

# Gehring-Roth Associates



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**WEST MARLBOROUGH TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**SUBDIVISION  
AND  
LAND DEVELOPMENT ORDINANCE**



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**WEST MARLBOROUGH TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO.**

**AN ORDINANCE OF WEST MARLBOROUGH TOWNSHIP  
AMENDING  
THE WEST MARLBOROUGH TOWNSHIP  
LAND SUBDIVISION ORDINANCE OF 1973**

**WHEREAS**, the Board of Supervisors of West Marlborough Township has proposed certain amendments to the West Marlborough Township Land Subdivision Ordinance of 1973; and

**WHEREAS**, the Board of Supervisors of West Marlborough Township held a public hearing pursuant to public notice on October 9, 1990, to receive public comment concerning the proposed amendments to the West Marlborough Township Land Subdivision Ordinance of 1973; and

**WHEREAS**, the Board of Supervisors of West Marlborough Township deems it necessary and appropriate to amend the West Marlborough Township Land Subdivision Ordinance of 1973.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED AND IT IS  
HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of West Marlborough Township that the Land Subdivision Ordinance of 1973 is hereby amended to read as follows:



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## ARTICLE I

### GENERAL PROVISIONS

SECTION 101      TITLE.

This Ordinance shall be known and may be cited as the "West Marlborough Township Subdivision and Land Development Ordinance of 1990."

SECTION 102      PURPOSE.

The purpose of this Subdivision and Land Development Ordinance is to provide for the harmonious development of the Township by:

- a)      Assisting in the orderly and efficient integration of land developments within the Township.
- b)      Ensuring conformance of development plans with the Township Environmental Assessment and other municipal documents.
- c)      Ensuring the provision of adequate public facilities including roadways, walkways, street lighting, water supply, storm and sanitary sewerage facilities, recreation sites, open spaces and other improvements for the public health, safety and welfare.
- d)      Ensuring coordination of inter-municipal and intra-municipal public improvement plans and programs.
- e)      Securing the protection of water resources, drainageways and other environmental resources.
- f)      Facilitating the safe and efficient movement of traffic.
- g)      Securing equitable handling of all development plans by providing uniform standards and procedures.
- h)      In general, promoting greater health, safety, and welfare of the citizens of the Township.
- i)      Provide adequate sites for recreation, conservation, and other open space purposes.

SECTION 103      ADOPTION-AUTHORITY.

The Board of Supervisors of West Marlborough Township, Chester County, Pennsylvania, pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. 10101 et seq.,

hereby enacts and ordains the following Ordinance governing subdivisions and land developments within the limits of West Marlborough Township.

The Board of Supervisors shall administer and enforce this Ordinance and does hereby designate the West Marlborough Township Planning Commission as the agency of the Board of Supervisors:

- a) With which applicants may hold all pre-application consultations relating to the plans.
- b) To which all applications relating to either preliminary or final plan approval and request for waivers are referred by the Board of Supervisors.
- c) Which makes recommendations to the Board of Supervisors concerning approval, disapproval, modification and conditions of approval of such plans and waivers.

#### SECTION 104

#### JURISDICTION.

104.01 This Ordinance shall apply to all subdivision and land development plans submitted after the effective date of this Ordinance.

104.02 This Ordinance shall apply to all subdivision and land development plans, previously approved in accordance with any law or regulation then applicable, the development of which has not been completed in accordance with the terms of such approval within five (5) years of such approval. However, this section shall not affect the vested rights of the developer as provided in the Pennsylvania Municipalities Planning Code.

104.03 This Ordinance shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of the West Marlborough Township Land Subdivision Ordinance of 1973 on an act done, contract executed, or liability incurred prior to the effective date of this Ordinance, nor shall any provisions of this Ordinance be construed to waive the obligations imposed upon an applicant to complete a previously approved Preliminary or Final Plan including the installation of all improvements required hereunder, in strict compliance with the requirements of the West Marlborough Township Land Subdivision Ordinance of 1973.

#### SECTION 105

#### MANDATE.

105.01 No subdivision or land development of any lot, tract, or parcel of land in West Marlborough Township shall be effected; no street, sanitary sewer, storm sewer, water main, 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 thereon unless and until authorized by this Ordinance.

105.02

No lot in a subdivision may be sold, no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a Final Subdivision or Land Development Plan has been approved by the Board of Supervisors and recorded, and until the improvements required in connection therewith have been either constructed or guaranteed in a manner prescribed herein.

105.03

All subdivision and land development plans are subject to the prevailing Township Zoning Ordinance, and all other applicable ordinances, regulations, and requirements of the Township. No plan will be approved if it does not conform with all applicable ordinances, regulations, and requirements of the Township.

## ARTICLE II

### DEFINITIONS

#### SECTION 201 GENERAL.

Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined or interpreted differently within this section.

#### SECTION 202 GENERAL TERMS.

In this Ordinance when not inconsistent with the context:

- a) Words in the present tense imply also the future tense,
- b) The singular includes the plural,
- c) The male gender includes the female gender,
- d) The term "person" includes a partnership or corporation as well as an individual,
- e) The term "shall" or "must" is always mandatory,
- f) The term "may" is permissive.

#### SECTION 203 SPECIFIC TERMS.

The following words and phrases shall have the particular meaning assigned by this section in the appropriate sections of this Ordinance.

Access Drive. A private drive intended solely to provide vehicular circulation to and between vehicular parking facilities for a non-residential or multi-unit residential land use.

Agent. Any person other than the developer, who acting for the developer submits land development plans to the Township for the purpose of obtaining approval thereof.

Agriculture. The tilling of the soil, the raising of crops, forestry, horticulture and gardening, including the keeping or raising of livestock such as cattle, cows, hogs, horses, sheep, goats, poultry, rabbits, birds, fish, and other similar animals. This definition also includes greenhouses and mushroom houses. The keeping or raising of bees for business shall be included. The temporary storage and spreading of spent mushroom compost to fertilize the soil for cultivation shall also be permitted as an accessory agricultural use.



Aisles. A private drive intended principally to provide vehicular access within a vehicular parking compound for a non-residential or multi-unit residential land use. Although aisles provide interior vehicular circulation, their principal function is to provide entrance and exit for individual parking spaces. Aisles may not be used to intersect streets.

Alley. A strip of land over which there is a public or private right-of-way intended to serve as secondary vehicular access to the side and/or rear of those properties whose frontage is on a street. An alley is not a street and is not intended for general traffic circulation.

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

Application for Development. The application form and all accompanying documents and exhibits required for a preliminary or final application in accordance with this Ordinance.

Block. A tract of land which is entirely bounded by streets, public parks, cemeteries, railroads, watercourses, or any other barrier to the continuity to development.

Board of Supervisors - The Board of Supervisors of West Marlborough Township, Chester County, Pennsylvania.

Building. Any structure or edifice designed or intended for use as an enclosure, a shelter, or for protection of persons, animals, or property.

Building, Accessory. A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, which is located on the same lot as that occupied by the principal building. Farm buildings not intended for habitation are considered to be accessory buildings.

Building, Principal. A building which is enclosed within exterior walls or fire walls, which is built, erected, and framed of component structural parts, which is designed for housing, shelter, enclosure, and support of individuals, or property of any kind, and which is a main structure on a given lot.

Building Area. The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

Building Setback Line. A line defining the minimum required distance within a lot from, and parallel to a street right of way line which designates the minimum location of future buildings. Minimum front

yard depth is measured from the street centerline or right-of-way as indicated in each District.

Cartway. The surface of a street, drive, or alley available for vehicular traffic, including travel lanes and parking lanes but not including shoulders, curbs, sidewalks or swales.

Clear Sight Triangle. A triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Corner Lot. A lot at the point of intersection of and abutting two or more intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of the two street lines. Corner lots shall have two front yards, one side and one rear yard.

Curb. The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

Curb Line. The outside edge of the cartway.

Datum. The United States Geodetic Survey shall be used for benchmark datum.

Dedication. The deliberate appropriation of land by its owner to another party.

Deed. A written instrument whereby an estate in real property is conveyed.

Density. A term used to express the allowable number of dwelling units per acre of land.

Density, Net. The number of dwelling units in relation to the land area actually in use or proposed to be used for residential purposes, exclusive of public rights-of-way, streets, sidewalks, parks, playgrounds, common open spaces, etc.

Density, Gross. The number of dwelling units in relation to an area of land actually in use or proposed to be used for residential purposes, exclusive of exterior public rights-of-way.

Developer. Any landowner, agent of such landowner, equitable owner, or tenant with the permission of the landowner, for whom subdivision or land development plans are being or have been made.

**Double Frontage Lot.** A lot which fronts upon two parallel streets, or which front upon two streets which do not intersect at the boundaries of a lot and vehicular access is provided to both streets.

**Driveway.** A private drive intended solely to provide vehicular access between a parking area for a single residential unit of occupancy and a street, alley, or access drive.

**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 Professional Engineer licensed as such in the Commonwealth of Pennsylvania.

**Floodplain.** The area as described in the floodplain provisions of West Marlborough Township Zoning Ordinance.

**Frontage.** The linear measurement taken along a property's common boundaries with adjoining street rights-of-way, other than a limited access highway.

**Grade.** The slope expressed in a percent which indicates the rate of change of elevation in feet per hundred feet.

**Improvements.** Physical changes to the land (including but not limited to, grading, paving, curbs, gutters, storm sewers and drains, improvements to existing watercourses, sidewalks, street signs, monuments, water supply facilities, and sewage disposal facilities) that may be necessary to produce usable and desirable developments.

**Land Development.** The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

- a) A group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
- b) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

A subdivision of land.

The following shall not be considered a land development:

- a) 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.
- b) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
- c) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

Landowner. The legal, beneficial, equitable owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee (if he is authorized under the lease to exercise the rights of the landowner), or another person having a proprietary interest in land, shall be deemed to be a landowner for the purposes of this Ordinance.

Lateral. A utility line between a utility main that is located within a utility easement, and the single building which the line serves.

Lot. A parcel of land separately described by a metes and bounds description which is recorded in the Office of the Recorder of Deeds of Chester County by deed description or is described in an approved subdivision plan recorded in the Office of the Recorder of Deeds of Chester County.

Lot Area. The area contained within the property lines of individual parcels of land, excluding any area within a street right-of-way, but including the area of any easement.

Lot Coverage. A percentage of the lot area which may be covered with an impervious surface (e.g., buildings, driveways, parking area, sidewalks).

Lot Depth. The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite property line.

Lot Width. The horizontal distance measured between side property lines. On corner lots, lot width shall be measured between the right-of-way line for the non-address street and the directly opposite property line.

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

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

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

Multiple Dwelling Building. A building providing separate living quarters for two (2) or more families.

Pedestrian Easement. A right-of-way, municipally or privately owned which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

Plan. The map representing a tract of land including all supplementary data specified in Article IV of this Ordinance. The following are the types of plans specified by this Ordinance.

As-Built. A corrected final plan, showing dimensions and locations of all streets and other public improvements as actually constructed.

Final Plan. A complete and exact subdivision and/or land development plan prepared for official recording as required by statute to define property rights, propose streets and other public improvements.

Preliminary Plan. A complete and exact subdivision and/or land development plan, the purpose of which is to authorize the construction of public improvements and the preparation of final plans.

Sketch Plan. An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings, with the general layout of a proposal for consideration prior to the formal submission of a plan.

Planning Commission. The Planning Commission of West Marlborough Township.

Public Grounds. Public parks, playgrounds, open space and other public areas; and sites for school, sewage treatment, refuse disposal and other public owned or operated facilities.

Public Improvement. Any improvement facility or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy or similar essential services.

Reverse Frontage Lot. A lot extending between and having frontage on a minor street and either an arterial street or collector street with vehicular access solely from the minor street.

Right-of-Way. Land reserved for use as a street, alley, crosswalk, utilities or other public or private use.

Screen or Buffer Planting. A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

Street. A strip of land over which there is a public or private right-of-way intended to serve principally as a means of vehicular access to and frontage for abutting properties, as well as general traffic circulation. A street does not include an alley.

Street Grade. The elevation of a street along the centerline of the cartway.

Street Line (Right-of-Way Line). A line defining the edge of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the legal right-of-way line.

Street, Private. A street not offered for dedication or whose dedication was not accepted by the municipality.

Subdivision. The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, or building, or lot develop-

ment: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new streets or easements of access or residential dwelling shall be exempted.

Surveyor. A surveyor registered in the Commonwealth of Pennsylvania.

Swale. A wide shallow ditch which gathers or carries surface water.

Township. West Marlborough Township, Chester County, Pennsylvania.

Township Engineer. A duly registered professional engineer, licensed as such by the Commonwealth of Pennsylvania, employed by the Township or engaged as a consultant thereto.

Unit of Occupancy. A unit the use of which is not subordinate or customarily incidental to a principal unit. A unit of occupancy can be an independent unit within a building or a separate, detached building.

Waiver. A process for alleviating specific requirements imposed by this Ordinance pursuant to the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, 53 P.S. 10101 et seq. and provided under Section 803.

Watercourse. A permanent or intermittent stream, river, brook, creek, channel, or swale, whether natural or man-made, for gathering or carrying surface water.

Zoning Ordinance. The prevailing Zoning Ordinance, as amended, for West Marlborough Township.

## ARTICLE III

### PLAN PROCESSING PROCEDURES

#### SECTION 301 GENERAL.

The procedures set forth in this Article shall be followed for all subdivision and/or land development plans.

The Township Planning Commission, Township Engineer, various Township officials, and County Planning Commission are advisory to the Township Board of Supervisors.

The Pre-Application review specified in Section 302 is optional. The purpose of the procedure is to provide the developer with the advice and assistance of the Planning Commission.

The Preliminary Plan application specified in Section 303 is mandatory for all land developments, subdivision and/or land developments involving new streets, and subdivisions involving four (4) or more lots. In general, the purpose of the Preliminary Plan is to review detailed design and construction plans. Approval of the Preliminary Plan constitutes acceptance of the general arrangement of streets, lots, structures, and other planned features, but does not constitute Final Plan approval or the recording of the Plan.

The Final Plan application specified in Section 304, is mandatory for all subdivision and/or land development plans. In general, the purpose of the procedure is to review detailed design and construction plans, and receive assurance of public improvements. Approval of the Final Plan authorizes the recording of the Plan, the construction of public or private improvements and the selling of land.

It should be noted that Section 306 provides certain exemptions from the Preliminary and Final Plan procedure.

#### SECTION 302 PRE-APPLICATION REVIEW.

Applicants are urged, but not required, to discuss possible development sites and plans with the Planning Commission prior to submission of the Preliminary or Final Plans. The purpose of the pre-application meeting is to afford the applicant an opportunity to receive the advice and assistance of the Planning Commission. Request for a pre-application review shall not constitute formal filing of a plan nor result in an action by the Planning Commission. To aid in the effectiveness of the pre-application review, the following procedures and plan information is requested. However, applicants are permitted to submit less



information and discuss unsubmitted plans with the Planning Commission.

In order for a pre-application review to appear on the Planning Commission agenda and have available comments from various Township Officials, it is required that a request for a pre-application review include fifteen (15) copies of a Sketch Plan which includes those items listed in Section 401, and one application form (see Appendix No. 5) and a filing fee as set by resolution of the Township Board of Supervisors (see Fee Schedule at the Township Building). The request shall be submitted to the Township Secretary at the Township Building at least ten (10) days prior to that meeting.

### SECTION 303

#### PRELIMINARY PLAN APPLICATION.

Preliminary Plan applications are required for all land developments, subdivision and/or land developments involving new streets, and subdivisions involving four (4) or more lots.

Subdivisions involving less than four (4) lots and no new street may be submitted as Final Plans in accordance with Section 304.

Preliminary Plans shall be submitted to the Township Secretary at the Township Building, during regular Township office hours. However, the official acknowledgement of submission and the start of the Preliminary Plan process is at the regular Planning Commission meeting which next follows the date of submission of the Plan. The official date shall be no more than thirty (30) days following submission of the plan.

Applicants are urged to submit a Sewer Facilities Plan Revision in conjunction with the Preliminary Plan to avoid unnecessary delays at the Final Plan stage.

#### 303.01

Application Requirements. All Preliminary Plan applications shall include the following:

- a) Fifteen (15) copies of the Preliminary Plan and all reports, notifications and certification which are specified in Section 402.
- b) One (1) application form (See Appendix No. 5).
- c) Filing fee as set by resolution of the Board of Supervisors (See Fee Schedule available at the Township Building).
- d) Filing fee as set by Chester County for the County Planning Commission review of the Plan.

303.02 Distribution. The Township Secretary shall distribute the Preliminary Plan to the Township Planning Commission, Township Engineer, Township Zoning Officer, Board of Supervisors, County Planning Commission, County Health Department and, if deemed necessary, Solicitor, or other officials.

303.03 Review of the Preliminary Plan. The Preliminary Plan is reviewed by the Township staff, Township Engineer, County Planning Commission, County Health Department, and Township Planning Commission. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to answer technical questions and establish the acceptance of any possible recommended conditions of approval. If there exists uncertainty of the acceptance of conditions of approval, the Plan may be recommended for disapproval. The applicant will be advised by the Township Engineer of the scheduled meeting date.

The Township Engineer shall first determine if the Preliminary Plan application is substantially complete in accordance with Section 303.01 a), b), c), and d). This determination does not constitute approval or disapproval of the Plan but is provided to assure the submission of sufficient data for the Board of Supervisors to make a formal action on the Plan. If the application is found to be incomplete, the Township will notify the applicant in writing that the submitted data does not constitute a formal filing of the Preliminary Plan and specify the deficiencies. Such action shall be reported to the Board of Supervisors at the next regularly scheduled meeting and duly noted in the minutes of the meeting.

A review of the Plan shall be performed in conjunction with the reports of the County Planning Commission and various municipal officials. The Planning Commission shall determine conformance with the standards contained in this Ordinance as well as other applicable ordinances. The Planning Commission shall recommend to the Board of Supervisors such changes and modifications as it deems necessary.

Any recommendation which involves engineering consideration shall be subject to review and comment by the Township Engineer, which shall be incorporated and separately set forth with the recommendations to the Board of Supervisors.

The Township staff, Township Engineer, County Planning Commission, and Township Planning Commission shall render a decision on the Plan and submit copies of their recommendations to the Board of Supervisors. Should the applicant elect to revise the Preliminary Plan in accordance with the recommendations of the Township Planning Commission prior to a ruling on the Preliminary Plan by the Board of Supervisors, fifteen (15) copies of the revised plans and other

documents shall be submitted and reviewed in accordance with Sections 303.01, 303.02, and 303.03 of this Ordinance. This procedure shall reestablish the date of the Board of Supervisors' official acknowledgement of receipt to the resubmission date.

303.04

Ruling on the Preliminary Plan. The applicant will be advised by the Township Engineer of the scheduled meeting date for consideration of the Preliminary Plan by the Board of Supervisors. Attendance at this meeting by the applicant or authorized agent is mandatory to answer technical questions and establish the acceptance of any possible conditions of approval. The acceptance or rejection of the conditions of approval must be in writing and will be entered in the minutes of the Board of Supervisors. If there exist uncertainty of the acceptance of conditions of approval, the Plan may be disapproved.

The Board of Supervisors shall approve, conditionally approve, or disapprove the Preliminary Plan and shall communicate said decision to the applicant within ninety (90) days following the date of official acknowledgement of receipt or a longer period of time if provided by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

The ruling of the Board of Supervisors shall be in writing, specifically cite any conditions of approval and/or any plan defects, and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. Refusal by the applicant to accept conditions of approval shall constitute disapproval of the plan.

In the event that any waiver of requirements from this Ordinance is requested by the applicant or is deemed necessary by the Board of Supervisors, the waiver and the reasons for its necessity shall be entered in the minutes of the Board of Supervisors.

When the Preliminary Plan is not approved in terms as presented to the Board of Supervisors, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance.

Approval of the Preliminary Plan constitutes approval of the general design of streets, lots, structures and other planning facilities. Preliminary approval binds the landowner to the plan as approved. Preliminary approval does not authorize the recording, sale or transfer of lots, nor shall this plan be recorded with the Chester County Recorder of Deeds.

Preliminary Plan approval shall expire within one (1) year after being granted, unless a schedule is filed by the applicant with the Preliminary

Plan delineating all proposed sections as well as deadlines within which applications for Final Plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the Final Plan approval. In no case shall the Preliminary Plan approval extend beyond five (5) years from the date of approval.

303.05

Compliance with Conditions of Approval. If the Board of Supervisors conditions its Preliminary Plan approval upon receipt of additional information, alterations, changes or notifications, such data shall be submitted and/or alterations noted on three (3) copies to be submitted to the Township. The conditions of approval must be satisfied to obtain Preliminary Plan approval. The Board of Supervisors will acknowledge the satisfactory compliance with all conditions, if any, of the Preliminary Plan approval at a public meeting.

Compliance with the conditions of Preliminary Plan Approval must be attained within one year of the Board of Supervisors action on the Plan (see Section 303.04) or the Township action on the Plan shall be a disapproval unless the Board of Supervisors grant a waiver by extending the effective time period. Requests for extensions shall be submitted to the Township Secretary at least sixty (60) days prior to any prevailing expiration date.

## SECTION 304

### FINAL PLAN APPLICATION.

A Final Plan application is required for all subdivision and land development plans. When a Preliminary Plan is required, in accordance with Section 303, an application for Final Plan approval can be submitted only after obtaining an unconditional Preliminary Plan approval.

The Final Plan may include sections of an approved Preliminary Plan provided each section independently conforms to the Ordinance, regulations and other standards of the Township, and includes a reasonable portion of the Preliminary Plan.

Final Plans shall be submitted to the Township Secretary at the Township Building, during regular Township Office hours. However, the official acknowledgement of subdivision and the start of the Final Plan process is at the regular Planning Commission meeting which follows the submission of the Plan. The official date shall be no more than thirty (30) days following submission of the Plan.

304.01

Application Requirement. All Final Plan applications shall include the following:

- a) Fifteen (15) copies of the Final Plan and all reports, notifications and certificates which are specified in Section 403.
- b) One (1) application form (See Appendix No. 5).
- c) Filing fee as set by resolution of the Board of Supervisors (See Fee Schedule available at the Township Building).
- d) Filing fee as set by Chester County for County Planning Commission review of the Plan.

304.02 **Distribution.** The Township Secretary shall distribute the Final Plan to the Township Planning Commission, Township Engineer, Township Zoning Officer, Board of Supervisors, County Planning Commission, County Health Department and, if deemed necessary, Solicitor, or other officials.

304.03 **Review of the Final Plan.** The Final Plan is reviewed by the Township staff, Township Engineer, County Planning Commission, County Health Department, and Township Planning Commission. Attendance at the Township Planning Commission meeting by the applicant or authorized agent is mandatory to answer technical questions and establish the acceptance of any possible recommended conditions of approval. If there exists uncertainty of the acceptance of conditions of approval, the Plan may be recommended for disapproval. The applicant will be advised by the Township Engineer of the scheduled meeting date.

The Township Engineer shall first determine that the Final Plan application is substantially complete in accordance with Section 304.01 a), b), c), and d). This determination does not constitute approval or disapproval of the Plan but is provided to assure the submission of sufficient data for the Township Board of Supervisors to make a formal action on the Plan. If the application is found to be incomplete, the Township will notify the applicant in writing that the submitted data does not constitute a formal filing of the Final Plan and specify the deficiencies. Such action shall be reported to the Board of Supervisors at the next regularly scheduled meeting and duly noted in the minutes of the meeting.

A review of the Plan shall be performed in conjunction with the reports of the County Planning Commission and various municipal officials. The Planning Commission shall determine conformance with the standards contained in this Ordinance as well as other applicable ordinances. The Planning Commission shall recommend to the Board of Supervisors such changes and modifications as it deems necessary.

Any recommendation which involves engineering consideration shall be subject to review and comment by the Township Engineer, which shall be incorporated and separately set forth with the recommendations to the Board of Supervisors.

The Township staff, Township Engineer, County Planning Commission, and the Township Planning Commission shall render a decision on the Plan and submit copies of their recommendations to the Board of Supervisors. Should the applicant elect to revise the Final Plan in accordance with the recommendation of the Township Planning Commission prior to a ruling on the Final Plan by the Board of Supervisors, fifteen (15) copies of the revised plans and other documents shall be submitted and reviewed in accordance with Sections 304.01, 304.02, and 304.03 of this Ordinance. This procedure shall re-establish the date of the Board of Supervisors' official acknowledgement of receipt to the resubmission date.

304.04

Ruling on the Final Plan. The applicant will be advised by the Township Engineer of the scheduled meeting date for consideration of the Final Plan by the Board of Supervisors. Attendance at this meeting by the applicant or authorized agent is mandatory to answer technical questions and establish the acceptance of any possible conditions of approval. The acceptance or rejection of the conditions of approval must be in writing and will be entered in the minutes of the Board of Supervisors. If there is uncertainty on the acceptance of conditions of approval, the Plan may be disapproved.

The Board of Supervisors shall approve, conditionally approve, or disapprove the Final Plan and shall communicate said decision to the applicant within ninety (90) days following the date of the official acknowledgement of receipt or a longer period of time if provided by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

The ruling of the Board of Supervisors shall be in writing, specifically cite any conditions of approval and/or any plan defects, and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision. Refusal by the applicant to accept conditions of approval shall constitute disapproval of the Plan.

In the event that any waiver of requirements from this Ordinance is requested by the applicant or is deemed necessary by the Board of Supervisors, action on the waiver shall be entered in the minutes of the Board of Supervisors.

When the Final Plan is not approved in terms as presented to the Board of Supervisors, the decision shall specify the defects found in the

application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance.

No Final Plan will receive approval by the Board of Supervisors unless the applicant has completed all required public improvements, as specified in this Ordinance, or has filed with the Board of Supervisors an improvements guarantee in the manner prescribed in Article V.

304.05 Compliance with Conditions of Approval.

If the Board of Supervisors conditions its Final Plan approval upon receipt of additional information, alterations, changes or notifications, such data shall be submitted and/or alterations noted on three (3) copies to be submitted to the Township. The Board of Supervisors will acknowledge the satisfactory compliance with all conditions, if any, of the Final Plan approval at a public meeting. Compliance with the conditions of Final Plan approval and submission for plan certification must be attained within six (6) months of the Board of Supervisors' ruling on the plan (see Section 304.04), or the Township action on the plan shall be a disapproval unless the Board of Supervisors grant a waiver by extending the effective time period.

304.06 Final Plan Certification. After approval of the Final Plan, or conditional approval of the Final Plan and the required changes are made, the applicant shall present to the Township six (6) sets of Final Plans which shall consist of five (5) paper copies, one (1) plastic transparency, and the fee for the Chester County Recorder of Deeds. Additional paper copies may be provided if copies of the Plan are desired by the applicant. All Final Plans shall bear original signatures in black ink on each certificate.

304.06.1 Upon payment of any outstanding plan review fees or inspection fees, the four (4) paper copies of the Plan shall be signed by the Township Planning Commission, Township Engineer, and the Board of Supervisors (see Appendix Nos. 3 and 4). The signed plans will be recorded by the Township in the office of the Chester County Recorder of Deeds.

304.06.2 No subdivision or land development plan may be recorded unless it bears the original endorsement of the Board of Supervisors.

304.06.3 Recording of the Final Plan shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use shown thereon unless reserved by the developer as hereinafter provided. The approval of the Board of Supervisors shall not impose any duty

upon the Township concerning maintenance or improvement of any such dedicated street, or public use, until the Board of Supervisors shall have accepted the same by ordinance or resolution.

- 304.06.4 If the Final Plan includes a notation to the effect that there is no offer of dedication to the public of certain designated uses, areas or streets, the title to such areas shall remain with the owner, heirs, and assigns, and the Township shall assume no responsibility for improvements or maintenance thereof, which fact shall also be noted on the Final Plan.

## SECTION 305

### WAIVER REQUEST.

The Board of Supervisors may waive any mandatory provision of these regulations to the benefit of the applicant provided the majority of the members of the Board of Supervisors present at a scheduled public meeting, determines that the waiver:

- (a) Is consistent with the purpose of the Ordinance as described in Section 102,
- (b) Will remove or reduce an unreasonable or undue hardship, as it applies to the particular property, which is grossly disproportionate to any benefit derived from the standard,
- (c) Will not be contrary to the public interest, and
- (d) Provides for reasonable utilization of the property while securing the public interest.

305.01 Waiver Application. Notwithstanding the ability of the Board of Supervisors to independently consider a waiver, requests for waivers shall be submitted to the Township Secretary at the Township Building, during regular Township office hours. A waiver request shall include fifteen (15) copies of all applicable plans, reports, and supplementary data, one (1) application form (see Appendix No. 6) and a filing fee as set by resolution of the Township Board of Supervisors (see fee schedule available at the Township Building). If this information was filed with a Preliminary Plan or Final Plan, additional copies need not be submitted.

305.02 Distribution. The Township shall distribute the waiver request to the Township Planning Commission, the Township Engineer, the Township Zoning Officer, Board of Supervisors and, if necessary, Solicitor, or other officials.



305.03 Review of the Waiver. The waiver request shall be reviewed by the Township staff and Planning Commission. Recommendations shall be forwarded to the Board of Supervisors.

305.04 Ruling on the Waiver. The Board of Supervisors shall have the authority to approve or disapprove the waiver. In granting any waiver, the Board of Supervisors may impose such conditions as will, in its judgement, secure substantially the objectives of the standards and requirements of this Ordinance.

Action on the waiver request shall be entered in the minutes of the Board of Supervisors and forwarded to the applicant.

Failure of the Board of Supervisors to render a decision and communicate it to the applicant as described herein, shall not be deemed approval of the waiver.

## SECTION 306

### PLANS EXEMPTED FROM STANDARD PROCEDURES.

306.01 Procedure for Processing Revised Subdivision and/or Land Development Plans. Any replatting or resubdivision of recorded and/or approved plans shall be considered as a new application and shall comply with all requirements of this Ordinance, except that plans may be changed in accordance with this procedure to correct an obvious error.

A revised subdivision and/or land development plan shall not alter the number, location or configuration of lots, buildings or other improvements beyond the original understanding of the Board of Supervisors.

All revised subdivision and/or land development plan applications which meet the above, shall be submitted to the Township Secretary at the Township Building. Each application shall include four (4) paper copies of the revised Final Plan and one (1) application form (See Appendix No. 5). The Township Secretary shall distribute the Plan to the Township Engineer and Board of Supervisors. The Township Engineer shall review the Plan and make recommendations to the Board of Supervisors. The Board of Supervisors shall have the authority to approve or disapprove the revised plan. The applicant will be advised by the Township Engineer of the scheduled meeting for consideration of the revised plan.

If the Board of Supervisors determines that the revised plan conforms with the above standards, the applicant shall prepare Final Plan for recordation in accordance with Section 304.06.

## ARTICLE IV

### INFORMATION TO BE SHOWN ON OR SUBMITTED WITH SUBDIVISION AND LAND DEVELOPMENT PLANS

#### SECTION 401 SKETCH PLAN.

It is recommended that the scale and sheet size of Sketch Plans be as required for Preliminary Plans in Sections 402.01.1 and 402.01.3. Although not required, it is recommended that the Sketch Plan be prepared by an engineer, land surveyor, or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. It is suggested that the Sketch Plan show or be accompanied by the following information, legible in every detail, but not necessarily drawn to exact scale with precise dimensions:

- a) Name and address of the applicant (if applicable) and landowner.
- b) Name and address of the individual and/or the firm that prepared the plan.
- c) Location map with sufficient information to locate the property.
- d) North arrow.
- e) Written plan scales.
- f) Identification of the district, lot size and/or density and yard requirements of the prevailing Zoning Ordinance.
- g) Existing tract boundaries accurately labeled with the names of adjacent landowners and adjacent plans of record.
- h) Municipal boundary lines, including municipal names, if located within the vicinity of the property.
- i) Significant topographical and manmade features (e.g. bodies of water, quarries, floodplains, tree masses, structures).
- j) Proposed street, parking, building, lot layout, water supply, sanitary sewage disposal and other planned features.
- k) Proposed land use; if several land uses are proposed, the location of each land use shall be indicated.

The Sketch Plan shall be accompanied by an application (See Appendix No. 5) and a check or money order drawn to West

Marlborough Township in an amount specified on the Fee Schedule adopted by resolution of the Board of Supervisors and available at the Township Building.

SECTION 402

PRELIMINARY PLANS.

Preliminary plans shall be prepared by an engineer, surveyor, and/or a landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Metes and bounds descriptions shall be prepared by surveyors, and designs which entail engineering expertise shall be prepared by professional engineers. The Preliminary Plan shall show, be accompanied by, or be prepared in accordance with the following information:

402.01

Drafting Standards.

402.01.1 The plan shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, or 100 feet to the inch. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.

402.01.2 Dimensions for the entire tract boundary shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction. The description shall be based upon a survey and not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

If a landowner is going to retain a single lot with a lot area in excess of ten (10) acres, the boundary of that lot may be a plotting of the existing deed and may be drawn at any legible scale; if the retained lot has a lot area of ten (10) or fewer acres, its existing perimeter must be described to the accuracy requirements of this Ordinance.

402.01.3 The sheet size shall be no smaller than seventeen by twenty-two (17 x 22) inches and no larger than thirty-four by forty-four (34 x 44) inches. If the Plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be numbered to show the relationship to the total number of sheets in the plan (e.g. Sheet 1 of 5).

402.01.4 Plans shall be legible in every detail.

402.02

Location and Identification.

- 402.02.1 The proposed project name or identifying title.
- 402.02.2 Municipal boundary, including municipal names, if the tract of land is located in the vicinity of a municipal boundary line.
- 402.02.3 The name and address of the owner, authorized agent of the tract, the developer and the firm that prepared the plans.
- 402.02.4 Source of title to the land included within the subject application, as shown by the books of the Chester County Recorder of Deeds. If equitable owner, the name, address and reference to the equity agreement.
- 402.02.5 The map and lot number assigned to the property by the Chester County Tax Assessment Office.
- 402.02.6 The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) of all plan revisions.
- 402.02.7 A north arrow, a graphic scale, and a written scale.
- 402.02.8 The total acreage of the entire existing tract.
- 402.02.9 A statement on the plan identifying the district, lot size and/or density, lot coverage, building coverage, and yard requirements of the prevailing Zoning Ordinance.
- 402.02.10 A statement on the plan identifying any existing waivers, variances, special exception, conditional use and existing non-conformities, structures/uses.
- 402.20.11 The location and description of existing lot line markers and monuments along the perimeter of the entire existing tract.
- 402.20.12 A location map, drawn to scale, relating the property to at least two (2) intersections of existing road centerlines, including the approximate distance to the intersection of the centerlines of the nearest existing street intersection.

Existing Features.

- 402.03.1 Existing contours, at a minimum vertical interval of two (2) feet for land with average natural slope of four (4%) percent or less and at a minimum vertical interval of five (5) feet for more steeply sloping land. Contours shall be accompanied by the location of the bench mark within or immediately adjacent to the subject tract and a notation indicating the datum used. Contours plotted from the United States Geodetic Survey may only be used for subdivision plans which require no new streets or other public improvement. Contour data is not required beyond two-hundred (200) feet of the proposed lots within remaining land which exceeds ten (10) acres. The United States Geodetic Survey shall be used for benchmark datum.
- 402.03.2 The current names of all immediately adjacent landowners, and the names and plan book record numbers of all previously recorded plans for adjacent projects.
- 402.03.3 The following items when located within two hundred (200) feet of the subject tract or beyond two hundred (200) feet when the item affects the tract:
- The location, size, and name of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.
- The location and size of the following features and any related rights-of-way: sanitary sewer mains (including manhole numbers), water supply mains, fire hydrants, buildings, swales, watercourses, bodies of water, floodplain, and storm water management facilities which affect storm water runoff on the subject tract.
- The location and size of existing rights-of-way for electric, gas, and oil transmission lines, and railroads.
- 402.03.4 The following items when located within the subject tract:
- The location, name, and dimensions of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.

The location and size of the following features and related rights-of-way: sanitary sewer mains, water supply mains, fire hydrants, buildings, on-lot sanitary sewer and/or water facilities, swales, watercourses, bodies of water, floodplain, storm water management facilities, and wooded areas.

The location of existing rights-of-way for electric, gas, and oil transmission lines, and railroads.

402.04 Proposed Features.

- 402.04.1 Complete description of the centerline for all new streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
- 402.04.2 Approximate lot line dimensions and lot areas for all parcels. Along existing street rights-of-way, the description may utilize the existing deed lines or road centerlines.
- 402.04.3 Lot numbers in consecutive order.
- 402.04.4 In the case of land development plans, the location and configuration of proposed buildings, parking compounds, streets, access drives, driveways, and all other significant facilities.
- 402.04.5 A statement on the plan indicating the proposed total number of lots, units of occupancy, density, minimum lot size, lot coverage, building coverage, types of sanitary sewage disposal, type of water supply, name of entity providing sanitary sewage disposal and water supply (if applicable), and proposed land use. The location of each land use if several types of uses are proposed. This statement shall also include the criteria needed to calculate off-street parking, lot coverage and other requirements of the prevailing Township Zoning Ordinance.
- 402.04.6 Easements.
- 402.04.7 Building setback lines, with distances from the property and street right-of-way. A typical example may be used to identify side and rear yard setback, however, odd or

- unusual shaped lots shall be plotted with all setback lines.
- 402.04.8 Identification of buildings and other structures to be demolished.
- 402.04.9 Typical street cross-section for each proposed street and typical cross-section for any existing street which will be improved as part of the application. Each cross-section shall include the entire right-of-way width. Cross-sections for improvements to existing streets shall be provided for each fifty (50) foot station location.
- 402.04.10 Vertical and horizontal alignment on the same sheet for each proposed street, storm water management facility, sanitary sewer (including manhole numbers), and water distribution system. All street profiles shall show at least the existing (natural) profile along the centerline, proposed grade at the centerline, and the length of all proposed vertical curves for streets. All water distribution and sanitary sewer systems shall provide manhole locations, size and type of material. This information is not subject to recording with the Chester County Recorder of Deeds.
- 402.04.11 Proposed names for new streets.
- 402.04.12 Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot line markers are set or indicating when they will be set.
- 402.04.13 In the case of land development plans, a grading plan. The grading plan shall include finished grades and ground floor elevations. This information may be provided on separate sheets and is not subject to recording with the Chester County Recorder of Deeds.
- 402.04.14 A statement on the plan indicating any proposed waivers. This statement must be revised, prior to recordation of the plan, to acknowledge the outcome of the requested waiver.
- 402.04.15 Identification of any lands intended to be dedicated or reserved for public, semi-public, or community use.

Reports.

402.05.1 A Sketch Plan for the entire landholding where the application covers only a part of the property and the Board of Supervisors finds it necessary to evaluate the proposal based upon its impact to adjoining lands. The application will be considered in light of its relationship to the entire landholdings.

402.05.2 Storm water management calculations, assumptions, criteria, and references used in the design of storm water management facilities, the establishment of capacities, and the pre-development and post-development peak discharge. This information shall include data on all on-site and off-site sub-watersheds.

Description of the size, capacity, and condition of the existing and proposed storm water management system and any other facility that may be used to convey storm flows.

Identification of soils types as designated by the U. S. Department of Agriculture, Soil Conservation Service, Soil Survey of Chester County.

For all proposed detention and retention basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrographs, and outflow hydrographs.

For all proposed detention and retention basins which hold two (2) acre feet or more of water and have an embankment that is six (6) feet or more in height, soil structures and characteristics shall be provided. Plans and data prepared by a registered professional experienced and educated in soil mechanics shall be submitted. These submissions shall provide design solutions for frost heave potential, spring-swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and back-filling procedures and soil treatment techniques as required to protect the improvements or structures.

Description of all erosion and sedimentation control measures, temporary as well as permanent, including the staging of land moving activities, sufficient in detail to clearly indicate their function. All erosion and sedimentation control measures shall conform to the



requirements of the Pennsylvania Department of Environmental Resources' Soil Erosion and Sedimentation Control Manual.

Description of an ownership and maintenance program, in a recordable form, that clearly sets forth the ownership and maintenance responsibilities for all temporary and permanent storm water management facilities.

402.05.3 Descriptions of the street improvements that will be required in order to avoid problems of traffic congestions and promote traffic safety, as well as a description of the street improvements that will be required in order to avoid street cartway deterioration during all weather conditions from heavy or oversized vehicles, both during construction and normal operation.

402.05.4 The environmental impact assessment as required by the Township Zoning Ordinance.

402.05.5 All preliminary plan applications for residential land uses which exceed twenty-five (25) lots or units in whole or in part, nonresidential uses that require more than 25 parking spaces, or upon a determination of need by the Board of Supervisors, shall include a transportation analysis by a professional transportation engineer or transportation planner. This study shall include the following:

A description of the traffic impact area (TIA) including its major roads and potential traffic generation rates to be determined by current land use planning references.

Existing 24-hour and peak hour traffic volume data for all streets which provide direct access to the proposed development and for the collectors and arterials which will serve it, as well as any major intersection within the impact area.

Estimates of the total number of vehicle trips to be generated by the development for a typical 24-hour period, and including typical a.m. and p.m. peak periods.

Assignment of future 24-hour and peak hour volumes to the collectors and arterials, and other

streets that will serve the proposed development based on the projections of increased traffic volumes within the traffic impact area, to be determined by: an extrapolation of former development trends; and, the amounts of usable area already planned and/or zoned within the traffic impact area. Any previously approved projects within the TIA that have not yet been occupied, should also be factored in these future traffic volume projections.

Projected 24-hour and peak hour turning movement data for all access points proposed for the development.

Capacity/level of service analysis on major intersections which will be impacted by the additional volumes generated by the development.

Recent data about existing accident levels at the above intersections categorized by accident type for each intersection.

Descriptions of the street improvements that will be required in order to avoid problems of traffic congestions and promote traffic safety.

Description of the street improvements that will be required in order to avoid street cartway deterioration during all weather conditions from heavy or oversized vehicles, both during construction and normal operation.

Cost estimates of any proposed improvements that will be required.

Descriptions of existing and planned public transportation services in the Township and the potential to serve the proposed development.

Descriptions of any improvements provided by the developer to alleviate the impact of the proposed development on the transportation network.

The source of standards used in the data as presented.

402.05.6 Applications involving residential development of over fifteen (15) dwelling units shall require the preparation

of a statement by a qualified recreation planner with the following minimum considerations:

A description of the total projected number of residents in their respective age groups;

Discussion of potential for any recreation facilities to be provided by the developer to accommodate new residents and/or compensate for any anticipated deficiencies of the Township's recreational facilities.

A description of any recreation facilities to be provided by the developer.

A description of responsibility for maintenance of any recreational facilities to be provided by the developer.

Source of standards used in the data presented.

402.06

Certifications and Notifications.

402.06.1 Where the land included in the subject application has an electric or telephone transmission line, a gas pipeline, or a petroleum or petroleum products transmission line located within the tract, the application shall be accompanied by a copy of the right-of-way agreement or a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.

402.06.2 A statement by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct (See Appendix No. 1). This statement must be placed on both plans and reports.

402.06.3 A statement acknowledging that the subdivision or land development shown on the Plan is presented with the consent of the landowner.

402.06.4 A statement that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as amended, before street or driveway access to a state highway is permitted.

402.06.5 Notice from the Chester County Health Officer that adequate soil conditions exist for on-lot waste disposal, where applicable.

402.06.6 An application (See Appendix No. 5).

402.07 Filing Fee. The Preliminary Plan shall be accompanied by a check or money order drawn to West Marlborough Township in an amount specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Building.

## SECTION 403

### FINAL PLANS.

Final plans shall be prepared by an engineer, surveyor, or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. The Final Plan shall show, be accompanied by, or prepared in accordance with the following information:

403.01 Drafting Standards. In addition to the following data, the same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.01.

403.01.1 If the Final Plan represents a section of a Preliminary Plan, a key map showing the location of all sections.

403.02 Location and Identification. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.02.

403.03 Existing Features. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.03.

403.04 Proposed Features. In addition to the following data, the same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.04.

403.04.1 Complete description of the centerline and right-of-way line for all new streets. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

403.04.2 Complete description of all lot lines, with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearing and distance. Along existing street rights-of-way, the description may utilize the existing deed lines or road centerlines. Along all proposed street rights-of-way, the

description shall be prepared to the right-of-way lines. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

403.04.3 Locational dimensions for easements with sufficient detail to provide easy on-site location.

403.05 Reports. The same standards are required for a Final Plan as specified for Preliminary Plan in Section 402.05. If the reports were submitted with the Preliminary Plan and the contents are unchanged, they may be submitted by reference as opposed to full text submission.

403.06 Certifications and Notifications. In addition to the following data, the same standards are required for a Final Plan as specified for Preliminary Plan in Section 402.06.

403.06.1 A statement acknowledging Final Plan approval (See Appendix No. 4). This statement must be placed on all sheets which are subject to recording with the Chester County Recorder of Deeds.

403.06.2 A statement acknowledging Plan Review by the Township Planning Commission (See Appendix No. 3). This statement must be placed on all sheets which are subject to recording with the Chester County Recorder of Deeds.

403.06.3 Notice from the Pennsylvania Department of Environmental Resources that a Sewer Facilities Plan Revision has been approved.

403.06.4 A notarized statement signed by the landowner, and equitable landowner, duly acknowledged before an officer authorized to take acknowledgement of deeds, to the effect that the subdivision or land development shown on the plan is the act and the deed of the owner, that all those signing are all the owners of the property shown on the survey and plan, and that they desire the same to be recorded (See Appendix No. 2). This must be dated following the last change or revision to said plan.

403.06.5 A statement of dedication of streets and other public property as well as area that is not to be offered for dedication. (See Appendix No. 2).

403.06.6 The submission of a controlling agreement in accordance with Section 602.02 when an application proposes to

establish areas which are not offered for dedication to public use.

403.06.7 Such written notices of approval as required by this Ordinance, including written notices approving the water supply systems, sanitary sewage systems, and storm water runoff to adjacent properties.

403.06.8 A statement that a Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), as amended, before street or driveway access to a state highway is permitted.

403.06.9 A statement to accommodate the Chester County Recorder of Deeds information (see Appendix No. 3).

403.06.10 Improvement guarantees in accordance with Article V.

403.06.11 An application (See Appendix No. 5).

403.07 Filing Fee. The Final Plan shall also be accompanied by a check or money order drawn to West Marlborough Township in an amount specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Building.

## ARTICLE V

### IMPROVEMENT GUARANTEES

#### SECTION 501 GENERAL.

No project shall be considered in compliance with this Ordinance until the streets, street signs, sidewalks, curbs, landscaping, storm drainage for dedication or which affect adjacent properties or streets, sanitary sewer facilities for dedication, water supply facilities for dedication, fire hydrants, lot line markers, survey monuments and other such public improvements have been installed in accordance with this Ordinance and other applicable Township ordinances.

When sanitary sewer and water supply facilities 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.

No Final Plan shall be signed by the Board of Supervisors for recording in the office of the Chester County Recorder of Deeds unless: (1) a financial security in accordance with Section 502 is accepted by the Board of Supervisors, and/or (2) the improvements required by this Ordinance have been installed.

#### SECTION 502 FINANCIAL SECURITY.

The administration of the financial security shall comply with the provisions of this Article, the Pennsylvania Municipalities Planning Code, Act 247, as amended, and other applicable laws of the Commonwealth.

502.01 Submission of Financial Security. Final Plan applications that include public improvements that have not been installed, shall include a financial security.

502.01.1 Type of Financial Security. An escrow account is the preferred form of security. Said escrow account shall be with a lending institution authorized to do business in the Commonwealth of Pennsylvania and is subject to review by the Township Solicitor.

Additionally, the Township may require an additional, separate agreement with the developer to assure completion of improvements and performance of the developer.

**502.01.2**     Amount of Financial Security. The amount of financial security shall be equal to one hundred ten (110%) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date schedule for completion or a rescheduled date of completion. Subsequent to said adjustment, the municipality may require the developer to post additional security in order to assure that the financial security equals said one hundred ten percent (110%). Any additional security shall be posted by the developer in accordance with this Ordinance.

The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The municipality, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the municipality are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the municipality and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable, and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the municipality and the applicant or developer.

If the party posting the financial security requires more than one year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten percent (10%) for each one-year period beyond the first anniversary date from posting of



financial security or to an amount not exceeding one hundred ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one-year period by using the above procedure.

502.02

Release of Financial Security. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors. The Township may, at its discretion, allow a reduction of a portion of the financial security provided said portion accounts for a minimum of twenty (20) percent or one hundred thousand dollars (\$100,000) of the total financial security. All notifications for release of financial security shall be in writing, by certified or registered mail, and a copy thereof shall be sent to the Township Engineer. This notice shall include the "As-Built Plan" in accordance with Section 506. The Board of Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineers of the aforesaid authorization from the Board of Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Board of Supervisors shall notify the developer, within fifteen (15) days of receipt of the Engineer's report, in writing by certified or registered mail of the action of The Board of Supervisors with relation thereto.

If the Board of Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

If any portion of the said improvements shall not be approved or shall be rejected by the Board of Supervisors the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

502.03

Other Remedies. If proceeds of the financial 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 all or part of such improvements and may institute appropriate legal or equitable action to recover the funds necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

**SECTION 503**

**DEDICATION OF IMPROVEMENTS.**

All improvements shall be deemed to be private improvements and only for the benefit of the specific project until such time as the same have been offered for dedication and formally accepted by the Board of Supervisors. No responsibility of any kind with respect to improvements shown on the Final Plan shall be transferred until the improvements have been formally accepted. All requests for dedication shall follow the current procedures of West Marlborough Township. An offer of dedication shall not impose any duty upon the Township concerning acceptance, maintenance, or improvement of any such dedicated improvement.

**SECTION 504**

**MAINTENANCE GUARANTEE.**

The Board of Supervisors may, at its discretion, require the applicant to submit a maintenance guarantee or other approved guarantee as specified herein, guaranteeing the structural integrity as well as function of any improvement shown on the Final Plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication by the Board of Supervisors. Said guarantee shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements and be of the same type of financial security as required in this Article.

**SECTION 505**

**INSPECTION OF IMPROVEMENT DURING CONSTRUCTION.**

Prior to the initiation of construction, the developer shall review with the Township Engineer the construction schedule so that an inspection schedule for the Township Engineer can be prepared. The Township Engineer shall be notified a minimum of two (2) working days in advance of any intended construction date. The developer may not proceed with construction until scheduled inspections are completed. The provisions stated herein shall not be construed as mandating periodic inspections and the undertaking of periodic inspections shall not be construed as an acceptance of the work during construction or as a final inspection of the construction.

The Township, at the expense of the developer, reserves the right to require tests of the improvement to determine whether the

improvement complies in all respects with the requirements of the Township, and the developer shall delay construction until the inspection is made.

SECTION 506

AS-BUILT PLANS.

Upon completion of all required improvements and prior to final inspections of improvements, the applicant shall submit a Plan labeled "As-Built Plan", showing the location, dimension and elevation of all improvements. In addition, the plan shall indicate that the resultant grading, drainage structures and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and specifications. The plan shall note all deviation from the previously approved drawings. Two (2) copies of the plan (one paper and one plastic transparency) shall be submitted to the Township, who shall distribute the paper copy to the Township Engineer and retain the plastic transparency for the Township files.

## ARTICLE VI

### DESIGN STANDARDS

#### SECTION 601 GENERAL.

The standards and requirements contained in this Article shall apply as minimum design standards for subdivisions and/or land developments. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained herein, the more restrictive shall apply.

#### SECTION 602 STREETS, ALLEYS, ACCESS DRIVES AND DRIVEWAYS

- 602.01 Conformance with Adopted Plans. The proposed street pattern shall be properly related to existing streets, Official Maps, and such Township, County, and State highway plans as have been duly adopted.
- 602.02 Private Streets. Private streets are prohibited unless they meet the design standards of these regulations. Applications which propose a private street shall be accompanied by a right-of-way agreement which shall be submitted for review by the Township and recorded with the Chester County Recorder of Deeds on the same date as the recording of the Final Plan. This agreement shall establish the conditions under which the street will be constructed and maintained, as well as conditions controlling an offer of dedication.
- 602.03 Improvements to Existing Streets. Projects located along existing roads, which do not meet the standards of this Ordinance, shall include their improvement to the extent identified in the traffic impact report to provide adequate access. Improvement Guarantees in the forms permitted by this Ordinance shall assure that such improvements will be made within such period of time as the Township shall determine, such determination to be based on the likely timing of the improvement of the other portion of said roadway.
- 602.04 Arterial Street Design. Arterial streets provide inter-community travel, connecting population centers and carrying large volumes of traffic at speeds higher than desirable on local streets. The design standards for arterial streets shall be as specified by the Pennsylvania Department of Transportation and based upon the projected average daily traffic and speed limit.
- 602.05 Arrangement. Streets shall be designed with consideration to both existing and planned streets.

All streets shall be arranged to conform as closely as possible to the original topography.

New streets shall be connected with streets of similar function, to form continuations thereof.

Local streets shall be laid out to discourage use by through traffic.

Streets shall be laid out to provide convenient and safe access to the property.

The rigid rectangular street pattern need not be adhered to; the use of curvilinear streets may be provided when their use will result in a more desirable layout.

Where a development abuts a collector or arterial street, the Township may require the use of marginal access streets, reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the major street, and separate the local and through traffic.

602.06 Street Provisions for Future Development. Where appropriate, areas shall be reserved for future street usage in conjunction with the development of adjacent tracts. Areas reserved for future street usage will not be required to be improved; however, the right-of-way for these areas shall be reserved for street improvements to be provided by the developer of the adjacent tract.

Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a tract being developed, the adjacent street shall be extended into the proposed project provided this use is not adverse to the man-made or natural features of the site.

When connecting a proposed street to an existing temporary cul-de-sac, such connection and all restoration work required to restore the adjacent lots in the area of the existing turnaround shall be the responsibility of the developer proposing the connection.

602.07 Street Names. Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate or closely resemble names of existing streets within the same postal area. All new street names are subject to approval by the Township and U. S. Post Office.

602.07.1 Street Signs. Street signs including name, and traffic controls shall be installed by the Township and paid by the developer.

602.08 Vertical Alignments. Vertical street alignments shall be measured along the centerline. The minimum grade of all streets shall be one (1) percent. The maximum grade shall not exceed ten (10%) percent.

- 602.08.1 Vertical curves shall be used in changes of grade exceeding one (1%) percent. The minimum lengths, in feet, of vertical curves shall be thirty (30) times the algebraic difference in grade. *For example, if a three (3%) percent upgrade is followed by a four (4%) percent downgrade, the algebraic difference in grade is 7 [ $+3-(-4)=7$ ]; the minimum length of the vertical curve would then be 105 feet [ $30 \times 7 = 210$ ].*
- 602.08.2 Where the approaching grade exceeds seven (7%) percent on any or all streets at a four-way street intersection, or the terminating street at a three-way intersection, a leveling area shall be provided. Such leveling area shall have a maximum grade of four (4%) percent for a minimum length of one hundred (100) feet measured from the intersection of the centerlines.
- 602.08.3 The grade within the diameter of a turnaround at the terminus of a permanent cul-de-sac shall not exceed five (5%) percent.
- 602.08.4 All areas within the street right-of-way shall be graded substantially consistent with the street centerline. The maximum slopes of banks located outside of the street right-of-way, measured perpendicular to the right-of-way of the street shall be two to one (2:1). Slope of disturbed banks, located outside of the street right-of-way shall not exceed three to one (3:1) for fills and two to one (2:1) for cuts.

602.09 Horizontal Alignments. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes in excess of two (2) degrees.

Single, long radius curves shall be used rather than a series of curves with varying radii and/or a series of short curves separated by short, straight segments.

The minimum horizontal curve radius for collector streets shall be three hundred (300) feet and for all other streets shall be one hundred and fifty (150) feet. All curves shall be tangential arcs.

A minimum one hundred (100) foot tangent shall be provided between reverse curves on collector streets.

602.09.1 Perimeter Streets. Street locations along the perimeter of a property shall be required to provide building setback lines and clear sight triangles within the adjacent

properties; permission for these encroachments shall be obtained from the adjacent landowner.

602.09.2 Cartway Alignment. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.

602.10 Street Right-of-Way and Cartway Widths. A minimum street right-of-way width of fifty (50) feet shall be provided for all streets. The minimum cartway width for a street which serves attached dwelling units and/or non-residential land uses shall be thirty-six (36) feet. All other streets shall maintain a twenty-eight (28) foot width. The turnaround area of a cul-de-sac street shall maintain a minimum eighty (80) foot diameter.

The Board of Supervisors, upon the recommendation of the Planning Commission, may permit acceptable alternative turnaround designs, including a turnaround of acceptable radii incorporated into a parking court or a landscaped island (with an acceptable system for maintenance) within a turnaround.

602.11 Street Improvements - All streets shall be designed in accordance with PennDOT specifications, acceptable engineering standards, and the following:

602.11.1 Subgrade - The subgrade shall be prepared as specified below:

- a) All rock shall be removed and covered with a six (6) inch cushion of suitable material meeting the physical placement and compaction requirements of Section 210 of the Pennsylvania Department of Transportation (PennDOT) Form 408 as revised.
- b) Preparation of subgrade shall conform to the construction requirements of Section 210 of PennDOT Form 408 as revised.
- c) For a BCBC base [602.11.2(a)], sub-base shall be a layer of 2A stone, graded and compressed to three (3) inches thickness using a ten (10) ton vibratory roller, or its equivalent when authorized by the Township, shall be placed on the prepared subgrade.
- d) One-quarter ( $\frac{1}{4}$ ) inch per foot crown must be maintained when fine grading subgrade.
- e) No stone shall be laid on frozen ground.

f) Geotextile fabric in accordance with the specific street design or at the direction of the Township.

602.11.2 Base - The base construction material shall be one of the following:

- a) Bituminous concrete base course with a minimum compacted thickness of four (4) inches; or
- b) Number 3A modified stone compacted to a minimum compacted thickness of eight (8) inches.

602.11.3 Surface Courses -The Board of Supervisors in their discretion may require any one of the following surface courses: FB-1, FB-2, ID-2. The surface courses shall not be less than two and one-half (2½) inch binder and one (1) inch wearing course compacted with a ten (10) ton vibratory roller, or its equivalent when authorized by the Township.

602.11.4 Finished Streets - All finished streets must maintain one-quarter (¼) inch per foot crown, except on super-elevations and areas approved by standard engineering practice.

602.12 Street Intersections.

602.12.1 All streets intersecting a State Route shall be subject to the approval of the Township and the Pennsylvania Department of Transportation.

602.12.2 Multiple intersections involving the junction of more than two streets are prohibited. Only "T" and four-way intersections are permitted.

602.12.3 The distance between the centerlines of street intersections for existing or proposed streets shall be no less than two hundred (200) feet between centerlines, measured along the centerline of the street being intersected; however, intersections with arterial streets shall be located not closer than one thousand (1,000) feet, measured from centerline to centerline, along the centerline of the arterial street.

602.12.4 Right angle intersections shall be used whenever possible. No street shall intersect another at an angle of less than seventy-five (75) degrees or more than one hundred and five (105) degrees.



602.12.5 The cartway edge at intersections shall be rounded by a tangential arc with the following minimum radii:

<u>Type of Land Use</u>	<u>Radii</u>
Non-Residential	55 feet
Residential	30 feet

The right-of-way radii at intersections shall be substantially concentric with the cartway edge.

602.12.6 There shall be provided and maintained at all intersections a clear sight triangle with a line of sight between points which are established along the centerline of the intersecting streets. A minimum one hundred (100) foot clear sight triangle shall be provided at all street intersections. However, intersections with streets that provide inter-community travel shall provide a minimum one hundred and fifty (150) foot clear sight triangle.

Clear sight triangles shall be indicated on all plans. No building or other obstruction that would obscure the vision of a motorist shall be permitted within these areas. Obstructions, grading and/or plantings less than three (3) feet above the street grade shall be permitted.

602.13 Sight Distance. All intersections shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment. The sight distance shall be measured at the centerline of the cartway to an object four and one quarter (4.25) feet above the pavement, from a height of three and one half (3.50) feet and ten (10) feet from the edge of paving at the intersection. The following are minimum sight distances:

SPEED (M.P.H.)	STREET GRADE IN PERCENT													
	0	+1	+2	+3	+4	+5	+6	+7	+8	+9	+10	+11	+12	+13
15	75' 75'	74' 75'	73' 76'	73' 77'	73' 77'	73' 78'	72' 79'	72' 79'	71' 80'	71' 81'	71' 82'	70' 83'	70' 84'	70' 85'
20	109' 109'	108' 110'	107' 111'	106' 112'	105' 113'	105' 114'	104' 115'	103' 117'	102' 118'	102' 119'	101' 121'	101' 123'	100' 125'	100' 127'
25	147' 147'	145' 148'	144' 150'	143' 151'	142' 153'	140' 155'	139' 157'	138' 159'	137' 161'	136' 164'	135' 166'	134' 169'	134' 172'	133' 175'
30	196' 196'	194' 198'	191' 201'	189' 204'	187' 207'	185' 210'	183' 214'	182' 217'	180' 221'	178' 226'	177' 230'	175' 235'	174' 241'	173' 247'
35	249' 249'	245' 252'	242' 256'	238' 260'	236' 265'	233' 269'	231' 274'	228' 280'	226' 286'	224' 292'	221' 299'	219' 306'	217' 314'	215' 323'
40	314' 314'	309' 319'	309' 325'	299' 331'	295' 337'	291' 345'	287' 352'	284' 360'	280' 369'	277' 379'	274' 389'	271' 401'	268' 414'	266' 428'
45	383' 383'	376' 390'	370' 398'	364' 406'	358' 415'	353' 425'	348' 435'	343' 447'	338' 459'	334' 472'	330' 487'	326' 503'	322' 521'	319' 540'
50	462' 462'	453' 471'	444' 481'	436' 492'	429' 504'	421' 517'	415' 531'	409' 547'	403' 563'	397' 581'	392' 600'	388' 622'	382' 647'	378' 674'
55	538' 538'	527' 550'	517' 562'	508' 576'	494' 590'	490' 605'	422' 622'	475' 641'	467' 660'	461' 682'	454' 706'	448' 733'	442' 762'	437' 795'
60	621' 621'	608' 634'	596' 649'	584' 665'	573' 682'	563' 701'	554' 721'	545' 742'	536' 766'	528' 792'	521' 821'	513' 852'	506' 887'	500' 926'

The sight distance values above are desirable for safe operation of the driveway. Sight distance values less than desirable will be accepted only if it is impossible to achieve the desirable value by locating the driveway at any point within the property frontage boundaries. The minimum acceptable sight distance values shall be computed from the following formula:

$$SSSD = 1.47 Vt + \frac{V^2}{30(f \pm g)}$$

SSSD = Minimum safe stopping sight distance (feet).

V = Velocity of vehicle (miles per hour).

t = Perception time of motorist (average = 2.5 seconds).

f = Wet friction of pavement (average = 0.30).

g = Percent grade of roadway divided by 100.

602.14

Cul-de-Sac Streets. A cul-de-sac will not be approved when a through street is more advantageous. Cul-de-sac streets shall be a minimum centerline length of three hundred (300) feet and not exceed a centerline distance of one thousand (1,000) feet in length, measured from the centerline intersection with a street which is not a cul-de-sac

to the center of the cul-de-sac turnaround. Any street which is terminated for access to an adjoining property or because of authorized stage development shall be provided with a temporary, all weather turnaround. The use of such turnaround shall be guaranteed until such time as the street is extended. All cul-de-sac streets, whether permanently or temporarily designed, shall be provided at the closed end with a fully paved turnaround to the specifications stated in Section 602.10 of this Ordinance.

602.15 Future Access Strips. Future Access Strips are rights-of-way reserved for future street improvements. When in the opinion of the Board of Supervisors access to adjacent land is desirable, Future Access Strips shall be provided and designed in conformance with the requirements for a street.

602.16 Alley. Alleys are prohibited unless the developer demonstrates a need. Alleys shall conform to the following standards:

602.16.1 No part of any dwelling, garage, or other structure shall be located within sixteen (16) feet of the cartway of an alley.

602.16.2 Alleys shall be designed in accordance with the street standards in Section 602.01, 602.02, 602.05, 602.06, 602.07, 602.08, 602.09, 602.11, 602.12, 602.13, and 602.15.

602.16.3 An alley may not terminate as a cul-de-sac.

602.16.4 A minimum right-of-way width of forty (40) feet and a minimum cartway width of twenty-four (24) feet shall be provided for alleys.

602.16.5 On-street parking is prohibited along alleys and this prohibition must be acknowledged both on the Plan and on the site.

602.17 Driveways. Unlike access drives, driveways shall only be used to provide vehicular access between a parking area for a single residential unit of occupancy and a street, alley, or access drive. Driveways shall conform to the standards specified in the West Marlborough Township Zoning Ordinance and the following standards:

602.17.1 Driveways which intersect other than a minor street shall provide adequate turnaround within the lot so egress to the street is in a forward direction;

602.17.2 Driveway intersections shall conform with the sight distance requirement stated in Section 602.13;

- 602.17.3 Only one (1) driveway connection per one hundred (100) foot of lot frontage is permitted; no more than two (2) driveway connections per lot shall be permitted;
- 602.17.4 Driveways shall not connect with a public street within forty (40) feet of the right-of-way lines of any intersecting streets; nor within five (5) feet of a fire hydrant;
- 602.17.5 Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved;
- 602.17.6 All driveways shall be setback at least five (5) feet from any side lot lines unless a common or joint driveway location is proposed and,
- 602.17.7 All driveways shall be paved for a distance of twenty-five (25) feet from the street cartway.

602.18 Access Drives. Access drives are private drives, other than driveways, which provide vehicular circulation to and between vehicular parking facilities for a non-residential or multi-unit residential land use. Access drives shall conform with the West Marlborough Township Zoning Ordinance and the following standards:

- 602.18.1 The vertical and horizontal alignments of access drives shall conform to the specifications for minor streets as stated in Sections 602.08 and 602.09.
- 602.18.2 Access drive intersections shall conform to the specifications for minor streets as stated in Sections 602.12 and the sight distance specifications stated in Section 602.13. However, access drive intersections with access drives are not required to comply with the minimum separation requirements found in Section 602.12.3.
- 602.18.3 Access drives shall be designed to provide convenient and safe access to the property. Access drives which form a cul-de-sac shall not exceed one thousand, (1000) feet in length, measured from the centerline intersection of a street or access drive which is not a cul-de-sac. Access drive cul-de-sacs which do not terminate in a parking compound shall be provided at the terminus with a fully paved turnaround with a minimum diameter of one hundred (100) feet.

602.18.4 When vehicular parking is prohibited along access drives, the prohibition must be acknowledged on the Plan and properly signed along the cartway.

602.18.5 The cartway of all access drives that are located within Township street rights-of-way shall be constructed to street standards. All other access drives shall be constructed with a minimum six (6) inch crushed aggregate base course and a two and one-half (2 1/2) inch surface course of materials specified in the latest edition of the Pennsylvania Department of Transportation Manual 408. Additionally, all work procedures shall conform to the latest edition of the Pennsylvania Department of Transportation Manual 408.

602.18.6 Access drives shall contain a minimum cartway width of twelve (12) feet per driving lane.

**SECTION 603      VEHICULAR PARKING FACILITIES.**

603.01 All vehicular parking facilities shall conform to the West Marlborough Township Zoning Ordinance.

**SECTION 604      SIDEWALKS AND CURBS.**

604.01 Sidewalks. Sidewalks shall be required in the following circumstances:

- a) To continue existing sidewalk systems to the terminus of a service area or block.
- b) To provide access to vehicular parking compounds, school bus zones, or recreational facilities.
- c) To provide access to and/or within a commercial, industrial, or other community facilities.

604.01.1 Sidewalks which are located along streets or access drives shall be located along the side(s) of the street upon which lots front and pedestrian traffic is anticipated.

604.01.2 Sidewalks which are not located along streets or access drives shall be located along anticipated pedestrian traffic routes.

604.01.3 Sidewalks located adjacent to public streets shall be constructed in accordance with the following specifications:

- a) Sidewalks shall be constructed of concrete. Concrete used in sidewalk work shall be certified to develop a compressive stress of at least three thousand (3,000) p.s.i. at twenty-eight (28) days. Certification of the mix shall be furnished, if requested by the authority accepting dedication. Concrete shall be placed in forms that are straight and securely braced. Care shall be taken to control the water content to prevent separation of the aggregates. The concrete shall have a broom finish and the edge shall be finished with an edging tool.
- b) All concrete sidewalks shall be constructed on a four (4) inch thick crushed stone or gravel base to insure proper drainage. The concrete shall be placed so that there is a separate joint every five (5) feet. There shall be one-half ( $\frac{1}{2}$ ) inch pre-moulded expansion joints between every fifth section and between all points where the concrete sidewalk abuts a concrete curb.
- c) All concrete sidewalks shall have a minimum thickness of four (4) inches, except where driveways cross sidewalks and for driveway apron areas. These areas shall have a minimum thickness of six (6) inches and shall contain one layer of No. 6 wire forming six (6) inch squares. The wire shall be installed so that it is not closer than one (1) inch from the top or bottom surface of the driveway.

- 604.01.4 Sidewalks located outside of the public right-of-way, (eg. adjacent to driveways, access drives, and parking compounds) may be constructed of any material acceptable to the landowner.
- 604.01.5 Sidewalks shall have a minimum width of four (4) feet.
- 604.01.6 Sidewalks shall be graded so as to discharge storm water runoff. A minimum cross slope of two (2) percent shall be provided.
- 604.01.7 Sidewalks located along streets shall be located two (2) feet inside the street right-of-way. The area between the street cartway and sidewalk shall be maintained in a grass strip.

- 604.01.8 Maintenance and repair for sidewalks are the sole financial responsibility of the adjacent landowner. The Township shall be provided with the authority to authorize maintenance to be done and lien the cost of such maintenance against the adjacent landowner.
- 604.01.9 Pedestrian easements, which may be required by the Board of Supervisors to facilitate pedestrian circulation or to give access to community facilities, shall have a minimum right-of-way width of ten (10) feet with a walkway width of four (4) feet. This walkway shall be improved to the standards assigned by the individual or other entity which accepts the easements.
- 604.02 Curbs. Curbs shall be provided in accordance with the following specifications.
- 604.02.1 Curbs shall be provided wherever sidewalks are installed.
- 604.02.2 Depending on storm drainage conditions, curbs may be required in blocks where a street grade exceeds five (5) percent. Where no curb is provided, there shall be a stabilized shoulder.
- 604.02.3 The Supervisors may require curbs where unusual or particular conditions prevail with respect to prospective traffic and/or safety of pedestrians.
- 604.02.4 Where required, curbs shall be installed along both sides of all proposed streets. Curbs shall be either the vertical type or slant type (see Appendix 11). Transitions in curb type shall be subject to approval by the Board of Supervisors. All curbing shall conform with the prevailing standards for handicapped access.
- 604.02.5 All curbs shall conform to specification for class A concrete, as specified by PennDOT, with a minimum compressive strength of 3,000 p.s.i after twenty-eight (28) days.
- Curbing shall be constructed in ten (10) foot lengths. A pre-moulded expansion material having a minimum thickness of one-fourth ( $\frac{1}{4}$ ) inch shall be placed between sections of curved curb and at intervals of not more than thirty (30) feet. Intermediate joints between ten (10) foot sections shall be formed of two (2) layers of single-ply bituminous paper.

The depressed curb at driveways shall be no higher than one and one-half (1½) inch above the street surface. The length of this depressed curb shall not exceed thirty-five (35) feet without a safety island. This safety island shall not be less than fifteen (15) feet in length. Pipes or grates or other obstructions shall not be placed in the gutter to form a driveway ramp.

Excavations shall be made to the required depth, and the material upon which the curb is to be constructed shall be compacted to a firm, even surface. Where the subgrade is soft or spongy, as determined by the Township Engineer, a layer of crushed stone not less than four (4) inches thick shall be placed under the curb.

604.02.6 Maintenance and repair for curbs are the sole financial responsibility of the adjacent landowner. The Township shall be provided with the authority to authorize maintenance to be done and lien the cost of such maintenance against the adjacent landowner.

## SECTION 605

### BLOCKS AND LOTS.

605.01 General. The configuration of blocks and lots shall be based upon the lot area requirements, the salient natural features, the existing man-made features, and the proposed type of structure. Lot configurations should provide for flexibility in building locations, while providing safe vehicular and pedestrian circulation.

605.02 Residential Blocks. All blocks in a residential subdivision shall have a maximum length along any side of one thousand, six hundred (1,600) feet. Where practical, the minimum length of any side shall be six hundred (600) feet.

605.03 Non-Residential Blocks. Blocks in non-residential areas may vary from the requirement of Section 605.02 when required by the nature of the use. Adequate provisions shall be made for off-street parking, loading areas, and traffic circulation.

605.04 Lot Configuration.

605.04.1 Whenever practical, side lot lines shall be radial or perpendicular to street lines.

605.04.2 In order to avoid jurisdictional problems, lot lines shall, wherever feasible, follow municipal boundaries rather than cross them. Where a lot is divided by a municipal



boundary, the most restrictive standards of both municipalities shall apply.

605.04.3 Lots with areas that are two or more times the minimum area requirements shall, wherever feasible, be designed with configurations which allow for additional subdivision.

605.04.4 All lots shall include frontage on a street.

605.04.5 Double Frontage Lots are prohibited. A double frontage lot fronts upon two parallel streets or upon two streets which do not intersect and vehicular access is provided to both streets. The Board of Supervisors may permit Reverse Frontage Lots as provided in Section 605.04.6.

605.04.6 Reverse Frontage Lots are limited to lots which have frontage on two streets with vehicular access solely from the one street. All single family Reverse Frontage Lots shall have a rear yard with a minimum depth of seventy-five (75) feet and have a planted buffer easement of at least twenty (20) feet in width located immediately contiguous to the street right-of-way. Vehicular access shall be prohibited from the rear of Reverse Frontage Lots.

All Reverse Frontage Lots shall include an identification of the frontage for use as a road access. The street designated for frontage must be consistent for all contiguous lots.

605.04.7 All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.

605.04.8 All lots shall be designed to provide sufficient building area based upon building setbacks, easements, floodplains, etc.

605.05 Lot Size and/or Intensity. Lot areas shall conform with the prevailing West Marlborough Township Zoning Ordinance requirements.

SECTION 606 BUILDING SETBACK LINES AND BUILDING SEPARATIONS.

The building setback lines and building separations shall conform with the prevailing West Marlborough Township Zoning Ordinance requirements.

EASEMENTS.

Easements for sanitary sewer facilities, storm water drainage facilities, public utilities, or pedestrian access shall meet the following standards:

- 607.01 To the fullest extent possible, easements shall be adjacent and centerlined upon property lines.
- 607.02 Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement.
- 607.03 Pedestrian easements shall have a minimum width of ten (10) feet.
- 607.04 Sanitary sewer and water supply easements shall have a minimum width of twenty (20) feet. In the case of a shared utility easement, sufficient area shall be provided to allow a minimum of ten (10) feet between the utility and the edge of the right-of-way.
- 607.05 Storm water easements shall have a minimum width of twenty (20) feet and shall be adequately designed to provide area for (a) the collection and discharge of water, (b) the maintenance, repair, and reconstruction of the drainage facilities, and (c) the passage of machinery for such work.

Storm water easements shall include the following:

- a) Description of the method and extent of the maintenance requirements.
- b) When maintained by a private entity, identification of an individual, corporation, association or other entity responsible for ownership and maintenance.
- c) When maintained by a private entity, a copy of the legally binding document which provides that the Township shall have the right to:

Inspect the facilities at any time;

Require the private entity to take corrective measures and assign the private entity reasonable time periods for any necessary action; and

Authorize maintenance to be done by the Township or an agent or contractor of the Township and the liening of the cost of the work against the properties of the private entity responsible for the maintenance.

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

607.06 Where any electric or telephone transmission or petroleum product transmission line traverses a property, the applicant shall confer with the applicable transmission or distribution company to determine the minimum distance which shall be required between each structure and the centerline of such petroleum or petroleum product transmission line. All applications shall include a letter from the owner of the transmission line stating any conditions on the use of the tract and the right-of-way width, or a copy of the recorded agreement which shall contain the above data.

**SECTION 608 SURVEY MONUMENTS AND MARKERS.**

608.01 Permanent stone or concrete monuments shall be accurately placed at the right-of-way lines along at least one side of each street and on the property lines of the parent tract. These monuments shall be placed at the intersection of all lines forming angles, changes in direction, and at the end of each curved line.

An intermediate monument shall be placed wherever topographical or other conditions make it impossible to sight between two otherwise required monuments. Monuments shall be placed along the line of streets as may be determined by the Township to be necessary so that any street may be readily defined in the future.

608.02 Markers shall be set at all lot line corners, intersections, or curves.

608.03 Monuments shall be of concrete or stone, with a flat top having a minimum width or diameter of four (4) inches and a minimum length of thirty (30) inches. Concrete monuments shall be marked with a three-quarter (3/4) inch copper or brass dowel; stone or pre-cast monuments shall be marked on the top with a proper inscription and a drill hole. Markers shall consist of iron pipes or steel bars at least thirty (30) inches long and not less than three-quarters (3/4) of an inch in diameter.

608.04 All monuments and markers shall be placed by a registered surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.

608.05 All monuments and markers located in non-wooded areas shall be set flush with the finished grade. In wooded areas, monuments and markers may be set at a more visual elevation.

608.06 All existing and proposed monuments and lot line markers shall be delineated on the Final Plan.

The management of storm water, both during and upon completion of the construction shall be accomplished in accordance with the standards of this Ordinance.

- 609.01 Pre-Development vs. Post-Development. Storm water management facilities shall be designed so that the peak discharge of the calculated post-development runoff to an adjacent property does not exceed the peak discharge of the calculated pre-development runoff.

Runoff calculations for the pre- and post-development comparison shall consider the ten (10), twenty-five (25), and one hundred (100) year storm frequencies.

For pre-development computations, all runoff coefficients within the project shall be based on actual land use assuming summer or good land cover conditions. Off-site land use conditions used to determine storm flows for designing storm facilities shall be based on existing land uses assuming winter or poor land cover conditions.

- 609.02 Design Storm for Collection Facilities. The design of storm water management collection facilities that service drainage areas within the site shall be based upon a ten (10) year storm frequency event, except sump area, inlets and catch basins located in sump areas; outfall pipes, and swales shall be designed to convey a twenty-five (25) year storm frequency event.

All developments shall include design provisions that allow for the overland conveyance of the post development one hundred (100) year storm flows through the site without damage to any private or public property.

- 609.03. Method of Calculations. Runoff calculations for on-site storm water management facilities shall be based upon the following methods:

609.03.1 Rational Method - This method is recommended and preferred for determining the peak flow.

609.03.2 SCS TR-55 Tabular Hydrograph Method (1986, or latest revision) - This method is recommended and preferred for design of conveyance and retention facilities.

609.03.3 SCS TR-55 Graphical Method (1986, or latest revision) - This method may be used in lieu of the Tabular Hydrograph Method for sizing conveyance systems. It does not provide an adequate inflow hydrograph for basin routing.

609.04 Criteria and Assumptions. The following shall be used in the determination of storm water runoff and design of management facilities:

609.04.1 Runoff coefficients shall be based on the land use coefficients listed in Appendix Nos. 7 and 8 of the Ordinance.

609.04.2 Times of concentration shall be based on the following design parameters:

a) Overland flow: The maximum length for each reach of overland flow before concentrated swale and/or sheet flow develops is three hundred (300) feet. The nomograph in the Appendix No. 9 shall be used for determination of the times of concentration.

b) Concentrated flow: At points where overland flows concentrate, the time of concentration shall be based upon an acceptable engineering design standard, subject to Township approval.

609.04.3 If the Rational Method is used, the Rainfall Intensity-Duration-Frequency Chart shown in Appendix No. 10 shall be used to compute the rainfall intensities.

609.04.4 If the Soil-Cover-Complex Method is used, storm water runoff shall be based on the following 24-hour storm events:

<u>Storm Event</u>	<u>Inches of Rainfall</u>
2 years	3.20
10 years	5.00
25 years	5.75
50 years	6.30
100 years	7.10

Source: 210-VI-TR55, Second Edition, June 1986.

609.04.5 Use of other criteria, assumptions, references, calculation methods and/or computer modeling may be utilized, provided detailed design information and programming with references are submitted and approved by the Township.

609.05 Coordination with Adjacent Lands. Consideration shall be given to the relationship of the subject property to the drainage pattern of the

watershed. The proposed storm water discharge at the perimeter of the site shall not be beyond the capacity of any existing, immediately contiguous, storm water management facility into which it flows, unless the existing flow at the perimeter of the site already exceeds the capacity of the existing facilities into which it flows.

Storm water shall not be transferred from one watershed to another, unless (1) the watersheds are sub-watersheds of a common watershed which join together within the perimeter of the property, (2) the effect of the transfer does not alter the peak discharge onto adjacent lands, or (3) easements from the affected downstream landowners are provided.

The creation of a new concentrated discharge of storm water onto an adjacent property shall be within an existing watercourse or an easement must be obtained from all affected downstream landowners.

609.06

Storm Water Basins. Retention basins and detention basins shall be designed with a minimum one (1) foot freeboard above the design elevation of the one hundred (100) year water surface at the emergency spillway. Additionally, basins shall be designed to safely discharge the peak discharge of a post-development storm event through an emergency spillway in a manner which will not damage the integrity of the basin.

Retention basins and/or detention basins shall be designed and maintained to insure the design capacity after sedimentation has taken place.

Basins which are not designed to release all storm water shall be specifically identified as retention basins or permanent pond basins. All other basins shall have provisions for de-watering, particularly the bottom, and shall not create swampy and/or unmaintainable conditions. Low flow channels and tile fields may be used to de-water the bottom of a basin. Discharge structures shall be designed to eliminate the possibility of blockage during operation.

609.07

Earth Fill Dams. Basins which are designed with earth fill dams shall incorporate the following minimum standards:

609.07.1 The maximum water depth (measured from the base to the crest of the emergency spillway) shall not exceed six (6) feet.

609.07.2 The minimum top width of all dams shall be five (5) feet.

- 609.07.3 The side slopes of earth fill dams shall not be less than three (3) horizontal to one (1) vertical on both sides of the embankment.
- 609.07.4 Basins without restricted access shall have impoundment areas with side slopes no greater than five (5) horizontal to one (1) vertical.
- 609.07.5 A cutoff trench of impervious material shall be provided under all dams.
- 609.07.6 All pipes and culverts through dams shall be reinforced concrete and have properly spaced concrete cutoff collars.
- 609.07.7 All riser pipes shall be reinforced cement concrete.
- 609.07.8 Minimum floor elevations for all structures that would be affected by a basin, other temporary impoundments, or open conveyance systems where ponding may occur shall be two (2) feet above the Q100 year water surface. If basement or underground facilities are proposed, detailed calculations addressing the effects of storm water ponding on the structure and water-proofing and/or flood-proofing design information shall be submitted for approval.

609.08 Capacities. The capacities of the pipes, gutters, inlets, culverts, outlet structures, and swales shall consider all possible hydraulic conditions. The following are minimum design standards:

- 609.08.1 Grass swales and roadside gutters shall consider both the channel velocity and stability for retardant.
- 609.08.2 The value for the coefficient of roughness ("n" factors) to be used for paved or rip-rap swales or gutters shall be based on accepted engineering design practices.
- 609.08.3 The value for the coefficient of roughness ("n" factors) for corrugated metal pipe shall be based upon the manufacturer's standard.
- 609.08.4 The velocity to be used in the design of any piped storm water conveyance system shall be based on the maximum velocity attainable.
- 609.08.5 Inlets, culverts, and basin discharge systems shall be designed for the worst case condition. Inlet capacity

shall be based on design data provided by the manufacturers and accepted by the Township. If acceptable information is not available, inlets in non-ponding areas shall be designed for a maximum capacity of four (4) cubic feet per second. Where ponding occurs, inlet capacity shall be based on accepted engineering design practices. Culvert design shall consider either inlet/outlet control or a combination of hydraulic losses through the system, whichever is greater. Basin discharge systems shall be designed to the same standards as culverts. If it cannot be readily determined which hydraulic condition controls, the basin discharge rate shall be based on the highest possible discharge rating curve with the basin capacity sized to store the excessive storm runoff based on the lowest possible discharge rating curve.

- 609.09 Storm Water Flow Along Street. Inlets shall be along the curb line and are not permitted along the curb radius at an intersection. For the purpose of inlet placement, curb, gutter, or roadside swale, depths shall not exceed three (3) inches along the roadway and one and one-half (1½) inches across streets and access drives. In no case shall inlets be spaced more than six hundred (600) feet apart.
- 609.10 Manhole Locations. Manholes shall not be spaced more than five hundred (500) feet apart. Additionally, manholes shall be placed at all changes in the horizontal or vertical direction of storm sewers. Inlets may be substituted for manholes where they will serve a useful purpose.
- 609.11 Alignment Requirement. If less than a forty-eight (48) inch diameter, curves in pipes or box culverts without an inlet or manhole are prohibited. Tee joints, elbows, and wyes are also prohibited.
- 609.12 Minimum Pipe Size. Storm water management pipe collection and conveyance systems shall have a minimum diameter of fifteen (15) inches.
- 609.13 Material Specifications. Storm water pipe and culvert for dedication to the Township shall be reinforced cement concrete, tongue and groove, and shall conform to AASHTO. The following are approved for all other facilities:
- 609.13.1 Storm Water Pipe. The following are approved types of storm water pipe:
- a) Corrugated aluminized steel Type II, helical design shall conform to AASHTO M-36.



- b) Corrugated polymeric coated galvanized steel (10 mil.) full inside coating (3 mil.) full outside coating, helical design, shall conform to AASHTO M-245.
- c) Corrugated aluminum alloy, helical design shall conform to AASHTO M-196.
- d) Reinforced cement concrete, tongue and groove, shall conform to AASHTO M-170.
- e) Corrugated polyethylene (PE) shall conform to AASHTO-295-851.
- f) Corrugated polyvinyl (PVC) minimum stiffness 46 p.s.i. shall conform to ASTM F-794.

609.13.2 Storm Water Culvert. The following are approved types of storm water culverts:

- a) Cement concrete cast in place, conforming to PennDOT specifications.
- b) Prestressed concrete, conforming to PennDOT specifications.
- c) Corrugated aluminized steel, Type II.
- d) Corrugated aluminum alloy.

609.13.3 Pipe sizes with nominal diameters greater than 72" shall require structural design submittals for approval.

609.13.4 Endwalls and headwalls shall be type "DW" wall unless field conditions warrant another type.

609.13.5 All culvert structures shall require submission of construction drawings, to assure compliance to HS-25 or current PennDOT specifications.

609.13.6 Minimum one (1) foot cover from crown of storm water pipe or culvert to subgrade of streets, alleys, access drives, or driveways must be provided.

609.14 Surface Flow Characteristics. The maximum swale, gutter, or curb velocity of storm water runoff shall be maintained at levels which result in a stable condition both during and after construction.

609.14.1 The following are considered characteristics of a stable condition:

- a) It neither aggrades or degrades beyond tolerable limits.
- b) The channel banks do not erode to the extent that the channel cross section is changed appreciably.
- c) Sediment bars do not develop.
- d) Erosion does not occur around culverts and bridges or elsewhere.
- e) Gullies do not form or enlarge due to the entry of uncontrolled storm water runoff.

609.14.2 Grass lined channels shall be considered stable if the calculated velocity does not exceed the allowable velocities shown below:

- a) Three (3) feet per second where only sparse vegetation can be established and maintained because of shade or soil condition.
- b) Four (4) feet per second where normal growing conditions exist and vegetation is to be established by seeding.
- c) Five (5) feet per second\* where a dense, vigorous sod can be quickly established or where water can be temporarily diverted during establishment of vegetation. Netting and mulch or other equivalent methods for establishing vegetation shall be used.
- d) Six (6) feet per second\* where there exists a well established sod of good quality.

609.14.3 Where swale bends occur, the allowable velocities listed above shall be divided by the following factors:

<u>Degree of Bend</u>	<u>Velocity</u>
0 to 30	1.50
30 to 60	1.75
60 to 90	2.00
90 and over	2.50

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\*Velocity of five (5) or greater is not permitted in residential developments in which the affected lots are less than one (1) acre in area.

The above grass-lined channel flows may be exceeded if the designer can provide acceptable supportive design criteria as proof of erosion prevention. Where the velocity of storm water runoff exceeds the allowable velocity, erosion protection must be provided. The method of erosion protection proposed must be supported by the appropriate design information and/or references.

609.15 Phasing Plans. When applications are submitted in phases, and if temporary facilities are required for construction of a phase, such facilities shall be included in the submitted plans. All phases of development must comply with the provisions of this Ordinance. In the event temporary measures cannot adequately handle the storm water runoff, the main outfall line shall be included as part of the construction of the proposed phase.

609.16 Erosion and Sedimentation. All land disturbance facilities shall conform to the requirements of the Pennsylvania Department of Environmental Resources' Soil Erosion and Sedimentation Control Manual. The following principles shall be applied to the design plan and construction schedule to minimize soil erosion and sedimentation:

609.16.1 Stripping of vegetation, grading, or other soil disturbance shall be done in a manner which will minimize soil erosion.

609.16.2 Whenever feasible, natural vegetation shall be retained and protected.

609.16.3 The extent of the disturbed area and the duration of its exposure shall be kept to a minimum, within practical limits.

609.16.4 Either temporary seeding, mulching, or other suitable stabilization measures shall be used to protect exposed critical areas during construction.

609.16.5 Drainage provisions shall accommodate the storm water runoff both during and after construction.

609.16.6 Soil erosion and sedimentation facilities shall be installed prior to any on-site grading.

609.16.7 The design plan and construction schedule shall incorporate measures to minimize soil erosion and sedimentation.

609.16.8 Retention and/or detention basins, and water carrying facilities shall be stabilized in accordance with current engineering and Soil Conservation Service practices.

SECTION 610 FLOODPLAIN.

All subdivision and land development plans shall conform with the floodplain standards specified in the West Marlborough Township Zoning Ordinance, as amended.

SECTION 611 LANDSCAPING.

611.01 Protection of Natural Features - The finished topography of the site shall adequately facilitate the proposed development without excessive earth moving, tree clearance, and destruction of natural amenities. Natural features such as lakes, streams, and wooded slopes shall be preserved and incorporated into the final landscaping of the development wherever possible and desirable. The applicant shall demonstrate the means whereby trees and other natural features shall be protected during construction. The location of such trees and other natural features must be considered when planning the open space, location of buildings, underground services, walks, paved areas, and finished grade levels.

611.02 Existing Wood Areas. Existing wooded areas shall be protected to prevent unnecessary destruction. Healthy trees with a caliper of six (6) inches or more as measured at a height of four and one-half (4 1/2) feet above existing grade, shall not be removed unless they are located within fifteen (15) feet of any planned improvement. In areas where trees are retained, the original grade level shall be maintained if possible, so as not to disturb the trees.

611.03 Street Trees. Street trees shall be required by the Township in accordance with the following standards:

611.03.1 The trees shall be nursery grown in a climate similar to that of the locality of the project. Varieties of trees shall be subject to the approval of the Township.

611.03.2 All trees shall have a normal habit of growth and shall be sound, healthy, and vigorous; they shall be free from disease; insects, insect eggs, and larvae.

611.03.3 The trunk diameter, measured at a height of six (6) inches above finish grade, shall be a minimum of two (2) inches.

- 611.03.4 Trees shall be planted between the street right-of-way line and the building setback line, the maximum spacing of trees shall be one-hundred (100) feet and offset from trees located on the opposite side of the street.
- 611.03.5 All work shall be performed in conformance with good nursery and landscape practice and to the standards established by the authority which accepts ownership of the plantings. All trees shall be guaranteed to survive for a minimum two (2) year period.
- 611.03.6 Requirements for the measurements, branching, grading, quality, balling, and the burlapping of trees shall follow the code of standards recommended by the American Association of Nurserymen, Inc., in the American Standard for Nursery Stock, ANSIZ60, 1-1973, as amended.

611.04 Ground Cover. Ground cover shall be provided on all areas of the project to prevent soil erosion. All areas which are not covered by paving, stone, or other solid material shall be protected with a vegetative growth. Varieties of ground cover shall be subject to the approval of the Township.

**SECTION 612 SANITARY SEWAGE DISPOSAL.**

- 612.01 When the Board of Supervisors, in accordance with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, determines the necessity for a Sewer Facilities Plan Revision (Plan Revision Module for Land Development), the Board of Supervisors shall require that notice of approval from the Pennsylvania Department of Environmental Resources be submitted as a condition of Final Plan approval.
- 612.02 The applicant shall provide the type of sanitary sewage disposal facility consistent with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, and the Township Sewer Facilities Plan.
- 612.03 Public sanitary sewer systems shall be designed in accordance with the prevailing standards of the appropriate authority.
- 612.04 Where on-site sanitary sewage disposal facilities are to be utilized, each lot so served shall be of a size and shape to accommodate the necessary subsurface sewage disposal system and a replacement system at a safe distance from building and water supply in accordance with Title 25, Chapter 73, Rules and Regulations of the Pennsylvania Department of Environmental Resources, as amended.

**SECTION 613**

**WATER SUPPLY.**

- 613.01 Whenever feasible, each unit of occupancy shall connect to an existing public water supply system.
- 613.02 Wherever the water supply system contains sufficient capability or will in the foreseeable future, with or without developer assistance, fire hydrants shall be provided. Fire hydrants shall meet the specifications of the Middle Department Association of Fire Underwriters, and the local fire company. Fire hydrants shall be located at street intersections no more than ten (10) feet from the curb. All fittings shall be subject to the approval of the applicable local fire company. The large fitting shall face the street and be a minimum of sixteen (16) inches above the ground level.
- 613.03 Where a public system is not accessible, particularly where on-site sanitary disposal systems are to be used, a community water supply may be required. If such a system is provided, it shall be approved by the Pennsylvania Department of Environmental Resources, and appropriate measures shall be provided to ensure adequate maintenance.
- 613.04 Where individual on-site water supply system is to be utilized, each lot so served shall be of a size and shape to allow safe location of such a system, in accordance with all applicable standards.
- 613.05 If water is to be provided by means other than by an individual on-site water supply system (wells that are owned and maintained by the individual lot owners), the Final Plan application shall include:
- 613.05.1 A certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority of 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.
- 613.05.2 Notice of approval of the design, installation, and any financial guarantee from the entity providing water service.

**SECTION 614**

**PARK AND OPEN SPACE PROVISION.**

Developers of residential units are encouraged to provide park and open space facilities based upon the anticipated need described in the study required by Section 402.05.6. As an alternative to dedication,

and upon agreement with the Township, the applicant may agree to provide any of the following:

- a) Construct and/or improve existing recreation facilities;
- b) Pay a fee-in-lieu of dedication;
- c) Guarantee the private reservation and maintenance of parkland or open space; or,
- d) Provide for any combination of the above.

614.01 In general, parklands and open spaces shall involve areas for active recreational pursuits. Accordingly, the following design requirements shall apply:

614.01.1 The site shall be located and designed so that safe and convenient access shall be provided to all existing and proposed inhabitants. Additionally, each site shall have at least one area available for vehicular access that is no less than twenty-four (24) feet in width;

614.01.2 The site shall be sized and configured so as to accommodate its intended uses. Sufficient lot width/depth dimension shall be provided so as to accommodate, where practicable, ballfields, courts and other open play areas. Furthermore, should a development be proposed at a location contiguous to an existing park, dedicated parklands should be provided, where practicable, as an expansion of the existing facility;

614.01.3 The site shall have suitable topography and soil conditions for use and development as active play areas. No more than twenty-five (25) percent of the site shall be comprised of floodplains, storm water management facilities, and/or slopes exceeding five (5) percent. Any unimproved site shall be provided with a healthy and vibrant grass ground cover; and,

614.01.4 The site shall be located and designed to conveniently access proximate public utilities (e.g., sewer, water, power and etc.). However, no part of any overhead utility easement, nor any above ground protrusion of an underground utility, shall be permitted in active play areas of the site.

ARTICLE VII

MOBILE HOME PARKS

SECTION 701 GENERAL.

Mobile home park plans shall be processed in accordance with Article III. Mobile home park plans shall comply with the design standards set forth in the West Marlborough Township Zoning Ordinance. Additionally, the following standards and requirements shall apply as minimum design standards. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained herein, the more restrictive shall apply.

SECTION 702 MOBILE HOME UNIT REQUIREMENTS.

Every mobile home shall be anchored to the mobile home stand where it is located prior to the unit being occupied, and no more than seven (7) days from the arrival of the mobile home. The anchoring system shall be designed by a registered professional engineer, licensed as such by the Commonwealth of Pennsylvania to prevent tilting of the unit and resist a minimum wind velocity of ninety (90) miles per hour.

The hitch or two bar attached to a mobile home for transport purposes shall be removed and remain removed from the mobile home when it is placed on its mobile home stand.

SECTION 703 STREETS, ACCESS DRIVES, AND DRIVEWAYS.

In addition to the below standards, streets, access drives, and driveways shall conform with Section 602 of this Ordinance.

703.01 The cartway edge at intersections shall be rounded by a tangential arc with a minimum radii of fifty-five (55) feet.

703.02 Driveways to all mobile homes must access onto the interior street system of the mobile home park. Direct driveway access to an existing adjoining public street is prohibited.

SECTION 704 VEHICULAR PARKING FACILITIES.

Off-street parking spaces shall be provided in all mobile home parks. Two and one-half (2½) spaces per dwelling unit shall be provided either on the mobile home lot or in a common, paved parking compound within one hundred (100) feet of each mobile home. Parking compounds shall be designed in accordance with Section 603 of this Ordinance. Parking compounds shall be used solely for the temporary parking of currently registered and inspected motor vehicles.



**SECTION 705      SIDEWALKS.**

In addition to the standards of Section 604 of this Ordinance, sidewalks shall be provided (a) along both sides of streets and access drives, (b) within parking compounds, and (c) between mobile homes, parking compounds, and service buildings.

**SECTION 706      SANITARY SEWAGE DISPOSAL.**

706.01      Source. All sanitary sewage disposal systems shall conform with Section 612 of this Ordinance.

706.02      Connection. All mobile home units and service buildings shall be connected to an approved sewerage system. Individual riser pipes having a minimum inside diameter of four (4) inches shall be located on each mobile home stand and shall extend at least one (1) inch above ground level. The sewer riser pipe shall be sealed with a securely fastened plug or cap when the mobile home lot is unoccupied.

706.03      Protection of Sewer Lines. Adequate provision shall be made to protect sanitary sewers from storm water infiltration and damage. All sewer lines shall be constructed with materials and by methods approved by the entity providing service and Pennsylvania Department of Environmental Resources.

**SECTION 707      WATER SUPPLY.**

707.01      Source. All mobile home parks shall be serviced by a community or public water supply system. Additionally, all water supply systems shall conform with Section 613 of this Ordinance.

707.02      Connection. All mobile home units and service buildings shall be connected to the water supply system. Individual water riser pipes having an inside diameter of not less than three-fourths (3/4) inches shall be provided for each mobile home stand and shall terminate no less than four (4) inches above the ground.

707.03      Protection of Water Lines. Adequate provisions shall be made to protect water service lines from damage, including a shut-off valve, below the frost line for each mobile home stand.

SECTION 708

STORM WATER MANAGEMENT AND FLOODPLAIN CONTROLS.

All mobile home parks shall conform to Sections 609 and 610 of this Ordinance.

SECTION 709

REFUSE DISPOSAL.

The storage, collection, and disposal of refuse in the mobile home park shall be so managed as to create no health hazards, rodent harborage, insect-breeding areas, accident, fire or air pollution. All refuse shall be stored in fly-tight, water-tight, rodent-proof containers.

Community refuse disposal sites shall be provided at locations which are not more than one hundred (100) feet from any mobile home space and no less than fifty (50) feet from the mobile home park boundary. Containers shall be provided in sufficient number and capacity to properly store all refuse. Community refuse disposal sites shall be screened or fenced.

Racks or holders shall be provided for all refuse containers. Such containers shall be so designed as to prevent tipping, to minimize spillage and container deterioration, and to facilitate cleaning around them.

All refuse shall be collected at least once weekly and comply with current recycling requirements. Where suitable collection service is not available, the mobile home park operator shall provide this service. All refuse shall be collected and transported in enclosed vehicles or containers.

SECTION 710

SERVICE AND ACCESSORY BUILDINGS.

Every mobile home park shall have a structure designed for and clearly identified as the office of the mobile home park manager.

Occupants of each mobile home lot shall be provided with at least one hundred fifty (150) cubic feet of enclosed storage space which is exclusive of the floor area devoted to living space. Storage facilities shall not intrude into any required yard or setback area and shall substantially conform in style, quality, and color to the adjacent mobile home. The type of storage facility shall be approved by the Board of Supervisors.

Service and accessory buildings shall be used only by the occupants of the mobile home park.

**SECTION 711**

**FIRE PROTECTION.**

- 711.01      The mobile home park area shall be kept free of litter, rubbish, and other flammable materials.
- 711.02      Portable hand-operated fire extinguishers of a type suitable for use on oil and electrical fires, and approved by the appropriate fire company, shall be kept in each community building under park control and shall be required by the mobile home park operator to be placed in each mobile home in a fixed location, preferably near a door, but not in close proximity to cooking facilities.
- 711.03      Mobile home parks shall be provided with fire hydrants or acceptable alternatives for fire protection as approved by the local fire company and Township Engineer. Where fire hydrants are provided, they shall meet the specifications in Section 613.02 of this Ordinance.
- 711.04      All mobile home parks shall be operated so as to comply with all State and local laws, ordinances, and regulations pertaining to fire prevention.
- 711.05      The mobile home park manager shall consult annually with the appropriate fire company or authorities as to proper fire prevention practice, accessibility of streets, testing of fire hydrant pressure, location and operation of equipment, community education programs, etc.

**SECTION 712**

**ELECTRICAL DISTRIBUTION.**

- 712.01      The mobile home park shall contain an electrical wiring system which shall be installed and maintained in accordance with the utility company's specifications and the National Electrical Code.
- 712.02      All electrical power lines shall be located underground. All buried conductors or cables shall be buried at least eighteen (18) inches below the ground surface and shall be insulated and specially designed for the purpose. Such conductors shall be located not less than one (1) foot radial distance from water, sanitary/storm sewer, gas, or communication lines.
- 712.03      Each mobile home shall be provided with an approved disconnecting service and weather-proof overcurrent protective equipment. Individual mobile home spaces shall be provided with a polarized-type receptacle with a ground conductor. All exposed non-current-carrying metal parts of mobile homes, other structures, and equipment shall be grounded by means of an approved grounding conductor. The neutral conductor shall not be used as an equipment ground for mobile homes, other structures, and equipment.

712.04 Temporary electrical connections are prohibited.

SECTION 713 MAINTENANCE.

The landowner of a mobile home park shall be responsible for the proper repair and maintenance of all facilities including, but not limited to roads, parking areas, sidewalks or pathways, improved and unimproved areas, water supply, sewage disposal, skirting, storage buildings, and community buildings.

SECTION 714 EASEMENTS.

Easements located within a mobile home park shall conform with the standards in Section 607 of this Ordinance.

SECTION 715 SURVEY MONUMENT AND MARKERS.

All mobile home park plans shall conform with the standards in Section 608 of this Ordinance.

## ARTICLE VIII

### ADMINISTRATION

#### SECTION 801 GENERAL.

This article outlines the procedures for enforcement and amendment of this Ordinance, as well as procedures for challenges and appeals of decisions rendered under this Ordinance.

#### SECTION 802 AMENDMENT.

Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice in the manner prescribed for enactment of a Subdivision and Land Development Ordinance in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

In the case of an amendment other than that prepared by the Planning Commission, the Board of Supervisors shall submit each amendment to the Planning Commission for recommendations at least thirty (30) days prior to the date of the public hearing on such proposed amendment.

#### SECTION 803 WAIVERS.

The provisions of this Ordinance are intended as minimum standards for the protection of the public health, safety and welfare. The Board of Supervisors may modify said provisions to the benefit of the developer, provided: the majority of the members of the Board of Supervisors present at a duly advertised meeting determines that the waiver:

- a) Is consistent with the purpose of the Ordinance as described in Section 102.
- b) Will remove or reduce an unreasonable or undue hardship, as it applies to the particular property, which is grossly disproportionate to any benefit derived from the standard.
- c) Will result in an equal or better situation.
- d) Provides reasonable utilization of the property while securing the public interest.

All waivers of the minimum standards shall be processed in accordance with the Waiver provision described in Section 305. It shall be the burden of the applicant to demonstrate compliance with the above

conditions. In granting waivers, the Board of Supervisors may impose such conditions as will, in its judgement, secure substantially the objectives of the Ordinance.

**SECTION 804      CHALLENGES AND APPEALS.**

Any action or inaction of the Board of Supervisors may be appealed, as provided for in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

**SECTION 805      PENALTIES FOR VIOLATIONS.**

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

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

- 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 Township may require compliance with the conditions that

would have been applicable to the property at the time the applicant acquired an interest in such real property.

805.01 **Jurisdiction.** District justices shall have initial jurisdiction in proceedings brought under this Ordinance.

805.02 **Enforcement Remedies.** Any person, partnership or corporation who or which has violated the provisions of this ordinance, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

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

805.03 No applicant shall proceed with any site grading or construction of improvements prior to recordation of a Final Plan as specified in Section 304.06, unless such grading or construction is for the sole purpose of installing the public improvements as prescribed in an unconditionally approved Preliminary Plan in accordance with Section 303.04.

No deeds shall be executed or recorded for lots, nor shall the construction of any structure be initiated, before the Board of Supervisors has approved the Final Plan and such Plan is filed with the Chester County Recorder of Deeds.

**SECTION 806      RECORDS.**

The Township shall keep an accurate, public record of its findings, decisions, and recommendations relevant to all applications filed with it for review or approval.

**SECTION 807      VALIDITY.**

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

**SECTION 808      CONFLICTS.**

Whenever there is a difference between the minimum applicable standard specified herein and those included in other applicable regulations, the more stringent requirement shall apply.

The West Marlborough Township Land Subdivision Ordinance of 1973, is hereby amended; provided however, that the amendment shall in no manner be construed as a waiver, release or relinquishment of the right to initiate, pursue, or prosecute, as the case may be, any proceeding at law or in equity, including criminal proceedings, pertaining to any act done which would have constituted a violation of the West Marlborough Township Land Subdivision Ordinance of 1973, and all provisions of said repealed ordinances shall remain in full effect and force, and not repealed hereby, as they pertain to said acts.

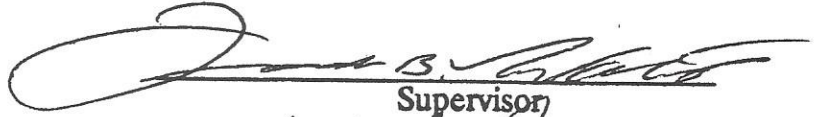


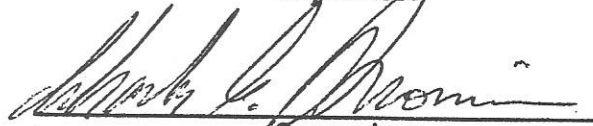
ADOPTION AND EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of West Marlborough Township,

DULY ORDAINED AND ENACTED this ninth day of October, 1990, by the Board of Supervisors of West Marlborough Township, Chester County, Pennsylvania, in lawful session duly assembled.

SUPERVISORS OF  
WEST MARLBOROUGH TOWNSHIP

  
Supervisor

  
Supervisor

\_\_\_\_\_  
Supervisor



  
\_\_\_\_\_  
K. Walter

## **APPENDICES**

APPENDIX NO. 1

STATEMENT OF ACCURACY

SURVEY DATA

I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by the West Marlborough Township Subdivision and Land Development Ordinance (error of closure no greater than one foot in ten thousand feet).

\_\_\_\_\_, 19\_\_\_\_ \* \_\_\_\_\_

\*Signature and seal of the registered surveyor responsible for the preparation of the plan.

GENERAL PLAN/REPORT DATA

I hereby certify that, to the best of my knowledge, the \* \_\_\_\_\_ shown and described hereon is true and correct to the accuracy required by the West Marlborough Township Subdivision and Land Development Ordinance.

\_\_\_\_\_, 19\_\_\_\_ \*\* \_\_\_\_\_

\*Title of Plan/Report Data

\*\*Signature and seal of the registered professional responsible for preparation of the data.

(See Sections 402.06 and 403.06)

APPENDIX NO. 2

**STATEMENT OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN,  
AND OFFER OF DEDICATION**

**INDIVIDUAL**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_ who being duly sworn according to law, disposes and says that he is the \* \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at his direction, that he acknowledges the same to be his act and plan, that he desires the same to be recorded, and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

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

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

My Commission Expires \_\_\_\_\_, 19\_\_\_\_.

\*Identity Ownership or Equitable Ownership

\*\*Signature of the Individual

\*\*\*Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds

(See Section 403.06)

**CO-PARTNERSHIP**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, being one of the firm of \_\_\_\_\_, who being duly sworn according to law, disposes and says that the co-partnership is the \* \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledge the same to be its act and plan and desires the same to be recorded, and that all street and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby dedicated to the public use.

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

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

My Commission Expires \_\_\_\_\_, 19\_\_\_\_.

\*Identify Ownership or Equitable Ownership

\*\*Signature of the Individual

\*\*\*Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds

**CORPORATE**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CHESTER

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned officer, personally appeared \* \_\_\_\_\_, being \*\* \_\_\_\_\_ of \*\*\* \_\_\_\_\_, the \*\*\*\* \_\_\_\_\_ of the property shown on this plan, that he is authorized to execute said plan on behalf of the corporation, that the plan is the act and deed of the corporation, that the corporation desires the same to be recorded and on behalf of the corporation further acknowledges, that all streets and other property identified as proposed public property are hereby dedicated to the public use - (excepting those areas labeled "NOT FOR DEDICATION").

\*\*\*\*\*

\_\_\_\_\_

Corporate Seal

\*\*\*\*\*

\_\_\_\_\_

My Commission Expires \_\_\_\_\_, 19\_\_\_\_.

\*Individual's Name

\*\*Individual's Title

\*\*\*Name of Corporation

\*\*\*\*Identify Ownership or Equitable Ownership

\*\*\*\*\*Signature of Individual

\*\*\*\*\*Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds

APPENDIX NO. 3

PLANNING COMMISSION REVIEW STATEMENT

At a meeting on \_\_\_\_\_, 19\_\_\_\_, the West Marlborough Township Planning Commission reviewed this plan.

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

\*Signatures of a majority of the Planning Commission

RECORDER OF DEEDS CERTIFICATE

Recorded in the Office for Recording of Deeds, in and for Chester County, Pennsylvania, in Subdivision Plan Book \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_.  
Witness my Hand and Seal of Office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(See Sections 303.05, 304.06, 402.06, and 403.06)

APPENDIX NO. 4

**FINAL PLAN APPROVAL STATEMENT**

At a meeting on \_\_\_\_\_, 19\_\_\_\_, the Board of Supervisors of the Township of West Marlborough approved this project, and all conditions of approval have been met. This approval includes the complete set of plans and information which are filed with the Township, based upon its conformity with the standards of the West Marlborough Township Subdivision and Land Development Ordinance.

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

\*Signatures of a majority of the Board of Supervisors

**TOWNSHIP ENGINEER REVIEW STATEMENT**

Reviewed by the West Marlborough Township Engineer.

\_\_\_\_\_  
Township Engineer  
\_\_\_\_\_  
Date

(See Sections 304.06.1 and 403.06)



APPENDIX NO. 5

WEST MARLBOROUGH TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

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

File No. \_\_\_\_\_

Date of Receipt/Filing: \_\_\_\_\_  
(For Township Use Only)

The undersigned hereby applies for approval under the West Marlborough Township Subdivision and Land Development Ordinance for the Plan, submitted herewith and described below:

1. Plan Name: \_\_\_\_\_

Plan No: \_\_\_\_\_ Plan Date: \_\_\_\_\_

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

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

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

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

\_\_\_\_ Residential (Detached)  
\_\_\_\_ Residential (Attached-Sale)  
\_\_\_\_ Residential (Attached-Rental)  
\_\_\_\_ Mobile Home Park

\_\_\_\_ Commercial  
\_\_\_\_ Industrial  
\_\_\_\_ Institutional  
\_\_\_\_ (Other) Please Specify  
\_\_\_\_\_

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

6. Application Classification:

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

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

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

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

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

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

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

9. Is a Zoning Variance, Special Exception and/or Conditional Use Approval Necessary? \_\_\_\_\_ If Yes, Please specify:

\_\_\_\_\_

10. Type of Water Supply Proposed: \_\_\_\_\_ Public

\_\_\_\_\_ Individual

*Please indicate if a capped system is proposed.*

11. Type of Sanitary Sewage Disposal Proposed: \_\_\_\_\_ Public

\_\_\_\_\_ Regional

\_\_\_\_\_ Individual

*Please indicate if a capped system is proposed.*

12. Lineal Feet of New Street \_\_\_\_\_

Identify All Street(s) Not Proposed for Dedication \_\_\_\_\_

\_\_\_\_\_

13. Sewer Facilities Plan Revision Number \_\_\_\_\_ and Date Submitted \_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner or Applicant

(See Sections 302, 303.01, 304.01, 306.01, 401, 402.06 and 403.06)

APPENDIX NO. 6

WEST MARLBOROUGH TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

APPLICATION FOR CONSIDERATION OF A WAIVER

File No. \_\_\_\_\_

Date of Receipt/Filing: \_\_\_\_\_  
(For Township Use Only)

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

1. Name of Project: \_\_\_\_\_
2. Project Location: \_\_\_\_\_  
\_\_\_\_\_
3. Name of Property Owner(s): \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No: \_\_\_\_\_
4. Name of Applicant (if other than owner): \_\_\_\_\_  
Address: \_\_\_\_\_ Phone No: \_\_\_\_\_
5. Specify Section(s) of the West Marlborough Township Subdivision and Land  
Development Ordinance for which a Waiver is Requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The Proposed Alternative to the Requirement: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Justification for the Waiver: \_\_\_\_\_  
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8. Identification of Plans, Reports, or Supplementary Data, which is part of the Application.  
\_\_\_\_\_

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

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

(See Section 305.01)

APPENDIX NO. 7

**RUNOFF COEFFICIENTS**

("C" for use with Rational Formula)

Soil Group	A			B			C			D			
	Slope	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+
Land Use													
Cultivated Land	winter conditions	.14	.23	.34	.21	.32	.41	.27	.37	.48	.34	.45	.56
	summer conditions	.10	.16	.22	.14	.20	.28	.19	.26	.33	.23	.29	.38
Fallow Fields	poor conditions	.12	.19	.28	.17	.25	.34	.23	.33	.40	.27	.35	.45
	good conditions	.08	.13	.16	.11	.15	.21	.14	.19	.26	.18	.23	.31
Forest/Woodland		.08	.11	.14	.10	.14	.18	.12	.16	.20	.15	.20	.25
Grass Areas	good conditions	.10	.16	.20	.14	.19	.26	.18	.22	.30	.21	.25	.35
	average conditions	.12	.18	.22	.16	.21	.28	.20	.25	.34	.24	.29	.41
	poor conditions	.14	.21	.30	.18	.28	.37	.25	.35	.44	.30	.40	.50
Impervious Areas		.98	.98	.98	.98	.98	.98	.98	.98	.98	.98	.98	.98
Weighted Residential	Lot size 1/8 acre	.29	.33	.36	.31	.35	.40	.34	.38	.44	.36	.41	.48
	Lot size 1/4 acre	.26	.30	.34	.29	.33	.38	.32	.36	.42	.34	.38	.46
	Lot size 1/3 acre	.24	.28	.31	.26	.32	.35	.29	.35	.40	.32	.36	.43
	Lot size 1/2 acre	.21	.25	.28	.24	.27	.32	.27	.31	.37	.30	.34	.43
	Lot size 1 acre	.18	.23	.26	.21	.24	.30	.24	.29	.36	.28	.32	.41

(See Section 609.04.1)

APPENDIX NO. 8

**RUNOFF CURVE NUMBERS**

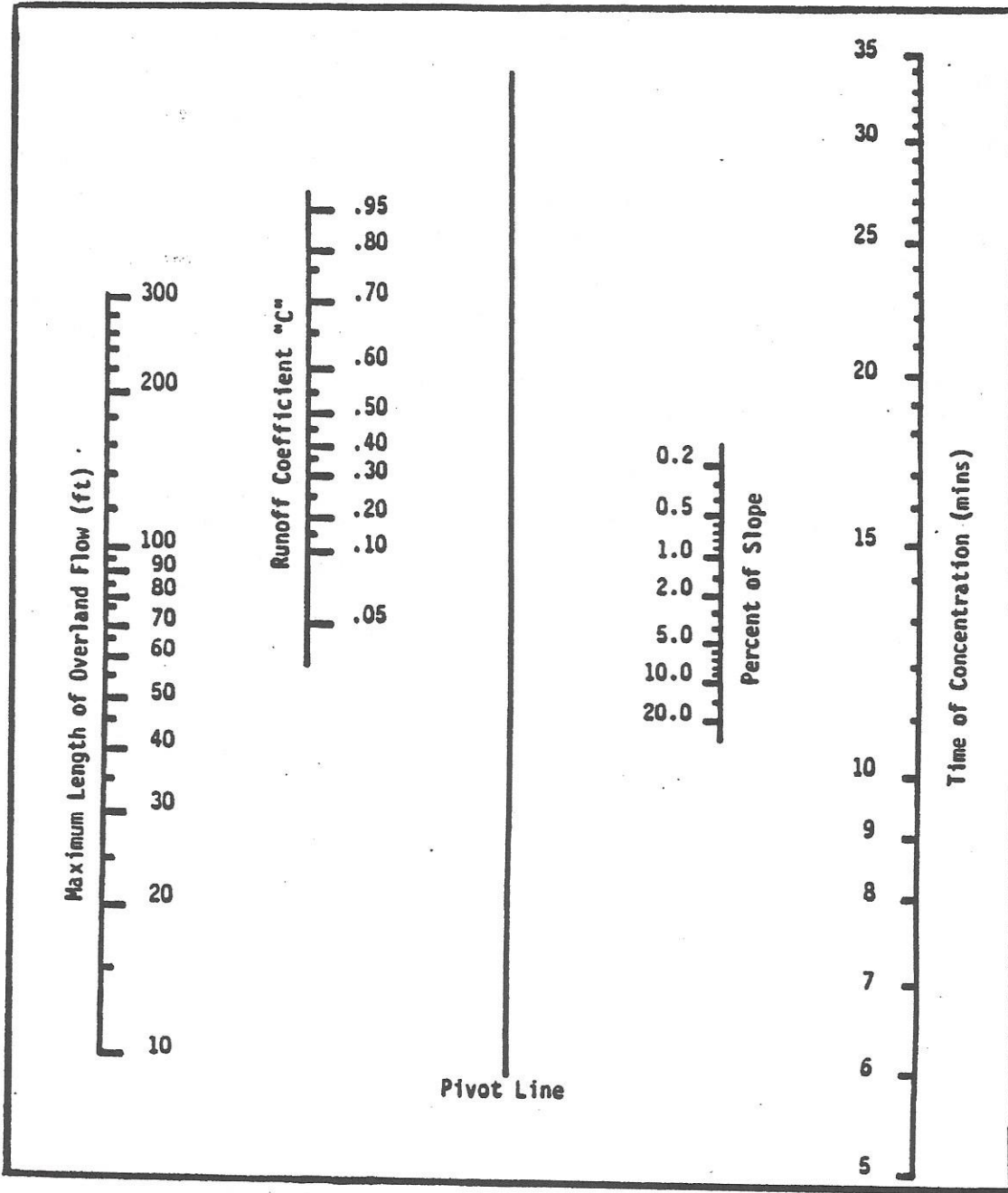
("C" for use with Rational Formula)

Soil Group	A			B			C			D		
	Slope	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%
Land Use												
<b>Cultivated Land</b>												
winter conditions	48	60	75	62	73	82	68	78	90	77	88	95
summer conditions	35	51	58	48	55	65	57	65	73	64	69	79
<b>Fallow Fields</b>												
poor conditions	45	54	65	56	73	73	64	74	81	69	77	87
good conditions	30	44	48	43	48	55	48	54	63	56	60	68
<b>Forest/Woodland</b>	30	40	43	42	46	50	45	50	53	50	56	61
<b>Grass Areas</b>												
good conditions	35	51	53	48	54	63	56	59	73	62	63	79
average conditions	45	53	58	52	55	65	60	63	75	65	69	82
poor conditions	48	55	67	56	67	77	66	74	85	73	81	90
<b>Impervious Areas</b>	96	97	98	96	97	98	96	97	98	96	97	98
<b>Weighted Residential</b>												
Lot size 1/8 acre	71	75	78	74	76	82	78	80	87	81	83	90
Lot size 1/4 acre	62	67	71	66	69	76	67	69	76	75	78	88
Lot size 1/3 acre	59	65	69	64	66	74	65	66	75	74	77	87
Lot size 1/2 acre	57	63	68	62	64	73	63	65	73	72	76	86
Lot size 1 acre	55	62	67	61	63	72	61	64	72	71	75	85

(See Section 609.04.1)

APPENDIX NO. 9

TIME OF CONCENTRATION NOMOGRAPH



(See Section 609.04.2)

APPENDIX NO. 10

RAINFALL INTENSITY-DURATION-FREQUENCY CHART  
CHESTER COUNTY, PENNSYLVANIA

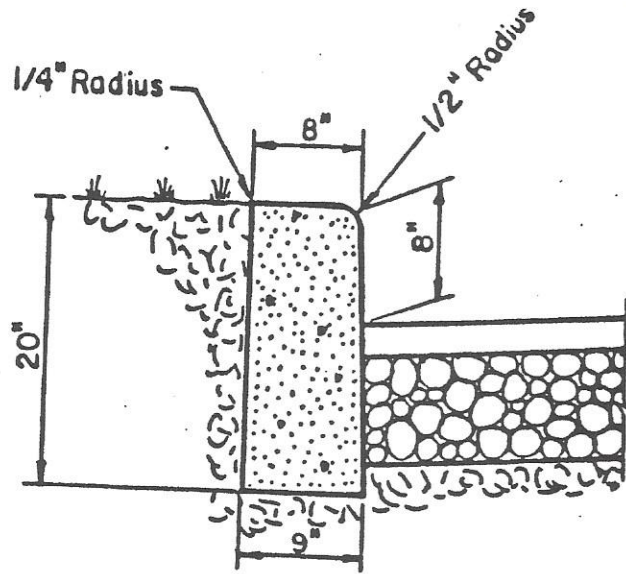
Time of Concentration (Minutes)	Rainfall Intensity (Inches / Hour)				
	2 Years	10 Years	25 Years	50 Years	100 Years
5	4.6	6.0	6.7	7.6	8.5
10	3.5	4.8	5.5	6.2	7.0
15	3.0	4.0	4.5	5.2	6.0
20	2.5	3.5	4.0	4.8	5.2
30	2.0	2.8	3.2	3.8	4.5
40	1.8	2.5	2.8	3.3	3.9
50	1.5	2.0	2.5	2.9	3.2
60	1.3	1.8	2.2	2.5	3.0

(See Section 609.04.3)

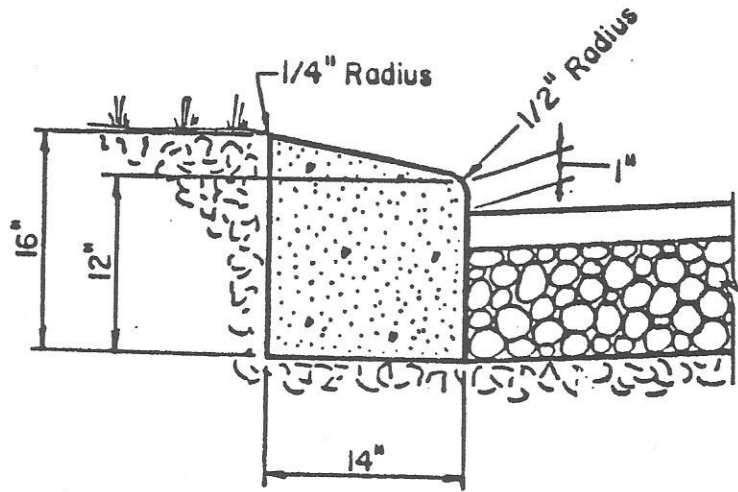


APPENDIX NO. 11

STREET CURB



VERTICAL CURB



SLANT CURB

(See Section 604.02.4)

