

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

FOSTER TOWNSHIP SCHUYLKILL COUNTY PENNSYLVANIA

OCTOBER 2001

Prepared by

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ARTICLE 1 - GENERAL PROVISIONS

101. TITLE

An Ordinance providing for the regulation and control of the subdivision and/or the development of land and the approval of plans, plots, or replots of land within the jurisdiction of the Board of Supervisors, Foster Township, Schuylkill County, Pennsylvania. Pursuant to the authority set forth in Article V of the Pennsylvania Municipalities Planning Code, as amended, and setting forth procedures to be followed by the Municipal Planning Commission and the Governing Body in applying, administering, and amending these rules, regulations, and standards and prescribing penalties for the violation thereof.

102. SHORT TITLE

This Ordinance shall be known and may be cited as The Foster Township Subdivision and Land Development Ordinance.

103. PURPOSE

The purpose of this ordinance shall be to guide and regulate the planning, subdividing and development of land in order to promote and protect the health, safety, morals, and general welfare of the citizens by:

- A. Assisting in the orderly and efficient integration of land developments within the Township;
- B. Ensuring conformance of land development plans with the Comprehensive Plan, and other municipal documents;
- C. Ensuring coordination of inter-municipal and intra-municipal public improvement plans and programs.
- D. Ensuring sites are suitable for building purposes and human habitation;
- E. Facilitating the efficient movement of traffic;
- F. Securing equitable and just processing of all subdivision and land development plans by providing uniform procedures and standards;
- G. To provide for open spaces through efficient design and layout of the land; and

- H. Securing the preservation of natural and historic features.

104. APPLICATION

- A. No subdivision or land development of any lot, tract, or parcel of land located within Foster Township shall be effected, and no street, sanitary sewer, water main, stormwater control facilities, gas, oil, or electric transmission line, 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 buildings abutting or to abut thereon, except in strict accordance with the provisions of this Ordinance.
- B. No lot in a proposed subdivision or land development may be sold, and no final permit to erect alter or repair any building upon land in a subdivision or land development may be issued unless and until
 1. A Final Plan has been approved and recorded and
 2. Either
 - a. the Township has been guaranteed by means of a Development Agreement acceptable to the Planning Commission and Board of Supervisors that the improvements will subsequently be installed or
 - b. the required improvements in connection therewith have been constructed.
- C. All subdivisions and/or land developments, as defined in Article 2 of this Ordinance, shall be submitted for review by the Foster Township Planning Commission pursuant to the provisions of this Ordinance.
- D. A subdivision of any lot which has been involved in three (3) successive minor subdivisions shall comply with the requirements for a major subdivision.

105. EXEMPTIONS

- A. Agriculture. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwelling shall be exempted.
- B. Approved Subdivisions.
 1. From the time an application for approval of a plat, whether preliminary or

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final, 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 adversely affect 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.

2. If final plan approval is preceded by preliminary plan approval, the five (5) year period shall be counted from the date of the preliminary plan approval.

C. Provisions for exclusion from determination of land development

1. The conversion of an existing single-family detached dwelling, or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
2. The addition of an accessory residential building, including farm buildings, on a lot or lots subordinate to an existing principal building.
3. 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 sub-clause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. The exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

106. INTERPRETATION

A. Standards.

1. The provisions of this Ordinance shall be interpreted and applied as to minimum requirements for the promotion of the public health, safety, comfort, and general welfare.
2. Where provisions, standards, and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the greater restriction shall be controlling regardless of its source, unless specified to the contrary.

- B. Illustrations. The illustrations in this Ordinance are not a part of the Ordinance, but are included for purposes of explanation and clarification.

107. MODIFICATIONS AND EXCEPTIONS

- A. Where, owing to special conditions pertaining to the land in question, a literal enforcement of this Ordinance or its accompanying regulations would result in undue hardship, the Board of Supervisors may grant modifications and exceptions to one or more provisions, provided that such modification will not be contrary to the public interest and that the purpose and intent of this ordinance is observed.
- B. Proof of unnecessary hardship must be presented to the Board of Supervisors by the developer. Any request shall be submitted in writing, citing the specific provision or standards from which relief is required, and should be part of the preliminary or final plan submission. The Supervisors and Commission shall review the applicant's request and submit a written report to the Applicant.
- C. The request for an exception shall be reviewed at a public meeting of the Board of Supervisors who shall make a decision consistent with the goals of the Comprehensive Plan and the intent of this Ordinance. The modification or exception will not have the effect of nullifying the intent and purposes of these regulations.
- D. Standards May Be Modified - The standards and requirements of these regulations may be modified by the Supervisors in the case of plans for complete communities or neighborhood units or other large scale developments which, in the judgment of the Supervisors, achieve substantially the objectives of the regulations contained herein and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the plan.

108. WAIVER

- A. A subdivider may request a modification or deletion of a requirement of this Ordinance relative to a specific subdivision or land development.
- B. Applications for such waiver shall be in writing.
- C. The Board of Supervisors shall grant or deny the request for such waiver.

109. FEES

- A. The Foster Township Board of Supervisors has established by resolution a schedule of fees and a collection procedure for all applications and other matters pertaining to this Ordinance.
- B. Plans shall not be considered for review until all fees are paid and the applications

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are properly signed.

- C. If the applicant disputes the fees, the applicant can appeal in accordance with Section 503 and Section 510 of the Pennsylvania Municipalities Planning Code, as amended.

110. REVISED PLANS, ALTERNATE PLANS, AND RESUBDIVISIONS

A. Revised Plans.

- 1. Until a submission is approved or rejected by the Board of Supervisors, the Applicant may withdraw the submission (or part thereof) and submit a Revised Plan following the submission and review procedures which apply to that plan.

- B. Alternate Plan. If (before a submission is approved or rejected by the Board of Supervisors) the Applicant submits a new plan submission for the subdivision or development of the same lands as the pending submission and does not withdraw the pending submission, the new plan shall be considered an Alternate Plan for which a new submission fee in accordance with the adopted fee schedule shall be required.

C. Resubdivisions.

- 1. A revision or resubdivision of a recorded plan or a Final Plan approved by the Board of Supervisors shall be considered as a new subdivision and shall come under the jurisdiction of this Ordinance.

111. TOWNSHIP RECORDS

The Township Planning Commission and the Township Supervisors shall keep a record of the findings, decisions, and recommendations relative to all subdivision or land development plans filed for action by the Planning Commission and the Township Supervisors. Such records shall be open to the public for review.

112. AMENDMENTS

- A. The regulations set forth in this Ordinance may, from time, be amended by the Board of Supervisors.
- B. Amendments to the ordinance shall become effective only after a public hearing held pursuant to public notice.

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- C. In the case of amendment other than that prepared by the Planning Commission, the Board of Supervisors shall submit each proposed amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date set for the public hearing on such proposed amendment.
- D. Consideration - The Board of Supervisors will give earnest consideration to changes or modifications suggested by any developer when such changes or modifications shall be in the best interests of the general public.

113. APPEALS TO COURTS

Decisions of the Board of Supervisors may be appealed in accordance with the Pennsylvania Municipalities Planning Code.

114. ENFORCEMENT

- A. Inspectors. The Board of Supervisors shall appoint one or more inspectors to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications.
- B. Inspection. Inspection of actual construction under any approved subdivision or land development plan shall be the responsibility of the Township, which shall undertake reasonable measures to provide an adequate inspection to enforce the provisions of this Ordinance on all projects. The construction of the project to conform with the approved plans shall be the responsibility of the developer due to the absence of full time inspection by the Township.
- C. Remedies.
 - 1. Any action inconsistent with the provisions of this Ordinance shall be subject to a cease and desist order and other appropriate measures by the Board of Supervisors.
 - 2. In addition to other remedies, the Township Supervisors may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
 - 3. The Board of Supervisors may refuse to issue any permit or grant any approval

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necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of any ordinance adopted pursuant to this article. This authority to deny such a permit or approval shall apply to any of the following applicant:

- a) The owner of record at the time of such violation.
- b) The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- c) The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
- d) The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation. As an additional condition for issuance of 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.

115. PENALTIES

- A. Any person, partnership or corporation who or which has violated the provisions of this subdivision or land development ordinance shall, upon being found liable therefore in a civil enforcement proceeding, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice.
- B. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no 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 continues shall constitute a separate violation.
- C. All fines collected for such violation shall be paid to Foster Township, Schuylkill County.

116. SEVERABILITY

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It is hereby declared to be the legislative intent that:

- A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.
- B. If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any lot, building, structure, or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be effective.
- C. Foster Township, Schuylkill County hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

117. CONDITIONS

- A. Supervisors May Impose Conditions - In granting exceptions and modifications, the Board of Supervisors may impose such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

118. REPEALER

All other Township ordinances or parts thereof that were adopted prior to this Ordinance and are in conflict with this Ordinance are hereby repealed.

119. EFFECTIVE DATE

This Ordinance shall become effective on _____.

120. ENACTMENT

Enacted and ordained into an Ordinance this _____ day of _____, 2001.

Date of Hearing _____

Date of Adoption _____

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Board of Supervisors

Chairman

Attest

Municipal Secretary

ARTICLE 2 - DEFINITIONS

201. GENERAL INTERPRETATION

For the purposes of this Ordinance, words and terms used herein shall be interpreted as follows:

- A. Words in the present tense shall include the future tense.
- B. The singular shall include the plural, and the plural shall include the singular.
- C. The masculine gender shall include the feminine and the neuter and vice-versa.
- D. The word "shall" is always mandatory, the word "should" mean a suggested or the preferred action and the word "may" is always permissive.
- E. If a word is defined in both this Subdivision and Land Development Ordinance and another Township Ordinance, each definition shall apply to the provisions of each applicable Ordinance.
- F. The words "such as", "includes", "including", and "specifically" shall provide examples. These examples shall not, by themselves, limit a provision to the examples specifically mentioned if other examples would otherwise comply with the provisions.
- G. Any word or term not defined in this Subdivision and Land Development Ordinance shall be used with a meaning of standard usage.

202. DEFINITIONS

When used in this Ordinance, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise:

Abut. Areas of contiguous lots that share a common lot and line, except not including lots entirely separated by a street or a perennial waterway. See definition of "adjacent".

Access Drive or Accessway. A privately owned, constructed, and maintained vehicular access roadway accessing two (2) or more dwelling units or two (2) or more commercial, institutional or industrial principal uses. See definition of "driveway".

Adjacent. Includes contiguous lots that share a common lot line or that are separated only

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by a street or waterway. See definition of "abut".

Agriculture. Shall mean "crop farming", "plant nursery", and raising of "livestock". See definition of each.

Alley. A right-of-way providing secondary access to the side or rear of one or more properties.

Applicant. A landowner or developer, as here in after defined, who has filed an application for a subdivision or land development, including his heirs, successors, and assigns.

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

Berm. An earthen embankment which serves purposes such as: retaining/detaining the flow of surface water runoff, preventing soil erosion or supporting plant materials to aid in screening.

Block. Property bounded on one side by a street, and on the other three (3) sides by a street, railroad right-of-way, public park, waterway, township lines, unsubdivided or developed area, or any combination thereof.

Block Frontage. That part of a block which fronts on a single street.

Board of Supervisors. The Board of Supervisors of Foster Township, Schuylkill County, Pennsylvania.

Buffer Yard. A strip of land that is not occupied by any building, parking, outdoor storage or any other use than open space or approved pedestrian pathway. A buffer yard may be a part of the minimum setback distance, but land within an existing or future street, right-of-way shall not be used to meet buffer yard requirements.

Building. Any structure having a permanent roof and intended for the shelter, work area, housing or enclosure of persons, animals, or property and that has a total area under roof of greater than 50 cubic feet. "Building" is interpreted as including "or part thereof." See the separate definition of "structure". Any structure involving a permanent roof (such as a covered porch or a carport) that is attached to a principal building shall be considered to be part of that principal building.

Cartway. The portion of a street or highway right-of-way, paved or unpaved, designed for vehicular use.

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Catch Basin. An inlet which has a sump below the pipe to collect debris and is designed to intercept and redirect surface waters.

Channel. An area which conveys the normal continuous or intermittent flow of water.

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

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

Comprehensive Plan. The document entitled Foster Township, Comprehensive Plan or any part thereof, adopted by the Township Supervisors.

Condominium. A set of individual dwelling units or other areas of buildings each owned by an individual person(s) in fee simple, with the owners assigned a proportionate interest in the remainder of the real estate which is designated for common ownership and which was created under either the Pennsylvania Unit Property Act of July 3, 1963 or the Pennsylvania Uniform Condominium Act of 1980, as amended.

Conservation District. The Schuylkill County Conservation District.

Construction. Includes the placing of construction materials in permanent position and fastening in a temporary or permanent position; and the demolition of pre-existing building, provided that further construction be diligently carried on.

County. The County of Schuylkill, Commonwealth of Pennsylvania.

County Planning Commission. The Schuylkill County Planning and Zoning Commission.

Crop Farming. The cultivating, raising and harvesting of products of the soil and the storage of these products produced on the premises. "Crop farming" shall also include orchards and Christmas tree farms and raising of limited numbers of livestock as a clearly accessory use, but shall not include intense raising of livestock, commercial forestry, riding academies or kennels.

Crosswalk or Walkway. A strip of land including a right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.

Cul-de-Sac Street. A local street which is permanently terminated at one end by a vehicular turnaround and intersects another street at the other end.

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Culvert. A structure designed to convey water under a street or pedestrian walk.

Datum. A reference point from which elevations are measured. The standard datum is sea level as established by the U.S. Geological Survey (USGS).

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

D.E.P. (or "DEP"). Shall mean the Pennsylvania Department of Environmental Protection, or its successor, and its relevant subparts.

Detached Building. A building that is surrounded on all sides by open yards and that is not attached to any other building.

Detention Basin. A structure designed, built and used for the temporary storage of stormwater runoff.

Developer (Subdivider). Any landowner, agent of such landowner or tenant with permission from a landowner, who makes or causes to be made a subdivision of land or land development.

Development of Regional Significance and Impact. Any land development that, because of its character, magnitude, or location will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

Development Agreement. An agreement (in a form and manner acceptable to the Township) requiring a developer to install the improvements required by this Ordinance and any improvements or amenities which appear on the plan in accordance with the requirements of this Ordinance.

Ditch. A small drainage channel.

Diversion Channel. A channel constructed on, across, or at the bottom of a slope.

Double Frontage Lot. A lot extending between and having frontage on two streets.

Driveway. A privately owned, constructed, and maintained vehicular access from a street or access drive to one (1) dwelling unit, commercial unit, institutional or industrial principal use. See also access drive.

Dwelling (Residence, Residential Structure). A building containing one (1) or more dwelling units. A building used as non-transient living quarters, but not including a boarding house, hotel, motel, hospital, nursing home, dormitory, fraternity, sorority

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house, automobile court, rooming house, tourist home, or other group residence. This Subdivision and Land Development Ordinance categorizes dwellings into the following:

- A. Conversion Apartment. A new dwelling unit created within an existing building within the standards of the Foster Township Zoning Ordinance.
- B. Apartment. Three or more dwelling units within a building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls (see definition of townhouses). The individual dwelling units may be leased or sold for condominium ownership.
- C. Sectional or "Modular" Home. A type of dwelling that meets a definition of single family detached dwelling, single family semi-detached dwelling, townhouse or garden apartment that is substantially but not wholly produced in two or more major sections off the site and then is assembled and completed on the site, and that does not meet the definition of a "mobile/manufactured home" and that is supported structurally by its exterior walls and that rests on a permanent foundation.
- D. Single-Family Detached Dwelling. One dwelling unit in one building accommodating only one family and having open areas on all sides.
 - 1. Mobile/Manufactured Home. A type of single-family detached dwelling that meets all of the following requirements: a) is transportable, b) is designed for permanent occupancy, c) is contained in a single piece, or two substantial pieces designed to be joined into one integral unit capable of again being separated for repeated towing, d) which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, e) is constructed so that it may be used with or without a permanent foundation, f) is not a "Recreation Vehicle", and g) includes a minimum of 300 square feet of interior floor space. The terms "mobile home" and "manufactured home" have the same meaning.
- E. Single Family Semi-Detached Dwelling Half of a Twin Dwelling. One dwelling unit accommodating one family that is attached to and completely separated by a vertical unpierced fire resistant wall to only one additional dwelling unit. One side yard shall be adjacent to each dwelling unit. This use is commonly known as one-half of a duplex. Each unit may or may not be on a separate lot.
- F. Townhouse. One dwelling unit that is attached to two or more dwelling units, and with each dwelling unit being completely separated from and attached to each other by unpierced vertical fire resistant walls. Each dwelling unit shall have its own outside access. Side yards shall be adjacent to each end unit. Townhouses area also commonly referred to as "row houses" or "single family attached dwellings".
- G. Two-Family Detached Dwelling. Two dwelling units accommodating one family each with both dwelling units within a single building on a single lot, and without the

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dwelling units being completely separated by a vertical wall. The building shall have two side yards.

Dwelling Unit. A single habitable living unit occupied by only one "family". See definition of "family". Each dwelling unit shall have: a) its own toilet, bath or shower, sink, sleeping and cooking facilities, and b) separate access to the outside or to a common hallway or balcony that connects to outside access at ground level. No dwelling unit shall include a separate living area that is completely separated by interior walls so as to prevent interior access from the remainder of the living area.

Easement. A right-of-way granted for limited use of private land for a public or quasi-public or private purpose, and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

Engineer. A registered Professional Engineer licensed as such in the Commonwealth of Pennsylvania.

Family. One or more persons living in a single dwelling unit and functioning as a common household unit. A family shall not include more than four persons who are not "related" to each other (See definition of related), except a higher number may be specifically permitted within the provisions for group homes. A "treatment center" shall not be considered a "family" or a "group home".

Foot Path. A cleared way for pedestrian usage which may be constructed of gravel, wood chips or paved material depending on the volume of use.

Grade. The elevation of finished ground or paving.

Interior Walk. A right-of-way for pedestrian use extending from a street into a block or across a block to another street.

Land Development. Any of the following activities:

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

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B. A subdivision of land.

C. The following shall not be considered a land development:

1. the conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
2. the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

Landowner. The owner of a legal or equitable interest in land, including the holder of a written, signed and active an option or contract to purchase or a person leasing the property (if authorized under the lease to exercise the right of the landowner and if such lease is for a remaining period of at least twelve (12) months), or authorized officers of a partnership or corporation that is a "landowner" or other person having a proprietary interest in land. A person who has clearly received formal notarized powers of attorney relating to a landowner may act in the capacity of the landowner, if legally authorized.

Landscaped Area. That portion of a lot in which plantings have been installed. The landscaped area includes the buffer planting strip, and plantings which serve a functional and/or aesthetic purpose when located around and between: buildings, streets, parking areas, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards, and the like.

Landscape Architect. A licensed landscape architect in the Commonwealth of Pennsylvania.

Landscaping Plan. A plan for the installation and maintenance of a landscaped area.

Land Use. The manner in which land is or may be used typically expressed in terms of the type of activity or development, such as: agricultural, residential, commercial, industrial, institutional, recreational, municipal and the like, whether such use is principal or accessory.

Lease. A property used or occupied under the terms of a contract granting use or occupation of property during a specified period in exchange for a specified rent.

Livestock, Raising of. The raising and keeping of livestock, poultry or insects for any commercial purposes or the keeping of any animals for any reason beyond what is allowed under the "Keeping of Pets" section of the Foster Township Zoning Ordinance and beyond what is allowed within the definition of "crop farming". This use shall not include a slaughterhouse nor a stockyard used for the housing of animals awaiting slaughter.

A. Intensive Raising of Livestock. "Raising of livestock" that involves the keeping of more than 100 animals that are routinely confined within a building, pens or cages or

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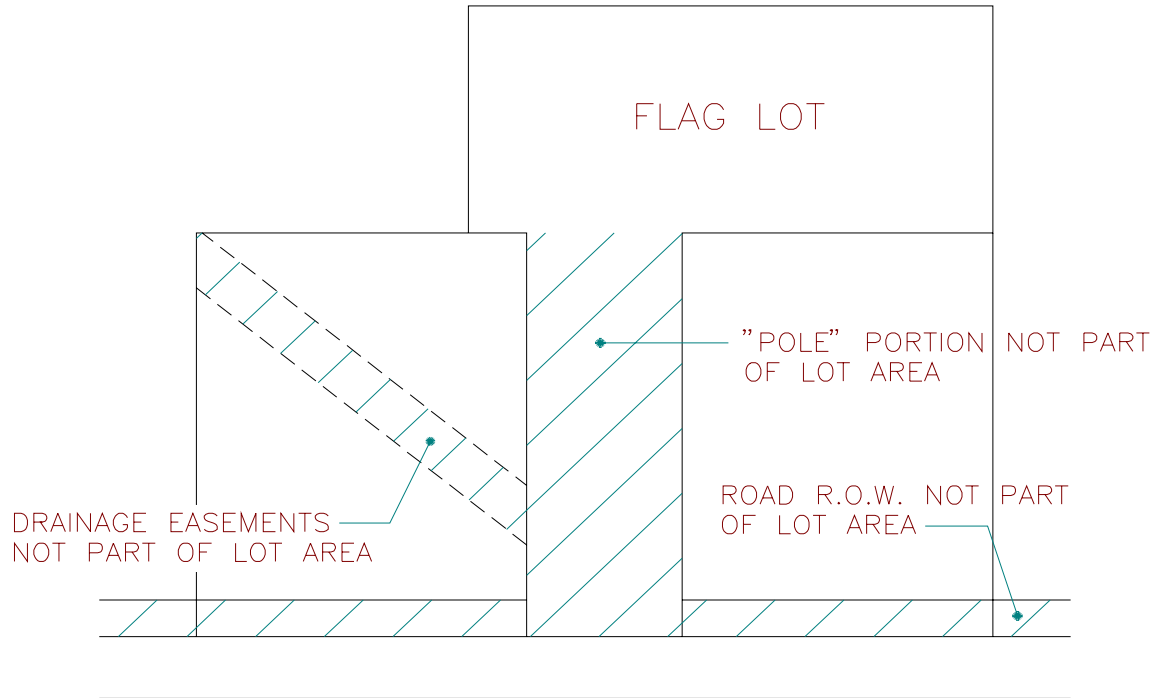
any dry lot feed farming operation or any keeping of garbage-fed livestock.

Lot. Any parcel or tract of land regardless of size, intended as a unit of ownership, transfer of ownership, use, lease, rent, improvement or development. Contiguous nonconforming lots under common ownership shall be considered one lot. Lot shall also mean parcel, plot, site, or any similar term.

- A. Lot, Corner. A lot abutting on two (2) or more of the streets intersecting having an interior angle of intersection not greater than one hundred thirty-five (135°) degrees.
- B. Lot, Interior. A lot other than a corner lot whose sides do not abut a street.
- C. Lot, Reverse Frontage. Lots which front on one public street but provide vehicular access solely from another public street at the rear of the lot.
- D. Lot, Through. An interior lot having frontage on two (2) streets.
- E. Lot, Flag or Lot, Keyhole. An irregularly shaped lot characterized by an elongated extension which does not meet minimum lot width requirements of the Zoning Ordinance from a road to the principal part of the lot.

Lot Area. The horizontal land area contained within the lot lines of a lot (measured in acres or square feet), but excluding the following:

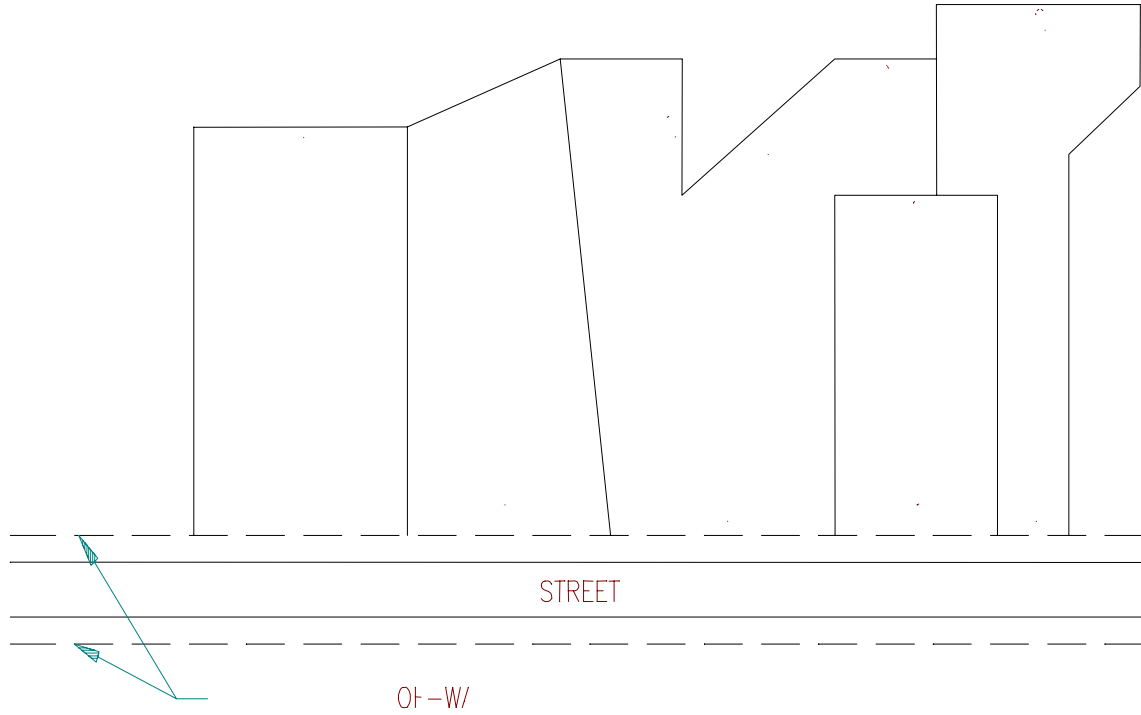
- A. Areas within the existing legal rights-of-way of: 1) any proposed or existing public streets or alleys or 2) any proposed or existing commonly maintained private streets that serve three or more lots;
- B. Areas that exist as or will be required to be dedicated as common open space on a separate lot;
- C. Fifty percent of areas within rights-of-way or easements intended for overhead electrical lines of 35 kilovolts or higher which shall only be excluded for residential lots; and
- D. In flag lots the area representing the "pole" position of the flag lot shall not be considered part of the lot area (see sketch below).



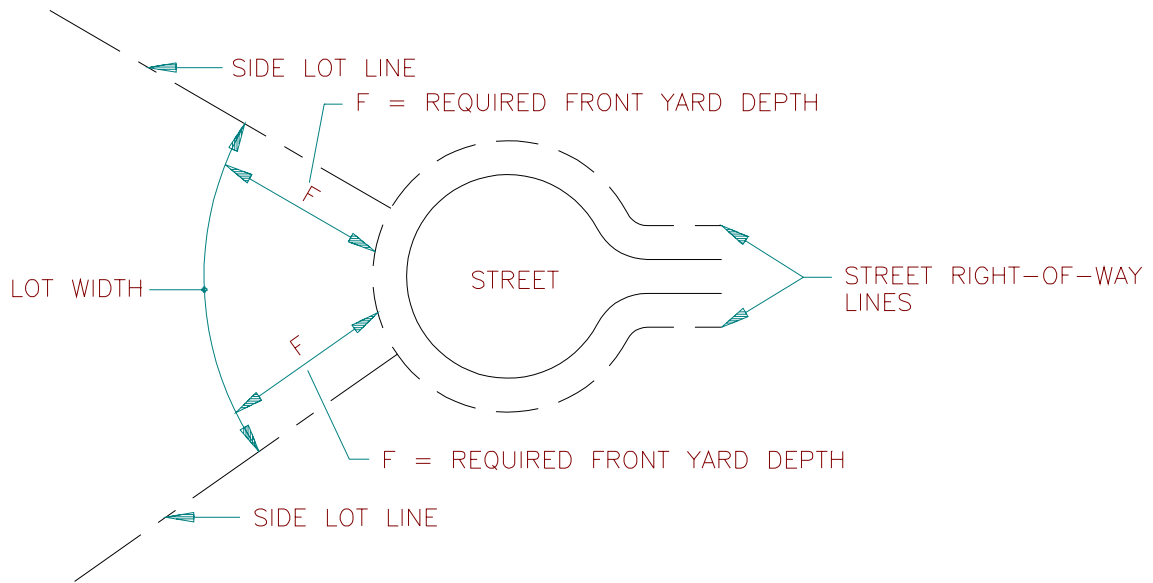
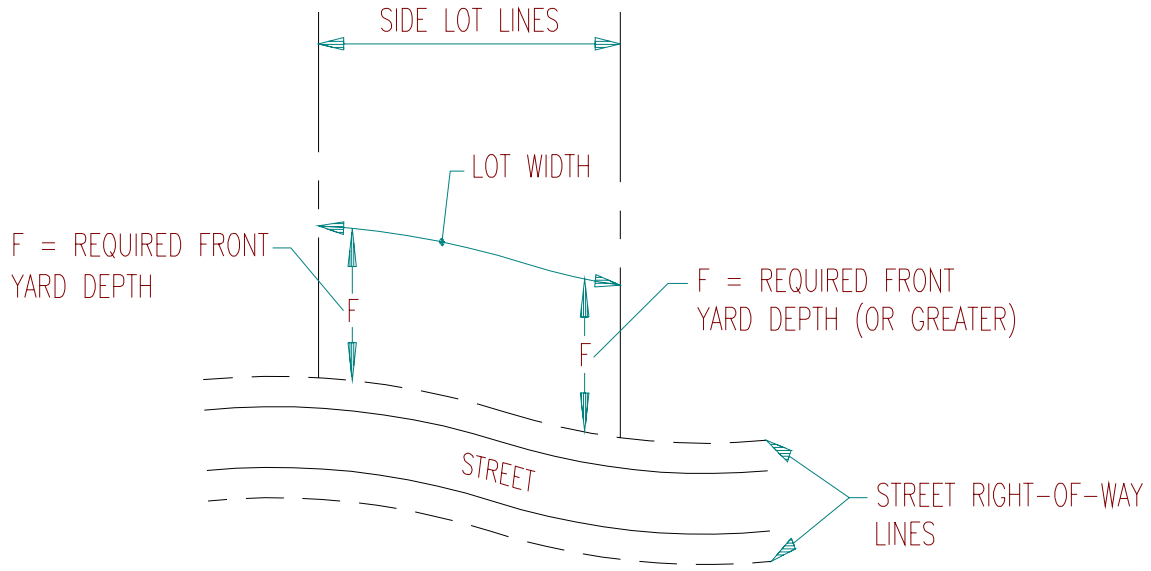
Lot Depth. The average horizontal distance between the front and the rear lot lines, measured through the approximate center of the lot.

Lot Lines. The property lines bounding the lot. wherever a property line borders a public street, the lot line shall be considered to be the existing street right-of-way.

- A. **Front Lot Line (Street Line).** A lot line separating the lot from the street right-of-way. The front lot line shall be the same as an existing or a future right-of-way (whichever established the greater width).
- B. **Rear Lot Line.** A lot line opposite and most distant from the front lot line. (A three (3) sided lot has no rear lot line.)
- C. **Side Lot Line.** Any lot other than a front or rear lot line. A "side street lot line" is a side lot line separating a lot from a street.



Lot Width. The horizontal distance between the side lot lines measured at the minimum prescribed front yard setback line, unless otherwise stated. In the event of a curved lot line, the lot width shall be measured using a straight line from end to end. The lot width shall be measured facing a street.



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Maintenance Agreement. An agreement (in a form and manner acceptable to the Township) requiring the developer of improvements which have been dedicated to make any repairs or reconstructions and to maintain such improvements for a period not to exceed eighteen (18) months from the date of acceptance of dedication.

Maintenance Guarantee. Financial security (which is acceptable to the Township) to secure the promise made by a developer in the Maintenance Agreement that dedicated improvements shall be maintained by the developer (including acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements.)

Mobile Home Space. A parcel of land in a mobile home park, improved with the necessary utility connection and other appurtenances necessary for the erection thereon of a single mobile home, which is leased or rented by the park owner to the occupants of the mobile home erected on the lot.

Mobile/Manufactured Home Park. A parcel of land under single ownership which has been planned and improved for the placement of three (3) or more mobile/manufactured homes for nontransient residential use. The individual manufactured homes may be individually owned. A development of mobile/manufactured homes with each dwelling on its own subdivided and approved individual lot of record shall be regulated in the same manner as a subdivision of site-built homes, and shall not be considered to be a "mobile home park".

Municipality. Foster Township, Schuylkill County, Pennsylvania.

Nonconforming Lot. A lot which does not conform with the minimum width, depth, or area dimensions specified for the district where such lot is situated, but was lawfully in existence at the time of enactment of the Zoning Ordinance or is legally established through the granting of a variance by the Zoning Hearing Board and which is not abutted by other undeveloped and owned by the same owner.

Open Space. The area of a lot unoccupied by principal or accessory structures, streets, driveways, parking areas; but may include areas occupied by walkways, patios and porches without roofs, playgrounds and other areas occupied by outdoor recreation or play apparatus, gardens and trees.

Open Space, Common. A parcel or parcels of land, which meets all of the following standards:

- A. Is designed, intended and suitable for active or passive recreation by residents of a development or the general public;
- B. If not intended to be publicly owned, is covered by a system for perpetual maintenance;

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- C. Will be deeded to the Township or deed restricted to permanently prevent uses of land other than "common open space" and non-commercial recreation; and
- D. Does not use any of the following areas to meet minimum open space requirements: 1) existing or future street rights-of-way, 2) accessways, 3) buildings (other than accessory buildings and pools clearly intended for noncommercial recreation, 4) off-street parking (other than that clearly intended for noncommercial recreation, 5) any area needed to meet a requirement for an individual lot, 6) any area deeded over to an individual property owner for their own use, or 7) land with rights-of-way intended eventually for overhead electrical transmission of 35 kilovolts or greater capacity.

Open Space, Usable. Open space of a lot or tract used for residential purposes, exclusive of required front and side yard areas, which is suitable for specified use(s) or as outdoor recreation for the residents (See Section 1123).

Ordinance. The Foster Township Subdivision & Land Development Ordinance and any provisions or amendments thereof, enacted by the Board of Supervisors.

Parcel. A tract, lot or area of land.

Parking Facilities. Outdoor areas or specially designed buildings or garages used for the storage of vehicles.

Pathway. A pedestrian accessway which is not adjacent to a street, access drive or driveway and conforms with this Ordinance.

PennDOT. The Pennsylvania Department of Transportation, or its successor, and its subparts.

Performance Guarantee. Financial security (which is acceptable to the Township) to secure the promise made by a developer in the Development Agreement that certain improvements shall be made by the developer (including acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements).

Person. An individual, partnership, organization, association, trust, or corporation. When used in a penalty provision, "person" shall include the members of such partnership, the trustees of such trust, and the officers of such organization, association, or corporation.

Plan (or Plat). A map of a land development or subdivision of land.

- A. Plan, Sketch. An informal plan indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision or land development lots and improvements.

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- B. Plan, Preliminary. A tentative subdivision or land development plan, showing details on all proposed improvements and lot layout as a basis for consideration prior to preparation of a Final Plan.
- C. Final Plan. A complete and exact plan, identified as such with the title "Final Plan," prepared for official recording as required by this Ordinance to define property rights and proposed streets and other improvements.

Planning Commission or Municipal Planning Commission. The Planning Commission of Foster Township, Schuylkill County, Pennsylvania.

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

Related or Relative. Persons who are closely related by blood, marriage, adoption or formal foster relationship to result in one of the following relationship; brother, sister, parent, child, grandparent, great-grandparent, grandchild, great-grandchild, uncle, aunt, niece, nephew, sister-in-law, brother-in-law or parent-in-law. For the purposes of child day care regulations, "relative" may also include a first cousin. This term shall not include relationships such as second cousins or cousins further removed.

Resubdivision. The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded; or, the alteration of any streets or the establishment of any new streets within any such subdivision. Resubdivision does not include conveyances made so as to combine entire existing lots by deed or other instrument.

Retention Basin. A reservoir, formed from soil or other material, which is designed to retain permanently a certain amount of stormwater from a catchment area and which also may be designed to detain, temporarily, additional stormwater runoff from the catchment area. Retention basins also may receive fresh water from year-round streams. Retention basins always contain water and thus shall be considered man-made lakes or ponds.

Right-of-Way. Land reserved for the public or others for use as a street or other purpose. Unless otherwise stated, "right-of-way" shall mean the existing street right-of-way line.

- A. Right-of-Way, Existing or Legal. The line separating a lot from the established official street right-of-way that either the Township or the Commonwealth will own after the completion of any proposed subdivision or land development under this Subdivision and Land Development Ordinance.

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B. Right-of-Way, Future or Ultimate. Land that is dedicated or is required to be defined or reserved for future use as a street and for related public improvements. The terms "ultimate right-of-way", "right-of-way reserved for future dedication" and "future right-of-way" shall have the same meaning. If a future right-of-way is not required to be defined, then future right-of-way shall have the same meaning as existing right-of-way.

Screen. A fence or natural obstruction of sufficient height (but not less than six (6') feet high) to effectively visually obscure the area being screened from adjoining areas.

Sediment. Deposited silt or other matter that is being or has been moved from its site of origin by water or other means of erosion.

Sediment Basin. A structure designed and built to retain sediment during construction.

Set-Back or Building Line.

A. The line within a lot defining the required minimum distance between any structure to be erected or use to be developed and the adjacent future street right-of-way or exterior lot line (when the property is not abutted by a right-of-way). Such line shall be measured at right angles from and parallel to the front lot line.

B. Any building setbacks shall be measured from the foundation, exterior wall or other component of a structure that is closest to the right-of-way line or lot line from which the setback is being measured.

C. Unless otherwise stated, setback distances are for both accessory and principal structures.

D. Private Streets – For a building setback measured from a private street, the setback shall be measured from the existing right-of-way of such a street, if a right-of-way exists. If a private street does not have a right-of-way, the setback shall be measured from the edge of the cartway.

Sewage Disposal System. A system designed to collect, treat, and dispose of sewage from uses in compliance with regulations of the appropriate local, State and of the Federal agencies.

A. Centralized Sewage Disposal System. A Sewage Disposal System serves a minimum of twenty (20) dwellings, units or five (5) principal non-residential uses.

1. Public Sewage Disposal System. A Centralized Sewage Disposal System owned and operated by a public authority.

B. On-Lot or Non-Public Sewer System. Any form Sewage System permitted under

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local, State and Federal law that does not meet the definition of "central sewer system".

Sewer Connection. The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a dwelling or building to the inlet of the street or main collector sewer pipe of the sewerage system serving the subdivision or land development.

Sidewalk. A pedestrian accessway which is adjacent to a street, access drive, or driveway and conforms to the regulations of this Ordinance.

Sign. Any physical device for visual communication that is used for the purpose of attracting attention from the public and that is visible from beyond an exterior lot line, including all symbols, words, models, displays, banners, flags, devices or representations. This shall not include displays that only involve symbols that are clearly and entirely religious or decorative in nature, and which do not include advertising.

Sight Distance. The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a street from a vehicle located at any given point on the street.

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

Site Alteration. Includes regrading the existing topography, filling lakes, ponds, marshes or floodplains, clearing vegetation or altering watercourses.

Slope. The vertical change of an area of land divided by the horizontal change measured in percent.

Soil Conservation District. The Soil and Water Conservation District for Schuylkill County.

Soil Erosion. The detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind and ice.

Soil Erosion and Sediment Control Plan. A plan and related narrative as required by this Ordinance.

Soil Percolation Test. A field test in accordance with criteria of the Pennsylvania Department of Environmental Protection conducted to determine the suitability of the soil for on-site sewage disposal facilities and infiltration structures by measuring the absorptive capacity of the soil at a given location and depth.

Soil Survey. A scientific survey of soil conditions and characteristics prepared by an engineer or soil scientist and approved or certified by the U.S. Soil Conservation Service.

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Solar Access. The capability of receiving direct sunlight between 9:00 a.m. and 3:00 p.m. (Solar Time) on any area of a lot not within required yard areas.

Solicitor. Unless otherwise stated, shall mean the appointed Solicitor to Foster Township Supervisors.

Solid Waste. Garbage, refuse or other discarded materials including, but not limited to, non-liquid waste materials resulting from industrial, commercial, institutional, agricultural and residential activities.

Stage. A section or sections of which an applicant proposes to commence development at the same time, as part of a timetable for development of a planned residential development over a period of years.

State. The Commonwealth of Pennsylvania and its agencies.

State Planning Code. The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988 and as may be further amended.

Storm Sewer. A sewer that carries storm surface and groundwater drainage but excludes sewage and residential, commercial and industrial wastes.

Stormwater. That water which accumulates from precipitation and is manifest in surface runoff.

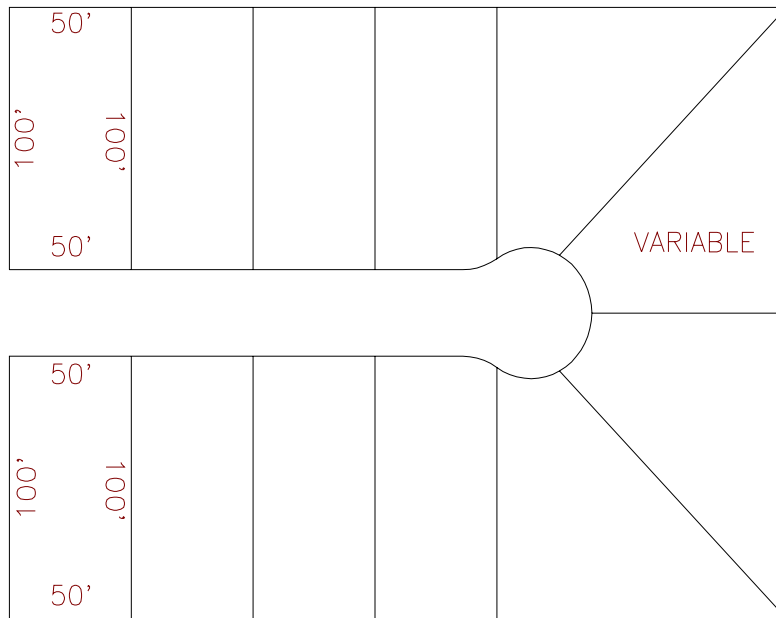
Stormwater Detention. Any storm drainage technique that retards or detains runoff, in rate, volume, or otherwise, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

Stormwater Management Plan. A plan for controlling surface water runoff so that it will preclude erosion or flooding and/or the adverse effects of impervious areas on surface water runoff as required by the Township ordinances, codes, regulations, plans and maps.

Street. Any public or private thoroughfare intended to be used by vehicular or pedestrian traffic; including street, avenue, road, highway, freeway, boulevard, parkway, lane, alley and viaduct.

A. Arterial or Major Traffic. Streets designed primarily to carry medium to heavy volumes of traffic at moderate traffic speeds, and generally should not provide access to land which would interfere with their primary traffic functions. Arterial Streets are those streets which are so designated on the Official Street Classification Map and facilities classified as main and secondary highways by the Pennsylvania Department of Transportation.

- B. Collector Street. Streets designed to carry a moderate volume of traffic between Local Streets and Arterials at moderate traffic speeds, and provide only limited vehicular access to the abutting properties.
- C. Local or Minor Street. Streets designed to provide direct access from abutting properties to Collector and Arterial Streets.
 - 1. Cul-de-Sac Street. A cul-de-sac street is a local street which is permanently terminated at one end by a vehicular turnaround and intersects another street at the other end.



CUL-DE-SAC STREET

- 2. Marginal Access Street. A marginal access street is a local street which is parallel and adjacent to collector or arterial streets and provides access to abutting properties.

Structure. Any man-made object having an ascertainable, stationary location on or in land or water, whether or not affixed to the land. The term structure shall include: building, sign, stadiums, platforms, communication towers, walkways, porches or decks that are covered by a permanent roof, swimming pool (whether above or below ground), storage sheds, carports, garages, and similar structures. "Structure" shall be interpreted as including the words "or part thereof".

Subdivider. See "Developer".

Subdivision. The division or redivision of a lot, tract, or parcel of land by any means into

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two (2) or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of rental or lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwellings shall be exempt. Existing leases shall also be exempt when existing lot lines will not be changed.

Subdivision, Major. Any subdivision which does not qualify as a minor subdivision.

Subdivision, Minor.

A. A Minor Subdivision is

1. any subdivision
 - a) into not more than five (5) lots, including the residual tract or lot,
 - b) which involves no major trunk line extension of public facilities, no new street, nor an extension or improvement of an existing street,
 - c) which is not located in a commercial or industrial zoning district, and
 - d) which provides for and does not adversely affect the potential development of the remainder of the tract, or
2. any subdivision
 - a) for the purpose of joining or annexing a lot to an existing lot, parcel, or tract of land and
 - b) provides a covenant in the deed of the lot to be conveyed which joins it with and makes it an inseparable part of the parcel to which it is joined.

B. The subdivision of any lot or parcel of land which has previously received subdivision approval for at least three (3) lots shall comply with requirements of a major subdivision.

Subdivision, Natural. Any tract or parcel of land divided into two (2) or more separate areas by one or more public streets.

Surveyor. A person duly registered by the Commonwealth of Pennsylvania to practice surveying.

Township Supervisors. The Board of Supervisors of Foster Township, Schuylkill County in the Commonwealth of Pennsylvania.

Tract. In certain zoning districts, the tract is the minimum amount of adjacent land area (which may be separated by alleys, streets, or waterways) within the Township that is required to be approved as part of an overall preliminary subdivision or land development plan in order to allow either certain types of uses or to allow the creation of lots smaller

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than a certain specified lot area. An area of land shall meet the following requirements in order to be considered a "tract".

- A. Shall only include lands within a submitted preliminary plan that includes a well-defined internal circulation system, maximum coordination between lots and carefully limited points of vehicular access onto streets exterior to the tract; and
- B. Shall only include lands that at the time of the approval of the preliminary plan have one "landowner" (as defined by Article II), unless the applicant proves to the satisfaction of the Township that there is a legally binding commitment between two or more "landowners" to coordinate the access and development of the tract as shown in the approved preliminary plan.

Use. Any purpose activity, occupation, business, or operation carried for which land or a structure is designed arranged, intended, occupied or maintained.

Waiver. A modification or deletion of a requirement of this Ordinance granted by the Township Supervisors relative to a specific subdivision or land development.

Water Connection. The connection consisting of all pipes, fittings and appurtenances from the water pipe to the inlet pipe of the distribution system within the dwelling or non residential unit.

Watercourse. A discernable, definable natural course or channel along which water is conveyed ultimately to streams and/or rivers at lower elevations. A watercourse may originate from a lake or underground spring(s) and be permanent in nature or it may originate from a temporary source such as runoff from rain or melting snow.

Water Supply System. A system designed to transmit water from a source to users, in compliance with the requirements of the appropriate state agencies and the Township.

A. Centralized Water Supply System. A Water Supply System which transmits water from a common source to more than thirty (30) dwellings, principal use.

1. Public Water Supply System. A Centralized Water Supply System owned and operated by a public authority.

B. On-Lot or Non-Public Water Supply System. A Water Supply System which transmits water from a source on the lot to one (1) dwelling, principal use, or lot.

Wetlands. An area of land or water meeting one or more definitions of a "wetland" under Federal or Pennsylvania law or regulations.

(NOTE. – As of 1996, the following was the official U.S. Army Corps of Engineers' definition of wetlands: "Those areas that are inundated or saturated by surface or

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groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas." Wetlands are technically defined on the basis of types of vegetation and soils and the level of the water table below the surface. As of 1996, the U.S. Army Corps of Engineers' and DEP enforce the wetlands regulations.)

Yard. An area not covered by buildings on the same lot with a structure (or a group of structures) which lies between the structure (or group of structures) and a lot line and which is unoccupied and unobstructed from the ground upward except as permitted in the Township Zoning Ordinance.

- A. Front Yard. A yard extending the full width of the lot between a structure and the front lot line or side street lot line measured from the front lot line (which is the future or existing street right-of-way and where it abuts a street).
- B. Rear Yard. A yard extending the full width of the lot measured from the rear lot line and that stretches between the side lot lines parallel to the rear lot line.
- C. Side Yard. A yard measured from the side lot line, and extending from the front lot line to the rear lot line.

Zoning Ordinance. The Foster Township Zoning Ordinance as amended.

ARTICLE 3 - GENERAL PROCEDURES

301. PURPOSE

This Article provides an overview of the general procedure for the Township review of proposed subdivisions and land developments (Section 302) and of the general procedures for submitting plans to the Township (Section 303). This Article is intended to be instructional and exemplary only and does not set forth mandatory requirements which are binding on the Township or an Applicant. An outline is included at the end of this Article to show the general subdivision process for Minor and Major Subdivisions.

302. GENERAL PROCEDURE FOR SUBDIVISIONS AND LAND DEVELOPMENTS

A. Review and Approval Stages.

1. Three (3) types of plan submissions are included in the procedure for filing and approval of subdivision and land development plans: Sketch, Preliminary, and Final.
2. These plans enable the Planning Commission and the Board of Supervisors to have an adequate opportunity to review the submission and to ensure that their formal recommendations are reflected in the Final Plan which is recorded in accordance with this Article.
3. The table below outlines the stages for the different types of proposed subdivision or land development.

STAGE	SUBDIVISION ORDINANCE ARTICLE	TYPE OF PROPOSED SUBDIVISION OR LAND DEVELOPMENT*		
		LAND DEVELOPMENT	MAJOR SUBDIVISION	MINOR SUBDIVISION
Sketch Plan	6	RECOMMENDED	RECOMMENDED	RECOMMENDED
Preliminary Plan	7	REQUIRED	REQUIRED	NOT REQUIRED
Final Plan	8	REQUIRED	REQUIRED	REQUIRED**
Guarantee of Improvements Installation	9	REQUIRED	REQUIRED	REQUIRED
Recording of Final Plan	10	REQUIRED	REQUIRED	REQUIRED

* See Article 2 for precise definitions.

** See Article 5 for Minor Subdivision Final Plan filing and review requirements. Article 5 provides a simplified procedure for reviewing minor subdivisions and Article 4 for boundary line adjustments.

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B. Sketch Plan.

1. While Sketch Plans are not required for major and minor subdivisions or land developments, it is recommended that they be filed to allow the Applicant to consult early and informally with the Planning Commission before preparing a Preliminary Plan in order to resolve potential differences and avoid unnecessary expense and delay.
2. The Sketch Plan will also be used to classify the subdivision as a major subdivision, minor subdivision, or land development.
3. Comments made by the Planning Commission on the Sketch Plan are only recommendations and are not binding.

C. Preliminary Plan.

1. Except for any Sketch Plan which is filed, the initial plan filed to the Commission for formal review of a major subdivision or land development shall be considered the official Preliminary Plan.
2. Minor subdivisions are not required to file a Preliminary Plan.
3. The purpose of the Preliminary Plan is to achieve formal approval of the overall development scheme proposed in order to minimize the need for any revisions of Final Plans.

D. Final Plan.

1. After approval of the Preliminary Plan of a major subdivision or land development, the Applicant submits a Final Plan.
2. The purpose of the Final Plan is to require formal approval by the Board of Supervisors before plans for all subdivisions and land developments are recorded.

E. Guarantee of Improvements Installation. Where improvements are required by this Ordinance, the Township and Applicant shall enter into a development agreement and the Applicant shall post financial security acceptable to the Township in an amount sufficient to cover the costs of any improvements which may be required.

F. Recording of Final Plan.

1. Deadline. The applicant shall record the Final Plan approved by the Board of Supervisors in the Office of the Recorder of Deeds of the County within ninety (90) days of such final approval, unless an extension has been

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granted in writing by the Board of Supervisors.

2. Failure to Record. If the plan is not recorded within the required time period, the approval shall lapse and become void.
3. Township Copies. Eight (8) copies of the plan with supporting data shall be submitted to the Township Secretary.
4. Plans Considered at Regular Meetings. Plans will be reviewed at regularly scheduled meeting of the Commission; provided, that such plans must be submitted at least ten (10) business days prior to the meeting at which review is desired.
5. Commission May Take Final Action. The initial plan filed with the Commission may proceed to final action at the first consideration of a plan for a small subdivision involving no new streets, provided that the plan and supporting data comply in all respects with the requirements for final plans.

303. GENERAL PLAN SUBMISSION PROCEDURES

A. Submission.

1. Applicants with minor subdivision Final Plans shall submit the required number of plans to the Township by certified mail or by delivery in person. Said plans shall be filed at least ten (10) business days prior to the regularly scheduled Planning Commission Meeting at which the plan will be reviewed.
2. Applicants with Preliminary and Final Plans for major subdivisions shall submit the required number of plans and supporting data to the Township by certified mail or by delivery in person. Said preliminary and final plans shall be submitted at least ten (10) business days prior to the regularly scheduled Planning Commission Meeting at which the plan will be reviewed.
3. Plans to be Filed with County. Sketch Plans for Record and Final Plans shall also be concurrently submitted to the appropriate officials of the County. The Township Secretary shall forward the necessary plans and fees to County Planning Commission as required by the Schuylkill County Planning and Zoning Department.

B. Receipt by Commission.

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1. The Commission shall review the submission at the next regularly scheduled meeting.
2. If the submission is incomplete, the Commission may disapprove the subdivision.

C. Attendance.

1. The Applicant or his duly authorized representative should endeavor to attend the Commission meeting to discuss the submitted plans.
2. The Commission may request such attendance, and failure to appear when so requested may result in plan disapproval.

D. Action by the Commission and the Board of Supervisors. Within ninety (90) days following the date of the regular meeting of the Commission, next following the date the application is filed, the Commission shall recommend to the Board of Supervisors and the Board of Supervisors shall act to approve or disapprove the plan.

E. Public Hearing. The Planning Commission and Board of Supervisors may hold a public hearing prior to rendering their decision on any Final Plan.

F. Notification of Applicant. The Planning Commission and Board of Supervisors shall communicate their decision in writing to the Applicant either personally or by certified or registered mail to his last known address, not later than fifteen (15) days following the day such decision has been made.

304. PROCEDURES FOR PRELIMINARY PLANS

A. Changes and Modifications. The Commission and Board of Supervisors may require or recommend changes and modifications of the preliminary plan precedent to approval of the final plan.

B. Approval of Preliminary Plans. Approval, or recommended approval of the preliminary plan, subject to conditions, revisions and modifications as stipulated or suggested by the Commission and Board of Supervisors, shall constitute conditional Commission and Board of Supervisors, approval of the subdivision as to the character and intensity of the development, and the general layout and approximate dimensions of streets, lots, and other proposed features.

305. PROCEDURES FOR FINAL PLANS

- A. Final Plan to be Submitted. Within one (1) year after Board of Supervisors action on the preliminary plan, a final plan with supporting data shall be submitted to the Township for approval or review; provided, that an extension of time may be granted by the Supervisors upon written request. Otherwise, the plan submitted shall be considered as a new preliminary plan.
- B. Plan May be Submitted in Sections. The Board of Supervisors may permit submission of the final plan in sections each covering a portion of the entire proposed subdivision as shown and approved on the preliminary plan.
- C. Final Plan Shall Conform with Preliminary Plan. The final plan shall conform in all important respects with the preliminary plan as previously reviewed by the Township and shall incorporate revisions and modifications specified or suggested by the Commission in its conditional approval of the preliminary plan. Otherwise, the plan submitted shall be considered as a revised preliminary plan.
- D. Reasons for Disapproval to be Stated. Whenever a plan is disapproved, the Planning Commission and/or Board of Supervisor shall explicitly state its reasons for such action or recommendation.
- E. Time Limit on Recording. Within ninety (90) days after final action by the Board of Supervisors, the final plan or section thereof shall be filed for recording with the County Recorder of Deeds, and shall be a clear and legible white print on linen or microfilm. If the plan is not recorded within such period, the action of the Board of Supervisors shall become null and void, unless an extension of time is granted by the Board of Supervisors upon written request.

OUTLINE OF
SUBDIVISION AND LAND DEVELOPMENT REVIEW AND APPROVAL
PROCEDURES

MINOR AND MAJOR SUBDIVISIONS AND LAND DEVELOPMENT

- STEP 1 Subdivider meets informally with Commission to determine general conformance with Regulations, and to review Sketch Plan and development proposals. Determination if plan is major or minor subdivision is completed.
- STEP 2 Subdivider submits preliminary plan with supporting data to Commission and municipality.
- STEP 3 Commission reviews preliminary plan at a regular meeting.
- STEP 4 After review, Commission notifies subdivider and Board of Supervisors either that plan has been approved, approved with modifications, or disapproved. Subdivider revises plan, if necessary, for Commission approval.
- STEP 5 Following approval of the preliminary plan from the Commission the plan is forwarded to the Board of Supervisors for review at their next regular meeting.
- STEP 6 After review, the Board of Supervisors notifies subdivider either that plan has been approved, approved with modifications, or disapproved. Subdivider revises plan, if necessary, and follows steps 2 through 6.
- STEP 7 Within one (1) year, subdivider prepares and submits final plan for Commission review. Subdivider may submit only a portion of entire proposed plan as shown on approved preliminary plan, but entire portion must be submitted within 5 years.
- STEP 8 Commission reviews final plan at regular meeting after having given proper notice for preliminary plans. After review, Commission notifies subdivider and Board of Supervisors of its action on the final plan.
- STEP 9 Following approval of the final plan from the Commission the plan is forwarded to the Board of Supervisors for review at their next regular meeting.
- STEP 10 After review, the Board of Supervisors notifies subdivider of its action on the final plan. Subdivider revises plan, if necessary, and follows steps 8 through 9.
- STEP 11 Not later than ninety (90) days after Board of Supervisors action on the final plan, subdivider files his final plan for recording with the County Recorder of Deeds. Subdivider forwards notice of the recording to the Township.

ARTICLE 4 - BOUNDARY LINE ADJUSTMENTS

401. PURPOSE

Where no new, additional or substandard lot will be created and the resultant action will not adversely affect the future development of property. In this situation the Final Plan submission shall comply with the drafting standards and required information of Sections 401A, 401B, 401C and 401D. See Section 401E for examples of boundary line adjustments.

A. Drafting Standards.

1. Plans shall be prepared on a standard sheet no larger than 24" x 36".
2. All information shall be legibly and accurately presented.
3. Plans shall be drawn at a scale of one (1") inch equals fifty (50') feet or one (1") inch equals one hundred (100') feet. The Planning Commission may approve other acceptable scales.
4. All dimensions shall be set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
5. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
6. Plans shall be prepared and shall be in an adequate legend to indicate clearly which features or locations are existing and which are proposed.
7. When the plan is a revision of a previously approved plan, note the revisions.

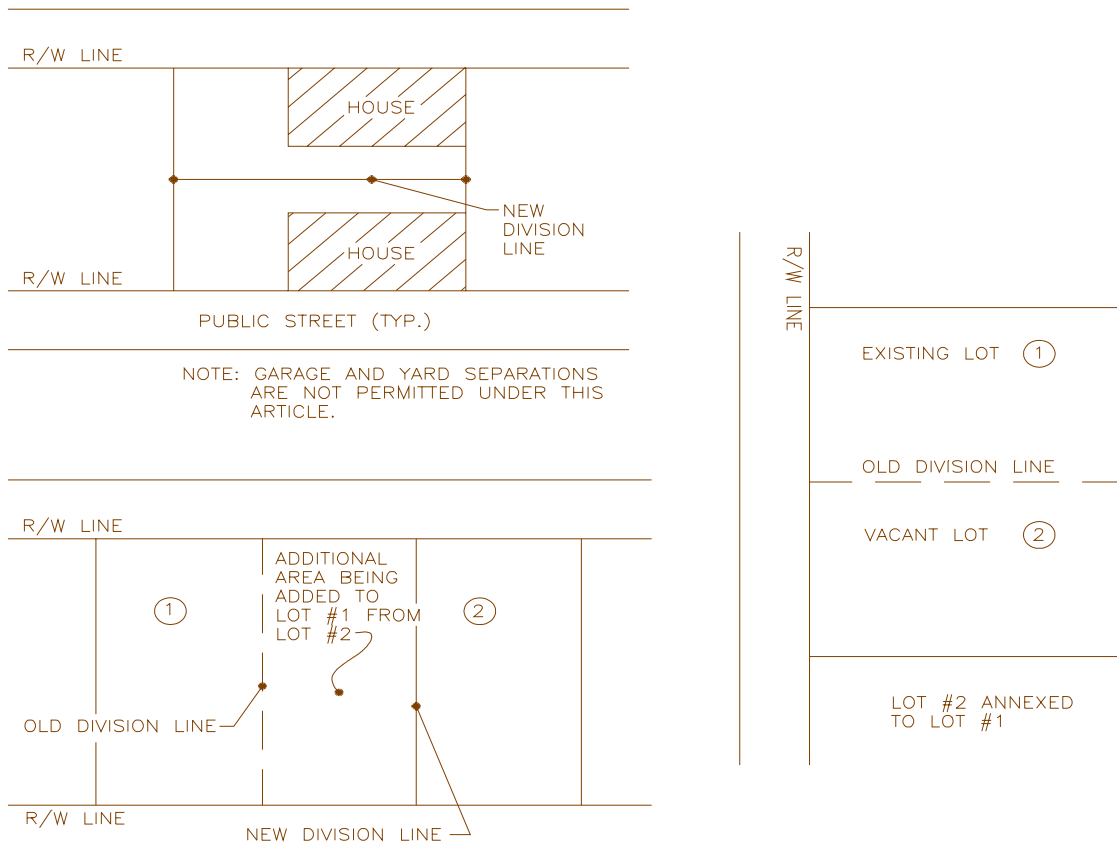
B. General Information.

1. Name of subdivision.
2. Name and addresses of:
 - a. landowner
 - b. developer
3. Certificate of Ownership: (See Appendix F & G)

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- a. the owner shall acknowledge said statement before an officer authorized to take acknowledgements.
 - b. the seal of a notary public or other qualified officer shall be impressed to the plan acknowledging owner's statement of intent.
4. Names, addresses, signatures, license number and seals of the Professional Engineer, architect, landscape architect, or surveyor responsible for the preparation of the plan to Certification of Accuracy (see Appendix D).
 5. Approval/review signature blocks for:
 - a. Township Planning Commission.
 - b. Board of Supervisors
 - c. County Planning Commission
 - d. Recorder of Deeds
 6. Location map at a suitable scale showing the relation of the site to adjoining properties and streets.
 7. North arrow.
 8. Graphic scale and written scale.
 9. Date of plan and all subsequent revision dates.
 10. Boundaries of all adjoining properties with names of landowners and Deed Book volume and page number.
 11. The Deed Book volume and page number, as entered by the County Recorder, referencing the latest source of title to the land being subdivided.
 12. Tax map sheet, block and lot number for the tract being subdivided.
 13. Lot size(s) in acres and square feet and the residual lot site.
 14. Indicate all monuments as set or found.
 15. Zoning Requirements. (From Foster Township Zoning Ordinance)
 - a. Applicable district.
 - b. Lot size and yard requirements.
 - c. Building setback line.

- C. Upon approval of the boundary line adjustment, the applicant will have the deed(s) rewritten so that the description of the meets and bounds for the property will include the new area(s) and submit a copy to the Township.
- D. Additional Information. The Township may require the submission of additional information.
- E. Examples of Typical Boundary Line Adjustments



ARTICLE 5 - MINOR SUBDIVISIONS

501. PURPOSE

The purpose of this Article is to permit applicants and the Township to use a simplified procedure for reviewing minor subdivisions prior to approval for recording.

502. SUBMISSION AND REVIEW PROCEDURE

A. Final Plan Submission Required. A Final Plan Submission for each Minor Subdivision must be filed by the Applicant and reviewed in accordance with the provisions of Article 5.

B. Required Submission.

1. The Applicant shall file the Plan at least ten (10) business days prior to a regularly scheduled Planning Commission meeting and shall include the following:
 - a. Filing Fee, as set by resolution of the Board of Supervisors (See Fee Schedule available at the Township Building), and the filing fee set forth by the Schuylkill County Planning Commission for review of the plan.
 - b. two copies each of the
 - (i) Application Form (included in Appendix B) and
 - (ii) Final Plan Checklist for Minor Subdivision (included in Appendix C-2)
 - c. * Minimum of eight (8) copies of the Final Plan, and
 - d. * Minimum of four (4) sets of Supportive Documents.

*Note: The Township may require additional copies of the final plan and/or the Supportive Documents.

2. If a State road is involved, no subdivision or land development which will require access to a highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the submission contains a receipt that a highway occupancy permit has been approved pursuant to Section 420 of the Act of June 1, 1945, known as the State Highway Law before driveway access to a State highway is permitted.
3.
 - a. Each Final Plan filed for minor subdivisions shall provide the information required by Section 504.
 - b. All sheets shall be folded to 9" x 12" size in such a manner that the title of the sheet faces out.

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4. Sewer Planning Module.

C. Review by Various Agencies.

1. The final plan is reviewed by the Township Engineer, Township Code Enforcement Officer, County Planning Commission, and, if deemed necessary, other officials. These reviewers will report their findings to the Township Planning Commission and Board of Supervisors.
2. All plan reviews of the Final Plan Submission shall be based on the objectives and requirements of this Ordinance, as well as, other applicable ordinances and statutes.
3. The Reviewing Agencies may make additional reports and recommendations to the Commission and Supervisors during review of the Plan.

D. Review by Commission. Within ninety (90) days following the date of the regular Commission meeting the plan was submitted for review (unless the Applicant grants a written extension of time for the entire Township review of such Submission) the Commission shall:

1. Review all applicable reports received from the appropriate review agencies and officers;
2. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes;
3. Review the Final Plan Submission with the Applicant, his agent, or representative and recommend any needed revisions so that the Submission will conform to this Ordinance, other ordinances, and statutes; and
4. Recommend approval, conditional approval, or disapproval of the Final Plan Submission in a written report to the Board of Supervisors, specifying and recommended conditions for approval, identifying any defects found by the application, describing any requirements which have not been met, citing the provisions of any ordinance or statute relied upon.

E. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the report of the Commission;
2. Review the report of all other reviewing agencies received within forty-five

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(45) days from the date the Submission was forwarded to such agencies (the Supervisors may review the reports of such agencies received after the forty-five (45) day period);

3. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes;
4. Approve or reject the Final Plan Submission within the time required by the Pennsylvania Municipalities Planning Code Act 247. (Currently the Act requires the Board of Supervisors to act not later than ninety (90) days following the date of the first regular meeting of the Commission held after it has accepted the submission as being filed for review; but in no case shall the Supervisors' decision be made later than one hundred twenty (120) days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time.)

F. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or by certified or registered mail to his last known address, not later than fifteen (15) days following the decision.
2.
 - a. The approval of the Final Plan by the Board of Supervisors shall not constitute an acceptance of the dedication of any street or other proposed public way, space, or area shown on the Final Plan.
 - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
 - c. If the Board of Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the County or Township. Such instruments shall state that the title thereof is free and unencumbered.
3. When the Final Plan Submission is disapproved, the decision shall specify the defects found in the Submission, shall describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Failure of the Board of Supervisors to render a decision and communicate it to the Applicant within the time and in the manner required by the Pennsylvania Municipalities Planning Code Act 247, shall be deemed an

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approval of the Plan as presented, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of communication of the decision.

5. At the request of the Applicant, the Township shall furnish the Applicant with a signed copy of a resolution indicating approval of the Applicant's Final Plan contingent upon the Applicant obtaining a satisfactory financial security. The Final Plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution 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 Township.
6. For all subdivisions where the lots are to be served by other than individual wells, for a land development to be served by other than an individual well, the Applicant shall present evidence to the Township that the subdivision or land 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 utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

503. RECORDING PLANS SUBMITTED UNDER ARTICLE 5

If the Plan submitted under the provisions of Article 5 can be clearly drawn on a sheet no larger than 24" x 36", the Plan may be recorded as an attachment to the deed. (NOTE: See Article 10 for other provisions regarding the recording of Final Plans.)

504. MINOR SUBDIVISION FINAL PLAN REQUIREMENTS

A. Drafting Standards.

1. Plans shall be prepared on a standard sheet no larger than 24" x 36" except when the Commission approves of other size plans.
2. All information shall be legibly and accurately presented.
3. Plans shall be drawn at a scale of one (1") equals fifty (50') feet or one (1") inch equals one hundred (100') feet. Under special circumstances the Planning Commission may approve other acceptable scales.

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4. All dimensions shall be set in feet and decimal parts thereof, and bearings in degrees, minutes and seconds.
5. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
6. Plans shall be prepared and shall bear an adequate legend to indicate clearly which features are existing and which are proposed.
7. When the plan is a revision of a previously approved plan, note the revisions.

B. Information to be shown on Minor Subdivision Final Plan.

1. Boundary Lines of Tract.
 - a. The total tract boundary lines of the area being subdivided showing bearings and distances and a statement of total tract acreage.
 - (i) The boundaries of the lots being newly created shall be determined by accurate field survey, closed with an error not to exceed one in five thousand and balanced.
 - (ii) The boundaries of any residual tract which is ten (10) acres or less shall be determined by accurate field survey, closed with an error not to exceed one in five thousand and balanced.
 - (iii) The boundaries of any residual tract which is greater than ten (10) acres may be determined by deeds.
 - b. Indicate all monuments as set or found.
2. Name of subdivision.
3. Name and addresses of the record owner (and subdivider) of the tract, and the source(s) of title to the land being subdivided as shown by the records of the Schuylkill County Recorder of Deeds. Tax map sheet, block and lot number for the tract being subdivided.
4. Names, addresses, signatures, license number and seals of the professional engineer, architect, landscape architect or surveyor responsible for the preparation of the plan to Certificate Accuracy (see Appendix D).
5. Date, including month, day and year that the final plan was completed and the month, day and year for all subsequent revision dates.

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6. North arrow, graphic scale and written scale.
7. Location of Natural Features on the Site and Within 100 Feet of the Site.
 - a. Contour lines at an interval of not more than five (5') feet shall be shown as follows:
 - (i) 0% to 15% slope - may be accurately superimposed from the latest U.S.G.S. quadrangle map
 - (ii) 15% or greater - shall be based on a field survey or photogrammetric procedure at a scale of 1" = 100' or larger
 - b. Permanent and seasonal high water table areas, if any, should be noted.
 - c. Watercourses, lakes, flood-prone areas and wetlands with names, if any.
 - d. Location and extent of various soil types with Soil Conservation Service, (SCS) definitions and Department of Environmental Protection (DEP) classifications for each.
 - e. Rock outcrops and stone field, if any, should be noted.
 - f. Any other significant topographical features.
8. Location of existing Manmade Features on the Site and Within One Hundred (100') Feet of the Site.
 - a. Sufficient bearings, lengths of lines, radii, arc lengths, street widths, right-of-way and easement widths of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground.
 - b. Existing lot layout on the site, including lot numbers.
 - c. Historic sites or structures, including name and description.
 - d. Sewer lines, storm water drains and culverts including, but not limited to, water lines and electric lines, including size, location, and invert elevations of each.
 - e. Utility easements and restrictive covenants and easements for





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purposes which might affect development.

- f. Names and numbers of streets within and adjacent to the subdivision.
- 9. Location map at a suitable scale showing the relation of the site adjoining properties and streets within one thousand (1000') feet, and all zoning district and municipal boundaries within one thousand (1000') feet.

10. Proposed Layout.

- a. Total acreage of site.
- b. Proposed lot layout with identification number and total number of lots.
- c. Lot width, depth and area.
- d. Rights-of-way, restrictive covenants, and easements for all drainage, utilities, and other purposes which might affect development, with designation of areas to be dedicated to the public use.
- e. Certification by the Pennsylvania Department of Environmental Protection (DEP) when individual sewerage disposal systems are to be installed (Sewer Planning Module).
- f. The following items shall be shown on the plan using the symbols shown:

- | | | | |
|---|---------------------------|---|---------------------|
|  | Proposed Well |  | Existing Well |
|  | Primary Absorption Field | > | Soil Probe Location |
|  | Percolation Test Location | | |

- g. Any storm drainage facilities or structures.
- h. Location, type of material of all existing or set monuments.
- i. All lots shall front on a public street, existing or proposed.
- j. Lots for annexation or not for development shall be so noted.

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- k. A note identifying by lot number the subdivided lots without adequate street frontage that cannot be further subdivided.
 - l. Intended use of subdivision.
 11. Boundaries of all adjoining properties with names of landowners and Deed Book volume and page number.
 12. Zoning Requirements. (From Foster Township Zoning Ordinance)
 - a. Applicable district.
 - b. Lot size and yard requirements.
 - c. Required open space.
 - d. Building setback lines.
 - e. Land use.
 13. Certificate of Ownership: (see Appendix F&G).
 - a. the owner shall acknowledge said statement (see Appendix F&G) before an officer authorized to take acknowledgements.
 - b. the seal of a notary public shall be impressed to the plan acknowledging owner's statement of intent.
 14. Certificate of Township Approval of the plan by the Board of Supervisors and Township Planning Commission shall be lettered on the plan using the form in Appendix H.
 15. A blank space measuring three and one-half (3-1/2") inches square shall be left, preferably adjacent to the Municipal Certification, in which the endorsement stamp of the County Planning Commission may be applied.
 16. A blank space measuring three (3") inches square shall be left along the lower edge of the plan, in order that the Recorder of Deeds may acknowledge receipt of the plan.
- C. Covenants.
1. All private deed restrictions already imposed or to be imposed as a condition to sale references to the drawing.
 2. The Township may require the inclusion of any specific restrictive

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covenants which will carry out the purposes of this Ordinance.

- D. Additional Information. The Township may require the submission of additional information.

ARTICLE 6 - MAJOR SUBDIVISION SKETCH PLAN

601. PRE-PLAN CONSULTATION

Prior to the submission of a Preliminary Plan, developers are encouraged to submit a Sketch Plan in person at a regular or special meeting of the Planning Commission. When submitted, Sketch Plans shall include the items in Section 602.

602. SKETCH PLAN SUBMISSION AND DRAWING REQUIREMENTS

- A. Submission Requirement. Six (6) print copies of the Sketch Plan shall be submitted in accordance with the provisions of this Article.
- B. Drawing Requirements. The Sketch Plan may be a scaled free-hand drawing and shall generally include:
 - 1. Approximate location of tract boundaries (may be obtained from County Tax Map or similar sources).
 - 2. Name of subdivision.
 - 3. Name, address, license number and seal of professional engineer, architect, landscape architect, or surveyor responsible for the plan.
 - 4. Date, including the month, day, and year that the sketch plan was completed.
 - 5. North arrow, graphic scale, and written scale.
 - 6. Significant topographical and manmade features.
 - 7. A statement of the total acres of the tract.
 - 8. A location map showing the general location of the subject property, with sufficient information to enable the location with respect to the Township.
 - 9. Proposed street, parking, building, lot layout, landscaping, recreational facilities and other planned features with dimensions to nearest foot.
 - 10. Statement telling methods of liquid and solid waste management and water

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supply.

11. A statement of the intended use of lots and/or buildings within the development.
12. Zoning data including all of the following, if applicable:
 - a. Existing Township zoning regulations, including district designation, requirements for lot size, yards, lot coverage and building height limitations, and any zoning boundary lines traversing the property.
 - b. Any variances to be requested by the subdivider or land developer.
 - c. Any Township regulations other than zoning, governing lot size and/or yard requirements.
13. Proposed water or sewer source.
14. Proposed stormwater management.
15. Proposed driveway locations.

ARTICLE 7 - MAJOR SUBDIVISION OR LAND DEVELOPMENT PRELIMINARY PLAN

701. PURPOSE

The purpose of the Preliminary Plan is to achieve formal approval of the overall development scheme proposed in order to minimize the need for any revisions of Final Plans.

702. SUBMISSION AND REVIEW PROCEDURE

A. Preliminary Plan Submission Required.

1. A Preliminary Plan Submission for a Major Subdivision or Land Development must be filed by the Applicant and reviewed in accordance with the provisions of Article 7.
2. A Preliminary Plan Submission need not be filed for a Minor Subdivision or Boundary Line Adjustment (see Articles 4 & 5).

B. Required Submission.

1. All of the information required in Article 6 for a Sketch Plan must also be included for Preliminary Plan.
2. The applicant shall file the plan at least ten (10) business days prior to a regularly scheduled Planning Commission meeting and all applications shall include the following:
 - a. Filing fee, as set by resolution of the Board of Supervisors (see fee schedule available at the Township Building), and the filing fee set forth by the Schuylkill County Planning Commission for review of the plan.
 - b. Two (2) copies each of the:
 - (i) Application Form (included in Appendix B); and
 - (ii) A Preliminary Plan Checklist is included in Appendix C.3.
 - c. *A minimum of eight (8) copies of the preliminary plan; and

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- d. *A minimum of four (4) sets of supportive documents.

* Note: The Township may require additional copies of the Final Plan and/or the supportive documents.

- 3. The Applicant shall forward plans to the following agencies when required and obtain their comments and approval prior to Preliminary Plan Approval:
 - a. Department of Environmental Protection (if required),
 - b. Soil Conservation District,
 - c. PA Department of Transportation (if State roads are involved, highway occupancy permits must be filed), (see Section 703.0), and
 - d. the appropriate utility companies.
- 4.
 - a. Each Preliminary Plan filed
 - (i) shall provide the information required by Section 703 and
 - (ii) shall conform to any changes recommended during the Sketch Plan procedure.
 - b. All sheets of Supportive documents shall provide the information required by Section 704.

C. Review by Various Agencies.

- 1. The final plan is reviewed by the Township Engineer, Township Code Enforcement Officer, County Planning Commission and if deemed necessary other Officials. These reviewers will report their findings to the Township Planning Commission and Board of Supervisors.
- 2. All plan reviews of the Preliminary Plan Submission shall be based on the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.
- 3. The Reviewing Agencies may make additional reports and recommendations to the Township during review of the plan.

D. Review by Commission. Within ninety (90) days following the date of the regular Commission meeting the Preliminary Plan was submitted for review (unless the Applicant grants a written extension of time for the Township review of such Submission), the Commission shall

- 1. Review all applicable reports received from the agencies and officers.

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2. Determine whether the Preliminary Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.
 3. Review the Preliminary Plan Submission with the Applicant, his agent, or representative and recommend any needed revisions so that the Submission will conform to this Ordinance, other ordinances, and statutes.
 4. Recommend approval, conditional approval. Or disapproval of the Final Plan Submission in a written report to the Board of Supervisors, specifying and recommended conditions for approval, identifying any defects found by the application, describing any requirements which have not been met, citing the provisions of any ordinance or statute relied upon.
- E. Review by Board of Supervisors. The Board of Supervisors shall:
1. Review the report of the Commission;
 2. Review the report of all other reviewing agencies received within forty-five (45) days from the date the Submission was forwarded to such agencies (the Supervisors may review the reports of such agencies received after the forty-five (45) day period);
 3. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes;
 4. Approve or reject the Preliminary Plan Submission within the time required by the Pennsylvania Municipalities Planning Code Act 247. (Currently the Act requires the Board of Supervisors to act not later than ninety (90) days following the date of the first regular meeting of the Commission held after it has accepted the Submission as being filed for review; but in no case shall the Supervisors' decision be made later than one hundred twenty (120) days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time.)
- F. Decision by Board of Supervisors.
1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or by certified or registered mail at his last known address not later than fifteen (15) days following the decision.

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2. Approval of the Preliminary Plan Submission shall constitute conditional approval of the subdivision or land development as to the character and intensity, but shall not constitute approval of the Final Plan or authorize the sale of lots or construction of buildings.
3. When the Preliminary Plan Submission is disapproved, the decision shall specify the defects found in the Submission, shall describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Failure of the Board of Supervisors to render a decision and communicate it to the Applicant within the time and in the manner required by Pennsylvania Municipalities Planning Code, Act 247 shall be deemed an approval of the plan as presented, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of communication of the decision.

G. Development in Stages.

1. If requested by the Applicant, the Board of Supervisors may permit the undertaking of the required improvements and the preparation of the Final Plan to be completed in a series of sections or stages, each covering a portion of the proposed subdivision as shown on the Preliminary Plan.
2. If the Final Plan is to be filed in sections or stages, each section or stage shall relate logically to provide continuity of access, extension of utilities, and availability of amenities.
3. The Board of Supervisors shall approve the boundaries and configuration of stages or sections of a development.

H. Final Plan Submission Deadline.

1. An Applicant shall file a Final Plan within one (1) year from the date of the approval of the Preliminary Plan by the Board of Supervisors, unless an extension in writing has been granted by the Board of Supervisors.
2. Failure to comply with this requirement shall render the Preliminary Plan null and void, and a new Preliminary Plan shall be submitted.

703. PRELIMINARY PLAN REQUIREMENTS

A. Plans Required.

1. The following plans shall be required for all major subdivisions and land developments and shall show the information set forth in Sections 703.B. through 703.K, as applicable:
 - a. Layout Plan (see Sections 703.B, C, D, and E.)
 - b. Grading and Storm Drainage Plan (see Sections 703.B, C, D, and F.)
 - c. Utility Plan (see Sections 703.B, C, D, and G.)
 - d. Erosion and Sedimentation Plan (see Sections 703.B, C, D, and H.)
 - e. Road Profiles (see Sections 703.B, C, and I.)
 - f. Sanitary Sewer Profiles (see Sections 703.B, C, and J.)
 - g. Storm Sewer Profiles (see Sections 703.B, C, and J.)
 - h. Construction Details (see Sections 703.B, C, and K.)
 - i. Key Plans, if Preliminary Plan contains more than one sheet.
2. The Plans listed in Section 703.A.1. may be combined if, in the discretion of the Commission, clarity of such plans will not be impaired.

B. Drafting Standards Required for All Plans.

1. Plans shall be prepared on a sheet no larger than 24" x 36".
2. All information shall be legibly and accurately presented.
3. Appropriate Scales
 - a. Plans shall be drawn at a scale of
 - (i) One (1") equals fifty (50') feet or
 - (ii) One (1") equals one hundred (100') feet.
 - b. Profiles shall be drawn at a vertical scale of
 - (i) Five (5') feet per inch or ten (10') feet per inch (for horizontal scale of 1" = 50') or
 - (ii) Ten (10') feet per inch (for horizontal scale of 1" = 100').
 - c. The Planning Commission may approve other acceptable scales.
4. All dimensions shall be set in feet and decimal parts thereof, and all bearings shall be set in degrees, minutes and seconds.

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5. Each sheet shall be numbered and shall show its relationship to the total number of sheets. If match lines are employed, a legend showing sheet relationship shall be provided.
6. Plans shall be so prepared and shall bear an adequate legend to indicate clearly which features are existing and which are proposed.
7. Where any revision is made, or when the plan is a revision of a previously approved plan, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the currently proposed features. Notations of revisions shall be dated.

C. General Information Required on All Plans.

1. Titled of Submission (e.g. "Preliminary Plan", "Final Plan")
2. Sheet title (e.g. "Layout Plan")
3. Name of subdivision or land development
4. Name and address, license number, signature and seal to Engineer's Statement (see Appendix D) of the professional engineer, architect, landscape architect or surveyor responsible for the preparation of the plan.
5. Date including month, day and year of plan completion and all subsequent revision dates.
6. Graphic and/or written scales

D. Information Required on All Layout Plans, Grading and Storm Drainage Plans, Utility Plans, and Erosion and Sedimentation Plans.

1. General information:
 - a. north arrow
 - b. site boundaries with closure of 1 in 10,000
 - c. boundaries of all adjoining properties with names of landowners
 - d. location, type, material and size of all existing or set monuments
2. Natural features:
 - a. generalized slope areas
 - (i) 15-25%






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- (ii) over 25%
 - b. location and extent of various soil types with S.C.S. classification and D.E.P. definition for each
 - c. forested areas
 - d. watercourses, lakes, flood-prone areas and wetlands (together with names, if any)
3. Location of existing man-made features on the site and within one hundred (100') feet from the site being subdivided or developed.
- a. streets and rights-of-way (including name and right-of-way widths) on the site and on immediately adjacent tracts
 - b. existing lot layout on the site or on immediately adjacent tracts, including lot number
 - c. historic sites or structures, including name and description
 - d. sewer lines, storm drains and culverts including, but not limited to, water lines and electric
 - e. bridges
 - f. utility easements, restrictive covenants, and easements for purposes which might affect development
4. Proposed features:
- a. layout of streets with centerlines, cartways and right-of-ways, and proposed names
 - b. layout of lots with identification number
 - c. building setback lines from all lot lines
 - d. in non-residential developments and planned residential developments, the arrangement and use of buildings and parking areas, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)
 - e. rights-of-way, restrictive covenants, and easements for all drainage, utilities, or other purposes which might affect development
 - f. sidewalks and pedestrian paths
 - g. open space areas
 - h. recreation facilities
 - i. proposed monuments with reference to proposed improvements
 - j. The following items shall be shown on the plan using the symbols shown:



Proposed Well

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	Existing Well
	Primary Absorption Field
	Soil Probe Location
	Percolation Test Location
	

E. Layout Plan.

1. Names and addresses of:
 - a. landowner
 - b. developer
 - c. adjoining property owners, including those across adjacent roads
2. Location map at a scale of 1" = 2000' or larger showing the relation of the site to adjoining properties, streets, zoning district boundaries, and municipal boundaries within one thousand (1000') feet.
3. Project summary list - the following information shall be listed on the Plan:
 - a. total acreage of site
 - b. applicable zoning district(s)
 - c. total number of lots in this development
 - d. density of dwelling units per acre
 - e. required lot size (from Zoning Ordinance)
 - f. proposed lot size, maximum, minimum and average
 - g. open space required
 - h. open space proposed
 - i. type of water systems
 - j. type of sanitary disposal systems
 - k. lineal feet of new road
 - l. deed source: volume and page
 - m. tax map: block and lot
 - n. required building setbacks
 - o. intended usage
 - p. parcels of land to be dedicated or reserved for schools, parks, playgrounds, or other public, semi-public, or community purposes must be noted on plans
 - q. provision for pedestrian circulation throughout the tract, when provided by means other than sidewalks

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4. Proposed or Existing Features:
 - a. approximate dimensions, and areas of lots expressed in both square feet and acres
 - b. streets
 - (i) cartway and right-of-way width
 - (ii) centerline with bearings, distances, horizontal curve data and stations corresponding to the profile
 - (iii) right-of-way and curb lines with horizontal curve radii at intersections
 - (iv) beginning and end of proposed construction
 - (v) tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartway and right-of-way
 - (vi) name
 - c. curve data for all curves included in the plans
 - d. clear sight triangles for all intersections
5. Owner's Statement of Acknowledgement (see Appendix F & G):
 - a. The owner shall acknowledge the statement contained in Appendix F & G before an officer authorized to take acknowledgements.
 - b. The seal of the notary public or other qualified officer acknowledging the owner's statement shall be impressed to the Plan and the signature of the owner on each cover sheet.
6. Certificate of Municipal Approval of the Plan by the Township Supervisors and Municipal Planning Commission shall be lettered on the plan, using the form in the Appendix.
7. A blank space measuring three and one-half (3-1/2") inches square shall be left, preferably adjacent to the Municipal Certification, in which the endorsement stamp of the County Planning Commission may be applied.
8. A blank space measuring three (3") inches square shall be left along the lower edge of the plan, in order that the Recorder of Deeds may acknowledge receipt of the plan.

F. Grading and Storm Drainage Plan.

1. a. Existing and proposed contour lines at intervals of
 - (i) five (5') feet (if slope is between 0% and 15%)

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- (ii) ten (10') feet (if slope is over 15%)
 - b. These contour intervals shall be based on a field survey or photogrammetric procedure at a scale of 1"=100' or larger. Extrapolation from U.S.G.S. maps shall not be acceptable. The datum to which elevations refer shall be stated.
 - c. The Planning Commission may waive the contour requirements or require a lessor interval to provide for proper design or slope delineation.
- 2. Street centerline data and stations corresponding to the profile.
- 3. Storm drainage
 - a. location and size of facilities with stations corresponding to the profile
 - b. location of inlets with invert elevation of flow line and grade at the top of each inlet
 - c. watershed areas for each drainage structure or swale
 - d. property lines and ownership, with details of easements where required
 - e. beginning and end of proposed construction
 - f. location of all other drainage facilities and public utilities in the vicinity of storm drain lines
 - g. hydraulic design standards for culverts, bridge structures and/or other storm facilities
- 4. Location and size of proposed drainage swales

G. Utility Plan.

- 1. If on-lot sanitary sewage disposal systems are being proposed:
 - a. existing and proposed contour lines at intervals of
 - (i) five (5') feet (if slope is between 0% and 15%)
 - (ii) ten (10') feet (if slope is over 15%)

(NOTE: These contour intervals shall be based on a field survey or photogrammetric procedure at a scale of 1"=100' or larger. Extrapolation from U.S.G.S. maps shall not be acceptable. The Planning Commission may waive the contour requirements or require a lessor interval to provide for proper design or slope delineation.)

- b. proposed location of wells

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- c. proposed or typical location of dwelling
- d. proposed location of subsurface disposal field
- e. location of percolation test holes and soil probe pit

2. If centralized sanitary sewers are being proposed:

- a. location and size of line with stations corresponding to the profile
- b. location of manholes with invert elevation of flow line and grade at the top of each manhole
- c. property lines and ownership, with details of easements where required
- d. beginning and end of proposed construction
- e. location of laterals
- f. location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines

3. If centralized water system is being proposed:

- a. location and size of waterline
- b. plans pertaining to water source
- c. An engineer's report shall be prepared and shall contain complete and accurate information relating to said community water supply. This report shall include, but shall not be limited to the following: mains, submains, valves, location and type of fire hydrants, water pressure to be delivered to the proposed properties and a statement from the water company that said company can and will supply the water as proposed in the developer's plan.

4. If on-lot water system is being proposed, location of all wells (existing and proposed.)

5. Street lighting

6. Gas mains, electric, telephone, and cable lines, should be shown.

H. Erosion and Sedimentation Plan.

- 1. Shall comply with the D.E.P. Soil Erosion and Sedimentation Control Manual and be in accordance with the regulations of the Schuylkill County Conservation District.
- 2. All storm water runoff calculations shall be governed by the parameters set forth in Appendix I.

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I. Road Profiles.

1. Profile of existing ground surface along centerline of street.
2. Proposed centerline grade with percent on tangents and elevations at fifty (50') foot intervals.
3. All vertical curve data including length, elevations and minimum sight distance as required by Article 11.

J. Sanitary Sewer and Storm Drain Profiles.

1. Profile of existing ground surface with elevations at top of manholes or inlets.
2. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole, and inlet locations, and invert elevations along flow line.
3. All line crossings of other utilities.
4. Invert elevations along flow line at manholes, inlets, and at line crossing of other utilities.

K. Construction Details.

1. Typical cross-section and specifications for street construction as required by Article 11.
2. Drainage swale cross-section and construction materials.
3. Pipe bedding details.
4. Storm drainage structures.
5. Sanitary sewer structures.
6. Curb and sidewalk details.
7. Any other details required by this Subdivision and Land Development Ordinance.

L. No subdivision or land development ordinance which will require access to a

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highway under the jurisdiction of the Pennsylvania Department of Transportation shall be finally approved unless the submission contains a receipt that a highway occupancy permit has been approved pursuant to Section 420 of the Act of June 1, 1945, known as the State Highway Law before driveway access to a State highway is permitted.

704. SUPPORTIVE DOCUMENTS AND INFORMATION

A. General Information.

1. All private deed restrictions or covenants already imposed or to be imposed as a condition of sale.
2. Map of all property holdings of the owner within one thousand (1000') feet of the proposed subdivision, indicating the site of proposed subdivision. A sketch plan of a proposed road system with any property holdings contiguous to the proposed subdivision.

B. Certification of a Centralized Sewage Disposal System.

1. Public. If the subdivision or land development is to be served by an existing sewer company or authority, the developer shall submit a copy of a letter from the company or authority which states that the company or authority can adequately serve the subdivision and which states any conditions required by the company or authority for the provision of services.
2. Private. If the subdivision or land development is to be served by a private centralized sewage disposal system, the developer shall submit a copy of a completed Planning Module for Land Development.

C. Certification of On-Lot Sewage System.

1. When the subdivision or land development is to be served by individual on-lot sewage disposal systems the developer shall submit a copy of a completed Planning Module for Land Development.

D. Certification of Public Water Supply System. If the subdivision or land development is to be served with water by an existing water company or authority, the developer shall submit a copy of a letter from such water company or authority which states that the company or authority can adequately serve the subdivision and which states any conditions required by the company or authority for the

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provision of services.

- E. Storm Drainage Calculations. All calculations (which shall be in accordance with Section 1120) relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Commission Engineer.
- F. Development Statement and Schedule. A statement setting forth in detail the character of the improvements the Applicant proposes to make on the property to be developed and a development schedule indicating the approximate date when construction can be expected to begin and be completed.
- G. Highway Occupancy Permit. A Highway Occupancy Permit approved by PennDOT for access to any adjoining State highway. Written comments indicating approval of occupancy permits at locations designated on submitted plans.
- H. Current Deed of Tract Being Subdivided. A copy of the current deed of the tract being subdivided shall be submitted.
- I. Protective Covenants. A description of the protective covenants or private restrictions to be incorporated in as though a part of the subdivision shall also be presented to the Commission.
- J. Preliminary design of any bridges or culverts meeting the applicable requirement of the Pennsylvania Department of Transportation and Pennsylvania Department of Environmental Protection.
- K. A complete report on subsurface coal conditions must be filed for areas underlaid by coal. Such a report shall show conditions of mining, if any, and a statement that no possibility of subsidence exists. All strip mines, spoil banks and bodies of water in abandoned stripping pits within one-half (1/2) mile of any development must also be accurately located and shall be so shown.

ARTICLE 8 - MAJOR SUBDIVISION OR LAND DEVELOPMENT - FINAL PLAN

801. PURPOSE

The purpose of the Final Plan is to require formal approval by the Planning Commission before plans for all major subdivisions and land developments are recorded.

802. SUBMISSION AND REVIEW PROCEDURE

A. Final Plan Submission Required.

1. A Final Plan Submission for each major subdivision or land development must be filed by the Applicant and reviewed in accordance with the provisions of Article 8.
2. A Final Plan for a minor subdivision shall be filed by the Applicant and reviewed in accordance with the provisions of Article 5.

B. Submission Deadline.

1. An Applicant shall file a Final Plan Submission within five (5) years from the date of the approval of the Preliminary Plan by the Board of Supervisors, unless an extension in writing has been granted by the board of Supervisors.
2. Failure to comply with this requirement shall render the Preliminary Plan Submission null and void, and a new Preliminary Plan Submission must be filed.

C. Required Submission.

1. The Final Plan itself shall contain all of the information required for Preliminary Plan Approval in addition to the following.
2. The applicant shall file the plan at least ten (10) business days prior to the regularly scheduled Planning Commission meeting and all applications shall include the following:
 - a. Filing fee, as set by resolution of the Board of Supervisors (see fee schedule available at the Township Building), and the filing fee set forth the Schuylkill County Planning Commission for review of the plan.

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- b. Two (2) copies of each of the
 - (i) Application form (included in Appendix B) and
 - (ii) Final Plan checklist for major subdivision or land development (included in Appendix C.4)
- c. *A minimum of eight (8) copies of the Final Plan, and
- d. *A minimum of four (4) copies of the supportive documents.

*Note: The Township may require additional copies of the Final Plan and/or the supportive documents.

- 3. The Applicant shall forward plans to the following agencies when required and obtain their comments and approval prior to Final Plan Approval (where applicable):
 - a. Municipal Authority (if applicable),
 - b. Soil Conservation District,
 - c. PA Department of Transportation (if State roads are involved; if State roads are involved, Highway Occupancy Permits must be filed),
 - d. the appropriate utility companies,
 - e. Sewage Enforcement Officer, and
 - f. Department of Environmental Protection.
- 4.
 - a. Each Final Plan filed
 - (i) shall provide the information required by Section 703.
 - (ii) shall conform with the approved Preliminary Plan and any changes recommended during the Preliminary Plan review
 - b. All sheets of Supportive Documents shall provide the information required by Section 804.

D. Review by Various Agencies.

- 1. The final plan is reviewed by the Township Engineer, Township Code Enforcement Officer, County Planning Commission, and if deemed necessary other officials. These reviews will report their findings to the Township Planning Commission and Board of Supervisors.
- 2. All plan reviews of the Final Plan Submission shall be based on the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes.

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3. The Commission Engineer may make additional reports and recommendations to the Commission and the Supervisors during review of the Plan.

E. Review by Commission. Within ninety (90) days following the date of the regular Commission meeting the final plan was submitted for review (unless the Applicant grants a written extension of time for the Township review of such Submission) the Commission shall

1. Review all applicable reports received from the agencies and officers listed in Section 802.C.3;
2. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as other applicable ordinances, and statutes;
3. Review the Final Plan Submission with the Applicant, his agent, or representative and recommend any needed revisions so that the Submission will conform to this Ordinance, other ordinances, and statutes.
4. Recommend approval, conditional approval. Or disapproval of the Final Plan Submission in a recommended written report to the Board of Supervisors, specifying and recommended conditions for approval, identifying any defects found by the application, describing any requirements which have not been met, citing the provisions of any ordinance or statute relied upon.

E. Review by Board of Supervisors. The Board of Supervisors shall:

1. Review the report of the Commission;
2. Review the report of all other reviewing agencies received within forty-five (45) days from the date the Submission was forwarded to such agencies (the Supervisors may review the reports of such agencies received after the forty-five (45) day period);
3. Determine whether the Final Plan Submission meets the objectives and requirements of this Ordinance, as well as, other applicable ordinances, and statutes;
4. Approve or reject the Final Plan Submission within the time required by the Pennsylvania Municipalities Planning Code Act 247. (Currently the Act requires the Board of Supervisors to act not later than ninety (90) days following the date of the first regular meeting of the Commission held after

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it has accepted the submission as being filed for review; but in no case shall the Supervisors' decision be made later than one hundred twenty (120) days following the date the Submission was accepted as being filed for review, unless the Applicant grants a written extension of time.)

F. Decision by Board of Supervisors.

1. The decision of the Board of Supervisors shall be in writing and shall be communicated to the Applicant personally or by certified or registered mail to his last known address, not later than fifteen (15) days following the decision.
2.
 - a. The approval of the Final Plan by the Board of Supervisors shall not constitute an acceptance of the dedication of any street or other proposed public way, space, or area shown on the Final Plan.
 - b. Any such acceptance of dedication shall be specifically stated along with the signatures required for approval.
 - c. If the Board of Supervisors elects to accept lands offered for dedication, the Submission shall be accompanied by duly executed instruments of conveyance to the County or Township. Such instruments shall state that the title thereof is free and unencumbered.
3. When the Final Plan Submission is disapproved, the decision shall specify the defects found in the Submission, shall describe the requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.
4. Failure of the Board of Supervisors to render a decision and communicate it to the Applicant within the time and in the manner required by the Pennsylvania Municipalities Planning Code Act 247, shall be deemed an approval of the Plan as presented, unless the Applicant has agreed in writing to an extension of time or change in the prescribed manner of communication of the decision.
5. At the request of the Applicant, the Township shall furnish the Applicant with a signed copy of a resolution indicating approval of the Applicant's Final Plan contingent upon the Applicant obtaining a satisfactory financial security. The Final Plan will not be signed by Township officials until a satisfactory financial security is presented. The resolution 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

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extension is granted by the Township.

6. For all subdivisions where the lots are to be served by other than individual wells, for a land development to be served by other than an individual well, the Applicant shall present evidence to the Township that the subdivision or land 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 utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence.

803. FINAL PLAN REQUIREMENTS

- A. All Final Plan Requirements shall be in accordance with Section 703 and the additional items listed below in Section 803.B.
- B. Additional Requirements.
 1. A property survey shall be performed of the entire tract to be developed if it is less than ten (10) acres in size. In cases where the tract is over ten (10) acres and only a portion of it is to be developed, only that portion to be developed need be surveyed.
 2. Protective covenants providing for:
 - a. building setbacks
 - b. clear sight triangle easements
 - c. utility, drainage and slope easements
 - d. "Well and sewage disposal systems shall be constructed in accordance with recommended standards of the Pennsylvania Department of Environmental Protection." (if applicable)
 - e. "Individual owners of lots must apply to the Municipality for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system." (if appropriate)
 - f. "The Planning Commission has not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system." (if appropriate)
- C. Landscape Plan.

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1. This Plan shall show:
 - a. existing vegetation to be removed,
 - b. existing vegetation to be preserved,
 - c. proposed planting schedule, including the locations, species and sizes of plantings, and
 - d. existing and proposed grades

D. Other Additional Information.

1. If the subdivision or land development proposes a new street or driveway intersection with a State Road, a letter from the PennDOT indicating approval of such intersection must be received.
2. A copy of all permits from PADEP for affecting water courses, bodies of water or water obstructions must be obtained.
3. A letter from the Schuylkill County Conservation District indicating that the erosion and sedimentation control measures detailed on the plan will be acceptable.
4. A street lighting plan indicating location, type, height of fixture and illumination area specified in accordance with acceptable lighting standards published by the Lighting Engineers Society must be shown on the plan.
5. The proposed location and type of traffic control devices must be shown on the plan.
6. In the case of sewage disposal proposed by sub-surface or alternate methods, all approved local and state permits and planning modules must be submitted.

804. SUPPORTIVE DOCUMENTS AND INFORMATION

- A. Deed Restrictions. All private deed restrictions or covenants already imposed or to be imposed as a condition to sale.
- B. Dedicated Improvements. The developer shall provide a deed of dedication together with an 8.5" x 11" plan of each such improvement.
- C. Nondedicated Streets Agreement.

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1. Agreement for any street not offered for dedication.
 2. Such agreement shall state who is responsible for the improvement and maintenance of such streets until dedicated for the Municipality.
 3. If an association of lot owners is made responsible, such association must be legally organized prior to plan approval.
- D. Open Space Agreement. A formal contract providing for the maintenance of open space and the method of management, together with all offers of dedication and covenants governing the reservation and maintenance of undedicated open space, bearing the certificate of approval of the Township Solicitor.
- E. Utilities Agreements and Permits.
1. All signed agreement or contracts with utility companies, water companies or authorities or sewage companies or authorities for the provision of services to the subdivision.
 2. Approval letters from all appropriate Federal and State agencies of any private centralized water supply system or sewage disposal system.
- F. Storm Drainage Calculations. All calculations relating to facilities appearing on the Grading and Storm Drainage Plan and the Erosion and Sedimentation Plan shall be submitted for review by the Commission and Township Engineer. (see Appendix I and Section 1120).
- G. Development Statement and Schedule. A statement setting forth in detail the character of the improvements the Applicant proposes to make on the property to be developed and a development schedule indicating the approximate date when construction can be expected to begin and be completed.
- H. Current Deed of Tract Being Subdivided. A copy of the current deed of the tract being subdivided shall be submitted for review by the Township.

ARTICLE 9 - GUARANTEE OF IMPROVEMENTS INSTALLATION

901. GUARANTEE OF IMPROVEMENTS INSTALLATION REQUIRED

Before approving major subdivision or land development plan for recording, the Planning Commission requires that the Township be assured (by means of a proper Development Agreement and Performance Guarantee) that the improvements required by this Ordinance and the improvements appearing on the plan will be installed in strict accordance with the standards and specifications of this Ordinance.

902. IMPROVEMENTS TO BE PROVIDED BY THE APPLICANT

- A. In all cases, the subdivider or land developer shall be responsible for the installation of all improvements required by this Ordinance.
- B.
 - 1. The Commission Engineer or the Township's designee shall make such inspections of the required improvements to assure compliance with this Ordinance.
 - 2. The reasonable costs of such inspection shall be borne by the subdivider or land developer.

903. DEVELOPMENT AGREEMENT

- A. Development Agreement Required.
 - 1. All Applicants proposing any subdivision or land development which provide for the installation of improvements required by this Ordinance or any improvements or amenities which appear on the plan shall be required to enter into a legally binding Development Agreement with the Township prior to Final Plan Approval. A copy of this agreement is provided in Appendix J.
 - 2. The Development Agreement shall guarantee the installation of said improvements in strict accordance with all Township requirements.
 - 3. The Final Plan shall not be approved by the Commission prior to the execution of this agreement and the delivery of the Performance Guarantee.

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- B. Terms of Development Agreement. The Development Agreement shall be in the manner and form approved by the Township Solicitor and it shall consist of the following terms, where applicable:
1.
 - a. The construction depicted upon the approved plans in itemized format.
 - b. Construction of streets with related curbs, street signs, drainage facilities and related improvements.
 - c. Installation of utility lines.
 2.
 - a. A work schedule prepared by the developer's engineer setting forth the beginning and ending dates and such other details as the Township deems fit and appropriate for the improvements covered by the Development Agreement, and
 - b. An inspection schedule approved by the Commission Engineer. The developer shall provide the Commission Engineer with notice at least forty-eight hours prior to scheduling inspections.
 3.
 - a. The provision of a Performance Guarantee for completion of required improvements which complies with Section 904.
 - b. The estimated cost of the improvements, including a detailed breakdown in a form acceptable to the Planning Commission and amount of the Performance Guarantee.
 - c. All improvements subject to the Development Agreement shall be approved according to the approved inspection schedule and Section 904.
 4.
 - a. Developer's responsibilities for damage to other property.
 - b. Developer shall secure or maintain public liability insurance for the duration of improvements construction. A copy (of other evidence of coverage) shall be submitted to the Township.
 - c. A save harmless clause to protect the Township from liability.
 - d. Prevention of erosion, sedimentation and water damage to the subject and adjacent properties.
 5. Dedication of streets, transfer of water and sewer lines and easements.
 6. The developer shall provide the Township with a set of "AS BUILT" plans prepared by and certified to by a Professional Engineer of all streets, storm and sanitary sewers, and water distribution facilities.
 7. The developer shall be responsible for all reasonable engineering and legal costs and expenses for review, inspection, consultations, and preparation of

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agreements.

8. Provisions for violation of the Development Agreement.
9. Any other lawful terms which the Township Solicitor may require to carry out the provisions of this Ordinance.

904. PERFORMANCE GUARANTEE

The Performance Guarantee for completion of required improvements shall meet the following requirements:

A. Security.

1. The Guarantee shall be secured by the credit of any of the following:
 - a. An irrevocable and unconditional letter of credit of a Federal or Commonwealth chartered lending institution,
 - b. A restrictive or escrow account in a Federal or Commonwealth chartered lending institution, or
 - c. Such other financial security approved by the Planning Commission (which approval shall not be unreasonably withheld).
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 the date fixed in the Development Schedule for the completion of such improvements.
3. 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 executed by such sureties as are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570 (amended) by the Audit Staff, Bureau of Government Financial Operations, U.S. Treasury Department.

B. Amount.

1. The amount of financial security shall be equal to one hundred ten (110%) percent of the cost of the required improvements for which financial security is to be posted.
2. a. The cost of the improvements shall be established by an estimate

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prepared by the developer's professional engineer, submitted for review and approval by the Township and the Commission Engineer.

- b. The cost of such improvements shall be the cost as of ninety (90) days following the projected date of completion of such improvements plus ten (10%) percent of such cost. Annually, the Township may adjust the amount of bond required to ensure it remains equal to the said one hundred and ten (110%) percent referenced in this subsection.
3. 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 shall be increased by an additional ten (10%) percent for each one-year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (100%) percent of the cost of completing the required improvements as re-established on or about the expiration of the preceding one-year period by using the above bonding procedure.
- C. Multi-Year or Multi-Stage Development. In the case where development is projected over a period of years, the Planning Commission may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

905. APPROVAL OF IMPROVEMENTS

- A. In General. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors 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.
- B. Notice of Completion. When the developer has completed an improvement, the developer shall notify the Board of Supervisors in writing by certified or registered mail of such completion and request for release and shall send a copy thereof to the Township Engineer.
- C. Engineer's Report.
 1. Within thirty (30) days of the receipt of such request, the Township Engineer shall submit a written report certifying which improvements have

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been completed in accordance with the approved plan to the Board of Supervisors and mail a copy of such report by certified or registered mail to the developer at his last known address.

2. This report shall be based on the inspections made according to the approved inspection schedule included in the Development Agreement and shall recommend approval or rejection of the improvements, either in whole or in part.
3. If the Engineer finds any or all of the improvements to be not as required, he shall include a statement of the reasons for recommending their rejection in the report.

D. Decision by Board of Supervisors.

1. At its first regularly scheduled meeting after receiving the Engineer's Report (but not later than forty-five (45) days of the receipt of the request) the Board of Supervisors shall review the Engineer's Report and shall authorize release of an amount as estimated by the developer's engineer fairly representing the value of the improvements completed after review and approval by the Township Engineer.
2. The Board of Supervisors shall be deemed to have approved the release of funds as requested if the Board of Supervisors fails to act within forty-five (45) days of receipt of the developer's request.
3. Until final release (completion of all improvements), the Board of Supervisors shall require retention of ten (10%) percent of the cost of each completed improvement.
4. The Board of Supervisors shall notify the developer in writing by certified or registered mail of the decision.

E. Completion of Unapproved Improvements. The developer shall proceed to complete any improvements not approved by the Board of Supervisors and, upon completion, request approval in conformance with the procedures specified in Section 905.

F. Final Release.

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall request Final Approval in conformance with the procedures specified in Section 905.

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2. Such Final Release shall include all monies retained under Section 905.D.3.
- G. Appeal. 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 Board of Supervisors or the Township Engineer.

906. REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

- A. Enforcement of Security. 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 Board of Supervisors is hereby granted the power to enforce any corporate bond (or other security) by appropriate legal and equitable remedies.
- B. Completion by Township. If the 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 Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.
- C. Proceeds for Installation of 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 Township purpose.

907. MAINTENANCE AGREEMENT

- A. Maintenance Agreement Required.
 1. All Applicants proposing any subdivision or land development which provides for the dedication of improvements required by this Ordinance or any improvements or amenities which appear on the Plan shall be required to enter into a legally binding Maintenance Agreement with the Township prior to acceptance of dedication by the Township.
 2. The dedication of any improvement shall not be accepted by the Township prior to the execution of a Maintenance Agreement and the delivery of the Maintenance Guarantee.
- B. Terms of Maintenance Agreement.

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1. The Maintenance Agreement shall be in the manner and form approved by the Township Solicitor.
 2. The Maintenance Agreement shall require the Applicant to make any repair or reconstruction of any improvement stipulated in the Maintenance Agreement which is specified by the Board of Supervisors as necessary by reason of faulty construction, workmanship, or materials prior to acceptance of such improvement by the Township.
 3. The Maintenance Agreement shall require the Applicant to maintain at his own cost all improvements stipulated in the Maintenance Agreement for a period of eighteen (18) months from the date of acceptance or dedication by the Township.
 4. The Maintenance Agreement shall 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 plat for a term of eighteen (18) months from the date of acceptance of dedication.
- C. Nothing herein shall be construed as obligating the Township to accept dedication of any roadway.
- D. Public Utilities and Authorities. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Section.

908. MAINTENANCE GUARANTEE

- A. Security. The Maintenance Guarantee shall be secured by the credit of any of the following:
1. An irrevocable and unconditional letter of credit of a Federal or Commonwealth chartered lending institution,
 2. A restrictive or escrow account in a Federal or Commonwealth chartered lending institution, or

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3. Such other financial security approved by the Board of Supervisors (which approval shall not be unreasonably withheld) and executed by such sureties as are named in the current list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies" as published in Circular 570 (amended) by the Audit Staff, Bureau of Government Financial Operations, U.S. Treasury Department.
- B. Terms. Such Maintenance Guarantee shall be in the form approved by the Township Solicitor, payable to the Township, to guarantee the maintenance and repair of the streets and other improvements in the subdivision for eighteen (18) months from the date of acceptance thereof by the Township.
 - C. Amount. The amount of the Maintenance Guarantee shall be determined by the Township, shall not exceed fifteen (15%) percent of the actual cost of installation of such improvements.
 - D. Release. After the expiration of eighteen (18) months from the date of acceptance of said improvements, the Township shall release said Maintenance Guarantee to the developer (or party posting said Maintenance Guarantee) if all improvements are in satisfactory condition.

ARTICLE 10 - RECORDING OF FINAL PLAN

1001. RECORDING OF FINAL PLAN

- A. Deadline. The Applicant shall record the Final Plan approved by the Board of Supervisors in the Office of the Recorder of Deeds of the County within ninety (90) days of such final approval, unless an extension has been granted in writing by the Board of Supervisors.
- B. Notification. Within fifteen (15) days of recording, the Applicant shall notify the Board of Supervisors in writing of the date of such recording and the plan book and page wherein such plan is recorded. (A copy of the receipt of the recording is acceptable).
- C. Failure to Record. If the plan is not recorded within the required time period, the approval shall lapse and become void.

1002. RECORDING OF PLAN

The Record Plan shall be two (2) clear and legible blue or black line prints of the Approved Final Plan and shall be submitted to the County Recorder of Deeds. (See Table 1 on Page 10-2)

1003. EFFECT OF RECORDING

- A. Official Map. After a subdivision or land development has been duly recorded, the streets, parks, and other public improvements shown thereon shall be considered to be a part of any Official Map of the County and Township.
- B. Improvements Private. Every street, park, or other improvement shown on a subdivision or land development plan that is recorded, as provided herein, shall be deemed to be a private street, park, or improvement until such time as
 - 1. it has been offered for dedication to the Township and accepted, by resolution and recorded, or
 - 2. it has been condemned for use as a public street, park, or improvement.
- C. Dedication of Improvements. Streets, parks, and other public improvements shown on a subdivision or land development plan to be recorded

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1. may be offered for dedication to the Township by formal notation thereof on the plan, or
2. the owner shall note on the plan that such improvements have not been offered for dedication to the Township.

TABLE 1

RECORDER OF DEEDS PLAN RECORDING REQUIREMENTS FOR THE SCHUYLKILL COUNTY		
- Final Plan Shall Be No Larger Than 24" x 36"		
- 2 Original Plans With The Following Conditions:		
	YES	NO
● Owner's Original Signature	X	
● Notary Public's Signature with Raised Seal	X	
● Sewage Enforcement Officer's Signature ¹		X
● Engineer's, Surveyor's - Seal Number ² - Signature ²		X X
● Township Planning Commission Approval	X	
● Board of Supervisors Approval	X	
● County Planning Commission Approval	X	

1. Planning Module Required by Township

2. Required by Township

ARTICLE 11 - DESIGN STANDARDS

1101. APPLICATION

- A. Standards to be Applied. The following design standards and requirements will be applied by the Township Planning Commission and the Board of Supervisors in evaluating plans for proposed subdivisions.
- B. Minimum Provisions. The standards and requirements contained in Article 11 are intended as the minimum design standards for promotion of the public's health, safety and general welfare. Whenever developments increase these minimum standards the developer is assured of increased benefits to himself and to potential purchasers. The Township recommends increases above these minimum standards and favors such increases whenever possible.
- C. Municipal Regulations to Govern. Whenever another municipal regulation or ordinance impose more restrictive standards and requirements than those contained herein, the more stringent shall control the design.
- D. Additional Improvements. Additional or higher type improvements may be required in specific cases where, in the opinion of the Planning Commission and the Board of Supervisors, they are necessary to create conditions essential to the health, safety, morals, and general welfare of the citizens of the Township, to protect the environment of the Township, or to carry out the purposes of this Ordinance.
- E. Modifications and Exceptions.
 - 1. If any mandatory provisions of these regulations are shown by the applicant to the satisfaction of the Board of Supervisors to be unreasonable, to cause undue hardship, or that an alternate standard can provide equal or better results, the Board of Supervisors may grant a modification to that provision. A modification may be granted provided that such modification will not be contrary to public interest and the purpose and intent of this Ordinance is observed.
 - 2. Any request for modification shall be submitted in writing, citing the specific observations or standards from which relief is requested, and should be part of the preliminary or final plan submission.
 - 3. It is not sufficient proof of hardship to show that greater profit would result if the modification were granted. Furthermore, hardship cannot be claimed

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by one who purchases with or without knowledge of restrictions; it must be from the application of this Ordinance; it must be suffered directly by the property in question; and evidence of a modification granted under similar circumstances shall not be considered.

4. In granting modifications, the Board of Supervisors may impose such conditions as will, in its judgement, to secure substantially the objectives of the standards or requirements so modified.
5. The Township shall keep a written record of all requests for modifications.
6. If a modification is granted, it shall be referenced in the Conditions of Approval of the plan and shall apply only to that plan.

1102. DESIGN STANDARDS

A. Land Requirements. Land shall be suited to the purpose for which it is to be divided. In general, the Township shall take the following factors into consideration:

1. Land subject to periodic flooding or other hazards to life, health, property, shall not be subdivided for residential purposes unless adequate safeguards against such hazards are provided by the plan.
2. Areas characterized by steep slopes, rock formations, or other such features, shall not be subdivided for residential purposes.
3. Areas subject to subsidence, settling, or within five hundred (500) feet of any stripping holes shall not be subdivided for residential purposes unless a waiver of responsibility is clearly stated and accepted by applicant.

B. Natural and Historic Feature Preservation.

1. The Planning Commission and Board of Supervisors may require that the design and development of subdivisions and land developments shall preserve, insofar as possible, natural, scenic, and historic features, which will add attractiveness by providing parks, adequate open space for recreation, light and air by proper distribution of population thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens and for the harmonious development of the Township.
2. Some of these features are the natural terrain and natural drainage, large trees or groves, watercourses and falls, historic areas and structures, scenic

views and landmarks, and other community assets.

1103. COMMUNITY FACILITIES AND MASTER PLAN REQUIREMENTS

The Board of Supervisors will consider the adequacy of existing or proposed community facilities to serve the uses proposed in the subdivision. Where a proposed park, playground, school or other public use shown in the Foster Township Comprehensive Plan is located in whole or in part in a subdivision, the Board of Supervisors may require the provision or reservation of such area as may be deemed reasonable; provided, that such provision or reservation is acceptable to the Township.

- A. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed.
- B. The layout of the proposed subdivision shall be in general conformity with the features or developments proposed in the Foster Township Comprehensive Plan.
- C. The use of the land in the subdivision or land development shall conform to the Foster Township Zoning Ordinance.
- D. A subdivision or land development and its street pattern shall be coordinated with existing nearby developments or neighborhoods so that the area as a whole may be developed harmoniously.

1104. LOTS AND LOT SIZES

- 1. All lots shall front on an existing or proposed public street or on a private street if such street conforms to the standards contained in this Ordinance and are approved as such by the Board of Supervisors.

The width of required frontage for any particular lot is dictated by the Zoning Ordinance. Any variation from the required width must be addressed by the Planning Commission.

- 2. Side lots shall be substantially at right angles or radial to street lines.
- 3. If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, or dedicated to public use if acceptable to the Board of Supervisors.
- 4. Double frontage lots are prohibited, except where employed to prevent vehicular access to major traffic streets.

5. Depth and width of parcels laid out or reserved for nonresidential use shall be sufficient to provide satisfactory space for off-street parking, loading and unloading, required setbacks, landscaping, etc.
6. In order to avoid problems of jurisdiction, the lot lines, where feasible, shall follow municipal boundary lines rather than cross them. In the event that lot lines cross municipal boundaries, the affected adjoining municipality will be offered to make comments concerning the development.
7. In general, the depth of lots in residential subdivisions should not be less than one (1) nor more than three (3) times their width.

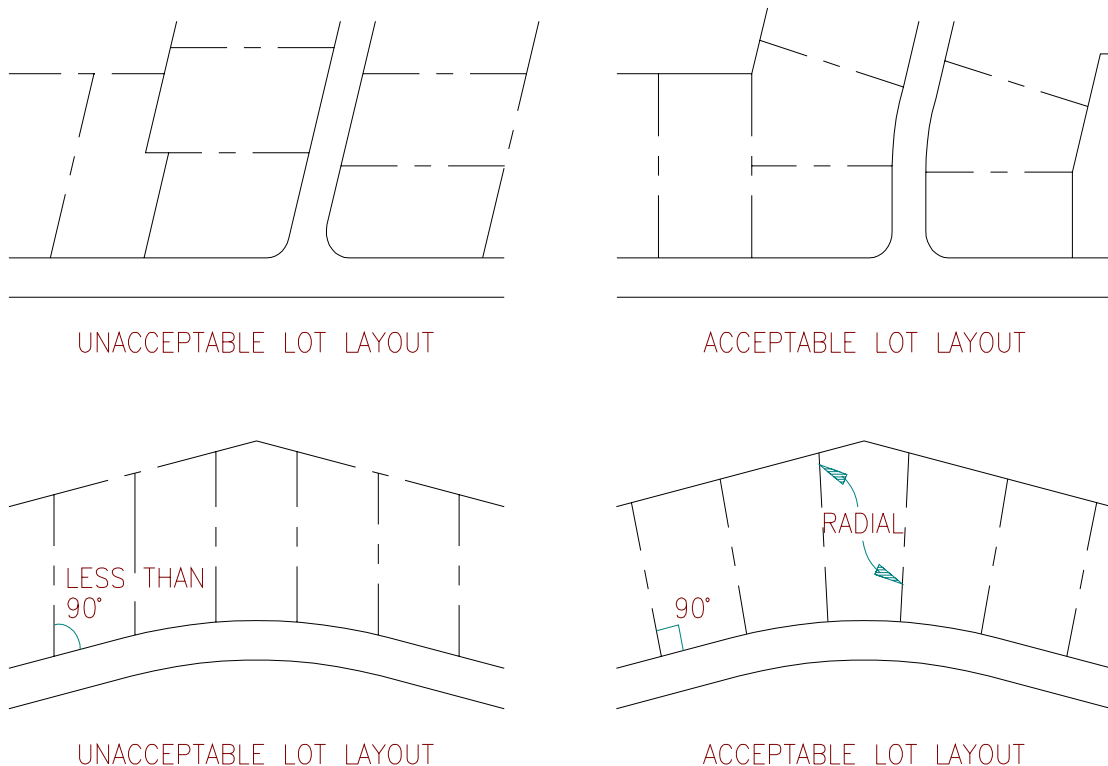


FIGURE 11.1

8. A cluster form of development is a commonly used alternative to the typical lot layout. The Township Supervisors may permit the alternative design at their discretion.

1105. LOT ACCESS

- A. Direct access from residential lots to arterial streets shall be avoided whenever

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possible. Where such direct access cannot be avoided, adequate turnaround space shall be provided behind the right-of-way line.

- B. A valid Highway Occupancy Permit issued by the Pennsylvania Department of Transportation, must be displayed to prove that access to a state road or highway has been authorized. Driveways serving single family residences shall intersect streets at angles of no less than sixty (60) degrees. All other driveways or access roads shall intersect streets at right angles, where possible, and in no instance shall such intersection be less than seventy-five (75) degrees.
- C. The width of access roads or driveways shall be in accordance with the following:
 - 1. For all multi-family residential and non-residential subdivisions, access roads shall be no less than twenty-two (22) feet in width at the street line, and shall clearly be defined by the use of curbing. The Board of Supervisors must address any request for a variation from this requirement.
 - 2. For single family residential subdivisions, individual driveways shall be not less than ten (10) feet in width and no greater than twenty (20) feet in width at the street line.
- D. In order to provide for safe and convenient ingress and egress points, access roads and driveway entrances shall be rounded at the following radius:
 - 1. For multi-family residential and all non-residential subdivisions, access road entrances shall be rounded at a minimum radius of ten (10) feet.
 - 2. For single family residential subdivisions, driveway entrances shall be rounded at a minimum radius of five (5) feet.
- E. The grades on access roads or driveways shall not exceed the following:
 - 1. Eight (8) percent when access is to an arterial street.
 - 2. Twelve (12) percent when access is to a collector or minor street.
- F. The minimum distance from the centerline of an access road or driveway, at its point of access to a street, to the centerline of the intersecting street shall not be less than the following (for single family residential subdivisions):
 - 1. One hundred fifty (150) feet if the intersecting street is an arterial street.
 - 2. One hundred (100) feet if either street is a collector street.
 - 3. Seventy-five (75) feet if both streets are minor streets.

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- G. The minimum distance from the centerline of an access road or driveway, at its point of access to a street, to the centerline of the intersecting street shall not be less than the following (for multi-family residential, and all non-residential subdivisions):
 - 1. Three hundred (300) feet if either street is an arterial street.
 - 2. Two hundred (200) feet if either street is a collector street.
 - 3. One hundred fifty (150) feet if both streets are minor streets.
- H. All driveways will be designed to permit unimpeded drainage flows.

1106. EASEMENTS

- A. Easements with a minimum width of ten (10) feet plus the width of any required pipe or other improvements shall be provided as necessary for utilities.
- B. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- C. Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

1107. BLOCK DESIGN STANDARDS

- A. Block Layout.
 - 1. The length, width and shape of blocks shall be determined with respect to the following:
 - a. The provision of adequate sites for the type of building being proposed.
 - b. The Foster Township Zoning Ordinance.
 - c. The existing topographical features.
 - d. The requirements for safe and convenient vehicular and pedestrian circulation.
- B. Block Length.
 - 1. Blocks in residential subdivisions shall generally be no less than five

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hundred (500) feet in length or no more than one thousand eight hundred (1800) feet in length in subdivisions using an average lot size of one (1) acre or larger and shall not exceed one thousand two hundred (1200) feet in length in subdivisions using an average lot size of less than one (1) acre, unless permitted by the Board of Supervisors.

2. In the design of blocks longer than one thousand (1000) feet, special consideration shall be given to the requirements of satisfactory fire protection.
3. Blocks along collector streets, where feasible, shall not be less than one thousand (1000) feet in length.
4. Pedestrian interior walks may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than ten (10) feet and a paved walk of not less than five (5) feet.

C. Block Depth.

1. Block depth in residential subdivisions shall be sufficient to accommodate two (2) tiers of lots, except:
 - a. Where prevented by the size, topographical conditions or other conditions inherent in the property, in which instance a single tier of lots may be approved by the Planning Commission in lieu of the two (2) tiers of lots.

D. Industrial Blocks.

1. Blocks in industrial subdivisions may vary from the design elements as detailed above provided that adequate provision is made for traffic circulation, off-street parking, loading areas and fire protection.

1108. STREET DESIGN STANDARDS

A. General Requirements.

1. Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the Township and they should further conform to the road and highway plans of both the State and the County. Proposed streets shall be designed to provide adequate vehicular access to all lots or parcels and with due regard to existing topographic conditions, projected traffic volumes and the possibility of

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future subdivision activity in the area.

2. The proposed street layout shall provide for the continuation or projection of existing streets in the surrounding area unless the Board of Supervisors deems such extension undesirable for specific reasons of topography or design.
3. The street system of a proposed subdivision or land development shall be designed to create a hierarchy of street functions which includes collector and minor streets.
4. Streets shall be logically related to the topography to produce usable lots and reasonable grades.
5. The street system of a proposed subdivision or land development shall be designed to minimize street intersections and pedestrian and vehicular conflict points.
6. Proposed minor streets shall be designed to discourage through traffic and excessive speeds. However, the developer shall give adequate consideration to the provision for the extension and continuation of collector streets into and from adjacent properties.
7. Proposed streets shall be extended to provide access to adjoining property where necessary.
8. Adequate street rights-of-way shall be provided as necessary where lots in the proposal are large enough to permit resubdivision, or if a portion of the tract is not subdivided.
9. Where a subdivision abuts or contains an existing or proposed major traffic street, the Board of Supervisors may require marginal access streets, rear service alleys, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.
10. New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards contained herein and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.
11. Where a subdivision abuts an existing street of inadequate width or alignment, the Board of Supervisors may require the owner to dedicate sufficient land to widen the street or correct the alignment.

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12. Private streets, which are not to be offered for dedication, shall be approved only if they conform to the street design and improvement standards as established in this Ordinance.
13. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
14. Dead-end streets shall be prohibited except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs.
15. New reserve strips, including those controlling access to streets, shall be avoided.

1109. STREET RIGHT-OF-WAY AND CARTWAY WIDTHS

- A. Street right-of-way and cartway (pavement) widths in proposed subdivisions shall conform to the standards established in Table 3 (Page 11-13).
- B. The general standards established in Article 1109.A may be modified by the Board of Supervisors upon the recommendation of the Township Engineer. Such modification may occur only after an analysis of proposed development densities, provisions for off-street parking and projected volumes of traffic have been completed. The burden of proof for such modification shall be upon the developer to justify the adequacy of rights-of-way or cartway widths, which are less than those established in Article 1109.A.

1110. HORIZONTAL CURVES

- A. When the deflection of street centerlines is greater than five (5) degrees within five hundred (500) feet, an appropriate connection shall be made using horizontal curves.
- B. Horizontal curves, designed to produce the following minimum sight distances shall be used:
 1. Minor Streets - one hundred fifty (150) feet.
 2. Collector Streets - three hundred (300) feet.
 3. Arterial Streets - six hundred (600) feet.
- C. Tangents, with a minimum length of one hundred (100) feet, shall be used between

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curves on both collector and arterial streets and between a curve and a street intersection where one of the intersecting streets is a collector or an arterial street.

1111. STREET GRADES

- A. The minimum centerline grade on all streets shall be five tenths (0.5) percent.
- B. Unless approval is obtained from the Board of Supervisors upon recommendation from the Township Engineer, the centerline grades shall not exceed the following:
 - 1. Minor Streets - ten (10) percent.
 - 2. Collector Streets - eight (8) percent.
 - 3. Arterial Streets - six (6) percent.
- C. Leveling areas, having a minimum length of seventy-five (75) feet as measured from the intersection of the centerlines, shall be provided at all intersections. The maximum grade for such leveling area shall not be greater than four (4) percent.
- D. Design and Construction Standards Grading.
 - 1. In General. Streets shall be graded, improved and surfaced to the grades and dimensions shown on plans, profiles, and cross-sections submitted by the developer and approved by the Board of Supervisors.
 - 2. Right-of-Way Grading.
 - a. The entire right-of-way shall be graded to the approved cross-section. All trees, stumps and other material deemed unsuitable by the Engineer shall be removed. The excavation shall be backfilled and suitably compacted to the satisfaction of the Township Engineer or inspector.
 - b. The finished road surface both tangent and curve shall be crowned at 1/4" per foot away from the centerline.
 - c. A proper super-elevation (banked curves) shall be provided on arterials and collectors when the centerline curve radii are less than one thousand two hundred (1200') feet and when required by the Engineer.
 - 3. Grading Beyond Right-of-Way.
 - a. Where the approved profile of the centerline requires excavation or fill to a depth exceeding six (6"), the subdivider or developer may be required to grade beyond the right-of-way line in order to

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provide continuous slope from the right-of-way line to the proposed elevation of the abutting property.

- b. Such grading beyond the right-of-way shall maintain the original conditions of slope and contours except where storm water runoff designs dictate or warrant improvement or alteration of the original slope and contours.
 - c. Approved plans, either preliminary or final, showing proposed grading, shall be a covenant running with the land, unless altered by written permission from the Planning Commission in conjunction with the Schuylkill County Conservation District.
 - d. In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of one (1') foot vertical to two (2') feet horizontal.
4. Trench Excavation. All trenches excavated within the cartway of a public street or right-of-way shall be mechanically compacted with backfill acceptable to the Engineer and be stone backfilled.

E. Subgrade.

- 1. The design and construction of the road bed shall take into consideration the supporting capacities of the subgrade, with particular attention to those soils which are subject to frost heave.
- 2. Unsuitable soils shall be removed and replaced, drained or otherwise stabilized to provide adequate support for the road bed and anticipated loads.
- 3. Under drains shall be used to provide adequate drainage in wet soil areas if required by the Engineer.

F. Subbase, Base, and Surface Course.

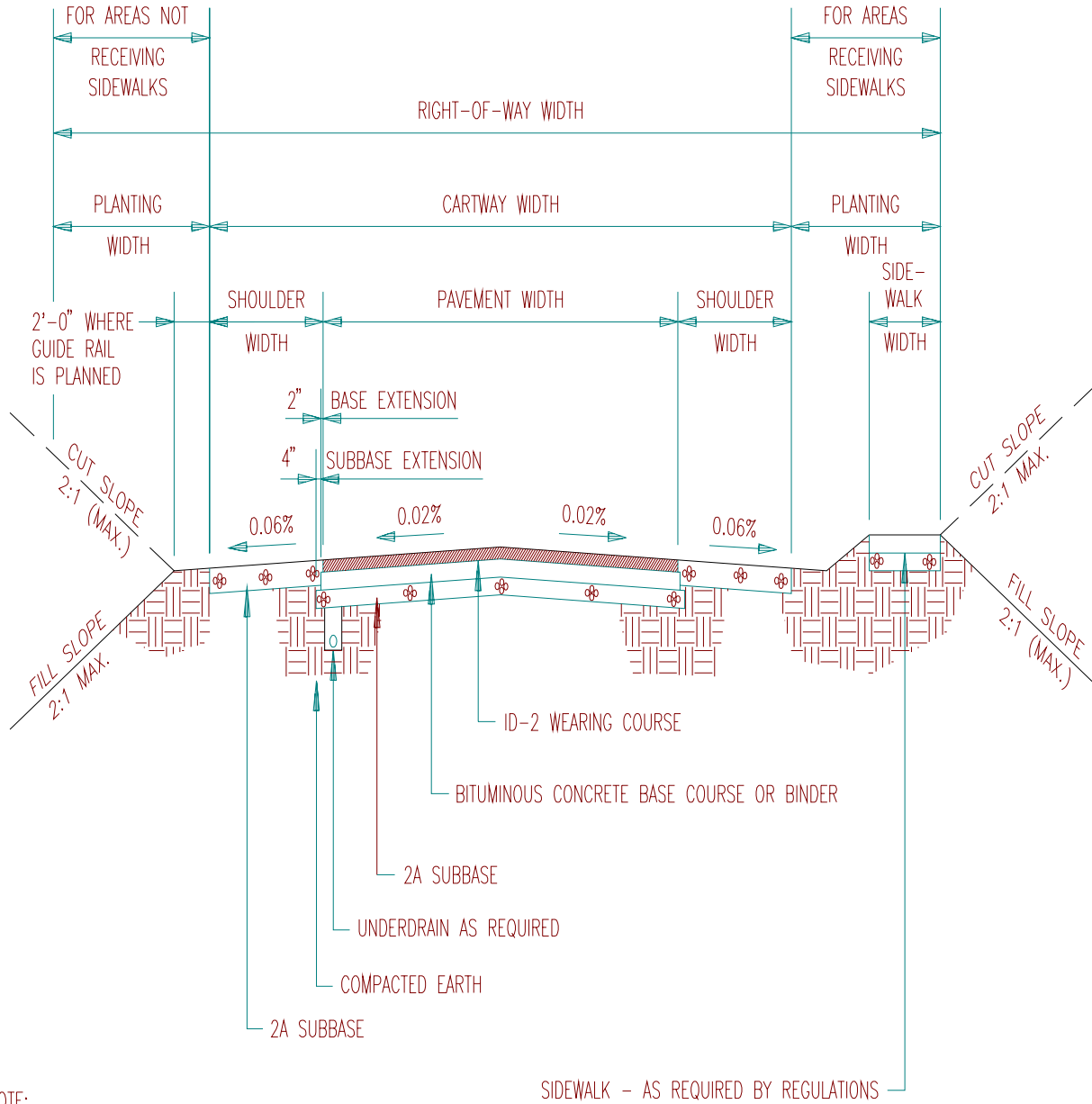
- 1. As a minimum, pavement structure shall consist either of the following:

Figure 11.2a

TYPE A	1-1/2" ID-2 wearing course on 3" Bituminous binder course on a 6" compacted subbase
TYPE B	1-1/2" ID-2 wearing course on 4" Bituminous concrete base course on a 6" compacted subbase.

- 2. Typical street cross-sections are provided in Figures 11.2 a and b.

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NOTE:
REFER TO TABLE NO. 3 FOR
REQUIRED DIMENSIONS OF
STREET STANDARDS.

**FOSTER TOWNSHIP SUBDIVISION REGULATIONS
MINIMUM STREET CONSTRUCTION STANDARDS**

	FOR SUBDIVISION STREETS SERVING 100 LOTS AND LESS		FOR SUBDIVISION STREETS SERVING 101 LOTS TO AND INCLUDING 250 LOTS		FOR SUBDIVISION STREETS SERVING 251 LOTS AND MORE	
	WITH CURBS (a)	WITHOUT CURBS	WITH CURBS (a)	WITHOUT CURBS	WITH CURBS (a)	WITHOUT CURBS
Right-of-Way Width	50'	50'	50'	50'		
Cartway Width	33'	33'	33'	33'		

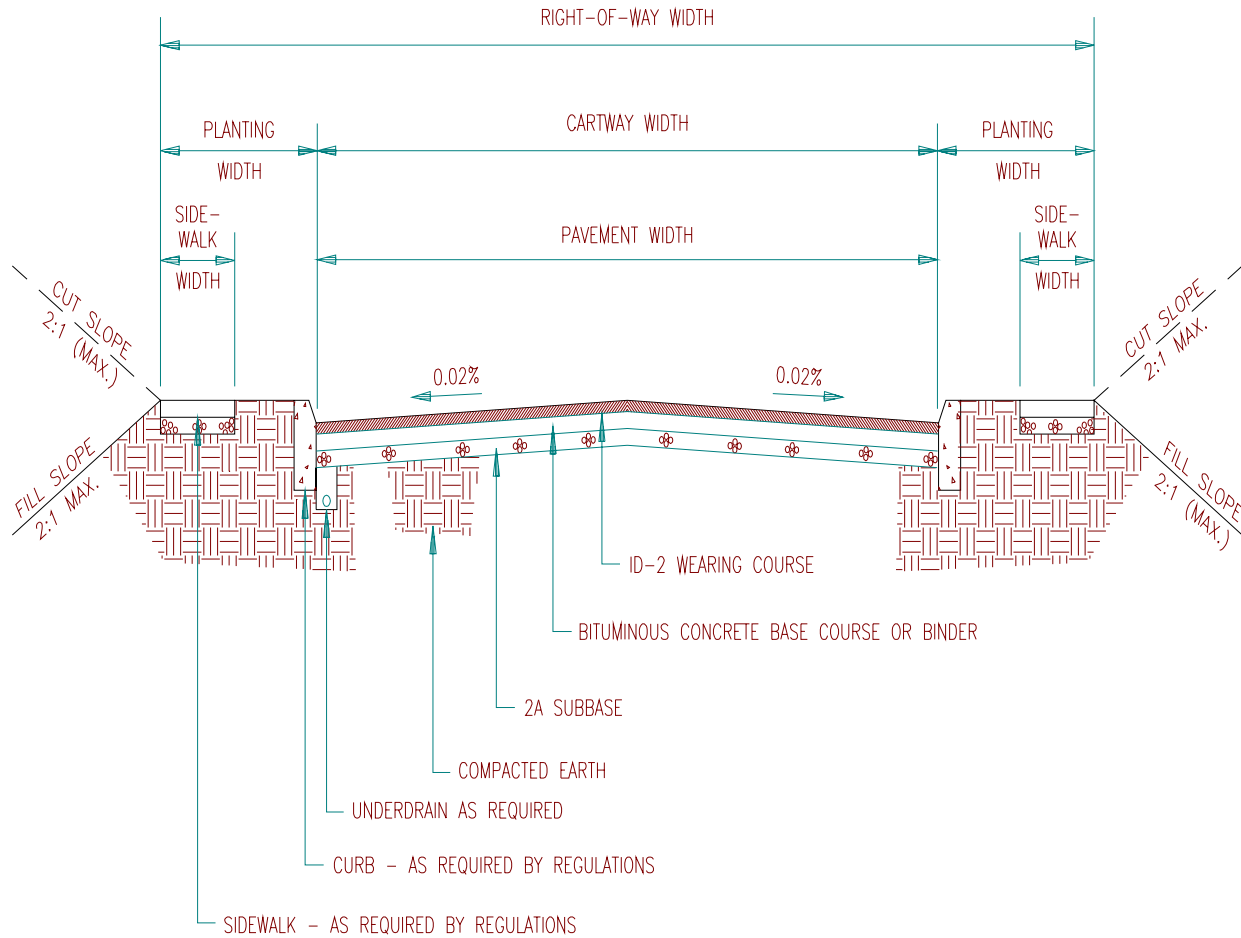
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Pavement Width	33'	20'	33'	22'	SERVING 101 LOTS TO AND INCLUDING 250 LOTS SHALL APPLY, BUT FINAL STANDARDS SHALL BE DETERMINED BY THE PLANNING AND ZONING COMMISSION UPON ON-SITE INVESTIGATION			
Shoulder Width Each Side		6.5'		6.5'				
Sidewalk Width - When Required (b)	4'	4'	4'	4'				
Planting Width Each Side	8.5'	8.5'	8.5'	8.5'				
Minimum Radius Horizontal Curves (c)	100'	100'	300'	300'				
Maximum Grade - Percent Slope (d)	10	10	8	8				
Minimum Sight Distance (e)	See Article 1110.B	See Article 1110.B	See Article 1110.B	See Article 1110.B				
ID-2 Wearing Course (f)	1-1/2"	1-1/2"	1-1/2"	1-1/2"				
ID-2 Binder Course (f)	3"	3"	---	---				
B.C.B.C.	---	---	4"	4"				
2-A Stone Subbase (f)	6"	6"	6"	6"				
2A Stone Shoulder(f)		6"		6"				

- (a) When curbs are required, they shall be constructed in accordance with the latest edition of PennDOT Form 408.
- (b) When sidewalks are required, they shall be constructed of concrete, a minimum of 4 inches in depth, on a 4 inch crushed aggregate base.
- (c) Whenever street centerlines are deflected in excess of five degrees, connection shall be made by horizontal curves. A tangent shall be required between curves.
- (d) To provide for adequate drainage, the minimum grade shall not be less than one-half of one percent (0.5%).
- (e) Vertical curves shall be used at changes of grade exceeding one percent and shall be designed in relation to the extent of grade change and to provide the minimum sight distance listed above.
- (f) All thickness specifications are for compacted materials.

NOTE: Refer to typical cross-sections Figures 11.2a and 11.2b for standard street cross-sections related to the aforementioned dimensions.

Table No. 3



NOTE:
REFER TO TABLE NO. 3 FOR
REQUIRED DIMENSIONS OF
STREET STANDARDS.

Figure 11.2b

3. All materials, construction procedures and other specifications shall be in conformance with the latest edition of the Pennsylvania Department of Transportation Manual Form 408.
- G. Alternative Designs. Alternative roadbed designs may be prepared and will be considered. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above. Alternate designs will be reviewed and will be subject to review by the Township Engineer and the approval of the Board of Supervisors.

1112. VERTICAL CURVES

- A. When changes in grade in excess of one (1) percent occur, vertical curves shall be used.
- B. Vertical curves shall be designed to conform to the following minimum sight distances:
 - 1. Minor Streets - one hundred fifty (150) feet.
 - 2. Collector Streets - three hundred (300) feet.
 - 3. Arterial Streets - six hundred (600) feet.
- C. The developer shall provide all computations to verify that the minimum sight distance is achieved in both horizontal and vertical geometry for all proposed streets.

1113. STREET INTERSECTIONS

- A. Whenever possible, streets shall intersect at right angles. When minor streets intersect with collector or arterial streets, the angle of intersection at the street centerlines shall in no case be less than seventy-five (75) degrees. No two streets shall intersect with an angle of intersection at the centerlines of less than sixty (60) degrees.
- B. Multiple intersections, which involve the intersection of more than two streets, shall be prohibited.
- C. When two streets intersect a third street from opposite sides, they shall either intersect with a common centerline or their centerlines shall be offset in accordance with the following standards:
 - 1. When all three streets involved are minor streets, the two streets shall be separated by a minimum distance of one hundred fifty (150) feet between centerlines as measured along the centerline of the street being intersected.
 - 2. When one or more of the streets involved is a collector street, the two streets shall be separated by a minimum distance of four hundred (400) feet between centerlines as measured along the centerline of the street being intersected.
 - 3. When one or more of the streets involved is an arterial street, the two streets shall be separated by a minimum distance of one thousand (1000)

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feet between centerline as measured along the centerline of the street being intersected.

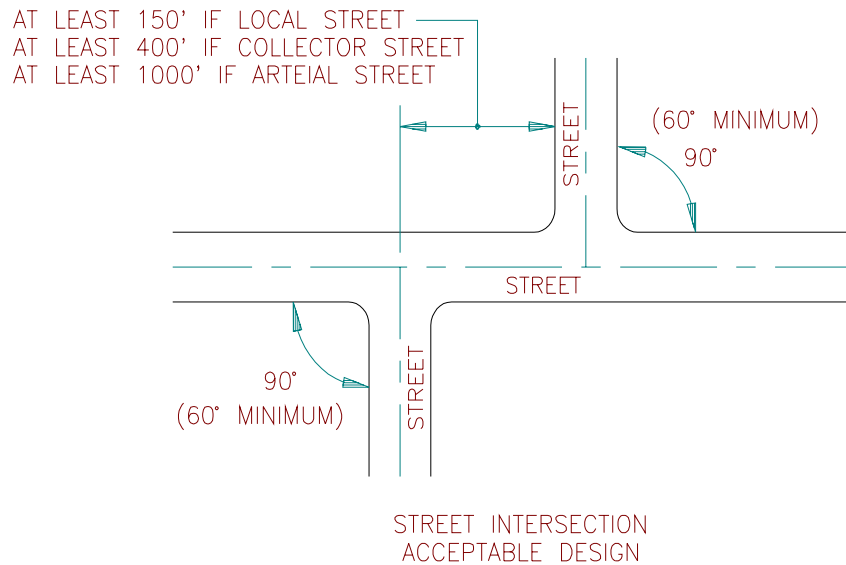


Figure 11.3a

- D. Curbs at street intersections shall be rounded by an arc with a minimum radius as follows:
1. For intersection involving only minor streets - twenty (20) feet.
 2. For intersection involving a collector street - thirty (30) feet.
 3. For intersections involving an arterial street - forty (40) feet.
- E. At intersections, the right-of-way of street lines shall be paralleled to the curb arcs.
- F. Clear Sight Triangles.
1. Clear sight triangles shall be provided at all street intersections. Within such triangles, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede the vision between a height of two and one-half (2 1/2) feet and ten (10) feet above the centerline grades of the intersecting streets in the area bound by the street lines of such corner lots and a line joining points along said street lines.
 2. When a portion of the line of such sight triangles occurs within the proposed building setback line, such portion shall be shown on the Final Plan of the subdivision, and shall be considered as a building setback line.
 3. Such triangular area shall be bounded by the intersecting street centerlines

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and a diagonal connecting two points. These points are a distance from each end of the centerline of each street of:

- a. One hundred and fifty (150') feet from the intersection of such street centerlines, if either street is an arterial street;
- b. One hundred (100) feet from the intersection of such street and centerline if either street is a collector street; and
- c. Seventy-five (75') feet from the intersection of such street centerlines, if both streets are local streets.

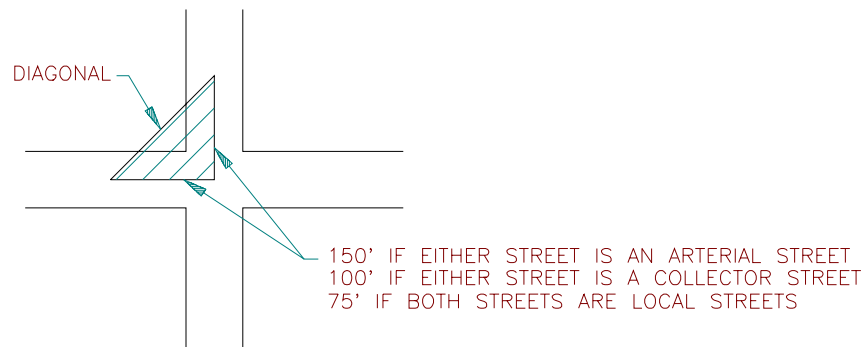


Figure 11.3b

- G. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred fifty (150') feet between their centerlines (See Figure 11.3a).
- H. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width in conformance with Table 3 will be required.
- I. At street intersections, the property line shall be rounded by arcs with radii of not less than fifteen (15') feet. For streets other than local streets, the Board of Supervisors may require a larger radius. (See Chart below)

Minimum Radius of Arc At
Intersection of Pavement

Minimum Radius of Arc At
Intersection of Right-

<u>Type of Street</u>	<u>Edge or Curb Line (in Feet)</u>	<u>of-Way (in Feet)</u>
Arterial	40 (or more as may be required)	20 (or more as may be required)
Major Collector	30 (or more as may be required)	Concentric with Edge of Road
Minor Collector	20 (or more as may be required)	Concentric with Edge of Road
Local	15 (or more as may be required)	Concentric with Edge of Road



Figure 11.4

1114. CUL-DE-SACS

- A. Dead end streets are prohibited unless they are designed as cul-de-sac streets or designed to provide future access to adjacent property.
- B. When dead end streets are constructed to provide future access to adjacent property or because of authorized phase development, and when such street is open to traffic and exceeds two hundred (200) feet in length, the dead end street shall be provided with a temporary, all-weather turnaround. The turnaround shall be completely within the boundaries of the subdivision and the use of the turnaround shall be guaranteed to the public until such time as the street is extended.
- C. Cul-de-sac streets, permanently designed as such, shall be limited in length to a maximum of eight hundred (800) feet. Such cul-de-sac streets shall not provide

access to more than twenty (20) dwelling units.

- D. The closed end of all cul-de-sac streets, whether permanently or temporarily designed, shall be provided with a fully paved turnaround.
- E. Unless future extension is clearly impractical or undesirable, a turnaround right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.
 - 1. The minimum radius to the curb line or edge of pavement shall be fifty (50) feet and the minimum right-of-way radius shall be sixty (60) feet. Parking will not be permitted on the turnaround.
 - 2. The circular right-of-way of the cul-de-sac shall be connected to the approach right-of-way by an arc having a radius of not less than fifteen (15') feet. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than twenty-five (25') feet (see Figure 11.5). Other turnaround designs must be approved by the Township.

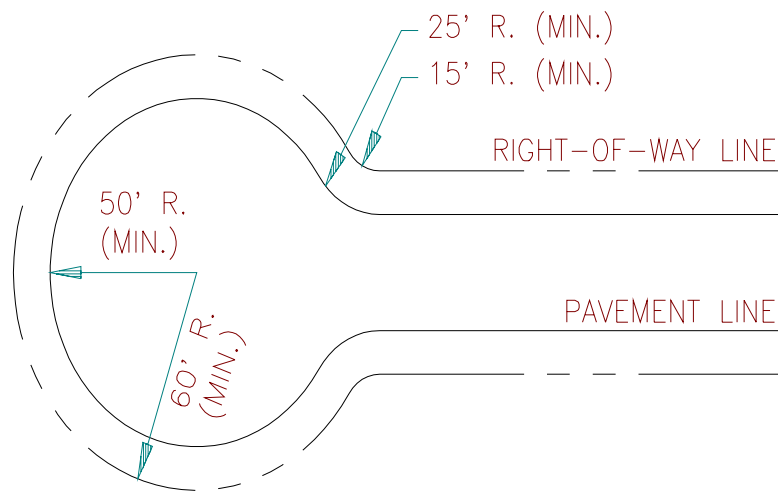


Figure 11.5

- F. The centerline grade on a cul-de-sac street shall not exceed twelve (12) percent, and the grade of the diameter of the turnaround shall not exceed five (5) percent.

1115. HALF STREETS

- A. Half streets at the perimeter of a new subdivision are prohibited.

- B. The subdivider is responsible for providing the entire required right-of-way, or as much thereof as possible, within his property, along all existing streets, which traverse or abut the property.

1116. STREET NAMES

- A. Proposed streets, which are in alignment with others already existing and named, shall bear the names of such existing streets.
- B. The street name of a proposed street shall not be duplicated by an existing street name in the Township.
- C. The Board of Supervisors shall approve all proposed street names.

1117. ACCESS DRIVES AND DRIVEWAYS

- A. Access Drives. Access drives shall be constructed to conform to all requirements of this Ordinance for local streets, except that no right-of-way must be provided and Section 1117 B, C, D and E shall apply.
- B. Access. Access drives and driveways shall not be permitted to have direct access to state highways unless authorized by the Pennsylvania Department of Transportation through issuance of a highway occupancy permit.
- C. Location. The minimum distance between an access drive or driveway to a street shall be as follows:

TYPE OF SUBDIVISION OR LAND DEVELOPMENT	DISTANCE BETWEEN CENTERLINES OF ACCESS DRIVE OR DRIVEWAY AND NEAREST INTERSECTING ROAD BY TYPE OF INTERSECTING ROAD		
	Arterial	Collector	Local
Residential	150 ft.	100 ft.	75 ft.
Nonresidential or Mixed	300 ft.	200 ft.	150 ft.

- D. Sightlines at Intersections of Driveways or Access Drives with Streets.
 - 1. A triangular area as defined in Section 1117 D.3. shall be graded and shall be free of sight obstructions so that vision between a height of from two

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and one half to ten (2' 6" - 10') feet above the centerline grades of the intersecting driveway, accessway, or streets is not obscured.

2. By means of deed restriction, lease restriction, or plan amendment (whichever method is applicable), vegetation shall not be planted or allowed to grow in such a manner so as to obscure vision between a height of from two and one half to ten (2' 6" - 10') feet above the centerline grades of the intersecting driveway, accessway, or streets within the triangular area defined in Section 1117 D.3.
 3. Such triangular area shall be bounded by the intersecting driveway, accessway, or street centerlines and a diagonal connecting two points, one which is at each end of the centerline of each driveway, accessway or street thirty (30') feet from the intersection of such centerline.
- E. Grades. Grades of access drives or driveways shall not exceed fourteen (14%) percent; however, the initial twenty (20') feet from the edge of the cartway shall not exceed five (5%) percent.
- F. Street Drainage. The developer shall make adequate provisions to maintain uninterrupted parallel drainage along a public street where intersected by an access drive or driveway.

NOTES:

1. Additional right-of-way and cartway widths may be required by the Township for the purpose of promoting the public safety and convenience and for providing for proposed traffic volumes.
2. Curbs shall be required in all residential subdivisions with an average density of four (4) dwelling units per acre.
 - a. When curbs are used on Minor Streets, one (1), eight (8) foot parking lane is also required.
 - b. When curbs are used on Collector Streets, two (2), eight (8) foot parking lanes are required.
 - c. In lieu of the required parking lanes, the subdivider may provide, at his option, an equivalent number of off-street parking spaces.
3. Curbs shall be required in all industrial and commercial subdivisions but may be deleted at the discretion of the Board of Supervisors.
4. Curbs shall be constructed in accordance with standards set forth by PennDOT. The construction of an alternative mountable or rolled concrete curb design may be permitted at the discretion of the Board of Supervisors.

1118. WATER SUPPLY

- A. The subdivision shall be provided with a complete water distribution system connected to the public water supply, including a connection for each lot.
- B. All water lines shall be located between the curb line and the property line within any street right-of-way.
- C. The distribution system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations to meet the specifications of the Insurance Services Office. A letter from the appropriate utility company approving the system design shall be submitted with the Final Plan.

1119. SANITARY SEWER SYSTEM

- A. Provision of Sewer System. Where the public sanitary sewer line system, in the opinion of the Commission, is reasonably accessible, sanitary sewers shall be installed to adequately serve all lots with connections to the public system. Where lots cannot be served by the extension of an existing public sanitary sewer, the subdivider shall obtain approval of lot sizes as provided in Table 2. In addition, individual septic tanks and disposal fields, and/or neighborhood disposal systems, shall be approved by the Department of Environmental Protection.
- B. Capped Sewers. Where a municipality has a plan for extending the public sanitary sewer system into an area that is being subdivided, and it is reasonably expected that the area will be served by the public system within a period of five (5) years, capped sewers shall be installed to adequately serve all lots in the proposed subdivision as well as provisions set forth in Section 1119.A above.
- C. Sanitary sewers shall be installed and shall be located as nearly to the centerline of any street right-of-way as is reasonably possible and all sanitary sewer lines shall provide, to every lot, service connections being properly capped.
- D. Sanitary sewer manholes shall be installed at all changes in grade, at all changes in direction and in no instance shall manholes be any greater than four hundred (400) feet apart.
- E. Combined sanitary and storm sewer systems are prohibited under the provisions of these regulations.
- F. All sewage collection systems shall conform in all respects to the minimum requirements of the Pennsylvania Department of Environmental Protection, and all ordinances, rules and regulations of the Township.

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- G. Whenever approval by the Pennsylvania Department of Environmental Protection is required for the sewage collection system for a proposed subdivision, the Planning Commission shall require that a copy of such approval certification shall be submitted prior to recording of a plan.
- H. When a subdivision is increasing demand onto an existing sewer system or connecting to an existing sewer system, the Planning Modules shall be provided to the Township before Final Approval.
- I. If the subdivision has an existing on-lot sewer system or a proposed on-lot system, the Sewage Enforcement Officer (SEO) approval needs to be in a report form with a copy of the signed Planning Module(s). The soil type should also be stated.

1120. STORM DRAINAGE SYSTEMS

- A. Storm drainage systems shall be provided for the purposes of:
 - 1. Permitting unimpeded flow of natural water courses.
 - 2. Ensuring adequate drainage of all low points along the street lines.
 - 3. Intercepting storm water runoff along streets at intervals related to the extent and grade of the area being drained.
 - 4. Taking surface water from the bottom of vertical grades, to lead water from springs and to avoid the excessive use of cross-gutters at street intersections and elsewhere.
- B. General Requirements.
 - 1. A site drainage plan shall be prepared for the proposed subdivision tract which illustrates the following information:
 - a. The mapping of the watershed area or areas in which the proposed subdivision is located.
 - b. Calculations of runoff for all points of runoff concentration.
 - c. The complete drainage system for the subdivision including the identification of all existing drainage features which will be incorporated into the design. If the subdivision is to be developed in phases, a general drainage plan for the entire subdivision shall be submitted with the first phase and appropriate development phases for the drainage system shall be indicated.

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2. The existing points of natural drainage discharge onto adjacent property shall not be altered without the written approval of the affected landowners.
3. Stormwater runoff or natural drainage water shall not be diverted so as to overload existing drainage systems, or create flooding or the need for additional drainage structures on other private properties or public lands, without approved provisions being made by the developer for properly handling such conditions.
4. Facilities for storm drainage should be designed to handle the anticipated peak discharge from the property being subdivided as well as to handle the anticipated increase in runoff that will occur when all the property at a higher elevation in the same watershed area is fully developed.
5. Where a watercourse runs across or through a subdivision, a drainage easement, which conforms with the line of such watercourse, shall be provided at such a width as will be adequate to preserve the unimpeded flow of natural drainage.
6. All drainage structures that are located on the rights-of-way of State highways shall be approved by the Pennsylvania Department of Transportation and a letter of approval from that office shall be directed to the Planning Commission.
7. All streets shall be designed so that surface water is discharged from their rights-of-way. The slope of the crown on proposed streets shall be .02 ft/ft.

C. Calculation Methodology.

1. Any stormwater runoff calculations involving drainage areas greater than 20 acres, including on-and off-site areas, shall use any generally accepted calculation technique that is based on the SCS Soil-Cover Complex method.
2. The Township Engineer may approve the use of the Rational method to estimate peak discharges from drainage areas that contain up to 100 acres.
3. The design of any stormwater detention facilities intended to meet the performance standards of this Ordinance shall be verified by routing the design storm hydrograph through these facilities using the Routing Method (i.e. Modified Pulse). For drainage areas greater than 20 acres in size, the design storm hydrograph shall be computed using a calculation method that produces a full hydrograph. The Township Engineer may approve the use of any generally accepted full hydrograph approximation technique for drainage areas that contain less than 20 acres. Any full hydrograph

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approximation technique shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.

4. All calculations consistent with this Ordinance using the Soil-Cover Complex method shall use the appropriate design rainfall depths for the various return period design storms. (Design storm regions with uniform rainfall are shown on Figure I-1 in Appendix I of this Ordinance). If a hydrologic computer model such as PSRM or HEC-1 is used for stormwater runoff calculations, then the minimum duration of rainfall shall be 6 hours.
5. All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times of concentration for overland flow and return periods from the Soil Conservation Service design charts for the area. Times of concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of **Urban Hydrology for Small Watersheds**, SCS, TR-55 (as amended or replaced from time to time by SCS). Times of concentration for channel and pipe flow shall be computed using Manning's equation.

D. Stormwater Management performance Standards. Peak post-development stormwater flow rates shall be limited using the most restrictive of the following criteria:

1. Post-development peak flows shall not exceed pre-development peak flows for 2, 10, 25, and 50-year return period design storms.
2. Where the Township Engineer has identified downstream flow constrictions, post-development flows shall be reduced to match the capacity of the downstream constrictions.

E. Design Criteria for Stormwater Management Facilities.

1. Any stormwater management facilities required or regulated by this Ordinance shall be designed to meet the performance standards presented in Section 1120 of this Ordinance.
2. Any stormwater management facilities required or regulated by this Ordinance shall be designed to provide a minimum 1.0 foot of freeboard above the maximum 100-year water surface elevation for post-development conditions. All emergency spillways are to be designated to handle a 100-year storm. Should any stormwater management facilities qualify as a dam under PADEP Chapter 105, the facility shall be designed in accordance with Chapter 105 and meet the regulations of Chapter 105 concerning dam safety.

- F. Hydraulic Capacity. Any hydraulic capacity analysis conducted in accordance with this Ordinance shall use the following criteria to determine if adequate hydraulic capacity exists:
1. Open channels must be able to convey post-development runoff from a 10-year design storm within their banks at velocities that would not erode the channel bed or banks. Acceptable velocities shall be based on criteria included in the PADEP **Soil Erosion and Sedimentation Control Manual** (as amended or replaced from time to time by PADEP) and presented in Table I-4 in Appendix I of this Ordinance.
 2. Open channels must be able to convey post-development runoff from a 10-year design storm within their banks with a minimum 0.5 foot freeboard and not create a hazard to any persons or property.
 3. Roadway crossings, including pipes, bridges, storm sewers, or any other drainage conveyance facility must be able to convey, without damage to the drainage structure or roadway, runoff from the 25-year design storm with a minimum 1.0 foot of freeboard measured below the lowest point along the top of the roadway. Roadway crossings located within designated floodplain areas must be able to convey runoff from a 100-year design storm with a minimum 1.0 foot of freeboard measured below the lowest point along the top of the roadway. Any facilities that constitute stream enclosures, as described in PADEP Chapter 105 regulations (as amended or replaced from time to time by PADEP), shall be designed in accordance with Chapter 105 and will require a permit from PADEP. Any facility located within PennDOT right-of-way must meet PADOT minimum design standards and permit submission requirements.
 4. Storm sewers must be able to convey post-development runoff from a 25-year design storm without surcharging inlets.
 5. Storm sewer inlet spacing and road cross-section design must ensure that post-development runoff resulting from a 10-year design storm does not flood more than one half of a driving or parking lane.
- G. Runoff Curve Numbers (CN) for both existing and proposed conditions to be used in the soil cover complex method shall be obtained from Table I-2 in Appendix I of this Ordinance.
- H. Runoff coefficients (c) for both existing and proposed conditions for use in the Rational Method shall be obtained from Table I-1 in Appendix I of this Ordinance.
- I. Where uniform flow is anticipated, the Manning equation shall be used for

hydraulic computations and to determine the capacity of drainageways, channels, streams, swales, pipes, and storm sewers. Where non-uniform flow is anticipated, the hydraulic effects of "backwater" caused by hydraulic obstructions (e.g. culverts, bridges, dams, reservoirs, etc.) shall be evaluated using the standard step method for determining water surface profiles. Values for Manning's roughness coefficient (n) shall be consistent with Table I-3 in Appendix I of this Ordinance.

- J. Outlet structures for stormwater management facilities shall be designed to meet the performance standards of this Ordinance using any generally accepted hydraulic analysis technique or method.

1121. UNDERGROUND UTILITIES AND EASEMENTS

- A. In accordance with a Pennsylvania Public Utility Commission order of July 8, 1970, all electric utility distribution lines shall be installed underground in subdivisions or land development of five (5) or more proposed dwelling units. The following design standards shall also be observed.

1. Whenever possible, telephone and cable television utilities shall also be installed underground.
2. Whenever possible, electric, gas, water, sewage and communications utilities shall jointly occupy the same trenches in the utility easements.
3. A utility service plan for the proposed subdivision or land development shall be prepared and provided by the developer in cooperation with the appropriate public utility companies and governmental agencies.

B. Utility Easements.

1. Utility easements shall be provided for wires, conduits, storm and sanitary sewers, gas and water mains, and/or other utility lines intended to service the abutting lots. Within such easements, no structures shall be permitted to locate. The developer shall consult the local utility company when locating the utility easements.
2. The location of utility easements shall be either:
 - a. Abutting the street right-of-way in which case an easement with a minimum width of ten (10) feet shall be required.
 - b. Along the rear or side lot lines in which case an easement with a minimum width of twenty (20) feet shall be required (ten (10) feet on each side of the lot line). The Planning Commission may require an easement with a minimum width of fifteen (15) feet

where the lot line coincides with the subdivision property line.

1122. EROSION AND SEDIMENT CONTROLS

A. General Standards.

1. A plan for minimizing erosion and sedimentation control within a proposed subdivision or land development tract shall be prepared by the developer and submitted to and reviewed by the Schuylkill County Soil and Water Conservation District and reviewed and approved by the Planning Commission prior to any changes being made in the contour of the land and prior to grading, excavating, removal, or destruction of the topsoil, trees or other vegetative cover of the land.
2. Measures used to control erosion and reduce sedimentation shall meet the standards and specifications of the Schuylkill County Soil and Water Conservation District as established in the latest Schuylkill County Erosion and Sediment Control Handbook. The Township Engineer, or other designated official, shall ensure compliance with the appropriate specifications, copies of which are available from the District.
3. All areas of the subdivision shall be stabilized in accordance with the approved Erosion and Sedimentation Control Plan.

B. Performance Principles.

1. The measures which follow are effective in minimizing erosion and sedimentation and shall be included, where applicable, in the control plan:
 - a. Stripping of vegetation and grading shall be kept to a minimum.
 - b. All development plans shall strive to preserve significant natural features, keep cut and fill operations to a minimum, and ensure conformity with the existing topographic features in order to create the least possible erosion potential and to adequately handle the volume and velocity of surface water runoff.
 - c. Whenever possible, the natural vegetation should be retained, protected and if required, supplemented.
 - d. The area which is disturbed and the duration of such exposure shall be kept to a minimum.
 - e. Permanent vegetation and/or mechanical erosion control and drainage measures shall be used to stabilize disturbed soils. Such measures shall be employed as soon as possible in the development process.
 - f. Temporary vegetation and/or mulching shall be used to protect

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- exposed critical areas during development.
- g. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff shall be mechanically retarded.
- h. Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps, or similar measures.

C. Grading for Drainage.

1. In order to preserve more suitable sites for building and other uses, improve surface drainage, and control erosion, the following grading requirements shall be met:
 - a. Proper drainage shall be provided away from buildings on all lots, tracts, or parcel within a proposed subdivision or land development. The resulting surface water shall be disposed of without ponding. Natural drainage patterns shall be preserved whenever possible.
 - b. All provisions for drainage shall be designed to adequately handle the surface runoff and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural watercourse. Drainage swales used to divert surface water away from buildings shall be sodded or planted as required and shall be of such a slope, shape and size as to be in conformance with the requirements of the Planning Commission.
 - c. The concentration of surface water runoff shall be permitted only on swales or watercourses.
 - d. A maximum slope of 2:1 shall be maintained on all cut and fill slopes unless they are stabilized by a retaining wall or cribbing or except as approved by the Planning Commission and handled under special conditions.
 - e. Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills. Cut and fill slopes shall not endanger adjacent property.
 - f. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
 - g. Fill embankments shall not encroach on natural watercourses or constructed channels.
 - h. Fills, when placed adjacent to natural watercourses or constructed channels, shall have suitable protection against erosion during periods of flooding.
 - i. Grading shall not be performed in such a way as to divert water onto the property of another landowner unless the expressed written consent of that landowner is secured.

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- j. During grading operations, necessary measures for dust control will be exercised.

1123. OPEN SPACE AND RECREATION AREAS

- A. Purpose. All residential subdivisions or land development plans shall provide for suitable and adequate open space/recreation areas in order to:
 - 1. Ensure adequate recreational areas and facilities to serve residents of the Township.
 - 2. Allow for orderly acquisition and development of additional recreation areas and open spaces.
- B. Exemptions. Any residential subdivision or land development plan that contains fewer than five (5) dwelling units is exempt from the open space/recreation requirements of this section.
- C. Amount of Land, Residential Developments. Two thousand (2,000) square feet of open space and recreation area per dwelling unit shall be set aside for open space or recreation.
- D. Amount of Land, Non-residential Developments. The amount of land or cash from non-residential subdivisions and land developments shall be determined by the number of dwelling units that would result if eighty (80%) percent of the tract were occupied by one (1) acre lots for single family dwellings (i.e., 100-acre tract = 80 dwelling units). When the computation of dwelling units results in a fractional number, only the fraction of one-half or more shall be counted as one.
- E. Fee in Lieu of Land.
 - 1. If mutually acceptable to the Township and the developer, a fee of \$250 per dwelling unit can be paid in lieu of dedicating land for open space and recreation as per Section 1123.C. or 1123.D.
 - 2. All monies paid to the Township pursuant to this section shall be kept in an interest-bearing capital reserve fund. Monies in such fund shall be used only for the acquisition of land or capital improvements for park and recreation purposes.
- F. Characteristics of Open Space and Recreation Areas.
 - 1. Twenty-five (25%) percent of the land set aside for open space and recreation areas shall be less than five (5%) percent slope and be suitable

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for active recreation uses.

2. These areas may be dedicated in fee-simple to the Township if dedication is acceptable.
3. If these areas are not dedicated to the Township, a legal entity shall be provided to operate and/or maintain the open space and recreation areas. This entity may include but not be limited to a condominium, cooperative, a homes' association, trust or corporation.

G. Dedication of Land to the Township

1. The Board of Supervisors may accept any portion of the open space/recreation area, provided that no cost is involved and the Township agrees to and has access to maintain such lands.
2. Such area dedicated to the Township for public use shall be suitable for recreational purposes by reasons of size, shape, location, topography and access.

1124. OFF-STREET PARKING AND LOADING

- A. Every land development or subdivision shall provide the minimum number of off-street parking and loading spaces required by the Zoning Ordinance.
- B. Off-street parking or loading spaces may be in an individual garage, carport, or driveway or in a common parking area outside the street right-of-way, convenient to the dwelling units or use to be served and shall be installed concurrently with the construction of the dwelling units.
- C. General Design Requirements for Off-Street Parking.
 1. Every parking facility shall be designed so that its use does not constitute a nuisance, hazard or unreasonable impediment to traffic.
 2. Every parking area shall be arranged for orderly, safe movement.
 3. No parking area shall be designed to require or encourage parked vehicles to back into a public street in order to leave a parking space, except those of a single family or two family dwelling onto streets other than major or minor arterial streets.
 4. Every parking area shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the

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moving of any other motor vehicle, except those of a single family or two-family dwelling.

5. No parking area shall be located in a required buffer yard.
6. No parking area shall be located within ten (10') feet of a septic system absorption area.
7. All commercial/industrial parking areas shall have adequate lighting to provide for safety and comfort of persons using the area.

D. Parking Spaces.

1. Each parking space shall have a stall width of ten (10') feet.
2. Each parking space shall have a stall depth of
 - a. at least twenty (20') feet for all angle parking or
 - b. at least twenty-two (22') feet for parallel parking.
3. All spaces shall be marked so as to indicate their location, except those of a single family or two-family dwelling.

E. Aisles.

1. Each aisle providing access to stalls for one-way traffic only shall be at least the minimum aisle width specified as follows:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
Parallel	12 feet
30 degrees	12 feet
45 degrees	14 feet
60 degrees	18 feet
90 degrees	20 feet

(Figure 10-5)

2. Each aisle providing access to stalls for two-way traffic shall be at least twenty-five (25') feet in width.
3. No aisle shall exceed two hundred fifty (250') feet in length.

1125. SIDEWALKS, PATHWAYS AND DRIVE APRONS

- A. Sidewalks or pathways shall be required in all residential developments where density exceeds three (3) dwelling units per acre.
- B. In other subdivisions or land developments, sidewalks or pathways may also be required by the Planning Commission.
- C. Location.
 - 1. Sidewalks, where required or provided, shall be located within the street right-of-way and not closer than one (1') foot from the right-of-way line nor closer than three (3') feet from the curb line.
 - 2. A grass planting strip shall be planted between the curb and sidewalk.
- D. 1. Sidewalks/pathways shall be a minimum width of five (5') feet.
- E. Required Construction.
 - 1. Sidewalks and crosswalks shall be constructed of Class A cement concrete at least four (4") inches thick underlain by four (4") inches of compacted gravel or crushed stone.
 - 2. Sidewalks at driveway crossings and driveway aprons shall be at least six (6") inches thick reinforced and underlain by four (4") inches of compacted gravel or crushed stone. The reinforcing shall be one (1) layer of six (6") inch by six (6") inch number nine (9) wire.
 - 3. Pathways shall be portland cement concrete or bituminous of at least four (4") inches thick underlain by three (3") inches of compacted gravel or crushed stone.
- F. Handicapped Ramps. In addition to the preceding requirements, all sidewalks shall provide ramps for adequate and reasonable access for the safe and convenient movement of the physically handicapped persons, including those in wheelchairs, across curbs at all pedestrian crosswalks. These facilities shall be constructed in accordance with Chapter 8, "**Pedestrian Facilities**" of the PennDOT Design Manual Part 2 and **The Americans With Disabilities Act (ADA)**.
- G. Adequate lighting shall be provided for pathways and sidewalks.

1126. STREET LIGHTING

- A. The developer shall be required to provide street lights when the Planning

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Commission deems them necessary to provide safe traffic circulation.

- B. Such lights shall meet design standards and specifications of the Pennsylvania Department of Transportation, with Township Engineer review for adequacy.

1127. IDENTIFICATION SIGNS

- A. The developer shall provide the subdivision or land development with adequate street signs at the intersections of all streets and with any other signs required.
- B. Sign style, color, and lettering, shall be subject to the approval of the Planning Commission.

1128. REGULATORY SIGNS

- A. The developer shall be required to provide traffic regulatory signs that shall meet current design standards as established by the Pennsylvania Department of Transportation.

1129. LANDSCAPING

- A. The need for landscaping will be determined by the Planning Commission dependent upon size, location and specifics of each subdivision.
- B. Ground Cover Requirements.
 - 1. Exposed ground surface in all parts of the subdivision shall be paved or covered with stone screenings, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
 - 2. The vegetative cover shall not be poisonous in nature.
- C. Buffer Yards. The Planning Commission may require the provision of a buffer yard meeting the requirements of this Section in order to reduce conflicts between proposed subdivision or land development and other developments or areas.
 - 1. Size, Location
 - a. A twenty (20') foot buffer yard shall be required, unless otherwise indicated in this Ordinance.
 - b. The buffer yard shall be measured from the district boundary line or from the street right-of-way line (where a street serves as the district boundary line). Buffer yards shall not be within an existing

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or future street right-of-way and shall be in addition to that right-of-way.

- c. The buffer yard may be coterminous with a required front, side or rear yard, provided the larger yard requirement shall apply in case of conflict.

2. Characteristics

- a. The buffer yard shall be a landscaped area free of structures, manufacturing or processing activity, materials, or vehicular parking. No driveways or streets shall be permitted in the buffer yards except at points of ingress or egress.
- b. In all buffer yards, all areas not within the planting screen shall be planted with grass seed, sod or ground cover, and shall be maintained and kept clean of all debris, rubbish, grass more than twelve (12") inches in height, or weeds.

3. Planting Screen

- a. Each buffer yard shall include a Planting screen of trees, shrubs, and/or other plant materials extending the full length of the lot line to serve as a barrier to visibility, airborne particles, glare and noise.
- b. Each Planting Screen shall be in accordance with the following requirements:
 - (i) Plant materials used in the Planting Screen shall be of such species and size as will produce, within two (2) years, a complete year-round visual screen of at least eight (8') feet in height.
 - (ii) The Planting Screen shall be permanently maintained by the landowner and any plant material which does not live shall be replaced within one (1) year.
 - (iii) The Planting Screen shall be so placed that at maturity it will be at least three (3') feet from any street or property line.
 - (iv) The Planting Screen shall be broken only at points of vehicular or pedestrian access and shall comply with Sections 1113 and 1117.D.

1130. FLOODPLAINS

A. General Standards.

1. Floodplains shall be shown on all subdivision and land development plans. The floodplain controls established and enacted in accordance with the Federal Emergency Management Agency shall be applied to all subdivisions and land developments.
2. No watercourse shall be altered or relocated unless approved by the Township and the appropriate state and federal agencies.

1131. RECOMMENDED IMPROVEMENTS

A. The following improvements, intended to enhance the sales value of the subdivision or land development as well as to benefit the Township are recommended:

1. Street Lights – In accordance with the conditions to be agreed upon by the subdivider, the Township and the appropriate public utility, street lights are recommended to be installed in all subdivisions and residential land developments. However, whether or not street lights are initially installed, the subdivider and/or land development shall be responsible for providing utility easements for future street lighting installation upon consultation with the public service utility company involved.
2. Shade Trees – Reasonable efforts should be made by the subdivider/land developer to preserve existing shade trees and, in addition, deciduous hardwood trees with a minimum caliber of one and one-half (1-1/2") inches should be provided in accordance with conditions to be agreed upon by the Township, and if necessary, the appropriate public utility. Where provided, such trees should be planted between the street right-of-way and the building reserve (setback) line at least ten (10') feet from the public street right-of-way. No trees or shrubs shall be planted between the sidewalk and the right-of-way.
 - a. Any tree planted in commercial or industrial areas shall have a minimum caliber of three (3") inches.
 - b. A street tree planting plan shall be furnished for approval by the Township as to the kind, size, and location of trees.

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ARTICLE 12 - REQUIRED IMPROVEMENTS

1201. INTRODUCTION

- A. Minimum improvements and construction standards required of all subdivisions shall be as set forth in this section. Where not set forth, they shall be in accordance with the prevailing standards as established by the Township Engineer. Alternate improvement standards may be permitted if the Board of Supervisors deems them equal or superior in performance characteristics to the specified improvements. Additional or higher type improvements may be required in specific cases where the Board of Supervisors believes it necessary to create conditions essential to the health, safety, morals and general welfare of the citizens of the Township.

1202. GENERAL REQUIREMENTS

- A. The provision, construction and installation of all physical improvements in the proposed subdivision tract shall be as noted on the Record Plan and shall also be in accordance with the requirements of the Township.

The developer shall arrive at an agreement with the Township as to the installation of all improvements shown on the Plan and as required by this Ordinance. This agreement shall be made prior to review of the Final Plan by the Planning Commission and the Board of Supervisors. A completed and executed original copy of the Subdivision Improvements Agreement shall be submitted to the Township prior to the Planning Commission and Board of Supervisors endorsement of the Record Plan.

The developer shall install and construct all improvements in accordance with the design specifications of the Township. If there are no Township specifications furnished, the Township may require the developer to have specifications prepared by a Registered Professional Engineer at the developer's expense.

It shall be the responsibility of the Township or of the appropriate state regulatory agency to supervise the installation of those improvements required by this Ordinance.

1203. STREETS

- A. Required improvements and construction standards shall be in accordance with Table 3.
- B. Streets shall be graded, surfaced, and improved to the grades, and dimensions shown on plans, profiles, specifications, and cross-sections submitted by the subdivider and approved by the Board of Supervisors.
- C. All paving shall meet the current specifications of the Pennsylvania Department of Transportation as set forth in Table 3 of these Regulations.

1204. SIDEWALKS

- A. Standards for the provision and installation of sidewalks shall be in accordance with Table 3.
- B. However, where abutting residential lots have frontage, measured at the building line, of not less than one hundred (100') feet, and an area of not less than twenty thousand (20,000) square feet, or where the rural character of the proposed subdivision and its surroundings justifies less intensive development, the installation of sidewalks may be waived by a majority vote of the Board of Supervisors, after public hearing, if such hearing is requested.

1205. STREET SIGNS

- A. Street signs shall be provided at the intersections of all streets. The type, height and design shall be approved by the Board of Supervisors.

1206. WATER SUPPLY

- A. The installation of all water supply and distribution systems shall be in accordance with the design standards and requirements established in Article 1118 of this Ordinance.
- B. The minimum size of the water distribution mains within the subdivision shall be eight (8") inches in diameter.
- C. Fire hydrants shall be provided as an integral part of the water supply system.

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Fire hydrants shall be installed within six hundred (600') feet of all structures, as measured by way of accessible streets.

1207. SANITARY SEWER SYSTEM

- A. The installation of all sanitary sewers shall be in accordance with the design standards and requirements established in Article 1119 of this Ordinance.
- B. The minimum size of the sewer mains within the subdivision shall be eight (8") inches in diameter.

1208. STORM DRAINAGE SYSTEMS

- A. The installation of all storm drainage systems shall be in accordance with the design standards and requirements established in Article 1120 of this Ordinance.
- B. All drainage structures, culverts, boxes, grates, etc., shall conform to the current specifications of the Pennsylvania Department of Transportation as approved by the Commission Engineer.

1209. UNDERGROUND UTILITIES AND EASEMENTS

- A. The installation of other utilities, including electric, telephone, gas, and cable television, shall be in accordance with the design standards and requirements established in Article 1121 of this Ordinance.
- B. Utilities serving the area of the proposed subdivision shall be consulted with respect to location, size and use of easements for utility purposes.

1210. EROSION AND SEDIMENT CONTROLS

- A. The installation of all erosion and sediment controls shall be in accordance with the design standards and requirements established in Article 1122 of this Ordinance.
- B. All erosion and sediment control structures and other devices shall conform to the requirements of the Department of Environmental Protection Erosion and Sediment Pollution Control Program Manual in its latest edition.

1211. MONUMENTS AND MARKERS

- A. **Material and Size:** Monuments and markers shall be constructed as follows:

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	<u>Construction</u>	<u>Minimum Size</u>
Monument*	Concrete or Stone	6" x 6" x 30"
Marker	Iron Pipes or Iron or Steel Bars	36" x 5/8" dia.

* Monuments shall be marked on top with a copper or brass dowel.

- B. Placement; Marking: Monuments and markers must be placed by a registered engineer or surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.
- C. Monuments; Location of: Monuments must be set at --
1. one corner of a lot comprising a single lot subdivision, or at one predominant intersection of a street and a property line of a lot in a subdivision comprised of not more than 5 contiguous lots or parcels.
 2. at least three predominant line intersections or line angles in subdivisions of more than 5 lots or parcels, and in any land development program. When any program of development and/or subdivision encompasses more than 20 areas, Township Supervisors and/or the Township Engineer may require additional monuments at designated points.
 3. such other points as may be required by Township Engineer and Township Supervisors when unusual conditions may create sight problems or cause unusual deviation from normal surveying practice.
- D. Markers; Location of: Markers must be set --
1. at the beginning and ending of curves along street property lines if not monumented.
 2. at points where lot lines intersect curves either front or rear.
 3. at angles in property lines of lots.
 4. at all other lot corners.

ARTICLE 13 - COMMERCIAL OR INDUSTRIAL DEVELOPMENTS AND MOBILE HOME PARKS

1301. APPLICATION

- A. Proposed subdivisions or developments of land that contain areas reserved for commercial or industrial uses, for mobile home parks, or that contain lots or parcels fronting on existing or proposed major traffic streets, will be subject to individual review and determination in each case. In general, however, the Board of Supervisors will apply all of the standards in Article 11 and 12 and the following requirements.

1302. COMMERCIAL AND INDUSTRIAL SUBDIVISIONS

- A. Size. Approval of lot or parcel size will be determined by the following factors:
 - 1. The total area shall be sufficient to provide adequate space for off-street parking and loading, landscaping and other facilities. In no instance shall there be less than four square feet of off-street parking for each one (1) square foot of building use.
 - 2. Whenever possible, commercial parcels should include enough land to provide for a group of commercial establishments, planned, developed, owned and managed as a unit. In no case will narrow, highway ribbon developments be approved.
- B. Street System.
 - 1. Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.
 - 2. The design of streets, service drives, and pedestrian ways should provide for safe and hazard free internal circulation.
- C. Set-Back.
 - 1. Building set-back lines shall be as specified by the total Foster Township Zoning Ordinance.

D. Utilities.

1. Where possible, commercial and industrial subdivisions should be located close to public utilities. In any case, subdivisions should be provided with such utilities as are necessary to maintain adequate health standards, and to dispose of commercial and industrial wastes.

E. Location.

1. In general, commercial and industrial subdivisions should be located adjacent or close to major highways and transportation facilities.
2. Commercial and industrial subdivisions may not be located in predominately residential areas or areas that are better suited to residential development. Provided, that a commercial parcel designed as an integral part of a residential subdivision will be permitted and provided that said site shall be in conformance with the Foster Township Zoning Ordinance.

F. Site Development.

1. Commercial and industrial sites shall be designed so as to provide maximum protection to adjacent residential properties and shall consist of not less than: an eight (8') foot fence of permanent character, maintained at all times and free from any advertising materials of any type; lighting so as to be readily visible for police protection; and of such character of construction as to prevent any unreasonable decay or deterioration of said structures.

1303. MOBILE HOME PARKS

A. Application.

1. For the purpose of these regulations, all mobile home courts, as defined in Article 2 hereof, shall be subject to all of the specifications of Article 11 and 12 and the following requirements.

B. Spacing of Mobile Home Units.

1. No mobile home shall be located closer than twenty-five (25') feet to any portion of any other mobile home or permanent building in the Mobile Home Park.

C. General Standards and Requirements.

1. All mobile home parks shall be located on land where the average natural

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slope of the area of the site intended for development shall not exceed twelve (12%) percent.

2. All mobile home parks shall have centralized sewer and water.
3. All mobile home parks shall have a twenty (20') foot, planter buffer yard around the perimeter of the site. The buffer yard shall be provided in accordance with Section 1129.C. No home shall be placed within twenty-five (25') feet of a perimeter property line of the tract, or thirty (30') feet from an abutting public street right-of-way.
4. No proposed homes within the proposed mobile home park shall be placed in flood prone or flood hazard areas. The proposed mobile home park shall have access to paved public streets or roads.
5. All mobile homes shall be constructed in accordance with the Safety and Construction Standards of the U.S. Department of Housing and Urban Development.
6. The mobile home park shall be in conformance with all applicable provisions of the Foster Township Zoning Ordinance, except for those requirements specifically outlined herein.

D. Site Location.

1. All mobile home courts shall be located on high and well drained lands and shall have not less than a total land area of ten (10) acres and a maximum overall density of no more than five (5) mobile homes per acre.
2. All mobile home courts shall have paved access roads to and from any such site and in no instance shall such sites be in conflict with any other Ordinance of the Township.

E. Minimum Site Improvement. Minimum site improvements for all mobile home courts shall include, but shall not be limited to the following:

1. Streets.

- a. All streets within any mobile home court shall be not less than fifty (50) foot right-of-way with a paved width of not less than thirty-three (33') feet and shall meet minimum paving thickness and other requirements as set out in Article 11 hereof for minor streets. All streets shall be properly drained and shall be kept free of debris or other obstructions to provide clear access for fire, police or other emergency access.

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2. Open Space.

- a. All mobile home courts shall provide not less than twenty-five (25%) percent of the total land area for public open space purposes and such lands shall be improved whereby the same will be accessible to all families within said tract and whereby such open space may be used for recreational purposes.
- b. At least one-half (1/2) of the required common open space shall consist of areas of adequate size, shape, slope, soil type and other physical characteristics suitable for outdoor passive and active recreational use or be improved to ensure suitability for such use.
- c. The area provided for common open space shall be in addition to the required buffer yard around the perimeter of the mobile home park.

3. Parking.

- a. Every mobile home space shall be provided with a minimum of two (2) paved off-street parking spaces, with a minimum width of ten (10') feet and a minimum length of twenty (20') feet per parking space.
- b. Parking courts may be used to meet the off-street parking requirements. All parking courts shall be located in close proximity to the mobile homes.

4. Utility Improvements. All mobile home courts shall provide to each lot line a continuing supply of safe and palatable water as approved by the Pennsylvania Department of Environmental Protection as well as a sanitary sewerage disposal system in accordance with and as approved by, the Pennsylvania Department of Environmental Protection, all such systems being provided to the lot lines of all lots in any such mobile home court.

5. Other Site Improvements.

- a. There shall be provided in each mobile home court such other improvements as the Commission may require whereby such requirements shall at all times be in the best interests of the public's health, safety and general welfare and may include, but shall not be limited to, garbage and trash collection and disposal facilities and an adequate park lighting system.
- b. Every mobile home space shall be graded to provide a level, stable and well-drained stand for the mobile home.

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- c. Ten (10") inch diameter concrete piers, or equivalent, shall be installed from ground level to below the frost line (48 inches minimum) and shall be placed on ten (10') feet centers along each of the two main longitudinal frame sections for each section of the home. A concrete slab that covers the entire area beneath the unit may be used in place of concrete on a four (4") inch crushed stone base. Concrete blocks shall be used to support the home on the concrete piers and wood shims may be used for final leveling.
- d. Every mobile home in the park shall be enclosed from the bottom of the mobile home to the ground or stand using industry-approved skirting material compatible with the home.
- e. Every mobile home space in the mobile home park shall be provided with connections to an adequate supply of potable water and to a centralized sewage disposal system which conforms to the standards required in Article 11 of this Ordinance.
- f. Every space shall be provided with underground electric, telephone, and T.V. cable (if available) service.
- g. All fuel storage and supply systems may be underground and shall be constructed and maintained in conformity with the regulations of all authorities having jurisdiction, or of above ground shall adequately be screened with landscaping or a screen wall compatible with the home.
- h. Every mobile home shall be securely anchored or tied-down on at least the four (4) corners and also in accordance with the manufacturers recommendations furnished with each home.

F. Uses Fronting on Major Traffic Streets.

- 1. Service Streets. Where a non-residential subdivision fronts or abuts a major street as defined in Article 2 the Commission may require a service street approximately parallel to the major street at a distance suitable for the appropriate use of the intervening land.
- 2. Controlled Access.
 - a. Entrances and exits to non-residential subdivisions shall be designed so as not to interfere with through traffic. In general, entrance and exit points shall not be located closer to one another than fifty (50') feet, and when combined, shall be restricted to one combined access point per one hundred (100') feet. Access points shall not

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exceed twenty-four (24') feet in width at any such point.

- b. Access to mobile home spaces shall be from interior driveways, access drives, or private streets and shall not be from public streets or roads. Entrance roads shall have a paved cartway width of at least twenty-four (24') feet and access drives shall have a paved cartway width of at least twenty (20') feet. Access drives and driveways shall conform to the requirements of Section 1117.
- c. All streets within the mobile home park shall be private and be maintained as part of the mobile home park. All construction shall conform to the requirements for streets contained in Section 1108.

APPENDIX A

RESOLUTION

A Resolution by the Foster Township Board of Supervisors providing for the control of the subdivision of land within the Township by requiring the submission and approval or review of all plans; establishing a procedure for review and approval; establishing minimum layout and design standards; requiring minimum improvements to be made by the subdivider; establishing a fee for processing plans; requiring filing and recording of all plans with the County Recorder of Deeds; establishing a uniform size and scale for plans to be recorded and establishing the method for recording; defining the dedication and acceptance of streets and roads; requiring a review and report on plans located in Foster Township, Schuylkill County by the Foster Township Planning Commission; and providing for penalties and remedies for violations of the provisions contained herein.

WHEREAS, Article ____ - _____ of the Township Code of the Commonwealth of Pennsylvania specifies that - "The Township Planning Commission and Board of Supervisors shall have jurisdiction of the subdivision of land located within the Township limits", and,

WHEREAS, it is the desire of the Foster Township Supervisors to establish a uniform system of regulations and a procedure of reviewing and approving subdivision plans as part of the Comprehensive Master Plan for Foster Township.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors, Foster Township, Schuylkill County, pursuant to Article 247, the Municipalities Planning Code of the Commonwealth of Pennsylvania, that the following Subdivision and Land Development Regulations are hereby adopted and shall be in effect from and after the date of adoption.

Passed and adopted this _____ day of _____, 20__ .

Chairman, Foster Township
Board of Supervisors

ATTEST: _____
Secretary, Foster Township Supervisors

APPENDIX B

FOSTER TOWNSHIP
SUBDIVISION REGULATIONS

APPLICATION FOR SUBDIVISION PLAN APPROVAL

1. NAME OF SUBDIVISION: _____

2. NAME & ADDRESS OF PROPERTY OWNER(S):

3. NAME & ADDRESS OF DEVELOPER/APPLICANT:
(If Other Than Owner) _____

4. LOCATION OF SUBDIVISION:

Street Address (If Any)

Tax Map No. Parcel No.

Deed Book No. Page No.

5. NAME & ADDRESS OF PROFESSIONAL
RESPONSIBLE FOR THE PLAN:

Company Name

Contact Person

Mailing Address

Telephone No.

6. TOTAL ACREAGE TO BE SUBDIVIDED _____ ACRES

7. NUMBER OF LOTS PROPOSED (including residue): _____

8. NUMBER OF LOTS TO BE DEVELOPED: _____

9. TYPE OF DEVELOPMENT: _____ SINGLE FAMILY

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(Check Applicable Box(s))

_____	MULTI-FAMILY (TOWNHOUSE)
_____	COMMERCIAL
_____	INDUSTRIAL
_____	NOT FOR DEVELOPMENT
_____	ANNEXATION
_____	OTHER (SPECIFY)

10. TYPE OF WATER SYSTEM:
(Check Applicable Box(s))

	<u>Existing</u>	<u>Proposed</u>
PUBLIC (MUNICIPAL) SYSTEM	_____	_____
SEMI-PUBLIC (COMMUNITY) SYSTEM	_____	_____
INDIVIDUAL ON-SITE	_____	_____

11. TYPE OF SANITARY SEWER SYSTEM:
(Check Applicable Box(s))

	<u>Existing</u>	<u>Proposed</u>
PUBLIC (MUNICIPAL) SYSTEM	_____	_____
SEMI-PUBLIC (COMMUNITY) SYSTEM	_____	_____
INDIVIDUAL ON-SITE	_____	_____

12. ZONING CLASSIFICATION: _____

13. PROPOSED IMPROVEMENTS, IF ANY:
(Check Applicable Box(s))

_____	STREETS
_____	WATER SYSTEM
_____	SANITARY SEWER SYSTEM
_____	STORMWATER SYSTEM
_____	SIDEWALKS/CURBS
_____	OTHER UTILITIES
_____	NOT APPLICABLE

14. ATTACHMENTS AND ENCLOSURES:

_____	APPENDIX B-APPLICATION FOR SUBDIVISION PLAN APPROVAL
_____	SUBDIVISION PLAN (8 COPIES)
_____	APPENDIX C.1 BOUNDARY LINE ADJUSTMENT CHECKLIST
_____	APPENDIX C.2 MINOR SUBDIVISION

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FINAL PLAN CHECKLIST

_____ APPENDIX C.3 MAJOR SUBDIVISION
PRELIMINARY PLAN CHECKLIST

_____ APPENDIX C.4 MAJOR SUBDIVISION
FINAL PLAN CHECKLIST

_____ DEED RESTRICTIONS (IF ANY)

_____ IMPROVEMENT AGREEMENTS (IF ANY)

_____ OTHER (SPECIFY)

15. **CERTIFICATION:** THE UNDERSIGNED HEREBY REPRESENTS THAT TO THE BEST OF HIS (THEIR) KNOWLEDGE AND BELIEF, ALL INFORMATION LISTED AND ATTACHED HERETO IS TRUE, CORRECT AND COMPLETE.

SIGNATURE OF OWNER(S) OR APPLICANT(S)

DATE

FOR TOWNSHIP USE ONLY

1. RECEIVED BY PLANNING COMMISSION: _____
Date

Fee Paid

Secretary Signature

2. REVIEWED BY PLANNING COMMISSION: _____
Date

3. PLANNING COMMISSION ACTION:

_____ Approved
Date

_____ Approved Subject to the Following Modifications:
Date

_____ Disapproved for the Following Reasons:
Date

ATTEST:

_____ Secretary _____ Chairperson, Township Planning Commission

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4. REVIEWED BY BOARD OF SUPERVISORS: _____
Date

5. BOARD OF SUPERVISORS ACTION:

_____ Approved
Date

_____ Approved Subject to the Following Modifications:
Date

_____ Disapproved for the Following Reasons:
Date

ATTEST:

Secretary

Chairperson, Township Planning Commission

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APPENDIX C

FOSTER TOWNSHIP SUBDIVISION REGULATIONS

**C.1 BOUNDARY LINE ADJUSTMENT
CHECKLIST**

YES NO N/A

___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___

GENERAL SUBMISSION ITEMS - Does the submission include:

1. Two (2) copies of completed Application Form?
2. Two (2) copies of the Checklist?
3. Eight (8) copies of Final Plan (prints)?
4. Four (4) sets of Supportive Documents?
5. The required fee (in accordance with Township Fee Schedule)?

SPECIFIC PLAN REQUIREMENTS

Drafting Standards - Does the Plan have:

___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___

6. Plan drawings at a size no larger than 24" x 36"?
7. A scale of 1"=50', 1"=100' or other approved scale?
8. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds?
9. Sheets numbered and show relationship to the total number of sheets?
10. Revisions noted, if Plan is a revision of previously approved Plan?

General Information - Does the Plan have:

___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___
___ ___ ___

11. Name and location of line adjustment?
12. Names and addresses of:
 - landowner?
 - developer?
 - adjoining property owners?
13. Owners Statement of Intended Use?
14. Names, addresses, signatures and seals of the licensed engineer and/or surveyor?
15. Approval/review signature blocks for:
 - Township Planning Commission?
 - Board of Supervisors?
 - County Planning Commission?
 - Record of Deeds?

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YES	NO	N/A	
___	___	___	16. Location Map at a suitable scale showing the relationship of the site to adjoining properties and streets.
___	___	___	17. Graphic and/or written scale?
___	___	___	18. North arrow?
___	___	___	19. Date of plan and all subsequent revision dates?
___	___	___	20. Boundaries of all adjoining properties with names of landowners, and Deed Book Volume and page numbers?
___	___	___	21. The Deed Book volume and page number, as entered by the County Recorder, referencing the latest source of title to the land being subdivided?
___	___	___	22. Tax map sheet, block and lot number for the tract being subdivided?
___	___	___	23. Signed Owners Affidavit?
___	___	___	24. Notarized consent for the subdivision executed by the Owner or Equitable Owner?
___	___	___	25. Lot size(s) in acres?
___	___	___	26. Indicate all monuments as set or found?
___	___	___	27. Rewritten deed(s)?

Zoning Requirements - Does the Plan include the following zoning information:

___	___	___	28. Applicable zoning district?
___	___	___	29. Lot size and yard requirements?
___	___	___	30. Building setback line or building placement?

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY THE COMMISSION AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE PREPARATION OF THE PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

FOSTER TOWNSHIP SUBDIVISION REGULATIONS

C.2 MINOR SUBDIVISION
FINAL PLAN CHECKLIST

YES NO N/A

GENERAL SUBMISSION ITEMS - Does the submission include:

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 1. Two (2) copies of completed Application Form? |
| ___ | ___ | ___ | 2. Two (2) copies of Final Plan Checklist? |
| ___ | ___ | ___ | 3. Eight (8) copies of Final Plan (prints)? |
| ___ | ___ | ___ | 4. Four (4) sets of Supportive Documents? |
| ___ | ___ | ___ | 5. Approval letter from PennDOT and Highway Occupancy Permit and notice on Plan (if applicable)? |
| ___ | ___ | ___ | 6. Review letter from Soil Conservation District? |
| ___ | ___ | ___ | 7. The required fee (in accordance with Township Fee Schedule)? |
| ___ | ___ | ___ | 8. Planning Module(s) |

SPECIFIC PLAN REQUIREMENTS

Drafting Standards - Does the Plan have:

- | | | | |
|-----|-----|-----|---|
| ___ | ___ | ___ | 8. Plan drawings at a size no larger than 24" x 36"? |
| ___ | ___ | ___ | 9. A scale of 1"=50', 1"=100' or other approved scale? |
| ___ | ___ | ___ | 10. Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds? |
| ___ | ___ | ___ | 11. Sheets numbered and show relationship to the total number of sheets? |
| ___ | ___ | ___ | 12. Revisions noted, if Plan is a revision of previously approved Plan? |

General Information - Does the Plan have:

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 13. Name of Subdivision? |
| ___ | ___ | ___ | 14. Names and addresses of: |
| ___ | ___ | ___ | • landowner? |
| ___ | ___ | ___ | • developer? |
| ___ | ___ | ___ | • adjoining property owners? |
| ___ | ___ | ___ | 15. Owners Statement of Intended Use of Subdivided Lot? |
| ___ | ___ | ___ | 16. Names, addresses, signatures and seals of the licensed engineer and/or surveyor? |
| ___ | ___ | ___ | 17. Approval/review signature blocks for: |
| ___ | ___ | ___ | • County Planning Commission? |
| ___ | ___ | ___ | • Township Planning Commission? |
| ___ | ___ | ___ | • Board of Supervisors? |
| ___ | ___ | ___ | • Record of Deeds? |
| ___ | ___ | ___ | 18. Location Map at a suitable scale showing the relationship of the site to adjoining properties and streets within one thousand (1000') feet, and all zoning district and municipal boundaries within one thousand (1000') feet? |
| ___ | ___ | ___ | 19. Graphic and/or written scale? |
| ___ | ___ | ___ | 20. North arrow? |
| ___ | ___ | ___ | 21. Date of plan and all subsequent revision dates? |
| ___ | ___ | ___ | 22. Boundaries of all adjoining properties with names of landowners, tax numbers, Deed Book Volume and page numbers? |

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YES NO N/A

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 23. | The Deed Book Volume and page number, as entered by the County Recorder, referencing the latest source of title to the land being subdivided? |
| ___ | ___ | ___ | 24. | Tax map sheet, block and lot number for the tract being subdivided? |
| ___ | ___ | ___ | 25. | Signed Owners Affidavit? |
| ___ | ___ | ___ | 26. | Notarized consent for the subdivision executed by the Owner or Equitable Owner? |

Natural Features - Does the Plan have the location of the following natural features on the site and within 100 feet of the site:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 27. | Contour lines as required with elevation datum indicated? |
| ___ | ___ | ___ | 28. | Watercourses, lakes, flood-prone, or flood-plain areas and wetlands with names, if any? Also, drainage easement where applicable. |
| ___ | ___ | ___ | 29. | Rock outcrops, stone fields or other significant topographical features? |

Boundary Lines of Tract - Does the Plan show:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 30. | Boundary lines of the area being subdivided with bearings and distances? |
| ___ | ___ | ___ | 31. | Location and type of all existing monuments? |

Man-Made Features - Does the Plan include the location of the following man-made features on the site and within 100 feet of the site:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 32. | Sufficient bearings, length of lines, radii, arc lengths, street widths, right-of-way and easement widths of all lots, streets, rights-of-way, easements and community or public areas to accurately and completely reproduce each and every course on the ground? |
| ___ | ___ | ___ | 33. | Existing lot layout on the site? |
| ___ | ___ | ___ | 34. | Historic sites or structures, including name and description? |
| ___ | ___ | ___ | 35. | Sewer lines, stormwater drains and culverts, including but not limited to water lines and electric lines? Also, the size and invert elevation of all sewers, including location of manholes, inlets and culverts. |
| ___ | ___ | ___ | 36. | Minimum utility easements and restrictive covenants and easements for purposes which might affect development? |

Zoning Requirements - Does the Plan include the following zoning information:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 37. | Applicable zoning district? |
| ___ | ___ | ___ | 38. | Lot size and yard requirements? |
| ___ | ___ | ___ | 39. | Building setback line or building placement? |

Proposed Layout - Does the Plan include the following items and information regarding the proposed layout:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 40. | Area in acres of parent tract, each subdivided lot and residue? |
| ___ | ___ | ___ | 41. | Proposed lot layout with identification number and total number of lots? |
| ___ | ___ | ___ | 42. | Lot width, depth and area? |

YES NO N/A

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- ___ ___ ___ 43. Rights-of-way, restrictive covenants and easements for all drainage, utilities and other purposes which might affect development, with designations of areas to be dedicated to the Municipality?
- ___ ___ ___ 44. Well location?
- ___ ___ ___ 45. Primary leach field?
- ___ ___ ___ 46. Soil probe location?
- ___ ___ ___ 47. Percolation test location?
- ___ ___ ___ 48. Storm drainage facilities or structures?
- ___ ___ ___ 49. Private deed restrictions already imposed or to be imposed as a condition to sale?
- ___ ___ ___ 50. All lots shall front on a public street?
- ___ ___ ___ 51. Lots for annexation or not for further development shall be so noted.
- ___ ___ ___ 52. A note identifying by lot number the subdivided lots without adequate street frontage that cannot be further subdivided.

SUPPORTIVE DOCUMENTS AND INFORMATION - Are the following items included in the submission:

- ___ ___ ___ 53. Residual lands sketch?
- ___ ___ ___ 54. Current deed of tract being subdivided?
- ___ ___ ___ 55. Type of water system proposed with a letter of approval from the governing water authority when public water is proposed?
- ___ ___ ___ 56. Type of sanitary sewer system proposed with a letter of approval from the governing sewer authority when public sewage is proposed?

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY THE COMMISSION AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE PREPARATION OF THE PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

FOSTER TOWNSHIP SUBDIVISION REGULATIONS

Unofficial Copy

C.3 MAJOR SUBDIVISION
PRELIMINARY PLAN CHECKLIST

YES NO N/A

GENERAL SUBMISSION ITEMS - Does the submission include:

- | | | | | |
|-----|-----|-----|----|--|
| ___ | ___ | ___ | 1. | Two (2) copies of completed Application Form? |
| ___ | ___ | ___ | 2. | Two (2) copies of Preliminary Plan Checklist? |
| ___ | ___ | ___ | 3. | Six (6) copies of Preliminary Plan (prints)? |
| ___ | ___ | ___ | 4. | Four (4) sets of Supportive Documents? |
| ___ | ___ | ___ | 5. | Review letter from Soil Conservation District? |
| ___ | ___ | ___ | 6. | Review letter from PennDOT (if applicable)? |
| ___ | ___ | ___ | 7. | Review letter from appropriate Utility Companies? |
| ___ | ___ | ___ | 8. | The required fee (in accordance with Township Fee Schedule)? |

SPECIFIC PLAN REQUIREMENTS

Drafting Standards for All Plans - Do the Plans have:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 9. | Plan drawings at a size no larger than 24" x 36"? |
| ___ | ___ | ___ | 10. | A scale of 1"=50', 1"=100' or other approved scale? |
| ___ | ___ | ___ | 11. | Profiles drawn at a vertical scale of <ul style="list-style-type: none">● Five (5') feet per inch or ten (10') feet per inch (for horizontal scale of 1"=50'),● Ten (10') feet per inch (for horizontal scale of 1"=100') or● Other approved scale? |
| ___ | ___ | ___ | 12. | Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds? |
| ___ | ___ | ___ | 13. | Sheets numbered and show relationship to the total number of sheets? |
| ___ | ___ | ___ | 14. | An adequate legend indicating clearly which features are existing and which are proposed? |
| ___ | ___ | ___ | 15. | Revisions noted and dated? |
| ___ | ___ | ___ | 16. | A boundary line shown as a heavy line? |

General Information Required on all Plans - Do the Plans have:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 17. | A title "Preliminary Plan"? |
| ___ | ___ | ___ | 18. | Sheet Title (e.g., "Layout Plan")? |
| ___ | ___ | ___ | 19. | Name and location of subdivision or land development? |
| ___ | ___ | ___ | 20. | Graphic and/or written scales? |
| ___ | ___ | ___ | 21. | Date of Plan and all subsequent revision dates? |
| ___ | ___ | ___ | 22. | Names and addresses, signatures and seals of Engineer's and Surveyor's Statement (see Appendix D) of the licensed engineer, surveyor, architect or landscape architect responsible for preparation of the Plan? |

INFORMATION REQUIRED ON ALL LAYOUT PLANS, GRADING AND STORM DRAINAGE PLANS, UTILITY PLANS AND EROSION AND SEDIMENTATION PLANS

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YES NO N/A

General Information - Do the Plans have:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 23. | North arrow? |
| ___ | ___ | ___ | 24. | Site boundaries with closure of 1 in 10,000? |
| ___ | ___ | ___ | 25. | Boundaries of all adjoining properties with names of landowners and tax numbers? |
| ___ | ___ | ___ | 26. | Location and type of existing monuments? |

Natural Features - Do the Plans show:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 29. | Contour lines with elevation datum indicated? |
| ___ | ___ | ___ | 30. | Generalized slope areas (15%-25%, over 25%)? |
| ___ | ___ | ___ | 31. | Location and extent of various soil types with S.C.S. classification and DEP definitions for each? |
| ___ | ___ | ___ | 32. | Forested areas? |
| ___ | ___ | ___ | 33. | Watercourses, lakes, flood-prone or flood-plain areas and wetlands (with names, if any)? |

Man-Made Features - Do the Plans include the location of the following man-made features on the site being subdivided or developed:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 34. | Streets and rights-of-way (including name and right-of-way widths) on the site and on immediately adjacent tracts? |
| ___ | ___ | ___ | 35. | Existing lot layout on the site and on immediately adjacent tracts? |
| ___ | ___ | ___ | 36. | Historic sites or structures, including name and description? |
| ___ | ___ | ___ | 37. | Sewer lines, storm drains and culverts, including but not limited to water lines and electric lines? |
| ___ | ___ | ___ | 38. | Bridges? |
| ___ | ___ | ___ | 39. | Utility easements, restrictive covenants and easements for purposes which might affect development? |

Proposed Features - Do the Plans show?

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 40. | Layout of streets with centerlines, cartways and right-of-ways, and proposed names? |
| ___ | ___ | ___ | 41. | Layout of lots with identification number? |
| ___ | ___ | ___ | 42. | Building setback lines from all lot lines? |
| ___ | ___ | ___ | 43. | The arrangement and use of buildings and parking areas in nonresidential developments and planned residential developments, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)? |
| ___ | ___ | ___ | 44. | Rights-of-way, restrictive covenants, and easements for all drainage, utilities or other purposes which might affect development? |

YES NO N/A

- | | | | | |
|-----|-----|-----|-----|---------------------------------|
| ___ | ___ | ___ | 45. | Sidewalks and pedestrian paths? |
| ___ | ___ | ___ | 46. | Open space areas? |

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- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 47. | Recreation facilities? |
| ___ | ___ | ___ | 48. | Lot size and yard requirements? |
| ___ | ___ | ___ | 49. | Applicable zoning district? |
| ___ | ___ | ___ | 50. | All lots shall front on a public street. |
| ___ | ___ | ___ | 51. | Proposed monuments with reference to proposed improvements? |
| ___ | ___ | ___ | 52. | Well location? |
| ___ | ___ | ___ | 53. | Primary leach field? |
| ___ | ___ | ___ | 54. | Soil probe location? |
| ___ | ___ | ___ | 55. | Percolation test location? |

Layout Plan - Does the layout plan have:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 56. | Names and addresses of landowner? |
| ___ | ___ | ___ | 57. | Names and addresses of developer? |
| ___ | ___ | ___ | 58. | Names and addresses of adjoining property owners? |
| ___ | ___ | ___ | 59. | Owners Statement of Acknowledgement? |
| ___ | ___ | ___ | 60. | Approval/review signature blocks? |
| ___ | ___ | ___ | 61. | Location map at a scale of 1" = 2000' or larger showing the relation of the site to adjoining properties, streets, zoning district boundaries, and municipal boundaries within one thousand (1000') feet? |
| ___ | ___ | ___ | 62. | Project Summary List? |

Proposed Features - Does the Layout Plan show:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 63. | Approximate dimensions, and areas of lots expressed in both square feet and acres? |
|-----|-----|-----|-----|--|

Streets

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 64. | Cartway and right-of-way width? |
| ___ | ___ | ___ | 65. | Centerline with bearings, distances, horizontal curve data and stations corresponding to the profile? |
| ___ | ___ | ___ | 66. | Right-of-way and curb lines with horizontal curve radii at intersections? |
| ___ | ___ | ___ | 67. | Beginning and end of proposed construction? |
| ___ | ___ | ___ | 68. | Tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartway and right-of-way? |

Grading and Storm Drainage Plan - Does the Plan indicate:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 69. | Existing and proposed contour lines at intervals of five (5') feet (if slope is between 0% and 15%) and ten (10') feet (if slope is over 15%)? |
| ___ | ___ | ___ | 70. | Street centerline data and stations corresponding to the profile? |

YES NO N/A

Storm Drainage

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- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 71. | Location and size of facilities with stations corresponding to the profile? |
| ___ | ___ | ___ | 72. | Location of inlets with invert elevation of flow line and grade at the top of each inlet? |
| ___ | ___ | ___ | 73. | Watershed areas for each drainage structure or swale? |
| ___ | ___ | ___ | 74. | Property lines and ownership, with details of easements where required? |
| ___ | ___ | ___ | 75. | Beginning and end of proposed construction? |
| ___ | ___ | ___ | 76. | Location of all other drainage facilities and public utilities in the vicinity of storm drain lines? |
| ___ | ___ | ___ | 77. | Hydraulic design standards for culverts, bridge structures and/or other storm facilities? |
| ___ | ___ | ___ | 78. | Location and size of proposed drainage swales? |

Utility Plan - Does the Utility Plan show:
(If on-lot sanitary sewage disposal systems are proposed?)

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 79. | Existing and proposed contour lines at intervals of five (5') feet (if slope is between 0% and 15%) or ten (10') feet (if slope is over 15%)? |
| ___ | ___ | ___ | 80. | Proposed location of wells? |
| ___ | ___ | ___ | 81. | Proposed or typical location of dwelling? |
| ___ | ___ | ___ | 82. | Proposed location of subsurface disposal field? |
| ___ | ___ | ___ | 83. | Location of percolation test holes and soil probe pit? |

(If centralized sanitary sewers are proposed?)

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 84. | Location and size of line with stations corresponding to the profile? |
| ___ | ___ | ___ | 85. | Location of manholes with invert elevation of flow line and grade at the top of each manhole? |
| ___ | ___ | ___ | 86. | Property lines and ownership, with details of easements where required? |
| ___ | ___ | ___ | 87. | Beginning and end of proposed construction? |
| ___ | ___ | ___ | 88. | Location of laterals? |
| ___ | ___ | ___ | 89. | Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines? |

(If centralized water system is being proposed?)

- | | | | | |
|-----|-----|-----|-----|-----------------------------------|
| ___ | ___ | ___ | 90. | Location and size of waterline? |
| ___ | ___ | ___ | 91. | Plans pertaining to water source? |
| ___ | ___ | ___ | 92. | Fire hydrants? |

(If on-lot water system is being proposed?)

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 93. | Location of all wells (existing and proposed)? |
| ___ | ___ | ___ | 94. | Street lighting? |

YES NO N/A

Erosion and Sedimentation Plan (If required) - Does the Plan:

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- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 95. Comply with D.E.P. Soil Erosion and Sedimentation Control Manual and regulations of the Schuylkill County Conservation District? |
| ___ | ___ | ___ | 96. Use stormwater runoff calculations governed by the parameters set forth in Appendix H and Section 1120. |

Road Profiles - Do the road profiles include:

- | | | | |
|-----|-----|-----|---|
| ___ | ___ | ___ | 97. Profile of existing ground surface along centerline of street? |
| ___ | ___ | ___ | 98. Proposed centerline grade with percent on tangents and elevations at fifty (50') foot intervals? |
| ___ | ___ | ___ | 99. All vertical curve data including length, elevations, and minimum sight distance as required by Article 11? |

Sanitary Sewer and Storm Drain Profiles - Do the profiles include:

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 100. Profile of existing ground surface with elevations at top of manholes or inlets? |
| ___ | ___ | ___ | 101. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole and inlet locations, and invert elevations along flow line? |
| ___ | ___ | ___ | 102. All line crossings of other utilities? |
| ___ | ___ | ___ | 103. Invert elevations along flow line at manholes, inlets, and at line crossing of other utilities: |

Construction Details - Are the following construction details included:

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 104. Typical cross-section and specifications for street construction as required by Article 11? |
| ___ | ___ | ___ | 105. Drainage swale cross section and construction materials? |
| ___ | ___ | ___ | 106. Pipe bedding details? |
| ___ | ___ | ___ | 107. Storm drainage structures? |
| ___ | ___ | ___ | 108. Sanitary sewer structures? |
| ___ | ___ | ___ | 109. Curb and sidewalk details? |

SUPPORTIVE DOCUMENTS AND INFORMATION

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 110. Private deed restrictions or covenants already imposed or to be imposed as a condition of sale? |
| ___ | ___ | ___ | 111. Map of all property holdings of the owner within one thousand (1,000') feet of the proposed subdivision, indicating the site of proposed subdivision? |
| ___ | ___ | ___ | 112. A sketch plan of a proposed road system with any property holdings contiguous to the proposed subdivision? |
| ___ | ___ | ___ | 113. Certification of Public Water Supply System? |

YES NO N/A

- | | | | |
|-----|-----|-----|---|
| ___ | ___ | ___ | 114. Certification of a Centralized Sewage Disposal System? |
| ___ | ___ | ___ | 115. Certification of On-Lot Sewage System? |
| ___ | ___ | ___ | 116. Storm Drainage Calculations (see Appendix H)? |
| ___ | ___ | ___ | 117. Development Statement and Schedule? |
| ___ | ___ | ___ | 118. Statement of Compliance with Floodplain Regulations? |

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- ___ 119. Current deed of Property being Subdivided?
___ 120. Lots for annexation or not for further development shall be so noted.

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY THE COMMISSION AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE PREPARATION OF THE PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

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FOSTER TOWNSHIP SUBDIVISION REGULATIONS

C.4 MAJOR SUBDIVISION
FINAL PLAN CHECKLIST

YES NO N/A

GENERAL SUBMISSION ITEMS - Does the submission include:

- | | | | | |
|-----|-----|-----|----|--|
| ___ | ___ | ___ | 1. | Two (2) copies of completed Application Form? |
| ___ | ___ | ___ | 2. | Two (2) copies of Preliminary Plan Checklist? |
| ___ | ___ | ___ | 3. | Six (6) copies of Final Plan (prints)? |
| ___ | ___ | ___ | 4. | Four (4) sets of Supportive Documents? |
| ___ | ___ | ___ | 5. | Review letter from Soil Conservation District? |
| ___ | ___ | ___ | 6. | Review letter from PennDOT (if applicable)? |
| ___ | ___ | ___ | 7. | Review letter from appropriate Utility Companies? |
| ___ | ___ | ___ | 8. | The required fee (in accordance with Township Fee Schedule)? |

SPECIFIC PLAN REQUIREMENTS

Drafting Standards for All Plans - Do the Plans have:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 9. | Plan drawings at a size no larger than 24" x 36"? |
| ___ | ___ | ___ | 10. | A scale of 1"=50', 1"=100' or other approved scale? |
| ___ | ___ | ___ | 11. | Profiles drawn at a vertical scale of <ul style="list-style-type: none">● Five (5') feet per inch or ten (10') feet per inch (for horizontal scale of 1"=50'),● Ten (10') feet per inch (for horizontal scale of 1"=100') or● Other approved scale? |
| ___ | ___ | ___ | 12. | Dimensions set in feet and decimal part thereof and bearings in degrees, minutes and seconds? |
| ___ | ___ | ___ | 13. | Sheets numbered and show relationship to the total number of sheets? |
| ___ | ___ | ___ | 14. | An adequate legend indicating clearly which features are existing and which are proposed? |
| ___ | ___ | ___ | 15. | Revisions noted and dated? |
| ___ | ___ | ___ | 16. | A boundary line shown as a solid heavy line? |

General Information Required on all Plans - Do the Plans have:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 17. | A title "Final Plan"? |
| ___ | ___ | ___ | 18. | Sheet Title (e.g., "Layout Plan")? |
| ___ | ___ | ___ | 19. | Name and location of subdivision or land development? |
| ___ | ___ | ___ | 20. | Graphic and/or written scales? |
| ___ | ___ | ___ | 21. | Date of Plan and all subsequent revision dates? |
| ___ | ___ | ___ | 22. | Names and addresses, signatures and seals of the licensed Engineer, surveyor, architect or landscape architect responsible for preparation of the Plan? |

INFORMATION REQUIRED ON ALL LAYOUT PLANS, GRADING

Unofficial Copy

AND STORM DRAINAGE PLANS, UTILITY PLANS AND EROSION AND SEDIMENTATION PLANS

YES NO N/A

General Information - Do the Plans have:

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 23. North arrow? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 24. Site boundaries with closure of 1 in 10,000? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 25. Boundaries of all adjoining properties with names of landowners? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 26. Location and type of existing monuments? |

Natural Features - Do the Plans show:

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 29. Contour lines with elevation datum indicated? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 30. Generalized slope areas (15%-25%, over 25%)? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 31. Location and extent of various soil types with S.C.S. classification and DEP definitions for each? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 32. Forested areas? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 33. Watercourses, lakes, flood-prone or flood-plain areas and wetlands (with names, if any)? |

Man-Made Features - Do the Plans include the location of the following man-made features on the site being subdivided or developed:

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 34. Streets and rights-of-way (including name and right-of-way widths) on the site and on immediately adjacent tracts? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 35. Existing lot layout on the site and on immediately adjacent tracts? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 36. Historic sites or structures, including name and description? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 37. Sewer lines, storm drains and culverts, including but not limited to water lines and electric lines? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 38. Bridges? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 39. Utility easements, restrictive covenants and easements for purposes which might affect development? |

Proposed Features - Do the Plans show?

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 40. Layout of streets with centerlines, cartways and right-of-ways, and proposed names? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 41. Layout of lots with identification number? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 42. Building setback lines from all lot lines? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 43. The arrangement and use of buildings and parking areas in nonresidential developments and planned residential developments, with all necessary dimensions and number of parking spaces (elevations and perspective sketches of proposed buildings are encouraged)? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 44. Rights-of-way, restrictive covenants, and easements for all drainage, utilities or other purposes which might affect development? |

YES NO N/A

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- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 45. | Sidewalks and pedestrian paths? |
| ___ | ___ | ___ | 46. | Open space areas? |
| ___ | ___ | ___ | 47. | Recreation facilities? |
| ___ | ___ | ___ | 48. | Proposed monuments with reference to proposed improvements? |
| ___ | ___ | ___ | 49. | Lot size and yard requirements? |
| ___ | ___ | ___ | 50. | Applicable zoning district? |
| ___ | ___ | ___ | 51. | All lots shall front on a public street? |
| ___ | ___ | ___ | 52. | Well location? |
| ___ | ___ | ___ | 53. | Primary leach field? |
| ___ | ___ | ___ | 54. | Soil probe location? |
| ___ | ___ | ___ | 55. | Percolation test location? |

Protective Covenants - Do the Plans have protective covenants providing for:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 56. | Building setbacks? |
| ___ | ___ | ___ | 57. | Clear sight triangle easements? |
| ___ | ___ | ___ | 58. | Utility, drainage, and slope easements? |
| ___ | ___ | ___ | 59. | "Well and sewage disposal systems shall be constructed in accordance with recommended standards of the Pennsylvania Department of Environmental Resources" (if appropriate)? |
| ___ | ___ | ___ | 60. | "Individual owners of lots must apply to the Township for a sewage permit prior to undertaking the construction of an on-lot sewage disposal system" (if appropriate)? |
| ___ | ___ | ___ | 61. | "The Planning Commission has not passed upon the feasibility of any individual lot or location within a lot being able to sustain any type of well or sewage disposal system" (if appropriate)? |

Plot Plan and Layout Plan Additional Information - Does the Plot Plan and Layout Plan have:

- | | | | | |
|-----|-----|-----|-----|--|
| ___ | ___ | ___ | 62. | Names and addresses of landowner? |
| ___ | ___ | ___ | 63. | Names and addresses of developer? |
| ___ | ___ | ___ | 64. | Names and addresses of adjoining property owners? |
| ___ | ___ | ___ | 65. | Owners Statement of Acknowledgement? |
| ___ | ___ | ___ | 66. | Approval/review signature blocks? |
| ___ | ___ | ___ | 67. | Location map at a suitable scale showing the relation of the site to adjoining properties, streets, zoning district boundaries, and municipal boundaries within one thousand (1000') feet? |
| ___ | ___ | ___ | 68. | Project Summary List? |

Proposed Features - Does the Plot Plan and Layout Plan show the following additional information:

- | | | | | |
|-----|-----|-----|-----|---|
| ___ | ___ | ___ | 69. | Layout of lots, with identification number? |
|-----|-----|-----|-----|---|

Streets

- | | | | | |
|-----|-----|-----|-----|-----------------|
| ___ | ___ | ___ | 70. | Proposed names? |
|-----|-----|-----|-----|-----------------|

YES NO N/A

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- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 71. Cartway and right-of-way width? |
| ___ | ___ | ___ | 72. Centerline with bearings, distances, curve data? |
| ___ | ___ | ___ | 73. Right-of-way and curb lines with radii at intersections? |
| ___ | ___ | ___ | 74. Beginning and end of proposed construction? |
| ___ | ___ | ___ | 75. Tie-ins by courses and distances to intersection of all public roads, with their names and widths of cartway and right-of-way? |
| ___ | ___ | ___ | 76. Building setback lines? |
| ___ | ___ | ___ | 77. Rights-of-way, restrictive covenants, and easements for all drainage, utilities, or other purposes which might affect development? |

Plot Plan Additional Information - Does the Plot Plan include the following additional information?

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 78. Site boundaries with closure of 1 in 10,000? |
| ___ | ___ | ___ | 79. Boundaries of all adjoining properties with names of landowners? |
| ___ | ___ | ___ | 80. Location and type of existing monuments? |
| ___ | ___ | ___ | 81. North arrow? |

Location of Existing Man-Made Features within 100 feet from the Tract Being Subdivided

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 82. Streets and rights-of-way, including name and right-of-way widths, on the site and on immediately adjacent tracts? |
| ___ | ___ | ___ | 83. Existing lot layout on the site and on immediately adjacent tracts? |
| ___ | ___ | ___ | 84. Utility easements, restrictive covenants and easements for purposes which might affect development? |

Grading and Storm Drainage Plan - Does the Plan indicate:

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 85. Existing and proposed contour lines at intervals of five (5') feet (if slope is between 0% and 15%) and ten (10') feet (if slope is over 15%)? |
| ___ | ___ | ___ | 86. Street centerline data and stations corresponding to the profile? |

Storm Drainage

- | | | | |
|-----|-----|-----|--|
| ___ | ___ | ___ | 87. Location and size of facilities with stations corresponding to the profile? |
| ___ | ___ | ___ | 88. Location of inlets with invert elevation of flow line and grade at the top of each inlet? |
| ___ | ___ | ___ | 89. Watershed areas for each drainage structure or swale? |
| ___ | ___ | ___ | 90. Property lines and ownership, with details of easements where required? |
| ___ | ___ | ___ | 91. Beginning and end of proposed construction? |
| ___ | ___ | ___ | 92. Location of all other drainage facilities and public utilities in the vicinity of storm drain lines? |
| ___ | ___ | ___ | 93. Hydraulic design standards for culverts, bridge structures and/or other storm facilities? |

YES NO N/A

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___	___	___	94.	Location and size of proposed drainage swales?
<u>Utility Plan</u> - Does the Utility Plan show: (If on-lot sanitary sewage disposal systems are proposed?)				
___	___	___	95.	Existing and proposed contour lines at intervals of five (5') feet (if slope is between 0% and 15%) or ten (10') feet (if slope is over 15%)?
___	___	___	96.	Proposed location of wells?
___	___	___	97.	Proposed or typical location of dwelling?
___	___	___	98.	Proposed location of subsurface disposal field?
___	___	___	99.	Location of percolation test holes and soil probe pit?
(If centralized sanitary sewers are proposed?)				
___	___	___	100.	Location and size of line with stations corresponding to the profile?
___	___	___	101.	Location of manholes with invert elevation of flow line and grade at the top of each manhole?
___	___	___	102.	Property lines and ownership, with details of easements where required?
___	___	___	103.	Beginning and end of proposed construction?
___	___	___	104.	Location of laterals?
___	___	___	105.	Location of all other drainage facilities and public utilities in the vicinity of sanitary sewer lines?
(If centralized water system is being proposed?)				
___	___	___	106.	Location and size of waterline?
___	___	___	107.	Plans pertaining to water source?
___	___	___	108.	Fire hydrants?
(If on-lot water system is being proposed?)				
___	___	___	109.	Location of all wells (existing and proposed)?
___	___	___	110.	Street lighting?
<u>Erosion and Sedimentation Plan (If required)</u> - Does the Plan:				
___	___	___	111.	Comply with D.E.P. Soil Erosion and Sedimentation Control Manual and regulations of the Schuylkill County Conservation District?
___	___	___	112.	Use stormwater runoff calculations governed by the parameters set forth in Appendix H and Section 1120.
<u>Road Profiles</u> - Do the road profiles include:				
___	___	___	113.	Profile of existing ground surface along centerline of street?
___	___	___	114.	Proposed centerline grade with percent on tangents and elevations at fifty (50') foot intervals?
YES	NO	N/A		
___	___	___	115.	All vertical curve data including length, elevations, and minimum sight distance

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as required by Article 11?

Sanitary Sewer and Storm Drain Profiles - Do the profiles include:

- ___ ___ ___ 116. Profile of existing ground surface with elevations at top of manholes or inlets?
- ___ ___ ___ 117. Profile of storm drain or sewer showing type and size of pipe, grade, cradle, manhole and inlet locations, and invert elevations along flow line?
- ___ ___ ___ 118. All line crossings of other utilities?
- ___ ___ ___ 119. Invert elevations along flow line at manholes, inlets, and at line crossing of other utilities:

Construction Details - Are the following construction details included:

- ___ ___ ___ 120. Typical cross-section and specifications for street construction as required by Article 11?
- ___ ___ ___ 121. Drainage swale cross section and construction materials?
- ___ ___ ___ 122. Pipe bedding details?
- ___ ___ ___ 123. Storm drainage structures?
- ___ ___ ___ 124. Sanitary sewer structures?
- ___ ___ ___ 125. Curb and sidewalk details?

SUPPORTIVE DOCUMENTS AND INFORMATION

- ___ ___ ___ 126. Private deed restrictions or covenants already imposed or to be imposed as a condition of sale?
- ___ ___ ___ 127. Deed of dedication together with an 8 1/2" plan of each such improvement?
- ___ ___ ___ 128. Nondedicated Streets Agreement?
- ___ ___ ___ 129. Open Space Agreement?
- ___ ___ ___ 130. Utilities Agreements and Permits?
- ___ ___ ___ 131. Storm Drainage Calculations (see Appendix I)?
- ___ ___ ___ 132. Development Statement and Schedule?
- ___ ___ ___ 133. Current deed of Tract being Subdivided?

CERTIFICATION OF ACCURACY

I, _____, HEREBY CERTIFY THAT THE PLAT SHOWN AND DESCRIBED

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HEREON AS WELL AS ALL DRAWINGS BEARING MY SEAL ARE TRUE AND CORRECT AS TO ACCURACY AS REQUIRED BY THE COMMISSION AND WERE PREPARED BY ME OR UNDER MY DIRECTION AND FOR WHICH I ACCEPT FULL RESPONSIBILITY, AND THAT THE PERIMETER MONUMENTS HAVE BEEN ACCURATELY PLACED AS REQUIRED.

DATE

SIGNATURE OF THE PROFESSIONAL RESPONSIBLE FOR THE
PREPARATION OF THE PLAN

NOTE: THIS CHECKLIST IS BEING PROVIDED FOR THE CONVENIENCE OF THE APPLICANT. COMPLIANCE WITH THE CHECKLIST ITEMS DOES NOT GUARANTEE SUBDIVISION PLAN APPROVAL. IT IS THE RESPONSIBILITY OF THE APPLICANT TO ASSURE COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE REGULATIONS.

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APPENDIX E

FOSTER TOWNSHIP PLANNING COMMISSION

**Recommended Offer of Dedication Form
(to appear on the final plan)**

I (we), the undersigned, owner(s) of the real estate shown and described herein, do hereby certify that I (we), have laid out, planned and subdivided the within plan, that the subdivisions shall be known and designated as _____ (Name of Subdivisions) and that all streets shown hereon are hereby dedicated to the public use forever.

Signature of Owner(s)

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APPENDIX F

FOSTER TOWNSHIP PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP

(For Use by an Individual)

Commonwealth of Pennsylvania
County of Schuylkill

On this, the _____ day of _____, 20_, before me, the undersigned officer, personally appeared _____, who being duly sworn according to law, deposes and confirms that said _____ is the owner (or equitable owner) of the property shown on this plan.

Witness my hand and seal the day and date above written.

(Signature of Individual)

(Seal)

My Commission Expires (date)

(Notary Public or Other Officer)

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APPENDIX G

FOSTER TOWNSHIP PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP

(For Use by a Corporation)

This plan is hereby executed and delivered by _____ (name of corporation) which is the owner (or equitable owner) of the property shown on this plan, and the said plan was made by the authority of the corporation.

In witness whereof _____ (named corporation) has duly caused this to be executed by its President, _____, and by its Secretary, _____, and its corporate seal to be affixed thereto this _____ day of _____, 20__.

Corporation

BY:

President

(Corporate Seal)

ATTEST:

Secretary

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APPENDIX G

FOSTER TOWNSHIP PLANNING COMMISSION

Commonwealth of Pennsylvania
County of Schuylkill
Foster Township

On the _____ day of _____, 20__, before me, the subscriber, a Notary Public for the Commonwealth of Pennsylvania, residing in the County of Schuylkill, personally appeared _____.

Secretary of _____ who being duly sworn according to law, affirms that said person was personally present at the execution of the within plan and saw the common or corporate seal of the said corporation duly affixed thereto, that the seal so affixed is the common or corporate seal of the said Corporation; that the said plan was duly sealed and delivered by _____, President of the said corporation as and for the act of deed of said Corporation for the uses and purposes therein mentioned, that the Corporation is the owner (or equitable owner) of the property shown on this plan, and that the names of this deponent as Secretary and of _____ as President of the said Corporation, subscribed to the within plan in attestation of its due execution and delivery, are in their and each of their respective handwritings.

Sworn and subscribed before me, the day and year aforesaid.

Witness my hand and seal.

Notary Public

Secretary

My Commission Expires
(Date)

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Unofficial Copy

APPENDIX H

CERTIFICATE OF MUNICIPAL APPROVAL

The approval of the Final Plan by the Planning Commission and the Board of Supervisors must be indicated on the Record plan in substantially the following form:

At a meeting held on _____, 20 __, the Planning Commission
_____ of Foster Township by _____ a motion _____ duly enacted, approved
the subdivision plan of the property of
(1) _____, as shown hereon.

(2) _____

_____ (3)

At a meeting held on _____, 20 __, the Board of Supervisors of Foster
Township by _____ a motion _____ duly enacted, approved the subdivision plan of the property of
(1) _____, as shown hereon.

(2) _____

_____ (3)

- (1) Insert name of property owner
- (2) Signatures of the Board of Supervisors Planning Commission
- (3) Municipal Seal

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APPENDIX I

GENERAL HYDROLOGIC AND HYDRAULIC DATA

APPENDIX I

STORM WATER DRAINAGE RUNOFF CALCULATION

- I.1 **RATIONAL FORMULA** - One method which may be used in estimating peak runoff for areas that contain up to 100 acres shall be the Rational Form $Q = CIA$, in which "Q" is the storm flow in cubic feet per second, "C" is a coefficient indicating the degree of imperviousness of the drainage area, "I" is the intensity of rainfall in inches per hour for the particular frequency of storm used, and "A" is the drainage area in acres. Other formulae may be utilized with approval of the Township Engineer. Computations for storm water detention may utilize Soil Conservation Service Design material.
- I.2 **VALUES OF COEFFICIENT "C"** - Coefficient "C" used for the calculation of runoff shall be based on the anticipated ultimate use of the land. Accepted "C" values to be used are as listed in Table I-1.
- I.3 **VALUES OF STORM INTENSITY "I"**
- A. The values of "I", in inches per hour, shall be in accordance with the Soil Conservation Service design charts for the area.
- I.4 **RUNOFF CURVE NUMBERS**
- A. Runoff curve numbers shall be in accordance with the latest edition of Technical Release #55 of the Urban Hydrology for Small Watersheds Handbook.
- I.5 **VELOCITY OF FLOW IN OPEN CHANNELS**
- A. The velocity of flow in open channels, and in closed drains not under pressure, shall be determined by Manning's velocity equation:
v = velocity in feet per second
n = coefficient of roughness
a = cross-section area of structure
p = perimeter of the wetted channel
s = slope in feet per foot
q = discharge (in cubic feet per second)
- $$v = \frac{1.49}{n} (a/p)^{2/3} s^{1/2}$$
- q = va
- B. The coefficient of roughness, "n", shall be as given in Table I-2.
- I.6 **PERMISSIBLE STREAM VELOCITIES IN OPEN CHANNELS**

As given per Table I-3.

- I.7 CALCULATIONS - The Grading and Storm Drainage Plan shall include calculations indicating velocities of flow, grades, sizes, and capacities of water carrying structures, debris or sediment basins, and retention and detention structures and sufficient design information to construct such facilities.

TABLE I-1

**RUNOFF COEFFICIENTS FOR THE NATIONAL FORMULA
BY HYDROLOGIC SOIL GROUP AND OVERLAND SLOPE (%)**

LAND USE	A			B			C			D		
	0-2%	2-6%	6% +	0-2%	2-6%	6% +	0-2%	2-6%	6% +	0-2%	2-6%	6% +
CULTIVATED LAND	0.08a	0.13	0.16	0.11	0.15	0.21	0.14	0.19	0.26	0.18	0.23	0.31
	0.14b	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
PASTURE	0.12	0.20	0.30	0.18	0.28	0.37	0.24	0.34	0.44	0.30	0.40	0.50
	0.15	0.25	0.37	0.23	0.34	0.45	0.30	0.42	0.52	0.37	0.50	0.62
MEADOW	0.10	0.16	0.25	0.14	0.22	0.30	0.20	0.28	0.36	0.24	0.30	0.40
	0.14	0.22	0.30	0.20	0.28	0.37	0.26	0.35	0.44	0.30	0.40	0.50
FOREST	0.05	0.08	0.11	0.08	0.11	0.14	0.10	0.13	0.16	0.12	0.16	0.20
	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
RESIDENTIAL LOT SIZE 1/8 ACRE	0.25	0.28	0.31	0.27	0.30	0.35	0.30	0.33	0.38	0.33	0.36	0.42
	0.33	0.37	0.40	0.35	0.39	0.44	0.38	0.42	0.49	0.41	0.45	0.54
LOT SIZE ¼ ACRE	0.22	0.26	0.29	0.24	0.29	0.33	0.27	0.31	0.36	0.30	0.34	0.40
	0.30	0.34	0.37	0.33	0.37	0.42	0.36	0.40	0.47	0.38	0.42	0.52
LOT SIZE 1/3 ACRE	0.19	0.23	0.26	0.22	0.26	0.30	0.25	0.29	0.34	0.28	0.32	0.39
	0.28	0.32	0.35	0.30	0.35	0.39	0.33	0.38	0.45	0.36	0.40	0.50
LOT SIZE ½ ACRE	0.16	0.20	0.24	0.19	0.23	0.28	0.22	0.27	0.32	0.26	0.30	0.37
	0.25	0.29	0.32	0.28	0.32	0.36	0.31	0.35	0.42	0.34	0.38	0.48
LOT SIZE 1 ACRE	0.14	0.19	0.22	0.17	0.21	0.26	0.20	0.25	0.31	0.24	0.29	0.35
	0.22	0.26	0.29	0.24	0.28	0.34	0.28	0.32	0.40	0.31	0.35	0.46
INDUSTRIAL	0.67	0.68	0.68	0.68	0.68	0.69	0.68	0.69	0.69	0.69	0.69	0.70
	0.85	0.85	.086	0.85	0.86	0.86	0.86	0.86	0.87	0.86	0.86	0.88
COMMERCIAL	0.71	0.71	0.72	0.71	0.72	0.72	0.72	0.72	0.72	0.72	0.72	0.72
	0.88	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.90	0.89	0.89	0.90
STREETS	0.70	0.71	0.72	0.71	0.72	0.74	0.72	0.73	0.76	0.73	0.75	0.78
	0.76	0.77	0.79	0.80	0.82	0.84	0.84	0.85	0.89	0.89	0.91	0.95
OPEN SPACE	0.05	0.10	0.14	0.08	0.13	0.19	0.12	0.17	0.24	0.16	0.21	0.28
	0.11	0.16	.020	0.14	0.19	0.26	0.18	0.23	0.32	0.22	0.27	0.39
PARKING	0.85	0.86	0.87	0.85	0.86	0.87	0.85	0.86	0.87	0.85	0.86	0.87
	0.95	0.96	0.97	.095	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97

- a. Runoff coefficients for storm recurrence intervals less than 25 years.
- b. Runoff coefficients for storm recurrence intervals of 25 years or more.

**ROUGHNESS COEFFICIENT "n"
FOR MANNING'S EQUATION
TABLE I-2**

DESCRIPTION	"n"
Smooth-wall Plastic Pipe	0.011
Concrete Pipe	0.012
Smooth-lined Corrugated Metal Pipe	0.012
Corrugated Plastic Pipe	0.024
Annular Corrugated Steel and Aluminum Alloy Pipe (Plain or Polymer Coated)	
2 2/3" x 1/2" Corrugations	0.024
3" x 1" Corrugations	0.027
5" x 1" Corrugations	0.025
6" x 2" Corrugations	0.033
Helically Corrugated Steel and Aluminum Alloy Pipe (Plain or Polymer Coated)	0.024
3" x 1", 5" x 1" Or 6"x 2" Corrugations	
Helically Corrugated Steel and Aluminum Alloy Pipe (Plain or Polymer Coated)	
2 2/3" x 1/2" Corrugations	
a. Lower Coefficients ♦	
18" Diameter	0.014
24" Diameter	0.016
36" Diameter	0.019
48" Diameter	0.020
60" Diameter or Larger	0.021
b. Higher Coefficients •	0.024
Annular or Helically Corrugated Steel or Aluminum Alloy Pipe Arches or Other Non-Circular Metal Conduit (Plain or Polymer Coated)	0.024
Vitrified Clay Pipe	0.012
Ductile Iron Pipe	0.013
Asphalt Pavement	0.015
Concrete Pavement	0.014
Grass Medians	0.050
Earth	0.020
Gravel	0.030
Rock	0.035
Cultivated Areas	0.030-0.050
Dense Brush	0.070-0.140
Heavy Timber (Little Undergrowth)	0.100-0.150
Streams:	
a. Some Grass and Weeds (Little or No Brush)	0.030-0.035
b. Dense Growth of Weeds	0.035-0.050
c. Some Weeds (Heavy Brush on Banks)	0.050-0.070

- Use the lower coefficient if any one of the following conditions apply:
 - a. A storm pipe longer than 20 diameters, which directly or indirectly connects to an inlet or manhole, located in swales adjacent to shoulders in cut areas, shoulders in cut areas or depressed medians.
 - b. A storm pipe which is specially designed to perform under pressure.
- Use the higher coefficient if any one of the following conditions apply:
 - a. A storm pipe which directly or indirectly connects to an inlet or manhole located in highway pavement sections or adjacent to curb or concrete median barrier.
 - b. A storm pipe which is shorter than 20 diameters long.
 - c. A storm pipe which is partly lined helically corrugated metal pipe.

In considering each factor more critical, judgement is necessary if it is kept in mind that any condition that causes turbulence and retards flow results in greater value of "n".

Outlet velocity for bituminous paved invert shall be determined based on a 25% reduction in Manning's roughness coefficient "n".

PERMISSIBLE VELOCITIES FOR CHANNELS

TABLE I-3

Channel Lining	Permissible Channel Velocity ¹ (feet per second)
Vegetation	
Alfalfa	2.5 to 3.5
Bermudagrass	4 to 8
Crabgrass	2.5 to 3.5
Crownvetch	3 to 5
Kentucky Bluegrass	4 to 7
Kentucky 31 Trail Fescue	2.5 to 7
Red Clover or Red Fescue	2.5 to 3.5
Reed Canary	3 to 5
Ryegrass	2.5 to 3.5
Small Grains	2.5 to 3
Smooth Brome	3 to 7
Sudan Grass or Timothy	2.5 to 3.5
Bare Earth, Easily Eroded	
Fine Sand	1.5
Sand Loam	1.75
Silt Loam or Alluvial Silts, Loose	2
Firm Loam	2.25
Bare Earth, Erosion Resistant	
Fine Gravel	2.5
Stiff Clay or Alluvial Silts, Firm	3
Loam to Cobbles (graded)	3.75
Silt to Cobbles (graded or Coarse Gravel)	4
Cobbles and Stones or Shales and Hardpans	5
Durable Bedrock	8
Other	
Plastic	4
6" Rip Rap	6
Asphalt	7
9" Rip Rap	8
12" Rip Rap or Wood	9
Concrete or Steel	12

These values, if applied to uniform, straight channels, may be considered in accordance with Chapter 102.12 of the Erosion Control Rules and Regulations. However, slope, soil condition, climate and management must be considered in channel design. If different channel linings exist in a channel, and size and slope do not change, design the channel for the lining with the lower velocity listed. Where velocity ranges are listed, the lower velocity is for design with easily eroded soils and slopes greater than 10%. The higher velocity is for design with erosion resistant souls and slopes less than 5%. Filtration and/or sedimentation in the channel is encouraged. However, this must be considered for velocity determination in the design of the channel cross-section.

Source: Pennsylvania Department of Environmental Protection, 1985, "Soil Erosion and Sedimentation Control Manual", Appendix 67.

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APPENDIX J

SUBDIVISION AND LAND DEVELOPMENT AGREEMENT

FOSTER TOWNSHIP, SCHUYLKILL COUNTY
 SUBDIVISION AND LAND DEVELOPMENT AGREEMENT

In consideration of the mutual covenants contained herein, it is hereby agreed between the _____ of the _____ of _____, and _____, the subdivider of the property and shown on the plan of _____, dated _____, 20__, that in accordance with municipal requirements and specifications, the responsibility for the provision of the improvements shown on the plan will be as follows:

<u>Improvement</u>	<u>To be provided by</u>			
	<u>Est. Cost</u>	<u>Subdivider</u>	<u>Municipality</u>	<u>Other (specify)</u>
Street grading	_____	_____	_____	_____
Street base	_____	_____	_____	_____
Street paving	_____	_____	_____	_____
Curbs	_____	_____	_____	_____
Sidewalks	_____	_____	_____	_____
Storm sewer facilities	_____	_____	_____	_____
Sanitary Sewers:				
Trunk lines	_____	_____	_____	_____
Mains	_____	_____	_____	_____
House Connections	_____	_____	_____	_____
On-site sewage facilities	_____	_____	_____	_____
Water Distribution:				
Mains	_____	_____	_____	_____
Meters	_____	_____	_____	_____
Service Connections	_____	_____	_____	_____
On-site water supply	_____	_____	_____	_____
Fire hydrants	_____	_____	_____	_____
Street monuments	_____	_____	_____	_____
Street lights	_____	_____	_____	_____

Unofficial Copy

SUBDIVISION AND LAND DEVELOPMENT AGREEMENT (Cont'd)

<u>Improvement</u>	<u>To be provided by</u>			
	<u>Est. Cost</u>	<u>Subdivider</u>	<u>Municipality</u>	<u>Other (specify)</u>
Recreational facilities	_____	_____	_____	_____
Parking lots or other facilities	_____	_____	_____	_____
Underground electric service	_____	_____	_____	_____
Supervision of all installations	_____	_____	_____	_____
Total Estimated Cost	_____	_____	_____	_____

Prior to the Planning Commission and Governing Body's endorsement of the Record Plan of this aforementioned subdivision, an original copy of this agreement shall be filed with the Municipality, notwithstanding other completion guarantees (in the form of a bond or the deposit of funds or securities in escrow) as may be required.

This agreement shall be subject to such modifications as may be mutually agreed upon by the subdivider and the Governing Body.

(witness)

(signature of subdivider)

(witness)

approved by resolution of the _____ a
the meeting of _____, 20__.

(seal)

Unofficial Copy

**FOSTER TOWNSHIP
FEE SCHEDULE FOR SUBDIVISION AND LAND DEVELOPMENT REVIEWS**

The following fees will be charged by the Foster Township Planning Commission for subdivision and land development reviews as authorized by the Pennsylvania Municipalities Planning Code, Act 247, as amended. These fees are effective _____. Plans will not be accepted for review by the Planning Commission without the appropriate fee and the required number of plans.

Schedule I - Fees Subdivision (All Land Uses) and Land Development (Residential Use Only)

Number of Lots or Units Including Residue Units	Administrative Fees			Professional Fees	
	Sketch Official Sketch Sketch for Record	Preliminary or Final	Repeat Stage	Revision to Record Plan Based on total lots or units on original plan	Escrow
1 – 5	\$100	\$170	50% of	\$70	\$200
6 – 25	145	240	original	100	300
26 – 49	250	380	submission	130	500
50 – 99	360	505	unless	160	750
100 – 199	440	630	number of	195	1,000
200 and Over	Add \$95 for each 100 lots/units or part thereof over 199	Add \$135 for each 100 lots/units or part thereof over 199	lots or units changed	Add \$35 for each 100 lots/units or part thereof over 199	Add \$750 for each 100 lots/units or part thereof over 199

Schedule II - Fees Commercial, Industrial, Public and Quasi Public (Land Development Only)

Number of Lots or Units Including Residue Units	Administrative Fees			Professional Fees	
	Sketch Official Sketch Sketch for Record	Preliminary or Final	Repeat Stage	Revision to Plan Record Plan Based on site area on original plan	Escrow
Under 2 acres	\$195	\$305	50% of	\$100	\$500
2 to under 8 acres	310	530	original	135	1,250
8 to under 15 acres	400	710	submission	170	2,500
15 to under 30 acres	485	895	unless the	205	5,000
30 to under 50 acres	570	1,075	site area	240	7,500
50 to under 100 acres	660	1,345	has	275	10,000
100 acres & over	Add \$90 for each 50 acres or part thereof over 100 acres	Add \$200 for each 50 acres or part thereof over 100 acres	changed	Add \$35 for each 50 acres or part thereof over 100 acres	Add \$2,000 for each 50 acres or part thereof over 100 acres

Unofficial Copy

The terms "lots" includes conveyances, tracts or parcels of land for the purpose, whether immediate or future, of lease, transfer of ownership or building or development, as well as residue parcels, annexations, or correction of lot lines.

All required County Plan Review Fees shall be paid at the time of plan submission to the Township.

Improvements. Review of improvements agreements will be billed independently of the subdivision review fee on an hourly basis in accordance with the current established schedule.

Improvements inspections. Any inspection requested by the Township of the improvements of any approved subdivision will be conducted on an hourly rate basis in accordance with the current established rate schedule.

Money in escrow is for reimbursement at the Foster Township's discretion for any and all engineering or legal or other expenses incurred by the Township, exclusive of work performed by full-time Township staff members, in processing the Sketch, Preliminary and Final Plans. As soon as this escrow account decreases by fifty percent (50%), the Applicant shall make payment in an amount necessary to fully fund the account. Upon the recording of the Subdivision or Land Development Plan, as applicable, with the Recorder of Deeds and the payment of all Township engineering, legal and other expenses incurred by the Township, exclusive of work performed by full-time Township staff members, the Applicant may submit a written request to the Township Treasurer for a refund of the unused escrow account. Money held in escrow will not be returned until all invoices from the Township Engineer and Solicitor have been received by the Township and paid by the Applicant. The Solicitor's and Engineer's invoices are submitted to the Township every thirty (30) days.

SCHEDULE I FEES are based on the number of lots or units. All land uses are included: residential, commercial, industrial, public, quasi-public and other. Therefore, an industrial park subdivision prior to development of individual lots is subject to Schedule I. The same would be true of a commercial lot subdivision or selling of land for a church or school. Schedule I fees also cover residential land development such as an apartment complex, condominiums, rental townhouses and mobile home parks. Where there is a mix of lots and rental units the totals are added together to determine the fee.

SCHEDULE II FEES are based on the amount of land to be disturbed for development including buildings, access drives, streets, stormwater management, grading, public sewer and water service, erosion and sediment control landscaping and any other activity that disturbs the ground on the site. The total disturbed area of a project is most accurately calculated by a planimeter following all outlines of disturbed areas. Where combinations of subdivision and non-residential development are proposed on a plan the fees must be determined separately and added together.