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**PART I**  
**TITLE, SCOPE AND PURPOSE**

**§ 101. Short title.**

This Chapter shall be known as the "Robinson Township Subdivision and Land Development Ordinance." For purposes of the Code of Robinson Township, Washington County, Pennsylvania, this Chapter shall be known as the "Subdivision and Land Development Ordinance" and/or the "SALDO."

**§ 102. Effective Date.**

This Subdivision and Land Development Ordinance shall take effect five days after December 11, 2023.

**§ 103. Purpose of Act.**

A. This Chapter is adopted for the following purposes:

1. To promote and protect public health, safety, morals, and welfare.
2. To promote orderly, efficient, integrated, and harmonious development in the Township.
3. To require sites suitable for building purposes and human habitation in keeping with the standards of quality existing in the Township and to alleviate peril from fire, flood, erosion, excessive noise, smoke, or other menace.
4. To coordinate proposed streets and other improvements with existing or proposed streets, parks, or other features of the Comprehensive Plan and to provide for drainage, water supply, sewage disposal, and other appropriate utility services.
5. To encourage preservation of adequate open spaces for recreation, light and air and maintenance of the natural amenities' characteristic of the Township and its residential, commercial, agricultural, industrial, and public areas.
6. To ensure conformance of subdivision and land development plans with the Comprehensive Plan, Zoning Ordinance (Ordinance No. 3-2019, or as amended, hereinafter referred to only as the Zoning Ordinance) and public improvement plans and to ensure coordination of intergovernmental improvement plans and programs.
7. To secure equitable treatment of all subdivision and land development plans by providing uniform procedures and standards.
8. To ensure that developments are environmentally sound by requiring preservation of the natural features of the areas to be developed to the greatest extent practicable, to maintain the economic well-being of the Township and to prevent unnecessary or undesirable blight, runoff, and pollution.

9. To secure the protection of water resources and drainageways.
  10. To establish provisions governing the standards by which streets shall be granted and improved, and by which walkways, curbs, gutters, streetlights, fire hydrants, water and sewage facilities, and other improvements shall be installed as a condition precedent to final approval of plans.
- B. The objectives of this Chapter are to coordinate and implement the community development objectives of the Township Comprehensive Plan. The specific objectives are as follows:
1. Overall Goals:
    - a. Monitor development polices to ensure that the rural character of the Township is protected.
    - b. Prioritize the preservation of prime agricultural soils and protection of existing agricultural areas.
    - c. Ensure the protection of the Township's natural environmental quality and significant land features throughout.
    - d. Ensure new development will improve the aesthetic qualities of the community.
    - e. Attract high quality nonresidential development to create a higher standard of living for current residents through increased employment opportunities as well as necessary diversification of the tax base.
    - f. Maintain current population levels and revitalize its residential areas by providing a wide range of service and protecting quality of life.
    - g. Encourage the preservation of cultural and historic properties.
  2. Residential:
    - a. Maintain low-density residential development in rural areas not serviced by public water and sewerage facilities.
    - b. Control location of high-density residential development to avoid overtaking limited Township fiscal resources and limited infrastructure.
    - c. Continue to provide housing for all income levels, especially encouraging the re-use and rehabilitation of existing older homes as affordable owner-occupied single-family dwellings.
  3. Agricultural:
    - a. Encourage the preservation of active farmland.

- b. Encourage participation of farm owners in the Agricultural Security Area Program, as administered by the Pennsylvania Department of Agriculture.
  - c. Discourage the subdivision of farm tracts into small building lots.
  - d. Encourage farmers to participate in County, State, and Federal programs which support and promote sound farming practices, such as surface water protection and erosion and sedimentation control.
- 4. Economic Development and Land Use:
  - a. Provide for Commercial and Industrial Development in areas where land use conflict is minimized with residential and rural areas.
  - b. Promote the development of a high-quality business park as one of the Township's highest priorities.
  - c. Identify areas with adequate infrastructure which can support commercial and industrial development.
  - d. Provide for future economic development opportunities based upon infrastructure development.
  - e. Identify "Areas for Opportunity" for future development.
  - f. Create site developments controls to protect adjacent properties.
  - g. Provide adequate opportunities to expand the tax base.
  - h. Encourage brownfield development by assisting responsible developers in identifying opportunities.
- 5. Infrastructure:
  - a. Ensure that existing facilities and services are maintained at a level which meet the needs of current residents and businesses.
  - b. Maintain a development approval process that ensures new public and private improvements are constructed to a high-quality standard.
  - c. Prioritize the expansion of infrastructure to meet the objective of attracting a high-quality business park.
- 6. Traffic Circulation:
  - a. Create a safe, well-constructed road system within the Township.
  - b. Promote opportunities for local connectivity to ensure the Township benefits from construction and improvements to the Pennsylvania Turnpike's Interstate 576.
  - c. Upgrade existing Township roads on an annual basis through the use of capital improvement programming.

7. Historic Preservation:
  - a. Cooperate with other government agencies, property owners, and nonprofit organizations to promote and protect identified historic sites.
  - b. Encourage new development to be compatible with existing structure or sites.
8. Recreation:
  - a. Encourage adequate recreational opportunities for Township residents.
  - b. Ensure new residential development provides for adequate open space or recreational activities.
  - c. Consider a land or fee dedication program to ensure that new residential development will not result in a lowering of recreational levels of service.
9. Natural Resource Protection
  - a. Discourage development on, or in, identified environmentally sensitive areas.
  - b. Discourage disturbance of steep slopes and soils prone to slippage and or sliding.
  - c. Ensure that natural resource extraction activities do not create land use conflicts with other forms of development or adversely affect the environment or adjacent properties.
  - d. Promote the preservation and conservation of environmentally sensitive areas and natural resources.

#### **§ 104. Authority and Jurisdiction.**

- A. The land development or subdivision of any lot, tract or parcel of land and the laying out, constructing, opening and dedicating of any street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be in accordance with the provisions of this Chapter and all other provisions of the Code of Robinson Township, Washington County, Pennsylvania, and other Township ordinances, resolutions and regulations, and all other applicable Federal, Commonwealth, and local laws, statutes, ordinances, resolutions and regulations.
- B. Prior to commencing or undertaking any site development, earth disturbance, grading and/or construction activity in the Township, an applicant shall apply for and obtain all necessary Federal, Commonwealth, and local permits and approvals, including, but not limited to, any Pennsylvania Department of Transportation Highway Occupancy Permits (HOP) and other permits required by the Township. The subject site, subdivision, development, earth disturbance, grading and/or construction activity shall comply with all such Federal, Commonwealth, and local permits and approvals.
- C. The authority for the control and regulation of subdivision and land development within

the Township shall be as follows:

1. Approval by the Board of Supervisors. The Robinson Township Board of Supervisors, hereinafter referred to as the Board of Supervisors, shall be vested with authority to approve or disapprove all subdivision and land development plans, except as otherwise provided in this Chapter.
  2. Review by the Robinson Township Planning Commission, hereinafter referred to as the Planning Commission. Plans for subdivision or land development shall be submitted to the Planning Commission for review and recommendation, except as otherwise provided in this Chapter. Said submission shall take place before approval of any plans by the Board of Supervisors. However, in the event that the Planning Commission does not act on any submission, the Board of Supervisors may proceed with a review of the application without a report from the Planning Commission.
  3. Review by the Washington County Planning Commission. Plans for subdivision located within the Township shall be submitted to the Washington County Planning Commission for review and report. Said submission shall take place before approval of any plans by the Township. However, if a report is not received from the County Planning Commission within 30 days after submission, the Township may proceed without the report.
- D. Any replotting or re-subdivision of land, including a change of recorded plan, shall be considered a new subdivision or land development and shall comply with the provisions of this Chapter.
- E. All provisions of the Subdivision and Land Development Ordinance of Robinson Township, Washington County, Pennsylvania, Ordinance 01-2007, dated November 13, 2007, as amended, are hereby repealed, and the provisions of this Chapter shall substitute for the former.

## **PART II**

### **DEFINITIONS**

#### **§ 201. Interpretation.**

For the purpose of this Ordinance, certain terms and words used herein shall be interpreted or defined as follows:

- A. Words in the present tense shall include the future.
- B. Words used in the singular number shall include the plural.
- C. Words used in the plural number shall include the singular.
- D. The word "person" includes a corporation as well as an individual or an association of individuals.
- E. The words "shall" and "will" are always mandatory.
- F. The word "may" is permissive.

#### **§ 202. Definitions.**

-A-

**ACCESSORY BUILDING** – A structure subordinate and incidental to, and located on the same lot as, a principal building and used for an accessory use.

**ADMINISTRATIVELY COMPLETE APPLICATION** – An application that has been submitted to the Township along with all documents, exhibits, plans, and fees required by this Chapter and any other Township ordinances and has been declared by the Township Zoning Officer as a completed application and therefore officially received for review.

**ADMINISTRATOR** – The person qualified and officially appointed by the Board of Supervisors to manage this Part, or his authorized representative.

**ALLEY** – A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties and otherwise abutting a street for placement of utilities.

**APPLICANT** – Any landowner, agent, or developer, as hereinafter defined, who has filed an application for subdivision or development, including his heirs, successors, assigns, or agents.

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

**ARCHITECT** – A registered architect licensed as such in the Commonwealth of Pennsylvania.

**AS-BUILT PLAN** – A plan showing the actual location of easements, curbs, paving, catch basins,



manholes, storm and sanitary sewers, wye branches, waterlines, drainage channels, utilities, guardrails and retaining walls, and the surface and flow line elevations of storm and sanitary sewers at every catch basin and manhole. The as-built plan must be based on actual field measurements made during and after construction.

**AUTHORITY** – A body of politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipalities Authorities Act Of 1945.”

-B-

**BLOCK** – An area of land, generally in a plan of lots, or a parcel or tract bounded by streets, or a combination of streets and public lands, railroad rights-of-way, waterways, municipal boundaries, or any other barrier to the continuity of development.

**BOARD OF SUPERVISORS** – The Board of Supervisors of the Township of Robinson Township, Washington County, Pennsylvania.

**BUILDING** – An independent and detached structure having a roof supported by columns or walls, intended for housing, shelter, or enclosure of person, animals, or any other property.

**BUILDING PERMIT** – A document issued by the Township attesting that a proposal for construction of a structure meets all requirements of these regulations and other applicable development ordinances in force and allowing such proposed construction to commence.

**BUILDING SETBACK LINE** – A line parallel to a lot line, defining the buildable area of the lot, defined by the Zoning Ordinance (Ordinance No. 3-2019, or as amended) for the zoning district in which the lot is located.

**BUILDING SETBACK LINE (Corner Lot)** – Lines parallel to the lot lines, defining the buildable area of the lot, defined by the Zoning Ordinance for the zoning district in which the lot is located. The front line abuts the primary public street or right of way upon which the main entrance of the structure is located. In residential areas, houses shall have a front yard setback adjacent to both public streets. In non-residential areas, if a structure is angled and faces neither street but the intersecting points of the streets, then the front lot line will be determined by the location of the pedestrian entrance. In non-residential areas, the primary public street or right of way may be subject to identification by the Township.

**BUILDING SETBACK LINE (Front)** – A line parallel to a front lot line facing the primary public right of way, defining the buildable area of the lot, defined by the Zoning Ordinance for the zoning district in which the lot is located.

**BUILDING SETBACK LINE (Rear)** - A line parallel to a rear lot line, defining the buildable area of the lot, defined by the Zoning Ordinance for the zoning district in which the lot is located.

**BUILDING SETBACK LINE (Side)** - A line parallel to the side lot lines, defining the buildable area of the lot, defined by the Zoning Ordinance for the zoning district in which the lot is located.

-C-

**CARTWAY (Not Right-of-Way)** – The portion of the total street right-of-way surfaced or otherwise prepared or meant for vehicular access or travel, excluding unpaved shoulders and berms. The cartway width is defined as from face of curb to face of curb, or from edge of driving surface to the other edge of driving surface.

**CLEAR SITE TRIANGLE** – An area of unobstructed vision at the intersection of two or more streets, access drives, or alleys. The triangle shall be measured at the height of a driver's eye which is assumed to be 3.5 feet above the road surface, 100 feet from the intersection of the center line, unless otherwise determined by the Township Engineer based on sound and accepted engineering practices on a case-by-case basis. This is intended to allow the operators of vehicles approaching simultaneously to see each other in time to prevent a collision.

**COMMON DRIVEWAY** – A private driveway utilized by two or more separate lots or dwelling units for access to a public or private street.

**COMMON OPEN SPACE** – A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the development not including stormwater management facilities, streets, off-street parking areas, and other areas set aside for the public.

**COMPREHENSIVE PLAN** – The Comprehensive Plan of Robinson Township, Washington County, Pennsylvania, as amended from time to time, a document based on study and analysis of past trends in the Township, projecting future change, recommending measures to cope with such change and representing the official policy of the Township towards physical change.

**CONDOMINIUM** – Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

**CONSOLIDATION** – The combination of two or more lots, tracts, or parcels of land for any purpose, including sale or lease of a building or lot. A consolidation shall be generally referred to as a "subdivision" under the provisions of this Chapter.

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

**COVENANT** – An agreement, convention, or promise of two or more parties by deed in writing, signed and delivered by which either of the parties pledges their self to the other that something is either done or shall be done, or stipulates for the truth of certain facts.

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

**CURB** – The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic; all curbs shall be constructed in accordance with the specifications in this Chapter or any other ordinance enacted by the Board of Supervisors setting requirements for the construction of roads, curbs and sidewalks or Pennsylvania Department of Transportation publications and specifications (if applicable).

**CURVE** – A rounded change of direction of an alignment that can be described by bearings, angles, radii, and distances; a sag curve describes the lowest point in a vertical alignment and a crest curve the highest point.

-D-

**DEDICATION** – The designation of property, formerly privately owned, for public purposes, such designation stipulated in writing by the private owner and offered for acceptance by the Township.

**DENSITY** – A measure of the intensity of the use of the land, usually measured by the number of dwelling units per gross acre of land.

**DESIGN SPEED** – The speed used for the design of streets. For purposes of this Chapter, design speed shall equal the proposed or posted speed.

**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 PLAN** – The provisions for development, including a planned residential development, a land development, a plot of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space, and public facilities. The phrase "provisions of the development plan" shall mean written and graphic materials referred to in this definition.

**DRAINAGE** –

- A. Surface water runoff.
- B. The removal of surface water or groundwater from land by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction of development, the means for preserving the water supply, and the prevention of alleviation of flooding.

**DRAINAGE FACILITY** – Any ditch, gutter, culvert, storm sewer, or other structure designated, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.

**DRAINAGE SYSTEM** – Pipes, structures, swales, natural features, and man-made improvements designated to carry drainage.

**DWELLING** – A building or portion thereof providing complete housekeeping facilities for one family.

- A. **SINGLE FAMILY** – A building designed for or occupied exclusively as a residence for one family.

- B. DUPLEX – A detached building designed for or occupied exclusively by two families living independently of each other, with separate entrances.
- C. MULTI OR MULTIPLE FAMILY – A structure containing three (3) or more separate dwelling units for families living independently of each other, but which may provide joint services and/or facilities.
- D. EARTH HOME – A detached single family dwelling unit expressly designed for partial underground construction.
- E. DWELLING, MODULAR – A single family dwelling which is delivered to its site in at least two (2) sections that are set upon a permanent foundation and the sections joined together. Such dwellings shall be certified as meeting the minimum standards for manufactured housing in Pennsylvania and shall be at least twenty (20) feet in width for the entire length when assembled and shall be attached to all available utilities.
- F. DWELLING, TOWNHOUSE – A multi-family dwelling structure, consisting of at least three (3) single family dwelling units that are attached side by side by unpierced party walls, maximum six (6) units per structure.
- G. DWELLING, ATTACHED – A single family dwelling that is attached to or shares a common vertical wall with one or more other dwellings.
- H. DWELLING, QUADRAPLEX – Four (4) attached dwellings in which each unit has at least two open space exposures and shares one or two vertical walls with adjoining units and where no more than two (2) units may lack street frontage.
- I. DWELLING, SINGLE-FAMILY DETACHED – A dwelling unit, including a manufactured home, designed for, and occupied by not more than one (1) family and having no roof, wall, or floor in common with any other dwelling unit.
- J. GARDEN APARTMENT – One or more two-story or three-story, multifamily structures, generally built at a gross density of 10 to 15 dwelling units per acre, with each structure containing 8 to 10 dwelling units and including related off-street parking and open space.
- K. MID-RISE APARTMENT – A multifamily residential building of 4 to 8 occupiable stories above grade. The building must have fifty (50) percent or more residential space.
- L. MIXED-USE STRUCTURE – A building that is developed into a variety of land uses, such as residential and retail. Such uses are designed to complement one another.

-E-

EASEMENT – A right-of-way granted across the property of another for access, public utility lines, or storm drainage, passage over which is guaranteed by the grantor to those using the easement and recorded at the Washington County Courthouse with the Recorder of Deeds.

**ENGINEER** – A professional engineer licensed by the Commonwealth of Pennsylvania engaged in the practice of engineering. The use of the word “engineer” shall not exclude the practice of topographic surveying as provided for in Commonwealth law.

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

-F-

**FEE** – The required charge established by this Chapter to defray the cost of processing an application, reviewing an application, or inspecting improvements during installation which shall be payable to the Township in accordance with the requirements of this Chapter.

**FILL** – Any act by which earth, sand, gravel, rock, or any other material is deposited, placed, pushed, dumped, pulled, transported, or moved to a new location including the condition resulting there from.

**FINAL APPLICATION** – The written and graphic materials specified by this Chapter to be submitted to the Township in order to obtain final approval of a proposed subdivision or land development plan.

**FLAG LOT** – A lot that has any portion of its front lot line or front yard about the rear or side yard of an adjacent lot rather than a road right-of-way and where access to the road right-of-way would typically be by a narrow, private right-of-way or driveway.

**FLOOD** – A temporary inundation of normally dry land areas.

**FLOOD, BASE** – A flood that has a 1% annual chance of being equaled or exceeded in any given year. The Base Flood may also be referred to as the 100-Year Flood or 1-Percent Annual Chance Flood.

**FLOOD FRINGE** – That portion of the Base Flood floodplain outside of the floodway boundary.

**FLOODPLAIN** – A relatively flat or low land area adjoining a river, stream or natural watercourse which may from time to time be overflowed and subject to partial or complete inundation. Typically associated with the Base Flood. An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOODWAY** – The channel of the watercourse and those portions of the adjoining floodplains which are reasonably required to carry and discharge the Base Flood. The boundary of the Base Flood floodway is as indicated on the Federal Emergency Management Agency Flood Insurance Rate Maps. In areas where no Federal Emergency Management Agency maps nor studies have defined the boundary of the floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet landward from the top of the bank of the stream.

**FRONTAGE** – The length of a property line bordering a street right-of-way which is open to vehicular traffic.

-G-

GOVERNING BODY – The Robinson Township Board of Supervisors.

GRADE – The slope expressed in a percent which indicates the rate of change of elevation in feet per 100 feet.

GRADING – Excavation or fill or any combination thereof, including conditions resulting from such activities.

GUTTER – That portion of a right-of-way carrying surface drainage.

-H-

HARDSHIP – A condition of the subject property, not economic in nature and not caused by the applicant or developer, creating a unique and actual difficulty to reasonable development of the property and for which he may request a waiver.

HIGHWAY OCCUPANCY PERMIT – Authorization issued by the Pennsylvania Department of Transportation allowing a property owner specific access to a state-maintained highway. This permit is required before a subdivision is approved by the Township, or a note must be contained on the subdivision plan acknowledging that a Highway Occupancy Permit is required.

HOMEOWNER'S ASSOCIATION – An unincorporated association or not-for-profit corporation whose membership consists of the lot owners of a residential development. A homeowners' association shall also include a condominium unit owners' association. All such associations shall comply with the requirements for unit owners' associations contained in the Pennsylvania Uniform Condominium Act, 68 Pa.C.S.A. § 3101 et seq.

-I-

IMPROVEMENTS – Pavements, curbs, gutters, sidewalks, water mains, sanitary sewers, storm sewers, stormwater management facilities, grading, street signs, plantings, and other items for the welfare of the property owners and/or the public.

-L-

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 single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
  - 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants, by means of,

or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

- B. A subdivision of land.
- C. Development in accordance with Section 503 (1.1) of the Pennsylvania Municipalities Planning Code and any amendments, revisions, or subsequent versions thereof.

**LAND DEVELOPMENT PLAN** – A plan which encompasses a proposed land development which, in addition to a plat of subdivision, if required, includes all covenants relating to the use of the land; the proposed use, location and bulk of buildings and other structures; the intensity of use or density of development; streets, ways and parking facilities; common open space and public facilities. The land development plan shall include all the written and graphic information required by this Chapter.

**LANDOWNER** – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether such option or contract is subject to any condition), a lessee, if he or she is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

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

**LOT AREA** – The area contained within the property lines of the individual parcels of land, excluding space within any street or ultimate right-of-way, but including the area of any easement. Lot area shall be measured to the legal right-of-way line of the street.

**LOT, CORNER** – A lot, abutting two or more street right-of-way at their intersection.

**LOT DEPTH** – The average distance between the street right-of-way line and the rear lot line, measured perpendicular or radial to the street right-of-way. Lot depth shall be measured to the legal right-of-way line of the street. In the case of a double frontage lot, such distance shall be measured from each street right-of-way.

**LOT LINE REVISION PLAN** – A subdivision plan that revises the lot lines of an existing plat without creating new lots, parcels, buildings, public improvements, or revising existing easements and/or rights-of-way. Such action requires subdivision approval.

**LOT, REVERSE FRONTAGE** – A lot which is not a corner lot and abuts two (2) or more streets, where vehicular access is permitted solely from one (1) street.

**LOT LINE SIDE** – Any lot line which is not a front lot line or a rear lot line.

**LOT WIDTH** – In the case of an interior lot, the distance between the side lot lines. In the case of a corner lot, lot width shall mean the distance between each front lot line and its opposite side lot line. Such distance shall be measured along a straight line which is at right angles to the axis of a lot. When a lot abuts on a curved street the width shall be determined by utilizing the arc length.

-M-

**MAINTENANCE BOND** – Surety, in a form acceptable to the Township, which guarantees the repair or maintenance of improvements required by this Chapter for a period of 18 months after the completion and acceptance by the Township.

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

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

**MOBILE HOME PARK** – Any parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

**MODIFICATION** – A deviation from the regulations of this Chapter granted by the Board of Supervisors upon recommendation by the Planning Commission in accordance with the criteria established by this Chapter.

**MONUMENT** – A permanent indication, established by a registered surveyor, of points in the boundary of a subdivision or land development plan, or at points of intersection or changes of direction in street rights-of-way within the plan.

-O-

**OCCUPANCY PERMIT** – A statement, based on an inspection, signed by the Zoning Officer, setting forth either that a building or structure complies with all ordinances of the Township, or that a building, structure, or parcel of land may lawfully be employed for specified use or both.

**OFFICIAL DATE OF FILING** – The official date of filing for an application submitted for approval under this Chapter shall be determined as the date of the regular Planning Commission meeting at which the application is accepted by the Commission as complete in content and properly filed in accordance with the requirements of this Chapter. All fees must be paid in order for an application to be considered “filed.”

**OFFICIAL PLAN OR PLAN REVISION OF A SEWAGE FACILITIES PLAN (Act 537 Plan)** – A comprehensive plan or revision to such plan for the provision of adequate sewage systems, adopted by Robinson Township, Washington County, and submitted to and approved by the Pennsylvania Department of Environmental Protection as provided by § 25 Pa. Code 71.1 et seq.

**ORDINANCE** – All references to “ordinance” or “this ordinance” refer to the Township of Robinson Subdivision and Land Development Ordinance and regulations identified herein.

**OWNER OF RECORD** – The individual or corporation whose name appears on the records of



the Washington County Recorder of Deeds as the current owner of the property.

-P-

**PARCEL** – A tract of land described in a deed recorded in the office of Washington County Recorder of Deeds.

**PARKING SPACE** – For the purposes of this Ordinance, off-street parking and loading areas shall be in accordance with Zoning Ordinance.

**PARTY WALL** – A partition erected on a property boundary, partly on the land of one owner and partly on the land of another, to provide common support to the structures on both sides of the boundary.

**PARTY WALL SUBDIVISION** – A lot line revision plan that revises lot lines along as-built party walls.

**PERFORMANCE BOND** – A financial guarantee, in a form acceptable to the Township, to insure that all improvements, facilities, or work required by this Chapter will be completed in compliance with all applicable local, state, and federal ordinances, laws, regulations, and the approved plans and specifications for the development in the amount of 110% of the cost of the facilities or improvements.

**PLANNING COMMISSION** – The Robinson Township Planning Commission as duly appointed by the Board of Supervisors.

**PLANNING COMMISSION, COUNTY** – Washington County Planning Commission.

**PLAN, FINAL** – A complete and exact subdivision or land development package, including all supplementary data as specified in this Chapter.

**PLAN, PRELIMINARY** – An initial, yet unfinalized, subdivision or land development plan, which contains the information required by this Chapter for approval of a preliminary plan.

**PLANNED RESIDENTIAL DEVELOPMENT** – An area of land, controlled by a single landowner, to be developed as a single entity for multiple dwelling units or a combination of residential and nonresidential uses. The development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of the Zoning Ordinance.

**PLANNING MODULE FOR LAND DEVELOPMENT** – A revision to the Robinson Township official Act 537 Plan submitted in connection with the request for approval of a subdivision or land development in accordance with PaDEP regulations.

**PLAT** – A map or drawing, either preliminary or final, presented to the Township for approval, indicating the subdivision, consolidation, redivision of land or a land development.

**PLAT, FINAL** – The map, drawing, or drawings of a proposed subdivision or land development

containing all the information required by this Chapter and the Washington County subdivision regulations for final plan approval in a form acceptable for recording in the office of the Washington County Recorder of Deeds.

**PLAT, PRELIMINARY** – An initial, yet unfinalized, subdivision and/or land development map, drawing, or drawings, which contains the information required by this Chapter for approval of a preliminary plan.

**PRELIMINARY APPLICATION** – The written and graphic materials, including the application form, preliminary plans, and fees specified by this Chapter to be submitted to the Township to obtain preliminary approval of a proposed subdivision or land development.

**PRINCIPAL BUILDING** – The building on a lot in which the principal use is conducted.

**PRINCIPAL USE** – The primary or predominant use of any lot or structure.

**PRIVATE IMPROVEMENTS** – All roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers, and other facilities to be owned, maintained, or operated by a private entity such as an individual, corporation, or homeowner's association.

**PROPERTY** – An area or tract of land, all portions of which are in the same ownership and the boundary of which closes on itself, also a parcel.

**PUBLIC IMPROVEMENTS** – All roads, streets, walkways, gutters, stormwater management facilities, curbs, sewers, and other facilities to be dedicated and accepted by or maintained by the Township for which construction plans and specifications must comply with the provisions of this Chapter, the Township Construction Standard Details, and all other Township ordinances.

**PUBLIC HEARING** – A formal meeting held pursuant to public notice by the Board of Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter.

**PUBLIC NOTICE** – Notice published once each week for two (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 thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

**PUBLIC UTILITY** – Within the terms of this Chapter, public utility shall be defined to include gas, electric, telephone, sewerage, water, and communication cable services that are not privately held and maintained or for public distribution, use, or supply.

-R-

**RECORDER OF DEEDS** – The Recorder of Deeds of Washington County, Pennsylvania, or any agency successor thereto.

**RECORDING PLAN** – A final plat which contains the original endorsement of the local municipality and the Planning Commission which is intended to be recorded with the Washington County Recorder of Deeds.

**RIGHT-OF-WAY** – Land legally dedicated and reserved for public purposes, including but not limited to use as a street, interior walk, or other public purpose, including utilities; all must be recorded in the Washington County Recorder of Deeds. For purpose of this ordinance, public right-of-way lines shall prevail over private parcel lines that are designated as falling within the public right-of-way. When a lot abuts a right-of-way of a public thoroughfare, all applicable lot area and lot requirements shall be computed from the public right-of-way line.

-S-

**SEPTIC SYSTEM** – An underground system with a septic tank used for the decomposition of domestic wastes. Also referred to as an on-lot system.

**SEWAGE ENFORCEMENT OFFICER** – The designated official of the Township or Washington County Sewerage Council who issues and reviews on-site sewage permit applications and conducts such investigations and inspections as are necessary to implement the Pennsylvania Sewage Facilities Act, as amended, and the Rules and Regulations thereunder.

**SITE DISTANCE** – The distance that an automobile driver can see ahead and/or to either side unobstructed by changes in alignment or roadside structures or topography, as required by the latest edition of the American Association of State Highway and Transportation Officials Manual.

**SKETCH PLAN** – An informal plan, submitted for preliminary discussion with the Township and its designated representatives indicating the existing features of a tract and its surroundings, with the general layout of a proposed subdivision or land development prepared in accordance with this Chapter. A sketch plan should include sufficient information to identify the overall intent of the proposed subdivision or land development so that concerns and requirements may be identified prior to the formal submission of a Preliminary Plan for approval.

**SLOPE** – The face of an embankment or cut section or any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet or horizontal distance or using simple numeric references such as 2:1 (horizontal to vertical) referring to a slope that would equate to 2 horizontal feet for every 1 foot of vertical change.

**STORMWATER DETENTION** – Stormwater management procedure intended to reduce the overall runoff rate of stormwater from a facility, temporarily restricting the release of runoff and releasing it over a defined period of time.

**STORMWATER MANAGEMENT** – Any technique utilized to manage or control the runoff of surface water from a site during rainfall and runoff conditions that retards or detains runoff, such as detention or retention basin, vegetated buffers, soil or landscape amendments, infiltration ponds or berms, parking lot storage, rooftop storage, porous pavement, dry wells, or any combination thereof.

**STREAM** – A watercourse having a source and terminus, banks and channel through which water flows at least periodically.

**STREET** – A strip of land, including the entire right-of-way, utilized as a means of vehicular and pedestrian travel for more than one lot or parking compound. "Street" includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private; however, "street" shall not include a driveway, shared private driveway, or access drive as defined herein. Unless the existing streets within the Township are officially classified, the following general classifications will prevail:

**STREET CLASSIFICATION** – The following street classifications shall apply to all streets in the Township:

- A. **Arterial Street; Highway/Freeway** – A street or road which is used primarily for fast or heavy traffic, including, but not limited to, all roads classified as main and secondary highways by the Pennsylvania Department of Transportation. Limited access highways are identified as arterials. Pennsylvania Turnpike Interstate 576 and State Route 0022 are arterials.
- B. **Collector Street** – A street which carries traffic from minor streets to the major system or arterial streets, including the principal entrance or circulation streets of a residential development and all streets within industrial and/or commercial subdivisions or developments. State Route 0980, Old Steubenville Pike, Quicksilver Road, and Noblestown Road are collector streets.
- C. **Local Street** – A public street designed to provide access to abutting lots and to discourage through traffic.
- D. **Alley** – A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties and otherwise abutting a street for placement of utilities.
- E. **Paper Alley** – A street documented on paper only and having never been constructed or used as a public thoroughfare. A paper street is one that does not serve as a public street or alley, does not serve as the only access to a property or properties, does not exist as a utility corridor or easement, and is not publicly maintained.
- F. **Private** – A street, including the entire private right-of-way, which is privately owned and maintained through a private easement or agreement, and which is intended for

private use. A private street provides access to not more than three (3) lots which do not have access to a public street, and which require access to a public street through the private street. Private streets are not dedicated as public streets and do not receive public maintenance.

**STREET RIGHT-OF-WAY LINE** – A line defining the edge of a street right-of-way and separating the street from abutting property or lots.

**STRUCTURE** – Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

**SUBDIVISION** – The division or revision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other division 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 division by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

**SURVEYOR** – A registered professional land surveyor licensed as such by the Commonwealth of Pennsylvania.

-T-

**TOPOGRAPHIC MAP** – A map showing ground elevations by contour lines, and the location of important natural, manmade, and other features.

**TOWNSHIP** – The Township of Robinson, a Second-Class Township in Washington County, Pennsylvania and any duly appointed representative acting on behalf of the Township and with the Board of Supervisor's knowledge and proper authorization.

**TOWNSHIP ENGINEER** – The professional engineer licensed as such in the Commonwealth of Pennsylvania and duly appointed by the Board of Supervisors as the Engineer of Robinson Township.

-U-

**USE** – The purpose or activity for which the land or building is designed, arranged, or intended; or for which it is occupied or maintained.

W-

**WAIVER** – The granting of an exception or modification to these regulations which in the opinion of the Board of Supervisors will not be detrimental to the general welfare, impair the intent of those regulations, or conflict with the Comprehensive Plan, or the intentional relinquishment of a right, claim, or privilege.

**WATERCOURSE** – Any channel of conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

**WETLANDS** – Those areas that are inundated or saturated by surface water 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 condition. Wetlands include, but are not limited to, swamps, bogs, and similar areas. Wetlands shall be identified by a person appropriately qualified and trained to delineate wetlands, using the current delineation manual and other protocols and guidance required by the Pennsylvania Department of Environmental Protection, the United States Environmental Protection Agency, and/or the United States Army Corps of Engineers.

-Y-

**YARD** – A space on the same lot with a principal structure, open, unoccupied, and unobstructed by structure, except as may be otherwise provided in the zoning ordinance.

- A. **YARD – FRONT** – A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar improvements, the depth of which is the least distance between the front lot line and the building line.
- B. **YARD – REAR** – A yard extending across the full width of the lot between the rear of the principal building and the rear lot line, unoccupied other than by steps, walks, terraces, driveways, lamp posts, and similar improvements.
- C. **YARD – SIDE** – A yard between the principal structure and the side lot line, extending from the front yard or from the front lot line where no front yard is required, to the rear yard. the width of the required side yard is measured horizontally, at ninety degrees with the side lot line, from the nearest part of the principal building.

-Z-

**ZONING OFFICER** – The duly appointed representative or entity identified by the Robinson Township Board of Supervisors. This term is interchangeable with “Code Enforcement Officer.”

**ZONING ORDINANCE** – Document adopted by the Township establishing zone districts throughout the Township, specifying uses permitted as well as other regulations in each district, and the means to administer and enforce the regulations.

**PART III**  
**APPLICABILITY OF REGULATIONS**

**§ 301. Compliance Required**

- A. No subdivision, land development, re-subdivision, re-plotting, lot line revision or consolidation of any lot, tract or parcel of land located within the Township shall be effected and no street, sanitary sewer, storm sewer, water main or other Improvement (public or private) in connection therewith shall be laid out, constructed, opened, or dedicated for travel or public use, or for the common use of occupants of buildings thereon, unless and until the proposal for the same and completion thereof is in strict accordance with this Chapter. Compliance with this Chapter may only be achieved if such proposal and execution is also consistent with any and all other applicable Ordinances, laws, and regulations of the Township, County, Commonwealth, and United States of America.
- B. No lot in a subdivision or land development may be leased, transferred, or sold and no permit to erect, alter, repair, or occupy any building or use any land in any subdivision or land development may be issued unless and until such subdivision or land development shall have been approved and properly recorded and until such Improvements as required by this Chapter shall have been constructed or guaranteed, as provided for by this Chapter.
- C. The description by metes and bounds in an instrument of transfer or other documents used for selling or transferring property shall not exempt the seller or transferor from complying with the requirements of this Chapter.

**§ 303. Exclusions of Certain Land Developments**

The following types of land developments are hereby excluded from the provisions of this Chapter governing land developments, as defined herein:

- A. The conversion of an existing single-family detached dwelling or two- family dwelling into no more than three residential units unless such units are intended to be a condominium.
- B. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

**PART IV****PLAN PROCESSING, PLAN CONTENTS AND SUBMISSION REQUIREMENTS****§ 401. Pre-application Conference**

- A. A pre-application conference between a prospective applicant and the Zoning Officer, Township Engineer, or other Township representatives may be held prior to filing of any applications for preliminary plan approval under this Chapter. This conference is intended to help identify the type of application, the applicable regulations governing subdivisions or land developments of the property, requirements for the project, the timing of the application and approval process, the applicable fees, and any potential challenges or known issues associated with the property or project. The pre-application conference requires no formal application or fee but should be coordinated and scheduled with the Township prior to the meeting. This opportunity is afforded to the prospective applicant to obtain information and guidance before entering into binding commitments or incurring substantial expenses for plan preparation.
1. A sketch plan of the subdivision or land development plan should be developed for the pre-application conference.
  2. After an initial pre-application conference, the Township may require the applicant to provide an escrow and escrow agreement, in a form and amount acceptable to the Township Solicitor and Township Engineer, to reimburse the Township for any costs or expenses incurred for additional pre-application review.

**§ 402. Sketch Plans**

- A. A sketch plan is an informal, conceptual plan with sufficient information and detail to give an overview and overall understanding of the proposed project. The sketch plan shall show as much data as is reasonable to identify the extent and magnitude of the project. A sketch should identify the number and configuration of lots to be subdivided, public improvements, stormwater management facilities, and connection points to all public facilities. The sketch should be at a scale capable of identifying the pertinent features of the proposed subdivision or land development. The sketch need not include final dimensions or development conditions.
- B. A sketch plan should identify the surrounding public streets and utilities, existing easements and right of ways, and proposed improvements. A sketch plan for a subdivision plan should, at a minimum, identify the number and configuration of proposed lots. A sketch plan for a land development plan should identify the number of lots, if applicable, the public improvements, utilities servicing the project, and stormwater management facilities. While not required to be formal or final, sufficient detail should be provided for an overall understanding of the proposed development or modification.



**§ 403. Preliminary Application**

- A. Any landowner or developer within the Township desiring preliminary approval of a subdivision or land development project shall submit a Preliminary Plan for review to the Township. The Preliminary Application is a formal submittal that shall be submitted to the Township with the appropriate plans, studies, reports, supporting data, and required filing fee.
- B. Preliminary subdivision plans or land development plans shall be prepared by an engineer or surveyor, licensed to practice in the Commonwealth of Pennsylvania. The preliminary plan shall show, be accompanied by, or be prepared in accordance with the following:
1. Preliminary plan application procedure.
    - a. Submission of Complete Application.
      - [1] An application for preliminary approval of a subdivision and/or land development or a revised application shall be filed with the Township no later than 3:00 p.m., prevailing time, at least 20 calendar days prior to the date of the Planning Commission meeting at which the submission will be first considered. The application will be submitted on forms prescribed by the Township.
      - [2] If timely submitted as set forth in this Chapter, the application for preliminary approval shall be evaluated by the Township for completeness. If complete, shall be accepted for review by the Planning Commission at the first regular monthly meeting of the Planning Commission after the submission of the application. The date of such acceptance by the Planning Commission shall be deemed the date of filing of the application for preliminary approval.
      - [2] The preliminary application shall not be considered complete and properly filed unless or until all items of this Chapter, including the application fee and deposit, have been received by the filing date.
      - [3] In reviewing any application, the Township shall refer the application to the Township Engineer or any other Township professional for a recommendation concerning technical compliance with this Chapter and any other local, state, or federal requirements.
      - [4] The Township will submit the submitted plans to the Washington County Planning Commission as required.
    - b. Review by the Planning Commission and Board of Supervisors.

- [1] The Planning Commission shall recommend whether the application for preliminary approval shall be approved, approved with conditions, or denied and shall notify the Board of Supervisors in writing thereof including, if denied, a statement of reasons for such action.
  - [2] The Board of Supervisors shall render its decision and communicate it to the applicant not later than ninety (90) days after such complete application is filed with the Planning Commission.
    - [a] The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
    - [b] 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] The applicant may agree in writing to extend the deadlines set forth in this Chapter.
- c. Approval of a preliminary subdivision and or land development plan shall not constitute approval of a final plan, but rather an expression of approval of the layout submitted on the preliminary plan as a guide to the preparation of the final plan.

#### **§ 404. Preliminary Subdivision Plan Requirements**

Preliminary subdivision plans shall be prepared by a surveyor, licensed to practice in the Commonwealth of Pennsylvania. The preliminary plan shall show, be accompanied by, or be prepared in accordance with the following:

- A. Name and address of the developer (if applicable) and landowner.
- B. Name of the individual and/or the firm that prepared the plan.
- C. Location map with sufficient information to enable the Planning Commission and Board of Supervisors to locate the property.
- D. North arrow.
- E. Written and graphic scales.
- F. Existing tract boundaries accurately labeled with the name(s) of adjacent landowner(s) and adjacent plan(s) of record.

- G. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of the tract.
- H. Location and width of all proposed streets, alleys, street names, rights-of-way, and easements, proposed lot lines with approximate dimensions, proposed minimum building setback lines, playgrounds, public buildings, public areas, historical sites, and parcels of land proposed to be dedicated or reserved for public use.
- I. Flag lots shall be permitted in residential zoning districts to allow for development of larger parcels. The following requirements shall pertain to flag lots:
1. In order to prohibit further subdivision of the flag lot, the maximum lot area shall be less than twice the area of the standard minimum lot size in the zoning district, exclusive of the staff (flagpole) connecting the lot to the public road. As an alternative, the Township will allow for a larger lot than specified above if a note is placed on the recorded plan that prohibits further subdivision of the subject lot.
  2. The front building setback line shall be measured from the edge of the lot line on which the front of the structure will face.
  3. Structure location and required setback distances shall conform to the district in which the lot is located as if the lot was situated with standard frontage on the road, exclusive of the staff (flagpole).
  4. The minimum width of the staff (flagpole) shall be 20 feet.
- J. Proposed land use: if several land uses are proposed, the location of each use shall be indicated by type and area.
- K. Statement explaining the methods of water supply and sewage disposal to be used.
- L. Location and description of survey monuments. A minimum of two permanent concrete monuments per subdivision or phase shall be identified as determined by the Township Engineer. Iron pins shall be placed at all subdivision boundary corners, angle points, points of curvature, lot corners, and intermediate points as determined by the Township Engineer.
- M. The preliminary application package shall contain the following components:
1. Application Forms – 12 copies
  2. Full size (22"x34" or larger) plans – 3 copies
  3. Half size (11"x17") plans – 12 copies
  4. Electronic (PDF) files – 1 copy
  5. Notifications and certification – 7 copies
  6. Planning module (if appropriate) – 1 copy
- N. Preliminary Plan Content
- Drafting standards.

1. The plan shall be clearly and legibly drawn. The scale should be sufficient to show all relevant features identified on the plan legibly. Subdivision Plans should be drawn at a scale of one inch being equal to 100 feet or less for the subdivided parcel or parcels. If the original tract is greater than 10 acres, the parent tract may be drawn at a scale of one inch being equal to 300 feet or less with the subdivided parcel or parcels being drawn at a scale of one inch being equal to 100 feet or less. Land Development Plans should be drawn at a scale of one inch being equal to 50 feet or less.
  2. Dimensions shall be in feet and decimals; bearings shall be in degrees, minutes, and seconds.
  3. The full-scale sheet size shall be no smaller than 18 inches by 22 inches and no larger than 24 inches by 36 inches, while the half-scale sheet size shall be 11 inches by 17 inches. If the plan is prepared in two or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one sheet is necessary, each sheet shall be the same size and numbered to show the relationship to the total number of sheets in the plan (e.g., sheet 1 of 5).
  4. If the plan is presented on multiple sheets, a reduced-scale drawing showing the entire development on a single sheet shall be provided. The drawing shall be legible in every detail and may be drawn at any standard scale.
  5. Plans shall be legible in every detail.
  6. All applicable plan sheets shall have: North arrow, scale of the plan, name of proposed development, date of preparation and all revision dates.
- O. Location and identification:
1. The proposed project name or identifying title.
  2. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of the tract.
  3. The name and address of the owner of the tract (or his authorized agent), the developer/subdivider and the firm that prepared the plans.
  4. The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) of all plan revisions.
  5. The entire existing tract boundary with bearing and distances in feet of the property.)
  6. The total acreage of the entire existing tract.
  7. The zoning district, lot size, and/or density requirements identified in the Zoning Ordinance.
  8. A location map, drawn to scale, relating the subdivision to at least two intersections of street center lines, including the distance to the intersection of

center lines of the nearest improved street intersection.

9. Source of title, deed book page, plan book (if applicable), instrument, and Tax Map number.
10. The subdivision shall indicate and reference any protective covenants associated with the property or have been previously recorded.
11. Existing features:
  - a. The horizontal datum used should be NAD83 Pennsylvania South and the vertical datum should be North American Vertical Datum (NAVD) of 1988 unless there is prior approval by the Township.
  - b. The names of all adjacent landowners, both adjoining and across existing rights-of-way, along with the plan book record numbers of all previously recorded plans for adjacent properties.
  - c. The following items when located within 50 feet of the subject tract:
    - [1] The location and name of existing rights-of-way and cartways for private or public streets, alleys, and driveways.
    - [2] The location of the following features and any related right-of-way and or easement: sanitary sewer mains, water supply mains, buildings, stormwater collection, conveyance, and management facilities, electric, gas, oil transmission lines, and railroads.
  - d. The following items, when located within the subject tract:
    - [1] The location, name, and dimensions of existing rights-of-way and cartways for streets, alleys, and driveways.
    - [2] Existing easements, if any, indicating with, bearings, distances, use and lessee
    - [3] The location and size of existing on-lot sewage systems and wells.
    - [4] Significant environmental or topographic features, such as floodplains, wetlands, quarry sites, tree masses, solid waste disposal areas, historic structures, cemetery or burial sites, archeological sites, or highly erosive soils.
12. Plan information:
  - a. Proposed street plan, indicating cartway and right-of-way width and connection to existing public roads.
  - b. The layout of lots with approximate dimensions, indicating minimum lot size in square feet, minimum lot width at front building setback line, building setback lines, and lot numbering plan. Also include building footprint, including porches or decks, and any roof overhangs.
  - c. Total number of lots, units of occupancy, density, and proposed land use. If

- a multiple land use is proposed, the location of each land use shall be indicated.
- d. Where multiple-family, townhouse, quadraplex, or garden apartment structures are proposed, the locations of these buildings shall be indicated showing approximate number of dwelling units proposed in each and minimum distances between road right-of-way or property lines and nearest structures between buildings.
  - e. Identification of buildings or other structures to be demolished.
  - f. A statement on the plan indicating any zoning amendment, conditional use, special exception, or variance previously granted, if applicable.
  - g. A statement on the plan indicating any existing or proposed waivers (including all conditions imposed) approved by the Board of Supervisors.
  - h. Proposed easements, licenses, consents, rights-of-way and other requirements necessary for approval.
  - i. Proposed street names. New street names shall be subject to approval by the Township, and in no case shall they duplicate street or road names in the Postal Zip Code Zone or other street names in the Township.
  - j. A table indicating the existing zoning district, total tract area, required lot size, required setbacks, required maximum and/or minimum development density, maximum building height and number of lots in the proposed subdivision, along with the proposals for each of these parameters.
  - k. Where the proposed subdivision is located partially or wholly within an area prone to frequent flooding (either by impoundment or conveyance) as indicated by the Federal Emergency Management Agency Flood Insurance Study or Flood Insurance Rate Map, the developer shall include the delineation of the floodplain boundary.
  - l. If applicable, a notation on the plan that access to a state highway shall only be authorized by a Highway Occupancy Permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428, of June 1, 1945), 36 P.S. § 670-101 et seq.
  - m. A statement on the plan listing the proposed means to provide sewer and water service to each lot or use. If by public utilities, the plan shall name said authority and state the intent to dedicate ownership of the proposed systems. Agreements with the individual utilities shall be presented prior to approval of the plan.
  - n. Any and all other plans, details, specifications, etc., needed to demonstrate compliance with this Chapter, and as required by the Township.

## 13. Certificates and notifications

- a. Certificates and signatures. All certificates shall comply with the requirements of the Township, as referenced in Part VIX, attached to this Chapter, the Washington County Recorder of Deeds, and be in a form acceptable to the Township Engineer and Township Solicitor.

[1] Certification and seal by a professional land surveyor, licensed by the Commonwealth of Pennsylvania, to the effect that:

[a] The plat represents a survey made by him, and that all monuments indicated thereon actually exist and their locations, size and material are correctly shown on the plat.

[b] All surveying requirements of this Chapter and all other Township ordinances, including, but not limited to, the Zoning Ordinance and the Stormwater Management Ordinance, have been fully complied with as indicated on the plat.

[2] Certification of the property owner, acknowledged before an officer authorized to take acknowledgment of deeds and signed by the landowner, certifying that the subdivision or land development shown on the plan is the act and the deed of the owner and that all those signing are all the owners of the property shown on the survey and plan, that they desire the same to be recorded as such and that all streets and other property identified as proposed public property are dedicated for public use. This must be dated following the last change or revision to said plan.

[3] Where applicable, a completed mortgage certification.

[4] Certification of the dedication of streets and other property.

[5] Review certificate and signature places for the Township Planning Commission.

[6] Approval/review certificates and signature places for the Board of Supervisors, the Township Engineer, the Washington County Planning Commission, and the Washington County Recorder of Deeds.

b. Notifications.

[1] Where the tract described in the application includes any public utility, electric transmission line, gas pipeline or petroleum product transmission line located within the tract, the applicant or lessee of such right-of-way shall notify the owner of the right-of-way of his intentions. A note stating any conditions regarding the use of the land, minimum building setback or right-of-way lines shall be included on the plan. This requirement may also be satisfied by

submitting a copy of the recorded agreement.

- [2] Where the land included in the subject application has an agricultural, woodland, or other natural resource easement located within the tract, the application shall be accompanied by a letter from the party holding the easement stating any conditions on the use of the land. This requirement may also be satisfied by submitting a copy of the recorded easement.

- [3] Notification from the public sewer and water providers that capacity exists to accommodate the needs of the proposed subdivision or land development if public service is proposed.

14. Filing fee and deposit. The preliminary plan shall be accompanied by a check or money order made payable to the Township in an amount specified on the Township Fee Schedule, as amended.

#### **§ 405. Preliminary Land Development Plan Requirements**

Preliminary land development plans shall be prepared by an engineer or surveyor, licensed to practice in the Commonwealth of Pennsylvania. The preliminary plan shall show, be accompanied by, or be prepared in accordance with the following:

- A. Name and address of the developer (if applicable) and landowner.
- B. Name of the individual and/or the firm that prepared the plan.
- C. Location map with sufficient information to enable the Planning Commission and Board of Supervisors to locate the property.
- D. North arrow.
- E. Written and graphic scales.
- F. Existing tract boundaries accurately labeled with the name(s) of adjacent landowner(s) and adjacent plan(s) of record.
- G. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of the tract.
- H. Significant topographical and man-made features, e.g., bodies of water, quarries, floodplains, tree masses, structures, and suspected wetlands (as determined from the *Soil Survey of Greene and Washington Counties* or Pennsylvania Department of Environmental Protection).
- I. Location and width of all proposed streets, alleys, street names and approximate grade, rights-of-way, and easements, proposed lot lines with approximate dimensions, proposed minimum building setback lines, playgrounds, public buildings, public areas, historical sites, and parcels of land proposed to be dedicated or reserved for public use.
- J. Proposed land use: if several land uses are proposed, the location of each use shall be



indicated by type and area.

K. Statement explaining the methods of water supply and sewage disposal to be used.

L. The preliminary application package shall contain the following components:

1. Application Forms – 12 copies
2. Full size (22"x34" or larger) plans – 3 copies
3. Half size (11"x17") plans – 12 copies
4. Electronic (PDF) files – 1 copy
5. Notifications and certification – 7 copies
6. Planning module (if appropriate) – 1 copy

M. Preliminary Plan Content

Drafting standards.

1. The plan shall be clearly and legibly drawn. The scale should be sufficient to show all relevant features identified on the plan legibly. Subdivision Plans should be drawn at a scale of one inch being equal to 100 feet or less for the subdivided parcel or parcels. If the original tract is greater than 10 acres, the parent tract may be drawn at a scale of one inch being equal to 300 feet or less with the subdivided parcel or parcels being drawn at a scale of one inch being equal to 100 feet or less. Land Development Plans should be drawn at a scale of one inch being equal to 50 feet or less.
2. Dimensions shall be in feet and decimals; bearings shall be in degrees, minutes, and seconds.
3. The full-scale sheet size shall be no smaller than 18 inches by 22 inches and no larger than 24 inches by 36 inches, while the half-scale sheet size shall be 11 inches by 17 inches. If the plan is prepared in two or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one sheet is necessary, each sheet shall be the same size and numbered to show the relationship to the total number of sheets in the plan (e.g., sheet 1 of 5).
4. If the plan is presented on multiple sheets, a reduced-scale drawing showing the entire development on a single sheet shall be provided. The drawing shall be legible in every detail and may be drawn at any standard scale.
5. Plans shall be legible in every detail.
6. All applicable plan sheets shall have: North arrow, scale of the plan, name of proposed development, date of preparation and all revision dates.

N. Location and identification:

1. The proposed project name or identifying title.
2. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of

the tract.

3. The name and address of the owner of the tract (or his authorized agent), the developer/subdivider and the firm that prepared the plans.
4. The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) of all plan revisions.
5. The total acreage of the entire existing tract.
6. The location of existing lot line markers or iron pins along the perimeter of the entire existing tract.
7. The zoning district, lot size, and/or density requirements identified in the Zoning Ordinance.
8. A location map, drawn to scale, relating the subdivision or land development to at least two intersections of street center lines, including the distance to the intersection of center lines of the nearest improved street intersection.
9. Source of title, deed book page, plan book (if applicable), instrument, and Tax Map number.
10. The land development plans shall indicate and reference any protective covenants associated with the property or any previously recorded covenants.
11. Existing features:
  - a. Contours at two-foot intervals throughout the property and datum to which the elevations relate, or if property has a fall of less than five feet from high to low point, spot elevations at property corner points.
  - b. The contour interval identified above may be adjusted based upon horizontal scale with concurrence of the Township Engineer. Contours shall be accompanied by the location of the benchmark and a notation indicating the datum used. The horizontal datum used should be NAD83 Pennsylvania South and the vertical datum should be North American Vertical Datum (NAVD) of 1988 unless there is prior approval by the Township.
  - c. The names of all adjacent landowners, both adjoining and across existing rights-of-way, along with the plan book record numbers of all previously recorded plans for adjacent properties.
  - d. The following items when located within 50 feet the subject tract:
    - [1] The location and name of existing rights-of-way and cartways for private or public streets, alleys, and driveways.
    - [2] The location of the following features and any related right-of-way and or easements: sanitary sewer mains, water supply mains, fire hydrants, buildings, stormwater collection, conveyance, and management facilities, electric transmission, or distribution lines,

structures, and appurtenances, natural gas pipelines, oil transmission pipelines, and railroads.

- [3] Significant environmental or topographic features such as floodplains, wetlands, quarry sites, tree masses, solid waste disposal areas, historic structures, cemetery or burial sites, archeological sites, highly erosive soils or wooded areas, or historic structures.
- [4] Existing streams and watercourses together with culverts and storm drain lines indicating line size, direction of flow, location of culverts and storm inlets.

e. The following items, when located within the subject tract:

- [1] The location, name, and dimensions of existing rights-of-way and cartways for streets, alleys, and driveways.
- [2] Existing easements, if any, indicating with, bearings, distances, use and lessee
- [3] The location, top of manhole elevations, valves, fire hydrants, and other appurtenances of the following features and related rights-of-way: existing public sewer, gas lines, water lines, buildings, stormwater management facilities, railroads, electric lines, oil transmission lines, and any other utilities.
- [4] The size, capacity and condition of the existing stormwater management system and any other facility that may be used to convey storm flows. Include existing streams and watercourses together with culverts and storm drain lines indicating line size, direction of flow, location of culverts and storm inlets.
- [5] The location and size of existing on-lot sewage systems and wells.
- [6] Significant environmental or topographic features, such as floodplains, wetlands, quarry sites, tree masses, solid waste disposal areas, historic structures, cemetery or burial sites, archeological sites, or highly erosive soils.
- [7] The pipe size, inverts, manhole or inlet sizes, and elevations for all sanitary, storm drainage, or stormwater management features.
- [8] The dimensions, including volume, of any existing erosion and sediment control or stormwater management basins, either above or below ground, identified on the site.
- [9] The size, configuration, pipe sizes, inverts, and orifices of any control features associated with erosion and sediment or stormwater management outlet control structures.

12. Plan information:

- a. Proposed street plan, indicating cartway and right-of-way width, pavement widths, pedestrian circulation, and connection to existing public roads.
- b. The layout of lots with approximate dimensions, indicating minimum lot size in square feet, minimum lot width at front building setback line, building setback lines, and lot numbering plan. Also include building footprint, including porches or decks, and any roof overhangs.
- c. Location and size of area or areas to be set aside for recreational or community use, if any.
- d. The location and configuration of proposed buildings, streets, alleys, driveways, common open space, recreational areas, and all other significant planned facilities.
- e. Paved area, showing edges of proposed paving and servicing areas, lighting of paved areas, pedestrian walkways, and sloping of paved surfaces to storm drainage system.
- f. Proposed parking plan indicating location and configuration of each area to be used for parking, general arrangement of parking spaces and aisles, access lanes and number of cars to be accommodated in each area. For any non-residential land development plans, include the parking requirements identified in the Zoning Ordinance.
- g. Total number of lots, units of occupancy, density, and proposed land use. If a multiple land use is proposed, the location of each land use shall be indicated.
- h. Where multiple-family, townhouse, quadraplex, or garden apartment structures are proposed, the locations of these buildings shall be indicated showing approximate number of dwelling units proposed in each and minimum distances between road right-of-way or property lines and nearest structures between buildings.
- i. Identification of buildings or other structures to be demolished.
- j. Typical street cross section for each proposed public or private street, any existing street which will be improved as part of the application and any access drives or parking compounds. Each cross section shall include the entire right-of-way width.
- k. Street center-line profile for each proposed public or private street shown on the preliminary plan, including corresponding center-line stationing.
- l. The design of the proposed sewer, water, and all other utility lines, including any major facilities related thereto on or near the site and connection to existing systems. This information shall include the size, vertical location, and horizontal location, if applicable.
- m. Stormwater management data and plans designed in accordance with the

Stormwater Management Ordinance. This information may be provided on a sheet with other data or on separate sheets. In the case of any dispute in the methodology used in the design of any stormwater management plan and/or in the presentation of such information, the Board shall make the final determination on the design criteria, methodology and form of presentation. Include indications of inlets, storm drain piping, holding ponds, where necessary, methods of retarding run-off on the property, and points of entrance into public storm drains, streams, and drainage swales, together with calculations prepared by a registered engineer or surveyor justifying the storm drainage plan.

- n. Proposed easements, licenses, consents, rights-of-way and other requirements necessary for approval.
- o. Proposed street names. New street names shall be subject to approval by the Township, and in no case shall they duplicate street or road names in the Postal Zip Code Zone or other street names in the Township.
- p. A table indicating the existing zoning district, total tract area, required lot size, required setbacks, required maximum and/or minimum development density, maximum building height and number of lots in the proposed subdivision, along with the proposals for each of these parameters.
- q. Where the proposed land development is located partially or wholly within an area prone to frequent flooding (either by impoundment or conveyance) as indicated by the Federal Emergency Management Agency Flood Insurance Study or Flood Insurance Rate Map, the developer shall include the delineation of the floodplain boundary and supply the location and elevation of all improvements to be performed within this area. Should permanent improvement be proposed within the floodplain area, the Township may require additional information, including concurrence from FEMA regarding the proposed improvements.
- r. Location of all infiltration or percolation test locations, deep probe holes and proposed well locations.
- s. Clear sight triangles and stopping sight distances for all intersections as described this Ordinance shall be shown on the plan.
- t. The location of all trees and/or woodlands on the site to be removed and trees and/or woodlands to remain.
- u. Location, heights, and use of all existing structures on the property and proposed structures, indicating structures to be removed, if any, and the distances between proposed structures or additions to existing structures and adjacent property boundary lines.
- v. If access to a state highway or roadway is required for Land Development, the developer shall provide the Township with an approved Highway

Occupancy Permit granted by the Pennsylvania Department of Transportation.

- w. In case of a preliminary plan calling for the installation of public improvements beyond a five-year period, a schedule delineating all proposed phases of construction as well as deadlines within which applications for final plan approval of each phase of construction are intended to be filed shall be provided. Each phase of construction in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total number of dwelling units as depicted on the preliminary plan. Phased development will require temporary features until all final improvements can be completed; these temporary features may include cul-de-sacs, parking areas, and erosion and stormwater management facilities.
  - x. A statement on the plan listing the proposed means to provide sewer and water service to each lot or use. If by public utilities, the plan shall name said authority and state the intent to dedicate ownership of the proposed systems. Agreements with the individual utilities shall be presented prior to approval of the plan.
  - y. A detailed proposed grading plan. Contour intervals shall be provided at two-foot intervals, or at an interval agreed upon by the Township Engineer.
  - z. Any and all other plans, details, specifications, etc., needed to demonstrate compliance with this Chapter, and as required by the Township.
  - aa. Traffic circulation on the site, ingress, and egress to and from the site and the layout of proposed parking and loading areas.
  - bb. Proposed landscaping and screening plans, showing types and sizes of materials to be used and the approximate arrangement.
  - cc. Proposed free standing signs, in conformance with the Zoning Ordinance. Signs require the application and approval of a Zoning Permit.
  - dd. Garbage container storage area and means of screening.
  - ee. Names and addresses of property owner and/or developer and names, addresses and seals of architect and/or engineer or surveyor employed in the preparation of the site plan.
13. Traffic Impact Study. All applications for land developments which propose more than 50 dwelling units; will generate 100 or more peak hour trips on adjacent streets; will generate 1,000 or more average daily trips on adjacent streets; or in the opinion of the Township Engineer, is expected to have a significant impact on street-related safety or traffic flow. Section 502 of this Chapter identifies the requirements of this study.

14. Stormwater Management Report.
15. Erosion and Sedimentation Control Plan.
16. Geotechnical Evaluation and Analysis.
17. Environmental Investigation Evaluation for the entire property.
18. Approval from the local public water supplier stating that capacity is available to support the proposed development.
19. Sewage Facilities Planning Report in accordance with the Sewage Facilities Act of January 24 (1966) 1965, p.l. 1535, No. 532.
20. Public utilities and facilities plan map, prepared at the same scale as the preliminary land development plan map, shall show the following:
  - a. Sewage disposal system, including:
    - [1] Location of all interceptors, collection, and building connection lines, indicating line size, line length, direction of flow, slope, and pipe material.
    - [2] Location of all manholes, indicating invert, and top of lid casting elevations.
    - [3] Location of point of connection to existing system, or if individual septic system is to be utilized, location and size of approved system.
    - [4] Data on expected sewage flow, capacity of collection system or capacity of septic system.
  - b. Water supply system, including:
    - [1] Location of all supply lines by size and material, hydrants, valves, pumping stations, etc.
    - [2] Location of supply source, either connection to existing system or source on the property indicating, if a well or wells, their depth, water quantity expected, and chemical analysis of a sample taken from the well.
  - c. Gas service, including:
    - [1] Location of lines by size, pressure and material and name of supplier.
    - [2] Location of point of connection to existing system and any reducing, meter, or other appurtenances to be placed on or near the property.
  - d. Electric and telephone service, including:

- [1] Location of distribution lines by design electrical load with notation of whether overhead or underground and location of transformers in vaults, pad-mounted or on poles to serve the developed property.
  - e. Recreation facilities, if proposed, including:
    - [1] Arrangement of areas on the property to be developed for recreational use, indicating specific structures and equipment to be placed, access paths to and through the areas, grading of area and treatment of ground surfaces.
  - f. Parking areas, if proposed, including:
    - [1] Location of group parking areas indicating limits of paved areas, arrangement of parking spaces, size of typical space, width across access lanes and method of stopping car wheels.
  - g. Streetlights, if proposed, including:
    - [1] Location of each streetlight, whether on a street right-of-way, a pedestrian way or in a recreation or parking area.
    - [2] Electrical supply network if separate from electrical distribution system.
    - [3] Types of poles and types and characteristics of luminaries to be used.
  - h. Letter from a Public Utility.
    - [1] Where improvements are to be constructed to meet requirements of a public utility and are to be taken over as part of the utility's distribution or collection system upon completion, a letter from the utility agreeing to accept the improvements upon completion to its satisfaction is required.
    - [2] Portions of any public utility not to be taken over as part of the public system, such as extensions into a developer's property, shall meet the requirements of this Section.
21. Street Profiles and Cross Sections.
- a. Profile along center line of each section of street to be constructed showing existing ground elevation, street grades, vertical curves including length of arcs, angle of connected grades and points of tangent extending for 100 feet beyond the property to indicate connection to existing streets.
  - b. Typical cross-section through street between right-of-way lines showing thicknesses and widths of materials to be used in construction of roads and sidewalks as well as drainage and grading to be carried out in the



right-of-way.

- c. Vertical dimensions may be exaggerated in relation to horizontal dimensions, but profiles and cross-sections shall be drawn on same size sheet as plan maps.
22. If a preliminary land development plan proposes to install public improvements extending over a period of more than five years, a detailed schedule shall be filed by the applicant delineating the proposed phasing and providing an anticipated schedule for the submission of final plans for each development phase. Such a schedule shall be updated annually by the applicant on or before the anniversary date of the preliminary plan approval, until the final phase of development has been submitted. Any modification to the schedule for filing applications shall be subject to approval by the Board of Supervisors in its sole discretion. Temporary improvements may be required, such as the addition of cul-de-sacs or other measures, to facilitate public safety.
23. Filing fee and deposit. The preliminary plan shall be accompanied by a check or money order made payable to the Township in an amount specified on the fee schedule, attached to this Chapter, and as amended.

#### **§ 406. Final Plan Application**

##### **A. Prerequisites to Filing Plan Application**

- 1. An application for final subdivision or land development plan approval can be submitted, provided that:
  - a. The Board of Supervisors has granted preliminary plan approval to the subject subdivision or land development plan.
  - b. All conditions imposed by the Board of Supervisors on the preliminary plan approval have been complied with in a manner acceptable to the Township.
  - c. The owner or developer provided a guaranteed that the improvements will be completed.

##### **B. Final Plan Application Procedure**

- 1. Submission of Complete Application.
  - a. If an application for final approval of a subdivision and/or land development is not submitted contemporaneously with an application for preliminary approval as set forth under this Chapter, then an application for final approval may not be submitted to the Township unless or until the applicant received preliminary approval of its plan. In this case, an application for final approval must be submitted within ninety (90) days from the date of receipt of the written preliminary approval of the Board of Supervisors.
  - b. An application for final approval of a subdivision and/or land development

shall be filed with the Township no later than 3:00 p.m., prevailing time, at least 20 calendar days prior to the date of the Planning Commission meeting at which the submission will be first considered. The application will be submitted on forms prescribed by the Township.

- c. If timely submitted as set forth in this Chapter, the application for final approval shall be evaluated by the Township for completeness. If complete, shall be accepted for review by the Planning Commission at the first regular monthly meeting of the Planning Commission after the submission of the application. The date of such acceptance by the Planning Commission shall be deemed the date of filing of the application for final approval.
- d. The final application shall not be considered complete and properly filed unless or until all items of this Chapter, including the application fee and deposit, have been received by the filing date.
- e. In reviewing any application, the Township shall refer the application to the Township Engineer or any other Township professional for a recommendation concerning technical compliance with this Chapter and any other local, state, or federal requirements.
- f. The Township will submit the plans to the Washington County Planning Commission as required.

2. Review by the Planning Commission and Board of Supervisors

- a. The Planning Commission shall recommend whether the application for final approval shall be approved, approved with conditions, or denied and shall notify the Board of Supervisors in writing thereof including, if denied, a statement of reasons for such action.
- b. The Board of Supervisors shall render its decision and communicate it to the applicant not later than ninety (90) days after such complete application is filed with the Planning Commission.

- [1] The Board shall hold a duly noticed public hearing on all applications for final approval.
- [2] The decision of the Board of Supervisors shall be in writing and shall be communicated to the applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
- [3] 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. The applicant may agree in writing to extend the deadlines set forth in this Chapter.
4. The final plan may be submitted in phases or sections as shown on the approved preliminary plan and phasing schedule pursuant to this Chapter.
5. Upon approval of the final plan by the Board of Supervisors, the subdivider or developer shall record the plan in the office of the Washington County Recorder of Deeds within 90 days after approval or the approval of the Board of Supervisors shall be null and void. The final plan must be recorded before proceeding with the sale of lots or construction of buildings.

#### **§ 407. Final Plan Requirements**

Final subdivision plans or land development plans shall be prepared by an engineer or surveyor, licensed to practice in the Commonwealth of Pennsylvania. The final plan shall be accompanied by, or prepared in accordance with, the requirements outlined in the Preliminary Subdivision Plan and Preliminary Land Development Plan sections of this Chapter. In addition to the requirements identified for Preliminary Plan application, the following items will also be required:

- A. One copy of the Preliminary Subdivision or Land Development Plan approval.
- B. Planning Module: Completed planning module for land development applications.
- C. Plan information:
  1. Complete description of the center line and right-of-way line for all new streets, whether public or private. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord.
  2. Lot lines with accurate bearings and distances and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearings, and distances. Along existing street rights-of-way, the description may utilize the existing deed lines or street center lines; along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines.
  3. Block and lot numbers in consecutive order (e.g., Block "A," Lots 1 through 10; Block "B" Lots 11 through 22).
  4. The location and configuration of proposed buildings, parking compounds, streets, driveways, recreational areas, and all other significant planned facilities shall be shown.
  5. Total number of lots, units of occupancy, density, and proposed land use. If a multiple land use is proposed, the location of each land use shall be indicated.
  6. Building setback lines and building envelope. In addition to the footprint of the structure, roof overhangs, porches, and decks should be identified to verify that they do not encroach within the setback requirements.
  7. Final vertical and horizontal alignment for proposed public or private streets, sanitary

sewer, and water distribution systems. All street profiles shall show at least the existing (natural) profile along the center line, proposed grade at the center line and the length of all proposed vertical curves for streets. All water distribution and sanitary sewer systems shall provide manhole locations and size and type of material. This information may be provided on separate sheets and is not subject to recording with the final plans.

8. Final street names.
9. Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot markers are set or indicating when they will be set.
10. A statement on the recorded plan indicating the granting of a zoning amendment, conditional use, special exception, or variance, if applicable, along with waivers from this Chapter (including all conditions imposed) granted by the Board of Supervisors.
11. For Land Development Plans, a complete Landscape Plan, prepared by an engineer, surveyor or landscape architect, licensed to practice in the Commonwealth of Pennsylvania, showing the location, size, and type of all plant material, when landscaping is required by provisions of this Chapter or any other applicable Township ordinances or regulations, including, but not limited to, screening, buffer planting, parking landscaping, replacement trees and street trees. The landscape plan should be provided on separate sheets and must include the signature and seal of the licensed professional responsible for preparation of the plan. The Landscape Plan should be prepared at the same scale as the Land Development Plan.
12. For Land Development Plans, the location of all trees and/or woodlands on the site to be removed and trees and/or woodlands to remain.
13. A detailed schedule of inspections, as generally outlined by  
a. this Chapter, which is tailored for the site under consideration.
14. A traffic circulation plan for all new or altered streets, access drives, parking compounds and intersections, which includes all proposed identification, warning and regulatory signage.
15. Any and all other plans, details, specifications, etc., needed to demonstrate compliance with this Chapter and as required by the Township.

Filing fee and deposit. The final plan shall be accompanied by a check or money order drawn to the order of the Township in an amount specified on the fee schedule adopted from time to time by resolution of the Board of Supervisors.

#### **§ 408. Combined Preliminary and Final Subdivision and/or Land Development Plan Submissions**

Provided that all the requirements of this Chapter are met, an applicant may request simultaneous preliminary and final approval of any subdivision or land development plan

application.

Subdivision and or Land Development Applications consisting of multi-phase developments where infrastructure and improvements, particularly utility improvements, are planned for phased installation may not request simultaneous preliminary and final approval.

**PART V**  
**ADDITIONAL SUBMISSION INFORMATION**

**§ 501. Wetland Study**

- A. The applicant shall submit a wetlands study with the submittal of all land development plans (except where previously stated). The purpose of the study shall be to determine the presence and extent of wetlands on the site.
- B. The study shall be performed by a qualified wetland scientist. Qualified individuals should possess a minimum of a bachelor's degree in biology, botany, zoology, ecology, or environmental sciences. In general, other professionals, such as engineers, landscape architects, surveyors, planners, and geologist are not considered fully qualified to perform wetland delineations, unless they possess special ecological training and experience beyond their discipline. The Township reserves the right to determine the qualification of those preparing wetland delineations.
- C. Requirements for wetland studies.
  - 1. Delineations should follow the procedures outlined in the United States Army Corps of Engineers *Corps of Engineers Wetlands Delineation Manual*, dated January 1987, or as amended.
  - 2. Delineations shall be supported by reports. The report shall contain the following sections:
    - a. Introduction: description of the physical features of the site, its location, and the proposed plans for the site.
    - b. Methods: description of the methods used for the survey, with particular emphasis on any deviation from the outlined federal method. Relevant information includes the date of the field studies, the number of transects and plots used, the size of vegetation quadrats employed, the size of soil pits used, taxonomic references used and the disposition of any voucher specimens.
    - c. Results and discussion: description of the findings of the study. Soils, vegetation and hydrology for wetland and upland areas of the site should be discussed. Any problem areas should be thoroughly treated.
    - d. Conclusions. The extent of wetlands on the site should be discussed. The impact of the proposed projection of these wetlands should also be considered.
  - 3. Included in the report as appendixes or tables should be:
    - a. Site location map (USGS 7.5-foot quadrangle or similar map of sufficient scale).
    - b. National Wetland Inventory map.
    - c. Soil survey map with soil descriptions.

- d. Data sheets for each plot.
  - e. Wetland boundary map. Wetland boundaries shall be surveyed by a registered professional surveyor or an experienced environmental scientist and shown on a plan of appropriate scale. The limits of the wetland study shall be clearly shown. The plan shall also show the location of all plots and/or transects used in the study, the name of the consulting firm which performed the delineation, the name of the surveyor and a disclaimer statement indicating no wetland boundary is considered jurisdictional until approved by the Pennsylvania Department of Environmental Protection and United States Army Corps of Engineers.
  - f. Color photos of wetlands areas on the site, with locations and directions of view keyed to the wetland boundary map.
  - g. Resumes of the wetland scientist(s) who performed the delineation.
- D. For sites on which no wetlands occur, an abbreviated report may be submitted. The abbreviated report should contain the introductory material, the methods section, and a discussion of the results of the study. Site location, National Wetland Inventory, and soil maps should also be provided.
- E. All land development plans shall contain notes for future lot owners. The wetland boundary on each lot will be clearly marked. Each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states state and federal laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot.
- F. Compensatory mitigation projects required as part of state or federal permits shall be shown on the land development plans. Future lot owners whose property encompasses all or part of a mitigation area shall be notified that the portion of their property which includes the mitigation area may not be altered and is considered a jurisdictional wetland by the state and federal governments. Lot owners may be responsible for maintenance of mitigation areas. In order to help ensure the long-term viability of wetland mitigation efforts, the Township discourages multiple ownership of mitigation areas. Ownership by one individual or a homeowners' association is encouraged. Owners of the wetland mitigation areas must be clearly identified to the Township.
- G. The Township reserves the right to reject any submitted wetland delineations. Should the Township feel the actual wetland area differs from that shown on the land development plans, the Township has the right to secure, at the developer's expense, qualified personnel to check the delineation and redraw the boundary, as necessary. Should the developer subsequently disagree with the Township's delineation, a jurisdictional delineation by the Pennsylvania Department of Environmental Protection and United States Army Corps of Engineers will be requested. Any charges for the jurisdictional delineation will be the responsibility of the developer.
- H. Where the study shows the existence of wetland areas, the delineated boundary shall be properly fenced off to prevent encroachment. Snow fence, safety fence, construction

fence, or other acceptable material shall be used (the use of silt fence is not acceptable). The fence shall be properly installed, at a minimum distance of five feet outside the delineated boundary, prior to any construction or issuance of building permits. The fence must be properly maintained until all occupancy permits have been used and/or for the extent of all construction.

### **§ 502. Traffic Impact Study**

A. A traffic impact study shall be submitted to the Township pursuant to the requirements of this section when:

1. A proposed subdivision or land development expected to generate more than 50 dwelling units; 100 or more peak hour trips on adjacent streets; or 1,000 or more average daily trips on adjacent streets.
2. In the opinion of the Township Engineer, the proposed development or change in use is expected to have a significant impact on street-related safety or traffic flow, necessitating further evaluation.

B. Study requirements.

1. When a traffic impact study is required by this section or any other Township ordinance, the study shall comply with the requirements of this section. The study scope, study area and methodology shall be approved by the Township Engineer prior to the initiation of the study. A scoping meeting may be required as determined by the Township Engineer or if required by the Pennsylvania Department of Transportation.
2. The traffic impact study shall be conducted by an engineer that has verifiable experience in traffic engineering and preparing traffic impact studies. The traffic impact 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; Pennsylvania Department of Transportation Publications 639, 282 and the Policy and Procedures for Transportation Impact Studies, current editions; and the requirements contained in this section.
3. The full cost of completing the traffic impact study and of all reviews by the Township Engineer and other Township officials and professional consultants shall be borne by the applicant.
4. Upon submission of a draft study, the Township may review the data sources, methods, and findings and provide comments in written form. The applicant will then have the opportunity to incorporate the necessary revisions prior to submitting a final study.

C. Study contents. The traffic impact study shall include the following, if appropriate, as determined by the Township Engineer:

1. A brief description of the proposed project in terms of land use and magnitude.



2. Existing and proposed site-generated traffic volumes based on the Institute of Transportation Engineers' Trip Generation Manual, current edition.
3. An inventory and analysis of existing and future roadway and traffic conditions in the area of the site in terms of:
  - a. The existing and future levels of service (LOS) and their compliance with standards for traffic capacity of streets, intersections, and driveways.
    - [1] All references to levels of service (LOS) shall be defined by the Highway Capacity Manual, current edition, published by the Transportation Research Board.
    - [2] These standards may be waived by the Township if sufficient evidence is provided that criteria cannot be met with reasonable mitigation.
  - b. New streets shall be designed for adequate traffic capacity defined as follows:
    - [1] Traffic capacity LOS shall be based upon future design year analysis.
    - [2] New or modified (a new approach created) unsignalized intersections or driveways which intersect streets shall be designed for LOS C or better for each approach.
    - [3] New or modified (a new approach created) signalized intersections shall be designed for LOS C or better for each approach and overall intersection.
  - c. All existing unsignalized and signalized intersections where new street intersect, which do not fall under the criteria of Subsection C(3)(b) above, shall operate at LOS D or better.
4. A description and analysis of the proposed access plan and site plan including:
  - a. Access plan including analysis of required sight distances using PennDOT criteria and description of the accessways, location, geometric conditions, and traffic control.
  - b. On-site circulation plan showing parking locations and dimension, loading access circulation roadway, and traffic control.
5. A traffic circulation mitigating action plan including:
  - a. Project features relative to site access and on-site circulation which could be modified to maximize positive impact or minimize negative impact.
  - b. An improvement plan depicting required street and signal installation of existing streets intersecting new streets and signing improvements to meet the minimum level of service requirements.

6. Final study report. A final study report must be prepared to document the results of the traffic impact study and the recommended improvements to accommodate the projected traffic due to the proposed subdivision, land development, and/or change in use. 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 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. Provide electronic portable document format (PDF) copies of the report, figures, tables, appendices, as well as electronic versions of the capacity analyses.
7. Completion of traffic control devices and other traffic improvements. Whenever, as a result of additional traffic generated by a proposed land development, subdivision, and/or change in use, the traffic impact study determines the need for traffic signal(s), regulatory sign(s), traffic control device(s), additional traffic lane(s) (including, but not limited to, acceleration, deceleration or turning), and/or other traffic improvements, to be constructed on the applicant's property or on the property abutting the applicant's property, the applicant shall, as a condition of approval, agree to construct the improvements at the applicant's cost, or in lieu thereof, and with the written consent of the Township, reimburse the Township for the cost of the improvements.

### **§ 503. Approval from Other Agencies**

Approval of final plan, plats, or land development projects by the Board of Supervisors shall not be binding if Federal, state, or county agencies find just cause to disapprove the subdivision or land development. It shall be the developer's responsibility to obtain all necessary approvals from Federal, state, and or county agencies.

**PART VI**  
**DESIGN STANDARDS**

**§ 601. Application of Standards.**

The following minimum subdivision and land development principles, standards, and requirements will be applied by Township officials in evaluating the plans for a proposed subdivision and or land development application.

- A. The design standards herein specified are minimum standards. When restrictive covenants or deed restriction imposed by the developer are more restrictive, they shall govern.
- B. Where the literal compliance with the standards specified is clearly impractical, a modification may be granted in accordance with the procedures and criteria specified in this ordinance.
- C. Land susceptible to flooding, exceptionally high-water table, unstable subsurface conditions, steep or unstable slopes, presence of high voltage or high pressure overhead or underground utilities, etc., shall not be approved for subdivision or development unless the hazards have been eliminated or unless the proposed plan shows safeguards adequate, in the opinion of the Township Engineer, to protect the proposed use of the land.
- D. The subdivision or land development plan shall conform to the Township's Comprehensive Plan and Zoning Ordinance and shall represent a logical extension of the municipal street, sewer, and water networks, or, if extending across municipal boundaries, to these networks in the adjoining municipalities.

**§ 602. Land Requirements.**

- A. Land shall be suited for the purpose for which it is to be subdivided.
- B. No land shall be subdivided in a manner that landlocks or compromises the use or future development of contiguous or adjacent land areas.
- C. Every lot shall abut on a public dedicated street, except that a subdivision of not less than five acres in area, divided into not more than three lots served by a private access and utilities right-of-way of not less than 50 feet in width, which private right-of-way shall not serve any other tract of land, may not, in the discretion of the Township Board of Supervisors, abut on a street. Within the right-of-way private access to utilities shall not be impeded. An Operation and Maintenance Agreement will be required for this private street or right-of-way.
- D. Where the literal compliance with the standards specified is clearly impractical, a modification may be granted in accordance with the procedures and criteria specified in Part VII of this Chapter. Such modifications shall require the governing body's approval.

- E. The subdivision and or land development plan shall conform to the Township's Comprehensive Plan and the Zoning Ordinance and shall represent a logical extension of the municipal street, sewer, and water networks or, if extending across municipal boundaries, to these networks in the adjoining municipalities.

**§ 603. Lots.**

- A. Every lot in a subdivision shall abut a public street, except in accordance with this Ordinance.
- B. Lots shall not be less in depth than their width nor greater in depth than two and one half (2 ½) times their width, unless a modification to this requirement is granted because of unusual topographic, drainage, or other special conditions in accordance with the procedures and criteria specified in this Ordinance.
- C. Side lines of lots shall be at right angles or radial to street lines as nearly as possible.
- D. Corner lots shall be increased in width to allow a buildable area comparable to an interior lot.
- E. Double frontage lots shall be discouraged except where such lots abut a major highway along their rear line, in which case the rear building line of the lots shall be seventy-five (75) feet from the major highway right-of-way line.
- F. Minimum lot dimensions and areas shall not be less than those specified in the Township Zoning Ordinance for the zoning district containing the lot.
- G. Within a subdivision or plan where public or community sewage disposal is not contemplated, soil percolation tests in accordance with procedures of the State or County regulatory agency shall be undertaken. Results of the tests shall be made available to the Planning Commission.
- H. The arrangement within a subdivision or land development plan and areas set aside for community facilities and non-residential uses shall be approved by the Planning Commission and Board of Supervisors based on circulation, parking, and location relative to the residential uses in the plan.
- I. All land in a subdivision shall be platted for a specific purpose.
- J. Lot lines within a subdivision shall be arranged to alleviate any stormwater drainage passing from one lot directly onto a neighboring lot. The Board of Supervisors may direct the developer to provide drainage easements, grade swales, or yard and roof drain collector sewers along lot lines to control drainage across lots.
- K. 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.

**§ 604. Street Requirements.**

- A. Proposed streets shall be properly related to Township, county, and state road and highway plans that have been prepared and officially adopted and/or filed as prescribed by law.
- B. Streets shall be logically related to the topography to produce usable lots or areas for development with reasonable grades and preserve the amenities of the site.
- C. Residential subdivision streets shall be laid out to discourage unnecessary through-traffic, but provisions to coordinate adjacent area streets will be generally required.
- D. Streets shall be extended to the boundaries of the subdivision or plan where such extension will connect to an existing or recorded street in an adjacent subdivision or plan or shall represent a logical connection into undeveloped adjacent land because of topography or shape of the adjacent land.
- E. Where the subdivision or plan abuts a major highway, the arrangement within the subdivision or plan shall be oriented away from the highway and the number of access points to the highway shall be kept to a minimum.
- F. Where a subdivision plan abuts or contains an existing or proposed arterial street, the governing body may require local access streets, reverse frontage lots, or such other treatment that will provide protection for abutting properties, reduction in the number of intersections with arterial streets, and separation of local and through traffic.
  - 1. If the existing public road has a right-of-way less than 50 feet, the right-of-way may be widened so that the portion abutting the subdivision or plan is 25 feet from the established road center line, except in the case of major highways when the right-of-way may be required to be widened further at the direction of the Township or the Pennsylvania Department of Transportation.
- G. New half streets will not be permitted, except to complete another half street.
- H. Alleys shall not be permitted.
- I. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract. At least 25 feet of right-of-way width, measured from the center line of the public street, shall be provided on the property proposed for the subdivision or plan.
- J. Dead-end streets shall be prohibited except as stubs to permit future street extensions or when designed as a cul-de-sac. Permanent cul-de-sac streets may be permitted when it is clear that through traffic at such a street end is not essential to the existing or future street system in that district, or to the development of adjacent properties in the area.
  - 1. Cul-de-sac streets shall not exceed 1,200 feet in length. Alternate means of ingress and egress are encouraged from a planning perspective rather than dead end cul-de-sac streets.
  - 2. If a subdivision or plan is developed over several stages and roads are to be extended as

development proceeds, cul-de-sac streets produced in one stage that will be extended in future phases of construction, shall be provided within the limits of the earlier phase of construction. The right of way for the cul-de-sac shall be recorded with the appropriate phase of development. The construction of the cul-de-sac shall be guaranteed by the performance and maintenance bond posted for the appropriate phase of construction.

3. In the event that the street is extended in the future, the abandonment of the right of way is recorded and so detailed for recording on the plan for the street extension.
  4. The turnaround shall have an outside pavement radius of not less than 40 feet and a right-of-way radius of not less than 50 feet.
  5. The minimum grade of the turn-around portion of the cul-de-sac shall be 1%.
  6. The maximum grade of the turn-around portion of the cul-de-sac shall be 5%.
  7. The minimum width of all lots abutting a cul-de-sac shall be 50 feet on the arc at the right-of-way line.
  8. A cul-de-sac shall not be constructed with a landscape island.
- B. If lots resulting from original subdivision are large enough to permit additional subdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way shall be provided as necessary to allow for future development activity.
- K. Street alignment and intersections.
1. Multiple intersections involving junction of more than four streets will be prohibited.
  2. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 60°.
  3. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 150 feet between their center lines.
  4. The minimum spacing between intersections shall be 200 feet.
  5. Minimum curb radii at street intersections shall be 25 feet, or such greater radius as is suitable to the specific intersection.
  6. The sight distance at intersections should be based on the traffic control signing and intersection visibility based on the AASHTO *Policy on Geometric Design of Highways and Streets* (current edition).
  7. Intersections of local streets with collector and arterial streets shall be kept to a minimum, consistent with topography and other local conditions. To the fullest extent possible, intersections with collector and arterial streets shall be located not less than 800 feet apart, measured from center line to center line.
  8. All intersections of streets and driveways with State highways shall require a Highway Occupancy Permit issued by the Pennsylvania Department of Transportation.

## 9. Site distances at intersections:

- All intersections on Township streets shall have a minimum sight distance as described below, corresponding to the Pennsylvania Department of Transportation regulations, Title 67, § 441.8(h).
- Safe sight distance for passenger cars and single unit trucks exiting from streets onto two-lane streets, as measured from a point ten feet (10') back from the edge of the cartway:

<b>Posted Speed</b>	<b>Safe Sight Distance Left (feet)</b>	<b>Safe Sight Distance Right (feet)</b>
25	250	195
30	250	195
35	44	350
45	635	570
55	945	875

- Safe sight distance for buses and combinations exiting from streets onto two-lane streets, as measured from a point ten feet (10') back from the edge of the cartway:

<b>Posted Speed</b>	<b>Safe Sight Distance Left (feet)</b>	<b>Safe Sight Distance Right (feet)</b>
25	400	300
30	400	300
35	675	625
45	1,225	1,225
55	2,050	2,050

## L. Street grades.

1. Center-line grade shall be a minimum of two percent (2%).
2. Center-line grades shall not exceed twelve percent (12%).
  - Center-line grades on cul-de-sacs shall not exceed five percent (5%), unless modified or approved by the Board of Supervisors.
3. Vertical and horizontal alignment should comply with standards of the American Association of State Highway and Transportation Officials.

## M. Street width.

1. Minimum street dimensions shall be as follows:
  - (a) Right-of-way width: 50 feet.

- (b) Cartway/street widths: 24 feet
2. Additional right-of-way and cartway width may be required by the governing body for the following purposes:
- (a) To promote public safety and convenience where anticipated traffic flows warrant, or where drainage easements should reasonably parallel thoroughfares.
- (b) To provide parking space in commercial districts and in areas of high-density residential development.
3. Short extensions of existing streets with lesser cartway widths than prescribed above may be permitted; provided, however, that no section of new right-of-way less than 50 feet in width shall be permitted.

N. Vertical Curves:

1. The following K values shall be used to compute minimum curve length. Curve length equals the algebraic difference of the tangent grades times the K value. As per AASHTO.

Design Speed (mph)	Low-Volume <400 ADT	Crest Curves	Sag Curves
15	2	K=8	K=12
20	5	K=10	K=20
25	8	K=20	K=30
30	13	K=30	K=40
35	20	K=40	K=50
40	29	K=60	K=60
45	42	K=80	K=70
50	57	K=107	K=90

O. Horizontal Curves:

1. The following minimum horizontal curves shall be provided for each design speed.
2. A minimum tangent length of fifty feet (50') must be provided between reverse curves when no superelevation is used. If superelevation is required, a tangent must be provided such that a smooth superelevation transition is provided.

Design Speed	Minimum Desirable Horizontal Curvature On Centerline
15	50-95
20	100-108
25	180-280



30	300-430
35	475-585
40	750-825
45	1,040
50	1,390

P. Streets proposed for commercial or industrial land development purposes shall, if possible, be laid out to intersect directly with arterial and collector streets. Insofar as possible, traffic circulation systems for commercial and industrial subdivisions shall be designed in a manner to eliminate or discourage traffic flow through residential areas.

Q. Driveways (site ingress and egress).

1. Commercial and industrial ingress and egress (driveways) shall be designed to provide optimum visibility and to minimize traffic congestion in the vicinity of the development parcel. Traffic access design shall conform to the following requirements:

(a) In addition to the information and data required by this Chapter, all applications for preliminary and final plan approvals of subdivisions for commercial and industrial land development shall contain a traffic circulation plan showing:

- [1] Locations and dimensions of vehicular ingress and egress for each development parcel.
- [2] Location and access provisions for parking and loading for each development parcel.
- [3] Available sight distances at all driveways.

(b) Defined ingress and egress points shall be required for all commercial and industrial development parcels.

2. All driveways shall be constructed so as not to interfere with roadway drainage. Cross drains shall be constructed beneath the driveway where required to provide adequate drainage. Driveways shall be constructed consistent with the standard Township details.

R. Private Streets

- 1. A private street, as defined by this Ordinance, may be permitted only when such street serves a maximum of three (3) lots that have no other access to a public street, provided that the property from which the lot is subdivided has frontage on a public street.
- 2. A private street shall not be subject to the standards of this Ordinance for construction of a public street, unless any lot or parcel it serves is proposed to be further subdivided. Any further subdivision of a lot or parcel into more lots with frontage on a private lane shall mandate construction of a public street in accordance with the requirements of the Ordinance for construction of a public street. The plan for recording shall contain a notation regarding this requirement to provide a public street if the property is re-subdivided.
- 3. No more than one (1) private street shall be permitted on any property legally existing

prior to the adoption of this Ordinance.

4. Private streets shall be named and noted on the subdivision plan; house numbers for dwellings located on private streets shall be in accordance with the Township Code of Ordinances.
5. The minimum width of the required right-of-way for a private street shall be thirty-three (33) feet, unless there is a possibility that the property fronting on the private lane can be further subdivided, then the minimum width of the required right-of-way for the private street shall be fifty feet.
6. The required width of the cartway shall not be less than ten (10) feet and shall have a mud-free, dust free surface. The maximum permitted grade of a private street shall be twelve percent (12%).
7. No extension of an existing private street shall be approved until the original portion of the street complies with all requirements of this Chapter and is dedicated for public use.
8. Approval of a private street shall be subject to the execution and recording of an agreement between the adjoining property owners and the Township, where the Township is a third-party beneficiary, to maintain the private street, and placement of a notation on the plan for recording indicating that the Township has no maintenance responsibilities for the private street. This agreement shall be recorded with the Washington County Recorder of Deeds and the instrument number of the agreement shall be referenced in the deed for creation of the lots.
9. The required front and side yard setback shall be provided from the right-of-way line for all existing and proposed structures, as prescribed by the Township Zoning Ordinance.

#### **§ 605. Land Development Requirements.**

A. The following general provisions shall apply to all subdivisions of land:

1. All lot area and minimum yard and setback designations as required by the Zoning Ordinance shall be dimensioned from public rights-of-way where applicable. No lot area requirement or setback shall be computed from within a public right-of-way.
2. The frontage width of lots abutting a cul-de-sac shall be a minimum of 50 feet on the arc at the right of way line.
3. All lot lines shall be set perpendicular or radial to the center line of the street whenever possible.
4. Lots abutting local streets shall front on the streets that parallel the long dimension of the block, if possible.
5. All lots shall abut by their full frontage on a publicly dedicated street.
6. No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one foot for each two feet of horizontal distance between abutting lots, unless a retaining structure is installed in accordance with specifications approved by the Township Engineer and the governing body.

7. Reverse frontage lots shall be discouraged except where such lots abut arterial streets or highways along the rear line, in which case, the rear building line of the lot shall be 75 feet.
- B. Lots laid out for residential purposes shall be subdivided in accordance with the provisions of the Zoning Ordinance, with respect to lot area, lot width, setbacks, yard requirements and other applicable requirements.
- C. Lots and tracts of land laid out for nonresidential purposes shall be subdivided in accordance with the provisions of the Zoning Ordinance, with respect to lot area, lot width, setbacks, yard requirements, and the following additional guidelines:
  1. The location of areas designated for structures, points of ingress and egress, internal site accessways, off-street parking and loading areas and generalized land use proposals shall be included as a part of all final plan applications for nonresidential purposes.
  2. The developer shall demonstrate every effort to protect adjacent existing or potential residential development sites through the provision of guarantees or other appropriate procedures or amenities designed and established for the purpose of mitigating adverse influences resulting from business activities. The same applies for nonresidential use of property.
- D. Stormwater downspouts, sump pumps, roof, and foundation drains shall be connected to a drainage or stormwater conveyance system and not discharged directly to a roadway or existing ground, nor to the sanitary sewer system.
- E. Where public water is proposed for the supply of the development, the location of fire hydrants shall be approved by the local Fire Department.
- F. Where sanitary sewers will be constructed and connected to a public system, the main sanitary line shall be extended to the perimeter of the subdivision or land development to facilitate connect or adjacent properties.
- G. No subdivision or land development shall be approved for development by the Township until the Developer provides certification that mutually acceptable agreements have been reached between the Developer and applicable private or municipal utility providers, authorities relative to utility system installations, maintenance, ownership of facilities, tap fees, and other related considerations.

#### **§ 606. Easements.**

- A. Utility, drainage, and public utility easements shall have a minimum width of 20 feet and be placed within the right of way of the public street. If the topography will not allow for location in the public right of way, the easements shall be located at the side or rear of lots if possible. When the governing body determines that conditions are suitable for utilities and/or public utilities, an easement reservation will be required.
  - Easements shall be aligned across blocks and plans, but may be increased in width to meet the minimum requirements of the individual or multiple utilities using them.
  - A minimum distance of 20 feet shall be maintained between any point of a residential building and the nearest petroleum products or natural gas transmission line.

B. Where a subdivision is traversed by a watercourse or storm drainage line, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse, and of such width as will be adequate to preserve natural drainage and provide sufficient width for maintenance by adjacent property owners, but not less than 20 feet. Where applicable, federal, state and local flood maps and data shall be employed to determine the location of easements or rights-of-way required by this Chapter. This right-of-way or easement shall be included on the recorded plan.

- The right-of-way or 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 detention ponds, etc., and to allow for work crews to access and maintain the drainage way.

#### **§ 607. Sidewalks.**

Sidewalks and crosswalks shall be installed by the subdivider or developer along public streets or at other locations deemed necessary for public safety if determined necessary by the governing body because of safety or relationship to contiguous development. All installations shall be designed for handicapped access. When sidewalks are proposed, they shall have a minimum width of no less than four (4) feet.

#### **§ 608. Reserved Areas.**

Reserve strips surrounding property, or areas reserved for any purpose that shall make any area unprofitable for regular or special assessments, or that may revert to an untended nuisance area, shall not be approved by the governing body.

#### **§ 609. Steet Names and Numbering.**

- A. The subdivider may choose their street names, subject to the approval of the governing body. No street, other than an extension, may be given the name of an existing street in the Township's postal service area.
- B. Streets laid out opposite another street shall be given the same name or number of the opposite street.
- C. All house numbering systems shall be coordinated with the numbering of existing development in the area and approved by the Planning Commission and the governing body.
- D. Emergency communication system.
1. Posting of address identification number required. The property owner of each residence, apartment building or business shall post and display the legally assigned identification number assigned by the Township within 60 days after said numbers are received by the Township in cooperation with the U.S. Post Office.
  2. Regulations regarding size, posting and display of address identification numbers.

- (a) Size. The minimum size of any identification number which is attached to a building, residence or mobile home is four inches in height. The minimum size of an identification number which is attached to a United States postal mailbox is one inch in height.
- (b) Color. The color of the identification numbers must be such that it is clearly visible as it relates to the background color upon which it is attached.
- (c) Posting.
  - [1] Every building, residence or mobile home must have the identification number posted on its United States postal mailbox if such a mailbox is utilized and located directly in front of the residence, building or mobile home.
  - [2] Any residence, building or mobile home that does not utilize a United States postal mailbox that is located directly in front of the residence must place an identification number directly on the residence, building or mobile home in a conspicuous place.
  - [3] All residents and owners are encouraged to use both locations described above to clearly mark their residence, building or mobile home.
  - [4] All identification numbers must be clearly visible from the street or road which provides public access to the premises and cannot be obstructed by vegetation, trees or any other object.
  - [5] If any residence, building or mobile home would not be visible from the street or road and does not utilize a United States postal mailbox, identification numbers must be posted on a post or masonry pillar visible from the street or road.

#### **§ 610. Access.**

Subdividing land shall be done in a manner that will not bar adjacent property owners from access to streets and ways of alignment or otherwise preclude the development of surrounding land areas.

#### **§ 611. Public Use Areas.**

Provisions for improvement and maintenance of any open space and recreation areas set aside as common space shall be guaranteed by appropriate bonds or similar provisions satisfactory to the governing body.

**§ 612. Vegetation.**

- A. Trees, shrubbery, and similar vegetation shall not be established within a road right-of-way, except as specifically authorized by the Board of Supervisors.
- B. Trees, shrubbery, and similar vegetation shall not be established in proximity to a road right-of-way in a manner that interferes with clear site access from the road cartway.

**§ 613. Construction Standards and Specifications.**

- A. Improvements required by this Ordinance shall be constructed in accordance with all applicable requirements contained herein and shall be designed consistent construction standard details provided by the Township.
- B. Commercial and/or industrial lot development shall be undertaken in accordance with all applicable requirements contained herein consistent with site plan guidelines and standards provided by the Township.

**PART VII**  
**WAIVER APPLICATION AND APPROVAL PROCESS**

**§ 701. Waiver application and requirements.**

- A. Any request for a waiver or modification of a provision of this Chapter shall be submitted in writing as part of an application for preliminary or final plan approval. The written request shall include:
1. The specific section of this Chapter which is requested to be waived or modified.
  2. The justification for the waiver, stating in full the grounds and facts of unreasonableness or hardship on which the request is based and the minimum modification necessary.
  3. Provisions proposed as an alternate to the requirements.
  4. A plan prepared at least to the minimum standards of a sketch plan, if determined necessary by the Township designee.
- B. Waiver application procedure.
1. An application for a waiver shall be filed with the Township designee, in writing and on forms as prescribed by the Township, as part of an application for preliminary or final plan approval and by no later than 3:00 p.m., prevailing time, at least 20 days prior to the date of the regular meeting of the Planning Commission. The application shall not be considered complete and properly filed unless or until all items required by Subsection A above, including the application fee and deposit, have been received by the filing date.
  2. The Township designee shall review the application to determine whether all materials required by Subsection A above and any other relevant Township ordinances have been submitted by the applicant.
  3. Within five days of receipt of an administratively complete application, the Township designee shall submit one copy of the application and any materials submitted therewith to the following entities for review: the Township Solicitor; the Township Engineer; any Township professional consultant deemed necessary by the Township; and the Robinson Township Planning Commission.
  4. The Township designee shall submit one copy of an administratively complete application and any materials submitted therewith to each member of the Planning Commission.
  5. Revised plans shall be filed with the Township designee by no later than 3:00 p.m., prevailing time, at least 20 calendar days prior to the date of the Planning Commission meeting in order to be considered at that meeting or by no later than 3:00 p.m., prevailing time, at least 20 calendar days prior to the date of the Board of Supervisors meeting in order to be considered at that meeting.

C. Reviews and Recommendations

1. Township Staff Review

- a. The Township personnel or professional consultant, as directed by the Board of Supervisors or its designee, shall review the waiver application documents to determine if they are in compliance with this Chapter, the Zoning Ordinance, Stormwater Management Ordinance, Grading Ordinance and any other applicable Township ordinances or regulations. These personnel and professional consultants shall provide comments and recommendations, including written findings, when directed by the Board of Supervisors or its designee.
- b. The Township Engineer shall review the application documents to determine compliance with this Chapter, the Zoning Ordinance, Stormwater Management Ordinance, Grading Ordinance, and any other applicable Township ordinances and regulations, and sound engineering practices. The Township Engineer shall prepare a written report of his findings and recommendations, which the Township designee shall provide to the Board of Supervisors, the Planning Commission, the Township Solicitor and any other Township personnel or professional consultant as directed by the Board of Supervisors or its designee.

2. Planning Commission review and recommendation.

- a. The Planning Commission shall review the waiver application and associated documents and forward its recommendation to the Board of Supervisors.
- b. If the application is deemed to have outstanding comments or unaddressed concerns, the developer shall resubmit revised drawings, supporting reports, documents, and other similar material for review by the Township staff, professional consultants, and the Planning Commission.
- c. The Planning Commission shall make a written recommendation to the Board of Supervisors for approval, approval with conditions, or disapproval of the waiver application.

D. Action

1. The Board of Supervisors may approve a waiver application if the applicant proves all of the following:
  - a. The literal enforcement of the subject section(s) of this Chapter will exact undue hardship because of peculiar conditions pertaining to the land in question.
  - b. The waiver or modification of the subject section(s) of this Chapter will not be contrary to the public interest.
  - c. The purpose and intent of this Chapter is observed.



- d. An alternative proposal will allow for equal or better results and represents the minimum modification necessary.
2. In approving a waiver application, the Board of Supervisors may, in its sole discretion, impose such reasonable conditions as it deems necessary to secure the objectives and purposes of this Chapter and to protect the public interest. When a waiver is granted with conditions, a statement of the approved waiver, including the imposed conditions, shall be provided on the final plan.
3. A letter indicating approval, approval with conditions, or disapproval shall be in writing and shall be communicated to the applicant via email or mailed to him or her at the address provided on the application.

**PART VIII**  
**CONDITIONS OF ACCEPTANCE**

**§ 801. Performance Requirements.**

Before approving any final subdivision or site plan, the governing body shall require a written agreement, and appropriate financial surety as specified in Section 802 hereinbelow, that necessary grading, paving and street improvements, sidewalks, streetlights, fire hydrants, water mains, storm sewers and sanitary sewers, and setting of monuments, as may be required by the Township, shall be installed by the developer in strict accordance with the design standards and specifications of the Township, within a specified time period.

**§ 802. Performance Guarantee.**

- A. No plan shall be finally approved unless the streets shown on such plan have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by this Chapter and any walkways, curbs, gutters, streetlights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Chapter have been installed in accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plan, developer shall provide for the deposit with the municipality of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.
- B. When requested by the developer, in order to facilitate financing, the Township shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
- C. Financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
- D. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
- E. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements

which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals but does not exceed said 110%. Any additional security shall be posted by the developer in accordance with this subsection.

- F. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The Township, upon the recommendation of the municipal engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the municipality and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.
- G. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- H. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the approved final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

### **§ 803. Release From Improvement Bond.**

- A. When the developer has completed all of the required improvements, the developer shall notify the Board of Supervisors, in writing, by certified or registered mail, of the completion of the required improvements and shall send a copy thereof to the Township Engineer.
- B. As the work of installing the required improvements proceeds, the developer may request the Board of Supervisors to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work as set forth in this Section. Such a request shall be made, in writing, by certified or registered mail, with a copy thereof to similarly sent to the Township Engineer. The governing body may, prior to release at the time of completion and certification by its engineer, retain 10% of the estimated

cost of the remaining improvements.

C. Procedure.

1. The Board of Supervisors shall, at the next scheduled meeting after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Board of Supervisors, and shall mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 45 days after receipt by the Township Engineer of the aforesaid authorization from the Board of Supervisors. Said report shall be detailed and shall indicate approval or rejection of said improvements. If any portion thereof shall be rejected, the report shall contain a statement of reasons for such non-approval or rejection.
2. After receipt of the Engineer's report and maintenance bond, if any, the Board of Supervisors, shall notify the developer within fifteen (15) days, in writing, by certified or registered mail, of the action of the Board of Supervisors with relation thereto.
3. If any portion of the required improvements shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same and, upon completion, the same procedure of notification as outlined herein shall be followed.
4. As necessary, the developer shall furnish the Township as-built drawings and deeds of dedication of the public improvements (streets, storm drainage, water systems and sanitary sewer), prepared by a registered engineer or surveyor.

**§ 804. Remedies to Effect Completion of Improvements.**

- A. In the event that any improvements that may be required have not been constructed and installed as provided for in the written agreement, this Chapter, the requirements of the Board of Supervisors or in accordance with the approved final plan, the Board of Supervisors shall enforce any corporate bond, or other security by appropriate legal and equitable remedies.
- B. If the proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements, the Board of Supervisors may, at its option, install part of such improvements, and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements.

**§ 805. Maintenance Bond.**

- A. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, the Board of Supervisors may require the posting of financial security to secure structural integrity of said dedicated improvements as well as the functioning of said dedicated improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this section with regard to installation of such improvements, and the amount of the financial security shall

not exceed fifteen percent (15%) of the actual cost of installation of said dedicated improvements.

- B. Where the Board of Supervisors accepts dedication of all or some of the required improvements following completion, before the Township Engineer shall issue to the Board of Supervisors a written certification that all improvements specified and required have been satisfactorily completed for the purpose of final release of the performance bond, the developer shall be required to deposit with the Township a maintenance bond.

#### **§ 806. Higher Design Standards.**

- A. No road, street, land or related improvement shall be accepted by the Township for maintenance unless open, laid out, graded and improved in strict accordance with the standards and regulations of the Township. The requirements, specifications, and standards of construction, material and appurtenances as designated herein are considered as minimum, and the governing body may as it deems advisable, revise said specifications and requirements to secure a higher standard of improvements and community development.
- B. No stormwater drainage facilities, sanitary sewer and sewage treatment facilities, water supply and water distribution system and facilities or any other facilities or improvements will be accepted as a part of the Township's facilities for operation and maintenance unless designed and constructed in strict compliance with all the standards, specifications, rules, regulations, ordinances and requirements of the Township.

#### **§ 807. No Responsibility of Township Where Plans Are Not Approved.**

If any road or any drainage facility in connection therewith shall be opened, constructed or dedicated for public use or travel, except in strict accordance with plans approved and recorded as herein provided, neither the governing body nor any public authority shall place, construct or operate any sewer, drain, water pipe or other facility, or do any work of any kind in or upon such road; and neither the governing body nor any other public authority shall have responsibility of any kind with respect to any such road or drainage facility, notwithstanding any use of the same by the public. Provided, however, that nothing herein contained shall prevent the laying of trunk sewers, drains, water or gas mains, if required, by engineering necessity for the accommodating of other territory.

#### **§ 808. Standards for Location and Management of Open Space.**

- A. Common open space, when provided, shall be located so as to be consistent with accepted design principles. It shall be designed as a contiguous area easily accessible to the residents and preserving natural features.
- B. There shall be provisions that insure that the common open space shall continue as such and be properly maintained.
  - 1. The developer shall either:

- (a) Dedicate such land to public use if the Township or another public agency has indicated it will accept such dedications;
    - (b) Retain ownership and responsibility for maintenance of such open space; or
    - (c) Provide for and establish one or more organizations for the ownership and maintenance of all common open space.
  - 2. In the case of Subsection B(1)(b) and (c) above, each organization shall be a nonprofit homeowners' corporation, unless the developer demonstrates that a community open space trust is a more appropriate form of organization.
- C. If a homeowners' association or open space trust is formed, it shall be governed according to the following regulations:
- 1. The organization is established by the developer and operated with financial subsidization by the developer (if necessary) before the sale of any lots within the development.
  - 2. Membership in the organization is mandatory for all purchasers of homes therein and their successors.
  - 3. The organization shall be responsible for maintenance, insurance, and taxes on common open space.
  - 4. The members of the organization shall share equitably the costs of maintaining and developing common open space, in accordance with procedures established by them.
  - 5. The organization shall hire adequate staff to administer facilities and maintain the common open space.
- (a) In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the development, fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township may serve written notice upon such organization or upon the residents of the development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition.
  - (b) Said notice shall include a demand that such deficiencies of maintenance be corrected within 30 days thereof.
  - (c) If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said 30 days or any extension thereof in either event, said organization shall be responsible for and liable for the complying with the provisions of this Chapter. Without limiting the foregoing, the Township may take any and all legal action and action necessary to ensure compliance, including at its sole discretion to enter upon the common properly, take corrective action and invoice the organization for the cost of the same plus an administrative fee of 10% of said cost.

- (d) Said maintenance by the Township shall not constitute a taking, nor vest in the public any rights of use.
  - (e) The costs of maintenance by the Township shall be assessed against the properties within the development that have a right of enjoyment of the common open space and shall become a lien on said properties. Notwithstanding the foregoing, the Township may bring a civil action against the organization to collect the costs of the corrective measures plus costs and reasonable attorney's fees and may bring an action against individual property owners for their pro rata share.
  - (f) The developer and/or organization who is legally responsible for the perpetual maintenance of all open space in the development shall post a bond or provide financial security acceptable to the Township for the maintenance of all open spaces as part of the developer's agreement per Article XI.
- D. This bond or financial security will be in an amount required to properly maintain these open spaces by the Township for the initial five-year period. The Municipal Engineer will establish an estimated cost to be approved by the Township utilizing the information submitted by the applicant.
- E. Dependent upon the developer and/or organization who is legally responsible to maintain these open spaces at the end of this five-year period, the Township has the right to require this bond or financial security be extended indefinitely on a five-year basis.

**PART IX**  
**CERTIFICATES, AFFIDAVITS, AND APPROVALS**

**§ 901. Certificates; placement on final plan.**

The certificates quoted below shall be inscribed on the plan as quoted and shall be properly signed and attested when the plan is submitted to the governing body. All applicable certificates shall be placed on the final plan in an arrangement suitable for placement of all required seals. Sufficient space shall be made available on the plans for signatures and seals, as necessary, for each certification.

**A. OWNER'S ADOPTION**

***For Subdivisions with public dedication:***

KNOW ALL MEN BY THESE PRESENTS, THAT *(insert Owner name or Corporation here)* of the Township of Robinson, County of Washington, Commonwealth of Pennsylvania, for *(insert myself or ourselves)*, *(insert my or our)* heirs, executors, administrators and assigns, do hereby adopt this as *(insert my or our)* Plan of Subdivision of *(insert my or our)* property, situate in the Township of Robinson, County of Washington and Commonwealth of Pennsylvania, and for divers advantages accruing to *(insert me or us)*, do hereby dedicate forever, for public use for highway, drainage, sewage and utility purposes, all drives, roads, streets, lands, rights-of-way, easements, ways and other public highways shown upon the Plan, with the same force and effect as if the same had been opened through legal proceedings and in consideration of the approval of said plan and any future acceptance of said public highways, rights- of-way, and easements by said County of Washington and Robinson Township.

*(Insert I or we)*, *(insert Owner name or Corporation here)* hereby agree to and by these presents do release and forever discharge said County of Washington and said Township of Robinson, their successors, or assigns, from any liability for damages arising and to arise from the appropriation of said ground for public highways, and other public uses and the physical grading thereof to any grades that may be established. This dedication and release shall be binding upon *(insert Owner name or Corporation here)*, *(insert my or our)* heirs, executors, administrators, and assigns and purchasers of lots in this plan.

IN WITNESS THEREOF, *(insert I or We)* hereunto set *(insert my or our)* hand(s) and seal(s) this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

Attest:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
*(Insert Owner name)*

\_\_\_\_\_  
*(Insert Owner name)*



***For Subdivisions without public dedication:***

KNOW ALL MEN BY THESE PRESENTS, THAT ***(insert I or we) (insert name of individual owner or corporation)*** of the TOWNSHIP of ROBINSON, of the COUNTY of WASHINGTON, Commonwealth of Pennsylvania, for ***(insert myself or ourselves), (insert my or our)*** heirs, executors, administrators, and assigns, do hereby adopt this plan as ***(insert my or our) (insert the name of the subdivision plan of lots), of (insert my or our)*** property, situated in the Township of Robinson of WASHINGTON COUNTY, Pennsylvania.

IN WITNESS THEREOF, ***(insert I or We)*** hereunto set ***(insert my or our)*** hand(s) and seal(s) this ***(insert numeric day)*** day of ***(insert month)*** A.D., ***(insert year)***.

ATTEST:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
***(Insert Owner name)***

\_\_\_\_\_  
***(Insert Owner name)***

## B. INDIVIDUAL ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS  
COUNTY OF WASHINGTON )

Before me, the subscriber, a Notary Public in and for said State and County, personally appeared the above named

(Owner)

and acknowledged the foregoing Release and Dedication and Plan to be *(insert his, her, or their)* act and deed and desired the same to be recorded as such:

Sworn to and subscribed before me the day and date written.

WITNESS MY HAND AND NOTARIAL SEAL this *(insert numeric day)* day of *(insert month)*, *(insert year)*.

(SEAL)

Notary Public

My Commission Expires the **(insert numeric day)** day of **(insert month)**, A.D., **(insert year)**.

**C. OWNER'S/CORPORATION'S TITLE AND MORTGAGE CERTIFICATION**

I or We, *(insert owner or corporation name)*, owner of the *(insert subdivision name)* Subdivision *(insert phase, if appropriate)*, do hereby certify that the title of this property is in the name of *(insert the name of the individual or corporation)* as recorded in DEED BOOK VOLUME *(insert deed book volume)*, PAGE *(insert deed book page number)*, RECORDER OF DEEDS OFFICE. We further certify that there is no mortgage, lien, or encumbrance against this property.

---

Witness

---

Owner

---

Witness

---

Owner

**D. CORPORATION ADOPTION**

KNOW ALL MEN BY THESE PRESENTS; that the *(insert name of corporation)*, a corporation incorporation under the laws of the Commonwealth of Pennsylvania, by virtue of a resolution by the Board of Directors, thereof, does hereby adopt this plan as its *(insert name of subdivision or land development plan name and phase)* of its property situated in the Township of Robinson, Washington County, Pennsylvania, and for divers advantages accruing to it, does hereby dedicate forever, for public use for highway purposes, all slope areas and all drives, roads, street, lanes, and other ways and other public highways shown upon the plan, with the same force and effect as if the same had been opened through legal proceedings, and in consideration of the approval of said plan, and any future acceptance of said public highways by the Commonwealth of Pennsylvania, County of Washington, and Township of Robinson.

*(Insert name of corporation)*, hereby covenants and agrees to and by these presents does release and forever discharge said Commonwealth of Pennsylvania, County of Washington and Township of Robinson, their successors or assigns from any liability for damage arising and to arise from the appropriation of said ground for public highways and the physical grading thereof to any grades that may be established. This dedication and release shall be binding upon *(insert name of corporation)*, its successors and assigns and purchasers of (lots, units) in this plan.

IN WITNESS WHEREOF, the said corporation has caused its corporate seal to be affixed by the hand of its president and same to be attested by its secretary this *(insert numeric day)* day of *(insert month)*, *(insert year)*.

ATTEST:

*(Insert name of Corporation)*

---

*(SEAL)**(Insert secretary name)*

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*(Insert officer name and title)*

## E. CORPORATION ACKNOWLEDGMENT

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS  
COUNTY OF WASHINGTON )

On this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*, before me, a Notary Public in and for said County and State, personally appeared *(Insert Name and Title of Officer)*, *(Insert Name of Corporation)*, who being duly sworn depose and saith that he was personally present at the execution of the adoption, release and dedication and saw the common and corporate seal of the said corporation duly affixed and that the above release and dedication was duly signed and sealed by and as for the act and deed of the said corporation, for the uses and purposes therein mentioned and that the name of the deponent subscribed to the said release and dedication as of said corporation, *(Insert name and Title of officer)* attestation of the due execution and delivery of said release and dedication of this deponent's own proper and respective handwriting.

(SEAL)

***(Insert Name of Officer)***

**(Insert Title of Officer)**

Sworn to and subscribed before me the day and date written.

WITNESS MY HAND AND NOTARIAL SEAL this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

(SEAL)

Notary

Public My Commission Expires the *insert numeric day*) day of (*insert month*)  
A.D., (*insert year*).

F. **PARTNERSHIPS** *A general partner must sign.*

The *(insert the name of the partnership)*, *(insert the name of the owner or beneficial owner)* of the land shown on the *(insert the name of the plan)* hereby adopts this plan as its *(insert the plan of lots or land development)* and irrevocably dedicates all streets and other property identified for dedication on the plan to the Township of Robinson. This adoption and dedication shall be binding upon the partnership and upon its heirs, executors and assigns.

IN WITNESS OF WHICH, to this *(insert I or we)* set *(insert my or our)* hand and seal this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

ATTEST:

---

Notary Public

---

*(Insert the Signature of General Partner)*

**G. OWNER' ACCEPTANCE OF RESPONSIBILITY FOR PROVIDING STORM WATER DRAINAGE FACILITIES AND CONTROL OF STORM WATER DRAINAGE**

KNOW ALL MEN BY THESE PRESENTS, THAT *(insert I or we)*, of the Township of Robinson, County of Washington, Commonwealth of Pennsylvania, for ourselves, our heirs, executors, administrators and assigns, and for our grantees and their subsequent purchasers, do hereby accept full and complete responsibility, liability, expense and provision of facilities for the control of storm water drainage over, across and through this subdivision of land until such time as *(insert I or we)*, our heirs, executors, administrators and assigns construct storm water drainage facilities in accordance with Township specifications and requirements and the same is officially accepted by action of the Governing Body and until such formal acceptance *(insert I or we)* for ourselves, our heirs, executors, administrators and assigns do hereby release the Township of Robinson from any responsibility in connection therewith. This acceptance of responsibility shall be binding upon our heirs, executors, administrators and assigns, and all purchasers of lots in this plan of subdivision,

IN WITNESS WHEREOF, we hereunto set our hands and seals this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

ATTEST

---

(SEAL)

(Owner or Owners)

---

(SEAL)

*(Insert owner or owners name(s))* WITNESS My hand and notarial seal this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

---

(SEAL)

Notary Public My Commission Expires the *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

## H. FOR ALL SUBDIVISIONS

## 1. TITLE CLAUSES

*(Insert I or we) (insert the name of owner or owners)*, owners of the *(insert the name of plan)*, do hereby certify that the title of this property is in the name of *(insert the name of the plan)* as recorded in Deed Book Volume *(insert Deed Book Volume number)* page *(insert page number)*, Recorder of Deeds Office. *(Insert I or we)* further certify that there no mortgage, lien or encumbrance against this property.

---

 Witness

---

 Owner

## 2. TITLE CLAUSE (Having Mortgage or Encumbrance).

*(Insert I or we) (insert the name of owner or owners)*, owners of the *(insert the name of plan)*, do hereby certify that the title of this property is in the name of *(insert name of entity holding mortgage or encumbrance)* as recorded in Deed Book Volume *(insert Deed Book Volume number)* page *(insert page number)*, Recorder of Deeds Office.

---

 Witness

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 Owner

*(Insert I or we)*, *(insert the name of mortgagee)* mortgagee of the property embraced in this *(insert the name of plan)*, as recorded in Deed Book Volume *(insert Deed Book Volume number)* page *(insert page number)*, Recorder of Deeds Office.

---

 Witness

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 Mortgagee

## 3. SURVEYOR'S CERTIFICATION

I, *(insert surveyor's name)*, a Professional Land Surveyor of the Commonwealth of Pennsylvania, do hereby certify, to the best of my knowledge, information, and belief, that this plan correctly represents the lots, lands, streets, and highways as surveyed and plotted by me for the owners or agents.

---

 (SEAL)



**I. HIGHWAY OCCUPANCY PERMIT REQUIREMENT**

This plat requires a Highway Occupancy Permit pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law." Approvals of the Township of Robinson Planning Commission and the Township Board of Supervisors are conditional, subject to action of the Pennsylvania Department of Transportation pursuant to application for a Highway Occupancy Permit.

**J. WASHINGTON COUNTY PLANNING COMMISSION REVIEW**

Reviewed by the Washington County Planning Commission.

this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

\_\_\_\_\_  
(Director)

\_\_\_\_\_  
(Chairman)

**RECORDING REQUIREMENT**

The foregoing adoption and dedication is made by *(insert the name of Owner or Owners)*, with the full understanding and agreement that the review of the WASHINGTON COUNTY PLANNING COMMISSION, if hereto attached, will become null and void unless this plat is recorded in the RECORDER OF DEEDS OFFICE of WASHINGTON COUNTY, WASHINGTON, PENNSYLVANIA, within 90 days of date of said review.

**PROOF OF RECORDING**

COMMONWEALTH OF PENNSYLVANIA	)	
	)	SS
COUNTY OF WASHINGTON	)	

Recorded in the Office for Recording of Deeds, Plats, etc., in said County, in Plan Book Volume *(insert deed book volume number)*, page *(insert page number)*.

Given under my hand and seal this *(insert numeric day)* day of *(insert month)* A.D., *(insert year)*.

\_\_\_\_\_  
Recorder of Deeds

**K. RECOMMENDATION OF THE ROBINSON TOWNSHIP PLANNING COMMISSION**

This plan of lots has been reviewed and approval recommended by the Robinson Township Planning Commission this *(insert small underlined space so that numeric day can be inserted here)* day of *(insert small underlined space so that the month can be inserted here)* A.D., *(insert small underlined space so that the year can be added here)*, subject to the provisions and/or conditions in the Planning Commission's letter to the Board of Supervisors dated this *(insert small underlined space so that numeric day can be inserted here)* day of *(insert small underlined space so that the month can be inserted here)* A.D., *(insert small underlined space so that the year can be added here)*.

---

Secretary

---

Chairman Planning Commission

**L. APPROVAL BY THE ROBINSON TOWNSHIP BOARD OF SUPERVISORS**

The Board of Supervisors of the Township of Robinson, Washington County, Pennsylvania hereby approves this plan of subdivision for recording purposes only. This approval by Robinson Township does not constitute an acceptance of the roads, streets, storm and sanitary drainage facilities, easements or right-of-ways, water mains or any other services or improvements shown on this plan, nor an assumption of maintenance responsibility, nor will the same be accepted or maintained until constructed in accordance with all Township specifications and requirements and officially accepted by action of the Governing Body. This approval shall in no way be deemed an authorization to commence construction or related activities. This plan of subdivision approved by resolution of the Governing Body of the Township of Robinson, Washington County, Pennsylvania

on this *(insert small underlined space so that numeric day can be inserted here)* day of *(insert small underlined space so that the month can be inserted here)* A.D., *(insert small underlined space so that the year can be added here)*.

ATTEST:

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Secretary

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Chairman, Board of Supervisors

SEAL:

**M. MUNICIPAL ENGINEER'S CERTIFICATION**

I certify that this plan meets all engineering and design requirements of the applicable ordinances of the Township of Robinson, except as departures have been authorized by the appropriate officials of the Municipality.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Name of Engineer)

(Seal)

\_\_\_\_\_  
(Registration Number)

**PART X****ENFORCEMENT****§ 1001. Preventative Remedies**

- A. In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- B. The Township may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter. This authority to deny such a permit or approval shall apply to any of the following applicants:
1. The owner of record at the time of such violation.
  2. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
  3. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
  4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.
- C. As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

**§ 1002. Enforcement Remedies**

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

was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.


This Ordinance shall become effective immediately upon its adoption by the Township.

**RESOLVED** and adopted by the Board of Supervisors of Robinson Township, Washington County, Pennsylvania this 12 day of Feb, 2024.

ATTEST:



Township of Robinson

  
Mary Donaldson, Chair  
John Zilich, Vice Chair  
Christopher Amodeo, Supervisor