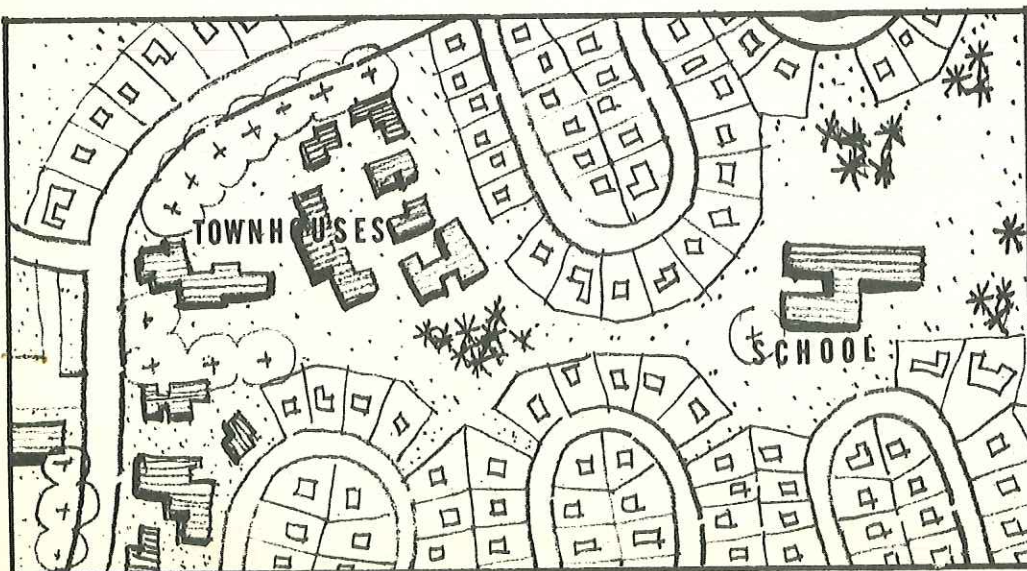
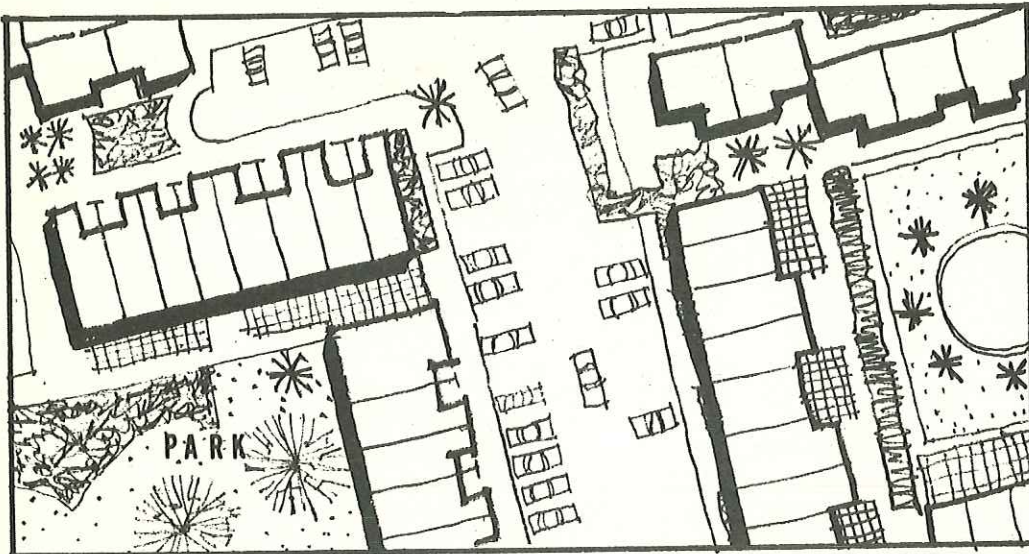
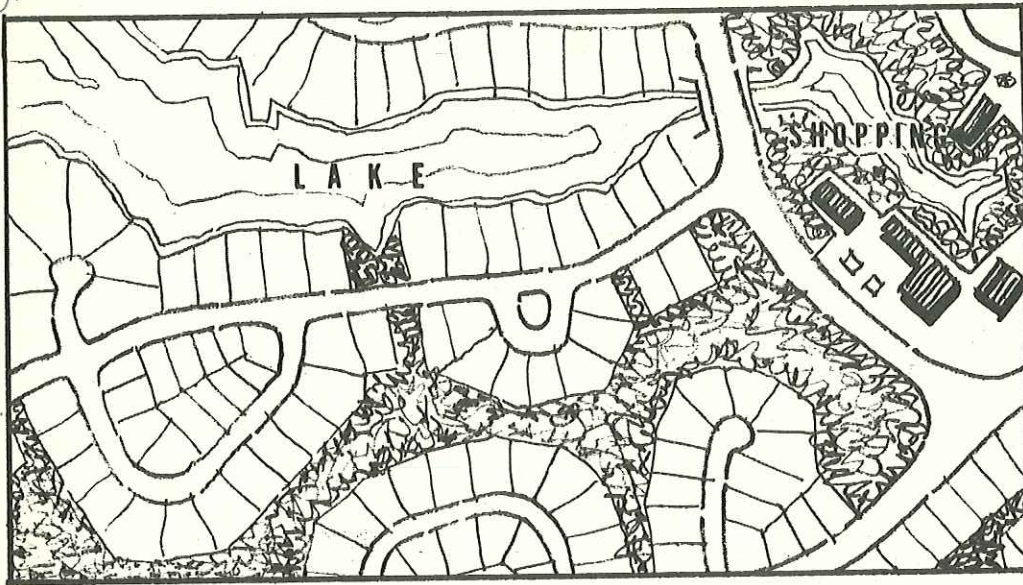


STONYCREEK

TOWNSHIP

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SUBDIVISION

REGULATIONS

SUBDIVISION REGULATIONS

FOR

STONYCREEK TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA

August 8, 1967

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PREPARED BY:

Cambria County Planning Commission
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Ordinance No. 327

ADOPTING REGULATIONS FOR THE CONTROL OF SUBDIVISION OF LAND WITHIN THE TOWNSHIP OF STONYCREEK, CAMBRIA COUNTY, PENNSYLVANIA, ESTABLISHING PLANNING REQUIREMENTS AND PROCESSING PROCEDURE FOR PLANS: ESTABLISHING CONDITIONS FOR THE ACCEPTANCE OF PLANS, STREETS, AND IMPROVEMENTS: AND PRESCRIBING FINES AND PENALTIES FOR THE VIOLATION THEREOF. BE IT ENACTED BY THE COMMISSIONERS OF STONYCREEK TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA, AS FOLLOWS:

ARTICLE I

PURPOSE, AUTHORITY, JURISDICTION AND SHORT TITLE

Section A. Purpose

1. The purpose of this ordinance is to assure sites suitable for building purposes and human habitation and to provide for harmonious development of the Township; for the co-ordination of existing streets and highways with proposed streets, parks, and other features of the Township's official plan of streets and highways; for adequate open spaces for traffic, recreation, light and air and for the proper distribution of population, thereby creating conditions favorable to health, safety, morals and general welfare of the citizens of the Township. The further purpose of this ordinance is to provide uniform and equitable land subdivision regulations, procedures and standards for observance by land developers, land users, the Township Planning Commission and the Board of Commissioners of the Township.

Section B. Authority

1. The Stonycreek Township Board of Commissioners and the Planning Commission are vested by law with the control and jurisdiction of the subdivision of land within the Township limits (First Class Township Code, as amended by the Act of 1947, May 31, P.L. 362, No. 166, 53 P.S. Section 53061 to 58063).

Section C. Jurisdiction

1. No subdivision of any lot, tract or parcel of land shall be made, and no street, sanitary sewer, storm sewer or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of the building abutting thereon except in strict accordance with the provisions of this ordinance.

2. No lot in a subdivision may be sold and no permit to erect, alter or repair any building upon land in a subdivision may be issued, and no building may be erected in a subdivision unless and until a final plan of such subdivision shall have been approved and properly recorded, and until the requirements required by the Board of Commissioners in connection therewith shall have been constructed or guaranteed as hereinafter provided in this ordinance.

3. It shall be unlawful to record any plan of any proposed subdivision in the Township unless the said plan shall bear thereon the approval of the Board of Commissioners.

Section D. Short Title

This ordinance shall be known and may be cited as the "Stonycreek Township Subdivision Regulations".

ARTICLE II

DEFINITIONS

Section A. Definitions

Unless otherwise expressly stated, the following terms shall for the purpose of these regulations, have the meaning indicated: Words in the present tense include the future tense; words in the singular include the plural; words in the plural include the singular, and the terms "shall" or "will" are mandatory and "may" is permissive. The word "person" include a corporation, unincorporated association and a partnership as well as an individual. The word "building" shall be construed as if followed by the words "or part thereof"; the word "street" includes "roads", "highways" and "lanes", and "watercourse" includes "drain", "ditch" and "stream".

Alley: A minor right-of-way used primarily for vehicular service access to the back or sides of properties which otherwise abut on streets.

Block: A parcel of subdivided land bounded by streets or by streets and rights-of-way, unsubdivided lands, drainage channels or watercourse.

Building or Set-Back Line: The line within a property defining the required minimum distance between any building and the adjacent right-of-way or property line.

(a) Front Set-Back Line: The line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of buildings and structures and the front lot line.

(b) Side Set-Back Line: The line nearest the side of and across a lot establishing the minimum open space to be provided between the side line of buildings and structures and the side lot line.

(c) Rear Set-Back Line: The line nearest the rear of and across a lot establishing the minimum open space to be provided between the rear line of buildings and structures and the rear lot line.

Board: The duly constituted Board of Commissioners of the Township of Stonycreek.

Cartway: The surface of a street or alley available for vehicular traffic.

Commission: The duly created and existing Planning Commission of the Township of Stonycreek.

Community Disposal System: A package sewage treatment plant or other disposal system not connected to a public system, but used for treatment of a self-contained development.

Corner Lot: A portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership, use or improvement, bordered on two sides or equivalent by rights-of-way or easements. In determining the size lot, no part of street right-of-way may be included.

Cul De Sac: (Court or Dead End Street) - A short street having one end open to traffic and being permanently terminated by vehicle turn-around.

Developer: Any person, firm, partnership, association, corporation or other group or combination acting as a unit dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined. The term "developer" shall include any agent of any developer.

Easement: A grant by the property owner to the use of a strip of land by the public a corporation, or persons for a specified public or quasi-public purpose which includes utilities.

Lot: A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership or for development. In determining the size of a lot, no part of a street right-of-way may be included.

Community Unit Plan: A development in which the overall density for the district is maintained and the open spaces made available are efficiently used by clustering of the buildings and the reservation of open spaces for public and recreational purposes.

(a) Lot, Double Frontage: A lot having frontage on two non-interacting streets.

On-Lot Treatment: Shall be the treatment of sewage and its disposal on the same lot where the structure and sewage source is located.

Plan, Sketch: A rough drawing of the proposed subdivision, in lesser detail than the preliminary plan. The presentation shall be to scale but precise dimensions are not required.

Plan, Preliminary: A tentative subdivision plan, in lesser detail than the final plan, indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan.

Plan, Final: A complete and exact subdivision plan prepared for official recording as required by statute.

Reverse Curve: The joining of two horizontal road curves meeting at opposite directions in an "S" form.

Right of Way: Land dedicated and publicly owned for use as a street, alley or crosswalk.

Street: A strip of land, including the entire right-of-way, intended for use as a means of vehicular and pedestrian circulation and which affords the principal means of access to abutting property.

(a) Major Streets or Highways: Are those designed for heavy or faster intra-community traffic, including all four-lane highways within the Township.

(b) Collector Streets: Are those which serve to collect and distribute volumes of traffic from local residential streets to major streets. They are designed to carry the intermediate volumes of community traffic.

(c) Minor Streets: Are those which are used for access to the abutting properties and which will carry limited volumes of traffic. These streets are designed to discourage through traffic.

Subdivider: Same as Developer.

Subdivision: Is hereby defined as the division of a single lot, tract or parcel of land or a part thereof, into two or more lots, tracts or parcels of land, including changes in street lines or lot ownership or of building development. Provided, however, that divisions of land for agricultural purposes into parcels of more than ten (10)

acres, not involving any new streets or easement of access, shall not be included within the meaning of this term, except that the sale of a single lot or piece of ground and the construction of house thereon not more than one every three (3) years shall not be subject to the provisions of this ordinance, provided that the location of the house be consistent with existing and proposed street patterns.

(a) The term "subdivision" includes any developments of a parcel of land (for example, as a shopping center, an industrial park, or multiple dwelling project) which involves installation of streets and/or alleys, even though the streets and alleys may not be dedicated immediately to public use and the parcel may not be divided immediately for purposes of conveyance, transfer or sale.

(b) The term "subdivision" includes re-subdivision, and as appropriate in these regulations, shall refer to the process of subdividing land or to the land subdivided.

(c) The term "subdivision" includes any division of a part, parcel or area of land into three or more units although the owner does not transfer legal or equitable title or any interest therein to any certain portion thereof. (For example, row houses or semi-detached dwellings retained for rental purposes).

(d) After the effective date of these regulations, the division of any part, parcel or area of land into three or more lots shall be considered a "subdivision" irrespective to the length of time which may elapse prior to the time the third lot or area is created or becomes existant.

ARTICLE III

PLAN PROCESSING AND PROCEDURE FOR ACCEPTANCE OF A SUBDIVISION PLAN

In order to expedite the processing of each subdivision plat and to avoid unnecessary expense, the Subdivider is encouraged to arrange a discussion meeting with the Planning Commission before taking any action on developing plans for the area to be subdivided. In this way, both the Subdivider and the Commission can be made aware of the problems and objectives involved before any investment of time and money has begun.

Section A. Filing

1. Any owner of land within the Township desiring approval of a subdivision of land shall submit five (5) copies of preliminary plat, drawn in accordance with the regulations herein prescribed, together with an application, to the Board of Commissioners.

Section B. Referral

1. After filing of said application is recorded in the minutes of the Board of Commissioners, the Board of Commissioners shall refer the application, preliminary plat and accompanying documents to the Planning Commission of Stonycreek Township at its next regular meeting for a Commission recommendation.

Section C. Review

1. The Commission shall review the submitted plat for conformity to the regulations and return the plat to the Board with its written recommendation and comments within thirty (30) days after reference of the plat to the Commission.

Section D. Disapproval

1. In the event the Board, after receiving the review and comments of the Commission, disapproves such preliminary plat, the reasons therefore shall be set forth in writing and given to the applicant. In the event the applicant modifies his preliminary plat in accordance with the reasons set forth by the Board and re-submits the plat to the Board within one (1) year, the modified preliminary plat shall there-with be approved by the Board.

Section E. Approval

1. In the event the Board approves such preliminary plat, the applicant shall within six (6) months after such approval, submit a final plat which conforms to the preliminary plat as approved by the Board; otherwise the preliminary plat approved shall be considered void. The applicant shall submit six (6) copies of the completed final plat, together with other supporting data. The Board shall submit such final plat to the Commission for its recommendation; but in any case the Board shall act to approve or disapprove the submitted final plat within forty (40) days from the receipt thereof. In the event of its disapproval of the final plat, the Board shall set forth its reasons for disapproval in writing and give a copy thereof to the applicant.

Section F. Recording

1. Within thirty (30) days after approval of the final plat by the Board of Commissioners, the applicant shall duly record the plan with the Recorder of Deeds of Cambria County, or the approval of the Board of Commissioners shall cease to be valid, unless the Board agrees to grant an extension for good cause shown.

Section G. Re-subdivision Procedures

1. For any replatting or re-subdivision of land, the same procedure, rules and regulations shall apply as prescribed herein for an original subdivision except that lot

size may be varied on an approved plan after recording, provided that:

- (a) No lot or tract of land shall be created or sold that is smaller than the size as shown on the approved plan, except that widths of lots reduced to the standards established herein where public sewer is provided.
- (b) Drainage easements or rights-of-way shall not be changed.
- (c) Street alignments and block sizes shall not be changed.
- (d) The property lines between the backs of the lots shall not be changed.
- (e) The rear portion of lots shall not be subdivided from the front part.
- (f) The character of the area shall be maintained.

ARTICLE IV

DEVELOPMENT STANDARDS

Section A. Lots and Lot Dimensions

All lots and lot dimensions shall conform to the following criteria:

1. In areas where both public sewer and water are provided, lots shall have a minimum area of 12,000 square feet. The minimum lot width shall be 60', except cul-de-sac may be a minimum width of 50'. The narrowest dimension at the building line shall be a minimum width of 80'.
2. In areas where public water and/or public sewers are not provided to each lot, lot size shall be determined by results of percolation tests as recommended by the Pennsylvania Department of Health, but in no case shall lots without public water and/or public sewer have an area less than 16,000 square feet. The minimum lot width shall be 80', except cul-de-sac which may be a minimum width of 70'. The narrowest dimension at the building line shall be a minimum width of 100'.
3. All lots shall be provided with a utility easement at the rear property line.

Section B. Set-Back Requirements

1. Lots, other than corner lots, shall have a minimum set back line of: 35' front yard; 10' side yard; and 15' rear yard.

2. Corner Lots, shall have a minimum set-back of: 35' front yard; 25' side yard abutting side street; 10' side yard not abutting side street; and 15' rear yard.

Section C. Streets and Rights-of-Way

1. Street Dimensions

Street Type	Right-of-Way Minimum	Cartway Width Minimum	Sidewalk Width Minimum
<u>Major</u>	60'	40'	4'
<u>Collector</u>	60'	32'	4'
<u>Minor</u>	50'	24'	--
<u>Cul-de-Sac</u>	60' Radius	50' Radius	--
<u>Easements</u>	10'	--	--

2. Cul-de-Sac, a dead end street shall be terminated by a cul-de-sac providing that the maximum length of said street does not exceed 1,000'. The cul-de-sac shall have a minimum paved radius of 50' and a right of way radius of 60'.

Dead end streets may be permitted as temporary stubs for future street extension providing the street is terminated by a turning area of a minimum radius of 50'.

3. Block Dimensions

Blocks, shall have a minimum length of 500' and a maximum length of 1,000'. Blocks shall be of sufficient width to accommodate single frontage lots; double frontage lots should be avoided.

4. Curves and Grades

Street Type	Maximum Grade Per Cent	Curb Intersection Minimum Radius	Minimum Centerline Radius
<u>Major</u>	7	25'	300'
<u>Collector</u>	10	20'	300'
<u>Minor</u>	10	20'	200'

Reverse Curves shall be separated by a transition section with a minimum length of 100'.

5. Intersections

Streets shall intersect as nearly as possible at right angles and in no case shall streets intersect at an angle of less than 60 degrees.

Intersection centerline offsets shall be separated by a minimum distance of 150'.

ARTICLE V

IMPROVEMENT REQUIREMENTS

The subdivider shall complete or assure the completion of the following improvements as a prerequisite to the approval of the final plat.

Section A. Utilities

1. Sewage

(a) Public sanitary sewer lines shall be provided to each lot within the subdivision in accordance with acceptable engineering design and construction practices as approved by the Stonycreek Township Authority and Township engineer. Installation of all sewer lines within a dedicated street right-of-way shall be completed prior to final grading and street improvement. One copy of sewer line construction drawings shall be submitted to the Stonycreek Township Planning Commission and one copy submitted to the Stonycreek Township Authority.

(b) Community Disposal System may be provided in areas where the extension of public sewer lines has been determined as "not feasible" by study and report of the Township Authority and Township Engineer.

Any subdivision of more than thirty (30) lots shall be connected to a public sewer system if feasible. If upon certification by the Stonycreek Township Authority and Township Engineer that the subdivision cannot be connected, the developer shall provide a community collection and disposal system approved by the Stonycreek Township Authority and the Department of Health. A community disposal system shall provide a collection system serving each lot within the subdivision and a treatment method approved by the Pennsylvania Department of Health. Construction drawings shall be approved by the Authority Engineer and two copies filed with the Pennsylvania Department of Health. In areas of the Township where the extension of public lines is anticipated in the future a community disposal system may be required as an interim method of collection.

(c) On lot treatment may be utilized in areas of the Township where the extension of public sewer lines is not anticipated in the future for subdivision of less than thirty (30) lots. All on lot treatment methods shall be certified acceptable to the criteria, standards and procedures of the Pennsylvania Department of Health. Certification of approval by the Pennsylvania Department of Health shall be submitted to the Township Planning Commission, Township Authority and Board of Commissioners prior to the approval of on-lot treatment methods.

2. Water

(a) The public water system shall be constructed to include a complete distribution system for providing public water to each lot within the subdivision. The system shall be designed and constructed in accordance with acceptable engineering practices and shall be approved by the Township Engineer, and the Public Water Authority providing service in the locality. The system shall include provisions for fire hydrants to be spaced no more than a maximum distance apart of 1,000'. Copies of construction drawings shall be filed with the Stonycreek Township Planning Commission, Board of Commissioners, and the appropriate Water Authority.

(b) In areas of the Township where water lines are not scheduled for extension in the future, a Community Water Distribution system may be required. A community system shall be constructed in a manner which will facilitate connection to the public water system at a future date and shall require approval of the appropriate Public Water Authority. The source of water and community system shall be approved in writing by the Pennsylvania Department of Health.

(c) In areas of the Township where the extension of public water lines is not contemplated in the foreseeable future, on-lot wells may be provided. Each on-lot well must be inspected and approved by the Pennsylvania Department of Health. All wells must comply with provisions of HS874P of "Construction Standards Individual Water Supplies of Pennsylvania Department of Health 1961", as amended.

3. Gas and Electrical

(a) Where gas is to be available to each lot, the installation of the distribution system shall be completed prior to the final grading or paving of streets.

(b) Where feasible all electrical distribution systems and connections shall be underground.

4. Storm Drainage

(a) A storm drainage system shall be incorporated into street design and construction to provide for the proper drainage of all surface water. The system shall accommodate a three (3) inch-per-hour maximum rainfall intensity. The size of openings and pipe to be provided shall be determined by Talbot's Formula, or other accepted engineering practice, but in no case shall pipe size be less than fifteen (15) inches in diameter.

Section B. Street Grading and Improvements

1. The installation of all utilities within the right of way shall be completed prior to final grading or paving of streets within the subdivision. All street improvements and materials must be inspected and approved by the Street Commissioner and Township Engineer. The subdivider shall complete or assure the completion of street improvements as follows:

(a) All streets shall be graded to the grades shown on the street profile and cross-section plans submitted with the approval of the final plat. Construction and grades shall be approved by the Township Engineer.

(b) A slope of no greater than one and one-half, horizontal, to one, vertical, beyond the right-of-way where cut or fill is necessary.

(c) Base Course shall be constructed of 8" compacted thickness of No. 4 commercial slag, limestone, or approved local material choked with No. 1 commercial slag, limestone, or approved local materials and rolled with at least a ten (10) ton roller in accordance with the Pennsylvania Department of Highways specifications.

(d) Paving shall consist of two alternate courses of pre-mixed amisite (bituminous concrete consisting of one rolled course of 1 1/2" of ID base and one-rolled finish course of 1/2" of FJ sealer); or equal reinforced concrete streets if proposed, shall be constructed to the Pennsylvania Department of Highways specifications Form 408 as amended.

(e) All streets shall have straight concrete curb constructed to the Pennsylvania Department of Highways specifications.

(f) Four foot wide sidewalks shall be constructed of 4 inch thickness of 3,000 PSI cement concrete reinforced with 6 x 6 x 10 gauge wire mesh. Sidewalks shall be laid in 4 foot long blocks and shall be laid on an approved non-heaving base.

Section C. Monuments and Markers PS

Permanent reference monuments of precast concrete or a durable stone, shall be installed by a registered land surveyor, at least six (6) inches square at the top and six (6) inches at the bottom and at least thirty (30) inches in depth, with copper dowel and shall be set at all corners and angle points of the boundaries of the original tract to be subdivided. Markers shall also be installed at all lot corners and shall consist of iron or steel bars at least fifteen (15) inches long, and not less than one and one-half (1 1/2) inches in diameter.

Section D. Street Name Signs

1. Street name signs shall be placed at all intersections. Their design shall be approved by the Board and Commission.

2. Street names shall be reviewed and approved by the postmaster or the Johnstown Post Office.

Section E. Street Trees and Street Lights

1. Street Trees

The developer shall provide street trees as approved by the Shade Tree Commission of a deciduous type with a minimum caliper of one and one-half (1 1/2) inches balled and burlapped shall be provided and planted between the sidewalk and building line at least five (5) feet from the sidewalk, or between the curb and sidewalk, provided the planting strip is a minimum of six (6) feet wide.

2. Street Lights

The developer shall provide and install street lights and shall also be responsible for making the necessary arrangements for approval of their type and location by the municipality and the public service company involved.

ARTICLE VI

SUBMISSION OF PLANS AND OTHER DATA

Section A. Sketch Plan

1. A subdivision sketch plan may be submitted by the subdivider or property owner as a basis for informal and confidential discussion with the Commission,

2. Data furnished in a sketch plan shall be at the discretion of the subdivider. It is suggested that the following items be included in the sketch plan presentation. The presentation must be to scale, although precise dimensions are not required.

- (a) Tract boundary.
- (b) Municipality in which the subdivision is located.
- (c) North point.
- (d) Streets on and adjacent to the tract.

(e) Topographical and physical features

(f) Proposed general street layout

(g) Proposed general lot layout

Section B. Preliminary Plan

The preliminary plan shall conform to the Development Standards (Article IV) and the Improvement Requirements (Article V) as set forth in these regulations and shall have the following information insofar as possible:

1. Map Data

(a) Map scale not less than 1" to 100'.

(b) Name of subdivision, names and addresses of the owner, the signature of the designer, surveyor, and the owners of adjacent land.

(c) Date, north point and graphic scale.

(d) Acreage of land to be subdivided.

(e) Boundary lines of the area to be subdivided and bearings and distances.

(f) Physical features on the site, such as major tree formations, streams, rock outcrops, drainage ditches, retaining walls, etc.

(g) Existing structures located on the site with a notation of the existing use and proposed future disposition.

(h) Existing and proposed easements, their location, width and purpose.

(i) Controlled topographic mapping with contours at an interval of not greater than five (5) feet.

(j) Existing streets on and adjacent to the tract and their names, width, approximate grade and other dimensions as may be required.

(k) Existing public utilities on and adjacent to the tract including line sizes or capacity and location.

(l) Proposed lot lines, lot numbers, streets, street grades, easements, crosswalks, building set-back lines, etc.

- (m) Sites, and their acreage, if any, to be dedicated for parks, playgrounds or other public uses and areas for semi-public, commercial or other use.
- (n) A permanent benchmark tied to United States Geodetic Survey Benchmark, or its equal.
- (o) Survey closure information indicated with known error or not more than 1 foot in 5,000 feet.
- (p) All distances, directions and legal descriptions.

2. Supporting Data

- (a) An engineer's report on the feasibility of connecting to the existing public water and sewage facilities if they are available; or an engineer's report on the feasibility of installing a community type sewage disposal system; or an engineer's report on the feasibility of on-lot water supply and sewage disposal to include the results of soil absorption tests and ground water availability and quality.
- (b) An engineer's plan or report for handling storm drainage if new streets are to be involved in the proposed subdivision.

3. Submission Cost

The preliminary plat shall be accompanied by a certified treasurers or cashiers check, postal or bank money order, payable to the Township of Stonycreek in the amount of twenty (\$20) dollars plus one (\$1) dollar for each lot in the proposed subdivision with a minimum total charge of thirty (\$30) dollars to cover the cost of checking and verifying the proposed plat, and said amount shall be deposited in the general fund of the Township Board of Commissioners of the Township of Stonycreek.

Section C. Final Plat

The final plat shall conform substantially to the preliminary plat as approved. It may constitute only a portion of the preliminary plat which the developer proposes to record and develop.

1. Map Data

The following list of specific items shall be adhered to in preparing the final plat for submission:

- (a) The plat should be a minimum scale of 1" to 100'.

(b) Sheet sizes should conform to the dimensions of the standard County Plat Book. It may be necessary to break a larger plat into two or more smaller sheets with match lines in order to conform to the map scale and Plat Book dimensions. Tracing shall be of cloth or other acceptable, but stable, material.

(c) All dimensions, angles, bearings and similar data on the plat should be tied to primary points as approved by the Township Engineer.

(d) Tract boundary lines, right-of-way lines of streets, easements, other rights-of-way, property lines of residential lots and other sites with accurate dimensions to the nearest one hundredth of a foot; bearings or deflection angles, radii, arcs and central angles of all curves to the nearest minute.

(e) Name and purpose of each street, easement or reservation.

(f) Lot numbers and minimum building set-back lines.

(g) Names and locations of adjoining subdivisions and streets, and the location and names of owners of adjoining unplatted property.

2. Certification

(a) Certification on plat of title showing that the applicant is the owner; and a statement by such owner dedicating streets, rights-of-way and any other sites for public use.

(b) Certification on the plat by a surveyor or engineer as to the accuracy of the survey and plat.

(c) Certification on the plat that it has been approved by the Board of Commissioners.

3. Supporting Data

(a) In plans where community project-type water and package-type sewage facilities are being planned for the subdivision or in cases where individual on-lot sewage disposal and water systems are being planned, there shall be attached to the final plat a certification by a Pennsylvania Department of Health Officer that such installations as have been planned are acceptable.

(b) Certification by the Board of Commissioners that the subdivider has complied with Article VII, Section B as to Assurance of Improvements.

(c) Approved cross-sections and profiles of public streets showing grades, and drawn to scales and elevations acceptable to the Township Board of Commissioners shall accompany the final plat.

(d) In the event that protective covenants are to be applied by the owner to the plan of lots, they shall be placed directly on the final plat or attached thereto in the form of recording.

(e) A sanitary sewer plan of the facilities to be accepted by the lawful authority having jurisdiction shall be required in cases where a connection is made to an existing sewage system or in a case where a package-type sewage treatment installation is involved.

(f) A public water plan of the facilities to be accepted by the lawful authorities having jurisdiction shall be required in cases where a connection is made to an existing public water system or in a case where a community-type water distribution system is involved.

(g) A surface drainage plan of the facilities to be accepted by the lawful authorities having jurisdiction shall be required when the installation of such facilities proves to be necessary.

ARTICLE VII

EFFECT OF APPROVAL AND ASSURANCE OF IMPROVEMENTS

Section A. Effect of Approval

The recording of the final plat shall have the effect of an offer of dedication of all streets and other public areas shown on said plat to the Township of Stonycreek, unless the owner notes on said plat or plan that such streets, parks and public improvements have been offered for dedication to the Township by formal notation thereof on the plat provided; however, that neither the approval of the final plat by the Board of Commissioners nor the act of recording the plat shall impose any duty upon the Township to maintain or improve any such dedicated street or area until the Board of Commissioners shall have made actual acceptance of said dedication by ordinance or resolution .

Section B. Assurance of Improvements

1. No final plat shall be approved by the Board of Commissioners until the completion of all the required improvements have been certified to the Board by the Township Engineer, unless the subdivider provides assurance of the completion of all the required improvements by one of the following:

(a) A deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the Board and Township Engineer.

(b) A performance bond sufficient in amount to cover the cost of all such required improvements as estimated by the Board and Township Engineer assuring the installation of such improvements on or before an agreed date: such a bond shall be issued by a bonding or security company, approved by the Township solicitor, and shall run to the benefit of the Township of Stonycreek for a period to be fixed by the Board but in no case for a term of more than three years. If the required improvements have not been installed in accordance with the performance bond, the obligor, and security shall be liable to the Township for the reasonable cost of the improvements not installed and upon receipt of the proceeds thereof the Township shall install such improvements.

2. If any required improvements have been installed within the period fixed by the Board, but in no case exceeding three years, the Board may use the security as set forth above to defray the reasonable cost of installing such improvements.

3. The Board of Commissioners shall provide for the gradual release of security to the subdivider during the progress of the construction, with all excess security being released or returned to the subdivider upon satisfactory completion of improvements and acceptance by the Board of Commissioners.

4. The subdivider shall pay to the Township the inspection fees of the Township Engineer, which should not exceed 2% of the estimated cost of the required public improvements, one-half of which is to be paid before the approval of the final plat for recording purposes and the balance prior to acceptance of the improvements by the Township by ordinance.

5. The subdivider shall pay to the Township all cost and expenses incurred by the Township incidental to the preparation of the agreement and the acquisition and disposition of the security.

ARTICLE VIII

EXCEPTIONS TO STANDARD PROCEDURES

Whereas owing to special conditions, a literal enforcement of this ordinance would result in unnecessary hardship, the Board may make reasonable exceptions to the regulations which shall not be contrary to the public interest. The following shall serve as a general guide in determining the issuance of an exception.

Section A. Exceptional Conditions

The Board of Commissioners may grant an exception to the regulations where, by reason of exceptional shape of a specific piece of property, or where, by

reason of exceptional topographic conditions, the strict application of these regulations would result in extreme practical difficulties and undue hardship upon the owner of such property; provided, however, that such relief may be granted without detriment to the public good and without substantially impairing the intent and purpose of these regulations. In granting such exceptions or modifications, the Board of Commissioners, upon the advice of the Planning Commission, may require such conditions as will substantially secure the objectives of the standards or requirements. Financial disadvantage to the property owners is not in itself adequate proof of hardship within the intent of these regulations.

Section B. Subdivision Having an Area of Three Acres or Less

The following procedures and requirements shall apply to subdivisions of properties with an area not exceeding three acres when no new streets or roads are involved and the tract being subdivided is not adjoined by other unplatted land in the same ownership.

1. Only one plat submission shall be required and the plat thus submitted shall be considered in all respects as the final plat, subject to the same endorsement of approval as any other final plat. However, to expedite plat approval, the subdivider may submit his intentions to the Planning Commission for review prior to preparation and submission of his final plat.

2. The plat shall show the same engineering information otherwise required and the submission shall include all other information hereinbefore outlined.

Section C. Community Unit Plan Standards

The Board of Commissioners may approve a Community Unit Plan under the following development standards and conditions:

A. Plot Size:

Minimum plot size for development under the Community Unit Plan shall be four (4) acres with a minimum width and depth of two hundred (200) feet.

B. General Development Plan:

A general development plan of the project showing the intended use or uses of land, the dimensions and proposed location of structures and of areas to be reserved for vehicular and pedestrian circulation, public uses such as parks, recreation facilities, landscaping and other open space, architectural drawings or sketches illustrating the design character, the physical relationships of the proposed development, and other relevant data should be submitted in accordance with Article VI, Submission of Plans and Other Data.

C. Development Standards:

Development standards shall be consistent with standards set forth in Article IV, Section C of these regulations, Where Applicable.

D. Improvement Requirements:

Improvement requirements shall be consistent with the requirements set forth in Article V of these regulations, where applicable.

E. Density:

Over-all density should not exceed that of the zoning regulations which apply to the land in which the development occurs. The houses in the proposed subdivision should be grouped in clusters. The minimum lot area may be two-thirds of the minimum normally required in the zoning districts in which the land occurs.

F. Yard Requirements:

Minimum yard requirements in a cluster development should be:

Front Yard	20 Feet	
Side Yard	10 Feet	(Save that garages, carports or attached dwelling units upon adjacent lots may join at the property line or be grouped on land away from the individual lot.)
Rear Yard	15 Feet	

In cases where a developer has designed special groups of dwelling and garages, the Planning Commission, after inspecting plans and elevations, may grant smaller lot minimum sizes than those in paragraph E above provided that the over-all density does not exceed that permitted within the zoning district in which the land occurs, or that the layout is not detrimental to the health and general welfare of the community.

G. Reservation of Open Space:

The balance of the land not contained in the lots or within the road rights-of-way should be contiguous and of such condition, size and shape as to be usable for recreation. If approved by the Planning Commission and the Township Board of Commissioners, this open land may be dedicated to the Township as open space land to be used as such in perpetuity. It is not the intent that the Township will be responsible for maintenance of said land, but rather the developer shall establish the precedures and responsibility for development and long term maintenance to the satisfaction of the Township Board of Commissioners.

H. Review of Planning Commission:

The Community Unit Plan shall be submitted to the Board of Commissioners and may be referred for review to the Planning Commission for study and recommendations. Upon completion of the necessary study and investigation the Planning Commission shall make its recommendations to the Board of Commissioners as to the appropriateness of the Community Unit Plan and any additional conditions which are desirable.

I. Approval By Board of Commissioners:

The Board of Commissioners, as a condition of approving the subdivision, shall have the right to the assurance that the improvements as required of conventional subdivisions and in addition thereto the recreational improvements proposed for the open space areas, their maintenance, and the architectural theme of the cluster development shall be carried out.

ARTICLE IX

PENALTIES AND ENFORCEMENTS

Section A. Penalties

Any person, co-partnership or corporation who or which shall subdivide any lot, tract or parcel of land, lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, or water main, for public use or travel, or for the common use of occupants of buildings abutting thereon, or shall sell any lot or erect any building in a subdivision without having first complied with all the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, such person or the members of such corporation, partnership, or the officers of such corporation responsible for such violation, shall be sentenced to suffer imprisonment not exceeding two (2) years or pay a fine not exceeding one thousand (\$1,000) dollars or both, in the discretion of the court.

Section B. Enforcements

In addition, in case any person shall violate any provision of this ordinance, the Board of Commissioners shall have the power in the name of the Township to institute proceedings against such person for injunctive or other equitable relief at law.

ARTICLE X

VALIDITY AND REPEALER

Section A. Validity

The provisions of this ordinance shall be severable and if any of its provisions

or any part of any provision shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would not have been adopted had such unconstitutional, illegal or invalid provision been included herein.

Section B. Repealer

All ordinances or parts of ordinances inconsistent with any of the provisions of this ordinance are hereby repealed.

Ordained and enacted this 8th day of August, 1967, by the Board of Commissioners of Stonycreek Township.

ATTEST

TOWNSHIP OF STONYCREEK

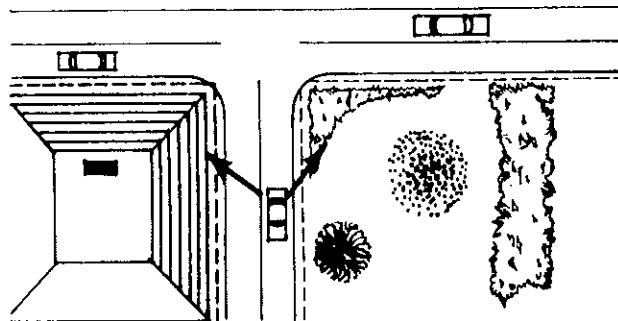
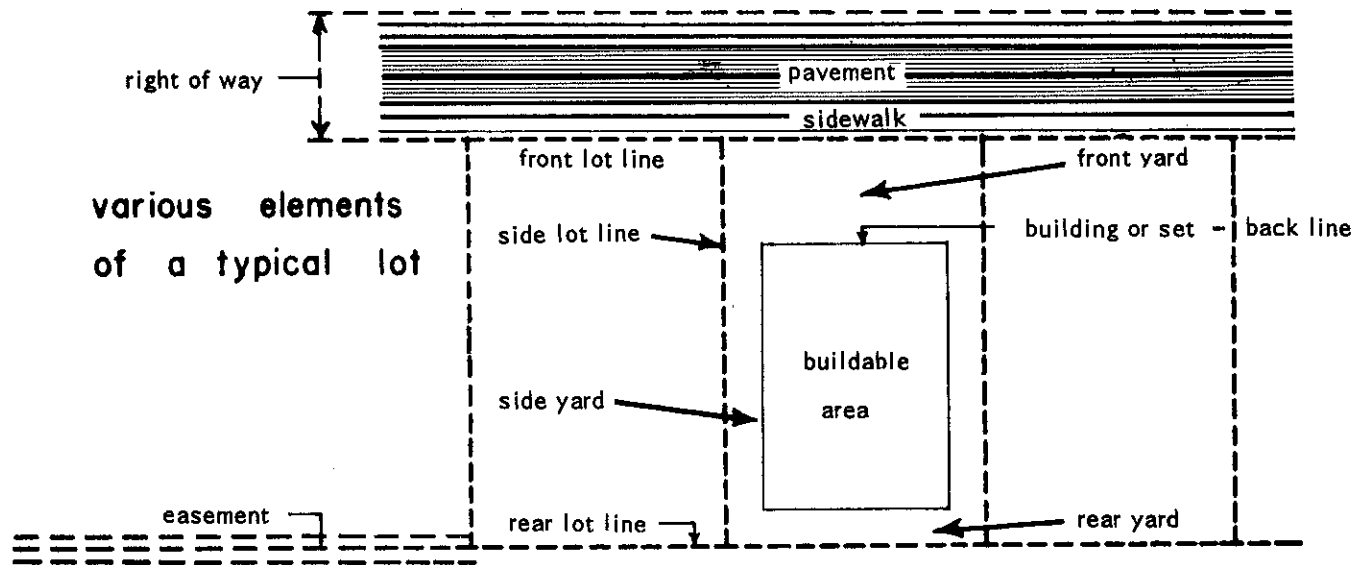
June Rose

William M. Knipple

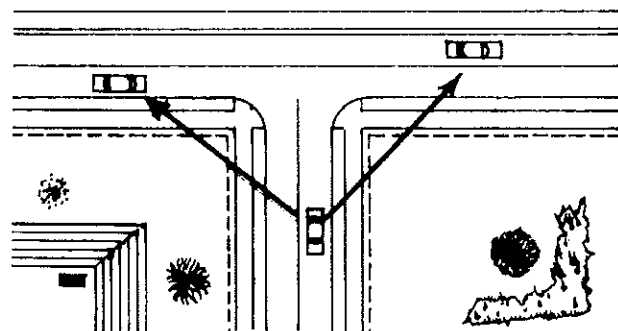
APPROVED

Roger W. Hager, Solicitor
417 Lincoln St.
Johnstown, Pennsylvania

NOTE: Official adoption by Ordinance 327 on file in Township offices.

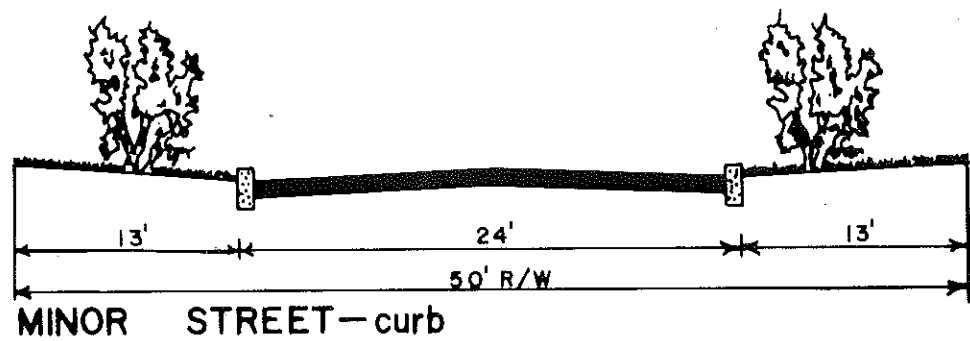
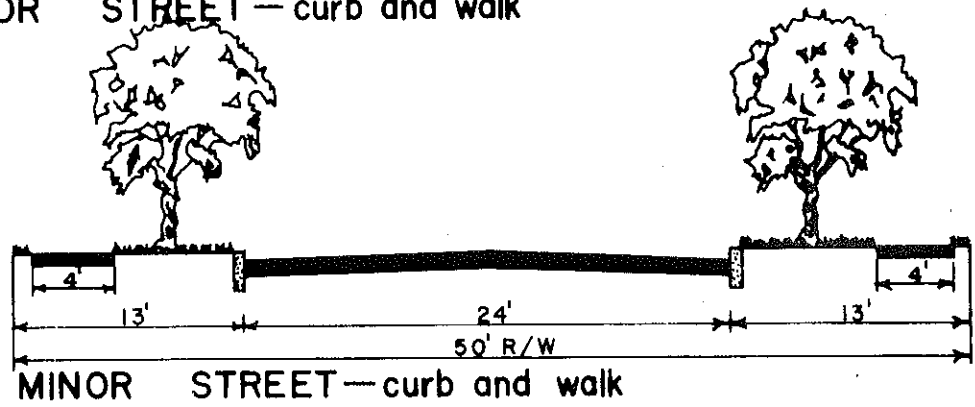
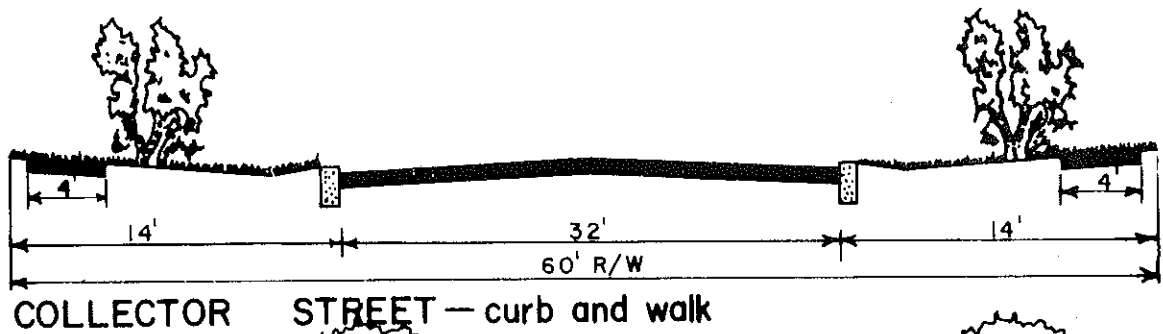
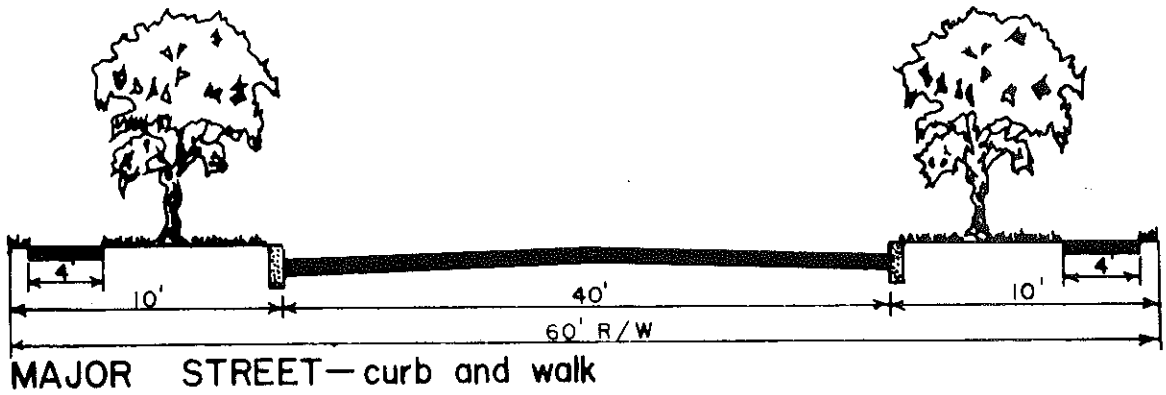


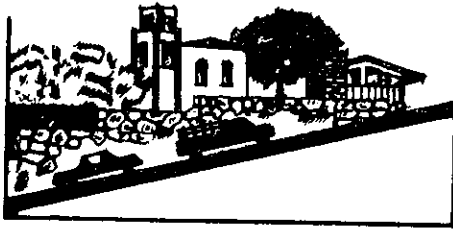
improper setback of buildings and plantings obstructs vision at intersections



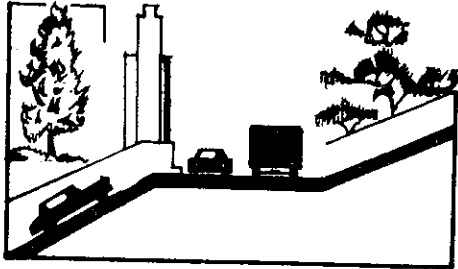
proper setback of buildings and plantings provides good sight distances

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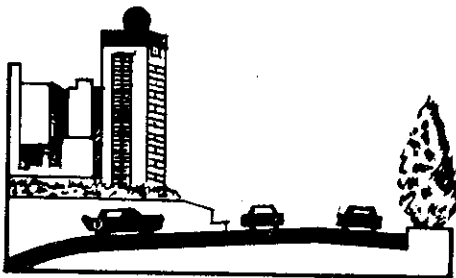




excessive grades
on any street
create traffic
and drainage
problems



steep grades at
intersections
reduce sight
distances and
hinder vehicle
control



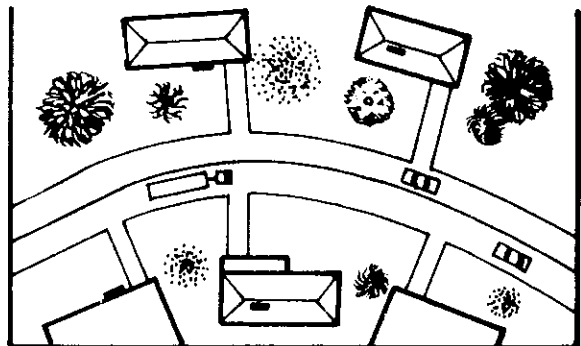
street grades
should be flattened
out within 100 feet
at intersections

G R A D E S

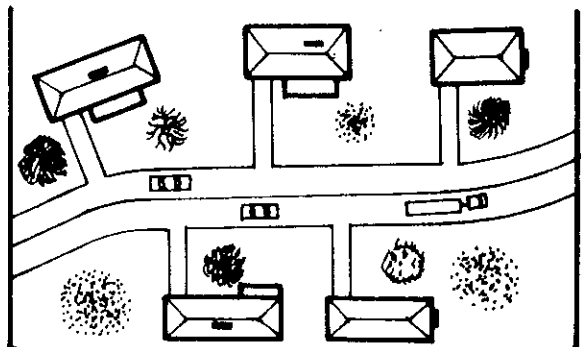
sharp curves
reduce sight dis-
tances and diffi-
cult shaped lots
result



proper curvature
results in ample
sight distances
and good
lotting



a tangent be-
tween reverse
curves produces
longer sight
distances



C U R V E S

