of-way/street or road (ROW) shall be twenty-five feet (25 ft.).
- (5) The minimum building setback from any property line shall be fifteen feet (15 ft.).

SECTION 505 SANITARY SEWAGE DISPOSAL

- A. Sanitary sewers shall be designed and constructed in strict accordance with Department of Environmental Protection Standards of the Commonwealth of Pennsylvania and Municipal construction standards.
- B. Sanitary sewers shall not be used to carry storm water.
- C. All lots which cannot be connected to a public or community sanitary sewage disposal system in operation at the time of construction of a principal building shall be provided with an on-site sanitary sewage disposal system consisting of a septic tank(s) connected with a disposal field or another appropriate system, which meets the design standards of the Pennsylvania Department of

Environmental Protection, the Municipal Zoning Ordinance and any amendments or supplements thereto or any regulations adopted pursuant thereto.

- D. If on-site sanitary sewage disposal facilities are to be utilized, the Municipality may require that the subdivider submit an Economic Feasibility Report. Such Report shall compare the cost of providing on-site facilities and the cost of connecting to a public sanitary sewer system with a temporary sewage treatment plant. The temporary treatment plant will have to be abandoned when public trunk sewers are installed in the area.
- E. Where on-site sanitary sewage facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary disposal field at a safe distance from the proposed building(s) in accordance with the Department of Environmental Protection regulations.

SECTION 506 SOIL PERCOLATION TEST REQUIREMENTS

- A. Soil percolation tests shall be performed for all subdivisions wherein building(s) at the time of construction will not be connected to a public or community sanitary sewage disposal system.
- B. Soil percolation tests shall be made in accordance with the procedure required by the Pennsylvania Department of Environmental Protection, by a qualified sewage enforcement officer, at the rate of one (1) test site for each acre or part thereof for the property being subdivided, or at such rates required by the Department of Environmental Protection.
- C. The sewage enforcement officer shall enter the result of the test and all other information on four (4) copies of the required Department of Environmental Protection form and shall submit these with the Preliminary Plans.
- D. Soil percolation tests shall be performed near the site of the proposed on-site sanitary sewage disposal facilities and spaced evenly throughout the property.
- E. The results of the soil percolation tests shall be analyzed by the Municipal Planning Commission and Municipal Officials in conjunction with the Pennsylvania Department of Environmental Protection in relation to the physical characteristics of the tract being subdivided

and of the general area surrounding the tract being subdivided, and the Final Plan lot layout shall be based on this analysis.

- F. If the analysis of the soil percolation test results reveals that the soil is unsuitable for the intended use at the lot size proposed, the Municipal Planning Commission or the Municipal Officials may require that the lot size(s) be increased in accordance with the test results or that additional tests be made on each proposed lot at the location of the contemplated disposal facilities, and the data submitted for review.

SECTION 507 WATER SUPPLY

- A. Water supply shall be installed in accordance with the requirements of the water authority serving that area. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Municipality that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or other utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or 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.
- B. Where individual on-site water supply system(s) are to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system and wells shall be placed uphill from sewage disposal systems and shall not be within one hundred feet (100') of any part of the absorption field of any on-site sanitary sewage disposal system, nor within fifty feet (50') from lakes, streams, ponds, quarries, etc.
- C. Where individual on-site water supply system(s) are to be utilized, it is recommended that the subdivider provide at least one (1) test well for each ten (10) proposed dwelling units. Such wells should be drilled, cased, and grout sealed into bedrock at least fifty feet (50') deep, having a production capacity of at least five (5) gallons per minute of safe potable drinking water as certified by State or Municipal health officer.

SECTION 508 STORM WATER DRAINAGE

Any landowner and any person engaged in the alteration or development of land which may affect storm water runoff characteristics shall implement such measures consistent with the provisions of the applicable watershed storm water management plan as are reasonably necessary to prevent injury to health, and of person's safety and/or damage to adjacent property. Such measures shall include such actions as are required:

1. to assure that the maximum rate of storm water runoff is no greater after development than prior to development activities; or
2. to manage the quantity, velocity and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.

A. General Criteria

1. The storm water management plan must consider all the storm water runoff flowing over the project site.
2. All storm water runoff easements and detention controls shall be located and designed by a person qualified and/or experienced in the location and design of such structures.
3. The method used in calculating storm water runoff shall be the method designated in the Municipal Stormwater Management Ordinance, or as computed in Section 508, paragraph B, of this Ordinance.
4. Storm water roof drains and pipes shall discharge water into cisterns, french drains (where soils are suitable), sheet drains or other storm water runoff dispersion and absorption control device and not into storm sewers unless recommended in the watershed storm water plan.
5. No discharge of toxic materials into any storm water management system is permitted.
6. Flow velocities from any storm drain may not result in a deflection of the receiving channel.

7. Developers are encouraged to consult the following storm water management and erosion sedimentation control publications in preparing their plans.

- (a) Chapter 102. Erosion Control, Title 25, Rules and Regulations of the Department of Environmental Protection.
- (b) Chapter 105. Water Obstructions and Encroachments, Title 25, Rules and Regulations of the Department of Environmental Protection.
- (c) Engineering Field Manual for Conservation Practices, 1975, U.S. Department of Agriculture, Soil Conservation Service.
- (d) Erosion and Sediment Control Handbook, Cambria County Conservation District.
- (e) Guidelines for Storm Water Management, Department of Environmental Protection, Bureau of Dams and Waterway Management.
- (f) Soil Erosion and Sedimentation Control Manual, Department of Environmental Protection, Bureau of Soil and Water Conservation and Bureau of Water Quality Management.
- (g) Urban Hydrology for Small Watersheds, Technical Release No. 55, Soil Conservation Service, U.S. Department of Agriculture, January, 1975.
- (h) Chest Creek Watershed Act 167 Stormwater Management Plan, Cambria County Conservation District, Ebensburg, Pennsylvania.
- (i) PennDOT Design Manual II (Publication 13), Section 10.

B. Specific Criteria

1. Storm water runoff rates shall be computed as outlined in the appropriate Municipal Stormwater Management Plan, or as follows:

- (a) Sites up to 5 acres shall use the rational method of calculating run-off as detailed in PA DOT Publication 13, Section 10. Pipes, ditches, and swales shall be designed accordingly.

- (b) Sites over 5 acres shall use the rational method to design pipes, swales, and ditches. Storm water detention shall be designed using the SCS method detailed in Urban Hydrology for Small Watersheds, Technical Release 55. Detention shall be designed using 5 and 25 year storm events.
- 2. Water quality for the specific watershed must comply with the appropriate Municipal Stormwater Management Plan.
- 3. Erosion and Sedimentation - All activities shall be conducted in such a way as to minimize accelerated erosion and resulting sedimentation. Measures to control erosion and sedimentation shall at a minimum meet the standards of the Cambria County Conservation District and Chapter 102 (Erosion Control) of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection.

SECTION 509 PUBLIC USE AND SERVICE AREA

A. Public Open Spaces:

- (1) In reviewing subdivision plans, the Municipal Planning Commission and Municipal Officials should consider whether community facilities, especially schools, in the area are adequate to serve the needs of the additional dwellings proposed by the subdivision.
- (2) Subdividers and the Municipality shall give earnest consideration to providing facilities or reserving areas for facilities normally required in residential neighborhoods, including churches, libraries, schools and other public buildings; parks, playgrounds and playfields, shopping and local business centers. Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use of the proposed facility. Prior to the preparation of plans, subdividers of large tracts should review with the Municipal Planning Commission or Municipal Officials the minimum standards for various community facilities applicable to the tract being subdivided.

- (3) In subdivisions which are intended to provide housing, the Municipal Planning Commission or Municipal Officials shall consider the need for suitable open areas for recreation and shall make a recommendation thereon. However, if the Municipality has a formally-adopted recreation plan, then the land area to be dedicated, or the fees to be paid in lieu thereof, shall conform to said recreation plan and shall be a condition precedent to Final Plan approval.

B. Community Assets:

Consideration shall be shown for all natural features such as large trees, water courses, historic areas and structures, and similar community assets which, if preserved, will add attractiveness and value to the remainder of the subdivision.

C. Utility Easements:

1. A temporary construction easement of thirty (30) feet and a permanent maintenance easement of fifteen (15) feet shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.
2. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
3. There shall be a minimum distance of fifty feet (50'), measured in the shortest distance, between any proposed dwelling unit and any petroleum, petroleum products, or natural gas transmission line which traverses the subdivision.
4. Subdividers are urged to avail themselves of the services provided by the various public utility companies in determining the proper locations for utility line easements.
5. Utility service for residential development is recommended to be provided through the use of underground facilities in accordance with the standards and approval of the utility company having appropriate jurisdiction.

ARTICLE VI
IMPROVEMENT REQUIREMENTS

SECTION 601 GENERAL REQUIREMENTS

Physical improvements to the property being subdivided shall be provided, constructed, and installed as shown on the Record Plan, in accordance with the requirements of these regulations, or other Municipal Ordinances or Regulations.

- A. As a condition to approval of a Final Plan by the Municipal Planning Commission or Municipal Officials, the subdivider shall agree with the Municipality as to the installation of all improvements shown on the Plan and required by these or other Municipal Ordinances or Regulations.
- B. All improvements installed by the subdivider shall be constructed in accordance with the design specifications of the Municipality.

Where there are no applicable Municipal Design Specifications, improvements shall be constructed in accordance with specifications furnished by the Municipal Engineer, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Protection, or such other State agency as applicable. If there are no applicable Municipal or State regulations, the Municipality may authorize that specifications be prepared by the Municipal Engineer or an Engineering Consultant.

- C. Supervision of the installation of the required improvements shall in all cases be the responsibility of the Municipal Engineer, water and/or sewer authority, or of the appropriate state regulatory agency.

SECTION 602 REQUIRED IMPROVEMENTS

The following improvements shall be installed by the subdivider or a guarantee suitable to the Municipality shall be provided by the subdivider which shall ensure the provision of the improvements at the standards set forth in these regulations.

A. Street Grading:

All streets shall be graded at full right-of-way width.

B. Cartway Paving:

All streets intended to be dedicated to public use shall be paved to full cartway width (as shown on the Final Plan) in accordance with Municipal Specifications.

C. Curbs:

Curbs are to be installed when deemed necessary by the Municipal Officials based on the need to control storm water runoff and/or on-street parking and approved by the Municipality.

D. Sewers:

1. Storm Sewers:

Storm sewers and related facilities shall be installed consistent with the design principles and requirements contained in Article V of these regulations.

2. Sanitary Sewage Disposal System(s):

a. Sanitary sewage disposal systems shall be provided consistent with the design standards and requirements contained in Article V of these regulations.

b. Whenever a subdivider proposes that individual on-site sanitary sewage disposal systems shall be utilized within the subdivision, the subdivider shall either install such facilities or shall require (by deed restriction or otherwise), as a condition of the sale of each lot or parcel within the subdivision, that such facilities shall be installed by the purchaser of such lot or parcel at the time that a principal building is constructed and in accordance with these regulations.

c. In all other cases, the subdivider shall provide a complete community or public sanitary sewage disposal system. The design and installation of such public system shall be subject to the approval of the Pennsylvania Department of Environmental Protection and such system shall be further subject to satisfactory provision for the maintenance thereof.

E. Water Supply:

1. Water supply system(s) shall be installed consistent with design principles and requirements contained in Article V of these regulations.
2. Where the subdivider proposes that individual on-site water supply system shall be utilized within the subdivision, the subdivider shall either install such facilities or shall require (by deed restriction or otherwise), as a condition of the sale of each lot or parcel within the subdivision, that the facilities shall be installed by the purchaser of such lot or parcel at the time that a principal building is constructed and in accordance with these regulations.
3. Wherever economically feasible, the subdivision shall be provided with a complete public or community water distribution system.

F. Fire Hydrants:

Wherever a public or community water supply system is provided, fire hydrants shall be installed as required by the local water supplier of all existing and proposed structures, measured by way of accessible streets.

G. Monuments and Markers:

Permanent reference monuments of pre-cast concrete or poured on-site concrete shall be installed by a professional land surveyor, as that term is defined by Act No. 367 of 1945, as amended. Pre-cast monuments shall be at least six (6) inches square at the top and bottom and at least thirty (30) inches in depth, with a steel dowel. Poured on-site monuments shall be at least six (6) inches in diameter and at least thirty (30) inches in depth with a steel dowel. Monuments shall be set at all corners and angle points of the boundaries of the original tract to be subdivided prior to approval of the Plan. Markers shall be installed at all lot corners and shall consist of iron or steel bars at least twenty-four (24) inches long, and not less than one-half (1/2) inch in diameter.

H. Street Signs:

Street name signs shall be installed at all street intersections. The design and placement of such signs shall be subject to approval by the Municipality.

I. Street Lights:

In accordance with the conditions to be agreed upon by the subdivider, the Municipality, and the appropriate public utility, street lights are required to be installed in all subdivisions. However, whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installation upon consultation with the public service utility company involved.

J. Recreational Facilities:

As a condition precedent to final plan approval, the subdivider, upon agreement with the Municipality, shall construct recreational facilities, pay fees in lieu thereof, or reserve private land, or a combination thereof, for park or recreational purposes only if the Municipality has a formally-adopted recreation plan. The standards for determining the proportion of a development to be dedicated and/or the amount of any fee to be paid in lieu thereof shall be indicated in Section 509 of this Ordinance, if applicable.

SECTION 603 RECOMMENDED IMPROVEMENTS

The following improvements, intended to enhance the sales value and public safety of the subdivision as well as to benefit the Municipality are recommended:

A. Shade Trees:

Every effort must be made by the subdivider to preserve existing shade trees and, in addition, deciduous hardwood trees with a minimum caliber of one and one-half inches (1-1/2") should be provided in accordance with conditions to be agreed upon by the Municipality. Where provided, such trees should be planted between the sidewalk and the building reserve (setback) line at least five feet (5') from the sidewalk or between the curb and the sidewalk provided the planting strip is a minimum of six feet (6') wide. If no curb or sidewalk

is provided, trees shall set back a minimum of ten feet (10') from the street ROW.

B. Sidewalks:

1. When required by the Municipality, sidewalks with a minimum width of four feet (4') shall be installed on both sides of all streets except that no sidewalks shall be required along service streets.
2. All sidewalks, curbs, and gutters shall be installed in accordance with these regulations and with curb, gutter, or sidewalk ordinances of the Municipality.

SECTION 604 GENERAL

(A). Fences and Storage Buildings/Sheds

If fences are proposed and/or are installed at any time on the lot whether by the developer, subdivider or owner, said fences can be no higher than six feet (6') and must be set back from all boundary/lot lines at least three feet and must be so installed that the finished side/front side of the fence faces the abutting property.

All out/storage buildings/sheds are subject to all side, front and rear set back requirements as set forth herein.

Fences, silos and agricultural sheds and out/buildings used and/or constructed for agricultural or raising of livestock for commercial purposes are exempt from such set backs.

(B). Signs:

- (1). Signs must be of such size and so placed on the premises as not to be a sight hazard and must be set back from front, side and rear lot lines at least six (6) feet
- (2). Signs shall not project over public rights-of-way or be placed on or directly above such right-of-way.

ARTICLE VII

LAND DEVELOPMENT STANDARDS

SECTION 701 DEFINITION AND EXCLUSIONS

Developments defined as land developments under the Pennsylvania Municipalities Planning Code (Act 247, as amended) are regulated under this Ordinance. The definition of land development includes any improvement to the land involving two or more residential buildings, or any non-residential building. Therefore, the construction of a single-family residential building is excluded from this definition and from these regulations. Also excluded is the leasing (or selling) of land for agricultural purposes in parcels of ten (10) or more acres (not involving any new streets or easements or residential dwelling units). Typical land developments include, but are not limited to, multi-family residential buildings, commercial centers, and industrial developments. It shall be unlawful for an applicant to construct land developments as defined herein without complying with these additional requirements.

SECTION 702 PROCEDURES AND EXCEPTIONS

- A. In processing a land development, the three-stage procedure established in this Ordinance for land subdivisions shall be used: Sketch Plan ~~Plan~~, Preliminary Plan, and Final Plan stages. Land developments shall be processed, and submission requirements shall be the same as that required for subdivisions. The final plan shall be recorded in the Cambria County Recorder of Deeds Office.
- B. The Municipality of Dean Township may exempt a land development from preparing a preliminary plan if the following provisions are met:
 - 1. It meets the criteria for a Minor Subdivision and Land Development
 - 2. It does not involve earth disturbance of more than five (5) acres
 - 3. It does not involve a building of greater than twenty thousand (20,000) square feet gross leasable area, or in excess of two (2) stories in height

SECTION 703 FINAL PLAN REVIEW

In addition to other Final Plan requirements (see Article IV of this Ordinance for Final Plan Subdivision Review), the following items shall be included for Final Plan review for all land developments, as applicable:

- A. The applicant shall prepare and submit a Site Plan. Site Plans, as required in this Article, detail the construction of all required improvements and contain information establishing compliance with the Design Standards of this Ordinance.
- B. In cases of multi-owner or multi-tenant developments, proof of organization and means for management and maintenance of common open space, parking, and other improvements must be shown. Legal documents demonstrating creation of an association or other means of assuring continuing maintenance shall be required.

SECTION 704 SITE PLAN

- A. In lieu of a subdivision plan (plot plan), the developer shall submit a Site Plan. For land developments having a total developed area of less than 15,000 square feet, the Site Plan shall be prepared at a scale of one inch equals fifty (50) feet. Where the total developed area is over 15,000 square feet but less than five (5) acres, the Site Plan shall be prepared at a scale of one inch equals one hundred (100) feet. Where the total developed area is over five (5) acres, the Site Plan shall be prepared at a scale of one inch equals two hundred (200) feet.
- B. Where building and parking lot development will cover an area in excess of one (1) acre (43,560 square feet), topographic data at two (2) foot contour intervals shall be required. For developments of less than one acre, topographic data at ten (10) foot contour intervals shall be required.
- C. All land developments must comply with preliminary and final plan requirements (as applicable) as set forth within this Ordinance.
- D. Building elevations, while not required, are strongly encouraged as part of a Site Plan submission.

SECTION 705 GENERAL DEVELOPMENT STANDARDS

- A. All land developments must comply with all applicable standards as contained in Article V, Design Standards, of this Ordinance.
- B. All land developments must comply with all applicable requirements as contained in Article VI, Improvement Requirements, of this Ordinance

SECTION 706 MULTI-FAMILY DWELLING DEVELOPMENT STANDARDS

- A. A multi-family dwelling development involving not more than three (3) dwelling units shall be considered a Minor Land Development. As such, this Minor Land Development will be exempt from submission and review of Preliminary Plans. Such Minor Land Development may proceed directly with Final Plan requirements as contained in this Ordinance. All multi-family dwelling developments containing four (4) or more dwelling units shall follow both preliminary and final plan submission and review procedures.
- B. All multi-family dwelling land developments shall comply with the lot dimensions, areas, and setbacks specified by the Municipal Zoning Ordinance. If no municipal zoning exists, then the following areas, dimensions, and setbacks shall prevail:
 - 1. The maximum density of multi-family land developments without public water and without public sewage collection and treatment shall be three (3) units per acre, and a width at the building line of not less than one hundred (100) feet plus three (3) feet per unit.
 - 2. The maximum density of multi-family land developments with public water and without public sewage collection and treatment shall be six (6) units per acre, and a width at the building line of not less than fifty (50) feet plus three (3) feet per unit.
 - 3. The maximum density of multi-family land developments with public water and with public sewage collection and treatment shall be twelve (12) units per acre, and a width at the building line of not less than fifty (50) feet plus three (3) feet per unit.

4. Multi-family dwelling land developments shall have a minimum building setback from any right-of-way (road or street) of twenty-five (25) feet plus three (3) feet per unit.
5. Multi-family dwelling land developments shall have a minimum building setback from any property line of fifteen (15) feet plus three (3) feet per unit.

SECTION 707 COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS

- A. All commercial and industrial land developments shall comply with the provisions contained within the Municipal Zoning Ordinance. If no municipal zoning exists, then the following design standards shall prevail:
 1. The total land area for such developments shall be sufficient to provide adequate space for off-street parking and loading, water and sewage facilities, landscaping, and property line setbacks. At a minimum, there shall be not less than four (4) square feet of off-street parking for each one (1) square foot of building use.
 2. Front property line setback shall be not less than fifty (50) feet.
 3. Side property line setback shall be not less than twenty-five (25) feet.
 4. Rear property line setback shall be not less than fifty (50) feet.
 5. Any side or rear property line abutting a residential property shall have a landscape area of ten (10) feet in width containing evergreen and deciduous plantings.

SECTION 708 ACCEPTANCE, MAINTENANCE, AND COMPLETION OF IMPROVEMENTS

- A. If the land development involves the lease or rental of buildings or space on the site and site improvements (streets, parking areas, and stormwater drainage devices) which are to be privately maintained or maintained by an entity created by the developer, then there is no need for municipal acceptance of the site improvements. However, in these instances, streets and stormwater drainage shall be designed and built to the standards contained in this Ordinance, and the Municipality shall

affirm that these improvements are, in fact, built to such standards.

- B. Where the developer does not intend to maintain the improvement and where a homeowner's association or similar organization will not be organized for these responsibilities, the developer will submit a plan for the maintenance of such facilities. This document will be legally enforceable and clearly establish the maintenance responsibility. Any proposed improvement to be offered for public dedication will follow the requirements as specified by this Ordinance.
- C. Prior to final approval of the Final Site Plan, the land developer shall guarantee the installation of all applicable Required Improvements (Article VI, Section 602) by one of the methods contained in Article III, Section 309 Performance Guarantee of this Ordinance.

ARTICLE VIII
MOBILE HOME PARKS

SECTION 801 MOBILE HOME PARK REGULATIONS

No person, firm, or corporation shall construct, maintain, or operate a mobile home park within the Municipality without obtaining a mobile home park plan approval from the Municipal Officials. The procedures for reviewing mobile home park plans shall be the same as for subdivision and land development plans in accordance with the provisions of this Ordinance. Unless specified in this Article, the design standards and improvement requirements for mobile home parks shall be the same as for subdivision and land development projects in accordance with the provisions of this Ordinance.

A. Plan Requirements

Prior to plan approval of a mobile home park ,plans shall be submitted to and approved by the Municipal Officials in accordance with the requirements and procedures of this Ordinance. In addition to the plan information required elsewhere in this Ordinance, the following information shall be provided on the plans:

1. The location and use of proposed buildings or structural improvements.
2. The location and design of all uses not requiring structures such as recreation areas and landscaping.

B. Register

It shall be incumbent upon the proprietor of a mobile home park to keep a register and to report therein the name of person or head of family occupying each said mobile home, showing date of entry on said land, make and size of the mobile home, and the names of all persons living in said mobile home.

C. Density

1. The minimum tract area for mobile home parks shall be five (5) acres.
2. The gross density per park shall not exceed eight (8) mobile home units per acre.

D. Lot Requirements

1. Individual mobile home lots located in a mobile home park shall contain at least five thousand (5,000) square feet of lot area and shall not be less than fifty (50) feet wide at the building set-back line exclusive of easements or rights-of-way.
2. All mobile home lots shall be given street numbers and all park streets shall be given names.

E. Setback Requirements

1. All mobile homes shall be located at least thirty-five (35) feet from any street right-of-way which abuts a mobile home park boundary and at least twenty-five (25) feet from any other boundary of the park.
2. There shall be a minimum distance of twenty-five (25) feet between an individual mobile home and adjoining pavement of a park street or common parking area or other common areas.
3. All mobile homes and patios on a mobile home lot shall not be located closer than ten (10) feet to a lot line.
4. Minimum park frontage shall be one hundred (100) feet.

F. Park Street System

1. Streets. All streets within any mobile home park shall be designed in accordance with the design standards of this Ordinance.
2. Intersections. Not more than two (2) streets shall intersect at any point and a distance of at least one hundred and fifty (150) feet shall be maintained between center lines of offset intersecting streets.

G. Required Off-Street Parking

1. Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Such areas shall be furnished at the rate of at least two (2) vehicular parking spaces for each mobile home lot.

2. Each off-street parking space shall contain at least two hundred (200) square feet and shall not exceed a distance of three hundred (300) feet from the mobile home lot that it is intended to serve.

ARTICLE IX
ADMINISTRATION, AMENDMENT, SEVERABILITY

SECTION 901 REVISION AND AMENDMENT

- A. The Municipal Governing Body may, from time to time on their own motion revise, modify, or amend this Ordinance in order to increase its effectiveness or to expedite the approval of subdivision plans.
- B. Any revisions, modification, or amendments to these regulations shall be made in accordance with the procedures as provided in Act 247, Article V, Section 505, after a public hearing on the proposed revisions, modifications, or amendments.

SECTION 902 MODIFICATIONS

- A. The Municipal Governing Body may grant a modification or waiver from the requirements of one or more of the provisions within this Subdivision and Land Development Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification or waiver will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.
- B. All requests for a modification or waiver shall be in writing and shall accompany and be part of the application for subdivision or land development review. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision(s) of the Ordinance involved, and the minimum modification necessary.
- C. The Municipal Governing Body shall keep a written record of the action on all requests for modifications and/or waivers.
- D. In reviewing the subdivider's request for a modification/waiver from these Regulations, the following criteria should be used:
 - 1. An unnecessary hardship should be established upon a finding of fact.
 - 2. The particular hardship must stem from these regulations.

3. The situation must be unique, not one shared similarly by other properties in the neighborhood.
 4. The hardship cannot be self-created by the property owner.
 5. Hardship is not to be construed to mean that less profit will be made under the existing regulations than might be realized with the granting of a modification/waiver.
 6. The hardship must be suffered by the parcel of land under question and not by other parcels owned by the subdivider or by the community as a whole.
 7. If these regulations were in existence at the time of the purchase of the parcel of land under question, the condition of the parcel itself or the neighborhood must have changed since the time of the purchase. The changed condition must have a unique bearing on the parcel under question.
- E. In granting modifications/waivers, the Municipal Governing Body may impose such condition as will, in its judgment, secure substantially the original objectives of the now modified requirements.
- F. In order to encourage flexibility, economy, and ingenuity in the layout and design of subdivision and land developments, and to encourage the provision of amenities not otherwise required by this Ordinance or other applicable regulations, the Municipal Governing Body may waive, modify, reduce, or otherwise alter the standards and requirements of this Ordinance, provided, that such actions do not conflict with the purposes of this Ordinance.

SECTION 903 MEDIATION, AND APPEALS

- A. The Municipality may offer a mediation option as an aid in completing proceedings authorized by Article V, Section 508 of Act 247: "Approval of Plats". In exercising this option, the Municipality and mediating parties shall meet the stipulations and follow the procedures set forth in Article IX, Section 908.1 of Act 247, as re-enacted and amended.
- B. Any subdivider aggrieved by a finding, decision, or recommendation of the Municipality may appeal such

finding, decision, or recommendation to the Court of Common Pleas.

- C. All subdivision and land development appeals shall be filed not later than thirty (30) days after issuance of notice of the decision or report of the Municipality. All appeals shall be in accordance with the provisions of Article V of Act 247.

SECTION 904 FEES

- A. The Municipal Officials shall establish by resolution a collection procedure and Schedule of Fees to be paid by the subdivider at the time of filing a Preliminary Plan.
- B. The Schedule of Fees shall be posted in the Municipal Secretary's office or in such other place as the Municipal Officials may designate.
- C. In the event the subdivider is required to pay additional fees at the filing of the Final Plan, such fees shall be collected by the Municipal Secretary prior to distributing the Final Plan. There shall be no refund or credit of any portion of the fee should the subdivider fail to apply for final approval within the required period of time or if the Final Plan covered only a section of the subdivision for which Preliminary Approval has been obtained.
- D. No Final Plan shall be approved unless all fees and charges have been paid in full to the Municipality.

SECTION 905 REMEDIES, ENFORCEMENT, AND JURISDICTION

- A. In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan, the Municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies to effect completion of said improvements. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds, whether resulting

from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

- B. In addition to other remedies, the Municipality may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violation, 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 document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- C. The Municipality may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision or land development of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
1. The owner of record at the time of such violation.
 2. 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.
 3. 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.
 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Municipality may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

D. Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Municipality, pay a judgment of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the Municipality as a result thereof. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation, further determines that there was a good faith basis for the person, partnership, or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continued shall constitute a separate violation. 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.

E. District justices shall have initial jurisdiction in proceedings brought under enforcement remedies.

SECTION 906 KEEPING OF RECORDS

The Municipal Planning Commission and the Municipal Officials shall keep a record of their findings, decisions, and recommendations relative to all subdivision plans filed for review. Such records shall be made available to the public for review.

SECTION 907 RESPONSIBILITY

The subdivider shall be responsible for observing the procedures established in this Ordinance and for submitting all plans and documents as may be required.

SECTION 908 CONFLICTS

- A. Whenever there is a difference between the minimum standards specified herein and those included in other Municipal Ordinances or regulations, the more stringent requirements shall apply.
- B. All existing Ordinances or regulations or parts thereof which are contrary to the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 909 SEVERABILITY

Should any article, section, subsection, paragraph, clause, phrase, or provision of these Regulations be declared by a court or competent jurisdiction to be invalid, such judgment shall not affect the validity of the Regulations as a whole or any part or provision thereof other than the part so declared to be invalid or unconstitutional.

SECTION 910 EFFECTIVE DATE

This Ordinance shall become effective ten (10) days after the date on which it has been passed by the Municipality and approved by the Solicitor of the Municipality.

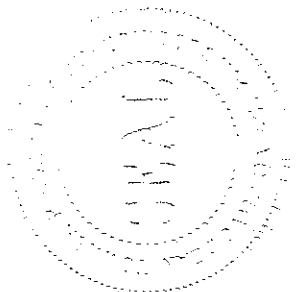
DULY ENACTED AND ORDAINED BY THE Municipality of Dean Township, Cambria County, Pennsylvania, this 2nd day of February, 2009, in lawful session duly assembled.

BY Ted Fudolek

CHAIRMAN

ATTEST:

Patty Fontenelle
Secretary



Appendix

SUBDIVISION AND LAND DEVELOPMENT
ENACTMENT PROCEDURE
CHECKLIST

1. Governing body authorizes Planning Agency to prepare Subdivision and Land Development Ordinance
2. Planning Agency prepares Subdivision and Land Development Ordinance
3. Planning Agency submits Ordinance to municipal solicitor and governing body for review and comments
4. Governing body submits Ordinance to County Planning Commission for recommendations (at least 45 days prior to public hearing)
5. Governing body advertises for public hearing (1st publication not more than 30 days and 2nd publication not less than seven (7) days from date of the hearing) on proposed enactment of the Ordinance

Public Notice Shall Contain:

- Time and place of meeting where passage will be considered
- Place where proposed Ordinance may be examined

Publish Summary of Proposed Ordinance (Prepared by Solicitor)

- Publish (once) not more than 60 days nor less than 7 days prior to passage
- Give copy of Ordinance to newspaper at time of public notice
- Give attested copy of Ordinance to Law Library

6. Governing body conducts public hearing
7. If substantial changes are made to the Ordinance, the governing body must re-advertise once (at least ten (10) days prior to enactment) listing a brief summary of all the provisions together with a summary of the changes
8. Governing body enacts the Ordinance (within 60 days of last public hearing notice)
9. Governing body sends a copy of the enacted Ordinance to the County Planning Commission (within 30 days after enactment)

**APPLICATION FOR REVIEW OF A
MINOR SUBDIVISION OR LAND DEVELOPMENT PLAN**

The undersigned hereby applies for Review by the Municipality of the Minor Land Subdivision Plan submitted herewith and described below. The applicant must also include eight (8) sets of paper plans and two (2) sets of plans on mylar, plus three (3) completed copies of this application, and two (2) copies of all other required information as outlined in Section 306 of this Ordinance must be submitted to the municipal office at least fourteen (14) calendar days prior to the regular monthly meeting of the municipal planning commission.

1. Name of Subdivision: _____ Plan Date: _____

County Deed Book No.: _____ Page No: _____

2. Name of property owner(s): _____
(if corporation, list corporation name and address and two officers of corporation)

Address: _____

_____ Phone No. _____

3. Name of applicant: _____
(if other than owner)

Address: _____

_____ Phone No. _____

4. Applicant's interest if other than owner: _____

5. Engineer surveyor responsible for plan: _____

Address: _____

_____ Phone No. _____

6. Total acreage: _____ Number of Lots: _____ (Maximum of 3)

7. Acreage of adjoining land in same ownership (if any): _____

8. Type of development planned: _____ Single-family
_____ Two-family
_____ Multi-family
_____ Commercial
_____ Industrial
_____ Other (Specify)

9. Are lots adjoining paved public or private streets?

_____ Yes _____ No

10. Are lots accessible to existing water supply? ☐ Public
☐ Individual On-Site

11. Are lots accessible to existing sanitary sewage disposal?

☐ Public ☐ Individual On-Site

12. Will this subdivision adversely affect the natural resources of the municipality? ☐ No ☐ Yes

(If yes, minor subdivision classification must be denied.)

13. Will this subdivision adversely affect adjoining property?

☐ No ☐ Yes

(If yes, minor subdivision classification must be denied.)

14. Will this subdivision adversely affect present or future development of the municipality (as outlined in a municipal plan)?

☐ No ☐ Yes

(If yes, minor subdivision classification must be denied.)

15. Is proposed development compatible with the existing zoning ordinance (if any)?

☐ No ☐ Yes ☐ No Municipal Zoning

Current zoning district of subdivision _____

The undersigned certifies that to the best of his/her knowledge and belief, all the above statements are true, correct, and complete. The undersigned acknowledges that no extension of any public facility (street, water, sewer, etc.) will be required for the type of development being planned.

Signature of owner/applicant _____ Date _____

Please make check payable to _____ in the amount of
(Municipality)

\$_____ (application fee) for Minor Subdivision/Land Development Application. If check does not accompany application, the plans will not be reviewed.

Check No. _____ Date Received _____

**APPLICATION FOR REVIEW OF A
PRELIMINARY SUBDIVISION OR LAND DEVELOPMENT PLAN**

The undersigned hereby applies for Review by the Municipality of the Preliminary Subdivision or Land Development Plan submitted herewith and described below. The applicant must also include eight (8) sets of paper plans, three (3) copies of this application, and any other copies of other documents as required in Section 304 of this Ordinance. This application, plans, and other required documents must be submitted to the municipal office at least fourteen (14) calendar days prior to the regular monthly meeting of the municipal planning commission.

1. Name of Subdivision: _____ Plan Date: _____
County Deed Book No.: _____ Page No: _____
2. Name of property owner(s): _____
(if corporation, list corporation name and address and two (2) officers of corporation)
Address: _____
_____ Phone No. _____
3. Name of applicant: _____
(if other than owner)
Address: _____
_____ Phone No. _____
4. Applicant's interest if other than owner: _____
5. Engineer surveyor responsible for plan: _____
Address: _____
_____ Phone No. _____
6. Total acreage: _____ Number of Lots: _____
7. Acreage of adjoining land in same ownership (if any): _____
8. Type of development planned: _____
_____ Single-family
_____ Two-family
_____ Multi-family
_____ Commercial
_____ Industrial
_____ Other (Specify)

9. Will construction of buildings be undertaken immediately?

_____ Yes _____ No

By Whom? _____ Subdivider
_____ Other developers
_____ Purchasers of individual lots

10. Type of water supply proposed: _____ Public (municipal) system
_____ Semi-public (community) system
_____ Individual on-site

11. Type of sanitary sewage disposal proposed:
_____ Public (municipal) system
_____ Live
_____ Capped
_____ Semi-public (community) system
_____ Individual on-site

12. Are all streets proposed for dedication?

_____ Yes _____ No

13. Acreage proposed for park or other public or semi-public use: _____

14. Zoning changes, if any, to be requested: _____

15. Current zoning district of subdivision/development: _____

16. Have appropriate public utilities been consulted?

_____ Yes _____ No

17. Material accompanying this application:

<u>Number</u>	<u>Item</u>
a. _____	Preliminary Plan
b. _____	Copies of Deed Restrictions (if any)
c. _____	
d. _____	

The undersigned represents that to the best of his/her knowledge and belief all the above statements are true, correct, and complete.

The undersigned further represents that, except as otherwise specifically noted on the attached sheet, all proposed public improvements and facilities as shown on the Preliminary Subdivision Plan are to be improved, constructed and complete, or a bond posted with the municipality in sufficient amount to cover full estimated cost of construction thereof, prior to sale, transfer or agreement of sale of any subdivided parcels as shown on the plan.

Date: _____ Signature of Owner or Applicant: _____

(by) : _____

Please make check payable to _____ in the amount of
(Municipality)
\$_____ (application fee) for Preliminary Subdivision/Land Development
Application. If check does not accompany application, the plans will
not be reviewed.

Check No. _____

Date Received _____

**APPLICATION FOR REVIEW OF A
FINAL SUBDIVISION OR LAND DEVELOPMENT PLAN**

The undersigned hereby applies for Review by the Municipality of the Final Land Subdivision Plan submitted herewith and described below. The applicant must also include eight (8) sets of paper plans and two (2) sets of plans on mylar, plus three (3) completed copies of this application and two (2) copies of all other required information as outlined in Section 306 of this ordinance. This application, plans, and other required documents must be submitted to the municipal office at least fourteen (14) calendar days prior to the regular monthly meeting of the municipal planning commission.

1. Name of Subdivision: _____ Plan Date: _____
County Deed Book No.: _____ Page No: _____
2. Name of property owner(s): _____
(if corporation, list corporation name and address
and two (2) officers of corporation)
Address: _____
_____ Phone No. _____
3. Name of applicant: _____
(if other than owner)
Address: _____
_____ Phone No. _____
4. Applicant's interest if other than owner: _____
5. Engineer surveyor responsible for plan: _____
Address: _____
_____ Phone No. _____
6. Total acreage: _____ Number of Lots: _____
7. Acreage of adjoining land in same ownership (if any): _____
8. Type of development planned: _____
_____ Single-family
_____ Two-family
_____ Multi-family
_____ Commercial
_____ Industrial
_____ Other (Specify)

9. Will construction of buildings be undertaken immediately?

_____ Yes _____ No

By Whom? _____ Subdivider
_____ Other developers
_____ Purchasers of individual lots

10. Type of water supply proposed: _____ Public (municipal) system
_____ Semi-public (community) system
_____ Individual on-site

11. Type of sanitary sewage disposal proposed:
_____ Public (municipal) system
_____ Live
_____ Capped
_____ Semi-public (community) system
_____ Individual on-site

12. Are all streets proposed for dedication?

_____ Yes _____ No

13. Acreage proposed for park or other public or semi-public use: _____

14. Zoning changes, if any, to be requested: _____

15. Current zoning district of subdivision/development: _____

16. Have appropriate public utilities been consulted?

_____ Yes _____ No

17. Material accompanying this application:

<u>Number</u>	<u>Item</u>
a. _____	Final Plan
b. _____	Copies of Deed Restrictions (if any)
c. _____	
d. _____	

The undersigned represents that to the best of his/her knowledge and belief all the above statements are true, correct, and complete.

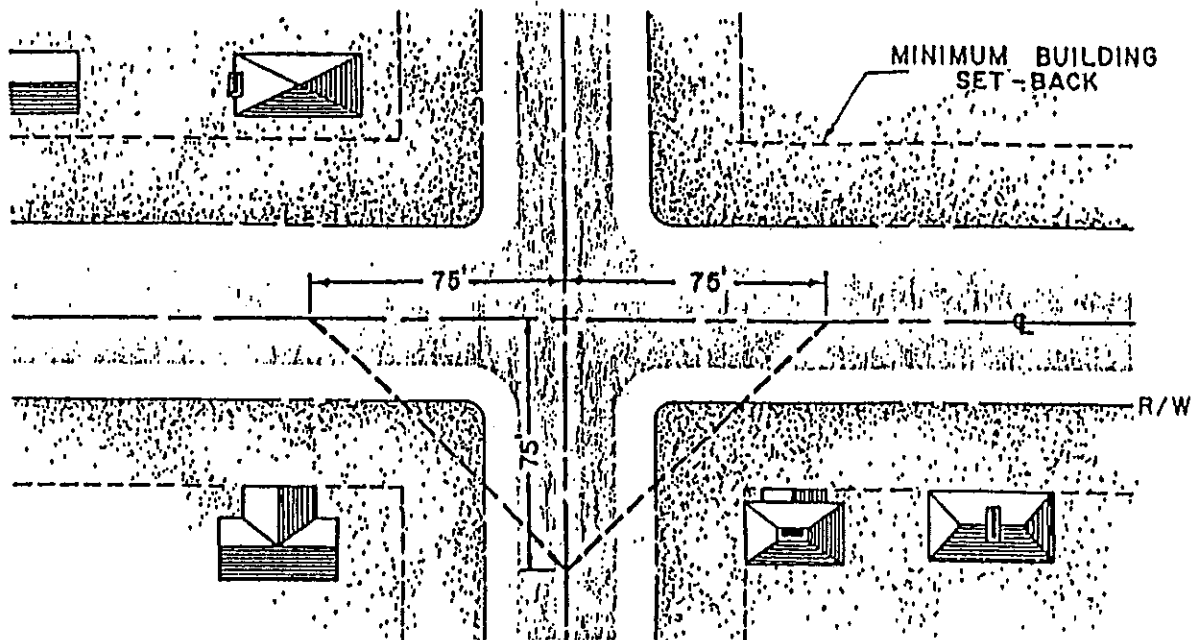
The undersigned further represents that, except as otherwise specifically noted on the attached sheet, all proposed public improvements and facilities as shown on the Preliminary Subdivision Plan are to be improved, constructed and complete, or a bond posted with the municipality in sufficient amount to cover full estimated cost of construction thereof, prior to sale, transfer or agreement of sale of any subdivided parcels as shown on the plan.

Date: _____ Signature of Owner or Applicant: _____
(by): _____

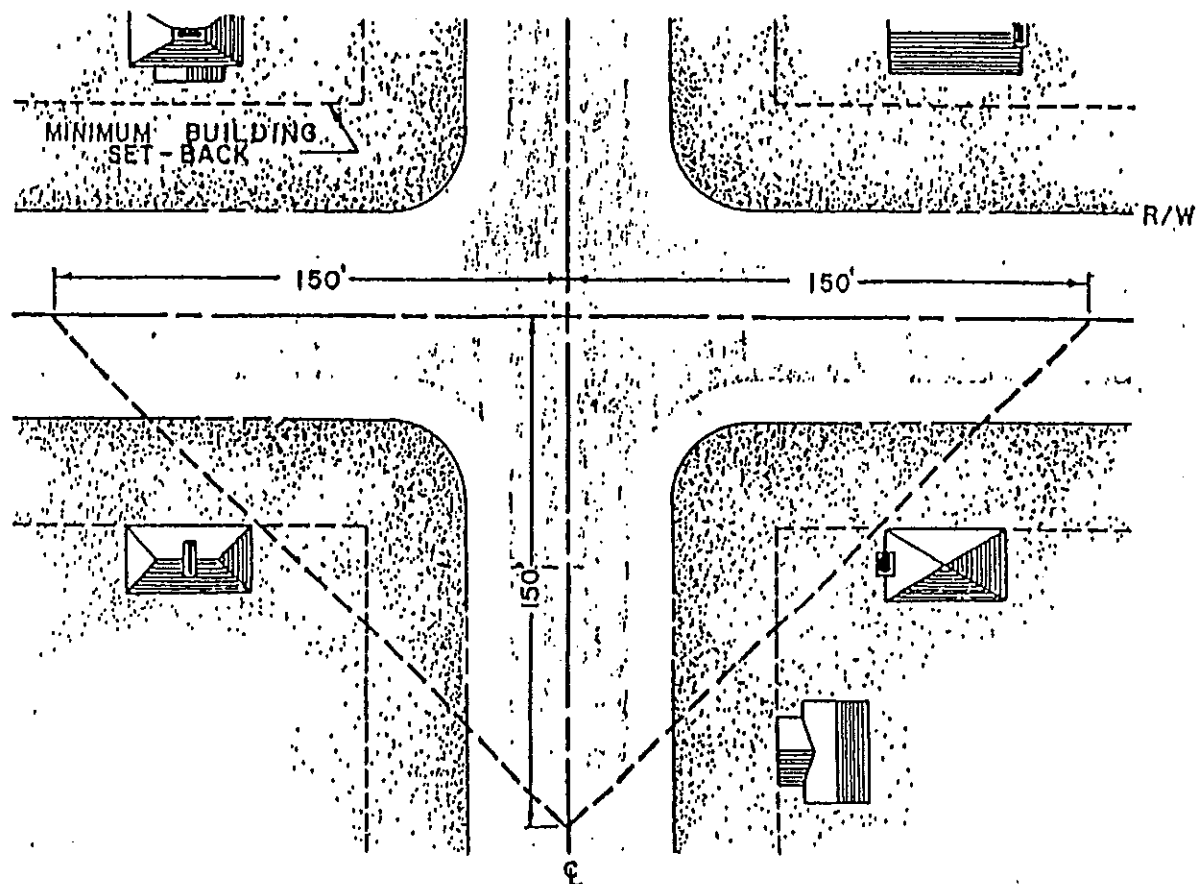
Please make check payable to _____ in the amount of
(Municipality)
\$ _____ (application fee) for Final Subdivision/Land Development
Application. If check does not accompany application, the plans will
not be reviewed.

Check No. _____ Date Received _____

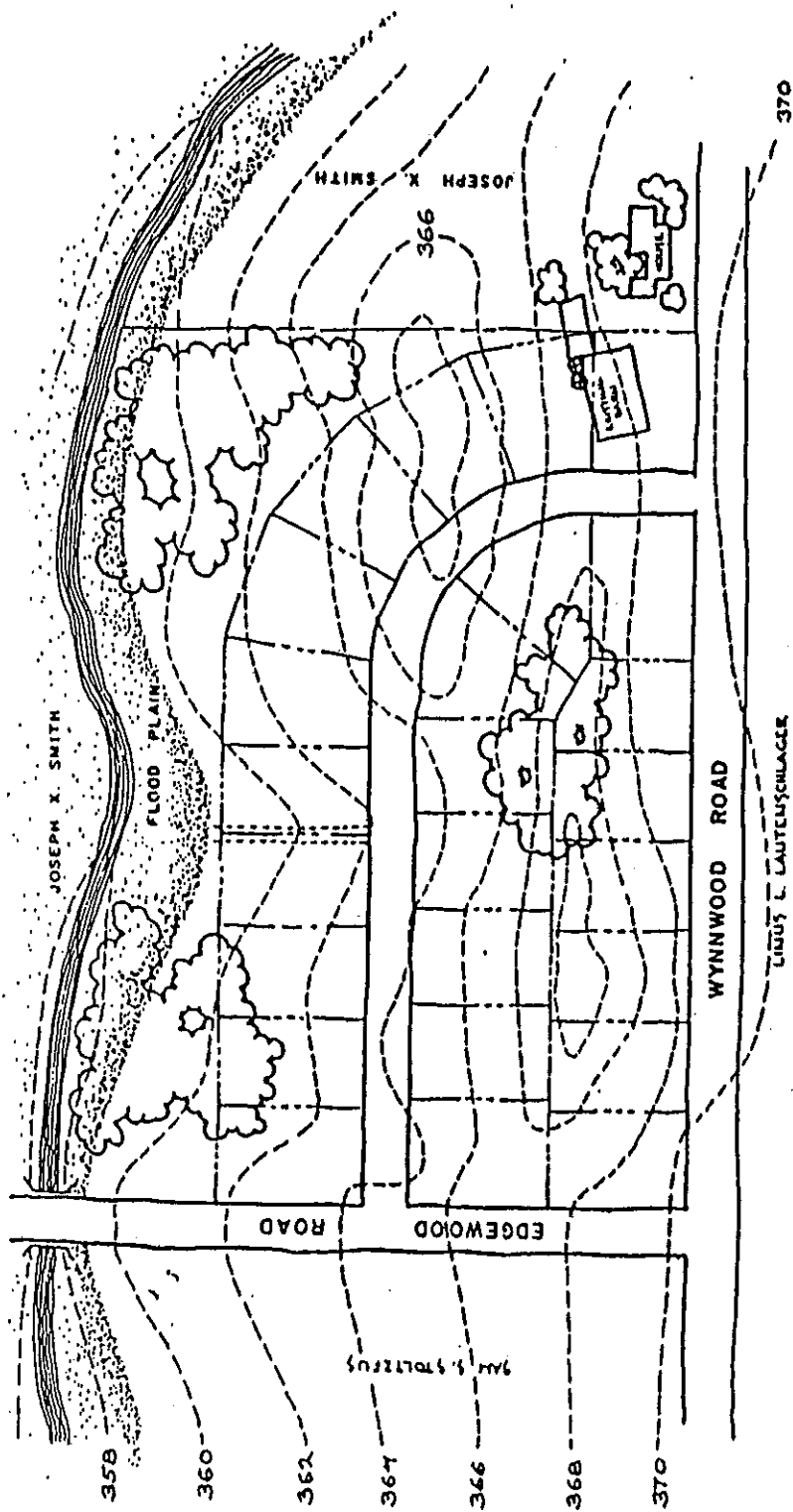
MINOR TO MINOR INTERSECTION



COLLECTOR TO COLLECTOR INTERSECTION

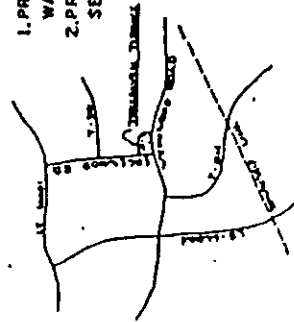


INTERSECTION SIGHT DISTANCE



NOTES:

1. PROPERTY TO BE SERVED BY EXISTING 10" WATER MAIN IN WYNNWOOD ROAD.
2. PROPERTY TO BE SERVED BY INDIVIDUAL SEPTIC SYSTEMS.



LOCATION MAP
SCALE - 1" = 2000'



OWNER - SUBDIVIDER
JOHN A. JONES
R.D. 1
TOWNVILLE, PENNSYLVANIA

SKETCH PLAN

TRELLHAVEN TERRACE

TOWNVILLE TOWNSHIP - ANY COUNTY, PENNA.
SCALE - 1" = 100'

DATE - MARCH 15, 1974

LAND DEVELOPMENT ENGINEERS
TOWNVILLE, PENNSYLVANIA



TOWNVILLE TOWNSHIP
ANY COUNTY PENNSYLVANIA
SCALE: 1" = 100'
JUNE 1, 1974
LAND DEVELOPMENT ENGINEERS
TOWNVILLE, PENNSYLVANIA

SEAL

JOHN A. JONES
R.D. 1
TOWNVILLE, PENNSYLVANIA

LIMUS & LAUTSCHLÄGER

TYPE OF DEVELOPMENT-- SINGLE FAMILY DETACHED

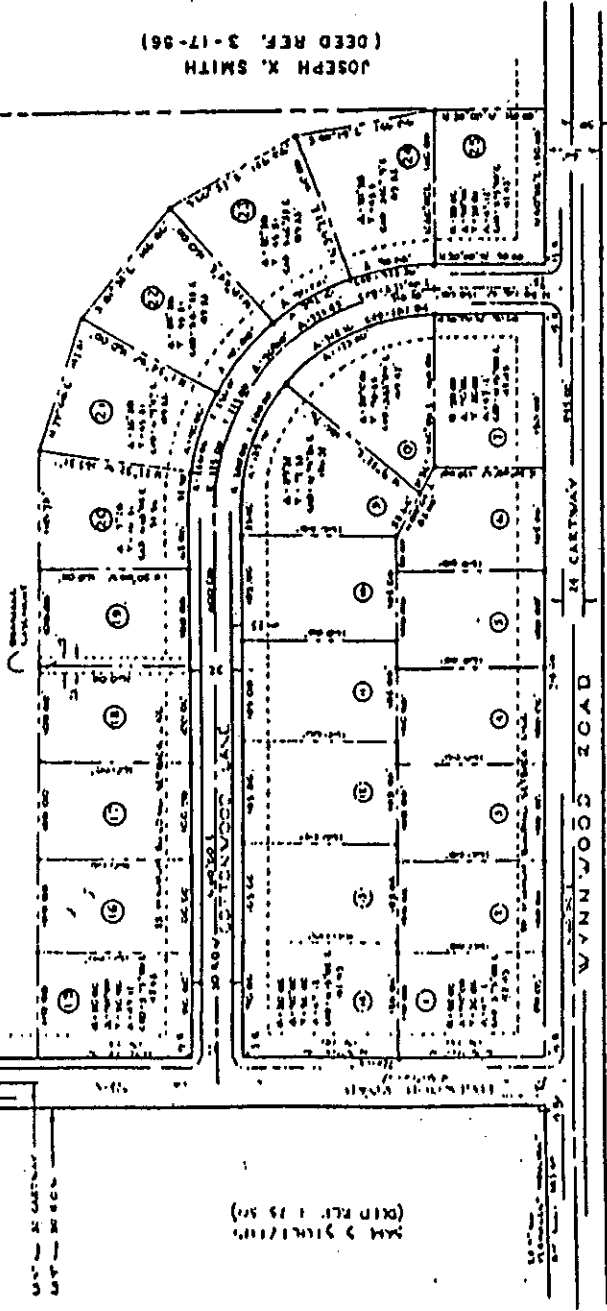
TECHNIQUE TRACK

NEIGHBORHOOD MAP

SCALE - 1" = 1000'

JOSEPH X. SMITH
(DEED REF. 3-17-56)

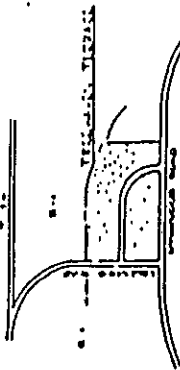
5.96 ACRES TO BE DEDICATED FOR PUBLIC PARK



NOTE:

- 1 PERMANENT MONUMENTS AND MARKERS SHALL BE INSTALLED UPON COMPLETION OF THE GRADING.
- 2 6" STREET PAVING SHALL BE PROVIDED ON LOT 1.
- 3 ON-LOT INSPECTION AND APPROVAL OF SEPTIC TANK AND TELL FIELD INSTALLATION.
- 4 ETC.
- 5 ETC.

LINUS L. LAUTENSCHLAGER
(DEED REF. 2-21-176)



ON THIS, THE ____ DAY OF ____, 19 __, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED _____, WHO BEING DULY SWORN ACCORDING TO LAW, DEPOSES AND SAYS THAT HE IS THE OWNER AND/OR EQUITABLE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT HE ACKNOWLEDGES THE SAME TO BE HIS ACT AND PLAN AND DESIRES THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW, AND THAT ALL STREETS, AND OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC USE.

OWNER'S SIGNATURE _____
NOTARY PUBLIC _____
MY COMMISSION EXPIRES ____ 19 __

APPROVED BY THE (MUNICIPALITY) THIS ____ DAY OF ____ 19 __ OF (GOVERNING BODY) THIS ____ DAY OF ____ 19 __

APPROVED BY THE (MUNICIPALITY) PLANNING COMMISSION THIS ____ DAY OF ____ 19 __

REVIEWED BY: _____

MUNICIPAL ENGINEER _____ DATE _____

REVIEWED BY THE ANY COUNTY PLANNING COMMISSION THIS ____ DAY OF ____ 19 __

CHAIRMAN _____ DIRECTOR _____

SOURCE OF TITLE OWNER-SUBDIVIDER
RECORDED IN DEED JOHN A. JONES
BOOK _____ VOLUME _____ R.D. 1
PAGE _____ TOWNVILLE, PENNA.

I CERTIFY THAT THIS SURVEY AND PLAT ARE CORRECT.

SIGNATURE _____

SEAL

FINAL PLAN

OF

TREEHAVEN TERRACE

TOWNVILLE TOWNSHIP
ANY COUNTY PENNSYLVANIA
SCALE: 1" = 100' OCTOBER 1, 1974



SEAL

LAND DEVELOPMENT ENGINEERS
TOWNVILLE, PENNSYLVANIA

SUBDIVISION/LAND DEVELOPMENT PROCEDURAL GUIDE

Step 1: Pre-Application Conference

This is an informal meeting between the developer and the municipal planning commission to discuss the subdivision proposal. The developer must be prepared to discuss his subdivision plans and submit the required information as outlined in Section 401 of the Ordinance.

Step 2: Preparation of the Preliminary Plan

The developer shall have a preliminary plan prepared in accordance with the requirements of Section 402 of the Ordinance.

Step 3: Other Agency Reviews and Approvals

The developer must coordinate his/her development activities with other local and State agencies to ensure compliance with requirements of the respective agencies. The developer is required to submit plans to the following agencies for review, comment, and approval/permit prior to submittal to the municipality for preliminary plan review/approval:

- Local Municipal Officials
 - ◆ To discuss proposed sewage treatment, new road construction, building permit requirements, flood plain determination, and other proposed public improvements
- Pennsylvania Department of Environmental Protection
 - ◆ For compliance with sewage planning and soil testing requirements
 - ◆ For compliance with water and/or wetlands obstruction or encroachment regulations (if applicable)
 - ◆ For compliance with regulations concerning the alteration or relocation of a stream or watercourse (if applicable)
- Cambria County Conservation District
 - ◆ For erosion and sediment control plans (if over 5,000 sq. ft. of earth is disturbed)

- Pennsylvania Department of Transportation
 - ♦ For approval of proposed access to a State highway
- Utility Companies
 - ♦ To determine capabilities and requirements associated with utility service
- Army Corps of Engineers
 - ♦ For compliance with regulations if development is proposed in a wetlands area

Neither the Planning Commission nor the municipal officials will review any Preliminary Plan until proof has been received by the Commission that the developer has complied with all requirements of the above agencies and any other agency which may have an interest in the development of the subdivision plan.

Step 4: Submittal of the Preliminary Plan, Supporting Data, Subdivision/Land Development Application and Fee

The developer shall submit eight (8) copies (9 copies if parcel is adjacent to a State road) of the preliminary plan and the appropriate application fee. Four copies of the PA DEP Sewage Planning Module, three copies of the Completed Application, three copies of the PA DEP, PA DOT, and Conservation District Information (as needed).

Step 5: Review of the Preliminary Plan

The Planning Commission will review the preliminary plan and supporting data to determine compliance with the subdivision regulations and submit their recommendations to the municipal officials. The decision of the municipal officials to approve, conditionally approve, or deny approval will be made at a public meeting, and be communicated to the developer in writing.

Any conditions attached to preliminary approval of the plan shall be agreeable to both the developer and the municipality. A negative decision will specify the defects found in the submittals.

Step 6: Preparation of the Final Plan

The developer shall have a final plan prepared by a registered surveyor or engineer in accordance with the

requirements of Section 403 of the Ordinance. The Final Plan shall conform to the approved Preliminary Plan.

Step 7: Submittal of the Final Plan, Supporting Data, and Subdivision Application

The developer may submit the plan in phases for final approval. Two original Final Plans on mylar, eight or nine (PA DOT) paper copies of the Final Plan, three completed copies of the Final Application, two copies of all other required information (Section 306), and the Application Fee shall be submitted for review by the Planning Commission and municipal officials.

Step 8: Review of the Final Plan

The Planning Commission will review the Final Plan and supporting data to determine compliance with the subdivision regulations and submit their recommendations to the municipal officials. The decision of the municipal officials to approve, conditionally approve, or deny approval will be made at a public meeting, and be communicated to the developer in writing.

Any conditions attached to final approval of the plan shall be agreeable to both the developer and the municipal officials. A negative decision will specify the defects found in the submittals.

Step 9: Recording of Final Plan

Within 90 days after approval of the Final Plan by the municipal officials and before conveyance of any deed out of the Plan, the developer shall record the approved Final Plan with the Recorder of Deeds of the County of Cambria. The developer will be responsible for the payment of any recording fees.

MODEL
ADMINISTRATIVE CHECKLIST
FOR
SUBDIVISION AND LAND DEVELOPMENTS

Application No. _____ / Name of Applicant/Owner _____
Name of Proposed Subdivision _____ / _____
_____ / Address _____
Location _____ / _____

PLAN REVIEW MEETINGS

Informal Discussion of Plan _____ Date _____

No. of Plans Submitted _____

Subdivision Classified As:

Minor (3 or Less Lots) Subdivision _____
Regular Subdivision _____
Planned Residential Development _____
Non-Building Lot _____ (Requirements 1-6)
Land Development _____

PLAN REQUIREMENTS CHECKLIST

1. Plans drawn to scale - not exceeding 18" x 24" _____
2. Names of abutting property owners _____
3. Copy of USGS (7.5 minute) quadrangle map (shows topography) _____
4. Plans must be prepared by registered surveyor _____
5. Approved "Non-Building Waiver" from PA DEP _____ Non-Building Lot Only
6. Applicable documentation as required _____ (Section 401 and 403)
7. Subdivision and owner names _____
8. Date plans prepared _____
9. Key map as required _____ [Section 402C(6)]
10. Land development site plan requirements (if applicable) _____
(Section 704)
11. Bearings on all tract boundaries _____
12. Pertinent zoning data _____
13. Contour lines (topographic) _____
14. Existing sewer and water lines, hydrants, and utilities _____

15. Existing buildings, tree lines, streams, and other features _____
16. Existing streets and rights-of-way (ROW) _____
17. Proposed streets and ROW _____
18. Street names _____
19. Building setback lines _____
20. Lot lines and numbers _____
21. Statement of intended use of non-residential lots _____
22. Proposed sanitary and storm sewer facilities _____
23. Proposed land reserved for public use (parks, etc.) _____
24. Trees to remain in street ROW _____
25. All required soil percolation test holes _____
26. All required storm water management information _____
27. Typical street cross-section drawings _____
28. Blank spaces for approval of plans _____
29. Application fee paid _____
30. Comments from application agencies:

Municipal Planning Commission	_____
Other Municipal Agencies/Authorities	_____
County Planning Commission	_____
PA DOT	_____
County Conservation District	_____
PA DEP	_____
Public Utilities	_____
Municipal Engineer	_____

ADMINISTRATIVE CHECKLIST COMPLETED BY _____

DATE COMPLETED _____

RECOMMENDED ACTION TO BE TAKEN:

APPROVE APPLICATION _____

DISAPPROVE APPLICATION _____
REASONS _____

TABLE APPLICATION UNTIL FOLLOWING INFORMATION SUBMITTED

TOWNSHIP OF DEAN
CAMBRIA COUNTY
PENNSYLVANIA

RESOLUTION NO. 2004-1

SCHEDULE OF FEES

WHEREAS, Ordinance No. 2004-1 entitled Dean Township Subdivision and Land Development Ordinance was adopted by the Board of Supervisors of the Township of Dean on 2/2, 2004; and,

WHEREAS, Article III, Sections 304, 306, and 310, and Article IX, Section 904, authorize the Board of Supervisors of the Township of Dean to adopt, by Resolution, certain fees for the filing of plans, and for the inspection of improvements; and,

WHEREAS, the fees outlined in this Resolutions hall be in the form of either a bank certified check, or postal or bank money order, and made payable to the Municipality - Township of Dean.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Dean, Cambria County, Pennsylvania, as follows:

A. FILING FEES

- | | | |
|----|------------------------------|---|
| 1. | Sketch Plans | No Charge |
| 2. | Preliminary Plans | |
| | Subdivision Less Than 5 Lots | \$100.00 |
| | Subdivision | \$50.00 plus \$50.00 For Each
Lot Over 5 In Number |
| 3. | Final Plans | |
| | Subdivision Less Than 5 Lots | \$25.00 |
| | Subdivision | \$50.00 plus \$25.00 For Each
Lot Over 5 In Number |

B. REVIEW FEES - IF APPLICABLE:

Engineer	\$75.00
Solicitor	\$25.00 to \$50.00 depending upon number of lots

C. INSPECTION FEES:

Engineer - \$100.00 to \$400.00 (subdivider will be billed by the Municipality after improvements are installed.

Adopted this 2nd day of February, 2004.

TOWNSHIP OF DEAN

Lee F. Middel

Chairman Of Board Of Supervisors

[Signature]

Supervisor

William J. Mullen

Supervisor

ATTEST:

Patty Fortanella

Secretary

County of Cambria



Andrea Fedore Sims
RECORDER OF DEEDS
(814) 472-1475

Robert W. Rosenman
FIRST DEPUTY

Office of the Recorder of Deeds

EBensburg, PA 15931

January 2, 2003

SUBDIVISION OR PLAN OF LOTS RECORDING REQUIREMENTS

Maximum Size Acceptable: 18" x 24" printed on Mylar
Larger maps will be cut to meet requirement

Signatures: Signature(s) of owner(s) must be original and must be notarized

*Signatures of Borough or Township officials must be original and must be accompanied by the official seal of the municipality **

*Signatures of local Planning Commission officials must be original and may be accompanied by the official commission seal

*When required by local subdivision ordinances

** If the township seal is not used, signatures should be acknowledged

Notary Acknowledgement: The following example contains the format and language required for recording:

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CAMBRIA

On this _____ day of _____, 2003, before me, the undersigned officer, personally appeared _____, the owner(s) of the above-surveyed land, known to me or proven to be the person(s) whose name(s) is/are subscribed to this instrument and acknowledged that he executed the same for the purposes stated.
WITNESS my hand and official seal.

Notary Public

Seals Required: SURVEYOR'S SEAL (of course), Notary seal and stamp, and any municipal seals required by local subdivision ordinance

Scale Required: A scale is required by many subdivision ordinances. We ask that a scale be included for future reference. THE RECORDER'S OFFICE WILL NOT REFUSE TO RECORD A PLAN SUBMITTED FOR RECORDING WITHOUT A SCALE.

NOTE: THE RECORDER'S OFFICE WILL NOT ACCEPT FOR RECORDING ANY MAP OR PLAN WHICH IS A COPY OF THE ORIGINAL MAP EVEN IF THE ORIGINAL MAP WITH ORIGINAL SIGNATURES AND SEALS IS PRESENTED WITH THE COPY AT THE TIME OF RECORDING.