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Ordinance # 30 & # 32

SUBDIVISION REGULATIONS

TOWNSHIP OF WESTFALL

PIKE COUNTY, PENNSYLVANIA

ARTICLE I
STATEMENT OF PURPOSE AND POLICY

SUBDIVISION REGULATIONS

TOWNSHIP OF WESTFALL

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ARTICLE I - STATEMENT OF PURPOSE AND POLICY

The Township Supervisors of the Township of Westfall, Pike County, Pennsylvania by virtue of the provisions of the Pennsylvania Municipal Planning Code of the Commonwealth of Pennsylvania (Act 247-1968 as amended by Act 93/1972) is authorized, subject to the holding of required Public Hearings, to adopt rules and regulations covering Plans for Subdivisions of Land and Land Development and to approve plats with or without streets, within the Township of Westfall.

The Supervisors declare that these regulations are intended to provide for the orderly growth and coordinated development of the Township of Westfall and to assure the comfort, convenience, safety health and welfare of the people. Further, the approval of such subdivisions shall be based on the following broad considerations;

(1) Conformance with the various parts of the Comprehensive Development Plan and Zoning Regulations.

(2) Recognition of a desirable relationship to the land form, its topography and geology, to natural drainage and surface water runoff, and to the ground water table.

(3) Recognition of desirable standards of subdivision design including provision for pedestrian and vehicular traffic, surface water runoff, and for suitable building sites for the land use contemplated.

(4) Provision for such facilities that are desirable adjuncts to the contemplated use such as parks, recreation areas, school sites, churches, fire houses, and off-street parking.

(5) Preservation of natural assets such as streams, pond, trees, and attractive scenic areas.

(6) Provision of a adequate utilities and services such as water and sewer.

(7) Encouragement of variety and flexibility in residential development including planned unit development and clustering. In order that land, subdivisions may be made in accordance with this policy, these regulations, which shall be known as, and which may be cited as, the "Township of Westfall Land Subdivision Regulations", have been adopted by the Planning Commission on _____ and approved by the Township Supervisors on _____.

ARTICLE II

DEFINITIONS

ARTICLE II - DEFINITIONS

For the purposes of these regulations, which shall be known and may be cited as the "Township of Westfall Land Subdivision Regulations", certain means of reference and words used herein shall be used and defined as follows:

Unless the context clearly indicates to the contrary, reference made to a section, to a part of a section, or to a paragraph of a part of a section, is to such section, part or paragraph of these regulations.

Easement

The authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

ComprehensiveDevelopment Plan

A Comprehensive Plan by the Planning Commission pursuant to Article III of Act 247/1968 as amended by Act 93/1972, which indicates the general locations recommended for the various functional classes of public works, places and structures and for the general physical development of the Township, and includes any unit or part of such plan separately adopted and any amendment to such plan or part thereof.

Land Development

The Improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving, (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features; a subdivision of land.

Official Map

The map established by the Township Supervisors showing the street, highways, drainage systems and parks theretofore laid out, adopted and established by law and any amendments thereto adopted by the Township Supervisors, or additions thereto resulting from the approval of subdivision plats by the Township Supervisors and the Planning Commission and the subsequent filing for record of such approved plats.

Official Submittal
Date

The time of submission of the subdivision plat considered to be the date of the regular monthly meeting of the Planning Commission following the submission of the application for Plat approval to the Secretary of the Planning Commission, complete and accompanied by the required fee and all data required by Article V, of these regulations as long as such submission has occurred at least ten (10) days prior to such regular meetings.

Planning Commission
or Commission

Township of Westfall Planning Commission.

Preliminary Subdivi-
sion Plat

The preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Commission for its consideration and recommendation to the Township Supervisors for their approval.

Final Subdivision
Plat

The final drawings on which the subdivider's plat of subdivision is presented to the Planning Commission for consideration and its recommendations to the Township Supervisors for approval and which, if approved may be filed for record with the County Recorder of Deeds.

Resubdivision

A change of recorded subdivision plat if such affects any street layout shown on such plat, or area reserved thereon for public use, or any change of a lot line, or any such change if it affects any map or plan legally recorded prior to the granting of subdivision review authority to the Planning Commission and Township Supervisors.

Sketch Plan

A sketch of the proposed subdivision showing information specified in Article V, Section I, of these regulations to enable the Subdivider to save time and expense in reaching general agreement with the Planning Commission and Township Supervisors as to the form of the subdivision and objectives and requirements of these regulations.

Street

A sketch of the proposed subdivision showing information specified in Article V, Section 1, of these regulations to enable the Subdivider to save time and expense in reaching general agreement with the Planning Commission and Township Supervisors as to the form of the subdivision and objectives and requirements of these regulations.

Street, Minor

A street intended to serve primarily as access abutting residential properties.

Street, Major

A street which serves or is designed to be used primarily as a route for traffic between communities or large areas.

Street, Secondary or Collector

A street, which serves or is designed to carry traffic from local residential streets to the system of major streets.

Subdivider

Any person, firm, corporation, partnership, or association, who shall lay out for the purpose of sale or development any subdivision or part thereof as defined herein, either for himself or others.

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, transfer of ownership or building or lot development: Provided, however, that the division of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access, shall be exempted.

Subdivision, Major

Any subdivision containing more than three(3) lots, or any subdivision requiring any new public street extension, or the extension of municipal facilities.

Subdivision, Minor

A Subdivision containing not more than three (3) lots, which has frontage on an existing public street, and which does not require any new municipal facilities.

Surveyor

A person licensed as a Land Surveyor by the Commonwealth of Pennsylvania.

Township

Township of Westfall in the County of pike, and
the Commonwealth of Pennsylvania.

Township Supervisors Westfall Township Supervisors.

Township Engineer The duly designated Engineer or Engineering
Consultant of the Township.

Zoning Ordinance The Zoning Ordinance of the Township of Westfall.

ARTICLE III

PROCEDURE FOR REVIEW OF SUBDIVISION APPLICATION

ARTICLE III - PROCEDURE FOR REVIEW OF SUBDIVISION APPLICATION

Full compliance with the provisions of all applicable Township laws and all public health laws, where applicable, and these regulations concerning the preparation of a Subdivider's Sketch Plan, Preliminary Subdivision Plat, including street profiles, vicinity map, and Final Subdivision Plat, are necessary for the information of the Commission or the public at a Public Hearing as provided in this section. Due care in the preparation of the maps and other information called for will expedite the process of obtaining the Commission and Township Supervisors decision concerning the Subdivision.

When any subdivision of land is proposed to be made and to avoid violation of the applicable real property law, before any contract for the sale of land or any offer to sell such subdivision or any part thereof is made, or any grading, clearing, construction, or other improvement is undertaken herein, the subdivider shall apply to the Commission for its recommendation and the Township Supervisors for their approval.

Section 1 - Submission of Sketch Plan

- A. Any Owner of land shall, prior to submitting an application for subdivision or resubdivision of land, submit to the Secretary of the Planning Commission at least ten (10) days prior to the regular meeting of the Commission, two Copies of a Sketch Plan of the proposed subdivision, which shall comply with the requirements of Article V, Section 1, for the purpose of classification and preliminary discussion and not for formal approval.
- B. The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Commission to discuss the requirements of these regulations for street improvements, drainage, sewerage, water supply, fire protection, and similar aspects, as well as the availability of existing services and other pertinent information.
- C. At this meeting the Planning Commission will recommend to the Supervisors the Classification of the Sketch Plan into one (1) of two (2) categories as defined herein:

Minor Subdivision - Major Subdivision

- 1. If classified as a Minor Subdivision, the subdivider shall then comply with the procedure outlined in Article III, Section 2 of these regulations. If classified as a Major Subdivision, the subdivider shall comply with procedures outlined in Article III, Sections 3, 4 and 5 of these regulations.
- D. The Township Supervisors with the recommendation of the Planning Commission, shall determine whether the Sketch Plan meets the purposes of these regulations and shall, where it deems necessary, make specific suggestions in writing to be incorporated by the applicant in his subsequent submission.

Section 2 - Review and Approval of Minor Subdivision

The Township Supervisors may require, where it deems it necessary for the protection of public health, safety and welfare, that a Minor Subdivision comply with all or some of the requirements specified for Major Subdivisions.

A. Application and Fee

Within six months after classification of the Sketch Plan as a Minor Subdivision by the Township Supervisors, the subdivider shall submit an application for approval of a Subdivision Plat. Failure to do so shall require resubmission of the Sketch Plan to the Planning Commission for reclassification. The Plat shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Commission and Township Supervisors. Said application shall also conform to the requirements listed in Article V, Section 2.

All applications for Plat approval for Minor Subdivision shall be accompanied by a fee of \$30.00 payable by check to the "Township of Westfall", stating the specific purpose of the fee.

B. Number of Copies

Nine (9) copies of the Subdivision Plat shall be presented to the Secretary of the Planning Commission at least ten (10) days prior to a scheduled monthly meeting of the Planning Commission.

C. Subdivider to Attend Planning Commission Meeting

The Subdivider, or his duly authorized representative, shall attend the meeting of the Planning Commission to discuss the Subdivision Plat.

D. When Officially Submitted

The time of Submission of the Subdivision Plat shall be as defined in Article II, "definitions".

E. Public Hearing

A Public Hearing may be held by the Township Supervisors within forty-five (45) days from the time of Submission of the Subdivision Plat for approval. In the event a hearing is required a notice shall be published once each week for two successive weeks in the official township newspaper. 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 be not more than thirty days or less than fourteen days from the date of the hearing. Advertising at the expense of the subdivider.

F. Action of Subdivision Plat

All applications for approval of a plat whether preliminary or final, shall be acted upon by the governing body or the planning agency within such time limits as may be fixed in the subdivision and land development ordinance but the governing body or the planning agency shall render its decision and communicate it to the applicant not later than ninety days after such application is filed.

F. Action of Subdivision Plat

(1) The decision of the governing body or the planning agency shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than five days following the decision;

(2) When the application is not approved in terms as filed the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon;

(3) Failure of the governing body or agency to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect;

(4) From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in the subdivision and land development ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provision of the governing ordinances or plans as they stood at the time the application was duly filed, in addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within three years from such approval. When final approval is preceded by preliminary approval, the three year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

(5) Before acting on any subdivision plat, the governing body or the planning agency, as the case may be, may hold a public hearing thereon after public notice.

Section 3 - Preliminary Plat for Major SubdivisionA. Application and Fee

Prior to the filing of an application for the approval of a final Major Subdivision Plat, the subdivider shall file an application for the consideration of a Preliminary Major Plat of the proposed subdivision in the form described in Article V, Section 3, using the approved application blank available from the Secretary of the Planning Commission. The Preliminary Plat shall, in all respects, comply with the requirements set forth in the applicable provisions of Act 247 as amended by Act 93/1972 and Article V, Section 3 of these regulations.

Section 3 - Preliminary Plat for Major Subdivision

A. Application and Fee

The application for approval of the Preliminary Plat shall be accompanied by a fee of \$30.00, plus \$10.00 per lot for each lot in excess of three (3) shown thereon payable by certified check to the "Township of Westfall" stating the specific purpose of the fee.

B. Number of Copies

Nine (9) Copies of the Preliminary Plat and Nine (9) Copies of the vicinity map shall be presented to the Secretary of the Planning Commission at least ten (10) days prior to a regular monthly meeting of the Planning Commission.

C. Subdivider to Attend Planning Commission Meeting

The Subdivider, or his duly authorized representative, shall attend the meeting of the Planning Commission to discuss the Preliminary Plat.

D. Study of Preliminary Plat

The Township Supervisors and the Planning Commission shall study the Preliminary Plat taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the requirements of the Comprehensive Development Plan, the Official Map, and Zoning Regulations, if such exist.

E. Public Hearing

A Public Hearing shall be held by the Township Supervisors within forty-five (45) days from the time of Submission of the Subdivision Plat for approval. Notice shall be published once each week for two successive weeks in the official township newspaper. 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 be not more than thirty days or less than fourteen days from the date of the hearing. Advertising at the expense of the subdivider.

F. When Officially Submitted

The time of submission of the Preliminary Plat shall be as defined in Article II, "Definitions".

G. Action on Subdivision Plat

All applications for approval of a plat whether preliminary or final, shall be acted upon by the governing body or the planning agency within such time limits as may be fixed in the subdivision and land development ordinance but the governing body or the planning agency shall render its decision and communicate it to the applicant not later than ninety days after such application is filed.

(1) The decision of the governing body or the planning agency shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than five days following the decision.

Section 3 - Preliminary Plat for Major SubdivisionG. Action on Subdivision Plat

(2) When the application is not approved in terms as filed the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon;

(3) Failure of the governing body or agency to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect;

(4) From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in the subdivision and land development ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provision of the governing ordinance or plans as they stood at the time the application was duly filed, in addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within three years from such approval. When final approval is preceded by preliminary approval, the three year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

Section 4 - Final Plat for Major SubdivisionA. Application for Approval and Fee

The Subdivider shall, within six (6) months after the conditional approval of the Preliminary Plat, file with the Planning Commission an application for approval of the Final Subdivision Plat in the form described in Article V, Section 4, using the approved application blank available from the Secretary of the Planning Commission. If the Final Plat is not submitted to the Planning Commission within six (6) months after the conditional approval of the Preliminary Plat, the Township Supervisors and Planning Commission may refuse, without prejudice, to act on the Final Plat and require re-submission of the Preliminary Plat or upon written request by the subdivider to the Planning Commission to extend the time period as they see fit.

All applications for the Final Plat Approval for Major Subdivisions shall be accompanied by a fee of \$30.00; payable by check to "The Township of

Section 4 - Final Plat for Major Subdivision

A. Application for Approval and Fee

Westfall", specifying the purpose of the fee.

B. Number of Copies

A Subdivider intending to submit a proposed final Subdivision Plat for the approval of the Township Supervisors shall provide the Secretary of the Planning Commission at least ten (10) in advance of the regular monthly Planning Commission meeting at which it is to be officially submitted with a copy of the application and Nine (9) copies (one copy in ink on linen) of the Plat, the original and one true copy of all offers of cession, coverants, and agreements, and two prints of all construction drawings.

C. When Officially Submitted

The time of submission of the Subdivision Plat shall be as defined in Article II, "Definitions". In addition, if the applicant elects to construct any or all required improvements (as specified in Article III, Sections 5-A-2 herein) the Township Engineer must file a certificate with the Planning Commission stating that these improvements have been satisfactorily installed before the Subdivision Plat shall be considered officially submitted.

D. Endorsement of State and County Agencies

Water and sewer facility proposals contained in the Subdivision Plat shall be properly endorsed and approved by the Pennsylvania Department of Environmental Resources. Applications for approval of plans for sewer and water facilities will be filed by the subdivider with all necessary Township, County and State agencies. Endorsement and approval by the Pennsylvania Department of Environmental Resources shall be secured by the subdivider before official submission of the final subdivision plat.

E. Public Hearing

A. Public Hearing may be held by the Township Supervisors within forty-five (45) days from the time of Submission of the Subdivision Plat for approval. In the event a hearing is required a notice shall be published once each week for two successive weeks in the decided township newspaper. 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 be not more than thirty days or less than fourteen days from the date of the hearing.

F. Action on Subdivision Plat

All applications for approval of a plat whether preliminary or final, shall be acted upon by the governing body or the planning agency within such time limits as may be fixed in the subdivision and land development ordinance but the governing body or the planning agency shall render its decision and communicate it to the applicant not later than ninety days after such application if filed.

(1) The decision of the governing body or the planning agency shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than five days following the decision;

(2) When the application is not approved in terms as filed the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite to the provisions of the statute or ordinance relied upon;

F. Action on Subdivision Plat

(3) Failure of the governing body or agency to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or chance in the prescribed manner of presentation of communication of the decision in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect;

(4) From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in the subdivision and land development ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provision of the governing ordinance or plans as they stood at the time the application was duly filed, in addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as herein-after provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations. When an application for approval of a plat, whether preliminary or final, has been approved or approved subject to conditions acceptable to the applicant, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within three years from such approval. When final approval is preceded by preliminary approval, the three year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinance or plans as they stood at the time when the application for such approval was duly filed.

Section 5 - Required ImprovementsA. Improvements and Performance Bond

1. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.-No plat shall be finally approved unless the streets shown on such plat have been improved as may be required by the subdivision and land development ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by the subdivision and land development ordinance have been installed in accordance with such ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat the subdivision and land development ordinance may provide for the deposit with the municipality of a corporate bond, or other security acceptable to the governing body in an amount sufficient to cover the costs of any improvements which may be required. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within the period fixed in the subdivision and land development ordinance for such completion. In the case where development is projected over a period of years, the governing body or the planning agency may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

Section 5 - Required Improvements2. Release from Improvement Bond

(a) When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the municipal governing body, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the municipal engineer. The municipal governing body shall, within ten days after receipt of such notice direct and authorize the municipal engineer to inspect all of the aforesaid improvements. The municipal engineer shall, thereupon, file a report, in writing, with the municipal governing body, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty days, after receipt by the municipal engineer of the aforesaid authorization from the governing body, said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the municipal engineer said report shall contain a statement of reasons for such nonapproval or rejection.

(b) The municipal governing body shall notify the developer, in writing by certified or registered mail of the action of said municipal governing body with relation thereto.

(c) If the municipal governing body or the municipal engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.

(d) If any portion of the said improvements shall not be approved or shall be rejected by the municipal governing body, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

(e) Nothing herein, however, shall be construed in limitations of the developer's right to contest or question by legal proceedings or otherwise, any determination of the municipal governing body or the municipal engineer.

(f) Where herein reference is made to the municipal engineer, he shall be a duly registered professional engineer employed by the municipality or engaged as a consultant thereto.

3. Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in the subdivision and land development ordinance or in accord with the approved final plat the governing body of the municipality is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the governing body of the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

B. Modification of Design of Improvements

If at any time before or during the construction of the required improvements

it is demonstrated to the satisfaction of the Township Engineer, that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Township Engineer may, upon approval of the Township Supervisors authorize modifications provided these modifications are within the spirit and intent of the Township Supervisors approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Supervisors. The Township Engineer shall issue any authorization under this Section in writing and shall transmitt a copy of such authorization to the Township Supervisors at their next regular meeting.

C. Inspection of Improvements

At least five (5) days prior to commencing construction of the required improvements, the subdivider shall pay to the Township Secretary an inspection fee equal to 3 percent of the cost of the proposed improvements as estimated by the Township Engineer, or the actual cost of inspection, which ever is less, payable by check to "The Township of Westfall", stating the purpose of the fee; and shall notify the Township Supervisors in writing of the time when he proposes to commence construction of such improvements so that the Township Supervisors may cause inspection to be made to assure that all Township specification and requirements shall be met during the construction of required improvements, required by the Township Supervisors and the Planning Commission.

D. Proper Installation of Improvements

If the Township Engineer shall find, upon inspection of the improvements performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall so report to the Township Supervisors, Building Inspector and Planning Commission. The Township Supervisors then shall notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the Township's rights under the bond. No plat shall be approved by the Township Supervisors or Planning Commission as long as the subdivider is in default on a previously approved plat.

Section 6 - Filing of Approved Subdivision Plat

A. Final Approval and Filing

Upon the approval of a final plat the developer shall within ninety days of such final approval record such plat in the office of the recorder of deeds of the county in which the municipality is located. Whenever plat approval is required by a municipality, the recorder of deeds of the county shall not accept any plat for recording unless such plat officially notes the approval of the governing body.

The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

B. Filing of Sections of Subdivision

At the time the Township Supervisors grant Flat approval, they may permit the Flat to be divided into two or more sections subject to any conditions the Supervisors deem necessary in order to insure the orderly development of the Flat. In accordance with Article V, Section 509 of Act 247/1968 as amended by Act 93/1972, the applicant may file a section of the approved Flat with the County Recorder of Deeds, if said section constiutes at least 10% of the Total

number of lots contained in the approved Plat. In these circumstance, Plat approval on the remaining sections of the Plat shall remain in effect until the expiration of an exemption period of two (2) years. When a Plat is filed by section with the County Recorder of Deeds, the applicant shall within thirty (30) days file with the Township Secretary the entire approved Plat.

C. Flat Void if Revised after Approval

No changes, erasures, modifications, or revisions shall be made in any Subdivision Plat after approval has been given by the Township Supervisors and endorsed in writing on the Plat, unless the said Plat is first re-submitted to the Township Supervisors and said Supervisors approve any modifications. In the event that any such Subdivision Plat is recorder without complying with these requirements, the same shall be considered null and void, and the Supervisors shall institute proceedings to have the Plat stricken from the records of the County Recorder of Deeds.

D. Penalties

Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract, or parcel of land shall lay out, construct, open or dedicate any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes or for the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this act and of the regulations adopted hereunder and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person, or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation pay a fine not exceeding one thousand dollars (1,000) per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the municipality whose ordinance has been violated. The description of metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

Section 7 - Public Acceptance of Streets, Recreation Areas

A. The approval by the Township Supervisors of a Subdivision Plat shall not be deemed to constitute or be evidence or any acceptance by the Township of any street, easement, or other open spaces shown on such Subdivision Plat.

B. When a park, playground, or other recreation area shall have been shown on a Plat, the approval of said Plat shall not constitute an acceptance by the Township of such area. The Township Supervisors and Planning Commission shall require the Plat to be endorsed with appropriate notes to this effect. The Township Supervisors and Planning Commission may also require the filing of a written agreement between the applicant and the Township Supervisors covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area.

ARTICLE IV

GENERAL REQUIREMENTS AND DESIGN STANDARDS

ARTICLE IV - GENERAL REQUIREMENTS AND DESIGN STANDARDS

In considering applications for the Subdivision of Lands, the Township Supervisors and the Planning Commission shall be guided by the standards set forth herein. The said standards shall be considered minimum requirements and shall be waived by the Supervisors and commission only under circumstances set forth in Article Vi of these regulations.

Section 1 - General

- A. Land to be subdivided for building purposes shall be of such a character that it can be used safely without danger to the residents from any menace.
- B. Subdividers shall conform to the Official Map of the Township and shall be in harmony with the Comprehensive Development Plan and Zoning Ordinance where such exist.
- C. All required improvements shall conform to the Township specifications, which may be obtained from the Township Engineer, or Township Secretary.

Section 2 - Street Layout

- A. The arrangement of streets in the Subdivision shall provide for the continuation of principal streets in any adjoining Subdivision or for their proper projection when adjoining property is not subdivided; in order to create a logical system, the right-of-way shall be of a width at least as great as that of such existing connecting streets, and in no case less than the following minimum specified widths: (a) minor street-fifty (50) feet with 20 foot pavement; (b) secondary street-sixty-six (66) feet with 44 foot pavement; and (c) major street-eighty (80) feet with 48 foot pavement; in order to accomodate prospective traffic and afford access for fire fighting, snow removal, and road maintenance equipment.
- B. Where a Subdivision borders an existing narrow road (below standards set herein) or when the Master Plan indicates plans for realignment or widening of a road that would require use of some of the land in the Subdivision, the Subdivider may be required to show areas for widening or realigning such roads on the Plat, marked "Reserved for Road Realignment (or Widening) Purposes". It shall be mandatory to indicate such reservation on the Plat when a proposed widening or realignment is shown on the Township or County Official Maps. Land reserved for such purposes may not be counted in satisfying setback or yard or area requirements of the Zoning Ordinance where such exist.
- C. Minor streets shall be so laid out that their use by through traffic will be discouraged.
- D. Where a Subdivision abuts or contains an existing or proposed major street, the Supervisors and Commission may require marginal access streets (street parallel to major street providing access to adjacent lots), reverse frontage (that is frontage on a street other than the existing or proposed major street) with screen planting contained in a non-access reservation along the rear property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- E. Where a tract is subdivided into lots substantially larger than the minimum size required in the Zoning District in which a Subdivision is located, the Supervisors, and Commission may require that streets and lots be laid out so as to permit future resubdivision in accordance with the requirements contained in these regulations.

Section 2 - Street Layout

F. The creation of dead-end (cul-de-sac) or loop streets shall be encouraged whenever the Supervisors and Commission finds that such type of development will not interfere with normal traffic circulation in the area. Permanent dead-end or cul-de-sac streets shall not in general exceed six (6) times the required minimum lot width or nine hundred (900) feet in length whichever is shorter, and shall be equipped with a turnaround roadway with a minimum diameter of right-of-way of one hundred-forty (140) feet and a minimum outside diameter of traveled way of one hundred twenty (120) feet unless the Supervisors and Commission approves an equally safe and convenient form of turning space. Temporary dead-end streets shall not in general exceed twelve (12) times the required minimum lot width or eighteen hundred (1800) feet whichever is shorter and shall be equipped with a turnaround which conforms to the standards for permanent dead-end streets; a temporary turnaround shall be provided with a notation on the plat that land outside the normal street right-of-way revert to abutting property owners whenever the street is continued. In case of dead-end streets, where needed or desirable, the Supervisors and Commission may require the reservation of a twenty (20) feet wide easement to provide continuation of pedestrian traffic or utilities to the next street.

Subdivisions containing twenty (20) lots or more shall have at least two street connections with existing public streets or streets shown on the Official Map if such exists, or streets on an approved Subdivision Plat for which a bond has been filed. In blocks exceeding 800 feet in length, the Township Supervisors and the Commission may require the reservation of a 20 foot wide easement through the block to provide for the crossing of under-ground utilities and pedestrian traffic where needed or desirable and may further specify, at their discretion; that a 4 foot wide paved foot path be included. The Township Supervisors and the Commission shall require the Subdivider to provide for the proper maintenance of any easement.

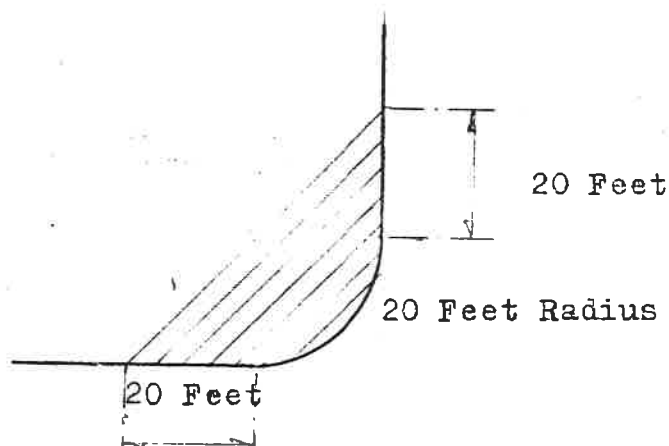
H. Inter-sections of streets shall be at angles as close to ninety (90) degrees as possible and in no case shall two (2) streets intersect at an angle smaller than sixty (60) degrees. To this end where one street approaches another between 60-90 degrees the former street should be curved approaching the intersection. Intersections of major streets by other streets shall be at least eight hundred (800) feet apart, if possible. Cross (four-cornered) street intersections shall be avoided in so far as possible, except as shown on the Comprehensive Development Plan or at least important traffic intersections. A distance of at least two hundred (200) feet shall be maintained between center lines of offset intersecting streets. Grades shall be limited to no more than three (3) percent within fifty (50) feet of an intersection.

I. The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.

J. Where a Subdivision borders on or contains limited access highway right-of-way - the Township Supervisors and the Planning Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land (as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts). Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

Section 3 - Street Improvements and Design

- A. Streets shall be graded and improvements with pavement, curbs and gutters, sidewalks, drainage facilities, water mains, sewers, street lights and signs, street trees, and fire hydrants in accordance with the Township specifications.
- (1) Fire Hydrants: Installation of fire hydrants shall be in conformity with all requirements of standard thread and nut as specified by the Pennsylvania Fire Insurance Rating Organization.
 - (2) Street Lighting Facilities: Lighting facilities shall be in conformance with the lighting system of the Township. Such lighting standards and fixtures shall be installed after approval by the appropriate power company and the authorized Township electrical inspector.
- B. The Township Supervisors and the Planning Commission may require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of lines when they require attention. The Subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.
- C. Where topography is such as to make impractical the inclusion of utilities within the street rights-of-way, perpetual unobstructed easements at least 20 feet in width shall be otherwise provided with satisfactory access to the street. Wherever possible, easements shall be continuous from block and shall present as few irregularities as possible. Such easements shall be cleared, graded and maintained where required in accordance with an arrangement approved by the Township Supervisors and the Planning Commission.
- D. Grades of all streets shall conform in general to the terrain, and shall not be less than one-half ($\frac{1}{2}$) of one percent nor more than 6 percent for major or secondary (or collector) street, or 10 percent for minor streets in residential zones, but in no case more than 3 percent within 50 feet of any intersection. All changes in grade shall be connected by vertical curves of such length and radius as meet with the approval of the Township Engineer so that clear visibility shall be provided for a safe distance.
- E. All street right-of-way lines at intersections shall be rounded by curves of at least twenty feet radius and curbs shall be adjusted accordingly.
- F. A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot which is shown shaded on Sketch A, shall be cleared of all growth (except isolated trees) and obstructions above the level five feet higher than the center line of the street. If directed, ground shall be excavated to achieve visibility.



Section 3 -- Street Improvements and Design

- G. Where a watercourse separates a proposed street from abutting property, property, provision shall be made for access to all lots by means of culverts or other structures or design approved by the Township Engineer.
- H. In general, street lines within a block, deflecting from each other at any one point by more than ten (10) degrees, shall be connected with a curve, the radius of which for the inner street lines shall not be less than 350 feet on major streets, 250 feet on secondary or collector streets and 100 feet on minor streets. The outer street line in each case shall be parallel to such inner street line.
- I. Paved rear service streets of not less than 20 feet in width, or in lieu thereof, adequate off-street loading space, suitably surfaced shall be provided in connection with lots designed for commercial use.
- J. In front of areas zoned and designed for commercial use, or where a change of zoning to a zone which permits commercial use is contemplated by the Township to permit such use, the street right-of-way and/ or pavement width shall be increased by such amount on each side as may be deemed necessary by the Supervisors and Commission to assure the free flow of through traffic without interference by parking vehicles, and to provide adequate and safe parking space for such commercial or business district.

Section 4 - Street Names

- A. All roads shall be named by the Subdivider, and such names must be approved by the Township Supervisors and the Planning Commission before a formal application will be accepted.
- B. Names shall be sufficiently different in sound and in spelling from other road names in the Township so as not to cause confusion.
- C. A road which is or is planned as a continuation of an existing road shall bear the same name.

Section 5 - Sewer and Water Facilities

- A. The Subdivider shall install sanitary sewer facilities in a manner prescribed by the Township Engineer. Necessary action shall be taken by the developer to enable the Township Supervisors to extend or create a sanitary sewer district for the purpose of providing sewers to the subdivision.
- B. The Subdivider shall install water supply and/or distribution facilities in a manner prescribed by the Township Engineer. Necessary action shall be taken by the developer to enable the Township Supervisors to extend or create a water supply district for the purpose of providing water and fire hydrants to the Subdivision.

Section 6 - Lots

- A. The lot arrangement shall be such that in constructing a building in compliance with the Zoning Ordinance there will be no foreseeable difficulties by reason of topography or other natural conditions. Lots shall not be of such depth as to encourage the latter creation of a second building lot at the front or rear.

Section 6 - Lots

- B. All side lines of lots shall be at right angles to straight street lines and radius to curved street lines, unless a variance from this rule will give a better street or lot plan as determined by the Township Supervisors and Planning Commission.
- C. Corner lots shall be of sufficient dimensions so that any structure placed thereon shall conform to the building setback line of each street.
- D. Where practicable, lots shall be so laid out that the driveways have access to that street on which they abut which carries or is intended to carry the lesser amount of traffic. Driveway grades between the street and the setback line shall not exceed 10%.
- E. Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with these regulations.
- F. Permanent monuments meeting specifications approved by the Township Engineer as to size, type and installation, shall be set at such block corners, angle points, points of curves in streets, and other points as the Township Engineer may require, and their location shall be shown on the Final Subdivision Plat.

Section 7 - Drainage Improvements

- A. The Subdivider may be required by the Township Supervisors and the Planning Commission to carry away by pipe or open ditch any spring or surface water that may exist either previous to or as a result of the Subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.
- B. A culvert or other drainage facility shall, in each case, be large enough to accommodate perpetual run-off from its entire upstream drainage area whether inside the design and size of facility based on anticipated run-off from a "ten-year" storm as defined by the United States Geological Survey under conditions of total potential development permitted by the Zoning Ordinances in the water bed.
- C. The Subdivider's Engineer shall also study the effect of each Subdivision on existing downstream drainage facilities outside the area of the subdivision; this study shall be reviewed by the Township Engineer. Where it is anticipated that the additional run-off coincident to the development of the Subdivision will overload an existing downstream drainage facility during a "five-year" storm as defined by the United States Geological Survey, the Township Engineer shall notify the Township Supervisors of such potential condition. In such case, the Township Supervisors shall not approve the Subdivision until provisions has been made for the improvement of said condition.
- D. Land Subject, to flooding or land deemed by the Township Supervisors and the Planning Commission to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property, or aggravate the flood hazard, but such land within the Flat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation.

Section 8 - Parks, Open Space, Natural Features, School Sites and Reserve SA. Park and Playground Sites

- (1) Where a proposed park, playground or other permanent recreation area is shown on the Comprehensive Development Plan to be located in whole or in part in a proposed subdivision, the Township Supervisors and the Planning Commission shall require that such area or areas be shown on said Plat. In the case of recreation areas not shown on the Township Comprehensive Plan, the Township Supervisors and Planning Commission shall, where deemed essential, require that the Plat of a proposed Subdivision show sites of a character, size, and location suitable for the development of permanent parks.
- (2) The Township Supervisors and the Planning Commission shall require of Subdivision of ten lots or more that not more than 10% of gross area of the proposed Subdivision be shown as park or playground. The minimum area of contiguous open space acceptable in fulfillment of this requirement shall be generally one acre. In the case of Subdivisions under ten acres, recreation areas of a lesser extent may be approved by the Township Supervisors and the Planning Commission whenever it deems that the difference between the area shown and one acre may be made up in connection with the Subdivision of adjacent land.
- (3) If the Township does not either accept the dedication of or purchase of said land at the time of issuance of two-thirds of the Certificates of Occupancy in said Plat, or within 36 months after the date of filing of said Plat with the County Recorder of Deeds, the Subdivider may submit a proposed subdivision of said land shown for recreational purposes.
- (4) In the event that an area to be used for permanent recreational facilities is required to be shown, the subdivider shall submit to the Planning Commission a suitable tracing, at a scale of not less than 30 feet to an inch, showing the following:
 - a. The boundaries of said recreation area.
 - b. Existing physical features such as brooks, ponds, trees, rock outcrops, structures, etc.
 - c. Existing and, if applicable, proposed changes in grades of said area and the land immediately adjacent.
- (5) In cases in ten or more lot subdivisions, where the Township Supervisors and the Planning Commission finds that due to the size, topography, or location of the Subdivision, or for other reasons, land for park, playground or other purposes cannot be properly located therein or, if in the opinion of the Supervisors is not desirable, the Supervisors may waive the requirement that the Plat show for such purposes. The Supervisors shall then require as a condition to approval of the Plat a payment to the Township of \$150.00 per dwelling unit proposed, which amount shall be deemed reasonable necessary, for the acquisition of permanent recreation land that can serve the residents of the proposed Subdivision or the construction of capital recreation improvements and/or facilities which will permit existing recreation land to accommodate the residents of the proposed Subdivision. Such amount shall be paid to the Township prior to the time of Final Plat approval, and no Plat shall be signed by the authorized officers of the Commission or the Township Supervisors until such payment is made. Such amount shall be held by the Township in a special Township Recreation Site Acquisition

SECTION 8 - Parks, Open Space, Natural Features, School Sites and Reserve StripsA. Park and Playground Sites

- (5) and Improvement Fund and applied to any one or more of the aforementioned recreation purposes.

If such amount is included in a performance bond and, in the event that any required improvements have not been installed as required by the Supervisors within the term of such Performance Bonds, the Township may there upon declare said Performance Bonds to be in default and collect the sum remaining payable thereunder, including any sum specified for recreation purposes. No Performance Bond which includes a sum specified for recreation purposes will be released by the Supervisors until the full amount required by the Supervisors for recreation purposes is paid to the Township.

B. Natural Features

In general, existing trees over twelve (12) inches in diameter shall be preserved by the subdivider. Other existing natural features such as water-courses and falls, scenic vistas, historic spots, and similar irreplaceable assets, shall be preserved, insofar as possible through harmonious design of the Subdivision. If any topsoil is removed from its natural position in the process of grading the Subdivision site, such topsoil shall be replaced to a depth approximately equivalent to that existing prior to such grading, except in streets, driveways and foundation areas.

C. School Sites

Upon receipt from the School Board of a letter declaring their interest in a school site of a specific size and location within a proposed subdivision, the Township Supervisors and the Planning Commission may require a subdivider to set aside such area. Upon the failure of the proper authorities to purchase such school site within thirty-six (36) months after the date of the approval of the Flat, the subdivider, upon application to the Commission and upon approval of such application by the Supervisors shall be relieved of the responsibility of showing such land for public purposes.

D. Reserve Strips

Reserve strips of land, which might be used to control access from the proposed Subdivision to any neighboring property or to any land within the Subdivision itself, shall be prohibited.

ARTICLE V

REQUIRED SUBMISSIONS

ARTICLE V - REQUIRED SUBMISSIONSSection 1 - Sketch Plan

The Sketch Plan, which is the initial submission to the Planning Commission, shall show the proposed layout of streets, lots and other features sketched roughly on a print of a survey of the property with contour lines at intervals of no more than ten (10) feet, and shall also show or otherwise include the information specified in Section 3A (1 through 8, 11, and 19) as well as a sketch of the vicinity map described in Section 3B of this Article.

Section 2 - Minor Subdivision Flat

A. In the case of a Minor Subdivision, the Subdivision Flat application shall include the following information:

- (1) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
- (2) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a registered land surveyor. The corners of the tract shall be located on the ground and marked by monuments approved by the Township Engineer, and shall be referenced as shown on the Flat.
- (3) All on site sanitation and water supply facilities shall be shown designed to meet the minimum specifications of the Pennsylvania Department of Environmental Resources, and a note to this affect shall be stated on the Flat and signed by a licensed Professional Engineer.
- (4) Proposed name of the Subdivision or identifying title, name of the Township and the County in which it is located.
- (5) The Date, north point, map scale, name and address of record owner and subdivider, and names of adjoining property owners.
- (6) The Flat to be filed with the County Recorder of Deeds shall be printed on linen or clearly drawn with India ink on tracing cloth. The size of the sheet shall be either 8½" X 11", 18" X 24", 24" X 36", or 36" X 48".

Section 3 - Major Subdivision Preliminary Flat and Vicinity Map

A. The Preliminary Subdivision Flat shall consist of Nine (9) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale of not more than one hundred (100) feet or more, or sixty (60) feet to the inch, where lots have less than one hundred (100) feet frontage, showing or accompanied by the following information:

- (1) Proposed Subdivision name or identifying title and the name of the Township and County.
- (2) Name and address of record owner, subdivider and designer of Preliminary Flat.
- (3) Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, watercourses and other essential existing physical features.
- (4) The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- (5) The provisions of the Zoning Ordinance applicable to the area to be subdivided and any zoning district boundaries affecting the tract.

Section 3 - Major Subdivision Preliminary Plat and Vicinity Map

- A. (6) The location and size of any existing sewers and water mains culverts and drains on the property to be subdivided.
- (7) Location, names and present widths of existing and proposed streets, highways, easements, building lines, alleys, parks and other public open spaces as well as similar facts regarding adjacent property.
- (8) The width and location of any streets or other public ways or places shown upon the Official Map and the Comprehensive Development Plan, if any, within the area to be subdivided, and the width, location, grades and street profiles of all streets or other public ways proposed by the subdivider.
- (9) Contour lines at intervals of two (2) feet, based on United States Geological Survey datum of existing grades and also of proposed finished grades where changes of existing ground elevation will be five (5) feet or more.
- (10) Typical cross section of the proposed grading and roadways and of sidewalks.
- (11) Date, true north point and scale.
- (12) Deed description and map of survey of tract boundary made and certified by a registered Land Surveyor tied into established Township reference points.
- (13) Evidence of Water Supply: In cases where no public water supply is planned as part of the Subdivision, the Subdivider shall supply acceptable evidence of the availability of other potable water source. This evidence may be in the form of logs from test wells by the Subdivider, or logs from existing wells established by professional well drillers.
- (14) Connection with existing sanitary sewage system or alternative means of treatment and disposal proposed.
- (15) A report on Sewage to be prepared by a professional Registered Engineer. This report shall include a statement on the feasibility of connecting to an existing sewage facility, should one exist. In cases where on lot sewage disposal is planned, the report shall contain soil maps of the tract similar to those prepared by the Soil Conservation Service, U. S. Department of Agriculture. A statement shall also accompany each plat as to the suitability of each lot for on site sewage disposal as regulated under Act 537, the Pennsylvania Sewage Facilities Act. The feasibility of utilizing a municipal collection system and a "package treatment plant" shall be examined and such findings shall be part of the sewage report.
- (16) Provisions for collecting and discharging storm drainage, in the form of drainage plan.
- (17) Preliminary designs of any bridges or culverts which may be required.
- (18) The proposed lot lines with approximate dimensions and suggested locations of buildings.
- (19) The location of temporary markers adequate to enable the Commission to locate readily and appraise the basic layout in the field. Unless an existing street intersection is shown, the distance along a street from one corner of the property to the nearest street intersection shall be shown.

- (20) All parcels of land proposed to be dedicated to the Public use and the conditions of such dedication.

The location of all trees on the site over twelve (12) inches in diameter and all other natural features or site elements to be preserved.

B. Vicinity Map

The preliminary plat shall be accompanied by a vicinity map drawn at the scale of not over four hundred (400) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand (2,000) feet of any property line of the proposed subdivision or any smaller area between the tract and all surrounding existing streets, provided any part of such a street used as part of the perimeter from the vicinity map is at least five hundred (500) feet from any boundary of the proposed subdivision. Within such area the vicinity map shall show:

- (1) All existing subdivision and approximate tract lines of acreage, parcels together with the names of the record owners of all adjacent parcels of land, namely those directly abutting or directly across any street adjoining the proposed Subdivision.
- (2) Locations, widths and names of existing, filed or proposed streets, easements, building lines and alleys pertaining to the proposed subdivision and to the adjacent properties as designated in Paragraph (1) above.
- (3) The boundaries and designations of Zoning Districts, special improvements districts, school districts and parks or other public spaces.
- (4) An outline of the platted area together with its street system and an indication of the future probable street system of the remaining portion of the tract, if the Preliminary Plat submitted covers only part of the subdivider's entire holding.

Section 4 - Final Subdivision Plat, Subdivision Improvements and Supporting Documents

- A. The final Subdivision Plat shall consist of one or more sheets of drawings which conform to the requirements of the County Recorder of Deeds. Such sheets shall have a left side for binding and one (1) inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by the Department of Environmental Resources, two (2) boxes for the Supervisors stamp of conditional and final Approval. The Subdivision Plat shall conform in all respect to the Preliminary Subdivision Plat as approved by the Supervisors and shall show:

- (1) Proposed Subdivision name and identifying title, the name of the Township and County, the name and address of the record owner and subdivider, the name, license number and seal of the licensed Land Surveyor, the boundaries of the Subdivision and its general location in relation to existing streets or other landmarks and graphic scale, date and true north point.
- (2) Street names and lines, pedestrian ways, lots, reservation, easements and area to be dedicated to public use.
- (3) Sufficient data acceptable to the Township Engineer to determine readily the location, bearing and length of every street line, lot line, boundary line and to reproduce such lines upon the ground. Where practicable, these should be referenced to existing monuments, and in any event should be tied to referenced points previously established by a public authority.

Section 4 - Final Subdivision Plat, Subdivision Improvements and Supporting Documents

- A. (4) The length of all straight lines, the deflection angles, radius, length of curves and central angles of all curves, tangent distances and tangent bearings for each street.
- (5) By proper designation on such Plat, all public open spaces for which offers a cession are made by the subdivider and those spaces title to which is reserved by him.
- (6) Lots within the Subdivision numbered in numerical order within blocks, and blocks lettered in alphabetical order.
- (7) The location of all of the improvements referred to in Paragraph B of this section, and in addition thereto the location of all telephone poles, sewage disposal systems, and continued - rough grading and other devices and methods of draining the area within the subdivision.
- (8) Permanent reference monuments shown thus: "X". They shall be constructed in accordance with specifications of the Township Engineer.
- (9) All lot corner markers shown thus: "O". They shall be of metal at least three-quarters (3/4) inch in diameter and at least twenty-four (24) inches in length, and located in the ground to existing grade.
- (10) Monuments of a type approved by the Township Engineer, which shall be set at all corners and angle points of the boundaries of the Subdivision, and monuments required by Township specifications for new roads, at all street intersections, angle points as shall be required by the Township Engineer.
- B. All streets or other public places shown on such Plat shall be suitably graded and paved, and all sidewalks, street lighting standards, curbs, gutters, street trees, water mains, sanitary sewers and storm drains, where required by the Supervisors on the advice of the Township Engineer, and Planning Office or Consultants employed by the Township Supervisors, shall be installed in accordance with the standards, specifications and procedure set forth in these regulations and ordinances, or, alternatively, a performance bond to insure completion of such improvements.
- C. There shall be submitted to the Commission with the Subdivision Plat:
- (1) Written offers of cession to the Township of all public open space shown on the Plat, and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the subdivider, are to be maintained.
- (2) Written evidence that the Township Supervisors is satisfied with the legal sufficiency of the documents referred to in Paragraph (1), above. Such written evidence shall not constitute an acceptance by the Township of any public open space referred to in Paragraph (1), above.
- (3) A certificate of the Township Engineer as to the completion of all improvements required by the Supervisors, to the satisfaction of the Township Engineer and in accord with standards and specifications prescribed by him, or, in lieu of any required improvements not so completed, a Performance Bond to secure completion of such improvements and written

(3) continued - evidence that the Township Supervisors is satisfied with the sufficiency of such bond.

ARTICLE VI

VARIANCES AND WAIVERS

ARTICLE VI - VARIANCES AND WAIVERSSection 1 - Variances

Where the Township Supervisors find that extraordinary and unnecessary hardships may result from strict compliance with these regulations or where there are special circumstances of a particular Flat, it may vary these regulations so that substantial justice may be done and the public interest secure; provided that such variation will not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Development Plan, or the Zoning Ordinance, where such exist.

Section 2 -- Waivers

Where the Township Supervisors find that, due to special circumstances of a particular Flat, the provision of certain required improvements is not requisite in the interest of public health, safety, and general welfare, or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions.

Section 3

In granting variances and modifications, the Township Supervisors shall require such conditions as will, in its judgement, secure substantially the objectives of the requirements so varied.

ARTICLE VII

SEPARABILITY AND EFFECTIVE DATE

ARTICLE VII - SEPARABILITY AND EFFECTIVE DATE

- A. Separability and Severability. Should any section or provision of these regulations be for any reason held void or invalid, it shall not affect the validity of any other section or provision hereof which is not itself void or invalid.
- B. These regulations shall take effect immediately on approval of the same by the Township Supervisors.
- C. This ordinance shall repeal Ordinance # 27 on the effective date as mentioned above.

Enacted into An Ordinance this 15th day of November, 1974
Approved and effective - November 15, 1974

Attest:

Kenneth H. Barr,
Township Secretary
11/15/74

Westfall Supervisors
George O. Campbell
Carlton J. Shay

Kenneth H. Barr

EXHIBIT A

Note : This application shall conform
in all respects to the Land
Subdivision Regulations of the
Township Supervisors and the
Planning Commission of the
Township of Westfall and shall
be submitted in duplicate.

TOWNSHIP SUPERVISORS AND PLANNING COMMISSION OF THE TOWNSHIP OF WESTFALL PRELIMINARY
PLAT APPLICATION FORM FOR SUBDIVISION OF LAND

- To be filled out (Application No.)
by the Township (Fee Received)
Secretary (By Date)
1. Proposed Name of Subdivision

 2. Location of Property

 3. Name and Address of Record Owner

 If Corporation, give Name of Agent

 4. A Statement of liens, mortgages, or other encumbrances is attached hereto
 (if none, so state)
 5. A complete statement of any easement to the property is attached hereto
 (if none, so state)
 6. Deed or deeds recorded in the County Recorders Office
 Date Liber Date
 7. I own or have an interest in abutting property as stated on the attached
 sheet (if none, so state)

8. Name, Address and License Number of Engineer or Land Surveyor
.....
.....
9. This Property is in theZone.
10. Preliminary Plat covers Acres.
11. Does Owner Propose to submit Final Subdivision Plat to cover entire Preliminary Plat, or to file same in sections ?If so, how many?
12. Does the applicant propose to dedicate to the public all streets, highways and parks shown on the Map ?
.....
13. Does the Preliminary Plat cover the entire holding of the applicant?
.....
14. Give number of acres which applicant proposes to dedicate to public use for park and/or playground purposes
.....
15. Does Owner intend to request any waivers of the requirements of the Subdivision Regulations of the Supervisors and Commission upon the submission of the Final Plat for Approval ?
16. If any waivers of requirements are to be requested, list them and give reasons why such requirements should be waived.

(Signed) Owner

Dated By

EXHIBIT B

Note : This application, in duplicate, shall be accompanied by original tracings of Plat Drawings and Vive Prints of each. The Tracings shall bear all required signatures as advised by the Township Supervisors and Planning Commission.

TOWNSHIP SUPERVISORS AND PLANNING COMMISSION OF THE TOWNSHIP OF WESTFALL FINAL
SUBDIVISION PLAT APPLICATION FORM FOR SUBDIVISION OF LAND

Application No. Received by Date

The Undersigned hereby makes application for approval of Plat entitled

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Which covers the entire area of acres, shown on the Preliminary Plat; of covers section comprising acres shown on the Preliminary Plat (cross out words not applicable) which have been completed in accordance with the Subdivision Regulations of the Township of Westfall, and the details of which are as stated in the application for consideration of the Preliminary Plat and are hereby reaffirmed with the same force and effect as though stated herein. (If any differences, attach statement of same.)

(Signed)
Owner

Date By
(Corporation Agent if applicable)