

EAST EARL TOWNSHIP

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ARTICLE I

ADOPTION, TITLE, PURPOSE, AUTHORITY, INTERPRETATION

SECTION 101 ADOPTION

An Ordinance setting forth requirements, standards and procedures concerning the subdivision of land and land development within the Township of East Earl, Lancaster County, pursuant to the authority granted by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, and reenacted by Act 170 of 1988, and subsequent amendments.

SECTION 102 SHORT TITLE

This Ordinance shall be known and may be cited as "The East Earl Township Subdivision and Land Development Ordinance."

SECTION 103 PURPOSE

The purpose of this Ordinance is to help protect and promote the health, safety, and general welfare of the citizens of East Earl Township. The Ordinance has been enacted in conjunction with an overall-planning program in order to coordinate the development of the Township. In addition, this Ordinance is intended to establish guidelines for development, the type and location of streets, public grounds and other facilities; and to anticipate future construction needs and development trends.

SECTION 104 AUTHORITY

The authority of the Board of Supervisors to adopt this Ordinance regulating subdivision and land development within East Earl Township is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, General Assembly Act No. 247 as reenacted and amended, by, Act 170 of 1988, and as subsequently amended, 53 P.S. 10101 et seq., hereinafter referred to as the Act, hereby enacts and ordains the following Ordinance governing subdivisions and land developments within the limits of East Earl Township.

SECTION 105 JURISDICTION

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

- B. From the time an application for approval, whether preliminary or final, is duly filed, as provided in this Ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, other governing ordinance, or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application, as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
- C. When an application for approval, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in the zoning, or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspects of the approved development in accordance with the terms of such approval within five (5) years from such approval.
- D. Where Final Plan approval is preceded by Preliminary Plan approval, the aforesaid five (5) year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
- E. Where the landowner has substantially completed the required improvements, as depicted upon the Final Plan within the aforesaid five (5) year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of governing ordinance or plan enacted subsequent to the date of filing of the Preliminary Plan shall modify or revoke any aspect of the approved Final Plan pertaining to zoning classification or density, lot, building, street or utility location.
- F. In the case of a Preliminary Plan calling for the installation of improvements beyond the five (5) year period, a schedule shall be filed 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 on or before the anniversary of the Preliminary Plan approval, until Final Plan approval of the last section has been granted. Any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors in its discretion.
- G. Provided the landowner has not defaulted with regard to or violated any of the conditions of the Preliminary Plan approval, including compliance with the schedule for submission of Final Plans, then the aforesaid protections afforded by substantially completing the improvements depicted upon the Final Plan within

five (5) years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five (5) year period. This extended protection shall apply for an additional term or terms of three (3) years from the date of Final Plan approval for each section.

- H. Failure to adhere to the aforesaid schedule of submission of Final Plans for the various sections shall subject any such section to changes in zoning, subdivision and other governing ordinance enacted by the Township, subsequent to the date of the initial Preliminary Plan submission.
- I. This Ordinance shall not affect any suit or prosecution pending or to be instituted, to enforce any provision of previous ordinances of East Earl Township, 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 Lancaster County Subdivision and Land Development Ordinance of 1991, or any applicable predecessor regulation.
- J. No subdivision or land development of any lot, tract, or parcel of land in East Earl Township shall be affected; 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.
- K. 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.
- L. 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.

SECTION 106 INTERPRETATION

The provision of this Ordinance shall be interpreted to be the minimum requirements to meet the purposes of this Ordinance. Where the provisions of this Ordinance conflict or are inconsistent with the provisions of any other Ordinance, regulation, or requirements, the more restrictive provisions in question shall apply.

ARTICLE II
DEFINITIONS

SECTION 201 GENERAL INTERPRETATION

For all words and phrases used in this Ordinance, the following rules of interpretation shall be used:

- A. The present tense includes the future.
- B. The singular includes the plural and the plural the singular.
- C. The masculine gender includes the feminine and neuter.
- D. The word "person" includes a partnership, corporation, association, trust estate or any other legally recognized entity as well as an individual.
- E. The word "shall" is construed to be mandatory and the word "may" means optional.

SECTION 202 DEFINITIONS

Unless expressly stated otherwise in this Ordinance, the following words and phrases shall have the meanings given to them in this Article.

ACCESS DRIVE. A private drive providing pedestrian and vehicular access between a public or private street and a parking area within a land development and any driveway servicing two or more units of occupancy on a single lot or contiguous lots.

ACT. Shall mean the Pennsylvania Municipalities Planning Code Act 247 of 1968 as amended by Act 170 of 1988, and as subsequently amended, P.S. 10101 et seq. (P.L. 805).

ADT. Average daily traffic volumes on a road.

AGRICULTURAL LAND. Land used exclusively for the cultivation of the soil, the production of crops or livestock, or the science of forestry; also, land diverted from agricultural use by an active Federal farm program, provided the diverted land has a conservation cover of grass, legume, trees, or wildlife shrubs. Agricultural land may include, to a minor degree, farmsteads inhabited by the cultivator of the land, housing for farm employees, and land, used for preparation of agricultural products by the cultivator of the land.

ALLEY. A public thoroughfare other than a minor street that affords only a secondary

means of access to abutting property and not intended for general traffic circulation.

ALLUVIAL SOIL. Soils formed from material such as gravel, sand, or silt deposited by a stream of water and showing little or no modification of the original materials by soil forming processes. These soils may be identified by the Soil Survey of Lancaster County, Pennsylvania, or through an on-site analysis.

APPLICANT. A landowner, developer or authorized agent, who has filed an application for subdivision or land development, includes heirs, successors, and assigns.

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

AXIS OF A LOT. A line joining the midpoints of the front and rear lot lines. A corner lot shall have two axes, each of which shall be defined as a line joining the midpoints of a front lot line and the opposite side lot line. In the event that a front or rear lot line is not a straight line, the midpoint of such lot line shall be determined as the midpoint of a straight line drawn between each terminus of the front or rear lot line.

BLOCK. An area not containing any streets in its interior and having its circumference completely bounded by streets.

BUILDING. Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, or chattels, including covered porches, decks and patios whether enclosed or unenclosed, storage/utility sheds, sun parlors, bay windows, and chimneys, but does not include steps.

BUILDING LINE. A line formed by the intersection of a horizontal plane and a vertical plane that coincides with the exterior surface of a building or structure on any side. In the case of a cantilevered or projected section of a building, except overhanging eaves, gutters and cornices, the vertical plane will coincide with the most projected surface.

BUILDING SETBACK LINE. A line within a lot which is equidistant from a front lot line and which represents the minimum separation distance between the street right-of-way and the front building line as determined by the yard requirements of the East Earl Township Zoning Ordinance. If any portion of the front lot line is not within a street right-of-way, such distance shall be measured between such portions of the front lot line and the front building line.

CAPACITY. The maximum number of vehicles that can be expected to pass over a given section of roadway or on a specific lane.

CARTWAY. That portion of a street or alley that is improved, designed, or intended for vehicular use.

CENTRAL WATER SUPPLY. A water supply system which provides water for human consumption to more than one lot or dwelling unit which complies with all regulations of the Department of Environmental Protection for public water systems.

CLEAR-SIGHT TRIANGLE. An area of unobstructed vision at a street intersection(s) defined by lines of sight between points at a given distance from the intersecting street right-of-way lines.

CROSSWALK. A publicly or privately owned right-of-way for pedestrian use extending from a street into a block or across a block to another street.

DEDICATION. The deliberate appropriation of land by its owner for general public use.

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

DEED RESTRICTION. A restriction upon the use of a property placed in a deed.

DESIGN YEAR. The anticipated opening year of a development, assuming full buildout and occupancy.

DETENTION BASIN. A reservoir that temporarily contains storm water runoff and releases it gradually into a watercourse or storm water facility.

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

DRIVEWAY. A private roadway providing access for vehicles to a residential parking space, garage, dwelling or other structure. A shared driveway is a private roadway servicing two residential units of occupancy, with public road frontage, and designed to the standards of this Ordinance.

DWELLING. A building or structure designed for living quarters for one (1) or more families, including industrialized housing and manufactured homes which are supported either by a foundation or are otherwise permanently attached to the land, but not including hotels, boarding/rooming houses or other accommodations used for transient occupancy. This definition of dwelling shall also include permanently attached model homes intended for residential purposes upon the completion of the development.

EASEMENT. A grant of one (1) or more property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

ELEVATION. The horizontal alignment of a surface, as it exists or as it is made by cut and/or fill.

- A. Floor Elevation. The elevation of the lowest level of a particular building, including the basement.

B. Road Grade. The rate of rise and fall of a road's surface, measured along the profile of the centerline of the cartway.

ENGINEER. A Professional Engineer registered by the Commonwealth of Pennsylvania.

ENGINEERING SPECIFICATIONS. The engineering specifications of East Earl Township regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

EROSION. The removal of surface materials by the action of natural elements.

EXCAVATION. Any act by which earth, sand, gravel, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved. It shall include the conditions resulting therefrom.

FILL. Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

FIRE LANE. A way cleared of obstacles and vegetation at all times so as to allow ingress and egress for vehicles during a fire emergency.

FLAG LOT. A parcel of land created by a subdivision that includes a narrow projection or "flagpole" to a public street or right-of-way.

FLAGPOLE. A narrow extension of property on a lot or parcel from the buildable area of the lot to a public street or right-of-way, and which is not part of the lot area, but serves as access to the lot or parcel.

FLOOD PLAIN. (1) a relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any surface.

FUTURE ACCESS STRIP. A right-of-way reserved for the future improvements of a street.

GOVERNING BODY. Shall mean the East Earl Township Board of Supervisors, Lancaster County, Pennsylvania.

HOUSE CONNECTION. That length of sewer and/or water pipe extending from a sewage main of a public sewage system to the outer wall of the dwelling to be served.

IMPROVEMENTS. Grading, paving, roads and streets, walkways, curbs, gutters, street

lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, storm water retention, detention basins, and other related drainage facilities, recreational facilities, open space, and public facilities, etc. as may be required by this Ordinance and the East Earl Township Zoning Ordinance.

INFLUENCE AREA. An area that contains 80% or more of the trips that will be attracted to a development site.

LAND DEVELOPMENT. Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - 1. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- B. A subdivision of land.
- C. Provisions for the exclusion of certain land development only when such land development involves the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

LANDSCAPE ARCHITECT. A landscape architect registered by the Commonwealth of Pennsylvania.

LATERAL. A utility line between a main line, located in a utility easement or street right-of-way, and the building that the line serves.

LEVEL-OF-SERVICE. A qualitative measure describing the operational conditions within a traffic stream, and their perception by motorists and/or passengers.

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

LOT AREA. The area of horizontal plane bounded by the vertical planes within the front, side, and rear lot lines. For the purposes of calculating the minimum lot area necessary to comply with the requirements of the East Earl Township Zoning Ordinance, the following areas shall be excluded from such calculation:

- A. Any area within a street or other transportation right-of-way;
- B. Any area within a right-of-way used for gas, oil, natural gas, electric, or communication transmission facilities, whether below or above ground, that do not serve the lot traversed;
- C. Wetlands; and
- D. Any area comprising a storm water management basin.

LOT, CORNER. A lot abutting two street rights-of-way at their intersection in which the average centerlines of such roads along the frontage of the lot form an interior angle of less than 135 degrees.

LOT LINE. A line dividing one lot from another lot or from a street or alley.

LOT LINE, FRONT. A lot line separating the front of the lot from the street. On a corner lot, all lot lines that abut a street shall be front lot lines. On a through lot, the front lot line shall be the lot line that abuts the street providing the primary access to the lot

LOT LINE, REAR. A lot line which does not intersect a front lot line and is most distant from, and most parallel to, a front lot line. For the purposes of this Ordinance, where the side lot lines of an interior lot meet in a point, the rear lot line shall be assumed to be a line not less than ten (10) feet long drawn within the lot between the two side lot lines, which is parallel to, or in the event of a curved front lot line, equidistant to, the front lot line.

LOT LINE, SIDE. Any lot line that is not a front or rear lot line. Corner lots shall have a side lot line opposite each front lot line.

LOT, THROUGH (DOUBLE FRONTAGE LOT). A lot abutting two road rights-of-way which is not located at the intersection of such two roads.

LOT WIDTH. In the case of an interior lot, lot width shall be the horizontal distance measured at the minimum building setback line between the side lot lines. In the case of a corner lot, lot width shall be the horizontal distance measured at the minimum building setback line between each front lot line and its opposite side lot line. Such distance shall be measured along a straight line that is at right angles to the axis of a lot.

MARKER. An iron pin or pipe of a least 3/4" in diameter and 18" in length.

MOBILE (MANUFACTURED) HOME. A transportable, single-family detached dwelling intended for permanent occupancy, contained in one unit, or in two (2) or more units designed to be joined into one (1) 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. For Federal Emergency Management Agency (FEMA) flood plain management purposes, this definition includes park trailers, travel trailers, and other similar vehicles located on site for greater than 180 consecutive days.

MOBILE HOME LOT. A parcel of land in a mobile (manufactured) home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile (manufactured) home.

MOBILE HOME PAD. That part of a mobile home lot that is being reserved for the placement of the mobile home.

MOBILE HOME PARK. A parcel or contiguous parcels of land that has been so designated and improved that it contains two or more mobile (manufactured) home lots for the placement thereon of mobile (manufactured) homes.

MOBILE HOME PARK OPERATOR. The person or entity responsible for the operation of a mobile home park.

MONUMENT. A concrete or stone monument used to identify street line intersections.

NON-SITE TRAFFIC. Vehicle trips passing within the study area as defined in the traffic impact study that do not enter or exit the site and are generally the result of through traffic and traffic generated by other developments.

ORDINANCE. The East Earl Township Subdivision and Land Development Ordinance of 1995 and as subsequently amended.

PARCEL. See Lot.

PASS-BY-TRIPS. See Shared Trips.

PEAK HOUR. The hour during which the heaviest volume of traffic occurs on a road.

PEDESTRIAN WAY. A right-of-way, publicly or privately owned, intended for human movement by walking, biking, wheelchair, etc.

PERMANENTLY PASSABLE CONDITION. Shall mean graded to plan specifications and improved to include curbing, drainage facilities and, at minimum, a base course as outlined in this Ordinance.

PLAN. A map or diagram of a subdivision or land development. A plan can be sketch, preliminary, final, or lot add-on as further defined.

PLAN, FINAL. A complete and exact subdivision or land development plan prepared for official recording as required by the Act, in conjunction with the specifications of Section

403 of this Ordinance.

PLAN, LOT ADD-ON. A complete and exact subdivision plan including all supplementary data specified in Section 404 of this Ordinance, the sole purpose of a lot add-on is to increase the lot area of an existing lot or tract.

PLAN, PRELIMINARY. A subdivision or land development plan prepared in lesser detail than the final plan, and indicating the approximate proposed layout of a subdivision as a basis for consideration prior to preparation of the final plan, with specifications as outlined in Section 402 of this Ordinance.

PLAN, RECORD. A Final Plan which contains the original endorsement of the East Earl Township, which is intended to be recorded with the Lancaster County Recorder of Deeds.

PLAN, SKETCH. An informal plan, not necessarily drawn to exact scale, indicating salient existing features of a tract and its surroundings, and the general layout of a proposed subdivision or land development/prepared in accordance with Section 401 of this Ordinance.

PLANNING COMMISSION. The Planning Commission of East Earl Township, Lancaster County, Pennsylvania.

PLAT. The map or plan of a subdivision or land development, whether preliminary or final.

PUBLIC GROUNDS. Public grounds include the following:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
- C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING. A formal meeting held pursuant to public notice, intended to inform and obtain public comment, prior to taking action in contested cases or prior to amending this Ordinance.

PUBLIC IMPROVEMENTS. Shall include such improvements as streets, sewer and water facilities, curbs, sidewalks, street lighting, storm water facilities, fire hydrants, manholes and any accompanying easements.

PUBLIC MEETING. A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act".

PUBLIC NOTICE. A notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be less than seven days from the date of the hearing.

PUBLIC SEWER. A wastewater collection, conveyance, and treatment system, whether publicly or privately owned, serving two or more lots, or two or more equivalent dwelling units. Such systems require a permit from the Pennsylvania Department of Environmental Protection, and shall include "community onlot sewage systems" and "community sewerage systems" as defined by Title 25 Pennsylvania Code, Section 71.1.

PUBLIC WATER (PUBLIC WATER SYSTEM). A system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Such system shall be approved by the Pennsylvania Department of Environmental Protection and licensed by the Pennsylvania Utilities Commission, as appropriate.

RECREATIONAL AREA. A specific area or areas designated and usable for play, open space, and recreational purposes by the residents of the mobile home park. This area shall not include mobile home lots, streets, parking areas, or accessory buildings.

RETENTION BASIN. A reservoir designed to retain storm water runoff with its primary release of water being through the infiltration of said water into the ground.

REVERSE FRONTAGE LOT. A lot extending between and having frontage on an arterial street and a minor street, and with vehicular access solely from the latter.

RIGHT-OF-WAY. A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer and other similar uses; generally, the right of one to pass over the property of another.

RIGHT-OF-WAY, STREET. A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

RUNOFF. The surface water discharge or rate of discharge of a given watershed after a fall of rain or snow that does not enter the soil but runs off the surface of the land.

SEDIMENTATION. The process by which mineral or organic matter is accumulated or deposited by wind, water, or gravity. Once this matter is deposited (or remains suspended in water), it is usually referred to as "Sediment".

SHARED DRIVEWAY. A private roadway servicing two residential units of occupancy, with public road frontage, and designed to the standards of this Ordinance.

SHARED TRIPS. Vehicle trips entering and exiting the site which were using the facility on the adjacent streets and therefore did not generate new trips on the road.

SIGHT DISTANCE. The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SLOPE. The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

STATUTORY REVIEW PERIOD. The maximum number of days a municipality has to fulfill its obligations in reviewing and properly disposing of a subdivision or land development plan, as defined by Act 247, the Pennsylvania Municipalities Planning Code.

STORAGE, OUTDOOR. The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours, excluding display areas as defined within the East Earl Township Zoning Ordinance. Outdoor storage shall include that which is contained within trailers or similar vehicles.

STORM WATER MANAGEMENT DATA. The plan and narrative information, designed in accordance with the East Earl Township Storm Water Management Ordinance, which identifies design and construction details for managing the quantity and quality of storm water runoff.

STORM WATER MANAGEMENT FACILITIES. Those controls and measures (e.g. storm sewers, berms, terraces, bridges, dams, basins, infiltration systems, swales, water-courses, and floodplains) used to implement a storm water management program.

STREET. A public or private right-of-way which includes avenue, boulevard, road, alley, lane, highway, freeway, parkway, and viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private. Streets shall be further classified as follows:

STREET, ARTERIAL. A major street or highway with fast or heavy traffic of considerable continuity and used primarily as a traffic artery for intercommunications among large areas;

STREET, COLLECTOR. A major street or highway which carries traffic from minor streets to arterial streets.

STREET, CUL-DE-SAC. A street intersecting another street at one end and terminating at the other in a vehicular turnaround.

STREET, LOCAL. A street used primarily for access to abutting properties.

STREET, MARGINAL ACCESS. A minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.

STREET, PRIVATE. A street not accepted for dedication by a municipality.

ALLEY (SERVICE STREET). A service road that provides secondary means of access to lots. Alleys are on the same level as a local access street, and are used in cases of narrow lot frontages. No parking shall be permitted, and alleys should be designed to discourage through traffic. ADT level corresponds to that of local access street. Number of units served should not exceed seventy-six (76). Alleys may be designed as one lane streets.

STREET CENTERLINE. The center of the surveyed street right-of-way, or where not surveyed, the center of the traveled cartway.

STREET GRADE. The officially established grade of the street upon which a lot fronts, or in its absence, the established grade of the other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE. The street line is the right-of-way line of a public street or the cartway line of a private street.

STREET WIDTH. The shortest distance between street lines measured at right angles to the centerline of the street.

STRUCTURE. Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land, including storm water management facilities. For flood plain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile (manufactured) home.

SUBDIVISION (SEE LAND DEVELOPMENT). The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings, shall be exempted.

SUPERVISORS (BOARD OF SUPERVISORS). The Board of Supervisors of East Earl Township, Lancaster County, Pennsylvania.

SURFACE DRAINAGE PLAN. A plan showing all present and proposed grades and facilities for storm water drainage.

SURVEYOR. An individual registered with the Commonwealth of Pennsylvania as authorized to measure the boundaries of tracts of land, establish locations, and perform the requirements of a survey.

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

TOPSOIL. Surface soils and subsurface soils that presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the A Horizon.

TOWNSHIP ENGINEER. A professional engineer registered in Pennsylvania and designated by East Earl Township to perform the duties of Engineer as herein specified.

TRACT. See Lot.

TRIP. A single or one-directional vehicle movement.

UNDEVELOPED LAND. Any lot, tract or parcel of land that has not been graded or in any other manner prepared for the construction of a building.

UNIT OF OCCUPANCY. An allocation of space within a building or structure that is independent of other such space and that constitutes a separate use. This shall include both fee simple ownership and leaseholds.

UNBUILDABLE SITE. A portion of a tract of land which, due to physical or environmental conditions, cannot support or is inappropriate for construction of a road, structure, or any other man-made improvement. Examples include wetlands, sinkholes, landslides, endangered species habitats, and hazardous waste dumps.

WAIVER. A process for alleviating specific requirements imposed by this Ordinance and provided under Section 905 of this Ordinance.

WATERCOURSE. A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water carrying or holding surface water, whether natural or artificial.

WATERSHED. All land and water within the confines of a drainage basin.

WETLANDS. Areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do

support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

YARD. A required open space on a lot adjoining a lot line, containing only landscaping or other uses as provided by the East Earl Township Zoning Ordinance. Distances which represent minimum yards throughout this Ordinance shall include all portions of a lot which are within such distances as measured at right angles from the respective lot line.

YARD, FRONT. A yard encompassing the entire width of the lot and situated between the front lot line and the building line nearest to the front lot line.

YARD, REAR. A yard encompassing the entire width of the lot and situated between the rear lot line and the building line nearest to the rear lot line.

YARD, SIDE. A yard lying between the side lot line and the building line nearest to the side lot line and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. A side yard shall not be required for sides of structures on which the side lot line is congruent with a common party wall.

ARTICLE III

SUBDIVISION AND LAND DEVELOPMENT APPLICATION

AND REVIEW PROCEDURE

SECTION 301 GENERAL AUTHORITY

It is the intention of the Supervisors in enacting the regulations of this Ordinance to provide the applicant with a timely and comprehensive review of the plans submitted for subdivision and/or land development. No street, alleyway, or other thoroughfare shall be affected or constructed, and no related facilities such as water mains, storm sewers, or sanitary sewers shall be constructed, opened, or dedicated for public or private use except in strict conformance with this Ordinance. No lot may be altered or further subdivided without a final subdivision plan being duly approved in accordance with the Ordinance, and recorded with the Lancaster County Recorder of Deeds. Furthermore, no land development can occur without a final land development plan being duly approved in accordance with this Ordinance and recorded with the Lancaster County Recorder of Deeds.

SECTION 302 CLASSIFICATION OF PLANS

For the purposes of this Ordinance the following classifications of plans are established and hereinafter provided:

- A. Sketch Plans
- B. Preliminary Plans
- C. Final Plans
- D. Lot Add-On Plans

SECTION 303 CLASSIFICATION AND PROCEDURE FOR SUBDIVISION OR LAND DEVELOPMENT

Prior to the alteration of any lot and prior to any subdivision or land development, the applicant seeking said alteration, subdivision or land development, or an authorized agent of same shall apply for and secure approval of a final subdivision or land development plan. The procedure of such approval shall conform to the following steps:

- A. Any applicant may request a pre-application meeting and submit a sketch plan to the Township. Applicants proposing four (4) or more lots are highly encouraged to submit a sketch plan and arrange a pre-application meeting.
- B. A preliminary plan shall be submitted to and approved by the Board of Supervisors for all subdivisions and/or land developments, except where noted in this Ordinance.
- C. A final plan shall be submitted to and approved by the Board of Supervisors for

all subdivision and/or land developments.

- D. A lot add-on plan shall be submitted to and approved by the Board of Supervisors.

Preliminary and final subdivision or land development plan submittals shall be made to the Township Secretary who shall make the appropriate distributions. All plans shall be submitted with necessary application forms and fees as determined by the Board of Supervisors of East Earl Township.

SECTION 304 OFFICIAL FILING DATE

For the purpose of these regulations, the date of the next regularly scheduled meeting of the Planning Commission following the submission of preliminary or final plans and appropriate application forms and fees to the Township Secretary shall constitute the official filing date of the plan, pending placement on the meeting agenda and acceptance of the plan by the Township Secretary. It is at this time that the statutory period for the disposition of the plan, as stated in Section 508 of the Act, shall commence. In the event that the next regular meeting of the Planning Commission occurs more than thirty (30) days following submission of the plan and application forms and fees, the official filing date shall be noted as the thirtieth day following submission.

SECTION 305 ACCEPTANCE FOR FILING

- A. Initial Application. The Township Secretary shall have seven (7) days from the date of receipt of an application to check the plans and documents to determine if, on their face, they are in proper form and contain all information required by this Ordinance. If defective, the application may be returned to the applicant with a statement of rejection, within the seven (7) day period; otherwise, it shall be deemed accepted for filing as of the Official Filing Date. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities. The applicant may appeal a decision by the Township Secretary under this section to the Board of Supervisors.
- B. Amendments or Corrections to an Application. The Township Secretary shall have seven (7) days from the date of receipt to examine amended or corrected applications filed to determine whether such amended or corrected application results in a substantial amendment to the plan or in the filing of a plan so changed as to be considered a new plan. If the Township Secretary determines that the amended or corrected application constitutes a substantial amendment, such as the relocation for any street or a change in the overall density of the site, the Township Secretary shall so inform the applicant and shall inform the applicant that the Township shall consider the ninety (90) day review procedure to have been restarted as of the date of the filing of the substantial amendment in accordance with Section 304 of this Ordinance. If the Township Secretary determines that the amended or corrected application constitutes a new plan, the Township Secretary shall so inform the applicant and shall inform the applicant

that a new application and new fees are required. The applicant may appeal a decision by the Township Secretary under this section to the Board of Supervisors.

SECTION 306 EXTENSION OF THE STATUTORY REVIEW PERIOD

The statutory review period for the disposition of any preliminary or final plan may be extended for any reason if an agreement in writing to such an extension is received from the applicant prior to the public meeting at which action is to be taken.

SECTION 307 PRE-APPLICATION REVIEW AND SKETCH PLAN SUBMISSION

The purpose of the pre-application review and sketch plan submission is to provide the Township and the applicant the opportunity to review and discuss a proposal for a subdivision and/or land development prior to a formal submission.

A. Pre-Application Meeting

Applicants are encouraged to meet with the Township Planning Commission to discuss their proposal. Any comments from the Commission shall be informal and shall not constitute approval or rejection of the plan.

B. Sketch Plan Submission

If a pre-application meeting is arranged, the applicant shall submit to the Township a sketch plan of the proposed project ten (10) days prior to the meeting in accordance with Section 401 of this Ordinance, but shall not constitute an application for preliminary or final approval. Generally, an informal review will be scheduled for the next regular meeting of the Township Planning Commission. It is requested that the applicant be present at this meeting to discuss the plan with the Commission.

Eleven (11) copies of the sketch plan and two (2) copies of the Township Application Form shall be supplied to the Township Secretary to permit adequate distribution to other Township agencies. The Township Secretary may require additional copies if deemed necessary.

SECTION 308 SUBMISSION AND REVIEW OF PRELIMINARY PLANS

A. Procedure

A preliminary plan for subdivision or land development as further described in Section 402 shall be submitted to the Township Secretary along with appropriate fees, and applications as specified below:

- ◇ Eleven (11) complete copies of the preliminary plan.

- ◇ Two (2) copies of all reports and plans required by the Township Storm water Management Ordinance.
- ◇ Two (2) copies of all other reports, notifications, and certifications which are not provided on the preliminary plan.
- ◇ Two (2) Township Application forms.
- ◇ One (1) Lancaster County Application form.
- ◇ Township Filing Fee.

B. Preliminary Plan Applications

A preliminary plan is required for applications that propose new streets or access easements, all land development plans, and subdivision plans of four (4) or more lots. This Section shall not apply if it is determined by Board of Supervisors that the remaining lands or any of the proposed lots are capable of being further subdivided. A preliminary plan shall not be required for additions to existing buildings where such addition will occupy less than 5,000 square feet and expansions to existing parking lots that will add 25 or fewer parking spaces. This shall apply to only one such addition or expansion per tract occurring after the effective date of this Ordinance.

C. Review by the County Planning Commission

As soon as possible following the submission of the preliminary plan and accompanying Township forms and fees to the Township Secretary, the Applicant shall submit one (1) copy of the plan along with the County application (Appendix 15) and fee to the Lancaster County Planning Commission for its review. No formal action shall be taken by the Board of Supervisors with respect to the preliminary plan until it has received and considered the comments of the County Planning Commission. In the event that these comments are not forthcoming within thirty (30) days of the receipt of the plan by the County, as required by the Act, the Board of Supervisors may take action without having considered the review.

D. Review by the Township Planning Commission

The Township Planning Commission shall review the preliminary plan at the first regularly scheduled public meeting of the Commission following submission of the written review and recommendations of the Township Engineer and County Planning Commission within forty-five (45) days of the formal filing of the plan. Following completion of the review and formal action by the Township Planning

Commission, the Commission shall submit a copy of its review and recommendations in writing to the Supervisors for its consideration.

E. Review by the Board of Supervisors

The Supervisors shall review the preliminary plan at its next regularly scheduled public meeting following the submission of the written review and recommendations of the Township Planning Commission, Township Engineer, and County Planning Commission, or at some other public meeting or meetings of the Supervisors prior to the end of the statutory review period. Upon completion of its review, the Supervisors shall take one of two courses of action: (1) It shall approve or conditionally approve the preliminary plan; (2) It shall reject the preliminary plan. The decision of the Supervisors and a listing of plan deficiencies 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.

SECTION 309 SUBMISSION AND REVIEW OF FINAL PLANS

A. Procedure

Within five (5) years of the approval of a preliminary plan, a final plan shall be submitted to the Township Secretary unless an extension of time may be granted by the Supervisors upon request by the applicant in writing. Otherwise, the plan thereafter shall be considered as a new preliminary plan. Copies of the final plan, as further described in Section 403, shall be submitted to the Township Secretary along with appropriate fees and applications as specified by the Supervisors. Each submission shall include the following:

- ◇ Eleven (11) complete copies of the Final Plan.
- ◇ Two (2) copies of all reports and plans required by the Township Storm Water Management Ordinance.
- ◇ Two (2) copies of all other reports, notifications and certifications which are not provided on the Final Plan.
- ◇ Two (2) Township Application forms.
- ◇ One (1) Lancaster County Application form.
- ◇ Township Filing Fee.

B. Review by the County Planning Commission

As soon as possible following the submission of the final plan and accompanying

Township forms and fees to the Township Secretary, the Applicant shall submit one (1) copy of the plan along with a County application (Appendix 15) and fee to the Lancaster County Planning Commission for its review. No formal action shall be taken by the Board of Supervisors with respect to the final plan until it has received and considered the comments of the County Planning Commission. In the event that these comments are not forthcoming within thirty (30) days of the receipt of the plan by the County, as required by the Act, the Board of Supervisors may take action without having considered the review.

C. Review by the Township Planning Commission

Review of the final plans by the Township Planning Commission shall be in accordance with the procedures outlined for the review of preliminary plans in this Ordinance.

D. Review and Action by the Board of Supervisors

Upon receipt of the recommendations of the Township Planning Commission, Township Engineer and County Planning Commission, the Supervisors shall review the final plan at its next regularly scheduled public meeting, or at a special meeting called for that purpose and then shall approve or disapprove the plan. Formal action shall occur before the end of the statutory review period. The decision of the Supervisors and a listing of plan deficiencies 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.

E. Final Plan Certification

After the Board's approval of the final plan and the required changes, if any, are made, the applicant shall proceed to prepare two (2) sets of plans which shall be transparent reproductions of the original plan with black line on stable plastic base film and one (1) set of final plans which shall be a paper copy for the Townships files. The two (2) transparent copies of the final plan shall be certified in the following manner: Both final plans shall be presented to the Supervisors for the signature of the Chairman and the Vice Chairman or their designees (see Appendix 6). Final plan will not be signed by the Supervisors if submitted more than ninety (90) days from the Supervisor's final approval action unless the Supervisors grant a waiver by extending the effective time period of the approval.

F. Final Plan Recordation

Upon approval and certification of a Final Plan, the applicant shall record the Plan in the office of the Lancaster County Recorder of Deeds. No plan shall be recorded unless it has been signed by the Chairman of the Board of Supervisors and bears the stamp of the Lancaster County Planning Commission.

Should the applicant fail to record the Final Plan within ninety (90) days of the

Supervisor's Final Plan approval, the Supervisor's action on the plan shall be null and void unless the Supervisors have granted a waiver by extending the effective time period of the approval.

SECTION 310 PHASED DEVELOPMENT

In the event that a subdivision or land development is to be constructed in phases, the final plan requirements shall apply only to those phases for which final approval is being sought.

SECTION 311 PLANS EXEMPTED FROM STANDARD PROCEDURES.

- A. Procedure for Processing Revised Subdivision and/or Land Development Plans. Any replatting or resubdivision of recorded or unrecorded plans, without a waiver, excluding lot grading plans in subdivisions, shall be considered as a new application and shall comply with all requirements of this Ordinance, except that plans may be changed, provided that in making such changes:
1. No lot or tract of land shall be created that does not meet the minimum design standards required by this Ordinance and existing Township regulations.
 2. No structure shall be relocated which does not meet the minimum design standards required by this Ordinance and existing Township regulations.
 3. No increase is made in the overall density.
 4. The storm water management facilities are not altered in a manner which significantly affects the discharge of storm water to an adjacent property or significantly relocates a major storm water management facility within the project.
 5. Street locations and block sizes shall not be changed.
 6. The character and land use of the original application shall be maintained.
- B. In every case where a plan alteration conforms to the above, the applicant shall:
1. Submit to the Township Secretary two (2) black on white or blue on white paper copies of the revised final plan and one application form (Appendix 11). Upon review of the revision, the Township Planning Commission will, in writing, advise the applicant whether or not the revision complies with the above.
 2. If the revision complies, the applicant shall prepare two (2) plans for recording, and which shall specifically identify the alteration(s) to the previously recorded plan.

3. The applicant shall then submit the plan to the Township Board of Supervisors for review and signatures, if found to be in conformance with the provisions of this Ordinance.
 4. The plans shall then be recorded as specified in Section 309.F. of this Ordinance.
- C. In addition to submitting the required material in accordance with this Ordinance, the applicant shall file with the Township Secretary required number of copies of plans, supporting information and all filing fees required by the Township. The applicant shall complete Appendix 15 of this Ordinance, obtain the signature of the Township Secretary, and submit one (1) copy of the plan and the fee, paid by the developer, to the Lancaster County Planning Commission. The Township shall not take formal action on the plan until comments have been received from the County or the County's 30-day review period has expired.
- D. Procedure for Processing a Lot Add-On. The lease, conveyance, sale or transfer of land for the sole purpose of increasing the lot size of an adjacent contiguous lot shall comply with the following lot add-on procedure, provided that the proposal does not alter a subdivision plan of record, create additional lots, or result in a nonconformity with the design standards found in Article VI of this Ordinance. In every case where a proposal conforms to the above, the application shall comply with the following procedures:
1. The applicant shall submit to the Township two (2) black on white or blue on white paper copies of a lot add-on plan prepared to the standards specified in Section 404 of this Ordinance and one (1) application form (see Appendix 11). Upon review of the revision, the Township Planning Commission will, in writing, advise the applicant whether or not the proposal qualifies as a lot add-on.
 2. If the plan qualifies, the applicant shall prepare two (2) plans for recording and one (1) set of paper copies of the plan for the Board of Supervisor's files. The two (2) mylar copies of the plan shall be certified by the Township (see Appendix 7). The applicant shall record the plans with the Lancaster County Recorder of Deeds. These plans shall be filed with the Lancaster County Recorder of Deeds prior to the execution of a deed for the land.
- E. Procedure for Processing a Minor Residential Subdivision Plan. An applicant may at his discretion concurrently submit preliminary and final plans to the Board of Supervisors for residential subdivision plans proposing fewer than four (4) lots, which do not propose new streets or access easements. This Section shall not apply if it is determined by Board of Supervisors that the remaining lands or any of the proposed lots are capable of being further subdivided.

- F. In addition to submitting the required material, in accordance with Subsection 309(A) of this Ordinance, the applicant shall file with the Township Secretary the required number of copies of plans, supporting information and all filing fees required by the Township. The applicant shall complete Appendix 15 of this Ordinance, obtain the signature of the Township Secretary, and submit one (1) copy of the plan and the fee, paid by the developer, to the Lancaster County Planning Commission. The Township shall not take any formal action until comments have been received from the County or the County's 30-day review period has expired.
- G. Auction Sale. In the case of the proposed subdivision of land by process of auction sale, the following procedure is recommended:
1. The applicant would prepare a Sketch Plan in accordance with Section 401.
 2. The Sketch Plan should be designed in accordance with the standards of Article 6, Design Standards, of this chapter and shall be submitted to the Township for review. Additionally, the following notation should be included on the Plan: "The property is intended to be sold by auction on or about _____, 20__, in whole or in part according to this plan. Sale of lots at such auction shall be in the form of agreement to purchase, and no transfer of ownership or interest in such lots shall proceed until a Final Plan showing such division of property shall have been approved in accordance with the East Earl Township Subdivision and Land Development Ordinance and recorded in the office of the Lancaster County Recorder of Deeds".
 3. The auction sale may then proceed in accordance with the above notation, after which the applicant shall prepare and submit plans in accordance with this chapter.

SECTION 312 PROCEDURE FOR REQUESTING CONSIDERATION OF WAIVER PROVISIONS OF THIS ORDINANCE.

- A. Application Requirements. All requests for waivers shall be made in accordance with the following procedure:
1. All requests for a waiver shall be made in writing and shall be made prior to or shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the section or sections of this chapter which are requested to be waived, and the minimum modification necessary. The request shall be accompanied by a plan prepared at least to the minimum standards of a sketch plan (see Section 401).
 2. Should a revision to a submitted plan require a waiver which was not

apparent at the time of initial plan submission, the request for a waiver shall be submitted in accordance with subsection 1 above at the time of submission of the revised plan.

3. Requests for waivers shall be considered by the Board of Supervisors at a public meeting which is at least seven (7) days after the submission of the waiver request.
- B. Township Action. The Board of Supervisors shall review the request to determine if the literal compliance with any mandatory provision of this chapter is demonstrated by the applicant to exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of this chapter is observed. The applicant shall demonstrate that an alternative proposal will allow for equal or better results and represents the minimum modification necessary. If the Board of Supervisors determines that the applicant has met his burden, it may grant a waiver from the literal compliance with the terms of this chapter.
- C. Notification of Township Action. After the meeting at which the waiver was reviewed by the Board of Supervisors, the Township shall send notice of the Township's action to the following individuals:
1. Land owner or his agent.
 2. Applicant.
 3. Firm that prepared the plan.
 4. Township Planning Commission Secretary.
 5. Authority.
 6. Township Solicitor.
 7. Township Engineer.
 8. Lancaster County Planning Commission.

If the Township denies the request, the Township shall notify the applicant, in writing, of the reason for denial. If the Township grants the request, the final plan shall include a note that identifies the specific waiver as granted, including any conditions attached thereto.

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

SECTION 401 SKETCH PLAN (OPTIONAL)

The scale and sheet size of sketch plans shall be as required for Preliminary Plans. The sketch plan shall show or be accompanied by the following data, legible in every detail and drawn to scale, but not necessarily containing precise dimensions:

- A. A brief narrative of the project;
- B. Tract boundaries and tax map number;
- C. Location of tract;
- D. North arrow;
- E. Streets on and adjacent to the tract, properly named and identified;
- F. Significant topographical and physical features. The sketch plan should depict tree masses, utility easements, hydric soils, known wetlands, or geologic features (sink holes, etc.) that may affect development of the site. U.S. Geologic Survey and Soil Conservation Service information may be used, but should be plotted to an appropriate scale;
- G. Proposed general street and lot layout;
- H. Location of all municipal boundaries within the vicinity of the tract;
- I. In the case of land development plans, proposed general layout including building locations, parking lots, and open spaces;
- J. Name of current owner of record;
- K. Name of applicant, if different from owner;
- L. Name of the individual and/or the firm that prepared the Plan;
- M. Written and graphic scales.
- N. Location of existing structures.

SECTION 402 PRELIMINARY PLANS

Preliminary plans shall be prepared by an engineer, a surveyor, or a landscape architect. The Preliminary Plan shall be accompanied by or be prepared in accordance with the following:

A. Drafting Standards:

1. The Plan shall be clearly and legibly drawn at a scale of 10 feet, 20 feet, 30 feet, 40 feet, 50 feet, 60 feet, 80 feet, or 100 feet to the inch.
2. Dimensions shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction.
3. The survey shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
4. The sheet size shall be no smaller than eighteen by twenty-two (18 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 the same size and numbered to show the relationship to the total number of sheets in the Plan (e.g., Sheet 1 of 5).
5. Plans shall be legible in every detail.

B. Location and Identification:

1. The proposed project name or identifying title.
2. The municipalities in which the project is to be located. (If the tract of land is located in the vicinity of a municipal boundary, the location of the boundary shall be shown.)
3. The name and address of the owner of the tract (or an authorized agent), the developer/subdivider, and the firm that prepared the plans.
4. Source of title to the land included within the subject application, as shown by the books of the Lancaster County Recorder of Deeds. If equitable owner, the name, address and reference to the equity agreement.
5. The map number(s) of the tract(s) being subdivided and all adjacent tracts of land.
6. The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) and description(s) of all plan revisions.

7. A north arrow, a graphic scale, and a written scale.
8. The entire existing tract boundary with bearings and distances. (If a landowner is to retain a single lot with a lot area in excess of ten (10) acres, the boundary of that lot may be drawn at any legible scale; if the retained lot has a lot area of ten (10) or less acres, it must be described to the accuracy requirements of this Chapter.
9. The total acreage of the entire existing tract.
10. The district and lot size and/or density requirements of the Township Zoning Ordinance, and the adjacent municipal zoning ordinance if the project is located in two or more municipalities.
11. The location of existing lot line markers along the perimeter of the entire existing tract.
12. A location map, drawn to a scale of a minimum of one inch equal to two thousand feet (1" = 2,000') relating the subdivision to at least two (2) intersections of road center lines. The approximate distance to the intersection of the centerline of the nearest improved street intersection shall be identified.
13. A note indicating the types of sewer or water facilities to be provided.

C. Existing Features:

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 and notation indicating the datum used. Contours plotted from the United States Geologic Survey (Quadrangle Maps) will not be accepted.
2. The names of all immediately adjacent landowners and the names and record numbers of all previously recorded plans for adjacent projects.
3. The following items when located within two hundred (200) feet of the subject tract:
 - (a) The location and name of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.
 - (b) The location of the following features and any related rights-of-way: sanitary sewer mains, water supply mains, fire hydrants, buildings, and storm water management facilities.

- (c) The location of existing rights-of-way for electric, gas, oil transmission lines, and railroads.
 - (d) The size, capacity, and condition of the existing storm water management system and any other facility that may be used to convey storm flows from the subject tract.
4. The following items when located within the subject tract:
- (a) The location, name, and dimensions of existing rights-of-way and cartways for streets, access drives, driveways, and service streets.
 - (b) The location and size of the following features and related easements and rights-of-way: sanitary sewer mains, water supply mains, fire hydrants, buildings, and storm water management facilities.
 - (c) The location of existing rights-of-way for electric, gas, oil transmission lines, and railroads.
 - (d) The size, capacity, and condition of the existing storm water management system and any other facility that may be used to convey storm flows.
5. For all subdivisions and land developments for which a Preliminary Plan is required, the following items shall be shown when located within two hundred (200) feet of the subject tract or upon the site proposed for development: Significant environmental or topographic features including but not limited to flood plains, wetlands, quarry sites, solid waste disposal areas, known historic features, known cemetery or burial sites, known archaeological sites, highly erosive soils, wooded areas, prime agricultural soils, and designated wellhead protection areas. Additionally, the preliminary plan shall indicate any proposed disturbance, encroachment, or alteration to such features when located upon the site proposed for development.

D. Plan Information:

- 1. The layout of streets, alleys and sidewalks, including cartway and right-of-way widths.
- 2. The layout of lots, with approximate dimensions.
- 3. Block and lot numbers in consecutive order (e.g., Block "A", Lots 1 through 10; Block "B", Lots 11 through 22).

4. In the case of land developments, the location and configuration of proposed buildings, parking compounds, streets, access drives, driveways, and all other significant planned facilities.
5. Total number of lots, units of occupancy, density, and proposed land use; (if a multiple land use is proposed, an indication of the location of each land use).
6. Easements with dimensions.
7. Building setback lines, with distances from the street right-of-way line.
8. Identification of buildings and historic features proposed to be demolished.
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.
10. Street centerline profile for each proposed street shown on the Preliminary Plan.
11. The preliminary design of the proposed sanitary sewer mains and water supply mains. The information shall include the approximate size, material, and vertical and horizontal location, when applicable.
12. The following storm water management data for all plans designed in accordance with the East Earl Township Storm Water Management Ordinance. This information may be provided on a sheet with other data, if legible, or on separate sheets and need not necessarily be recorded with the Final Plan. In the case of any dispute in the methodology used in the design of any storm water management plan and/or in the presentation of such information, the Board of Supervisors shall make the final determination on design criteria, methodology, and form of presentation.
 - (a) All calculations, assumptions, criteria and references used in the design of the storm water management facilities, the establishment of existing facilities capacities, and the pre- and post-development discharges.
 - (b) All plans and profiles of the proposed storm water management facilities, including the horizontal and vertical location, size and type of material.
 - (c) For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrography, and outflow hydrography.

- (d) The guidelines for lot grading within the subdivisions. This information shall identify the direction of storm water runoff flow within each lot and the areas where storm water runoff flows will be concentrated. This information shall be shown by flow arrows or topographical data.
- 13. A statement on the Plan indicating that all zoning approvals and all zoning variances have been obtained, if applicable.
- 14. A statement on the Plan indicating any waivers granted by the Township.
- 15. Proposed street names.

E. Certificates, Notifications, and Reports:

- 1. Where the Preliminary Plan covers only a part of the entire landholding, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.
- 2. Where the land included in the subject application has an electric transmission line, telecommunications line, a gas pipeline, or a petroleum or petroleum products transmission line located within the tract, the application shall be accompanied by a letter from the owner or lease 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.
- 3. Certificate, signature, and seal of the surveyor to the effect that the survey and/or Subdivision Plan is correct, and certificate, signature and seal of the surveyor, engineer, or landscape architect that prepared the Land Development Plan that all other information shown accurate. (See Appendix 1. or 2.)
- 4. Certificate, signature and seal of the surveyor, engineer or landscape architect that prepared the Storm Drainage Plan. That all other information shown on the Storm Drainage Plan is in accordance with the East Earl Township Storm Water Management Ordinance. (See Appendix 3.)
- 5. Certificate for approval by the Board of Supervisors. (See Appendix 5.)
- 6. Certificate for review by the East Earl Planning Commission. (See Appendix 8.)

7. Certificate for review by the Lancaster County Planning Commission. (See Appendix 9.)
 8. In the case of a Preliminary Plan calling for the phased installation of improvements, a schedule shall be filed delineating all proposed sections as well as deadlines within which applications for Final Plan approval of each section are intended to be filed. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five percent (25%) of the total number of dwelling units as depicted on the Preliminary Plan unless the Board of Supervisors specifically approves a lesser percentage for one or more of the sections.
 9. Where the subdivision or land development proposal will meet the requirements of Article VIII a traffic impact study shall be submitted with the Preliminary Plan.
 10. Copies of any decisions rendered by the Township Zoning Hearing Board or Board of Supervisors, as applicable, when the use proposed is a use that is permitted by special exception or conditional use. If any amendments to the Zoning Ordinance are proposed, or if any variances from the requirements of the Zoning Ordinance are required, a description of such amendments or variances and the suggested locations of buildings in connection therewith shall be provided.
 11. Where the plan indicates that water will be supplied through a means other than private wells owned and maintained by the individual owners of lots, a copy of a certificate of public convenience or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, from the entity which will provide the public water supply.
 12. Where the plan indicates that sanitary sewer service will be supplied through a means other than on-lot systems owned and maintained by the individual owners of the lots, a copy of a certificate of public convenience or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, from the entity which will provide the public sanitary sewer disposal service.
- F. Filing Fee. The Preliminary Plan shall be accompanied by a filing fee in the form of a certified check or money order drawn to East Earl Township. (See fee schedule available at the Township office). Note: A separate filing fee must be submitted for each application. If one check is issued for multiple plans, a detailed breakdown of the individual fee assessments must accompany the payment.

SECTION 403 FINAL PLANS.

Final Plans shall be prepared by an engineer, a surveyor, or a landscape architect. The Final Plan shall show, be accompanied by, or be prepared in accordance with the following:

- A. Drafting Standards. The same standards shall be required for a Final Plan as specified for a Preliminary Plan in Section 402.A. of this Ordinance.
- B. Location and Identification. The same information shall be required for a Final Plan as specified for a Preliminary Plan in Section 402.B. of this Ordinance.
- C. Existing Features.
 1. Contour lines representing the topography of the site, if a Preliminary Plan was not required or the contours identified with the Preliminary Plan were altered. Such contours shall show elevations at a minimum vertical interval of two (2) feet for land with average natural slope of four percent (4%) or less and at a minimum vertical interval of five (5) feet for more steeply sloping land. Contour information shall be accompanied by the location of the bench mark and a notation indicating the datum used. Contours plotted from the United States Geologic Survey (Quadrangle Maps) will not be accepted. This information may be provided on separate sheets and is not subject to recording with the Final Plan.
 2. The names of all immediately adjacent landowners and the names and record numbers of all previously recorded plans for adjacent projects.
 3. The following items when located within two hundred (200) feet of the subject tract (If access to said items is denied, a waiver may be granted by the Supervisors):
 - (a) The location and name of existing rights-of-way and service streets.
 - (b) The location of the following features and any related rights-of-way: sanitary sewer mains, water supply mains, fire hydrants, and storm water management facilities which affect the storm water runoff on the subject tract, on-lot septic, wells, etc.
 - (c) The size, capacity, and condition of the existing storm water management system and any other facility that may be used to convey storm flows from the subject tract.
 4. The following items when located within the subject tract:

- (a) The location and size of the following features and related rights-of-way: on-lot sewage disposal systems, on-lot water supplies, sanitary sewer mains, water supply mains, fire hydrants, buildings, and storm water management facilities. This information may be provided on separate sheets and need not be recorded with the Final Plan.
 - (b) The location of existing rights-of-way for electric, telecommunications, gas, and oil transmission lines and railroads.
 - (c) The size, capacity, and condition of the existing storm water management system and any other facility that may be used to convey storm flows.
5. For all subdivisions and land developments for which a Final Plan is required, the following items shall be shown when located within two hundred (200) feet or upon the site proposed for Development: Significant environmental and topographic features including but not limited to flood plains, wetlands, quarry sites, solid waste disposal areas, known historic features, known cemetery or burial sites, known archeological sites, areas with highly erosive soils, woodlands, prime agricultural soils, and designated wellhead protection areas. Additionally, the final plan shall indicate any proposed disturbance, encroachment, or alteration to such features when located upon the site proposed for development. If access to said items is denied, a waiver of those items may be granted by the Supervisors.

D. Plan Information:

- 1. Complete description of the centerline and the 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.
- 2. 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 centerline; along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines.
- 3. Block and lot numbers in consecutive order (e.g., Block "A", lots 1 through 10; Block "B", Lots 11 through 22).
- 4. The location and configuration of proposed streets. All plans proposing uses other than single-family detached dwellings shall also identify the location and configuration of all buildings, parking compounds, streets, access drives, driveways, landscaping, and all other significant facilities.

5. Total number of lots, units of occupancy, density, and proposed land use; (if a multiple land use is proposed, an indication of the location of each land use).
6. Easements.
7. Building setback lines, with distances from the street centerline or street right-of-way line, whichever requirement is applicable under the East Earl Township Zoning Ordinance.
8. Identification of buildings and historic features proposed to be demolished or retained.
9. Typical street cross section for each proposed street and a 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.
10. Final vertical and horizontal alignment for each proposed street, sanitary sewer, 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 and size and type of material. This information may be provided on separate sheets and is not subject to recording with the Final Plan.
11. Source of title to the land included within the subject application, as shown by the books of the Lancaster County Recorder of Deeds.
12. Final street names.
13. 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.
14. A grading plan. The grading plan shall include finished land contours and grades, directions of water movement, type of soils, location of water bars or silt fences and ground floor elevations. This information may be provided on separate sheets and is not subject to recording with the Final Plan (see Appendix 22).
15. Identification of any waivers granted by the Township.
16. Identification of any lands to be dedicated or reserved for public, semi-public, or community use.
17. The following storm water management data for all plans designed in

accordance with the East Earl Township Storm Water Management Ordinance. This information may be provided on a sheet with other data, if legible, or on separate sheets and need not necessarily be recorded with the Final Plan. In the case of any dispute in the methodology used in the design of any storm water management plan and/or in the presentation of such information, the Board of Supervisors shall make the final determination on design criteria, methodology, and form of presentation.

- (a) All calculations, assumptions, criteria, and references used in the design of the storm water management facilities, the establishment of existing facilities capacities, and the pre-and post-development peak discharges.
- (b) All plans and profiles of the proposed storm water management facilities, including the horizontal and vertical location, size and type of material. This information shall be to a detail required for the construction of the facilities.
- (c) For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrography, and outflow hydrography.
- (d) For all 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 structure and characteristics shall be provided. Plans and data shall be prepared by a registered professional engineer. 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 for adjacent structures.
- (e) All erosion and sedimentation control measures, temporary as well as permanent, including the staging of the earth moving activities, in sufficient detail to clearly indicate their function.
- (f) The guidelines for lot grading within subdivisions. This information shall identify the direction of storm water runoff flow within each lot and the areas where storm water runoff flows will be concentrated. This information shall be provided by flow arrows or topographic data (see Appendix 22 for examples). In areas where the Board of Supervisors feel additional lot grading information is needed to assure proper function of the storm water management facilities, specific grading information will be required as part of the Final Plan submittal.

18. Any other information deemed necessary or relevant by the Township or

the Township Engineer for the purposes of protecting the public health, safety or welfare.

E. Certificates, Notifications, and Reports:

1. Notification from the Department of Environmental Protection that either approval of the Sewer Facility Plan Revision (Plan Revision Module for Land Development) or Supplement has been granted or that such approval is not required. If the Final Plan is conditionally approved, the plan shall contain a notation that the plan is subject to a pending Sewage Facilities Planning Module.
2. Where the land included in the subject application has an electric transmission line, a gas pipeline, a telecommunication line, or a petroleum or petroleum product transmission line located within the tract, the application shall be accompanied by a letter from the owner or lease 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.
3. Notice from the postmaster of the postal district in which the tract is located stating that the proposed street names are acceptable.
4. Certificate, signature, and seal of the surveyor, to the effect that the survey and/or Subdivision Plan is correct and certificate, signature and seal of the surveyor, engineer, or landscape architect that prepared the Land Development Plan that all other information shown on the plan is accurate. (See Appendix 1. or 2.)
5. Certificate, signature and seal of the surveyor, engineer or landscape architect that prepared the Storm Drainage Plan. That all other information shown on the Storm Drainage Plan is in accordance with the East Earl Township Storm Water Management Ordinance. (See Appendix 3.)
6. Certificate for approval by the Board of Supervisors (See Appendix 6).
7. Certificate for review for the East Earl Township Planning Commission (see Appendix 8).
8. Certificate for review for the Lancaster County Planning Commission (see Appendix 9).
9. A statement, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the landowner, 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 as such. (See Appendix 3.) This statement must be dated following the last change or revision to said plan.

10. A certificate of dedication of streets and other public property. (See Appendix 4.)
11. A certificate to accommodate the Lancaster County Recorder of Deeds information. (See Appendix 10.)
12. A note to be placed on the Plan indicating any area that is not to be offered for dedication, if applicable.
13. Such written notices of approval as required by the Ordinance, including written notices approving the water supply systems, sanitary sewage systems, and storm water runoff to adjacent properties.
14. The submission of a controlling agreement in accordance with Section 602.B. when an application proposes to establish a street which is not offered for dedication to public use.
15. In the case of a plan which requires access to a highway under the jurisdiction of the Pennsylvania Department of Transportation, the inclusion of the following plan note:

"A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law" before driveway access to a State Highway is permitted. Access to the State highway shall only be as authorized by a Highway Occupancy Permit, and the Board of Supervisor's approval of this plan in no way implies that such permit can be acquired."

16. For all storm water management facilities that affect an existing watercourse or have an upland drainage area greater than one-half (1/2) square miles, notification from the Department of Environmental Protection of approval or that no approval is required.
17. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, the applicant shall present evidence that the subdivision or development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to

serve the area in question, whichever is appropriate, shall be acceptable evidence.

18. Any other applicable Federal, State or local agency permits or approvals that may be required or related to the Final Plan.

19. Improvement guarantees in accordance with Article V.

F. Filing Fee. The Final Plan shall be accompanied by a filing fee in the form of a check or money order drawn to East Earl Township. (See fee schedule available at the Township's office). Note: A separate filing fee must be submitted for each application. If one check is issued for multiple plans, a detailed breakdown of the individual fee assessments must accompany the payment.

SECTION 404 LOT ADD-ON PLAN REQUIREMENTS.

Lot Add-On Plans shall be prepared by a registered surveyor and shall be subject to the following requirements:

A. Drafting Standards. The same standards shall be required for a Final Plan as specified for a Preliminary Plan in Section 402.A. of this Ordinance.

B. Plan Information. The following information shall be provided on the sheet to be recorded:

1. Project name.

2. Name of the municipality in which the project is located.

3. Name and address of the owner of the tract and all adjacent landowners affected by the proposed conveyance.

4. Name and address of the firm that prepared the plan and the file or project number assigned by the firm.

5. A north arrow, graphic scale, written scale, plan date, and the date(s) and description(s) of all plan revisions.

6. A location map, at a scale not less than one inch equal to two thousand feet (1" = 2,000'), with sufficient information to locate the specific property involved. All existing roads in the vicinity of the site shall be identified.

7. The total number of lots, total acreage, density of development, present zoning classification, and minimum lot area requirements.

8. The location, size, and dimensions of existing right-of-way easements and utilities on or adjacent to both the conveying and receiving tracts.

9. The names of all immediately adjacent landowners and the names and record numbers of all previously recorded plans for projects adjacent to either the conveying or receiving tract.
10. Source of title to the tract being subdivided.
11. An accurate description of the parcel to be conveyed. If the remainder of the conveying tract has a lot area of ten (10) acres or less, it must also be described to the accuracy requirements of this Ordinance. If the remaining acreage is in excess of ten (10) acres, its boundary of the receiving tract shall be described by deed plottings drawn at a legible scale.
12. Location and material of all permanent monuments and lot line markers, including a note indicating when they will be set.
13. Lot numbers.
14. Identification of any waivers granted by the Township.
15. Tax map number(s) of the tract(s) being subdivided and all adjacent tracts of land.
16. When the existing tract of land from which the lot add-on is taken is served by an on-lot sewage system, the location of a replacement system shall be identified on the plan and enclosed within an easement. A note shall be provided on the plan indicating that no earth disturbance shall occur within the area reserved for the replacement on-lot system.

C. Certificates:

1. Certificate signature and seal of the surveyor to the effect that the survey is correct. (See Appendix 1A and 1B)
2. Certificate for approval by Board of Supervisors. (See Appendix 7)
3. Certificate for review by the East Earl Planning Commission. (See Appendix 8)
4. A statement, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the landowner to the effect that the subdivision as shown on the plan is the act and 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 as such. (See Appendix 3)

5. A statement, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owner of the receiving tract, to the effect that the conveyance as shown on the plan is in accordance with the intent of the landowner, that all those signing are all of the owners of the property shown on the plan, and that they desire the same to be recorded as such. (See Appendix 3)
 6. A certificate for review for the Lancaster County Planning Commission. (See Appendix 9)
 7. A certificate to accommodate the Lancaster County Recorder of Deeds information. (See Appendix 10)
- D. Filing Fee. The Final Lot Add-On Plan shall be accompanied by a filing fee in the form of a check or money order drawn to East Earl Township. (See fee schedule available at the Township's office). Note: A separate filing fee must be submitted for each application. If one check is issued for multiple plans, a detailed breakdown of the individual fee assessments must accompany the payment.

ARTICLE V

IMPROVEMENT AND DEDICATION CONSTRUCTION GUARANTEES

SECTION 501 COMPLETION OF IMPROVEMENTS OR GUARANTEE THEREOF

- A. No final plan shall be approved unless the streets shown on such plan have been improved as may be required by this Ordinance, and including, but not limited to, any walkways, curbs, gutters, street lights, fire hydrants, street trees, water mains, sanitary sewers, storm sewers, storm water detention and retention basins, other drainage facilities, recreational facilities, open space improvements, buffer plantings, screen plantings, and any other improvements required by this Ordinance have been installed in accordance with this Ordinance. Such improvements shall also include any improvements for future sections of the subdivision or land development which the Board of Supervisors finds essential for the protection of any section of the final plan. In lieu of the completion of any such improvements required as a condition of final plan approval, the Board of Supervisors shall accept financial security in an amount sufficient to cover the costs of such improvements plus any additional amounts required by this Ordinance.
- B. When requested by the developer, in order to facilitate financing, the Board of Supervisors shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days, unless a written extension is granted by the Board of Supervisors.
- C. Without limitation as to other types of financial security which the Board of Supervisors may approve, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.
- D. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
- E. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

- F. The amount of financial security to be posted for the completion of the improvements shall be equal to 110 percent of the cost of completion estimated as of 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 the estimated cost for the completion of the remaining improvements as of the expiration of the 90 day period after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110 percent. Any additional security shall be posted by the developer in accordance with this section.
- G. 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 above costs shall be calculated based on the potential of public bidding and should attempt to cover the cost the Township would be required to pay to complete the improvements. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and 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 Township and the applicant or developer.
- H. If the developer requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above procedures.
- I. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any section of the development granted final plan approval.
- J. Prior to final approval of any plan, the applicant shall agree in writing in a form to be approved or prepared by the solicitor of the Township that the applicant will lay out the roads, streets, lanes, alleys, and/or easements, and construct or cause to be constructed, all of the improvements in accordance with the

approved final plans. The costs associated with the preparation of this form shall be borne entirely by the applicant.

SECTION 502 RELEASE FROM IMPROVEMENT/CONSTRUCTION GUARANTEES

As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to authorize the release of such portions of the financial security associated with the completed improvements.

- A. Engineering Inspection. When the applicant/developer has completed a portion of the necessary and appropriate improvements, the developer shall notify the Township in writing by certified or registered mail, of the completion of the improvements and shall send a copy to the Township Engineer. To permit municipal authorization of the Township Engineer by the Township Secretary, such notification shall be provided to the Township at least twenty-one (21) days prior to a regularly scheduled public meeting of the Board of Supervisors. Within twenty (20) days from such notification, the Township Engineer shall file a written report with the Supervisors and the Township shall promptly mail a copy of the same to the developer by certified or registered mail. The Township Engineer's report shall be detailed and shall recommend approval or reflection of the improvements, either in whole or in part. If said improvements on any portion thereof shall not be recommended for approval or shall be recommended for rejection by the Township Engineer, the report shall contain a statement of reasons for not approving the improvements.
- B. Review by Supervisors. At the next regularly scheduled meeting of the Supervisors following receipt by the Supervisors of the Engineer's report, the Supervisors shall act upon said report to either approve or reject the improvements. Such action may include any modifications to the report deemed appropriate by Supervisors and shall occur no later than 45 days from the receipt of notification by the applicant or developer in accordance with this Article. Notification of the action of Supervisors shall be made in writing and sent to the developer by certified or registered mail within 15 days of the Supervisor's action.
- C. Municipal Default. If the Township fails to act within the time limitation provisions contained herein, the improvements included in the notification by the developer or applicant will be deemed to have been approved, and the Township shall be deemed to have approved the release of the financial security for such improvements.
- D. Municipal Rejection of Improvements. If any portion of the improvements shall be rejected by the Supervisors, the developer shall proceed to complete the same per the instructions of Supervisors and, upon completion, shall subject the said improvements to the same procedures for notification and review as outlined in this Ordinance for initial notification and review.
- E. Municipal Acceptance of Improvements. At such time that the developer has

completed and installed the required improvements to the satisfaction of the Board of Supervisors, the Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Engineer as fairly representing the value of the improvements completed, the governing body shall be deemed to have approved the release of funds as requested. The governing body may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10) percent of the estimated cost of the aforesaid improvements.

SECTION 503 DEED OF DEDICATION

All improvements including streets, any and all easements for sanitary sewers, water lines or storm sewers and improvements thereto including street paving, sidewalks, street trees, water mains, fire hydrants, sanitary and storm sewers, manholes, inlets pumping stations and other appurtenances shall be deemed to be private improvements and only for the benefit of the specific subdivision or land development until such time as the same have been offered for dedication and formally accepted by the Township, or appropriate authority or entity, by ordinance, resolution, deed or other formal action or document. The developer shall submit As-built Plans, in accordance with Section 510, of all improvements which will be dedicated to the Township. The Township shall not have any responsibility of any kind with respect to improvements shown on the Final Plan until the improvements have been formally accepted by the Township.

SECTION 504 TIMING OF COMPLETION OF WEARING COURSE ON STREETS

The wearing course of streets shall not be completed prior to such time that 50 percent of the lots in the subdivision or land development have been improved by the construction of a primary residential, commercial, industrial, or institutional structure, if approved for such uses. At such time as 50 percent of the lots in the subdivision have been improved as set forth above, or at the expiration of three (3) years from the date all of the improvements except the wearing course has been completed, the Township may notify the developer to complete the surface course within 60 days from the date of such notice. In computing the 60 day requirement, the period from October 1 to April 1 shall not be counted.

SECTION 505 MAINTENANCE GUARANTEE

The Township shall require that the developer submit a maintenance guarantee to secure the structural integrity and functioning in accordance with the designs and specifications as depicted on the final plan for any improvement to be dedicated to the Township for a period of 18 months from the date of acceptance of dedication. Such financial security shall be of the same type as otherwise required in this Article and shall be in an amount not to exceed 15 percent of the actual cost of installation of said improvements.

SECTION 506 REMEDIES TO EFFECT COMPLETION OF IMPROVEMENTS

In the event that any improvements which are required by this Ordinance have not been installed as provided in this Ordinance or in accord with the approved final plan, the Supervisors may enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.

SECTION 507 INSPECTION DURING CONSTRUCTION

The Township shall inspect the improvements during construction. The developer shall pay the cost of any such inspection in accordance with the provisions of Article V of the Municipalities Planning Code. The developer shall provide at least 48 hours notice prior to the start of construction of any improvements that are subject to inspection. All inspections of completed items shall be requested, in writing, at least 48 hours in advance of the inspection time and date.

Inspections shall be required during the following phases of site construction. This general list of phases may be amended by mutual agreement of the Township and developer when the site requires special construction procedures. The inspection schedule must be recorded with the final plan or shown on the approved improvement construction plan.

A. General Site Construction.

1. Upon completion of preliminary site preparation including stripping of vegetation, stockpiling of topsoil and construction of temporary erosion and sedimentation control devices.
2. Upon completion of rough grading, but prior to placing topsoil, permanent drainage, or other site development improvements and ground covers.
3. During the construction of permanent storm water management facilities and underground facilities.
4. Upon the final completion of permanent storm water management, including the establishment of ground covers and plantings.
5. After review of the as-built drawings, but prior to final release of the financial guarantee for completion of final grading, vegetative controls, or other site restoration work.

B. Street Construction.

1. Preparation of Road Subgrade. At the time of this observation, the subgrade should be proof rolled and the proposed crown and grade should be checked. It is recommended that a representative of the developer or contractor accompany the observer when the crown and grade are checked. Proof rolling should be performed with a fully loaded, single-axle dump truck. This observation must occur prior to any stone subbase being placed.
 2. Placement and Compaction of Road Subbase. At the time of this observation, the depth of subbase should be checked after compaction, the subbase should be proof rolled in the same manner as the subgrade and the crown and grade should be checked again. This observation must occur prior to any binder or base course being placed.
 3. Placement and Compaction of the Binder/Base Course. At the time of this observation, the depth of the binder/base course should be checked, ambient temperature should be monitored (this is important in early spring and late fall days when the temperature can go below acceptable limits), the temperature of the bituminous material should be checked (if possible), and it is recommended that copies of the weight slips for each truckload are obtained. The crown and grade should also be checked again. This observation must occur prior to the wearing course being placed.
 4. Placement and Compaction of the Wearing Course. At the time of this observation, the guidelines for the placement and compaction of the binder/base course should be followed.
- C. In addition to the above outlined observations, additional observations will be made at the request of the developer for reduction of financial securities. Random observations should be made at the frequency desired by the municipality. At the time of any of the above listed observations, all ongoing construction (i.e. storm drainage, sanitary sewer, water, erosion control, etc.) should also be checked for compliance with the approved plans and the findings reported. Since the above inspections are mandatory, it is recommended that requests for reduction of financial guarantee to be submitted to coincide with the above inspections.

SECTION 508 MAINTENANCE OF STREETS

The developer shall maintain all streets in the subdivision or development in travelable condition, including the prompt removal of snow, until such time as the streets are accepted by the Township as part of the Township highway system; or, if such streets are not be dedicated, until a homeowners' association or other entity responsible for the maintenance of the streets has been formed.

SECTION 509 EFFECT OF PLAN RECORDING ON DEDICATION AND RESERVATIONS

Recording of the final plan after approval of the Board of Supervisors has the effect of an irrevocable offer to:

- A. Dedicate all streets and other public ways to public use, unless such streets are indicated on said plan as private streets.
- B. Dedicate all neighborhood parks and all areas shown on the plan as being local recreation sites to public use.

SECTION 510 AS-BUILT PLAN

Prior to the final release of the financial security by the Supervisors, the developer shall provide the Township with one (1) mylar and two (2) prints of the as-built plan, at the same size and scale of the approved plans, showing the following:

- A. Actual location of all concrete monuments and/or markers which were found or set at all angle breaks, points of curvature and tangents around the perimeter of the total tract. When the outside perimeter of a tract falls within or along an existing road right-of-way, then the right-of-way of that roadway shall be monumented as the above referenced points.
- B. Actual location of all iron pins or drill holes in curbs for all individual lot lines.
- C. Actual cul-de-sac radius.
- D. Actual horizontal location of cartway centerline versus right-of-way centerline should be indicated by dimension.
- E. Actual horizontal location of floodplain by elevation and dimension from property line.
- F. Actual horizontal location and cross section of swales and accompanying easements.
- G. Actual horizontal and vertical location of storm water management facilities including type and size drainage pipes.
- H. Detention basin:
 - 1. Actual contours of the detention basin.
 - 2. Actual outlet structure details including type, size and inverts of outlet pipes.

3. Actual elevation of the embankment and emergency spillway.
4. A table showing the stage/storage/discharge curve for the constructed conditions.

ARTICLE VI
DESIGN STANDARDS

SECTION 601 GENERAL

- A. Minimum Standards. The standards and requirements contained in this Article shall apply as minimum design standards for subdivisions and/or land developments in the Township.

- B. Compliance with Zoning Ordinance and Zoning Hearing Board Decisions. Whenever the Zoning Ordinance provides that the use proposed by the applicant for subdivision or land development approval shall constitute a use by special exception or conditional use or when a variance from the terms of the Zoning Ordinance is required to develop in accordance with the plan, the applicant shall obtain such special exception, variance or conditional use approval from the Township Zoning Hearing Board or Board of Supervisors, as applicable, prior to the submission of the preliminary plan. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such special exception, variance or conditional use by the Township Zoning Hearing Board or Board of Supervisors, as applicable.

SECTION 602 STREETS, PRIVATE STREETS, DRIVEWAYS, AND ACCESS DRIVES

- A. Conformance with Adopted Plans. The proposed street pattern shall be properly related to existing streets, to Official Maps, Comprehensive Plans, and to such County and State road and highway plans as have been duly adopted.

- B. Private Streets. Private streets shall meet all the design standards of public streets in accordance with the specifications of this Ordinance. Applications which propose a private street shall be accompanied by a right-of-way agreement which shall be submitted with the Preliminary Plan for review by the Township and recorded with the Lancaster County Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the street will be constructed and maintained, as well as conditions controlling the offer of dedication, and shall stipulate:
 - 1. That the street shall be constructed and maintained to conform to the Township street specifications.
 - 2. The method of assessing maintenance and repair costs.
 - 3. That an offer for dedication of the street shall be made only for the street as a whole.
 - 4. That the owners of the abutting lots will include with any offer of dedication

sufficient funds, as estimated by the Township, to restore the street to the prevailing standards.

5. That an agreement by the owners of 51 percent of the front footage thereon shall be binding on the owners of the remaining lots.

C. Arterial Street Design. 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.

D. 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. Streets which serve as connector routes 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. Where a development abuts an existing or proposed arterial street, the Board of Supervisors may require use of reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the arterial street, and separate the local and through traffic. East Earl Township has designated the following streets:

Arterials

Route 322
Route 23

Collectors

Route 897
Route 625
SR 1044 - Union Grove Road (east of Terre Hill)
SR 1044 - Vine Street/Red Run Road (west of Terre Hill)
SR 1010 - Lancaster Avenue

E. 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 rights-of-way may not be required to be improved; however, these future rights-of-way 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 developer shall extend the adjacent street into the proposed development.

F. Future Rights-of-Way. Future rights-of-way shall be designed in conformance with the design requirements of a street, and the contiguous parcels must contain proper setbacks and sight distances.

1. The area within the future right-of-way shall be included within the deeds to the abutting lots with an easement
2. in favor of the Township and landowners of the land into which the future

right-of-way will extend to permit the use of the future right-of-way for public street purposes should the adjoining lands be developed.

2. The landowners of the lots in which the future right-of-way is included shall have the duty to maintain the area included within the future right-of-way and this duty shall be indicated in a note on the final plan and in all deeds to such lots.
 3. The landowners of the lots in which the future right-of-way is included shall have no obligation concerning the improvement of such future right-of-way for street purposes.
- G. Half Streets. Half or partial streets (less than the required right-of-way or cartway width) will not be permitted. All plans shall be designed to provide for the entire required right-of-way and cartway.
- H. Street Names. Continuations of existing streets shall be known by the same name. Names for new streets shall not duplicate nor closely resemble names of existing streets within the Township or within the same postal area. All new street names are subject to the local postmaster granting approval with all final plan applications. All street names shall conform, where applicable, to the Township plan for street names.
- I. Vertical Alignments. Vertical street alignments shall be measured along the centerline. The minimum and maximum grade of all streets shall be as shown in Appendix 16.
1. Vertical curves shall be used in changes in grade exceeding an algebraic difference of one (1) percent. The minimum length (in feet) of crest curves shall be twenty (20) times the algebraic difference in grade and the minimum length (in feet) of sag 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 down-grade, the algebraic difference in grade is 7 [$+3-(-4)=7$]; the minimum length of the vertical curve would then be 140 feet [$20 \times 7 = 140$].
 2. Where the approaching grade exceeds seven (7) percent on any or all streets within 100 feet of a four-way street intersection or the terminating street at a three-way intersection, a leveling area shall be provided on the street(s) with such excessive grade. Such leveling area(s) 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.
 3. The grade within the diameter of a turnaround at the terminus of a permanent cul-de-sac shall not exceed five (5) percent.
 4. All new streets shall be graded to the right-of-way line in accordance with Appendix 17A and 17B.

J. Horizontal Alignments. Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes in excess of (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, tangent segments. The minimum horizontal curve centerline radius for streets shall be as shown in Appendix 16.

1. Perimeter Streets. Plans with street locations along the perimeter of a property shall be required to show building setback lines and clear sight triangles within the adjacent properties. Permission shall be obtained in writing from the adjacent landowner.
2. Cartway Alignment. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.

K. New Street Right-of-Way and Cartway Widths. The minimum street rights-of-way and cartway widths for new streets shall be as follows:

<u>Street Classification</u>	<u>Minimum Cartway</u>	<u>Minimum Right-of-Way</u>
ARTERIAL STREET	As determined by the Board of Supervisors after consideration with the Lancaster County Planning Commission and the Pennsylvania Department of Transportation.	
COLLECTOR STREET WITHOUT ON-STREET PARKING*	36 Feet	60 Feet
LOCAL STREET WITH ON-STREET PARKING	36 Feet	50 Feet
LOCAL STREET WITHOUT ON-STREET PARKING*	28 Feet	50 Feet
TURNAROUND of CUL-DE-SAC	100 Feet In Diameter	120 Feet
ALLEY OR SERVICE STREET	16 Feet	20 Feet

*"No Parking" signs must be provided along the cartway and acknowledged on the plan.

1. Extension of Existing Streets. The extension of existing streets which are presently constructed with a cartway different from the standards of this

Ordinance shall be provided with a transition area, the design of which is subject to the Board of Supervisor's approval.

2. Street Improvements. All construction shall be in conformance with the provisions and specifications of the Township as set forth herein.
 3. Reservation of Additional Right-of-Way. If a subdivision or land development abuts an existing Township and/or State street which has a right-of-way width of less than the required right-of-way width set forth in Section 602.K., the developer shall reserve for future dedication to the Township or Commonwealth, as applicable, that amount of land necessary so that the distance from the centerline of the street to the edge of the right-of-way abutting the proposed development is one-half the right-of-way width set forth in Section 602.K.
 4. Improvement of Existing Streets and Intersections. Where a subdivision or land development abuts an existing Township and/or State street, the developer shall be required to make the following improvements when the improvements are necessary to provide safe and convenient access to the development.
 - a. In cases where a subdivision or land development abuts both sides of Township or State street, the street shall be improved to the width in accordance with Section 602.K.
 - b. In cases where the development abuts only one side of an existing street, the Township may require that only that side of the street be improved.
 5. In lieu of providing improvements to the abutting street, the applicant, if approved by the Board of Supervisors, may provide a "fee in-lieu-of" improvements, as determined by the Board of Supervisors, to be used for roadway improvements whenever said road is upgraded.
- L. Street Construction Specifications. Streets must be surfaced to the grades and dimensions drawn on plans, profiles, and cross-sections submitted by the developer and approved by the Township. Before paving the street surface, the developer must install required utilities and provide subsurface drainage for the streets in accordance with the East Earl Township Storm Water Management Ordinance.

The construction of all streets shall comply with current Township standards and specifications as provided in Appendix 17A and 17B of this Ordinance, based on the construction standards in Pennsylvania Department of Transportation, Form 408.

The Township shall decide if a collector or arterial street is required as direct

result of the construction of the development in which case the developer is responsible for paving the additional width required.

- M. Curbs. Curbs shall be provided on all new streets in subdivisions which average two or more lots or dwelling units per gross acre, parking compounds and access drives in land developments, or within one thousand (1,000) feet of any existing or recorded subdivision or land development having curbs. Curbs shall be constructed in accordance with Appendix 18.
- N. Sidewalks. The Township shall require the installation of sidewalks in all subdivisions and/or land developments where curbing is required. Sidewalks are required to provide access to and/or within a commercial, industrial, or community facility. Sidewalks which are provided as part of such non-residential facilities shall be designed and constructed to service the projected pedestrian needs. All public areas shall be designed barrier free and constructed in accordance with applicable federal and state regulations and standards.
1. Sidewalks shall be of plain concrete four (4) inches thick (six (6) inches at driveways), containing steel mesh of six (6) inches by six (6) inches by fourteen (14) gauge. Upon a properly prepared subgrade, four (4) inches of Penn DOT #2B crushed stone shall be properly compacted using a mechanical tamper. Upon the crushed stone, the sidewalks shall be constructed by pouring concrete in separate slabs thirty (30) feet in length. The slabs shall be completely separated by one-quarter (1/4) inch expansion joint and scored every five (5) feet. The minimum bearing strength shall be three thousand (3,000) pounds per square foot.
 2. Sidewalks shall be located, if possible, within the street right-of-way line, and shall be a minimum of four (4) feet wide except adjacent to shopping centers, schools, parks, recreation areas, and other community facilities, they shall be a minimum of five (5) feet wide. Handicap ramps shall be provided at all intersections and cross walks.
- O. Street signs. Street name signs and traffic control signs shall be installed by the developer at all new street intersections. The design and placement of such signs shall be in accordance with current PennDOT standards and approved by the Township.
- P. Driveways. Driveways shall have the following characteristics:
1. Driveways shall be located as to provide sight distance at intersections with streets and shall not be located within any required clear sight triangle in accordance with Section 602.S.
 2. 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.

3. Only one (1) driveway connection per one hundred (100) feet of lot frontage is permitted; no more than one (1) driveway connection per lot shall be permitted.
4. The Board of Supervisors may limit the number of driveways providing access to collector or arterial streets. The Board may also require the use of shared driveways to provide ingress and egress to two (2) residential units.
5. 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.
6. Driveway access shall be provided to the street of lesser classification when there is more than one street classification involved.
7. All driveways shall be set back at least five (5) feet from any adjacent side or rear lot lines unless a common or joint driveway location is proposed.
8. Driveway location shall be delineated on all land development plans; however, subdivision plans may delineate location or provide a notice of conformity to the East Earl Township Zoning Ordinance.
9. A driveway shall not exceed a slope of eight percent (8%) within twenty (20) feet of the street right-of-way lines.
10. Driveways shall be paved with bituminous concrete or an equivalent stabilized material from the edge of the street cartway to the right-of-way line for the lot, or ten (10) feet, whichever is greater, and be provided in a manner consistent with the design, construction, and storm water drainage of the street.
11. Driveways shall have a minimum width of ten (10) feet for single family dwellings and sixteen (16) feet for shared driveways.
12. Driveways shall be constructed in accordance with Appendix 18.

Q. Access Drives: Access drives shall conform with the following standards:

1. The vertical alignments of access drives shall conform to the specifications for streets, as stated in Section 602.I. of this Ordinance.
2. No more than eight (8) dwelling units/lots shall be accessed by one access drive or series of access drives.
3. The horizontal alignments of access drives shall be measured along the

centerline. Horizontal curves shall be used at all angle changes in excess of two (2) degrees. All curves shall be tangential arcs. The minimum horizontal curve radius shall be seventy-five (75) feet.

4. The number of access drives per lot may not exceed two (2) except where approved by the Board of Supervisors in order to meet exceptional circumstances.
5. All access drive intersections shall be:
 - a. Subject to approval of the Pennsylvania Department of Transportation when intersecting a State road;
 - b. Set back one hundred (100) feet from the intersection of any street right-of-way lines;
 - c. Set back one hundred (100) feet from the intersection of any other access drive located upon the same lot (measured from cartway edges);
 - d. Set back fifteen (15) feet from any side and/or rear property lines; however, this setback shall not be required along one property line when a shared access drive or joint parking is shared by adjoining uses and satisfactory agreements are in place;
 - e. Designed with right angle intersections whenever possible. No access drive intersection shall utilize an angle less than seventy-five (75) degrees unless turning movement restrictions are imposed;
 - f. Rounded by a tangential arc with a minimum radius of twenty (20) feet. The Township may require fifty-five (55) foot radius where truck traffic is anticipated; and
 - g. Provided with a clear sight triangle and sight distance in accordance with Section 602.S. of this Ordinance.
6. Access drives shall not exceed one thousand (1,000) feet in length, measured from the centerline intersection of a street. The terminus of access drives shall incorporate a paved turnaround with a minimum diameter of one hundred (100) feet or a paved parking compound with sufficient turning area.
7. When vehicular parking is prohibited along access drives, the prohibition must be noted on the plan and properly signed along the cartway.
8. The cartway of all access drives shall be constructed according to the local street standards as stated in Section 602.L. Additionally, all work

procedures shall conform to the latest edition of the Pennsylvania Department of Transportation Manual 408.

9. The following table specifies various access drive width requirements:

<u>Function</u>	<u>Required Cartway Width</u>
Two lanes of traffic with on-street parking	36 feet
Two lanes of traffic without on-street parking ¹	24 feet ¹
One lane of traffic with one lane of on-street parking**	20 feet
One lane of traffic without on-street parking**	12 feet

*Off-street parking lots must be provided in accordance with the requirements of the applicable East Earl Township Zoning Ordinance of 1994 and as may be further amended from time to time.

**The one-way direction of traffic must be identified along the cartway.

¹ Access drives that serve less than four (4) residential units can have a cartway width of eighteen feet (18').

R. Street Intersections.

1. Multiple intersections involving the junction of more than two streets are prohibited.
2. The distance between the centerline of streets intersecting at grade with a local street shall be no less than one hundred and fifty (150) feet measured along the centerline of the street being intersected based on the safe stopping distance of a road with a design speed of twenty-five (25) mph.
3. The distance between the centerline of streets intersecting at grade with a collector street shall be no less than three hundred (300) feet measured along the centerline of the street being intersected based on the safe stopping distance of a road with a design speed of forty (40) mph.
4. The distance between the centerline of streets intersecting at grade with an arterial street shall be no less than six hundred (600) feet measured along the centerline of the street being intersected based on the safe stopping distance of a road with a design speed of fifty-five (55) mph.

5. Right angle intersections shall be used whenever possible. No street shall intersect another at an angle of less than seventy-five (75) degrees.
6. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius shown in Appendix 16. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway.
7. Where appropriate, the Board of Supervisors may require additional traffic lanes to facilitate vehicular turning movements at existing or proposed street intersections within or bordering the site.
8. Where curbs and sidewalks are required or provided, clearly marked crosswalks shall be provided at all intersections. Crosswalks may also be required by the Board of Supervisors at other locations to promote the convenience and safety of pedestrian traffic. The design of crosswalks and the materials used shall be consistent with PA DOT 408 specifications.

S. Sight Distance at Street Intersections.

1. Proper safe stopping distance shall be provided with respect to both horizontal and vertical road alignments at all intersections. The sight distance shall be measured from a line ten (10) feet back from the edge of the cartway of the intersected street perpendicular to the centerline of the intersecting street. The sight distance shall be determined by the design speed of the road and the grade of the intersected street in accordance with Appendix 19 using the formula: $D = [1.47Vt + (V^2 / (30 (F + G)))]$ where D=distance, V= speed of the oncoming vehicle in mph, t = the reaction time of the driver, F = the coefficient of friction on the vehicle, and G = grade of the intersected street.
2. At all intersections, sight triangle easements or dedicated right-of-way shall be required and shall include the area on each street corner that is bounded by the line which connects the sight or "connecting" points located on each of the right-of-way lines of the intersecting street. The planting of trees or other plantings or the location of structures exceeding thirty (30) inches in height that would obstruct the clear sight across the area of the easements or right-of-way shall be prohibited. A public right-of-way shall be reserved for the purpose of removing any object, material or otherwise, that obstructs the clear sight. This requirement shall be noted on the Final Plan and shall be included in all deeds for lots which contain an easement. The distances shown in Appendix 20 between the connecting points and the intersection of the right-of-way lines shall be required.
3. All streets intersecting a State route shall be subject to the approval of the

Pennsylvania Department of Transportation.

T. Lot Access.

1. The Board of Supervisors may disapprove any point of ingress or egress to any lot, tract, parcel, or development from any Township road when the proposed ingress or egress would create unsafe conditions, or result in substandard circulation and impaired vehicle movement.
2. The Board of Supervisors may require the applicant to provide ingress and egress to a particular lot or tract through the remainder of the property or other properties over which the applicant has control.
3. In recommending approval of ingress or egress from any State road or highway, the Board of Supervisors can only recommend those access points that are not in conflict with safety standards of the Pennsylvania Department of Transportation. A Highway Occupancy Permit is required for each access point onto a state road or highway.
4. The receipt of a Highway Occupancy Permit does not assume direct approval of the Board of Supervisors. The Board of Supervisors may require the applicant to reapply for a permit if the location of the permit approved access is in conflict with any provision of this Ordinance or if the Board of Supervisors feels the location of the access will hinder the safe and efficient movement on any state road or highway or the proper development of the site. In the event that, after such reapplication, PennDOT refuses to modify the Highway Occupancy Permit to conform with the provisions of this Ordinance, the PennDOT decision shall prevail.

U. Cul-de-sac Streets. Cul-de-sac streets shall conform with the following.

1. Permanent cul-de-sac streets in residential developments shall not exceed a centerline distance of eight hundred (800) feet in length nor be less than two hundred fifty (250) 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 turn-around, and shall generate less than two hundred fifty (250) vehicle trips per day. The latest edition of the ITE Trip Generation Manual shall be used to determine the number of vehicle trips per day projected to use such cul-de-sac street.
2. Permanent cul-de-sac streets in non-residential developments shall not exceed a centerline distance of eight hundred (800) feet in length nor be less than two hundred fifty (250) 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 turn-around, and shall generate less than five hundred (500) vehicle trips per day. The latest edition of the ITE Trip Generation Manual shall be used to determine the number of vehicle trips per day

projected to use such cul-de-sac street.

3. Temporary cul-de-sac streets shall comply with the following:
 - a. Temporary cul-de-sac streets shall not exceed one thousand (1000) 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.
 - b. Any street which is terminated for access to an adjoining property or because of authorized stage development shall be provided with a temporary, fully paved turnaround in accordance with Sections 602.K and 602.L of this Ordinance. The use of such turnaround shall be guaranteed until such time as the street is extended.
 - c. 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.K. The developer who extends a street which has been provided with a temporary turnaround shall remove the temporary turnaround and restore the area of the temporary turnaround.
 - d. All cul-de-sac streets shall be provided with a traffic control sign stating that no outlet exists. Such signs shall comply with all applicable regulations of East Earl Township and the Pennsylvania Department of Transportation.
 - e. The Supervisors may require adequate guarantees and rights-of-way for the full length of the future street which is proposed to connect the temporary cul-de-sac to an existing Township road.

V. Bicycle Paths.

1. Separate bicycle paths shall be provided when such paths are specified as part of an adopted municipal plan or recommended by the Board of Supervisors.
2. The preferred location of bicycle paths is outside the street right-of-way. Bicycle paths, where located along streets, shall be four (4) foot wide per traffic lane, and placed in the outside lane of a roadway, adjacent to the curb or shoulder. When on-street parking is permitted, the bicycle lane shall be between the parking lane and the outer lane of moving vehicles. The lanes shall be delineated with markings, preferably striping, full pavement coloring, pavement markers (dots), or recessed reflectors.
3. Bicycle paths which are located outside the street right-of-way shall be a minimum of eight (8) feet wide. Surface materials shall be either

bituminous mixes, concrete, limestone dust, or an equivalent stabilized material.

4. Gradients of bicycle paths shall not exceed eight percent (8%), except for short distances where the grade shall not exceed fifteen percent (15%).
5. Horizontal alignments of bicycle paths shall be based upon the grade of the path entering the curve. Grades less than five percent (5%) shall maintain a minimum horizontal radius of seventy (70) feet. All other grades shall maintain at least a one hundred twenty-five (125) foot horizontal radius.

W. Carriage Lanes.

1. Separate carriage lanes shall be provided when such lanes are specified as part of an adopted municipal plan or recommended by the Board of Supervisors. When required, carriage lanes shall be located adjacent to the outside travel lane of the street cartway and may be contained within the shoulder. When on-street parking is permitted, the carriage lane shall be located between the outside travel lane and the parking lane.
2. Carriage lanes shall be constructed according to the specifications set forth for streets. Carriage lanes shall be a minimum width of eight (8) feet.

SECTION 603 BLOCKS AND LOTS

- A. 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. Lots with areas that are two or more times the minimum requirements shall, wherever feasible, be designed with configurations which allow for additional subdivision.
- B. Residential Blocks. All blocks in a residential subdivision shall have a maximum length of one thousand five hundred (1,500) feet.
- C. Non-Residential Blocks. Blocks in non-residential areas shall have a maximum length of one thousand five hundred (1,500) feet, however, this may vary when required by the nature of the use. Adequate provisions shall be made for off-street parking, loading areas, and traffic circulation.
- D. Lot and Parcel Configuration.
 1. Lot and parcel configuration shall conform to the Zoning Ordinance.
 2. Whenever practical, side lot lines shall be radial to street lines.

3. 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 municipality standards shall apply.
 4. All lots with a width of sixty (60) feet or more shall contain an average depth not less than one-half (1/2) of the average width and not more than four (4) times their width provided that the minimum average depth shall not be less than seventy-five (75) feet. All lots with a width less than sixty (60) feet shall contain an average depth not less than seventy-five (75) feet except for those lands located within the Conservation Open Space or Agricultural Districts.
 5. All lots shall front on an approved public or private street and maintain a minimum lot frontage at the building setback line and street right-of-way.
 6. Double frontage lots are prohibited except where provided as reverse frontage lots. Reverse frontage lots are only permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired. All reverse frontage lots shall include an identification of the frontage for use as a road access. All single family reverse frontage lots shall have a rear yard with a minimum depth of seventy-five (75) feet and a planted buffer basement of at least ten (10) feet in width located immediately contiguous to the street right-of-way. Vehicular access shall be prohibited from the rear of the reverse frontage lots.
 7. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.
- E. Lot Size and/or Intensity. All lot sizes shall conform to the Zoning Ordinance.
- F. Flag Lots. Flag lots shall not be created when lots can be designed that directly access a public or private street. The Board of Supervisors at its sole discretion may approve the plotting of a limited number of flag lots when:
1. The flag lots are being used for infill situations in which a "court" is being created by placement of two flagpoles side-by-side and up to four homes are oriented to a common street easement running over the flagpoles.
 2. The flag lot is being created to serve one homesite in the back of an existing tract of land where there is no potential of street access to the proposed lot.
 3. The flag lot is the result of the division of agricultural land to create an additional building site on the least suitable portion of the property for continued agricultural use.

4. The flag lot is the result of the division of conservation or open space land to create an additional building site which will have minimal impact on the conservation or open space land.
5. No more than two continuous flag lots shall be permitted.
6. The "flagpole" or access portion of the flag lot shall maintain a minimum width of twenty-five (25) feet. The area of the flagpole shall not be included with the area of the "flag" or the body of the lot in satisfying the Township zoning standards for minimum lot size.
7. For the purposes of establishing minimum front yard setbacks, the end of the flagpole section shall be considered as the front lot line from which setbacks are measured.
8. The Board of Supervisors may attach any reasonable conditions to the creation of flag lots as it finds necessary or desirable to provide for the safe and orderly development of land and street systems.

SECTION 604 BUILDING SETBACK LINES AND BUILDING SEPARATION

- A. A building setback line shall be provided along each street and private street. The area in front of the building setback line shall be preserved from structural development.
- B. The distance to the building setback line shall be measured from the front lot line and shall conform to the Zoning Ordinance. Setback lines on private streets shall conform to the required local street setback requirements per the Zoning Ordinance.
- C. In the case of corner lots, the setback from each adjacent street shall apply.
- D. All building separations and height requirements shall conform to the Zoning Ordinance.

SECTION 605 EASEMENTS

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

- A. To the fullest extent possible, easements shall be adjacent to property lines.
- B. 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. This requirement shall be noted on the final plan and shall be included in all deeds for lots which contain an easement.

- C. Pedestrian easements shall have a minimum width of ten (10) feet.
- D. Utility easements shall have a minimum width of twenty (20) feet, and all utility companies are encouraged to use common easements.
- E. The applicant shall reserve easements where storm water or surface water drainage facilities are existing or proposed. 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) clearly identify who has the right-of-access and responsibility of maintenance. This requirement shall be noted on the final plan and shall be included in all deeds for lots which contain an easement.
- F. Where any petroleum, petroleum product, electric or natural gas transmission line traverses a subdivision or land development, 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. Additionally, the Board of Supervisors will require, with the final plan application, a letter from the owner of the transmission line stating any conditions on the use of the tract which shall contain the above. In no instance shall any buildings or dwellings be placed within seventy five (75) feet of any portion of such right-of-way.

SECTION 606 SURVEY MONUMENTS AND MARKERS

- A. Permanent stone or concrete monuments shall be accurately placed along at least one side of each street at the beginning and end of all curves and at all angles.
- B. Markers shall be set at the points where lot lines intersect curves and/or other property lines.
- C. Monuments shall be concrete, with a flat top having a minimum length of thirty (30) inches. Cast-in-place or precast concrete monuments shall be marked with center punch mark in a three-quarter (3/4) inch copper or brass dowel. Metallic markers shall consist of Copperweld bars at least thirty (30) inches long and not less than three-quarters (3/4) of an inch in diameter. Alternative monumentation methods will be at the discretion of the Township Engineer. All monuments shall be inscribed with a proper inscription indicating the name of the surveyor responsible for the survey.
- D. All monuments and markers shall be placed by a registered engineer or surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being monumented or marked.

- E. All existing and proposed monuments and lot line markers shall be delineated on the final plan.

SECTION 607 STORM WATER MANAGEMENT AND FLOODPLAIN CONTROLS

All storm water management, collection, conveyance, erosion control and floodplain considerations shall be accomplished in accordance with the provisions of the Township Storm Water Management Ordinance as well as the following:

- A. Erosion and Sedimentation. All development applications which involve grading or excavation shall conform to the requirements of Chapter 102 of the regulations of the Department of Environmental Protection, as amended from time to time. It shall be the responsibility of the applicant to secure all approvals required by the Department of Environmental Protection, and approval of plans by the Board of Supervisors shall not be construed as approval under any regulation of the Department of Environmental Protection or other regulatory body.
- B. Floodplains. Floodplain areas shall be established and preserved as provided by the more restrictive requirements of Article XVII of the Township Zoning Ordinance or as provided below:
 - 1. A one hundred (100) year floodplain shall be established for all watercourses and shall be delineated by one of the following methods:
 - a. A hydrologic report prepared by an individual registered in the Commonwealth to perform such duties.
 - b. A hydrologic report prepared by an agency of the County, state or federal government.
 - 2. Whenever a floodplain is located within or along a lot, the plan shall include: a) the boundary of the floodplain and the elevation or locational dimensions from the centerline of the watercourse; b) a plan note that the floodplain shall be kept free of structures, fill and other encroachments; and c) a plan note that floor elevations for all structures adjacent to the floodplain shall be two (2) foot above the 100 year flood elevation. The foregoing shall not be construed as a prohibition of the following uses and structures, provided such uses and structures are in compliance with Paragraph 3 below and all other requirements of this Ordinance and the East Earl Zoning Ordinance:
 - a. Storm water management facilities.

- b. Stream improvements whose sole purpose is to improve aquatic life habitat and which are approved by the Pennsylvania Fish Commission.
 - c. Farm ponds.
 - d. Flood-proofing and flood hazard reduction structures to protect existing buildings.
 - e. Public and private utility facilities, except buildings.
 - f. Water-oriented uses (except buildings) such as docks, piers, boat launching ramps, and hatcheries.
 - g. Water monitoring devices.
 - h. Culverts, bridges and their approaches for floodplain crossings by streets, alleys and driveways.
3. Plans for any of the uses and structures listed in Paragraph 2 above shall be incorporated into the design plans and shall be subject to approval by the Board of Supervisors. The plans shall demonstrate that the proposed uses or structures do not increase the height or the frequency of floodplain water; allow the unrestricted passage of floodplain water; are installed so as to withstand the maximum volume, velocity and force of the floodplain water; are flood and flotation proof; do not create unhealthy or unsanitary conditions; do not degrade the quality of surface or ground water; and do not violate the provisions of the Zoning Ordinance.
 4. The inclusion of a floodplain within lots in order to meet the minimum lot area and/or yard requirements shall be permitted, provided each such lot contains sufficient area exclusive of the floodplain for buildings and, when applicable, on-lot sewage system.
 5. It is recommended that the five hundred (500) year floodplain corridor be identified on plans and that any structures located between the one hundred (100) and five hundred (500) year floodplain be floodproofed to the limits of the five hundred (500) year floodplain corridor.

SECTION 608 STREET TREES

A. Street Trees. Street trees shall conform to the following standards:

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.

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.
3. The trunk diameter, measured at a height of six (6) feet above finished grade shall be a minimum of two and one half (2-1/2) inches.
4. Trees shall be planted between the street right-of-way line and the building setback line except where the Township has authorized placement of trees within the street right-of-way. The tree growth shall not interfere with the street cartway, sidewalk, utility line, or clear sight triangle.
5. All planting shall be performed in conformance with good nursery and landscape practice.
6. Requirements for the measurements, branching, grading, quality, balling, and 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.
7. One (1) street tree shall be provided for each building containing two (2) or fewer dwelling units and two (2) trees for buildings containing three (3) or more dwelling units.
8. A minimum of one (1) street tree shall be provided for each residential lot, and spaced not fewer than forty (40) feet nor more than sixty (60) feet apart along the entire length of each existing or proposed street. In commercial and industrial zoning districts street trees shall be provided and spaced not fewer than forty (40) feet nor more than sixty (60) feet apart along each street frontage.
9. Proposed street tree locations shall be identified on a plan to be provided to the Township and approved by the Board of Supervisors.
10. Street trees may be one of the following species:

Acer rubrum cultivars	Red Maple
Acer saccharum	Sugar Maple
Aesculus x cornea	Red Horsechestnut
Cladrastus lutea	American Yellowwood
Fraxinus pennsylvanica	Green Ash
Gleditsia triacanthos inermis	Thornless Honey Locust
Ginkgo biloba	Maidenhair Tree (male only)
Liquidambar styraciflua	Sweet Gum
Nyssa sylvatica	Black Tupelo
Ostrya virginiana	Hop Hornbeam

Quercus acutissima
Quercus coccinea
Quercus palustris
Quercus phellos
Quercus rubra
Tilia cordata
Tilia x euchlora
Tilia tomentosa
Ulmus parvifolia
Zelkova serrata

Sawtooth Oak
Scarlet Oak
Pin Oak
Willow Oak
Red Oak
Littleleaf Linden
Crimean Linden
Silver Linden
Lacebark Elm
Japanese Zelkova

Other tree species may be used provided acceptable information is submitted to indicate that the species are hardy street trees.

SECTION 609 GROUND COVER

- A. 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 maintained vegetative growth.

SECTION 610 SANITARY SEWAGE DISPOSAL AND WATER SUPPLY

- A. DEP Planning Requirements. As required by DEP, sewage facilities planning approval is required for all subdivisions and all projects on existing lots that propose sewage flows of 800 gallons per day or more. Such approval shall be in the form of a DEP-approved Planning Module for Land Development or a Form B Non-Building Waiver. The Township shall require evidence of such DEP planning approval prior to the final plan approval or the Board of Supervisors may, at its discretion, condition the approval of the final plan that such DEP approval be obtained.
- B. Sanitary Sewage Disposal. The applicant shall be required to connect to the public sewer system in accordance with the East Earl Sewer Authority provisions.
1. The applicant shall provide the type of sanitary sewage disposal facility consistent with the Planning Module for Land Development.
 2. The final plan application shall include a statement from the East Earl Sewer Authority indicating the approval of the plans for design, installation and required financial security.
 3. The sewerage installation shall be in accordance with the specifications of the East Earl Sewer Authority. The East Earl Sewer Authority shall establish requirements for the ownership and maintenance of such system.
- C. On-Lot Sewage Disposal. 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 Protection, as amended. Approval shall be received from the Township Sewage Enforcement Officer of the proposed system prior to final plan approval.

D. Public Water Supply. The applicant shall connect to the existing public water system if the proposed subdivision or land development is located within the existing service area boundaries as delineated in the East Earl Township Act 537 Plan. All public water supply systems shall comply with the following:

1. The locations and kind of fire hydrants shall be in accordance with the specifications of the Authority in concert with the local fire department thread requirements. Fire hydrants shall be located at street intersections no more than ten (10) feet from the curb. All fittings shall be National Standard threads. The large fitting shall face the street and be a minimum of sixteen (16) inches above the ground level. A copy of the approval of such system by the Authority shall be submitted.
2. The final plan application shall include a statement from the Authority indicating the approval of the plans for design, installation, and required financial security.
3. The installation and construction shall be in accordance with the specifications of the Authority. The Authority shall establish requirements for the ownership and maintenance of such system.
4. All components of the water supply system shall comply with the minimum horizontal isolation distances established by Pennsylvania Code Title 25, Chapter 73, Section 73.13.

E. Individual Water Supply. Where an 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. Individual water supplies shall comply with the minimum horizontal isolation distances established by Pennsylvania Code Title 25, Chapter 73, Section 73.13.

F. Aquifer Test Required. Prior to the subdivision of land into lots which would be served by individual wells in areas or in proximity to areas of known groundwater contamination or inadequate yields of potable supplies, aquifer and water quality tests shall be performed. Areas of known groundwater problems shall be mapped and such information shall be maintained in the offices of the Township.

1. Areas of known groundwater problems shall include:

- a. Areas underlain by serpentinitic or schistostic geologic formations.
 - b. Areas in proximity (one (1) mile) of sinkholes, ghost lakes, or drainage entering the ground.
 - c. Contaminated aquifers, including designated clean-up sites.
 - d. Other areas with documented water quantity or quality problems, including pollutants in excess of federal safe drinking water standards.
2. Aquifer Test Standards and Procedures. No person shall develop land within an area of known groundwater quantity problems without administering and passing on said land the aquifer test required by this Section in compliance with the following objectives, standards, methods and procedures:
- a. Test Objective. The objectives of an aquifer test shall be one or more of the following:
 - (1) To obtain sufficient data for the calculations of aquifer performance, including the coefficients of transmissibility and storage, permeability, and specific yield.
 - (2) To determine the location and character of geologic boundaries.
 - (3) To ascertain the effects of well interference.
 - (4) To provide a guide in the spacing of wells for the development of well field.
 - b. Test Standard. The aquifer test shall establish that the proposed well is capable of supplying potable water at the minimum rate of four hundred (400) gallons per day per unit of occupancy at a demand rate of not less than eight (8) gallons per minute for one (1) hour, either with or without the use of a storage system.
 - c. Test Supervision and Evaluation. The aquifer test shall be conducted under the supervision of a qualified geologist or professional engineer, using testing procedures hereinafter set forth. The geologist or engineer shall be responsible for notifying the Township five (5) working days prior to the start of the test. He or she will also summarize the test and its significance and make recommendations as to the suitability of the well or wells for the intended uses. The final report of the supervising person shall include an opinion as to whether the proposed use of the well will

have an impact upon other existing wells in the immediate surrounding area. The supervising person shall provide the Township with a copy of all field notes and test results.

- d. Test Method. The method for conducting the aquifer test shall be as follows:

An aquifer test shall be conducted for a minimum of twelve (12) hours at a constant rate of pumping. The pumped well shall be the one proposed for the specific subdivision or land development for which the test is conducted. Two (2) observation wells which have hydraulic continuity with the pumped well are required. The preferred method of analysis of the aquifer test data is the nonequilibrium formula, although other methods are available and may be used. These include various methods of analysis of either the drawdown or recovery data.

- e. Collection of Data. Data shall be collected in conjunction with the aquifer test as follows:

- (1) Prior to the test:

- (a) Collection of geologic data of the area to be tested including well logs, if available.
- (b) History of water level fluctuations in the area when available.
- (c) The location, relative elevations and static water levels in the pumped well and the observation well or wells.
- (d) The expected discharge of the pumped well.

- (2) During the test: A standard aquifer test field data sheet will be required for a pumped well and each observation well. The data sheet shall include columns for listing:

- (a) The date.
- (b) Clock time.
- (c) Elapsed time since pumping started/stopped (in minutes + seconds).
- (d) Depth to water below land surface.
- (e) Drawdown or recovery (in feet) + 10ths.
- (f) Observed discharge at specified intervals.

- (3) Following the test:

In accordance with recognized principles of well hydraulics, graphs shall be prepared to show time drawdown and time

recovery for the pumped well and the observation wells. A distance drawdown graph will be required for anticipated rates of pumping. Computation of the coefficients of transmissibility and storage as well as the rate of pumping, time and drawdown are required as well as other data which may be considered necessary to satisfy the test objectives.

- G. Water Quality Test. No person shall develop land within an area of known groundwater quality problems without conducting a water quality test. In addition, a water quality test shall be conducted concurrently with any aquifer test required in Section 610.F of this Ordinance. Such tests shall be conducted by a certified laboratory. The quality of the water tested shall meet the minimum public health drinking water standards set forth in the National Safe Drinking Water Regulations of the Environmental Protection Agency as it presently exists or may hereafter be amended, or be capable of treatment to attain said standard of quality. No person shall divide or use land unless the water to be supplied by the proposed water system meets the minimum standards set forth herein.
- H. Criteria For a Request of Exemption. A proposed land development or subdivision which intends to use a groundwater source to supply water to the property may be exempted from these requirements by the Township Board of Supervisors if one or more of the following criteria are satisfied:
1. The proposed project is located one quarter (1/4) mile or less in the same geologic unit, from a previous aquifer test, within the past two (2) years, and the previous test showed transmissibility (T) values greater than one thousand (1,000).
 2. The proposed project has had two (2) aquifer tests on different sides of the proposed project within one-half (1/2) mile in the same geologic unit within the past two (2) years, with "T" values greater than one thousand (1,000).
 3. The proposed land development or subdivision is recommended for exemption by a qualified geologist based upon certified hydrogeological information.
 4. If Section 610.G applies to the proposed project and the documented water problem relates to quality and not quantity, then the aquifer test may be exempted. However, a water quality test must be conducted.

SECTION 611 EMERGENCY ACCESS REQUIREMENTS

All subdivisions or land developments containing twenty-five (25) or more dwelling units, or non-residential buildings containing twenty thousand (20,000) or greater square feet of gross floor area shall be provided with at least two (2) separate and distinct means of access to the subdivision or land development.

- A. Access may be provided through the location of two (2) or more public or private streets, each of which intersects with an existing public street. Such public or private streets shall meet all the requirements of this Ordinance concerning design and construction.
- B. Access for a land development may be provided through two (2) or more driveways into the land development. Such driveways shall be separated by a distance of at least one hundred fifty (150) feet and shall comply with all requirements of this Ordinance.
- C. If the applicant is unable to provide access to the subdivision or land development through two (2) or more public or private streets each of which intersect with an existing public street, an emergency access shall be provided.
 - 1. The emergency access shall be improved so that emergency vehicles may safely transverse it and shall be indicated on the plans.
 - 2. The emergency access shall be acceptable to the providers of emergency services within the Township. Applicants proposing to provide emergency access shall submit evidence of such approval.
 - 3. The emergency access may be located so that access to the subdivision or land development is gained from a public street at a location unsuitable for regular access with an existing public street.
 - 4. The emergency access may be located so that access is gained from an adjacent tract. For example, a subdivision or land development adjoining a parking lot of another use may provide emergency access through a point with a break chain. Applicants with plans indicating emergency access through an adjoining private tract shall provide evidence that the adjoining property owner has consented to such emergency access location.

SECTION 612 LIGHTING

- A. Lighting for highway safety shall be provided at entryways to commercial and industrial land developments, and in parking lots adjacent to public streets.
- B. Lighting shall be provided in accordance with an illumination plan designed by Pennsylvania Power & Light or in conformance with the EIS Lighting standards contained in Appendix 23.
- C. Spacing of standards shall be equal to approximately four times the height of the standard.
- D. The maximum height of standards shall not exceed the maximum building height

permitted, or twenty-five (25) feet, whichever is less.

- E. The height and shielding of lighting standards shall provide proper lighting without hazard to drivers or nuisance to residents, and the design of lighting standards shall be of a type appropriate to the development and the municipality.
- F. Spotlights, if used, shall be placed on standards pointing toward the buildings and positioned so as not to blind the residents, rather than on the buildings and directed outward which creates dark shadows adjacent to the buildings.

ARTICLE VII

MOBILE HOME PARK REGULATIONS

SECTION 701 PUBLIC WATER SUPPLY

All mobile home parks shall be connected to a public water supply when available. Mobile home parks unable to connect to a public water supply shall have an adequate potable water supply provided to all dwellings within a mobile home park. The mobile home park shall be served by one (1) central water supply as defined by this Ordinance. Such systems shall be installed according to the requirements and standards of the Pennsylvania Department of Environmental Protection (DEP). In addition to such requirements, the water distribution system shall be constructed in accordance with the following:

- A. Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position.
- B. The water-riser pipe shall extend at least four (4) inches above ground elevation. The pipe shall be at least three-fourth (3/4) inch. The water outlet shall be capped when a mobile home does not occupy the lot.
- C. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
- D. A shut-off valve below the frost line shall be provided near the water-riser pipe of each mobile home lot.
- E. Underground stop and waste valves shall not be installed on any water service.

SECTION 702 PUBLIC SEWERS AND REQUIRED EVALUATION

Mobile home parks shall be served by a public sewer system designed, constructed and maintained in accordance with the applicable regulations of the Pennsylvania Department of Environmental Protection and design standards of the East Earl Township Sewer Authority. If the public sewer system is privately owned, the owner of the mobile home park shall prepare an evaluation of the various sewage disposal alternatives which addresses the following and shall provide financial assurances for the repair or replacement of the privately-owned system.

- A. The cost of extending existing public sewers to the site. This shall address the length of the extension, potential methods of conveyance, and the ability of the existing public sewer system to accommodate flows from the site.

- B. The cost of the privately-owned public sewer system, including installation, operation, and maintenance costs, in comparison to the costs associated with the extension of existing sewer lines to the site. This shall also provide adequate justification for the selection of the privately-owned public sewer system.

All mobile homes and service buildings shall include the use of water or toilet facilities shall be connected to an approved sewerage system. Individual sewer-riser pipes having at least a four (4) inch diameter shall be located on each mobile home stand and shall extend at least one (1) inch above ground level. Provisions shall be made for sealing the sewer riser pipe with a securely fastened plug or cap when the mobile home is unoccupied.

Adequate provisions shall be made to protect sanitary sewers from storm water infiltration and leakage.

SECTION 703 REQUIRED APPROVALS OF PUBLIC SEWER SYSTEM

All public sewer systems require approval and permitting by the Pennsylvania Department of Environmental Protection. In addition, the design of a privately-owned public sewer system for a mobile home park shall be subject to the approval of the East Earl Township Board of Supervisors following the review of the design by the Township Engineer. The design of a public sewer system which represents an extension of an existing public sewer system, owned and operated by a municipal authority, shall be subject to the approval of the applicable municipal authority following the review of the authority's engineer.

SECTION 704 SETBACK AND SEPARATION DISTANCES FOR MOBILE HOME, ACCESSORY AND SERVICE STRUCTURES

Setback and separation distances as defined in the current Township zoning shall be met. All service buildings and accessory buildings such as patios, porches, awnings, and decks shall not be located within any required front, side, or rear yard as defined in the current Township Zoning Ordinance. The minimum setback from a public road to a mobile home, mobile home service or accessory building and off-street parking facility shall be fifty (50) feet. The setback shall be determined from the right-of-way line of the public road.

SECTION 705 SCREENING

All mobile home parks shall be screened from view of all adjacent properties from ground level to a minimum height of six (6) feet. Such screening may consist of an earthen berm or evergreen plantings with trees having a minimum size of six (6) feet in height at the time of planting. Such screening shall be provided along the interior portion of a perimeter landscape buffer with a minimum width of fifty (50) feet.

SECTION 706 FOUNDATIONS FOR MOBILE HOMES

Each mobile home shall be set upon and securely fastened to a hard-surfaced mobile home stand with a foundation of block or concrete, with concrete footings extending at least thirty-six (36) inches below finished grade. The foundation shall not heave, shift or settle unevenly because of frost action, inadequate drainage, vibration or other forces acting on the superstructure. Each mobile home stand shall be equipped with properly designed utility connections.

SECTION 707 ANCHORING OF MOBILE HOMES

The mobile home foundation shall be provided with devices for anchoring the mobile home to the foundation to prevent the overturning or uplifting of the mobile home. Anchoring devices shall be in the form of anchor bolts, auger anchors, or cable which are of adequate size and material to prevent such forces and shall be fastened securely to the base frame of the mobile home. If auger anchors are utilized, a minimum of six (6) auger anchors shall be utilized. If anchor bolts or cable are utilized, they shall be anchored to the footing with adequate anchor plates or hooks.

SECTION 708 SKIRTING

Skirting shall be provided between the mobile home and the finished grade around the entire base of each mobile home and shall be comprised of the same color and material as the mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

SECTION 709 MOBILE HOME PARK ROADS AND PARKING SPACES

Interior mobile home park roads shall provide access to all mobile homes. Each mobile home lot shall abut on a park road with access to such road. All roads located within mobile home parks shall remain private and shall be maintained by the mobile home park operator or owner. All roads and parking spaces within the mobile home park, and providing access to the mobile home park, shall be macadam blacktop, well drained, and clearly marked. Such roads shall be at least twenty-four (24) feet wide and shall be constructed to comply with the pavement specifications for current Township standards for Local Streets. If on-street parking is provided, such minimum widths shall be increased by 10 feet for each lane of parking. On-street parking lanes shall be of the same material as the abutting road. There shall be a minimum grade of 0.75 percent and a maximum grade of ten (10) percent on all mobile home park roads.

SECTION 710 PARKING

Adequate paved parking spaces shall be provided to accommodate residents, guests, and employees of the mobile home park according to the following requirements:

- A. A minimum of two (2) parking spaces per mobile home space shall be provided

within, or adjacent to, each mobile home space.

- B. A minimum of one (1) visitor space shall be provided for every three (3) mobile home spaces (or fraction thereof). All visitor parking spaces shall be located within 200 feet of the mobile home spaces which are to be served.
- C. Mobile home park offices shall have a minimum of two (2) visitor spaces and one (1) space for every employee working the largest shift.
- D. Direct driveway access from a mobile home lot to existing or proposed public streets shall not be permitted but shall be by way of an internal mobile home park street.
- E. All parking spaces shall be independently accessible from the private road within the mobile home park.

SECTION 711 SIDEWALKS

Each mobile home lot shall have a sidewalk with a minimum width of three (3) feet extending from the mobile home to the parking spaces provided on, or adjacent to the mobile home space. Such walks shall be constructed of an all-weather material.

SECTION 712 BUILDING PERMITS REQUIRED

The owner of the mobile home park shall make certain that building permits are obtained prior to the construction or placement of all structures on the premises.

SECTION 713 IMPERVIOUS SURFACES

The total area of all impervious surfaces shall not exceed sixty (60) percent of the gross area of the mobile home park.

SECTION 714 ELECTRICAL DISTRIBUTION SYSTEM

Every mobile home park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with local electrical power company specifications regulating such systems.

- A. Power Distribution Lines.
 - (1) All power lines shall be placed underground at least eighteen (18) inches below the ground surface and shall be insulated and specifically designed for such installation. Such lines shall be located not less than one (1) foot from any other utility lines, facility or installation.
 - (2) Meter poles shall have a maximum height of six (6) feet.

- B. Individual Electrical Connections. Each mobile home lot shall be provided with an approved disconnecting device and over current protective equipment. The minimum service per outlet shall be 120/240 volt AC, 200 amperes.
- C. Required Grounding. Each mobile home connection to this electrical distribution system shall be inspected by an approved underwriters' electrical agency and shall be grounded in accordance with the electrical power company specifications and the National Electric Code prior to the electric power being energized. All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved ground conductor run with branch circuit conductors or other approved method of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

SECTION 715 FUEL SUPPLY AND STORAGE

- A. Natural Gas System.
 - (1) Natural gas piping systems when installed in mobile home parks shall be maintained in conformity with the specifications of the gas company serving the area.
 - (2) Each mobile home lot provided with piped gas shall have an approved shut off valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.
- B. Liquefied Petroleum Gas Systems. Liquefied petroleum gas (LPG) systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with any applicable rules and regulations and shall include the following:
 - (1) Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
 - (2) Systems shall have at least one (1) accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.
 - (3) All LPG piping located outside of the mobile home shall be well supported and protected against mechanical injury.
 - (4) Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely but not permanently fastened to prevent accidental overturning.

- (5) No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure unless such installations are specially approved by the authority having jurisdiction.

C. Fuel Oil Supply Systems.

- (1) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall be installed and maintained in conformity with any applicable rules and regulations.
- (2) All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently fastened in place.
- (3) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shut-off valves located within five (5) inches of storage tanks.
- (4) Storage tanks located in areas subject to traffic shall be protected against physical damage.

SECTION 716 OTHER UTILITIES

Any other utility, such as telephone or cable, servicing a mobile home park shall be installed underground, as applicable, and maintained in accordance with the respective utility company specifications regulating such systems.

SECTION 717 SERVICE BUILDINGS AND FACILITIES

The following requirements shall apply to service buildings, recreation buildings and other community service facilities as follows:

A. Facilities.

- (1) Every mobile home park shall have a structure clearly designated as the office of the mobile home park manager.
- (2) Service and accessory buildings located in a mobile home park shall be used only by the residents and employees of the mobile home park.

B. Structural Requirements for Buildings.

All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. Exterior portions shall be of such materials and be so constructed as to prevent entrance or penetration of moisture and weather.

SECTION 718 REFUSE HANDLING

The storage, collection and disposal of refuse in the mobile home park shall be the responsibility of the mobile home park owner or manager and shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with all applicable Township and State regulations. Provisions shall be made by the mobile home park operator to have garbage and waste collected at least once every week, and shall be deposited at an approved disposal site.

SECTION 719 INSECT AND RODENT CONTROL

Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall comply with all applicable Township, State, and Federal regulations.

SECTION 720 FIRE PROTECTION

- A. Local Regulations. The mobile home park area shall be subject to any local fire protection rules and regulations.
- B. Litter Control. Mobile home park areas shall be kept free of litter, rubbish and other flammable materials.
- C. Fire Extinguishers. Portable fire extinguishers of a type approved by the fire prevention authority shall be kept in public service buildings under mobile home park control and a sufficient number shall be maintained throughout the mobile home park in readily accessible and well marked positions.
- D. Fire Hydrants.
 - (1) If public water is provided to the mobile home park, the water supply and fire hydrants shall provide fire protection in accordance with the standards of the National Fire Protection Association.
 - (2) Adequate water capacity for fire protection shall be stored within, or immediately adjacent to, the mobile home park.
 - (3) Fire hydrants shall be located within six hundred (600) feet of any home, service building or other structure in the mobile home park, and shall be installed in accordance with all applicable Township specifications.
 - (4) The mobile home park management shall give the Township Zoning Officer or other authorized Township representative free access to all mobile home lots, service buildings and other community service facilities

for inspection purposes.

SECTION 721 OTHER USES

No part of the mobile home park shall be used for a nonresidential purpose, except such uses that are specifically required for the direct servicing and well being of mobile home park residents, for management and maintenance of the mobile home park, or those uses permitted by the East Earl Township Zoning Ordinance.

SECTION 722 OUTDOOR LIGHTING

All mobile home parks shall be furnished with outdoor lighting units which do not produce an objectionable glare on adjacent properties. Such lighting units shall be spaced and equipped with luminaries placed at mounting heights which will provide illumination for the safe movement of pedestrians and vehicles at night including:

all parts of the mobile home park road system and

potentially hazardous locations, such as major street intersections of steps or step ramps.

SECTION 723 CONTENTS OF LAND DEVELOPMENT PLAN FOR MOBILE HOME PARKS

The land development plan for a mobile home park shall demonstrate compliance with the provisions of this Ordinance and shall clearly indicate the location and maximum mobile home dimensions for each lot.

SECTION 724 APPROVAL OF MOBILE HOME PARK

The Township shall not issue any building permits within the mobile home park until the applicant has secured all necessary approvals from the Township, the Pennsylvania Department of Environmental Protection, and any other applicable agencies, and the applicant has demonstrated full compliance with this Ordinance to the satisfaction of the Board of Supervisors.

SECTION 725 LICENSE REQUIRED

On or after the effective date of this Ordinance, no person shall operate a mobile home park or establish a mobile home park in the Township, except as authorized by this Ordinance and only after having obtained a license for the operation of mobile home park in accordance with this Ordinance and obtaining all other approvals required by applicable ordinances, including but not limited to zoning and subdivision and/or land development approval.

SECTION 726 APPLICATION FOR LICENSE

Application for a license to operate a mobile home park shall be made in writing by any mobile home park operator under oath and in the form prescribed by the Board of Supervisors of the Township and shall contain the name and address of the applicant. The application shall also contain the address and description of the premises upon which the mobile home park is to be operated; the names and addresses of any owner or owners of said property, if other than the applicant; any structures erected on the premises; and a description of the operation plan for said mobile home park. If the applicant is partnership or association, the application shall furnish the names and addresses of all partners. If the applicant is a corporation, the application shall furnish the names and addresses of each officer and director thereof. The application shall be signed by the applicant, if the applicant is an individual; by all members of the association or partnership, if the applicant is an association or partnership; or by the president and attested by the secretary, if the applicant is a corporation.

SECTION 727 NONTRANSFERABILITY

No license under this Ordinance shall be transferred or assigned or used by any person other than the one to whom it was issued, and no mobile home park operator's license shall be issued at any location other than the one prescribed in the application upon which it is issued.

SECTION 728 LICENSE FEE

Any mobile home park operator shall pay an annual license fee as established by the then current fee schedule established by resolution of the Board of Supervisors. All licenses shall be valid for a term of one (1) year from the date of issuance. A license may be renewed under the provisions of this Ordinance for additional periods of one year each pending an onsite inspection by a designated representative of East Earl Township. The license fee must be paid for each year that the license is renewed.

SECTION 729 REVIEW AND ISSUANCE OF APPLICATION, APPEAL UPON DENIAL

- A. Upon receipt of an application, the Board of Supervisors shall review the license application and operation plans contained therein to determine if the requirements of this Ordinance are met. The Board shall determine additionally whether any outstanding notices of violation of Township ordinances exist. No license shall be granted or renewed unless:
- (1) The application and operational plans are in compliance with this Ordinance.
 - (2) The applicant has received all required zoning and subdivision and/or land development approvals.

- (3) The applicant has received all approvals required from the Department of Environmental Protection.
 - (4) The applicant does not have outstanding violations of other Township codes or ordinances.
- B. Any person who has been denied a license or whose license has been suspended or revoked may appeal the denial, suspension or revocation to the Board of Supervisors. Such appeal shall be made in writing within ten (10) days after such decision has been made. The appeal shall be verified by an affidavit and shall be filed with the Township Secretary. The appellant or his representative shall have the right to appear and be heard, if such right is requested in the written appeal. The appeal shall be accompanied by the appeal fee established by resolution of the Board of Supervisors, and no appeal shall be considered complete without payment of the appeal fee. A prompt decision on such appeal shall be made by the Board of Supervisors.
- C. If the application for a license to operate a mobile home park is granted, the Township Zoning Officer shall issue a license to the applicant designating the name of the mobile home park operator, the address of the mobile home park and the applicable dates of the license.

SECTION 730 POSTING OF LICENSE

All mobile home park licenses and Article VII, Mobile Home Park Regulations, of this Ordinance shall be conspicuously posted in the Park Manager's office.

SECTION 731 MOBILE HOME PARK OPERATION

The owner and/or operator of a mobile home park shall be responsible for the maintenance of such mobile home park. Such maintenance shall include but not be limited to:

- A. Maintaining at all times a register of all occupants which shall be open to inspection by the officers or agents of the Township and shall be provided to the Township Secretary twice a year no later than December 31 and June 30. Such register shall contain the following information as a minimum:
- (1) The name and prior address of the occupant and the name and forwarding address for prior occupants.
 - (2) The date of entrance and departure.
 - (3) The lot number upon which the mobile home is or was located.
 - (4) The State license number of such mobile home and of the vehicle towing

the same.

- B. Maintaining the mobile home park in a clean, orderly and sanitary condition at all times.
- C. Ensuring compliance with all provisions of this Ordinance and reporting to the Township any violations of this Ordinance.
- D. Requiring residents of the mobile home park to prevent the running at large of dogs, cats or other animals.
- E. Requiring the installation of smoke detectors in all mobile homes within the mobile home park and taking all steps necessary to ensure compliance with this provision.
- F. Prohibiting the burning of trash or rubbish within the mobile home park.
- G. Prohibiting the use of any mobile home by a greater number of occupants greater than that which it is designed to accommodate.
- H. Prohibiting the parking of any mobile home for use as living quarters if said mobile home does not contain a minimum of five hundred (500) square feet of floor space.
- I. Maintaining control of rodents, vermin, insects and other pests in all common areas and requiring all mobile home park residents to maintain their mobile homes and mobile home lots in a manner that will control rodents, vermin, insects and other pests.
- J. Preventing disorderly conduct or the violation of laws or ordinances within the mobile home park and immediately reporting to the Township any violation of laws or ordinances.
- K. Ensuring that all ground surfaces are paved, covered with solid material or protected with vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
- L. Maintaining the grounds of the mobile home park free of vegetative growth which is poisonous or which may harbor rodents, insects harmful to humans or other pests harmful to humans.
- M. Ensuring that the roads within the mobile home park are accessible to emergency vehicles at all times and enforcing the parking of the vehicles of all residents, employees, and visitors of the mobile home park.

SECTION 732 REMOVAL OF MOBILE HOMES

No mobile home shall be removed from the Township without first obtaining a permit

from the East Earl Tax Collector, as required by Act No. 54, 1969, of the Pennsylvania General Assembly. Such permit shall be issued upon payment of a fee established annually by the Board of Supervisors and real estate taxes assessed against the home and unpaid at the time the permit is requested.

SECTION 733 MAINTENANCE OF MOBILE HOME PARK RECREATIONAL AREA

The owner and/or operator of the mobile home park shall be responsible for the maintenance of the recreational area. Failure to properly maintain the recreational area shall constitute a nuisance. In the event that the recreational area is not maintained, the Township may proceed to remedy such deficiency by enforcement of any applicable Township ordinance, by injunctive relief or by performing the necessary maintenance and assessing the cost of such maintenance, plus a penalty in the amount of fifteen percent (15%) of the cost of such maintenance, against the owner and/or operator and filing such cost and penalty as a municipal claim against the property. Maintenance of the recreational area by the Township shall not relieve the owner and/or operator from prosecution or penalties under this Ordinance or other applicable ordinances.

SECTION 734 SERVICE AND ACCESSORY BUILDINGS

- A. All service and accessory buildings, including management offices, storage areas, laundry buildings and indoor recreation areas shall be adequately constructed, ventilated and maintained so as to prevent decay, corrosion, termites and other destructive elements from causing deterioration.
- B. The outdoor storage of boats, unlicensed vehicles, recreational vehicles and travel trailers exceeding ten (10) feet in height or twenty (20) feet in length, or any other type of trailer of any height or length shall not be permitted within mobile home parks. Likewise, there shall be no outdoor storage areas within the mobile home park. The mobile home park operator shall provide occupants of each mobile home lot with at least one hundred fifty (150) square feet of enclosed storage, or the mobile home park operator shall inform occupants of the prohibition of outdoor storage and the requirement to obtain a permit from the Township if the occupant desires to install a storage building. The type of storage facility shall be approved by the Supervisors. The land development plan shall clearly depict any centralized storage facilities.
- C. All buildings within the mobile home park shall be used only by occupants of the mobile home park, guests of occupants, and employees of the mobile home park.
- D. All attachments to individual mobile homes in the form of buildings such as sheds and lean-to's are prohibited.

SECTION 735 REVOCATION OF LICENSES

Any mobile home park operation license shall be subject to revocation by the Township

for the violation of this Ordinance or other applicable ordinances or of any applicable laws of the Commonwealth of Pennsylvania or any rules and regulations promulgated by any agency of the Commonwealth. Any revocation of the license shall be made by written notice to the mobile home park operator setting forth the grounds for such revocation, and appeals from the revocation of a mobile home park license shall be made as provided in this Ordinance. Upon revocation of a license, the mobile home park will not be subject to hardship, but no new mobile homes may be installed within the mobile home park until a new application shall be made and granted. Such application shall contain reasonable assurances to prevent further violations of the ordinances or laws or regulations which were violated. The revoked license may be reissued for the remainder of the period for which it was issued upon compliance of the license holder with all conditions for the reissuance. No person shall expand or install mobile homes within a mobile home park during the time period when a license shall have been revoked.

SECTION 736 CHANGES

No person, holding a license under this Ordinance, shall extend or reduce the area of any mobile home park, add any new facility or structure, or eliminate any existing facility or structure, until notice of such proposed change shall have been given to the Supervisors and the Supervisors shall have ascertained, after investigation as in the case of an original application for a license, that such proposed change is in accordance with all the requirements of this Ordinance. The Supervisors shall either (1) approve the changes, (2) designate the reasons why the changes cannot be made, or (3) advise the applicant of which additional changes are required in order to comply with the Ordinance before the proposed changes will be approved.

SECTION 737 NOTICE OF VIOLATION

- A. Method of serving notice. Prior to the issuance of a citation for a violation of this Ordinance, the Township shall serve written notice upon the mobile home park operator in one (1) of the following ways:
- (1) By mailing a copy of the notice to the mobile home park operator by any form of mail requiring a receipt signed by the mobile home park operator or his agent.
 - (2) By personal delivery of the notice to the mobile home park operator.
 - (3) By handing a copy of the notice at the residence or office of the mobile home park operator or to an adult person in charge of such residence.
 - (4) By fixing a copy of the notice to the door at the entrance of the residence or office of the mobile home park operator.
- B. Contents of notice. The notice shall set forth:
- (1) The nature and extent of the violation or offense.

- (2) The period or periods of time over which the violation has occurred.
- (3) The identity of the person giving notice.
- (4) The date and time of the sending or posting of the notice.
- (5) A time period within which the violation must be removed.
- (6) A statement to the effect that the Township may take steps to enforce this Ordinance if the violation is not removed within the time set forth in the notice.

C. Appeals. Any appeal from the issuance of a notice of violation may be made within ten (10) days from the date of the notice of violation following the procedure set forth in this Ordinance.

SECTION 738 VIOLATIONS AND PENALTIES

Any person operating a mobile home park without obtaining a license as provided for by this Ordinance or for violation of any of the requirements of this Ordinance shall, upon conviction, be subject to a fine not exceeding six hundred dollars (\$600), plus costs of prosecution, or, in default of payment thereof, to a term of imprisonment of not more than thirty (30) days. Each day's violation shall be considered a separate offense.

SECTION 739 ENFORCEMENT

The Board of Supervisors is hereby empowered to take any action at law or equity to enforce the provisions of this Ordinance, and this Ordinance shall in no way impair or restrict remedies otherwise provided by any other law or ordinance.

SECTION 740 RIGHT OF ENTRY

The Board of Supervisors of the Township or the duly authorized agent thereof may at any time enter upon and inspect the licensed premises.

SECTION 741 CONSTRUUAL OF PROVISIONS

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any rights acquired or liability incurred or any permit issued or approval granted or any cause or causes of action arising prior to the enactment of this Ordinance.

ARTICLE VIII

TRAFFIC IMPACT STUDY

SECTION 801 PURPOSE

These guidelines detail the procedures to be utilized when conducting a traffic impact study for a proposed subdivision or site development which is expected to impact traffic operations on the adjacent road network. Such studies are necessary to define the possible magnitude of the impact(s) of the proposed subdivision or development on the traffic operations of affected roadways and intersections and determine improvements necessary to provide for accommodation of the traffic due to the proposed subdivision or development.

SECTION 802 NEED

Traffic impact studies are conducted to enable the Township to identify the potential impacts of a proposed subdivision or development and determine any roadway improvements necessary to provide an acceptable level of service. These studies are to be conducted during the initial stages of the review and approval process in order to adequately consider the impacts the additional traffic will have on the local transportation network.

Not all subdivision or development projects will have a significant enough impact to require a traffic impact study. The use of engineering judgment is necessary in making this determination and consideration should be given not only to changes in projected traffic volume but also safety or capacity deficiencies which could impact the roadway system. At a minimum, a traffic impact study should be performed when either of the following conditions is satisfied:

1. The proposed subdivision or development is expected to generate 1,500 or more vehicle trips per day (total inbound and outbound development traffic).
2. The proposed subdivision or development is expected to generate 50 or more vehicle trips that are newly generated peak direction trips to or from the site.

In all cases, a traffic impact study will be conducted when, in the opinion of the Township, the subdivision or site development is expected to have a significant impact on the safety and/or traffic flow of the affected roadway(s).

SECTION 803 PREPARATION

When it has been determined that a traffic impact study is required for a proposed subdivision or site development, it shall be the responsibility of the applicant to ensure

the study is conducted and a final report submitted in accordance with these guidelines. The traffic impact study and final report shall be prepared under the supervision of a qualified and experienced Transportation Engineer with specific training in traffic and transportation engineering.

The conduct of the traffic impact study must be in cooperation with and coordinated with the appropriate local officials. Of special importance is the need to work closely with the involved officials in determining the improvements which are to be implemented on the affected roadway(s).

When requested by the applicant, the Township will perform a "procedural review" of the draft traffic impact study report. This review will be limited to insuring the proper procedures have been used and adequate documentation has been provided in accordance with the requirements of these guidelines. This "procedural review" is intended to provide the study preparer with guidance on the adequacy of the study in meeting the requirements of these guidelines and will not address the adequacy or appropriateness of the recommended improvements.

SECTION 804 STUDY PROCEDURES

A. General Requirements

The traffic impact study (TIS) will be conducted using currently accepted traffic engineering practices and procedures. The use of computer programs to conduct the required analyses is acceptable; provided, the programs reflect the most current provisions of the analysis procedure upon which they are based. Recommended geometric or traffic operations improvements must meet or exceed all applicable State and/or local minimum design criteria.

The TIS engineer will be responsible for the collection of all information and data required to support the TIS effort. At the developer's request, the Township will make available appropriate information and data which will assist in the TIS effort. When additional traffic counts are required for the TIS, the engineer shall collect such data to include peak hour turning movements on an average week day, as well as on Saturday, if required, as defined in PennDOT's Publication 201. Traffic data may not be older than three (3) years.

The procedures and requirements outlined in these guidelines are intended to provide a basic framework for the conduct of a TIS. Additions or modifications to this framework may be made provided such changes are approved by the Township.

B. Study Area Characteristics

The limits for the study area should be based upon engineering judgment and a knowledge of the existing traffic conditions in the vicinity of the proposed subdivision or site development. The area must be of sufficient size to include

the key roadway corridors and critical intersections which may be impacted by the proposed site traffic. Designation of the study area boundaries shall be a cooperative effort between the engineer, Township and/or PennDOT. In those instances where agreement cannot be reached on the boundaries, the Township will establish the boundaries to be used for the TIS. Designation of the future design year(s) as the basis for the study will be made by the Township dependent on the timing and/or phasing of the proposed project.

Existing and proposed land uses in the study area must be considered in the TIS. This consideration must include not only the current/proposed zoning of the various tracts within the study area, but also the specific use for the development site. Where the current/proposed land use of the site is being modified, an analysis of the proposed changes should be made to determine the extent to which traffic volumes for the site will be modified.

Characteristics of the study area roadway network, intersections and the proposed site access point(s), to include geometrics and traffic control need to be identified as part of the TIS. Included in this identification will be all driveways adjacent to or across from the proposed site access point(s). In addition, all committed roadway and traffic operational improvements to the study area network, which will occur during the designated time period on which the TIS is based, are to be identified.

C. Traffic Analysis

The study area roadway network is to be analyzed for safety and capacity sufficiency for three separate conditions: existing network conditions, future network conditions without the proposed development, and future network conditions with the proposed development. For each of the three conditions the following analyses shall be completed:

1. Mainline average daily traffic (ADT) volumes and turning movement volumes for all critical intersections within the study area will be determined for the AM peak hour, PM peak hour and the proposed development peak hour, which may be Saturday, if other than either the AM or PM peak hour of the network.
2. The effectiveness of the traffic signal control at all critical intersections will be evaluated by approach in terms of vehicle stops and delays.
3. Gap studies will be conducted at the proposed site access points to evaluate the need for signal control, turn prohibitions or additional site access points to reduce the left turn volume from the site driveway(s).
4. Queue length analyses will be completed to evaluate the potential for a backup of traffic from controlled intersections which could impact other intersections including access points to the proposed development.

5. An analysis of the volume and capacity of the network and all critical intersections will be conducted utilizing the most current Highway Capacity Manual procedures. Levels of service will be determined and documented.

The analysis of the existing roadway and intersection conditions in the study area will be based upon the current geometric conditions and traffic control operations. This analysis will serve as a basis for determining the current adequacy of the roadway network and to document any deficiencies.

The analysis of the future conditions without the proposed subdivision or development will document the adequacy of the study area network to accommodate traffic in the design year(s) without the proposed development. This analysis must include a full consideration of all committed roadway improvements to the study area network when determining the expected levels of service.

For the analysis of the future conditions with the proposed subdivision or development, one of the key factors will be the development of the projected site generated traffic and its distribution on the study area network. The study preparer must fully document the methodology which is used to complete this effort and provide sufficient information such that the Township can verify the results. In addition, care must be taken to ensure that adequate consideration is given to that portion of the already projected future network traffic which will utilize the proposed development access points. (Failure to account for this "captured" traffic will result in a "double counting" of a portion of the future traffic).

D. Improvement Recommendations

The overall goal of this section will be to detail necessary improvements to the study area roadway network which will provide for a level of service for the design year(s) with the development which is at least equivalent to the projected level of service for the design year(s) without the proposed subdivision or development. Based upon a comparison of the traffic analysis for the future conditions with and without the proposed subdivision or development, roadway and traffic operational improvements which will support this goal are to be identified and analyzed. These improvements may include both on-site and off-site roadway and traffic operational changes as determined by the preceding analyses.

In developing the proposed improvements, the study preparer is to consider the following:

1. All highway capacity evaluations shall consider not only the overall intersection level of service and delay but also evaluate each approach and movement to identify any substandard values which need to be

- improved.
2. For locations where the level of service of the design year without the proposed development is Level of Service C, the improvements shall provide an estimated delay which will be no worse than the delay for the design year without the proposed subdivision or development.
 3. Where new intersections are being established to serve as access to the proposed development, these intersections must be designed to at least operate at Level of Service C or better.
 4. For access points to the proposed development, which are not proposed to be controlled by a traffic signal, an analysis will be completed to determine the design details for a separate left turn lane on the adjoining highway.
 5. For access points to the proposed development where traffic signal control is being proposed, a traffic signal warrant analysis shall be performed in accordance with the requirements of PennDOT's Publication 201. Although a left turn lane shall be provided, an analysis shall be completed to determine the type of signal phasing required.

The final recommended study area network with proposed improvements will also be subjected to all the traffic analyses which are required under the previous section of these guidelines. These analyses will serve to document the "adequacy" of the improvements.

SECTION 805 FINAL REPORT

A. General

A final report must be prepared to document the results of the traffic impact study and the recommended improvements to accommodate the projected traffic due to the proposed subdivision or development. Since this report will be reviewed by Township officials with varying levels of technical expertise, the report must be presented in a format and context which can be understood by both technical and non-technical parties.

The presentation of data and analyses results should, preferably, be accomplished on either schematic diagrams of the study area, or through the use of charts and/or tables. All sources of data and methodologies which were used in the TIS (including computer programs) must be properly referenced and documented. Any modifications to the referenced procedures must be properly documented to enable a review of the appropriateness of the modification.

B. Contents

The final report will include the following:

1. Executive summary which provides a concise description of the study area, results of the traffic analyses, and any recommended improvements.
2. Description of the proposed subdivision or development site to include a map showing the site's location in regards to the region and the area roadway network.
3. Schematic diagram/map of the designated study area showing all major highways and critical intersections.
4. Results of the traffic analyses for the three traffic conditions. At a minimum, the following data must be shown for each of the three conditions:
 - a. Mainline ADT and intersection turning movement counts.
 - b. Levels of service.
 - c. Projected traffic distribution and network assignment for the proposed site.
5. Recommended improvements to the study area network to include preliminary cost estimates, proposed implementation schedule and expected levels of service for the recommended network.

C. Review Procedures

Five (5) copies of the final TIS report shall be submitted for review and approval. Reports which do not contain the required information or indicate that the study was not done in accordance with the requirements of these guidelines will be returned to the applicant for correction and resubmission.

SECTION 806 CONTRIBUTION IN LIEU OF PREPARATION OF STUDIES

If a developer believes that the preparation of traffic study and report required herein is not warranted, he may request the Board of Supervisors to waive the preparation of such study and report and shall make an estimated contribution of the sum necessary to defray the costs of improvements which would be recommended by such studies. The estimated contribution shall be in accordance with the current adopted Township Fee Schedule.

- A. The developer of any commercial, industrial or institutional subdivision or land development shall provide the Township with a certification of the usable building floor area to be constructed for the purpose of determining the contribution in lieu of preparation of studies.
- B. This contribution in lieu of preparation of studies provided for herein shall be in

addition to all charges imposed by the Authority for tapping and connection fees and shall be in addition to all other review. Inspection and other fees or charges imposed by the Township and/or the Authority, and all sums otherwise agreed to be paid by the developer.

- C. The developer shall enter into an agreement with the Township setting forth the contribution in lieu of preparation of studies to be paid and the studies to be waived by the Township. All such agreements shall be in a form satisfactory to the Township Solicitor.
- D. All contributions in lieu of preparation of fees shall be paid prior to approval of the final plan by the Township.

SECTION 807 REFERENCES

- A. Highway Capacity Manual, Special Report 209, Transportation Research Board, 1994.
- B. Trip Generation, latest edition, Institute of Transportation Engineers.
- C. Site Impact Traffic Evaluation Handbook, Federal Highway Administration, 1985.
- D. Development and Application of Trip Generation Rates, Federal Highway Administration, 1985.
- E. NCHRP Report 187, "Quick Response Urban Travel Estimation Techniques and Transferable Parameters: Users' Guide", Transportation Research Board, 1978.

ARTICLE IX

ADMINISTRATION AND ENFORCEMENT PENALTIES

SECTION 901 ADMINISTRATION AND ENFORCEMENT

The Board of Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein.

Officials of the Township having regulatory duties and authorities connected with, or pertinent to, the subdivision, use or development of land shall have duties and authorities for controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other ordinances of the Township.

SECTION 902 SANCTIONS AND PENALTIES

- A. General Requirement. In East Earl Township, no lot in a subdivision may be sold; no permit to erect, alter, or repair any building in a subdivision or land development may be issued; and no building may be erected in a subdivision or land development unless a final subdivision or land development plan has been approved and signed by the East Earl Township Supervisors in accordance with the procedures for review outlined in Article III hereof, and duly recorded in the office of the Lancaster County Recorder of Deeds. All improvements as required by the Board of Supervisors in conjunction with said subdivision or land development shall have been constructed or guaranteed as herein provided.
- B. Fines. Any person, partnership, or corporation who or which, being owner or agent of the owner of any lot, tract or parcel of land, shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, or for the common use of occupants of buildings abutting thereon, or who sells, transfers, agrees, or enters into an agreement to sell any land in a subdivision or land development whether by reference to, or by other use of a plat of such subdivision of land development or otherwise, or erect any building hereon, unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such violation, shall pay a fine not exceeding five hundred dollars (\$500.00) plus court costs in accordance with Section 515.3 of the Municipalities Planning Code.

The description of such lot or parcel by metes and bounds in instrument of transfer, or other document uses, in the process of selling or transferring, shall not exempt the seller or transferor from such penalties, or from the remedies herein provided. The County may also enjoy such transfer or sale or agreement by action/or injunction brought in any court of equity jurisdiction, in addition to the penalty herein provided.

SECTION 903 APPLICATION FORMS AND FEES

- A. Application Form. The Supervisors shall prescribe and make available to applicants a form upon which all applications for approval of subdivision and land development plans shall be made, (see Appendix 11).
- B. Fee Schedule. Every applicant shall, at the time of filing an application for review of a plan, pay to the Township of East Earl a basic filing fee as per a schedule adopted and subject to periodic amendment by the Supervisors.
- C. Fees for Expert Review and Testing. Every applicant shall, as part of this application for review of a plan, pay to the Township of East Earl such fees and expenses as said Township may be required to incur for the services of the Township Solicitor, Township Engineer, and, or inspector in investigation, for tests, reviews, and advice to the Township in relation to the Plan. The applicant shall be billed for such services and shall pay the amount due within 45 days of such billing.
- D. Lancaster County Planning Commission Application and Fee. Every applicant shall complete the form required for review by the Lancaster County Planning Commission and shall pay a fee as per a schedule adopted, and subject to periodic amendment by the Lancaster County Board of Commissioners, (see Appendix 15).

SECTION 904 REVISION AND AMENDMENT

The Board of Supervisors may, from time to time, revise, modify, and amend this Ordinance by appropriate action taken at a scheduled public meeting in accordance with Section 505 of the Act.

SECTION 905 WAIVERS

If any mandatory provisions of this Ordinance are shown by the applicant, to the satisfaction of the Board of Supervisors to be unreasonable and/or cause undue hardship as they may apply to the proposed subdivision or land development, the Board of Supervisors may grant a waiver to such applicant from such mandatory provisions so that substantial justice may be done and the public interest secured, provided that such modification will not have the effect of nullifying the intent and purpose of this Ordinance. In granting waivers and modifications, the Board may impose such conditions as will, in its judgement, secure substantially the objectives of the standards or requirements as modified.

SECTION 906 APPEALS

The decision of the Board of Supervisors with respect to the approval or disapproval of plans may be appealed directly to the Court of Common Pleas by any party or officer or agency of the Township. Such appeal shall be filed not later than thirty (30) days following the date of the decision being appealed.

SECTION 907 REPEALS

All Township Ordinances or portions thereof which are inconsistent herewith are hereby repealed.

SECTION 908 EFFECTIVE DATE

This Ordinances shall take effect on the 13TH day of February, 2000.

SECTION 909 ENACTMENT

ENACTMENT AND ORDAINED INTO AN ORDINANCE THIS 8TH DAY OF February, 2000.

EAST EARL TOWNSHIP

ATTEST: _____
(Secretary)

(Chairman)

(Municipal Seal)

APPENDICES

APPENDIX 1

CERTIFICATION OF ACCURACY (SURVEY)

I hereby certify that, to the best of my knowledge, the survey shown and described hereon is true and correct to the accuracy required by the East Earl Township Subdivision and Land Development Ordinance.

_____, 20____

* _____

*Signature and seal of the surveyor registered in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the plan.

APPENDIX 2

CERTIFICATION OF ACCURACY (PLAN)

I hereby certify that, to the best of my knowledge, the plan shown and described hereon is true and correct to the accuracy required by the East Earl Township Subdivision and Land Development Ordinance.

_____, 20____

* _____

*Signature and seal of a professional registered in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the plan.

APPENDIX 3

STORM DRAINAGE PLAN CERTIFICATION

I hereby certify that, to the best of my knowledge, the storm drainage facilities shown and described hereon are designed in conformance with the East Earl Township Storm Water Management Ordinance.

_____, 20____

*Signature and seal of a professional registered in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the storm drainage plan.

APPENDIX 4A

CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN
AND OFFER OF DEDICATION

INDIVIDUAL

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LANCASTER

On this, the ____ day of _____, 20____, before me, the undersigned officer, personally appeared _____ who being duly sworn according to the law, deposes 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 _____, 20____

* Identify Ownership or Equitable Ownership

** Signature of the Individual

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

APPENDIX 4B

CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN
AND OFFER OF DEDICATION

COPARTNERSHIP

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LANCASTER

On this, the ____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, being the members of the firm of _____, who being duly sworn according to law, deposes and says that the copartnership is the * _____ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledges the same to be its act and plan and 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 _____, 20____

*Identify Ownership or Equitable Ownership

**Signature of the Individual

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

APPENDIX 4C

CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN,
AND OFFER OF DEDICATION

CORPORATE

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LANCASTER

On this, the ____ day of _____, 20____, before me, the undersigned officer personally appeared _____ being * _____ of ** _____ who being duly sworn according to law, deposes and says that the corporation is 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 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 and hereby dedicated to the public use - (excepting those areas labeled "NOT FOR DEDICATION").

*** _____

**** _____

***** _____

My Commission Expires _____, 20____

*Individual's Title

**Name of Corporation

***Identify Ownership or Equitable Ownership

****Signature of Individual

*****Corporate Seal

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

APPENDIX 5

**EAST EARL TOWNSHIP SUPERVISORS
PRELIMINARY PLAN APPROVAL CERTIFICATE**

At a meeting on _____, 20____, the East Earl Township Supervisors granted **PRELIMINARY PLAN APPROVAL** of this project, including the complete set of plans marked sheet(s) _____ through _____ which form a part of the application dated _____, last revised _____, and bearing East Earl Township File No. _____. This plan may not be recorded in the office of the Lancaster County Recorder of Deeds, nor may any construction be initiated.

* _____

* _____

*Signatures of the Chairman and Vice Chairman or their designees.

APPENDIX 6

**EAST EARL TOWNSHIP SUPERVISORS
FINAL PLAN APPROVAL CERTIFICATE**

At a meeting held on _____, 20____, the East Earl Township Supervisors approved this project including the complete set of plans and information which are filed with the Board of Supervisors in File No. _____, based upon its conformity with the standards of the East Earl Township Subdivision and Land Development Ordinance.

*

*

*Signatures of the Chairman and Vice-Chairman or their designees.

APPENDIX 7

**EAST EARL TOWNSHIP SUPERVISORS
APPROVAL CERTIFICATE FOR A LOT ADD-ON PLAN**

Lot add-on plan, bearing East Earl Township File No. _____, approved by the East Earl Township Supervisors this _____ day of _____, 20____.

* _____

* _____

*Signatures of the Chairman and Vice Chairman or their designees.

APPENDIX 8

**EAST EARL TOWNSHIP PLANNING COMMISSION
REVIEW CERTIFICATE**

At a meeting held on _____, 20____, the East Earl Township Planning Commission reviewed this plan according to the requirements of the East Earl Township Subdivision and Land Development Ordinance. This certificate does not indicate approval or disapproval by the East Earl Township Supervisors.

* _____

* _____

*Signatures of the Chairman and Vice Chairman or their designees.

APPENDIX 9

LANCASTER COUNTY PLANNING COMMISSION REVIEW CERTIFICATE

The Lancaster County Planning Commission, as required by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, reviewed this plan on _____, 20____, and a copy of the review is on file at the office of the Planning Commission in File No. _____. This certificate does not indicate approval or disapproval of the plan by the Lancaster County Planning Commission, and the Commission does not represent that this plan complies with the various ordinances, rules, regulations, or laws of the local municipality, the Commonwealth, or the Federal government.

Secretary

APPENDIX 10

RECORDER OF DEEDS CERTIFICATE

Recorded in the office for Recording of Deeds, in and for Lancaster County,
Pennsylvania, in Subdivision Plan Book _____, Volume _____, Page _____.
Witness my hand and seal of office this _____ day of _____ A.D.20____.

Recorder

APPENDIX 11

APPLICATION FOR CONSIDERATION OF SUBDIVISION AND/OR LAND DEVELOPMENT PLAN

=====

For Township Use Only

Date of Receipt _____ Meeting Date _____

Date of Filing _____

=====

The undersigned hereby applies for approval under the East Earl Township Subdivision and Land Development Ordinance for the Subdivision / Land Development Plan described below:

1. Plan Name: _____

Plan No: _____ Plan Date: _____

2. Project Location: _____

3. Name of Property Owner(s): _____

Address: _____ Phone No: _____

4. Project Description:

Existing Land Use: _____ No. of Lots: _____

Proposed Land Use: _____ No. of Units: _____

Current Zoning: _____

5. Total Acreage: _____

6. Application Classification: (Check One)

_____ Sketch Plan

_____ Lot Add-On Plan

_____ Preliminary Plan

_____ Improvement Construction Plan

_____ Final Plan

APPENDIX 12
REQUIRED IMPROVEMENTS LISTING

Plan Name: _____

Plan Location: _____

The undersigned developer hereby agrees to provide throughout his development as shown on the plan of _____, dated _____ the following improvements:

<u>Improvements</u>	<u>Quantity</u>	<u>Units</u>	<u>Price per Unit</u>	<u>Construction Cost</u>
Street Grading	_____	_____	_____	_____
Street Base	_____	_____	_____	_____
Street Paving	_____	_____	_____	_____
Street Signs	_____	_____	_____	_____
Curbs	_____	_____	_____	_____
Sidewalks	_____	_____	_____	_____
Storm Sewer Facilities	_____	_____	_____	_____
Sanitary Sewer Facilities	_____	_____	_____	_____
Water Supply Facilities	_____	_____	_____	_____
Fire Hydrants	_____	_____	_____	_____
Survey Monuments	_____	_____	_____	_____
Buffer Planting	_____	_____	_____	_____
Street Trees	_____	_____	_____	_____
Traffic Control Signs	_____	_____	_____	_____
Other (Specify)	_____	_____	_____	_____

Estimated Cost: \$ _____
Contingencies (10%): \$ _____
Required Escrow: \$ _____

Signature of Developer _____

APPENDIX 13

NOTICE OF THE COMPLETION AND APPROVAL OF IMPROVEMENTS

DATE: _____

East Earl Township
Board of Supervisors
4610 Division Highway
East Earl, Pennsylvania 17519

SUBJECT: Approval of Improvements

Dear Supervisors:

The developer of the project known as _____ has completed the installation of the following improvements in accordance with the Improvement Construction Plan:

- _____ Sanitary Sewer Facilities
- _____ Water Supply Facilities
- _____ Fire Hydrants
- _____ Other (Specify) _____

Authorized Signature

Print Full Name

Title

Authority or Utility

Address Phone No.

APPENDIX 14

NOTICE OF ACCEPTANCE OF AN IMPROVEMENT GUARANTEE

DATE: _____

East Earl Township Supervisors
4610 Division Highway
East Earl, Pennsylvania 17519

SUBJECT: Acceptance of Improvement Guarantee

Dear Supervisors:

The developer of the project known as _____

_____ has provided an improvement guarantee in the form of a
_____ to assure the proper installation of the following improvements:

___ Sanitary Sewer Facilities

___ Water Supply Facilities

___ Fire Hydrants

This form of improvement guarantee was accepted by formal action of the Board of Supervisors at a meeting on _____, 20__.

Authorized Signature

APPENDIX 16

STREET GRADE AND INTERSECTION STANDARDS

	Alley	Cul-de-sac	Local	Collector
Minimum Grade	0.75%	0.75%	0.75%	0.75%
Maximum Grade	12%	10%	10%	8%
Minimum Centerline Radius	50'	150'	150'	300'
Minimum Tangent Length Between Reverse Curves	0'	50'	50'	150'
Cartway Radii	10'	15'	20'	35'