CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

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PART 1

GENERAL PROVISIONS

§101. SHORT TITLE.

This Chapter shall be known and may be cited as the "Vernon Township Subdivision and Land Development Ordinance."

(Ord. 1994-1, 7/-/1994, §101)

§102. PURPOSES OF THIS CHAPTER.

This Chapter is adopted:

A. To promote the public health, safety, morals and general welfare.

B. To assure that the arrangement of each subdivision or land development furthers the safe, harmonious and orderly development of Vernon Township.

C. To guarantee that streets in and bordering each subdivision or land development are coordinated with the municipal circulation system and are of such widths grades, locations and construction as to accommodate anticipated traffic and facilitate emergency service access.

D. To insure that sewage disposal and water supply systems are efficiently designed and have adequate capacity for future demands and that onlot sewage disposal and water supply systems are safely separated from each other.

E. To provide easements of adequate size and location for storm drainage and other utilities.

F. To safeguard land subject to flooding, periodic high water table or high incidence of erosion from development practices that would aggravate these circumstances.

G. To curtail erosion damage, prevent unnecessary destruction of natural plant materials or excessive earth disturbance, minimize the impact of stormwater runoff on drainage ways and downstream properties.

H. To encourage the fitting of development naturally into its environment.

I. To establish a precise, simple, uniform and objective procedure for review and disposition of subdivision and land development plan proposals and to ease the process of conveyance of title to property.

(Ord. 1994-1, 7/-/1994, §102)

§103. APPLICATION AND SCOPE OF REGULATIONS.

1. On and after the effective date of this Chapter no lot in a subdivision may be sold or leased, no permit to erect or move any building upon land in a subdivision or development plan may be issued and no building, permanent or temporary, may be erected in a subdivision or development plan unless and until a subdivision or development plan has been approved in accordance with the requirements of this Chapter and recorded in the office of the Crawford County Recorder of Deeds and until the improvements required by this Chapter, if part of the approved plan, have either been constructed or guaranteed by bond.

2. In their interpretation and application, the provisions of this Chapter are held to be the minimum requirements adopted for the protection of the public health, safety, morals and general welfare.

3. This Chapter shall not apply to any lot or lots, subdivision or development plan created and lawfully recorded prior to enactment of this Chapter, except that the development of any such lot or plan of lots and the provision of improvements within a plan after the enactment of this Chapter shall be in accordance with the regulations of this Chapter. However, any lot, subdivision or development plan illegally recorded or not lawfully recorded prior to enactment shall not be given legal status by enactment of this Chapter.

4. Any redivision or combining of lots or adjustment of lot lines within a plan previously approved and/or recorded or any rearrangement of structures, parking areas, access points, graded land surfaces or other elements within a development plan shall be subject to the provisions of this Chapter.

5. Where existing regulations of another level of government or restrictive covenants, restrictions placed by deed or other private agreements duly recorded with Crawford County are more restrictive than this Chapter, such regulations shall apply.

(Ord. 1994-1, 7/-/1994, §103)

§104. DUTIES OF THE BOARD OF SUPERVISORS AND PLANNING COMMISSION RELATIVE TO THIS CHAPTER.

1. The Board of Supervisors reserves to itself final approval authority on all subdivision and land development plans. The Board shall not act until it has received recommendations from the Planning Commission. The Board shall call and hold a public hearing on each amendment proposed for this Chapter after soliciting both the Township and County Planning Commissions for recommendations and before voting to adopt or reject the amendment. The Board shall also appoint an administrator to enforce this Chapter according to its literal terms and to assist the Planning Commission in its review of plans.

2. The Planning Commission shall first receive all subdivision and land development plans, shall review them and make timely recommendations to the Board of Supervisors regarding adoption or rejection or adoption with certain specific modifications in accordance with the requirements of this Chapter. The Commission shall also recommend to the Board specific action on adoption of amendments to this Chapter proposed by either body or by a landowner.

3. Appeals from decisions of the Board of Supervisors shall be to the Crawford County Court of Common Pleas.

(Ord. 1994-1, 7/-/1994, §104)

§105. TYPES OF SUBDIVISIONS AND LAND DEVELOPMENTS GOVERNED BY THIS CHAPTER.

1. Minor Subdivision. Shall be considered the division of any complete lot, complete parcel or tract or land or part thereof into not more than ten lots, parcels or tracts for the imminent or future conveyance, transfer, improvement, sale or lease when all of such loots, parcels or tracts thus created abut a public road in existence prior to consideration of the proposed subdivision. In addition, such subdivision shall include no extension of public sewer and water lines, streets or other public improvements and shall not, by intent on the part of the developer or his successors, subsequently be part of a later division of the original lot, parcel or tract creating a total of more than ten lots, parcels or tracts except under provisions for a major subdivision.

2. Major Subdivision. Shall be considered the division of any lot, parcel or tract of land or part thereof into two or more lots, parcels or tracts for the imminent or future conveyance, transfer, improvement, sale or lease when any or all of the lots, parcels or tracts so created do not abut a public road in existence prior to consideration of the proposed subdivision and/or require extension of public improvements; or when more than ten lots, parcels or tracts so created all abut a public road in existence prior to consideration of the proposed subdivision and do not require extension of public sewer or water service or streets or other public improvements.

3. Manufactured Home Park. Shall be considered a parcel (or contiguous parcels) of land which has been so designated and improved that it contains two or more manufactured home lots for lease, each such lot for the placement thereon of one manufactured home.

4. Land Development Plan. Shall be considered the arrangement of buildings and structures, paved and planted surfaces, utility systems and accessways that together constitute the development of a lot, tract or parcel of land or contiguous lots, tracts or parcels of land. The development of a lot for a single family detached dwelling shall not be considered a land development.

5. Agricultural Subdivision. Shall be considered any division of a tract or parcel for agricultural purposes into tracts or parcels for lease, each of which shall contain at least 10 acres and none of which shall include any residential dwelling or require the

extension or creation of streets or easements for access. Such subdivision may be recorded without subdivision review upon notification of the Board of Supervisors by the landowner prior to recording. A deed description shall suffice to identify the proposed subdivision.

(Ord. 1994-1, 7/-/1994, §105)

§106. LEGAL STANDING.

1. If any Section, clause, paragraph, regulation or provision of this Chapter is found invalid by a court of law, such judgment shall not affect, impair, invalidate or nullify the remaining Sections, clauses, paragraphs, regulations or provisions but only the clause, paragraph, regulation or provisions found invalid by the court.

2. All ordinances or parts of ordinances or regulations in conflict with this Chapter or inconsistent with its provisions are hereby repealed to the extent necessary to give this Chapter full force and effect. However, where another ordinance, law or restrictive covenant imposes a higher standard in a particular regulation, that standard shall supersede this Chapter in the particular instance.

3. The provisions of this Chapter, so far as they are common to those regulations in force immediately prior to the enactment of this Chapter, are intended as a continuation of such prior regulations and not as new enactments. such parts of the prior regulations that are omitted from this Chapter shall be deemed as abrogated.

4. The adoption of this Chapter does not make legitimate development activity in the Township illegal under provisions of the prior regulations nor does it annul any litigation currently being pursued or that may be pursued in the future against such illegal activity.

5. The approval of any subdivision or land development plan shall not constitute a representation, guarantee or warranty of any kind by the Township or by any official or employee of the practicality or safety or the arrangement of lots and improvements or other elements within the development covered by the approval and shall create no liability upon the Township, its officials or employees.

(Ord. 1994-1, 7/-/1994, §106)

§107. UNLAWFUL RECORDING AND SALE OF LOTS.

1. No plan of a subdivision or land development proposed for Vernon Township shall be recorded in any public office unless or until that plan shall bear the certified approval of the Planning Commission and the Board of Supervisors.

2. It shall be unlawful for any person to sell, trade or otherwise convey or offer to sell, trade or otherwise convey any lot or parcel of land as a part of or in conformity with any plan, plat or replat or any subdivision or land development unless and until said

plan, plat or replat shall have been first recorded in the office of the Crawford County Recorder of Deeds.

(Ord. 1994-1, 7/-/1994, §107)

PART 2

DEFINITIONS

§201. GENERAL RULES.

For purposes of these regulations certain terms or words used herein are defined as follows:

A. The particular shall control the general.

B. The word "person" or "developer" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

C. The present tense includes the future tense.

D. The masculine gender includes the feminine.

E. The singular number includes the plural and the plural number includes the singular.

F. The word "shall" is mandatory; the word "may" is permissive.

G. Words generally found in legal terminology and not otherwise defined in §202 shall have the same meaning in this Chapter as in a standard dictionary.

(Ord. 1994-1, 7/-/1994, §201)

§202. SPECIFIC TERMS.

ACCESS POINTS - the locations along the edge of a lot or property abutting a street that provide the authorized vehicular entry into the lot.

ADMINISTRATOR - the individual appointed by and responsible to the Board of Supervisors (but not a Supervisor himself) to administer and enforce this Chapter.

ALIGNMENT, HORIZONTAL - the combination of bearings and distances in plan which describe the passage of a right-of-way across the land.

ALIGNMENT, VERTICAL - the combination of bearings and distances in profile which describe the passage of a right-of-way over the topography.

ALLEY - a right-of-way less than 50 feet in width providing secondary access to a property or properties and upon which no property has its only means of access.

AMENDMENT - a change in these regulations including addition of new requirements, revision of existing requirements or deletion of obsolete requirements necessitating public hearings and formal adoption by the Township before becoming effective.

APPLICATION, PRELIMINARY - a formal request by a developer containing information required by these regulations to be used as a basis by the Township in granting preliminary approval of subdivision or plan.

APPLICATION, FINAL - a formal request by a developer containing information required by these regulations to be used as a basis by the Township in granting final approval of a subdivision or plan.

APPROVAL, FINAL - an acknowledgement by the Township that the final plan application conforms to all the requirements of these regulations and that the developer is free to record the plan as approved.

ARC - a curved line that is centered from a point and has a definite length terminating each end in a tangent or another arc.

BACKFILLING - the process of replacing earth fill in an excavation created for laying of pipe or constructing a foundation or wall.

BASE COURSE - the road building materials precisely laid down on the prepared subgrade of a roadway to support the pavement of the road.

BEARING - the direction that a line points relative to magnetic north.

BENCH - a flat or slightly sloped graded surface designed to divert storm drainage and/or stabilize a graded slope.

BENCHMARK - a permanent elevation established by the U.S. Coast and Geodetic Survey to which other elevations should be tied.

BERM - the graded strip along each side of a street pavement when curbs are not present, designed to direct stormwater from the pavement to a gutter and to provide a stable location for disabled or parked vehicles off the pavement.

BINDER COURSE - the asphaltic layer in a road pavement designed to bind the base course and the bearing course into a solid pavement.

BLOCK - an area of land, generally in a plan of lots, surrounded by streets.

BOARD OF SUPERVISORS - the duly elected governing body of Vernon Township.

BUFFER - a visual screen intended to separate existing residential lots or plans from neighboring commercial or industrial development in order to protect residential property values.

BUILDING - any manmade enclosed structure placed upon, over or in the land for any purpose.

BUILDING PERMIT - a document issued by the Township attesting that a proposal for construction meets all requirements of this Chapter and other applicable development ordinances in force and allowing such proposed construction to commence.

CARTWAY - the surfaced strip within a street right-of-way designed for vehicular passage.

CLUSTER SUBDIVISION - a plan of lots for single family detached dwellings when the site presents environmental obstacles or opportunities and dimensional requirements for the lots are reduced in exchange for keeping the environmentally sensitive areas permanently undeveloped.

CENTERLINE - line running parallel to and equidistant from right-of-way lines on each side of a street.

COLLECTOR STREET - a street that in addition to serving the properties abutting it also receives traffic from intersecting minor streets for distribution to major highways.

COMMON OPEN SPACE - the area within a plan that is held jointly by all the property owners in the plan for their enjoyment and is specifically described in the plan.

COMMUNITY FACILITY - an improvement, whether public or for the benefit of the residents of a development only, constructed by the developer to conform with the requirements of these regulations and guaranteed as required by the Board of Supervisors as a condition for final plan approval.

COMMUNITY SEWAGE DISPOSAL OR WATER SUPPLY SYSTEM - a utility system constructed by a developer to serve his plan in conformance with these regulations and the requirements of the State Department of Environmental Protection, such system to be operated by the developer until or unless taken over by a public authority. [Ord. 1997-2]

CONTOUR - an imaginary line connecting all points with the same elevation above or below a fixed base point whose elevation is known.

CORNER LOT - a property that abuts two adjacent streets that intersect at one corner of the property.

COUNTY PLANNING COMMISSION - the Planning Commission of Crawford County, Pennsylvania.

COUNTY SOIL AND WATER CONSERVATION DISTRICT - a public agency charged with protecting the soils and water resources of Crawford County from erosion and pollution.

CROSS SECTION - a cut through a road or utility at right angles to its length revealing materials and dimensions of components.

CROSSWALK - a pedestrian right-of-way extending through a block between streets on opposite sides of the block or connecting across a block or blocks to a public or community facility.

CUL-DE-SAC - street with connection to other streets at only one end and having a permanent vehicular turnaround at the closed end.

CULVERT - a pipe carrying surface drainage under a street or drive.

CURB - the raised edge of a street pavement designed to create a gutter for stormwater removal, to eliminate the need for berms and to provide a guide for paving and snow removal.

CURB CUT - the designated point of vehicular entry into a lot or property approved by PennDOT or Township if access is to a State highway or Township road.

CURVE - a rounded change of direction of an alignment that can be described by radii and arc distances. A sag curve includes the lowest elevation in a curve in vertical alignment while a crest curve includes the highest elevation. A compound curve is two or more abutting curves without a tangent between them.

DEDICATION - the designation of property, formerly privately owned, for public purpose, such designation stipulated in writing recorded by the private owner and accepted by the public body.

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.

DEVELOPMENT - any activity to create new lots or properties, adjust lot lines, change the original contour or cover on the land or erect buildings and the facilities and utilities necessary to serve then in accordance with the requirements of this Chapter and other development ordinances of Vernon Township.

DOUBLE FRONTAGE LOT - a lot that abuts two streets that do not intersect adjacent to the lot.

DRAINAGEWAY - a continuing alignment following the lowest elevations intended to carry stormwater including swales, subsurfaces drainage pipes, creeks, streams and rivers.

EARTH MOVEMENT - the rearrangement of the earth's natural surface creating cuts into the surface and fills upon the surface in the process of preparing a site for development in accordance with the requirements of this Chapter and other applicable development ordinances.

EASEMENT - a right-of-way granted across a private property generally for public utility lines, stormwater flow or for access to another property beyond, passage over which is guaranteed by the grantor to those entitled to use the easement.

ENGINEER - an individual registered as a professional civil engineer by the Commonwealth of Pennsylvania.

EROSION - the process of breaking down and carrying away of exposed ground surfaces by action of wind, water and temperature change.

EROSION AND SEDIMENTATION PLAN - a document prepared by a developer who contemplates substantial earthmoving, indicating how he proposes to protect the property and downstream land from soil erosion and water pollution in accordance with regulations of the State Department of Environmental Protection. [Ord. 1997-2]

EROSION-RESISTING PLANTINGS - fast catching grasses with dense root systems designed to stabilize a newly graded slope and prevent washing away of bare soils.

ESCROW FUND or ACCOUNT - an interest bearing note established by a developer at a financial institution of an amount required to guarantee completion of improvements to be constructed in his plan and payable to the Township if the developer fails to complete the improvements within the time stipulated in the plan approval.

EXCAVATE - to remove earth that has laid untouched for a period of at least 2 years.

EXISTING CONDITIONS - improvements already present on a property and adjacent to it and topographical and drainage arrangements prior to the start of development.

FILL - earth material excavated elsewhere and deposited upon the ground surface in the process of grading.

FINAL PLAN - the documentation presented by a developer to the Township for consideration under the terms of these regulations after approval has been granted a preliminary plan proposal that include the land area covered by the final plan proposal.

FINISHED GRADE - the final arrangement of contours including topsoil and the wearing courses of paved areas upon completion of improvements in a plan.

FLOODING, LAND SUBJECT TO - land that lies within the 100 year floodplain as shown on the Township's flood hazard boundary maps prepared by the Federal Insurance Administration.

FRONTAGE - the edge of a property abutting a public street. When a property abuts two or more streets frontage shall be considered the edge abutting the principal street to which the property has access.

GRADE - the percentage that the centerline of a street or sewer line deviates from the level. A change of grade is a change in the percentage.

GRADING - the process of mechanically changing the original earth surface to accommodate new construction.

HALF STREET - a street along the edge of a plan only half as wide as required, whose full width is dependent upon subdivision of the abutting property that will complete the street.

HIGHWAY OCCUPANCY PERMIT - authorization issued by PennDOT or Township allowing a property owner specific access to a State or Township maintained highway and required before a building permit for development of the property may be issued.

HYDRIC SOILS - soils saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper soil profile.

IMPROVEMENT BOND - a guarantee, backed by the developer's collateral held in escrow, that improvements agreed upon as a condition of final plan approval will be carried out as specified and as required by these regulations.

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. [Ord. 1997-2]

(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. [Ord. 1997-2]

B. A subdivision of land.

LANDOWNER - the legal or beneficial owner or owners of land including the holder or an option or contract to purchase (whether or not such option or contract is subject to any condition) or a lessee if he is authorized under the lease to exercise the rights of the landowner.

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.

MAINTENANCE BOND - a guarantee, backed by the developer's collateral held in escrow, that improvements, upon completion to the Township's satisfaction, will be maintained for a stipulated time period at no Township expense against inferior construction.

MAJOR HIGHWAY - for purposes of these regulations only U.S. Routes 6, 19 and 322 and PA Routes 89 and 102 shall be considered as major highways.

MINOR STREET - a vehicular street serving the properties abutting it but not intended to carry traffic collected from other streets.

MANUFACTURED HOME - a transportable single family dwelling intended for permanent occupancy contained in one unit or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing which arrives at a site

complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

MANUFACTURED HOME LOT - a leased parcel of land in a manufactured home park improved with the necessary utility connections and other appurtenances for the erection thereon of a single manufactured home.

MANUFACTURED HOME PARK - a parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of manufactured homes for nontransient use consisting of two or more manufactured home lots.

MODIFICATION - a grant by the Board of Supervisors upon recommendation of the Township Planning Commission allowing a developer to deviate from the regulations normally in force on his property because unusual conditions not created by the developer are present making development extremely difficult and the deviation, if permitted, will not downgrade the neighborhood and will be the minimum affording him relief.

MODULE - a proposal to provide sewage disposal for a property, a development plan or a subdivision when such proposal involves a public or community sewer system.

MONUMENT - a permanent precise indication established by a registered surveyor or points at changes of direction in the boundary of a subdivision or development plan or at points of change of direction in street right-of-ways within or on the boundary of the plan.

MUNICIPAL SEWAGE ENFORCEMENT OFFICER - an individual appointed by the Township and certified by the Commonwealth who is charged with enforcing the regulations of the Department of Environmental Protection within the Township relative to individual on-lot and community sewage disposal systems. [Ord. 1997-2]

OCCUPANCY PERMIT - certification issued by the Township attesting that the proposed development of a lot has been completed in accordance with the building permit and the applicable regulations of the Township and may be occupied and used as intended.

OFF-STREET PARKING - accommodation not within a public street for storage and maneuvering of motor vehicles.

ON-SITE SEWAGE DISPOSAL or WATER SUPPLY - an independent utility system designed to accommodate only the property on which it is located.

OWNER OF RECORD - the individual or corporation whose name appears on the records of the County Recorder of Deeds as the current owner of a property.

PARKING AREA - the portion of a lot or parcel set aside for motor vehicle storage in a multifamily, public, semipublic, commercial or industrial development.

PARKING SPACE - the location in a parking area laid out for storage of one motor vehicle.

PAVEMENT - the portion within a right-of-way designed for vehicular travel and improved to specifications established by the Township to carry such traffic in all weather.

PAYMENT BOND - a guarantee, backed by the developer's collateral held in escrow, that the developer's financial obligations in connection with a development approved by the Township will be covered without harm to the Township.

PERMANENT OPEN SPACE - a part of a plan designated on the recording documents to be left undeveloped and described on the plan the same as any lot to be sold for development. The bylaws of the organization responsible for the maintenance of such permanent open space shall be included with the recording documents.

PIN - a permanent indication, established by a registered surveyor, of points at the corners of lots in a subdivision plan or at points of changes of direction along lot lines.

POSITIVE DRAINAGE - the slope of the land surface to assure that stormwater flows off the surface to a drainageway or stream and nowhere does water lay upon the surface.

POTABLE WATER - water meeting State Health Department criteria for human consumption.

PRELIMINARY PLAN - the documentation presented by a developer to the Township in support of a subdivision or land development plan for preliminary consideration under the terms of these regulations.

PRIVATE STREET - a vehicular access to a property as an easement over the land from which the property was subdivided, approved in accordance with the requirements of this Chapter.

PROFILE - a vertical cut along the centerline of a street or utility line indicating the vertical alignment with the vertical dimension often exaggerated to clarify the relation between horizontal and vertical measurements.

PROPERTY, PARCEL or TRACT - an area of land, all portions of which are in the same ownership and the boundary of which closes on itself.

PUBLIC HEARING - an advertised meeting called by a Township elected or appointed body and open to the public at which testimony is gathered on a proposal for development or a revision to these or other development regulations in order to assist the Township in reaching a decision of approval or disapproval of the proposal or revision.

PUBLIC IMPROVEMENTS - roads, utilities and community facilities provided by a developer in the course of the development of his plan to comply with the requirements of these regulations.

PUBLIC NOTICE - notice published once each week for 2 successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

PUBLIC STREET - a right-of-way dedicated for public vehicular use which has been accepted for maintenance by the Township or the State.

PUBLIC SEWER and WATER SYSTEM - a system operated by a public authority or authorities appointed by the Township or group of municipalities served by the system with power to issue revenue bonds, construct such systems and operate them as well as extensions built by others but dedicated to the authority to operate.

RECORDING - the act of registering with the County Recorder or Deeds a subdivision or land development plan which has received final approval by the Township.

RECORDING DOCUMENTS - the final approved plan and any restrictive covenants that are recorded by the developer after which he may commence development but only in compliance with such recorded plan.

REDIVISION - the rearranging of property lines or the combining of several properties into one or more new properties.

RESTRICTIVE COVENANT - a recorded private agreement legally binding successor owners of a property to certain conditions regarding use of the property stipulated by the original owner, such stipulations being more restrictive than these or other Township or State regulations and enforceable for a set number of years after recording.

RETAINING WALL - a wall at least 4 feet high on its exposed side designed by an engineer to contain the thrust of an earth embankment behind it.

RIGHT-OF-WAY - a strip of land which has been dedicated for public use and provides access to private property abutting it, connecting with other rights-of-way to form a vehicular and pedestrian circulation network in the Township; also an easement across private property.

SEDIMENTATION - the process by which wind and water scour material from the earth surface and carry it into nearby streams raising their level and reducing their water carrying capacity.

SETBACK LINE - a line describing the boundary of the area on a property within which construction can occur, the line being parallel with the property boundaries and set back from them a distance prescribed by the applicable zoning regulations.

SIGHT DISTANCE - the distance that an automobile drive can see unobstructed by changes in alignment or roadside structures or topography usually measured between points on a road centerline from 3 feet 6 inches above the surface up to 8 feet above the surface.

SLOPE, TOE or TOP - the toe is the transitional area between the lower edge of a graded sloped surface and the adjacent horizontal ground; the top is the upper edge of the slope where it adjoins undisturbed ground.

SOIL PERCOLATION TEST - a procedure for measuring the ability of soil to absorb moisture as an indication of problems that will occur in connection with onlot sewage disposal conducted by the municipal sewage enforcement officer.

STORMWATER - precipitation falling upon the ground surface.

STORM DRAINAGE SYSTEM - an arrangement of swales, conduits, underground pipes and/or impoundment basins designed to collect stormwater, control its flow and direct it to a stream or established drainageway.

STORM OF RECORD - the heaviest rainfall recorded over the past 50 years in the Township or vicinity measured in inches over a 24 hour period.

STORMWATER MANAGEMENT - the process of controlling stormwater runoff from paved or covered surfaces to prevent the rapid release of large volumes of water a high velocity that would damage lower properties through flashflooding, erosion or sediment deposition.

STREET - a vehicular and/or pedestrian passage open to public use within a recorded right-of-way 50 feet or more in width connecting with other streets to form the municipal circulation system whether or not maintained by the Township or State.

STRUCTURE - any manmade construction placed on, over, in or under the ground.

SUBDIVISION - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres not involving any new street or easement of access or any residential dwelling shall be exempted.

SUBGRADE - the ground surface in a street right-of-way prepared to receive the street base course.

SUPERELEVATION - the warping of the surface of vehicular road on horizontal curves inward towards the radius of the curve in order to maximize the contact of a vehicle with the road surface and minimize the effects of centrifugal force.

SURVEYOR - an individual who is registered to practice land surveying in the Commonwealth of Pennsylvania.

SWALE - a continuous depression across the land surface that carries stormwater from higher to lower elevations and eventually to a storm pipe or stream.

TANGENT - a straight line in horizontal or vertical alignment connecting the ends of curves.

THROUGH TRAFFIC - traffic that is passing through an area but has no origin or destination there.

TITLE BLOCK - a box on a drawing containing specific information relative to a development required for review of the proposal.

TOPOGRAPHIC MAP - a map delineating by contours the surface elevations of a land area.

TOWNSHIP ENGINEER - a professional civil engineer registered in Pennsylvania and retained by the Board of Supervisors to represent the Township in the review of development plans and proposed public improvements and in the inspection of them during construction and upon completion.

TOWNSHIP PLANNING COMMISSION - the duly appointed Planning Commission of Vernon Township.

UTILITY - a service normally required for the successful functioning of a development, whether provided by a community or a public system or by a private company. Utilities include, but are not limited to, sanitary sewage and stormwater collection and disposal, water and gas supply, electric and telephone service and T.V. cable.

WATER TABLE - the average level that water below the ground surface assumes.

WEARING COURSE - the final paved surface of a street, laid on top of the binding course and establishing the finished grade of the street.

WETLANDS - those 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. Wetlands generally include swamps, marshes, bogs and similar areas. (Definition used by U.S. Environmental Protection Agency and U.S. Army Corps of Engineers.)

YARD - the area of a lot between the property line and the parallel adjacent setback line within which buildings or any part of them cannot be placed.

ZONING ORDINANCE - a document adopted by the Township establishing districts throughout the Township and permitting certain uses within each district in order to protect the public health, safety and welfare, to maintain property values in each district and to encourage compatible development.

(Ord. 1994-1, 7/-/1994, §202; as amended by Ord. 1997-2, 3/6/1997)

PART 3

PROCESSING OF SUBDIVISION PLANS

§301. MINOR SUBDIVISION REVIEW.

1. A developer seeking approval of a minor subdivision (See §105(1)) may disregard the preliminary plan stage and submit only a final plan application.

2. This procedure shall also apply to any adjustment of property lines that does not create additional lots or any combination of existing lots or parts of lots to eliminate existing lots.

3. Where property is being transferred between neighboring lots or tracts the submission shall include a sketch showing the lots or tracts prior to the proposed transaction and a second sketch showing the lots or tracts after the subdivision. A subdivision of this type need not be sent to the County Planning Commission for review.

4. The developer shall inform the Secretary of the Planning Commission at least 10 days prior to a regular meeting that he intends to submit his proposal in four copies at the meeting.

5. The Commission shall review the plan and provide copies to the Board of Supervisors and to the Sewage Enforcement Officer. The Commission shall note deficiencies it discovers in the plan in its minutes and inform the developer of them, requesting correction or addition of information.

6. The developer may submit his application initially either to the Township Planning Commission or the County Planning Commission. If the first review is by the County the developer shall retrieve the original drawing for presentation to the Township. If the first review is by the Township, the developer shall convey the drawing to the County for review.

7. The Township Planning Commission shall communicate the results of its review of the plan to the Board of Supervisors and the Board shall render its decision within 90 days of the Planning Commission meeting at which the plan was first reviewed. The Board's decision shall be based on the plan to be recorded. In no case shall the Board make its decision until it has received the review comments from the Township and County Planning Commissions staff. The Board may act if the County's comments have not been received when 30 days have elapsed since the plan was submitted to the County.

8. Failure of the Board of Supervisors to render a decision within 90 days of receipt of the application or to communicate the decision to the developer within 15 days thereafter shall be deemed an approval of the application as presented unless the developer agrees in writing to a mutually agreeable extension.

9. From the date of submission of an application no amendments to this or other ordinances of Vernon Township shall detrimentally affect the application as originally presented or its review and approval or rejection; provided, all sections of the approved plan are completed within 5 years of the original application.

10. Once he has received final approval, as indicated by the signatures of the Chairman of the Board of Supervisors and the Township Secretary, he shall file his plan with the Crawford County Recorder of Deeds within 90 days thereafter. Failure to record within the time limit shall render the plan null and void, requiring submittal of the plan for reapproval.

(Ord. 1994-1, 7/-/1994, §301)

§302. PREAPPLICATION PROCEDURE.

1. Any developer desiring approval of a subdivision plan (See §105(2)) is urged to request the opportunity to present his preliminary plan at a regular meeting of the Planning Commission. He shall inform the Secretary of the Planning Commission at least 10 days prior to the meeting of his intent.

2. The material presented should include a scaled plan of the property to be developed including lot layout, adjacent public roads, streams, hydric soils according to the County Soil Survey, easements, natural and manmade features presently on the property, utility lines to serve the development and proposed use of the property or parts of the property as the result of development.

3. The purpose of the meeting is to acquaint the Planning Commission with the proposed development, to indicate to the developer the constraints upon development contained in this and other municipal ordinances upon the proposed development, to discuss the impact of the proposal upon the Township and to suggest to the developer the procedures he should follow to gain approval. Such review and advice shall not be related to any time limit nor be binding on any subsequent action of the Township.

(Ord. 1994-1, 7/-/1994, §302)

§303. PRELIMINARY PLAN APPLICATION.

1. Developers seeking approval of a major subdivision (See §105(2)) shall submit four copies of the application materials required by §304 to the Township Secretary not less than 10 days prior to the regular Planning Commission meeting at which the plan is to be presented.

2. The Planning Commission shall review the submitted documents at its next regularly scheduled meeting after receipt in the presence of the developer or his representative. The Commission may table the submission if the developer or his representative are not present and aspects of the plan as submitted are not clear. The submission shall be reviewed as to its conformance with the requirements of this Chapter and with

other applicable Township regulations. If the Commission is satisfied that all requirements have been met it shall submit one copy of the documents to the Board of Supervisors and the developer shall submit one copy to the County Planning Commission. At his option the developer may first submit his plan to the County.

3. If professional engineering or other consulting services are retained by the Township to review the plan, the Planning Commission shall inform the developer prior to hiring such services that they are required as a condition of the review and that the costs, as estimated in advance by the engineer retained, shall be paid by the applicant.

   A. The Board of Supervisors shall adopt by resolution a schedule of fees in accordance with the ordinary and customary charges billed by the engineer or consultant for similar work. A copy of the resolution shall be provided to the developer.

   B. If the developer disputes the fee he shall so notify the Township Secretary within 10 days of the date on which the services were billed. The developer shall be responsible for 2/3 of the bill for services in any case but may ask that the other third be subject to negotiation. The process of review and decision on the developer's plan shall not be delayed by the disputed fee.

   C. At its next regular meeting the Board of Supervisors and developer may negotiate the remaining 1/3 of the consultant's bill to reach a binding figure. However, if a compromise is not reached, the Board and developer shall mutually agree on another professional with the same expertise as the one whose bill is contested or a registered professional civil engineer in Pennsylvania. The third party professional shall determine an equitable settlement which shall be binding within 30 days of his appointment and communicate his decision immediately to the Township Secretary and to the developer. The settled amount shall be paid to the consultant within 30 days.

   D. The bill submitted by the third party professional for his services shall be equally shared by the Township and the developer and paid within 30 days by each of them.

4. If the Commission is not satisfied that all requirements have been met it will indicate the specific discrepancies to the developer in writing. The developer shall then make appropriate corrections to the documents before again submitting them for preliminary approval. The Commission may call and hold a public hearing on the development proposal, properly noticed; provided, such hearing is commenced within 40 days of receipt of the application.

5. The Planning Commission shall render a decision as to approval, disapproval or approval with conditions not later than the third regular monthly meeting after the date of the meeting at which the preliminary application was initially reviewed and not subsequently rejected. The decision shall be based on the Commission's review, a field visit to the property to be divided or developed and comments of the Board of Supervisors and County Planning Commission. The official decision shall be transmitted in writing to the developer at his address of record not later than 15 days

after the decision is reached indicating specifically, if the approval is denied, the reasons for denial, citing the appropriate ordinance section and the steps needed to gain approval.

6. Failure to Render a Decision. Failure of the Planning Commission to render a decision and/or to communicate it to the developer within the time and in the manner required above shall be deemed an approval of the application as presented unless the developer has agreed in writing to an extension of time or change in the prescribed manner of presentation of the decision, in which case failure to meet the extended time or change in manner of presentation or communication shall have the same effect.

7. Amendment of Ordinances Affecting Applications. From the time an application for approval of a subdivision or land development is duly filed with the Secretary of the Board of Supervisors and while such application is pending approval or disapproval no change or amendment of this Chapter or others affecting development in the Township shall influence the decision on such application adversely to the developer and the developer shall be entitled to a decision in accordance with the provisions of this Chapter and others affecting development in the Township as they stood at the time the application was duly filed. However, if an application is properly and finally denied, any subsequent application shall be subject to any intervening changes in this or other ordinances. When an application has been approved or approved subject to conditions acceptable to the developer no subsequent change or amendment to this or other ordinances affecting development in the Township shall be applied to influence adversely the right of the developer to commence and to complete any aspect of the approved development in accordance with the terms of such approval within 5 years from the date of such preliminary approval.

8. Interpretation of Approval. Approval of a preliminary application shall not be construed to constitute final approval but only an authorization to proceed with preparation of the final plan application for presentation to the Planning Commission within 1 year.

(Ord. 1994-1, 7/-/1994, §303)

§304. PRELIMINARY SUBDIVISION PLAN SUBMISSION.

1. Existing conditions map at a scale of 1 inch equals 100 feet; or larger (i.e., 1 inch equals 50 feet, 1 inch equals 40 feet, etc.) showing:

   A. Contours at 5 foot intervals throughout the property (may be interpolated from U.S.G.S. data).

   B. Boundary of the property indicating bearings and distances of each line enclosing the property.

   C. Area of the property in acres.

D. Boundaries, where they adjoin the property under consideration, of abutting properties or lot plans, indicating names of abutting owners of lot plans.

E. Existing streets or roads abutting the property or within 50 feet of it indicating name, type of surfacing, right-of-way width and paving width.

F. Existing easements, if any, indicating width, bearings, distances, use and lessee within or adjacent to the property.

G. Existing electric, telephone, sewer, water and/or gas lines, if any, in abutting streets or within 50 feet of the boundary of the property, indicating line size, manholes, hydrants and similar appurtenances.

H. Existing streams or watercourses in the property or within 50 feet of it, together with culverts, inlets and/or storm drain lines if any.

I. Edges of the 100 year floodplain from Federal Emergency Management Agency maps and of hydric soils areas according to the County Soil Survey if applicable.

J. Existing tree masses in approximate location and/or other natural features.

K. Existing buildings, structures or other significant manmade features such as driveways or walls within the property or within 50 feet of it.

L. North arrow, linear scale, date that map was prepared, name and address of registered surveyor who prepared the map (including his Pennsylvania seal), name of the subdivision or development and names and addresses of owners of record of the property together with the developer's name and address if not the owner.

M. Vicinity map at a scale of 1 inch equals 2,000 feet showing the position of the plan relative to major roads and landmarks in the vicinity.

2. Subdivision plan at the same scale as the existing conditions map and combined with it as one drawing, if desired, showing:

A. Proposed lot plan indicating minimum and typical lot sizes in square feet, minimum and typical lot widths at front building line, setback line from street rights-of-way, proposed use of each lot and identification number in each lot running consecutively through the plan.

B. Proposed street plan indicating right-of-way widths, pavement widths, maximum grades and street names.

C. Proposed solution for surface storm drainage including location of culverts, inlets, retention basins, outfalls and natural drainageways.

D. Location of any sanitary sewer and/or water supply lines indicating direction of sewage flow, manholes, force mains, pump stations, treatment facilities, water

storage vessels, hydrants, wells, etc., and points of connection to existing systems.

E. Location and size of area to be set aside for recreation, community use or permanent open space, if any.

F. Proposed location of easements through or into the plan indicating width and use.

3. Profiles.

A. Vertical section along the centerline of proposed streets indicating approximate finished grades and location of ground surface prior to grading.

B. Vertical section along the centerline of proposed sanitary and storm sewer lines, if any, showing grade of line, manholes and ground surface.

C. The horizontal scale of the profiles shall be the same as the plan maps but the vertical scale should be exaggerated for clarity.

4. Soil percolation tests conducted under the direction of the Township Sewage Enforcement Officer, with the location of the test holes shown on the subdivision plan and the test hole data shown separately in the event the plan will not be connected to a public sewer system.

(Ord. 1994-1, 7/-/1994, §304)

§305. FINAL PLAN APPLICATION.

1. Having received preliminary plan approval a developer shall, within 1 year of receiving such approval, submit in not less than four copies documentation required for final plan approval (see §306) to the Secretary of the Board of Supervisors. Failure to present the plan for final approval within 1 year shall render the preliminary approval void.

2. The application may be for all or a part of the plan given preliminary approval but the portion submitted shall be substantially the same as depicted on the approved preliminary plan.

3. The Planning Commission shall review the submitted documents at its next regularly scheduled meeting after their receipt in the presence of the developer or his representative. The submission shall be reviewed as to its conformance with the approved preliminary plan and with the requirements of this Chapter and with other applicable Township regulations. If the Commission is satisfied that all requirements have been met it shall submit one copy of the documents to the Board of Supervisors. The developer shall submit one copy to the County Planning Commission for review and comment. At his option the developer may first submit his plan to the County.

4. If the developer or his representative fails to appear at the meeting when the final plan is first reviewed and the Commission has questions that cannot be answered the Commission may table the plan to the next regular meeting.

5. If the Commission is not satisfied that all the requirements have been met or that the final plan application deviates substantially from the preliminary approved application it will indicate the specific discrepancies to the developer in writing. The developer shall then make appropriate corrections to the documents before again submitting them for final approval. The Commission may recommend that the Board retain professional review assistance as provided for in §303(3) above.

6. The Planning Commission shall send its recommendations in writing to the Board of Supervisors indicating approval, disapproval or approval with conditions.

7. The Board of Supervisors shall review the recommendations of the Township Planning Commission and the comments of the County Planning Commission. The Board may call and hold a public hearing on the final plan application, properly noticed. The Board shall make its final decision, either approval or rejection of the final plan application, not later than 90 days after the meeting of the Planning Commission at which the final plan application was first presented and not subsequently rejected by the Commission. The official decision shall be transmitted in writing to the developer at his address of record not later than 15 days after the decision is reached, indicating specifically if the approval is denied, the reasons for denial, citing the appropriate ordinance section and the steps needed to gain approval.

8. Failure of the Board of Supervisors to render a decision and/or to communicate it to the developer within the time and in the manner required above shall be deemed an approval of the application as presented to the Board unless the developer has agreed in writing to an extension of time or change in the prescribed manner of presentation of the decision, in which case failure to meet in the extended time or change in manner of presentation or communication shall have the same effect.

9. Provisions of §303(7) shall also apply to final plan applications.

(Ord. 1994-1, 7/-/1994, §305)

§306. RECORDING.

1. The affixing of the signatures of the Chairman of the Board of Supervisors and others as required by §307 shall render the final plan application ready for recording.

2. The final approved plan with all signatures attached shall be recorded at the office of the Crawford County Recorder of Deeds within 90 days after the date of final approval as noted on the recording drawing or the approval shall be declared null and void. (See §513 of the Act of 247, as amended.)

3. It shall be unlawful for anyone to make any change whatsoever to a plan after final approval and before recording.

4. The recording of a plan shall not constitute grounds for assessment increases until such time as lots are sold and/or improvements are installed on the land.

(Ord. 1994-1, 7/-/1994, §306)

§307. FINAL SUBDIVISION PLAN SUBMISSION.

1. Final Plan Map; General Information.

   A. The map scale shall be either 1 inch equals 50 feet or 1 inch equals 100 feet.

   B. The map shall be prepared in ink on stable dimension film material.

   C. If final plan approval is sought for only a part of the area for which preliminary plan approval has been granted a key map shall be provided showing the relationship of the area for which final approval is requested to the area granted preliminary approval.

   D. A title block in the lower right hand corner of the plan sheet containing:

      (1) Title approved by the Planning Commission under which the subdivision or development plan is to be recorded.

      (2) Date of submission of the plan.

      (3) Graphic scale.

      (4) Name and address of owner of land and developer, if different.

      (5) Name and address of professional engineer and/or surveyor who prepared the plan with his Pennsylvania seal affixed.

   E. Certificates and acknowledgements as may be required.

      (1) Individual or corporate adoption, notarized.

      (2) Individual or corporate acknowledgment, notarized.

      (3) Guarantee of title and mortgagee's consent to recording, if applicable, notarized.

      (4) Surveyor's certificate, sealed.

      (5) Review by County Planning Commission.

      (6) Recommendation by Township Planning Commission.

      (7) Approval by Board of Supervisors.

(8) Release of Vernon Township from obligations to construct improvements.

(9) Approval of any modification if granted.

(10) Proof of recording.

(11) State Highway Occupancy Notice, if access to a State Highway.

2. Final Plan Map; Information on Plan.

A. Perimeter boundary line of area for which final plan approval is sought indicating bearings and distances of each line.

B. Street right-of-way lines indicating bearings to the nearest 1/6 of a minute and distances of lines, radii and lengths of curbs and right-of-way width to the nearest 1/100 of a foot.

C. Subdivision or lot lines indicating bearings and distances of lines and radii and lengths of curves to the same accuracy for streets.

D. Setback line from adjacent street in each lot.

E. Easement right-of-way lines indicating bearings and distances, widths and use of easement.

F. Names of all streets.

G. Lot and block numbers in each lot conforming to approved preliminary plan.

H. Location of all monuments to be set by developer in accordance with Part 4.

I. Location of any lands within the property to be dedicated for public use, such land to be designated for a specific use on the plan and dimensioned as for other lots.

J. Area of each parcel of land to be sold to the nearest square foot or 1/100 of an acre.

K. Names of owners of unplatted adjacent property and names of adjacent lot or development plans in appropriate locations.

L. North arrow.

M. Location of gas lines, if any, by size and owner, together with point of connection to existing lines and any structures or appurtenances required to be inserted on the lines to serve the plan.

N. Sewage Disposal.

(1) Treatment on Individual Lots. Approximate location of soil test sites approved by the Sewage Enforcement Officer within the plan and approximate location of tile field on each lot.

(2) Attachment to Existing System. Location of proposed lines indicating size and material of each line, direction of flow, point of connection to existing system and manholes numbered to correspond with profile numbers (see subsection (3) below).

(3) Treatment at Temporary Onsite Treatment Plant. Location of proposed lines indicating size and material, direction of flow, manholes numbered to correspond with profile numbers, location of treatment plant, access to it, point of effluent discharge and certificate of the State DEP approving the plant and system design. [Ord. 1997-2]

O. Water Supply.

(1) Supply From Onlot Well. Approximate location of well on each lot.

(2) Attachment to Existing System. Location of proposed lines indicating size and material, hydrants, valve boxes, point of connection to existing system and any storage or pumping facilities in the plan.

P. Stormwater, Grading and Erosion Control.

(1) The location of culverts, catch basins and subsurface storm lines with size, pipe material and direction of flow.

(2) The location of stormwater-retarding devices together with a section through the device showing elevations of inlet and outflow pipes and maximum water level, overflow dam and other features.

(3) Where grading is to occur the area to be disturbed shall be shown and the percentage of slope to be created as well as devices to contain erosion from the graded slopes.

(4) Proposed planting of the slopes and means of directing stormwater around the top and toe of the slope.

3. Profiles and cross sections of public improvements shall be shown at the same horizontal scale as the final plan map but the vertical scale should be exaggerated for clarity. Existing contours along the centerlines and proposed grades shall be shown:

A. Profiles along centerline of each section of street to be constructed showing existing ground elevation, proposed grades, vertical curves connecting changes in grade and connection to existing roads.

B. Cross section through proposed streets between right-of-way lines showing thickness and widths of materials to be used in meeting Township road

construction standards and maximum grades to be used in transition to existing contours, such cross section drawn at a scale of 1 inch equals 10 feet.

C. Profiles along centerline of each section of storm drainline indicating line size, material and slope, inlets, culverts and outfalls.

D. If attachment to a public sewage disposal system is proposed, profiles along the centerline of each section of line indicating line size, material of pipe and slope, manholes, lampholes and treatment facilities and showing the flowline and top-of-casting elevations for each manhole numbered to correspond to the sewer system plan.

4. Titles and Approvals Required of the Developer before Final Plan Approval Can be Given.

A. A letter from the Township Sewage Enforcement Officer attesting that lots to be sold are sufficient in area to accommodate onlot sewage disposal and water supply within the requirements of the State law based on soil percolation tests conducted by the officer.

B. If the plan will be connected to existing public sewage disposal and/or water supply systems, letters from the utilities indicating they will accept sewage and/or provide water to the plan as well as a certificate of public convenience from the Pennsylvania P.U.C. or a copy of an application for such a certificate provided by the water supplier.

C. An accounting by the engineer preparing the submission of all costs for constructing improvements to be provided by the developer. Costs shall be broken down into quantities, unit costs and totals.

D. The form of an improvement bond or other security written to the benefit of the Township, approved by the Township Solicitor and already for the signatures of the Board of Supervisors, equal in value to 110% of the estimated costs of installing the improvements plus 10% for each year after the first that the improvements will be under construction.

E. Any restrictive covenants and/or rights of easement in the form in which they will be filed as legal documents.

F. If the proposed plan includes access to a State highway the final plan map shall bear a notice that a highway occupancy permit is required pursuant to §420 of the State Highway Act before access to the adjacent State highway will be permitted.

(Ord. 1994-1, 7/-/1994, §307; as amended by Ord. 1997-2, 3/6/1997)

§308. GUARANTEE THAT IMPROVEMENTS WILL BE COMPLETED.

1. As a condition of final plan approval the Board of Supervisors shall require the developer to deposit a corporate bond or other security acceptable to the Board to be held in escrow and equal to the total estimated costs, as determined by the developer's engineer and approved by the Township Engineer, of all improvements to be constructed to serve the approved final plan and agreed to by the developer and Vernon Township. All required improvements shall be completed within 5 years of the date of final plan application approval unless the Township and the developer agree jointly for an extension of time. If the improvements are not completed within the agreed time period or approved extension, the Township may have the securities held in escrow declared forfeit and shall utilize them to complete the improvements not at the time of forfeit complete. (See §509 of Act 247, as amended.)

2. The amount of the financial security shall be equal to 110% of the cost of completing all the required improvements estimated as of 90 days following completion of the improvements as determined by the developer.

3. The developer may request the Board of Supervisors to provide him with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining satisfactory financial security. The final plan shall not be signed by the Chairman of the Board until after the security bond is executed. The resolution shall be deemed revoked if the developer fails to secure the financial security within 90 days of the date of the resolution.

4. The form of the financial security shall be reviewed and approved by the Township Solicitor. Provisions for reevaluating the amount of the security bond on the value of work still to be completed at the end of each year after the commencement of the project may be included.

5. If the developer's engineer and the Township's Engineer cannot agree on the amount of the financial security or if the Township's Engineer recommends to the Board of Supervisors that the Board refuse the developer's estimate, the Board and developer shall agree to retain and share the expenses of a third registered professional engineer who shall recalculate the improvements costs and provide a final estimate presumed to be fair and reasonable.

6. Any improvements to be later maintained by a public authority or private utility company shall be installed and bonded in accordance with the authority or Public Utility Commission regulations.

(Ord. 1994-1, 7/-/1994, §308)

§309. RELEASE FROM IMPROVEMENT BOND.

1. The developer shall contact the Township Engineer before placing subbase or paving any vehicular street, before backfilling any sanitary or storm sewers, water lines, retaining wall foundations or any other structures which are part of the improvements covered by the bond and shall not backfill until authorized to do so by the Township Engineer.

2. When the developer has completed all necessary improvements he shall notify the Secretary of the Board of Supervisors by registered mail of the completion of the improvements and shall send a copy to the Township Engineer.

3. The Secretary of the Board of Supervisors shall, within 10 days after receipt of such notice, direct and authorize the Township Engineer to inspect all the improvements.

4. Having made his inspection the Township Engineer shall file a detailed report in writing with the Board of Supervisors nor later than 30 days after receipt of the authorization to proceed with a copy of the report sent by registered mail to the developer. The report shall be detailed and indicate approval or rejection of the improvements either in whole or in part. In the event that the Township Engineer shall not approve or shall reject any or all of the improvements his report shall contain a statement of specific reasons for each such failure to approve or rejection. Upon receipt of the Township Engineer's report the Township Board of Supervisors shall, within 5 days after its regular monthly meeting next succeeding receipt of the report, notify the developer in writing by registered mail of its action relative to the Township Engineer's report.

5. If the Board or the Township Engineer fails to comply with the time limitation provisions of this Section all the improvements requested by the developer to be inspected will be deemed to have been approved and the developer shall be released from all liability pursuant to his performance guaranty bond or other security agreement covering only the improvements he requests be improved.

6. If any portion of the improvements are not approved or are rejected by the Board of Supervisors the developer shall proceed to repair and complete the improvements so designated and upon completion the same procedure of notification as outlined above for inspection and approval shall be initiated.

7. Nothing in this Section shall be construed to limit the developer's right to contest or question by legal proceedings or otherwise any determination of the Board of Supervisors or Township Engineer.

8. If any improvements covered by the developer's bond or other security have not been installed within 3 years of the date of final approval of the subdivision or development plan by the Board of Supervisors (unless the Board and developer mutually agree to an extension of specific length), the Board of Supervisors shall have the power to enforce the bond or other security by appropriate legal action and equitable remedies. If proceeds of such bond or other security are insufficient to cover the cost of installing or making repairs or corrections to all the improvements covered by bond or security and found unacceptable or left uninstalled the Board of Supervisors, at its option, may install such improvements and may institute appropriate legal or equitable action to recover the funds necessary to complete the improvements. All of the proceeds, whether resulting from the satisfying of the bonds or other security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of improvements covered by such security and for no other municipal purpose.

9. Partial Release of Improvement Bond.

A. The developer may request in writing to the Board of Supervisors from time to time that a part of the improvement bond be released, citing the specific part of the improvements that he contends are completed and the estimated amount of bond covering such improvements.

B. The Board shall authorize the Township's Engineer to inspect the work and to certify, within 45 days of the request, that the work is completed and the amount of the bond that may be released or that certain specific deficiencies preclude the release of a part of the bond.

C. The Board, on receiving the engineer's certification approving release of a specific part of the bond, shall authorize the bonding company or lending institution to release the requested amount.

D. Failure of the Board to act within the 45 day limit shall constitute approval of release of the part of the bond requested by the developer unless both parties agree to an extension of time.

E. Until completion and satisfactory inspection by the Engineer of all improvements in the plan at least 10% of the value of the bond shall be retained by the Township.

10. Developer Reimbursement of Township Expenses. The developer shall reimburse the Township for reasonable and necessary expenses incurred by the Township's Engineer for the inspection of improvements up to final approval and the preparation of reports thereon.

A. The Board of Supervisors shall establish by resolution a schedule of charges based on the Engineer's normal hourly rates and expenses. The developer shall be furnished a copy of the resolution at the time of final plan approval.

B. The Engineer shall provide a detailed breakdown of his allocation of time to particular aspects of the inspection and shall submit his statement to the developer with a copy to the Township Secretary.

C. If the developer disputes the statement he shall so inform the Township Secretary within 10 days of its receipt, accompanied by a check payable to the Engineer in an amount equal to at least 3/4 the value of the statement.

D. The developer shall present his case for a reduced value of the statement at the next regular meeting of the Board of Supervisors and the Engineer may then rebut the developer's presentation. The Board shall decide the disputed amount and any amount still owed the Engineer shall be paid by the developer within 30 additional days. Failure of the developer to file his request within 10 days or to appear at the Board's meeting will make the developer liable for the full amount of the Engineer's statement within 30 days of the Board's meeting at which he would have been heard.

E. If the developer disagrees with the Board's decision he and the Board may agree to hire and share the expenses of another registered professional engineer who shall review the statement and evidence presented before the Board, question the Township Engineer and decide the disputed amount of the statement with the decision being binding on all parties.

(Ord. 1994-1, 1/-/1994, §309)

§310. STATUS OF IMPROVEMENTS AFTER ACCEPTANCE.

1. Approval of construction shall not constitute an acceptance for repairs or maintenance by the Township. All improvements shall remain in private ownership until such time as their dedication shall have been accepted by ordinance or resolution of the Board of Supervisors or until condemned for public use.

2. Upon the completion of all improvements in a plan and their approval by the Township the developer shall have two options:

   A. He may post a maintenance bond or other security in favor of Vernon Township in the amount of not more than 15% of the total value of all the accepted improvements to run for a period of not more than 18 months from the date of acceptance by ordinance, such bond to guarantee only replacement of all improvements installed by the developer or his agents damaged or destroyed because of defective materials or installation.

   B. He may decide not to post a maintenance bond in which case the Township, at its option, may accept the improvements at a future time by ordinance or may refuse to accept them until the developer has repaired them to bring them up to the standards at which they were originally approved. The Township shall determine within 3 years of approval if repairs are needed before acceptance and shall so inform the developer immediately by certified mail if repairs are needed. The Township shall not be obliged to accept the improvements until the repairs are made but the developer, if not informed within the 3 year period, shall not be obligated to make repairs.

(Ord. 1994-1, 7/-/1994, §310)

PART 4

LAND DEVELOPMENT PLANS

§401. APPLICATION.

Any proposal to develop land or to prepare land for development other than the act of subdivision shall be subject to the requirements of this Chapter with the following exceptions:

A. General Exceptions. The following activities are specifically exempt from the Planning Commission requirements of this Chapter, unless the Township determines that the activity is likely to, has or will negatively impact upon the purposes and objectives set forth in this Chapter. For example, where an activity occurs on very steep terrain or where an activity is the latest in a series of incremental developments expected to cause substantial impact, the Township of Vernon may require that these activities be subject to the plan requirements of this Chapter even though the activities otherwise qualify for exemption under this Section. Upon making such determination the Township shall give notice in writing to the landowner and any developer to immediately cease and desist all activity and affirmatively comply with the formal plan submission and approval procedures of this Chapter:

(1) Land disturbances affecting less than 1.5 acres of ground surface.

(2) Land disturbances of less than 1.5 acres involving development relating to uses and structures accessory to existing one and two-family residential dwellings.

(3) Developments involving the construction of a single or two-family residential dwelling and related accessory buildings on a separate parcel of land where the total impervious or semi-impervious land surface resulting from the development is less than 7,500 square feet and land disturbance affects less than 1.5 acres of ground surface.

(4) Land developments involving the construction of a structure utilized for agricultural purposes on an existing farm where the total impervious or semi-impervious land surface resulting from the developments is less than 7,500 square feet and land disturbance affects less than 1.5 ares of ground surface.

(5) Agricultural activities, except for the construction of new buildings and in pervious areas; provided, however, that the expansion of existing buildings or construction of new buildings for agricultural use (housing of livestock, shelter for farm equipment, storage of silage, etc.) on a family run farm shall be exempt.

(6) Forest management operations which follow the Department of Environmental Protection management practices contained in its publication (Soil Erosion and Sedimentation Control Guidelines for Forestry) as amended and supplemented from time to time and are operating under an erosion and sedimentation control plan reviewed and approved by the Crawford County Conservation District.

(7) Expansion of a building to cover additional ground area; provided, the expansion is not more than 500 square feet and is not closer than 100 feet to the property line abutting a residential property or 50 feet to any other property line.

(8) Subdivisions which are certified to be solely for purposes other than building or development.

B. Exemptions for Small Land Developments. Small land developments, as defined herein, shall be eligible for simplified plan submission requirements if, at the time of application, the Township determines that the subdivision/land development shall not include a new public or private road and qualifies as a small land development which is defined to include:

(1) Residential subdivisions and land developments involving no more than two lots where each lot is a minimum of 20,000 square feet, where the development will involve construction of less than 7,500 square feet of impervious or semi-impervious surface and which the disturbed area of land at any one time shall be no greater than 1.5 acres.

(2) Land developments (including residential subdivisions referred to above) involving the construction of only one commercial, industrial or any other nonresidential building and including an individual apartment building of three or more dwelling units where the development involves less than 7,500 square feet of impervious or semi-impervious surface and where the total area of disturbed land is less than 1.5 acres.

C. Requirements for Small Land Developments.

(1) Applications for small developments as defined in this subsection shall include a plan which describes the type and location of proposed structures and other impervious and semi-impervious surface areas and their dimensions, onsite stormwater management techniques or the proposed connection to an existing storm sewer system. The plan should show accurately site boundaries, contours at reasonable intervals (which can be scaled on the plan from USGS 7.5 Minute Topographical Quadrangle Base Maps), locations of watershed and/or subarea boundaries and location of existing drainage facilities or structures located on the site. The plan shall also include all criteria in this Chapter. The Township reserves the right to require that the plan be prepared by a registered professional engineer, surveyor or landscape architect.

(2) The Township and Township Engineer or other designated qualified professional shall review and approve the proposed provisions for land development for small land developments in accordance with this Chapter, the facilities design criteria contained in this Chapter and erosion and sedimentation control requirements set forth in Part 2 of Chapter 26, "Stormwater Management."

(3) If the Township and the Township Engineer or other designated qualified professional shall determine that the planned small land development meets the general criteria referred to above and otherwise is unlikely to have an adverse impact on the objectives of the Township, the plan shall be approved without further proceedings as required by this Chapter.

(4) The Township or Township Engineer or other designated qualified professional may require reasonable modification and conditions to the plan to meet the general criteria and objectives referred to above in order to obtain approval under this Chapter. In the event that the small land development cannot be approved in accordance with this provisions for small land developments, then, in that event, the plan shall be subject to the plan requirements for all other nonexempt land developments.

(Ord. 1994-1, 7/-/1994, §401; as amended by Ord. 1997-2, 3/6/1997)

§402. PLAN SUBMISSION AND REVIEW.

1. The developer may request the Planning Commission to informally review a proposed plan relative to the requirements of this Section at a regular Commission meeting. The developer shall provide a sketch plan showing in preliminary form the information required for the formal submission. Any statements made by the Commission members during this preapplication meeting shall not be deemed to be indicative of approval or disapproval of the plan as it will be later presented. The developer shall inform the Planning Commission Secretary at least 10 days prior to the meeting of his intent.

2. When ready to present his application the developer shall provide the following drawings and data in at least three copies to the Planning Commission informing the Commission Secretary at least 10 days prior to a regular meeting of his intent to be present. The developer or his authorized representative shall be in attendance to present the application. Failure of the developer to be present may result in postponement of official receipt of the application until the next regular meeting.

   A. Name and address of property owner and developer if different from owner; name, address and professional seal of surveyor or civil engineer who has prepared the property survey and plan; scale of the drawing, north arrow, date of drawing and sketch map relating the site to nearby major roads and landmarks.

   B. Boundaries of property described by bearings and distances.

C. Contours at a vertical interval of 2 feet for all areas of the site where any grading or placement of driveways, parking areas, buildings or utility lines is to occur.

D. Existing physical features on or adjacent to the site including, but not limited to, access or utility easements, watercourses, drainage swales, culverts, storm size and manholes and fire hydrants noted; street right-of-way lines, edges of pavement and pavement width; location of vehicular entrances across the street from the site; gas lines, steep slopes, wooded and floodprone or wetland areas of the site and other significant manmade or natural features and use of abutting properties surrounding the site.

E. Proposed improvements to be installed on the site or connection to offsite services including, but not limited to, buildings with number of floors, dwelling units indicating number of bedrooms in each and/or rentable commercial floor area ; points of access from adjacent road or roads; internal vehicular driveways; parking areas with each parking space shown; walkways if any; grading and drainage revisions needed to accommodate the project; preliminary landscaping plan and connection of development to off-site utility lines or means to provide sewer and/or water service on the property.

F. Proposed ultimate development of the property in preliminary form showing phasing or development if the plan presented is for only a part of the total land holding.

G. Means to collect, store and release stormwater in accordance with §508 of this Chapter.

H. Method to control erosion and collect sediment during construction in accordance with §509.

I. Purpose. Traffic impact studies are required to enable the Township of Vernon, Crawford County, Pennsylvania to identify the potential impacts of a proposed development and determine the roadway improvements necessary to mitigate any impacts resulting from the development. [Ord. 2003-1]

J. Uses Requiring a Traffic Study. A traffic impact study shall be submitted for any development which meets the following criteria:

(1) Residential: 50 or more dwelling units.
(2) Nonresidential: 20,000 square feet or more of total floor area.
(3) Or any use that generates 750 or more vehicular trips per day.

In addition, a traffic impact study will be conducted when, in the opinion of the Vernon Township Planning Commission and/or the Vernon Township Board of Supervisors, the site development is expected to have a significant impact on the safety and/or traffic flow of the affected roadway(s).

[Ord. 2003-1]

K. Preparation of the Study. The study shall be conducted by a registered professional engineer in the Commonwealth of Pennsylvania that has verifiable experience in traffic engineering. The study shall be prepared in accordance with the Institute of Transportation Engineer's Recommended Practice Traffic Access and Impact Studies of Site Development, current edition, and PennDOT Publications 201 and 282, current edition and as supplemented from time to time, and the requirements contained herein. The full expense of completing the study and of a review by the representative of the Township of Vernon, Crawford County, Pennsylvania shall be the obligation of the applicant. [Ord. 2003-1]

L. Study Area. Study area boundaries shall be determined in accordance with the preceding publications and through discussion with the Township Planning Commission and Township Engineer. When establishing the study area boundaries, sufficient area shall be included to ensure that any corridors that afford access to the site and critical intersections that may be affected by the site generated traffic are taken into account. The study area will generally include the adjacent major intersection plus the first signalized intersection. [Ord. 2003-1]

M. Traffic Impact Study Contents. A traffic impact study prepared in accordance with the preceding publications and shall include information set forth in the following sections:

(1) Site Description. This section should contain a brief description of the size, location, existing and proposed land uses, current zoning, construction phasing and completion data of the proposed development. A brief description of other major existing and proposed land development within the study area shall be provided.

(2) Existing and Proposed Roadways and Intersections. Within the study area, describe existing roadways and intersections (geometrics and traffic signal control) as well as improvements proposed by government agencies. Describe the proposed internal transportation system for this development including ingress and egress locations, existing or proposed internal roadways, parking conditions, traffic channelization and any other traffic control devices within the site.

(3) Existing Traffic Conditions. The traffic impact study shall provide the following information relative to the existing traffic conditions analysis to be completed for the roadways and intersections in the study area:

(a) Provide daily and peak hour(s) traffic volumes for roadways within the study area. Turning movement and mainline volumes are to be presented for the AM and PM peak hours and any site generated peak hours. Traffic volumes should be based on actual counts conducted within the prior two years.

(b) Utilizing methodology described in the Highway Capacity Manual, current edition, include a volume/capacity analysis of the existing volumes during the peak hours for all roadways and intersections. Levels of service (A through F) are to be computed and presented for key traffic movements, including turning movements. Traffic signal warrant analysis shall be conducted for all unsignalized intersections in accordance with PennDOT Publication 201. Gap studies and queue length analysis shall also be completed for the key intersections. The analysis of the existing road network will be based on the current geometric condition and traffic conditions.

(4) Analysis of Future Conditions Without Development. The analysis of future conditions without the proposed development will document the adequacy of the study area network to accommodate the 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. Clearly indicate the method and assumptions used to forecast future traffic volumes. Perform volume/capacity and associated analysis.

(5) Trip Generation. The study shall include an estimate of the number of trips expected to be generated by the use during the AM, PM and site generated peak hours. Such estimates shall be based on the last published estimates of the Institute of Transportation Engineers, unless the applicant provides the Township with estimates and supporting documentation based upon actual counts at similar developments. These generated volumes shall be distributed to the study area and assigned to the existing roadway at key intersections throughout the study area.

(6) Analysis of Future Conditions With Development. Perform volume/capacity analysis for the appropriate peak hours for future conditions with the site developed as proposed. As a result of the volume/capacity analysis, compute and describe the level of service on the study area roadway system. Final design must address both traffic flow and traffic safety considerations to provide safe operational characteristics.

(7) Recommended Improvements. 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 development. Describe the location, nature and extent of proposed improvements to assure sufficient roadway capacity. Perform volume/capacity analysis, which demonstrates the anticipated results of making these improvements. As a result of the revised volume/capacity analysis presented in the previous section, present levels of service for the highway system with improvements. For each recommended improvement, provide a preliminary cost estimate, source of funding and the

implementation schedule for the improvement. 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 D or better.

(8) Final Report. A final report must be prepared to document the results of the traffic study and the recommended improvements to accommodate the projected traffic due to the proposed development. Provide an executive summary, which provides a concise description of the study area, result of the traffic analysis and any recommended improvements. The presentation of data and analyses results should be accomplished on schematic diagrams of the study area and the use of charts and/or tables. All sources of data and methodologies that were used in the study must be properly referenced and documented. Provide all computer output and calculations in appendices.

(9) Completion of Improvements. Any traffic improvements that are required as a condition of any approval shall be in place or sufficient funds committed in escrow acceptable to the Township prior to the issuance of any needed occupancy permit, or within a staged process agreed to at the time of approval.

[Ord. 2003-1]

3. The Planning Commission may recommend approval, disapproval or approval with conditions to the Board of Supervisors after reviewing the submitted drawings and data. The Board shall vote to approve or disapprove the plan and may modify or accept any or all of any recommended conditions which shall make its decision not more than 90 days after the regular meeting date of the Planning Commission at which the application was first formally reviewed. If the developer chooses not to accept all the conditions attached to approval he shall so inform the Township Secretary and the application shall be considered as denied. If the Planning Commission recommends approval or approval with conditions the developer shall submit the following drawings and documents, where applicable, to the Township Engineer for review and recommendation:

A. A final plan of proposed improvements including addition or corrections to address conditions imposed by the Planning Commission.

B. A curb cut approval from PennDOT and the Township if the site is to have access to a State highway or Township road.

C. Letters or approved modules guaranteeing and authorizing access to public sewer and/or water systems or certificate of approval from Sewage Enforcement Officer if development is to be served by onlot sewage disposal.

D. Cross sections through access drives and parking areas showing slopes and materials to be used and their thicknesses and through areas of significant grading

showing means of draining the sloped surfaces.

E. Profiles along centerlines of sanitary and storm sewers or drainage swales showing connection to offsite system and profile along centerline of access drives showing elevation of surface before and after installation of improvements.

F. A notarized letter addressed to the Board of Supervisors indicating whether or not any toxic chemical or other substances regulated by the DEP will be used in connection with the operation of the development and, if so, who such use will be controlled and waste materials disposed of. [Ord. 1997-2]

G. The Township Engineer shall review the above for compliance with the standards of this Section and shall report his findings and recommendations to the Board of Supervisors within 30 days of receiving the material. The developer shall provide the Engineer with all the above not later than 30 days after receiving approval from the Planning Commission.

4. If the developer withdraws his plan after having submitted it the review period shall cease and shall start over when the plan is resubmitted. If the Planning Commission requests additional information from the developer that is not provided with the application the time period shall be held in abeyance until the information is provided and will then start again at the point of interruption.

5. Approval of a plan shall constitute an agreement between the developer and the Township that the site will be developed in accordance with the plan. Any subsequent deviations in the plan shall require review and action by the Planning Commission. The developer shall apply for a building permit within 90 days after receiving final plan approval.

(Ord. 1994-1, 7/-/1994, §402; as amended by Ord. 1997-2, 3/6/1997; and by Ord. 2003-1, 4/3/2003)

§403. IMPROVEMENT OR PERFORMANCE BOND.

1. As a condition of final approval the Planning Commission may recommend that the Board of Supervisors require an improvement or performance bond to be purchased by the developer or an escrow account be opened to the benefit of Vernon Township to cover onsite improvements. Such bond or account shall not exceed 110% of the value of the improvements to be guaranteed. Such improvements may include but need not be limited to construction and paving of driveways, parking areas and walkways, storm drainage collection, retention and disposal system and landscaping materials. The Township Engineer, at the direction of the Board of Supervisors, shall determine the cost of the improvements to be covered and shall inform the Board and developer who may negotiate the final value of the bond or escrow account with the Board of Supervisors. The bond or escrow account shall be released as provided for in §309 of this Chapter.

(Ord. 1994-1, 7/-/1994, §403)

§404. DESIGN STANDARDS; VEHICULAR CIRCULATION.

Follow Title 67 of the Pennsylvania Department of Transportation Rules and Regulations.

(Ord. 1994-1, 7/-/1994, §404)

§405. LANDSCAPE SECTION OF THE LAND DEVELOPMENT REGULATIONS.

1. Intent. The intent of this Chapter is to promote tree planting and landscaping of commercial and industrial properties including rental housing. Also, to require buffering or screening between noncompatible land uses and to protect, preserve and promote the aesthetic appearance, character and value of commercial and industrial development and to preserve areas of natural value.

2. Purpose. It is further the purpose of this Chapter to specifically promote the preservation and replacement of trees and significant vegetation removed in the course of land development. To promote the proper utilization of landscaping between certain land uses to minimize the opportunities of nuisances.

3. Sites Affected.

   A. New Sites. No building permit shall be issued hereafter for any site development or the construction or improvement of any building, structure or vehicular use except where landscaping for such development, construction has been approved as required by the provisions of this Chapter. Residential uses shall be exempt for these requirements.

   B. Existing Sites. No building structure, additions, parking lots or roads shall be constructed, expanded or altered until a landscape plan with the minimum landscape requirements is approved. An alteration or expansion to an existing property is substantial when:

[Text continued on following page.]

(1) When construction does not involve additional land and the square footage of the alteration or expansion exceeds 20% of the square footage of the existing building or parking area.

(2) When construction involves additional land the new construction or alteration is required to adhere to landscape provisions of this Chapter.

(3) "Land," as used herein, includes land used for open space, parking or building purposes.

4. Minimum Landscape Requirements for Commercial and Industrial Properties.

A. Shade Trees in Parking Lots. One shade tree per 15 parking spaces shall be planted in parking areas which includes parking lanes (4,800 square feet). The tree should be of a variety to withstand the soil and site conditions and shall be a minimum of 2 inch caliper and shall not interfere with overhead utilities.

5. Landscaping for all Commercial and Industrial Sites. Landscaping shall be provided adjacent to the building entrance areas, exit areas to the site, within the vehicular parking and on the perimeter of the property. Landscape area may include shrubbery groundcover, annual and perennial beds, lawn areas, ornamental and shade tree plantings and plant material visual screening. Landscape and lawn areas shall comprise a minimum of 5% of the developed site area of the building structure, utilities, parking lot, drives or any other developed area. All plant material shall be of commercial landscape size and meet the association of American Nurserymen Standards and be properly approved by the Department of Agriculture.

6. Screening. Screening can be a hedge, fence, wall, earth mounding, evergreen planting or a combination of any of the above with plantings. Screening shall be an immediate effect. Screening may be a combination of structures and plantings approved by the Board and the property owner of property affected. The screening shall be properly maintained as long as there continues to be compatible land uses.

7. Preservation.

A. Any landscape feature such as an historical tree, a grove of unique trees or shrubs and endangered species of plants shall have the approval of the Planning Commission before any plant is destroyed, removed, filled around or disturbed in any way. All efforts shall be taken to plan around and preserve existing trees in their natural state.

B. Preservation of Wooded Areas. It is encouraged that efforts be made to preserve natural vegetation areas. Consideration shall be given to laying out streets, lots, structures and parking areas to avoid the unnecessary destruction of heavily wooded areas or outstanding tree specimens. It is further encouraged that whenever possible, heavily wooded areas be designated as park reserves.

8. Maintenance and Installation. All landscaping materials shall be installed in a sound, workmanship-like manner and according to accepted, good construction and planting

procedures. The owner of the property shall be responsible for the continued proper maintenance of all landscaping materials and shall keep them in proper, neat and orderly appearance, free from refuse and debris at all times. All unhealthy or dead plant material shall be replaced within 2 months or by the next planting period, whichever comes first. Violation of these installation and maintenance provisions shall be grounds for the Zoning Officer to refuse a building occupancy permit or institute legal proceedings.

9. Plan Submission and Approval. Whenever any property is affected by these landscape requirements the property owner or developer shall prepare a landscape plan for submittal. All landscape plans shall be approved by the Board of Supervisors prior to issuance of a building permit.

   A. Plan Contents. The contents of the plan shall include the following:

      (1) Plot plan, drawn to an easily readable scale no smaller than 1 inch equals 20 feet showing and labeling by name and dimensions all existing and proposed property lines, easements, building and other structures, vehicular use areas, sidewalks, planting and lawn areas, etc., locations of structures on adjoining parcels, water outlets and landscape material including botanical name and common name, installation size, on center planting dimensions where applicable and quantities for all plants used and all existing trees.

      (2) Typical elevations and/or cross sections as may be required.

      (3) Title block with the pertinent names and addresses, property owner, person drawing plan, scale, date, north arrow, generally orient plan so that north is at the top of plan and zoning district.

      (4) Plans shall be prepared by a registered landscape architect, Pennsylvania certified nurserymen or any person who is knowledgeable about landscape layout, soils and plant material.

   B. Building Permit and Certificate of Occupancy. Where landscaping is required no building permit shall be issued until the required landscaping plan has been submitted and approved and no certificate of occupancy shall be issued until the landscaping is completed as certified by an onsite inspection by the Zoning Officer unless a performance bond or irrevocable letter of credit from a banking institution has been posted. If the required landscaping has not been completed and a temporary certificate of occupancy is issued a performance bond or irrevocable letter of credit from a banking institution shall be posted at that time.

(Ord. 1994-1, 7/-/1994, §405)

§406. DESIGN STANDARDS; SITE LIGHTING.

1. All light sources erected as part of a site development plan or thereafter on the site shall be located and shielded so that the source of the light is not visible from anywhere off the site and so the pool of light from any light source strikes the ground entirely within the site.

2. Where a site development will abut a property containing a dwelling or dwelling units the maximum illumination measured at ground level along the common property line shall not exceed 0.2 foot candles and no light source within 50 feet of the common line shall be mounted at a height of greater than 15 feet from the ground.

3. No light source within a site development shall be mounted at a height of greater than 30 feet and all sources shall be screened from view off the site by landscaping or fitted with cut-off shields, reflectors or refractor panels that deflect light downward to the ground and allow none to be reflected into the sky. The maximum illumination at ground level anywhere on any site not less than 50 feet from a property line accepting vehicular entrances shall be 2 footcandles. Except as noted in subsection (2), illumination levels shall not exceed 0.5 footcandles along any property line.

4. Lighted signs and walls washed with light shall not produce illumination greater than 0.2 footcandles measured from any place within a property containing dwellings from which such signs or walls will be visible.

5. Light levels shall be measured in foot candles with a direct reading portable light meter. The meter shall have a color and cosine corrected sensor with multiple scales and shall read within an accuracy of plus or minus 5%. It shall have been tested, calibrated and certified by an independent commercial photometric laboratory or the instrument manufactured within 1 year of the date of its use. The meter sensor shall be mounted not more than 6 inches above ground level in a horizontal position. The instrument's cell shall be exposed long enough to provide a constant reading. Measurements shall be made after dark with the light sources in question on and then with the same sources off. The difference between the two readings shall be compared to the maximum permitted illumination specified above to determine if the light sources in question are in violation of this Section.

(Ord. 1994-1, 7/-/1994, §406)

PART 5

DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

§501. GENERAL STANDARDS.

1. The developer shall install, at no expense to the Township, all the improvements that he and the Board of Supervisors agree upon in accordance with the standards outlined in this Part.

2. The Board of Supervisors upon recommendation of the Planning Commission may at the Board's discretion modify the improvements required of the developer where unusual conditions are present, where normal application of the requirements would jeopardize the public safety or the safety of any occupants of the plan or subdivision or abutting properties or where the design standards impose a clear hardship on the developer through no fault created by him.

3. The Township Engineer shall inspect the installation of required improvements under bond in all approved plans or subdivisions while they are being installed and upon completion in accordance with §308 of these regulations. Where improvements are not under bond they may be inspected and approved by the Board of Supervisors.

4. The design standards contained in this Chapter are minimum standards. When restrictive covenants or deed restrictions imposed by a developer on his plan are more restrictive they shall govern.

5. Land containing wetlands and land susceptible to flooding or exceptionally high water table or underlain by unstable subsurface conditions, steep or unstable slopes or impacted by the presence of high voltage electric or high pressure gas or oil transmission lines shall not be approved for subdivision or development unless the plan respects the hazards in its design or unless the plan proposes safeguards, in the opinion of a registered professional engineer, to protect the proposed use of the land.

6. The subdivision of a tract of land shall not leave remaining any portions that are landlocked or parts that are not designated as lots, streets, lands dedicated for public use or land to be retained by the owner of the tract with reasonable access for later subdivision.

7. The Township may refuse to issue building permits in a plan if improvements have not been placed, are not being placed in a continuing planned manner or have been placed, rejected by the Township Engineer and not corrected.

(Ord. 1994-1, 7/-/1994, §501)

§502. MONUMENTS AND PINS.

1. Monuments shall be set permanently at the intersections of all lines forming angles in the boundary of any major subdivision plan, at the intersections of all rights-of-way of streets crossing any subdivision boundary and at the right-of-way intersections of all interior streets to be recorded.

2. Pins shall be set permanently at all points of tangent and points of curvature along interior streets to be recorded and at all lot corners or points of changes of direction along lot lines.

3. Monuments and markers shall be set in the field exactly by a registered professional surveyor in accordance with the bearings and distances shown on the recording drawing.

4. Monuments shall be of solid metal at least 30 inches long and 3/4 of an inch in outside diameter. They shall be driven into the ground to finished grade and shall be scored to indicate the exact point of crossing of intersecting lines.

5. Pins shall be of solid metal at least 30 inches long and 1/2 inch in outside diameter and shall be driven into the ground to finished grade. They shall be scored to indicate the exact point of crossing of intersecting lines.

6. Any monuments or pins that are removed shall be replaced by a registered surveyor at the developer's expense until such time as the developer's interest in the property involved ceases, after which abutting property owners shall share the expense.

(Ord. 1994-1, 7/-/1994, §502)

§503. STREETS.

1. General Standards.

   A. Circulation within a subdivision or development plan shall logically relate to and be an extension of the Township road system or, if reaching across the Township boundary, to the road network in the adjacent municipality.

   B. The layout of streets shall relate as closely as possible to existing topography in order to minimize earth moving, produce usable lots or development areas, create reasonable grades and preserve the amenities and natural cover of the site.

   C. The Township may impose higher standards where it is clear a dangerous situation may be created by the location, grade or intersection of streets or by topographical conditions.

   D. Minor streets shall be designed to discourage use by traffic with no origin or destination within the plan or development or extensions thereof.

E. Streets shall be extended to the boundaries of a subdivision or plan if connection can be made to an existing or recorded street in an adjacent subdivision or plan or if the topography or shape of the adjacent unplanned property suggests a logical extension exists to that property.

F. The Planning Commission may require a developer whose land abuts a major highway to orient his plan away from the highway with no lots having access directly to it and to limit his points of access into the plan or development to a minimum number with good sight distances. Lots in this case would back up to the highway or front on a marginal access street.

G. Half-streets along the boundary of a proposed plan shall be prohibited except where a plan proposes to complete a half-street existing on an adjacent already subdivided property. In that case, the half-street proposed in the plan shall be no less than 20 feet wide its entire width.

H. Alleys shall be prohibited unless the Township is permanently absolved from any maintenance responsibility for them and provided that any alley serve only as a secondary means of access to a lot.

I. The developer may construct streets and install other improvements at the same time that buildings in the plan are being built but no building within the plan shall be occupied until the street is acceptable to the Township across the front of the lot containing the building to be occupied and extending to completed portions of the road system.

2. Street Width.

A. All new street rights-of-way shall be at least 50 feet in width.

B. Pavements shall be at least 20 feet in width except when the developer proposes some parking to occur on the street, in which case the pavement shall not be less than 28 feet in width.

C. A stabilized berm at least 6 feet in width shall be provided on each side of any pavement sloped away from the edges of the pavement to a parallel drainage swale not less than 6 feet from the edge of the pavement.

3. Street Alignment. Follow Title 67 of the Pennsylvania Department of Transportation Rules and Regulations.

4. Street Grades. Follow Title 67 of the Pennsylvania Department of Transportation Rules and Regulations.

5. Street Intersections. Follow Title 67 of the Pennsylvania Department of Transportation Rules and Regulations.

6. Cul-de-Sacs and Temporary Dead-End Streets.

A. Streets to be permanent closed at one end (cul-de-sacs) shall not exceed 1,200 feet in length measured between the center of the turnaround at the closed end and the centerline of the intersected street at the other end. No cul-de-sac street shall be less than 250 feet in length. The turnaround shall have a right-of-way diameter of at least 80 feet on the outer edge. The entire area inside the cartway diameter shall be surfaced for vehicular travel.

B. If a subdivision or plan is developed over several stages and streets are to be extended as development proceeds, temporary dead-end streets produced in one stage to be extended in a later stage shall be provided with an all weather turnaround whose use and maintenance is guaranteed the public by the developer.

7. Street Construction Standards.

A. All roads with an average daily travel of 1,000 vehicles or less shall use either of the following specifications as determined by the Township:

(1) Bituminous Surface. 3 1/2 inches; crushed aggregate base course - 6 inches; subbase - 6 inches; or,

(2) Bituminous surface. 1 1/2 inches; bituminous concrete base course - 4 1/2 inches; subbase - 6 inches.

(3) A geotextile shall be considered where there is substantial clay in the subbase.

(4) The above bituminous shall be of PennDot approved ID 2 binder or ID 2 wearing surfaces. A cold mix (FB-A or FB-2) may also be used.

(5) A developer or subdivision owner shall notify the Township whether they intend to use the specification as set forth in subsection (1) or (2), above.

(6) An inspector from the Township shall be on the site when the base course and the running surface are applied in order to assure that the proper depths are adhered to if it is the intent of the developer that the road will eventually become a part of the Vernon Township road system.

B. For roads that have an estimated daily travel of 1,000 or more vehicles, the standards set forth in PennDOT Publication #70 (Design for Local Roads) shall apply.

[Ord. 1997-2]

8. Private Streets and Drives.

A. Generally private streets will not be encouraged but the Board of Supervisors may approve a plan containing a private street or the extension of an existing private street if the following conditions can be met.

B. Typically, a private street will serve not more than three lots which have no other feasible access to a public street and not more than one such street will be permitted on a property that is undivided at the time of adoption of this Chapter.

C. The developer shall state on the final plan to be recorded that the Township has no interest or obligation in the street.

D. Perpetual maintenance of a private street shall be the responsibility of an association made up of all the owners or properties abutting the street. They shall share equally in the costs and may contract for maintenance services. The association shall be established by the developer and its bylaws approved by the Township Solicitor as meeting applicable State statutes.

E. The deed for each lot and the recorded plan shall state that the street is private and not subject to Township maintenance.

F. Utility easements within a private street shall be clearly marked on the plan and identified as to width and use.

G. A private street shall be permanently marked as private at its intersection with a public street.

H. Private streets shall be contained in a right-of-way not less than 40 feet wide. The width and surfacing of the vehicular cartway is left to the developer's discretion.

I. A building on a lot abutting a private street shall be set back from the right-of-way line not less than the distance required by the Township Zoning Ordinance [Chapter 27] for the zone district containing the lot.

J. The right of passage over a private street for maintenance of utilities or for access of emergency vehicles shall be guaranteed in writing with copies provided to the Township, affected utilities and emergency services providers.

K. If at a future time the lot owners petition the Township to adopt the street as a public street the owners at their expense shall widen, reconstruct or otherwise improve the street to satisfy the Township specifications current at the time and shall have completed the work to the Supervisors' satisfaction prior to adoption.

L. Driveways or private streets entering public streets shall be graded to prevent stormwater flowing from the driveway or private street onto the paved portion of the public street. The street's gutter line shall be maintained across the driveway or private street or stormwater may pass under; provided, the gutter alignment is not compromised and the pipe under the driveway or private street is of sufficient size to carry the stormwater flow.

(Ord. 1994-1, 7/-/1994, §504; as amended by Ord. 1997-2, 3/6/1997)

§504. EASEMENTS.

1. Public Utilities.

   A. Where possible, utilities shall be placed within the street right-of-way but where that is not possible they shall be placed, except to accommodate unusual sanitary sewage or storm drainage conditions, within easements centered on side or rear lot lines.

   B. Easements across private property shall be not less than 20 feet in width and shall be aligned across blocks and across plans. They shall be clearly identified on the final plan as to purpose.

   C. A minimum distance shall be maintained between any point of a residential building and the nearest petroleum products or natural gas transmission line in accordance with Pennsylvania Public Utility Commission regulations but in no case less than 20 feet.

2. Drainage.

   A. Where a subdivision or plan is traversed by a watercourse or storm drainage line, a drainage easement or right-of-way shall be provided and recorded on the plan.

   B. The easement shall be of sufficient width to accommodate the watercourse or line as well as areas adjacent to the watercourse subject to frequent high water table conditions or utilized as retention points, etc., and to allow access for work crews to maintain the drainageway.

(Ord. 1994-1, 7/-/1994, §504)

§505. LOT LAYOUT.

1. Every lot in a subdivision shall abut a recorded street.

2. Side lines of lots shall be at right angles or radial to street lines as nearly as possible.

3. Double frontage or reverse frontage lots shall be discouraged except where lots abut along their rear line a major highway, in which case the rear building line of the lots shall be 75 feet from the highway right-of-way line.

4. Minimum lot dimensions and areas shall not be less than those specified in the Township Zoning Ordinance [Chapter 27] for the zoning district containing the lot.

5. Lot lines within a subdivision shall be arranged to minimize the amount of drainage passing from one lot directly on to a neighboring lot. The Planning Commission may direct the developer to provide drainage easements or grade swales along lot lines to control drainage across lots.

6. Existing natural features, existing topography and significant trees shall be retained wherever possible and clearance of ground cover shall be minimized to reduce erosion and maintain drainage patterns.

7. Within a subdivision or development plan where public sewage collection and water supply systems are not available, lot location and minimum lot size, as well as the location and size of the inlaid sewage disposal systems, shall be determined by the Township Sewage Enforcement Officer under the regulations of the Pennsylvania Sewage Facilities Act, as amended. The officer's determinations shall not permit smaller lots than stipulated by the Township Zoning Ordinance [Chapter 27] but may require larger lots or a rearrangement of lots where unusual soil conditions dictate.

8. No land shall remain in a subdivision that is not platted for sale, development of for permanent open space. Areas to be developed for uses other than dwellings shall be indicated on the plan as to their specific use and their present and future ownership and the Planning Commission may approve such areas as to use and location within the plan relative to circulation, parking to serve them and relation to the overall plan. Approved areas shall be designated "dedicated" or "reserved" on the final plan.

9. The Board of Supervisors may require a developer to hold from development or sale for a period not in excess of 1 year from the date of approval of the plan, certain specific areas within the subdivision needed for specific public improvements. If the Township or a second public agency or authority does not exercise its right to acquire the lands so held within the 1 year period or a mutually agreed upon extension the developer shall be free to develop them in accordance with his approved plan.

10. A plan may contain rear or "flag" lots under the following circumstances:

    A. If the access to the rear lot may be extended to serve property beyond, the access right-of-way shall be not less than 40 feet wide and its area to the back edge of the rear lot for calculating minimum lot size. The rear lot shall be developed with its front yard abutting the right-of-way.

    B. If the access to the rear lot will not and cannot be extended to serve property beyond the access right-of-way shall be not less than 20 feet wide and its area between the public street and line of the rear lot nearest the street shall not be included in the area of the rear lot for calculating minimum lot size. The rear lot shall be developed with its front yard abutting the rear line of the front lot.

(Ord. 1994-1, 7/-/1994, §505)

§506. SANITARY SEWAGE DISPOSAL AND WATER SUPPLY.

1. Sewage Disposal.

    A. Every structure in any subdivision, development plan or manufactured home park connected to a water supply shall also be connected to a sanitary sewage disposal system. Such system shall be either an individual onlot system

approved by the Township Sewage Enforcement Officer or a public authority system approved by the State Department of Environmental Protection. [Ord. 1997-2]

B. Where a public system exists adjacent to or within 500 feet of a major subdivision, development plan or manufactured home park boundary the developer shall connect all the lots or buildings with a water supply to the system, constructing the necessary collector and lateral lines. In the event the proposed plan is not in the same watershed as the adjacent or nearby sewer connection and the Sewer Authority has no plans to extend lines beyond the edge of the watershed the Board of Supervisors may allow the plan to proceed with individual onlot systems.

C. Onlot disposal systems approved by the Sewage enforcement Officer shall be installed in compliance with the DEP. "Standards for Sewage Disposal Facilities" and shall not be backfilled until inspected by the Sewage Enforcement Officer and he authorizes cover. [Ord. 1997-2]

D. No storm sewers, footer drains or downspouts shall be connected to any sanitary sewage disposal system.

E. When a developer installs sewer lines to connect with those of a sewer authority he shall do so in accord with the authority's rules and regulations.

2. Water Supply.

A. Every dwelling unit and each commercial business and public or semipublic building shall be provided with a portable water supply of sufficient quality, quantity and pressure to meet the minimum standards of the Department of Environmental Protection. [Ord. 1997-2]

B. Where a public water supply system exists adjacent to or within 500 feet of a subdivision, development plan or manufactured home park boundary the developer shall connect every lot or principal building in the plan to the water supply providing the necessary piping system, laterals and hydrants.

C. Water lines shall be installed in accordance with the regulations of the public utility corporation that will assume maintenance of the lines.

D. Water distribution lines shall be no less than 8 inches inside diameter where the lines may be extended to other areas or where a fire hydrant is to be served by the line.

E. Where a public water supply system will serve the plan, hydrants shall be placed so that no principal building on a lot is more than 600 feet distant from a hydrant. Hydrants shall be placed within street rights-of-way, preferably at street intersections. The plan for distribution of hydrants in the plan and the

quantity and pressure of water available at each hydrant shall be reviewed and approved by the fire chief of the volunteer company.

F. Water wells shall be isolated from sanitary sewage absorption fields and shall be protected from surface water runoff in accordance with requirements of State Act 208 as may be amended. Outdoor potable water storage vessels shall be tightly covered with no opportunity for entrance of runoff into the vessel.

(Ord. 1994-01, 7/-/1994, §506; as amended by Ord. 1997-2, 3/6/1997)

§507. SITE GRADING.

1. Grading shall only be permitted as part of an approved site development or subdivision plan.

2. No grading shall occur within 3 feet of any property or street right-of-way line except to allow connection of driveways or walks on the property to adjacent public streets or walks, to grade off land immediately adjacent to a street or upon approval of the Township Engineer because of the presence of unusual grading or drainage circumstances.

3. Prior to the start of grading, top soil on the area to be graded shall be removed, stockpiled and protected from erosion for later use to bring the graded slopes to their final elevations. Hay bales shall be placed along the lower elevations of areas to be graded to contain silt runoff and shall be replaced when saturated.

4. Excavation of earth materials during grading shall result in a finish graded not in excess of 1 foot vertical rise to each 1 1/2 feet of horizontal run; provided, no fill material is placed over undisturbed soil in the excavated area except for topsoil.

5. Placing of earth fill upon previously undisturbed soil (dormant at least 2 years) shall result in a finish grade not in excess of 1 foot vertical rise to every 2 feet of horizontal run.

6. Fill slopes shall be keyed into preexisting undisturbed earth and well compacted in layers not to exceed 8 inches in thickness.

7. The toe of a slope shall be either graded to a natural existing drainageway or to a stormwater drainage system or provided with a stormwater pipe draining to such a system.

8. No stormwater originating above a graded slope shall be allowed to flow down over the face of the graded surface.

9. Slope areas shall be planted with fast-catching erosion resisting materials such as hardy rye grasses, shrubs, etc., immediately upon completion of grading work. Hardy perennial grasses shall be sown after the initial planting. Grade areas shall be

protected from construction activity covered with straw and contained along their lower elevations by hay bales until the planting has secured the slope.

10. Where soil conditions apparently will permit steeper grades without sacrificing the stability of the graded slope the developer will present to the Zoning Officer a report prepared by a registered professional engineer bearing his Pennsylvania seal testifying that the soil conditions in the area to be developed will tolerate grades up to a maximum proposed by the developer.

11. The Zoning Officer shall not issue a permit for construction requiring grading until the developer has presented an approved land disturbance permit issued by either the Crawford County Office of the Soil Conservation Service or the Pennsylvania Department of Environmental Protection if such documents are required by §509(1). [Ord. 1997-2]

12. Individual lots shall not be graded until after a building permit has been issued for construction thereon except as may be needed for placement of public improvements. Developers are encouraged to clear only those trees that will interfere with the actual development of each lot.

13. In the event the developer proposes to utilize retaining walls he shall keep them 2 feet from any property or street right-of-way line and shall provide drainage above the wall and at its toe. A wall or fence shall be provided along the top of a retaining wall if a dangerous condition will exist. The design drawings for any retaining wall shall be approved by the Township Engineer prior to construction.

(Ord. 1994-1, 7/-/1994, §507; as amended by Ord. 1997-2, 3/6/1997)

§508. EROSION AND SEDIMENTATION CONTROL.

1. No earth movement or removal of trees or ground cover in any development plan except a minor subdivision or an earth disturbance of less than 30,000 square feet shall commence until an erosion and sedimentation control plan has been reviewed by the County Conservation District and the Township Planning Commission and approved.

2. The plan shall be prepared by a registered professional engineer or registered land surveyor using as his guide the "Handbook for Earthmoving Activities and Erosion and Sedimentation Control in Crawford County." The engineer is urged to consult with the Crawford County Conservation District on the plan's requirements and his responsibilities.

3. If the site proposed for development contains 25 acres or more to be disturbed by earth movement and/or vegetation removal or involves realignment of a stream or drainageway the developer shall secure an earth disturbance permit from the Department of Environmental Resources. Applications may be secured in the County Conservation Officer.

4. Evidence that a plan has been prepared and approved by the Soil Conservation District or that a special earth disturbance permit has been issued shall be provided before final approval can be granted by the Township on a subdivision or development plan.

5. The approved erosion and sedimentation control plan shall be kept on the construction site available for inspection by public officials until the work covered by it has been completed.

(Ord. 1994-1, 7/-/1994, §509)

PART 6

PLANNED DEVELOPMENT

§601. CLUSTER SUBDIVISIONS.

1. A cluster subdivision may be considered for conditional use approval in the Rural Residential or Suburban Residential zone districts as defined in the Township Zoning Ordinance [Part 6 of Chapter 27]; provided, the following stipulations are met.

2. A cluster subdivision may be approved when the proposed site contains significant steep slopes, wetlands or wooded areas that would be destroyed or seriously damaged by conventional subdivision or when the common open space created by the subdivision enhances, adds to or creates community recreation areas.

3. The following dimensional standards shall apply:

   A. Maximum site size: 10 acres.

   B. Maximum density over entire site in dwellings per acre: Rural Residential (RR) Zone - 1; Suburban Residential (SR) Zone - 5.

   C. Minimum lot area in square feet: RR- 15,000; RS - 6,000.

   D. Minimum lot width in feet: RA - 70; RS - 50.

   E. Minimum front and rear yard depths in feet: 25 in each district.

   F. Minimum side yard depth in feet: 5 in each district.

4. Each lot shall be occupied by a single-family detached dwelling and shall be connected to public sewer and water systems or community systems acceptable to the State Department of Environmental Protection. [Ord. 1997-2]

5. Streets within the subdivision shall be public streets.

6. The area of the site not to be subdivided shall be dimensioned the same as for each lot and marked "common open space" on the final recorded plan. No part of the common open space shall be later sold for private development.

7. Access into the common open space over a 10 foot wide right-of-way from public streets shall be provided at one or more locations.

8. Unless the Township accepts ownership of the common open space the plan developer shall establish a homeowner's association to which all purchasers of lots within the plan shall belong and to which the common open space shall be deeded and its maintenance charged. The association shall have the power to set and collect assessments from the members in order to maintain the open space.

9. The bylaws and covenants establishing the homeowner's association shall be reviewed by the Township Solicitor and found to respect the interests of both the plan residents and the Township.

(Ord. 1994-1, 7/-/1994, §601; as amended by Ord. 1997-2, 3/6/1997)

§602. RECREATIONAL VEHICLE CAMPGROUND.

1. A recreational vehicle campground may be considered for conditional use approval in the Rural Residential District as defined in the Township Zoning Ordinance [Part 6 of Chapter 27]; provided, the following stipulations are met:

2. Development Standards.

   A. Minimum size of site devoted to the park: 5 acres.

   B. Maximum density: 12 vehicle sites per acre.

   C. Minimum size of vehicle site: 1,400 square feet.

   D. Minimum separation of vehicle sites, side to side, side to end or end to end: 15 feet.

   E. Minimum size of prepared site: 10 feet wide by 30 feet long if one off-street parking space is provided adjacent to the site or 10 feet wide by 50 feet long if no separate off-street parking space is provided.

   F. Minimum setback of vehicle from park street: 20 feet.

   G. Minimum setback of vehicle site from property boundary: 20 feet or 50 feet if abutting residentially zoned land.

   H. Minimum percentage of site to be devoted to recreational facilities for use of park patrons: 10%.

3. Streets within the park shall be private and maintained by the park owners. They shall be asphalt-surfaced and not less than 10 feet wide if traffic is one-way or less than 20 feet wide if traffic is two-way. Pull-through sites rather than pull-in and back-out sites are preferred. Vehicle sites may be hard surfaced or surfaced with well choked, crushed limestone.

4. Access to the park should be directly to a main highway but in no case through a residential neighborhood. The use of an extensive area of highway frontage for such a campground shall be discouraged in favor of an area behind highway commercial development.

5. In developing the site the owner should avoid extensive grading and the removal of existing trees unless absolutely necessary for streets and individual vehicle sites.

6. In addition to vehicle sites, streets and recreation areas the park may also include the permanent residence of the owner or operator, a recreation building or pavilion, a building containing separate shower and toilet facilities for each sex and laundry room, a vehicle washing and service area for park patrons and a wastewater dumping station and refuse collection facility. Wet and dry refuse shall be collected in separate covered containers. No other use shall be permitted in the park.

7. A sanitary sewer collection and treatment system to serve all the vehicle sites and any building with a water supply shall be installed by the developer and maintained by him in accordance with the requirements of the State Department of Environmental Protection. In lieu of building a treatment plant the developer shall connect to the Township's sanitary sewer system. [Ord. 1997-2]

8. A potable water supply capable of providing 75 gallons per day to each vehicle site shall be available at each site.

9. No recreational vehicle shall be permitted to remain in the park for a continuous period exceeding 30 days nor shall the wheels of a vehicle be removed except for routine maintenance.

(Ord. 1994-1, 7/-/1994, §602; as amended by Ord. 1997-2, 3/6/1997)

PART 7

MANUFACTURED HOME PARKS

§701. GENERAL REQUIREMENTS.

1. A manufactured home park may be considered for conditional use approval in the Rural Residential Zone District as defined in the Township Zoning Ordinance [Chapter 27, Part 6]; provided, the following stipulations are met:

2. It shall be unlawful for any person to construct, operate or extend any manufactured home park within Vernon Township unless he holds a valid permit issued by the Township and also valid permits issued by the Pennsylvania Department of Environmental Protection and the Crawford County Assessment Officer in the name of the owner of the manufactured home park. [Ord. 1997-2]

3. All application procedures for preliminary and final development plan approval shall be in accordance with Part 4 of this Chapter, whether for construction of a new park or enlargement or rearrangement of an existing park.

4. Before the administrator may issue a permit the owner shall show the administrator that he has in his possession valid permits issued by the Pennsylvania Department of Environmental Protection approving the park's sanitary sewage disposal, refuse storage and removal and potable water supply or proof in writing that such permits will be issued without question once the Township permit is approved. [Ord. 1997-2]

5. Permits shall be valid for a period of 1 year and shall be renewed annually in January of each year upon application of the owner contingent upon compliance with this Chapter and those of the Pennsylvania Department of Environmental Protection. [Ord. 1997-2]

6. Manufactured home parks in existence upon the effective date of the adoption of this Chapter shall be required to have only a current permit of the Pennsylvania Department of Environmental Protection as a prerequisite to the issuing of a Township permit. However, any additions to the park or rearrangement after adoption of this Chapter shall comply with this Chapter. [Ord. 1997-2]

7. The administrator shall not be denied access to any manufactured home park at reasonable hours in order to determine compliance with this Chapter.

8. No manufactured home lacking its own toilet, bathing, cooking and food storage facilities, all in working condition, shall be permitted in a manufactured home park.

9. No manufactured home shall be placed in a manufactured home park until street and utilities have been completed to serve at least ten of the lots in the approved plan.

(Ord. 1994-1, 7/-/1994, §701; as amended by Ord. 1997-2, 3/6/1997)

§702. DEVELOPMENT STANDARDS.

1. Bulk and Dimensional Requirements.

   A. Minimum size of park: 5 contiguous acres.

   B. Minimum size of lot: 5,000 square feet excluding street, recreation areas, laundry and administrative facilities, group parking areas or public utility sites.

   C. Minimum leased lot width: 50 feet by 100 feet.

   D. Minimum setbacks to side or rear of closest manufactured home:

      (1) Minimum setback from park property line not adjacent to a public street: 50 feet.

      (2) Minimum setback from right-of-way line of adjacent public road: 50 feet.

      (3) Minimum setback of manufactured home from park street pavement: 20 feet.

   E. Minimum Distances between Manufactured Homes.

      (1) Minimum distance between ends of adjacent manufactured homes: 20 feet.

      (2) Minimum distance between parallel sides of adjacent manufactured homes: 30 feet.

      (3) Minimum distance between the end of one manufactured home and the parallel side of an adjacent manufactured home: 25 feet.

      (4) Minimum distance between parallel sides of adjacent manufactured homes when they overlap by no more than 15 feet if extended towards one another along a plane at right angles to their parallel sides: 25 feet.

      (5) Sides or ends of adjacent manufactured homes shall be considered parallel if they form an angle when the adjacent sides or ends are extended to intersect, of not less than 45 degrees nor more than 135 degrees.

2. Circulation within the Park.

   A. All streets for vehicular traffic within the park shall be designed and constructed in accordance with §503 of this Chapter.

   B. Streets within the park shall be constructed by the developer to meet these standards and shall be maintained in perpetuity by him and his successors and assigns with no obligation to the Township.

C. The main entrance to a manufactured home park from the public road shall be located to maximize sight distances for those exiting or entering the park and through traffic. Except in rare circumstances only one entry into a park from a public road shall be permitted.

D. Each manufactured home leased lot in a park shall abut a private access street which shall lead directly to the public road serving the property. No lot in a park shall have direct access to a public road.

E. Parking, if provided in group areas serving several manufactured homes, shall be no further distant than 100 feet from the farthest manufactured home thus served. Otherwise, each manufactured home lot shall be provided with two off-street parking spaces with dustfree stabilized surfaces, each at least 9 feet by 20 feet in size. No parking shall occur on any park street.

3. Development of Manufactured Home Leased Lots.

A. Manufactured homes shall be supported on masonry or concrete foundation piers extending at least 3 feet below finished grade, such foundations capable of bearing the mobile home weight without settlement.

B. Manufactured homes shall be securely fastened to their foundation by tie-downs at each corner and at the midpoint of each side, each tie-down capable of withstanding a pull of 4,800 pounds. The area below the mobile home extending to the ground shall be enclosed with a continuous metal or vinyl skirting, ventilated to inhibit structural deterioration.

C. Manufactured homes shall be placed on their required foundations within 30 days of arrival in the park.

D. No enclosed permanent addition to a manufactured home shall be permitted. Concrete slabs on grade covered by canopies or awnings attached to a manufactured home to provide an open sided patio are allowed; provided, such structures are securely fastened to the manufactured home and the ground.

E. No manufactured home shall be occupied until it has been attached to the park sewage disposal and water supply system.

F. No area of a manufactured home park to be developed for lots or permanent structures shall be subjected to periodic flooding or high water table.

4. Other Uses within the Park. No part of any park shall be used for any other uses except manufactured home leased lots, traffic and pedestrian circulation, park office, residence of the manager, central laundry facility, recreation facilities (both outdoor and enclosed) and maintained open space.

5. Sale of Portions of the Manufactured Home Park. No portion of an approved manufactured home park shall be severed for a separate sale unless the portion to be sold abuts a public street, unless requirements for setbacks from property lines in a

manufactured home park are maintained in the original and severed sections and unless access and utilities are separated in each property and neither property is dependent upon the other for any services or access. Any subdivision of the original park or rearrangement of lots to accommodate this Section shall be considered as for any other subdivision of land under this Chapter.

6. Recreation.

   A. When a manufactured home park has at least eight lots, a recreation area or areas totaling at least 2,500 square feet in area or at least 200 square feet in area for each mobile home served, whichever is greater, shall be provided. The floor area of recreation building may be included in determining the total space.

   B. The recreation area or areas shall be centrally located and so placed that all portions are on land that does not slope in excess of 10% in any direction. No part of an approved manufactured home lot shall be considered as recreation area.

7. Landscaping Screening. The periphery of every new manufactured home park or expansion of an existing park shall be landscaped including frontage on a public street. A landscaping plan shall be part of the plan submitted to the Planning Commission for final approval. When the manufactured home park or expansion will abut an existing or planned subdivision of a single-family home lot the landscaping along the mutual property line shall be made up of a dense staggered arrangement of evergreen trees, separated by not more than 20 feet and not less than 6 feet high from ground level when planted. Other pericanopy trees, evergreens and shrubs to visually separate and protect the manufactured home park from neighboring users. The Planning Commission may recommend approval of existing vegetation already in place and/or significant changes in grade along the property line in lieu of a planted landscape screen.

(Ord. 1994-1, 7/-/1994, §702)

§703. UTILITIES.

1. Water Supply.

   A. Each manufactured home lot and every other structure in the park with water supply connections shall and must be supplied with potable water from a public system when available or from a central water system provided by the park owner on the park premises and approved by the Department of Environmental Protection. [Ord. 1997-2]

   B. The water supply shall be capable of providing at least 150 gallons per day per manufactured home at a pressure of at least 20 pounds per square inch.

   C. Individual water riser pipes at each manufactured home lot shall be located and protected to insure against freezing, shall be protected from groundwater

drainage contamination, shall have a shut-off valve located below the frost line and shall be capable of being capped when not in use.

2. Sewage Disposal.

A. Each manufactured home lot in a park and every other structure connected to a water supply shall and must be served by a public disposal system when available or by a central sanitary sewage system provided by the park owner on the park premises and approved by the Department of Environmental Protection. [Ord. 1997-2]

B. Each manufactured home lot shall be provided with a vertical 3 inch inside diameter sewer riser pipe capable of being plugged when the lot is in use.

C. Each riser pipe shall extend at least 1/2 inch above the ground surface which shall slope away from it in all directions.

D. Sewer pipe shall have a smooth inside surface, watertight joints, a slope of not less than 1/4 inch per foot and be made of semi-rigid, corrosion resistant, durable, nonabsorbent material. Pipe shall be placed at least 2 feet 6 inches below finished grade and encased in concrete where passing below a vehicular way.

3. Electrical Distribution.

A. Each individual manufactured home shall be connected to an underground electrical distribution system installed by a registered electrician and meeting P.U.C. regulations.

B. All electrical, telephone and cable TV systems within a manufactured home park shall be placed underground except pad-mounted transformers and similar equipment.

C. Each manufactured home lot shall be provided with an approved disconnect device and overcurrent protective equipment. The minimum service per manufactured home outlet shall be 12/240 Volts AC, 100 amperes. No manufactured home may be occupied after placement or movement in a manufactured home park until the electrical connection to the home and interior electrical system has been inspected and approved by the company supplying power to the park.

D. All exposed noncurrent carrying metal parts of manufactured homes and all other equipment shall be grounded by a grounding conductor run with branch circuit conductors. The neutral conductor shall not be used as an equipment ground.

E. Street lighting shall be installed at intersections, at the ends of cul-de-sacs and at entrances to a manufactured home park but such lighting shall be equipped with shields to prevent light from illuminating adjacent properties and to

prevent direct view of the light source from outside the manufactured home park. The owner of the park shall provide and install the street lights and pay for the electricity and maintenance.

4. Solid Waste Disposal and Insect and Rodent Control.

A. Solid waste and refuse shall be bagged and stored in permanent covered containers surrounded on three sides by evergreen plantings. Solid waste shall be removed by contract hauler not less frequently than every week.

B. No waste disposal by burying or burning shall occur in any manufactured home park. Disposal shall be in accordance with Township or DEP regulations. [Ord. 1997-2]

C. Grounds, buildings and structures shall be maintained free of insect and/or rodent harborage or infestation.

D. Manufactured home parks shall be kept free of litter or inflammable material accumulations.

5. Fuel Supply and Storage.

A. All piping from outside fuel storage tanks to manufactured homes shall be securely but not permanently fastened in place, shall have secured shut-off valves and shall be capable of being capped when the lot is not in use.

B. Natural gas piping systems shall be buried under at least 18 inches of cover and shall not run under any manufactured home.

C. Liquified petroleum gas systems shall be provided with safety devices to relieve excess pressures and shall have an accessible shut-off valve outside each manufactured home.

D. Gas cylinders of at least 12 but not more than 60 U.S. gallons gross capacity may be installed on a manufactured home lot and securely but not permanently mounted.

E. Cylinders or other fuel storage vessels shall not be located inside or beneath any manufactured home or other structure in the park and shall be placed at least 5 feet from any exit from a manufactured home or other structure.

6. Fire Protection when Public Water Supply is Available.

A. The water supply system in a manufactured home park shall be capable of permitting operation of at least two 1 1/2 inch hose streams simultaneously for 1 hour.

B. Fire hydrants shall be provided by the developer and shall be located within 600 feet of any manufactured home or service building or other structure in the

park. The cost of maintenance and rental of hydrants shall be borne by the park management. Fire hydrant selection and locations shall be approved by the local volunteer fire company nearest the park.

(Ord. 1994-1, 7/-/1994, §703; as amended by Ord. 1997-2, 3/6/1997)

§704. RESPONSIBILITIES OF THE MANAGEMENT.

1. The person to whom a permit for a manufactured home park is issued shall operate the park in compliance with this Chapter and regulations of the Pennsylvania Department of Environmental Protection and shall maintain the park, its facilities and equipment in good repair in a clean and sanitary condition. [Ord. 1997-2]

2. The park management shall supervise and be responsible for the placement of each manufactured home on its lot including all utility connections. No manufactured home shall be placed except upon an approved leased lot.

3. The management shall maintain a register containing the names of all park occupants, such register being available to the administrator at any reasonable hour.

4. No manufactured home may be moved, either to another location in the Township or from the Township, without the park owner first obtaining a permit from the Township Tax Collector. Such permit will be issued upon notice of the Tax Collector to the administrator verifying that payment of all outstanding taxes owed any local taxing jurisdiction by anyone occupying the manufactured home to be moved has been made. The park operator shall be responsible for payment of all outstanding taxes if a mobile home is moved without a permit having been issued.

(Ord. 1994-1, 7/-/1994, §704; as amended by Ord. 1997-2, 3/6/1997)

§705. VIOLATIONS.

1. Whenever the administrator determines by personal inspection that a violation exists in any manufactured home park he shall immediately, by certified mail, inform the person to whom the permit to operate has been issued of the nature of the violation, citing specific sections of these regulations, what corrective action is required, the time limit within which repair shall be made and the penalty for failure to correct. A copy shall be sent to the Board of Supervisors.

2. The operator may request within 30 days of notice a hearing before the Board of Supervisors. Such hearing shall occur within 30 days of petition at a regular monthly meeting of the Board and may result in a modification of the time limit or extent of the alleged violation or dismissal of the charges at the discretion of the Board.

3. The Board shall communicate its decision to the operator within 10 days of the hearing, after which the operator shall have a specified time, contained in the decision, to comply with the requirements of the decision.

4. Any person, firm, partnership, corporation or other entity who or which violates any provision of this Chapter after expiration of the time period in which he has been ordered to correct a violation shall be subject to penalty as contained in §804 of this Chapter.

5. While action is pending following the administrator's notification or before the administrator is satisfied that a violation has been corrected no permits shall be issued for any new manufactured homes to be located in the manufactured home park containing the violation and the park's Township permit shall be suspended.

(Ord. 1994-1, 7/-/1994, §705)

PART 8

ADMINISTRATION

§801. MODIFICATIONS.

1. The Planning Commission may, in specific cases involving a subdivision, land development or manufactured home park plan, recommend modifications from the provisions of these regulations subject to approval by the Board of Supervisors that will not be contrary to the public interest of the spirit and intent of this Chapter. Modifications shall only be granted where, owning to special conditions in a specific subdivision or plan, the literal interpretation and strict application of the provisions of these regulations would cause unfair and unnecessary hardship.

2. No such modification from the provisions of these regulations shall be recommended by the Planning Commission unless one or more of the following conditions pertain:

   A. There are unique physical circumstances or conditions present on the property including peculiar shape or exceptional topographical or other physical conditions and the reasons for which a modification is sought are due to these conditions and not the provisions of the subdivision regulations.

   B. Because of the physical circumstances there is no possibility that the property can be developed in strict conformity with these regulations if reasonable use is to be made of it.

   C. The reasons for request of a modification have not been created by the applicant.

   D. The modification, if granted, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.

3. The modification, if authorized, will represent the minimum that will afford relief and will represent the least modification possible of the regulation in issue.

4. The developer shall submit to the Planning Commission the request for a modification in writing not later than the final plan submission, citing specifically the deviations from a particular Section or Sections of these regulations desired that will provide the minimum relief.

5. The Planning Commission shall review the application and shall advise the Board as to approval or rejection of the modification request. The Commission may call a duly noticed public hearing (§802(4)) to obtain additional information and public sentiment.

6. Within 90 days after the meeting at which the modification request was first considered and not subsequently changed the Board of Supervisors shall inform the

developer by letter of its decision. If the decision is unfavorable the reasons for rejection shall be specifically indicated.

7. The developer may revise the application for another submission to the Planning Commission without modifications requested. The owner may not again submit the same application, once finally denied, for at least 1 year after rejection.

8. The specific wording of a modification which has been granted shall be lettered in ink upon the recording tracing and signed and dated by the Chairman of the Board of Supervisors.

(Ord. 1994-1, 7/-/1994, §801)

§802. AMENDMENT OF THIS CHAPTER.

1. A proposal for an amendment to this Chapter may be initiated in any of the following ways:

   A. A request of the Planning Commission by the Board of Supervisors.

   B. An official proposal by the Planning Commission.

   C. A petition presented to the Planning Commission signed by five individual owners of properties in the Township or by a developer who has entered into an agreement to purchase property in the Township and at least four individual owners of properties in the Township.

2. Upon receiving a request for an amendment or upon making an official proposal, the Planning Commission shall prepare a report on the proposal with copies sent to the Board of Supervisors and to the County Planning Commission. Such report shall recommend either adoption, rejection or adoption of the amendment proposal with specific revisions.

3. The Board shall review the Planning Commissions's report on the amendment and shall schedule a public hearing after which it shall vote approval or disapproval of the proposed amendment. If the Planning Commission's recommendation is for rejection the Board need not, at its option, proceed further unless the individuals who introduced the amendment proposal originally petition the Board to hold the hearing.

4. The public hearing shall be advertised in a newspaper of general local circulation at least once in each of 2 consecutive weeks, the first notice appearing not more than 30 days and the second not less than 7 days prior to the hearing. The notice shall indicate the date, time and place of the hearing, a brief summary of the contents of the amendment and the location and time where and when copies of the amendment may be examined before the hearing.

5. When the Board proposes an amendment it shall allow both the County and Township Planning Commissions at least 30 days to review and comment upon it prior to the public hearing.

6. The Board shall hold the public hearing and shall vote approval or disapproval not more than 90 days after the date that the proposed amendment was first presented to the Planning Commission or by the Board.

7. If a proposed amendment is substantially changed after public hearing the Board shall hold an additional public hearing before voting for or against adoption at its next regular meeting after the additional hearing.

8. Intent to adopt the amendment shall be advertised as provided in subsection (4) above prior to adoption. The full text of the amendment shall be provided the newspaper carrying the hearing notice at the time the notice is placed and an attested copy of the amendment shall be filed in the County Law Library.

9. Within 30 days after adoption the Board shall send a certified copy of the amendment to the County Planning Commission.

10. Appeal from decisions of the Board on amendments shall be to the County Court of Common Pleas.

11. A proposed amendment, once finally denied, may not again be considered for adoption in its original form for at least 1 year after such denial unless new circumstances would warrant such reconsideration.

(Ord. 1994-1, 7/-/1994, §802)

§803. ENFORCEMENT.

1. The provisions of these regulations shall be enforced by an administrator appointed by and responsible to the Board of Supervisors.

2. The administrator shall review proposals for subdivision and land development plans upon request of the Planning Commission on Board of Supervisors; shall issue or revoke permits at the direction of the Board of Supervisors; shall enter upon, at his discretion, subdivision and land development plans in the process of construction to evaluate compliance with the terms of plans as approved; shall point out to the developer discrepancies in the development under construction or laid out on the ground not in compliance and demand remedial action to guarantee compliance within not more than 30 days of noting the discrepancy to avoid penalties and shall otherwise act as the Township's agent in the enforcement of these regulations. Appeal from decisions or actions of the administrator shall be to the Board of Supervisors which may uphold or reverse the administrator's action.

3. No developer, owner or agent or employee of them shall block entrance of the administrator to any subdivision or planned development in the process of development pursuant to an approved development plan in the Township.

(Ord. 1994-1, 7/-/1994, §803)

§804. PREVENTIVE REMEDIES.

1. In addition to other remedies the Board of Supervisors may undertake appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction to recover damages and to prevent illegal occupancy of a building, structure or premises.

2. The Board may refuse to issue any permit or grant any approval necessary to further improve or develop property which was illegally subdivided or upon which construction or site preparation has occurred in violation of this Chapter. The authority to deny a permit or approval shall apply to the owner of record at the time the violation occurred, subsequent owners regardless of their knowledge of the violation and any vendor or lease holder of the property or their successors whether or not they knew of the violations.

3. Any person, partnership or corporation who or which has violated this Chapter or any prior regulations incorporated into this Chapter shall, upon being found liable therefor a civil enforcement proceeding commenced by the Board, pay a judgement of not more than $500 plus all court costs, including reasonable attorney fees incurred by the Township as a result of the litigation.

4. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice who shall have first jurisdiction in such proceedings.

5. If the defendant neither pays nor appeals the judgment the Township may enforce it pursuant to applicable rules of civil procedure.

6. Each day that a violation continues shall constitute a separate offense unless the District Justice determines that the defendant had believed there was no violation. In that case only one violation shall be deemed to have occurred until the fifth day after the determination, after which each subsequent day shall be a separate violation.

7. Nothing contained in this Section shall be construed to grant to any person, partnership or corporation other than Vernon Township the right to commence any action for enforcement pursuant to this Section.

8. All fines, costs and reasonable legal expenses of the Township recovered in the proceedings shall be paid to the Township.

(Ord. 1994-1, 7/-/1994, §804)

§805. SCHEDULE OF FEES.

1. A schedule of fees for minor subdivisions, major subdivisions, land development plans not involving subdivision, manufactured home park permits, requests for modifications and petitions for amendments for this Chapter shall be established by resolution of the Board of Supervisors, posted conspicuously in the Township building and subsequently amended only by action of the Board.

2. No subdivision or development plan shall be finally approved and no petition or requests acted upon unless or until all applicable fees have been paid in full.

(Ord. 1994-1, 7/-/1994, §805)

PART 9

APPENDICES

APPENDIX I. CERTIFICATES. The following certificates shall be placed on all plants and/or site plans.

1. Board of Township Supervisors' Statement:

THIS PLAT WAS GIVEN FINAL APPROVAL BY
THE VERNON TOWNSHIP SUPERVISORS ON

_____
(Date)

_____
(SIGNATURE OF AUTHORIZED APPROVING OFFICIAL)

2. Professional Land Surveyor's Statement;

I, _____,
hereby certify that I am a professional land surveyor currently registered in the State of Pennsylvania, that this plat correctly represents a survey completed by me, that all monuments shown hereon actually exist, and that their location and material are accurately shown.

_____ _____
(date) (signature)

3. Review Statement from the Crawford County Planning Commission:

REVIEWED BY THE CRAWFORD COUNTY PLANNING COMMISSION ON _____, 1993.

THE SIGNATURE HEREON DOES NOT ESTABLISH APPROVAL OR DISAPPROVAL OF THIS SUBDIVISION, BUT INDICATES THE COMMISSION HAS MADE REVIEW COMMENTS WHICH HAVE BEEN PROVIDED TO THE LOCAL MUNICIPALITY, AND THE SUBDIVIDER, AND WHICH ARE PART OF THE PUBLIC RECORD.

_____
(signature of authorized official)

4. Review Statement from the Vernon Township Planning Commission

THIS PLAT WAS REVIEWED BY THE VERNON TOWNSHIP

PLANNING COMMISSION AND COMMENTS WERE RESOLVED
ON _____. 1993

_____
(signature of authorized official)

5. Either statement (A) or (B) shall be entered on the plat, depending on whether or not there is a public dedication.

A. OWNERS DEDICATION

We (I) hereby certify that we (I) own the property plotted hereon and that this plat is made for the purpose of subdividing the property. Building setback lines are established on this plat between which lines and the property lines of the road(s) there shall be no building erected.

_____ _____
(date) (signature)

_____
(signature)

_____
(signature)

State of Pennsylvania
Crawford County

Sworn to and subscribed before me, a
notary public this _____ day of _____.
My commission expires _____.

_____
Notary Public

B. OWNERS DECLARATION AND DEDICATION STATEMENT

We (I) hereby certify that we (I) own the property plotted hereon and that this plat is made for the purpose of subdividing the property. All roads (park areas, if applicable) shown on this plat and not heretofore dedicated are hereby dedicated to the public. Building setback lines are established on this plat between which lines

and the property lines of the road(s) there shall be no building erected.

_____ _____
(date) (signature)

_____
(signature)

_____
(signature)

State of Pennsylvania
Crawford County

Sworn to and subscribed before me, a
notary public this _____ day of _____.
My commission expires _____.

_____
Notary Public

APPENDIX II. EASEMENTS. Depending on the nature of the subdivision or land development the following easements may be required on the plan and/or site plans.

1. UTILITY EASEMENT.

   An easement is hereby granted to all public utility companies and their respective successors and assigns to install, place and maintain sewers, water mains, gas mains, conduits, cables, poles and wires, either overhead or underground with all necessary braces, guys, anchors and other appliances in, upon, along and over the strips of land designated on the plat and marked UTILITY EASEMENT for the purpose of serving the public in general with sewer, water, gas, electric and telephone service, together with the right to enter upon the said easements for public utilities at all times for any and all of the purposes aforesaid and to trim and keep trimmed any trees, shrubs or saplings that interfere with any such utility equipment. No permanent buildings shall be placed on said easement.

2. DRAINAGE EASEMENT.

   An easement is hereby granted to (Vernon Township and/or the Homeowner's Association) for the purpose of maintaining a drainage waterway upon the land designated on the plat as DRAINAGE EASEMENT. No structures or planting shall be placed or maintained in this easement which will interfere with the intended drainage functions of this easement nor with necessary and normal maintenance and/or drainage installation operations if such be required.

APPENDIX III. STATEMENTS ON THE HANDLING OF SEWAGE NEEDS. Where individual systems (onlot systems) shall be necessary to handle sewage needs one of the following statements shall be required to be placed on the plat:

1. Sewage needs on this lot require an individual system, the permit for which is not guaranteed through the approval of this plat and which must be issued by the Township before building can legally proceed.

2. Sewage needs on each of these lots require an individual system, the permits for which are not guaranteed through the approval of this plat and which must be issued by the Township before building can legally proceed.

3. Individual systems shall be necessary to handle sewage needs in this subdivision. Soils in this subdivision have been examined by a sewage enforcement officer and have been found generally suitable for individual systems; however, a buyer shall know that building activity cannot legally proceed on any lot prior to the issuance, by the Township Supervisors, of an individual sewage system permit for said lot.

APPENDIX IV. STATEMENT ON PENNDOT HIGHWAY ENTRANCE PERMITS.

Lots (enter appropriate lot numbers) abut State maintained roads. Where vehicular entry into the aforementioned lot is proposed, highway entrance permits must be obtained from PennDOT. No building permit shall be issued by the Township and no building construction shall be initiated on said lots until highway entrance permits are obtained. Approval of this plat by the Township does not guarantee that said highway entrance permits will be issued.