

TOWNSHIP OF FRANKSTOWN  
BLAIR COUNTY, PENNSYLVANIA

ORDINANCE NO. 100207-B

AN ORDINANCE OF THE TOWNSHIP OF FRANKSTOWN, BLAIR COUNTY, PENNSYLVANIA, CODIFYING AND AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCES OF FRANKSTOWN TOWNSHIP DEFINING AND REGULATING THE SUBDIVISION OF LAND AND THE DEVELOPMENT THEREOF; ESTABLISHING PROCEDURES FOR THE CONSIDERATION OF MINOR AND MAJOR SUBDIVISIONS AND LAND DEVELOPMENTS; REQUIRING THE PREPARATION OF SKETCH, PRELIMINARY, FINAL AND AS-BUILT PLANS; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER OR DEVELOPER AND ESTABLISHING DESIGN STANDARDS FOR IMPROVEMENTS; REGULATING SALE OF LOTS, ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, SEWERS, OTHER FACILITIES AND PUBLIC IMPROVEMENTS; PROVIDING FOR THE ADMINISTRATION OF THIS ORDINANCE; PRESCRIBING PENALTIES FOR VIOLATION AND PROVIDE AN EFFECTIVE DATE.

The Supervisors of the Township of Frankstown in accordance with the powers conferred upon them by the Act of July 31, 1968, Act No. 247, known as the "Pennsylvania Municipalities Planning Code" and further, by virtue of and in accordance with the Second Class Township Code, as amended, hereby enact the following ordinance.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Frankstown Township and it is hereby ordained and enacted by the Authority of the same.

**Part 1**  
**General Provisions**

**Section 101. Short Title.**

This Ordinance shall be known as the Frankstown Township Subdivision and Land Development Ordinance.

**Section 102. Purpose.**

102.1 This Ordinance is adopted for the following purposes:

102.1.1 To protect and provide for the public health, safety, and general welfare of the citizens of Frankstown Township.

102.1.2 To guide the future growth and development of Frankstown Township.

- 102.1.3 To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other danger; and to prevent overcrowding of land and undue congestion of population.
- 102.1.4 To protect the character and social and economic stability of the Township and to encourage the orderly and beneficial development of the Township.
- 102.1.5 To protect and conserve the value of land throughout the Township, and the value of buildings and improvements upon the land and to minimize the conflicts among the uses of land and buildings.
- 102.1.6 To guide public and private policy and action in order to provide adequate and efficient transportation, water supply, and other public requirements and
- 102.1.7 To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic within the Township, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
- 102.1.8 To establish reasonable standards of design and procedures for subdivision and re-subdivisions, in order to further the orderly layout and use of land; and to ensure proper legal descriptions and monumenting of subdivided land.
- 102.1.9 To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- 102.1.10 To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the community and value of the land.
- 102.1.11 And finally, to ensure that documents prepared as part of a land ownership transfer fully and accurately describe the parcel of land being subdivided, and the new parcels thus created.

**Section 103. Application of Ordinance.**

- 103.1 Subdivision Control. No subdivision, as herein defined, of any lot, tract or parcel of land shall be effected and no street, sanitary sewer, storm sewer, water main or other facilities in connection therewith, shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting or to abut thereon, except in strict accordance with the provisions of this Ordinance. No lot in any subdivision may be sold, and no permit to erect, alter or repair any building upon land in a subdivision may be issued; and no building may be erected in a subdivision, unless and until a

subdivision plan has been approved and recorded; and until the improvements required by the Township in connection therewith have either been constructed or guaranteed as directed by the Township in accordance with this Ordinance.

103.2 Land Development Control.

103.2.1 Land development, as herein defined, must comply with the regulations contained herein. Such compliance shall include, but not be limited to: the filing of preliminary and final plans, the dedication and improvement of rights-of-way, streets and roads, and the payment of fees and charges as established from time to time by the Township.

103.2.2 Land development plans shall indicate the location of each structure, where applicable, and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit, and improvements to public rights-of-way space. Developments are subject to the zoning regulations as they apply to use and density requirements, setbacks, parking and other features, and shall be indicated on the land development plans.

**Section 104. Interpretation and Conflicts.**

104.1 Interpretation. In interpreting and applying the provisions of this Ordinance, the provisions shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience, and general welfare.

104.2 Conflict with Public and Private Provisions.

104.2.1 Public Provisions. Where any provision of this Ordinance imposes restrictions different from those imposed by any other provision of this Ordinance or any other ordinance, rule, or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

104.2.2 Private Provisions. This Ordinance is not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of this Ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this Ordinance shall govern. Where the provisions of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of this Ordinance, or the determinations of the Township in approving a subdivision or in enforcing this Ordinance, and such private provisions are not inconsistent with this Ordinance or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

**Section 105. Modifications.**

- 105.1 The Township may grant relief from or a modification of the requirements of one (1) or more provisions of this Ordinance when the modification will remove or reduce an unreasonable standard, or undue hardship, as it pertains to the land in question, which is grossly disproportionate to any benefit derived from the standard, or when an alternative standard provides equal or better results; provided that such modification will not be contrary to the public interest; and, that the purpose and intent of this Ordinance is observed.
- 105.2 All requests for modifications shall be in writing and shall accompany and be part of the Application for Development. The request shall state in full the modification necessary. It shall be the burden of the Applicant to demonstrate compliance with the above conditions to the satisfaction of the Board of Supervisors.
- 105.3 The request for modification shall be presented and discussed at a public meeting of the Township.
- 105.4 The Township’s decision shall be given to the Developer in writing and shall be made a part of the minutes of the meeting at which such decision was made.
- 105.5 If the requested relief or modification is granted, the reason for the relief or modification and any restriction placed upon the land as a condition for such relief shall be set forth on the approved Final Plan recorded in the office of the Recorder of Deeds for the County of Blair.

**Part 2**  
**Definitions**

**Section 201. General Interpretation.**

Unless otherwise expressly stated, the following words shall for the purpose of this Ordinance, have the meaning herein indicated. The present tense shall include the future, the singular number shall include the plural, words used in the masculine gender shall include the feminine and the neuter; the term “person” includes an individual, partnership, corporation, unincorporated association, estate or any other legally-recognized entity; the words “shall”, “must” or “will” are always mandatory; the word “may” is always permissive.

**Section 202. Specific Words and Phrases.**

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

**APPLICANT** – A person, as hereinafter defined, who has filed an Application for Development including his heirs, successors and assigns.

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

**AUTHORITY** – The Frankstown Township Sewer Authority.

**BOARD OF SUPERVISORS** – The Board of Supervisors of Frankstown Township, Blair County, Pennsylvania.

**BUILDING** – A combination of materials to form a permanent structure having walls and a roof, including but not limited to, all manufactured homes.

**BUILDING, ACCESSORY** – A detached, subordinate building, not used for habitation, the construction and use of which is customarily incidental and subordinate to that of the principal building, and located on the same lot as that occupied by the principal building. Farm buildings not intended for habitation are considered accessory buildings.

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

**BUILDING SETBACK LINE** – The actual line of the building nearest an adjacent street right-of-way line or property line. This face includes any structure, above grade, except steps.

**CARTWAY OR ROADWAY** – The portion of a street or roadway designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm or shoulder.

**CLEAR SIGHT DISTANCE** – An area of unobstructed vision at a street intersection defined by a line of sight between points at the centerlines.

**CONSERVATION DISTRICT** – The Blair County Conservation District.

**COUNTY** – The County of Blair, Pennsylvania.

**COUNTY PLANNING COMMISSION** – The Blair County Planning Commission.

**CUL-DE-SAC** – A termination of a street by a circular 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.

**CURB LINE** – The outside edge of the cartway.

**DEDICATION** – The deliberate assignment of land by its owner to another party.

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)** – The Pennsylvania Department of Environmental Protection, its bureaus, divisions, departments and/or agencies as may from time to time be established, or such Department or Departments as may in the future succeed it.

**DETENTION POND** – An area in which surface water runoff is temporarily stored pending its release at a controlled rate.

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

**DEVELOPMENT** – Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, the placement of mobile homes, streets and other paving, utilities, filling, grading, excavation, or drilling operations, and the subdivision of land.

**DEVELOPMENT PLAN** – The provisions for development including a planned residential development, a plat 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” when used in this Ordinance shall mean the written and graphic materials referred to in this definition.

**DRAINAGE** – The removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion and sedimentation during and after construction or development.

**DRAINAGE FACILITY** – Any ditch, gutter, culvert storm sewer or other structure designed, intended or constructed for the purpose of carrying, diverting or controlling surface water or groundwater.

**DRAINAGE RIGHT-OF-WAY** – The lands required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

**DRIVEWAY** – An improved private vehicular passageway designed and constructed to provide vehicular access between a public street and a tract of land serving one (1) single family dwelling unit or farm.

**DWELLING** – Any building which is designed and used exclusively for residential occupancy, but not including hospitals, hotels, boarding, rooming and lodging houses, institutional houses, tourist courts and the like, offering overnight accommodations for guest or patients. In addition, all dwellings shall be properly connected to approved and permanently-designed public or on-site sewer, public or on-site water, electrical and other utility systems.

**DWELLING, MULTI-FAMILY** – A building used by three (3) or more families living independently of each other and doing their own cooking, including apartment house.

**DWELLING, SINGLE FAMILY ATTACHED (ROW OR TOWN HOUSE)** – A building used by one (1) family and having two (2) common walls in common with other dwellings.

**DWELLING, SINGLE FAMILY, DETACHED** – A building used by one (1) family, having only one (1) dwelling unit, and having two (2) side yards.

**DWELLING, SINGLE FAMILY, SEMI-DETACHED (DOUBLE HOUSE)** – A building used by one (1) family, having one (1) side yard, and one (1) common wall in common with another dwelling.

**DWELLING, TWO-FAMILY DETACHED (DUPLEX)** – A building used by two (2) families with one (1) dwelling unit arranged over the other and having two (2) side yards.

**DWELLING, TWO FAMILY, SEMI-DETACHED (DOUBLE-DUPLEX)** – A building used by two (2) families with one (1) dwelling unit arranged over the other, having one (1) side yard and one (1) common wall in common with another duplex dwelling.

**DWELLING UNIT** – A building arranged or designed for occupancy by not more than one (1) family and having separate cooking and sanitary facilities.

**EASEMENT** – A grant of limited use of private land for a public or quasi-public purpose or private purpose, and within which the owner of the property shall not have the right to make use of the land in a manner that violates the right of the grantee.

**ENGINEERING SPECIFICATIONS** – The engineering criteria of the Township regulating the installation of any improvement or facility.

**FRONTAGE** – The horizontal or curvilinear distance along the public street line upon which a lot abuts. Vehicular access to a lot shall be provided along the frontage.

**GRADING AND DRAINAGE PLAN** – A plan showing all existing ground features and proposed grading, including existing and proposed surface and subsurface drainage facilities, described by grades, contours, and topography.

**LAND DEVELOPMENT** – Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
  - a. A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single, nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,

- b. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
2. A subdivision of land.
  3. Any activity, construction, alteration, change in land use or practice that affects stormwater runoff characteristics.
  4. For the purposes of this Ordinance, the following are excluded from the definition of Land Development:
    - a. The conversion of an existing single family, detached dwelling, or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium; however, all Township and DEP sewage facilities planning requirements shall apply to such dwellings.
    - b. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
    - c. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park, until plans for the expanded area have been approved by the proper authorities.

**LAND DISTURBANCE** – An activity involving the clearing, grubbing, cutting, excavation, filling or grading of land or any other activity which alters land topography or vegetative cover causing land to be exposed to the danger of erosion.

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

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

**LOT, CORNER** – A lot which has an interior angle less than one hundred thirty-five degrees (135°) at the intersection of two (2) street lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street line intersect at an interior angle of less than one hundred thirty-five degrees (135°).



**LOT, FLAG** – A lot with frontage that does not satisfy the minimum width requirements, but does have sufficient lot width away from the frontage.

**LOT, INTERIOR** – A lot with sides which do not abut a street.

**LOT, THROUGH** – A lot which fronts on two (2) streets that do not intersect at the boundary of the lot.

**LOT OF RECORD** – A lot described in a deed or shown on a plan of lots which has been recorded in the office of the Recorder of Deeds, Blair County, Pennsylvania.

**MAINTENANCE** – The upkeep necessary for efficient operation of physical properties.

**MANUFACTURED HOME** – Any structure intended for, or capable of, permanent human habitation, with or without wheels, and capable of being transported or towed from one place to the next, in one or more pieces, by whatsoever name or title it is colloquially or commercially named, but excluding transport trucks or vans equipped with sleeping space for a driver or drivers, and recreational vehicles. Manufactured homes placed in parks shall meet the requirements for manufactured home parks. Manufactured homes placed on individual lots shall be considered “single family detached dwellings” and be bound by the requirements for said dwelling.

**MANUFACTURED HOME LOT** – A parcel of land in a manufactured home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single manufactured home, which is leased by the park owner to the occupants of the manufactured home erected on the lot.

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

**MARKER** – A wood or metal stake placed to designate the boundary and corners of lots in the subdivision of land for the purpose of reference in land and property survey and to facilitate the sale of lots.

**MONUMENT** – A concrete, stone, or other permanent object placed to designate boundary lines, corners of property and rights-of-way of streets and utilities for the purpose of reference in a land and property survey.

**MUNICIPALITIES PLANNING CODE** – Act of Assembly of July 31, 1968, P.L. 805, as amended.

**OFFICIAL FILING DATE** – The date of the public meeting of the Board of Supervisors at which the Preliminary Plan or the Final Plan, as the case may be, is presented for approval.

**PENNSYLVANIA DEPARTMENT OF TRANSPORTATION (PennDOT)** – The Pennsylvania Department of Transportation, its bureaus, divisions, departments and/or agencies, as may from time to time be established, or such Department or Departments as may in the future succeed it.

**PERFORMANCE GUARANTEE** – Any security which may be in lieu of a requirement that certain improvements be made before the Township approves a final subdivision or land development plan, including irrevocable letters of credit, escrow agreements, and other similar collateral or surety agreements.

**PERSON** – An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity.

**PLAN** – A map or plan representing a tract of land including a supplementary data specified in Part 4 of this Ordinance.

**PLAN, AS-BUILT** – A revised Final Plan showing dimensions and locations of all streets and other public improvements as actually constructed.

**PLAN, FINAL** – A complete and exact subdivision plan or land development plan prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

**PLAN, PRELIMINARY** – A tentative subdivision plan or land development plan, in lesser detail than a Final Plan, showing approximate proposed street and/or layout as a basis for consideration prior to preparation of a Final Plan.

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

**PLAN, EROSION & SEDIMENTATION CONTROL** – A plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization and post construction controls. This plan must be prepared in compliance with applicable DEP regulations and must be approved by the Township, the Conservation District and/or DEP, as the case may be.

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

**PUBLIC IMPROVEMENTS/IMPROVEMENTS** – Any street, road, walkway, curbing, gutter, street lights and signs, landscaping required by this Ordinance, storm drainage facilities for dedication or which affects adjacent properties or streets, sanitary sewer facilities for multiple use, water supply facilities for multiple use, fire hydrants, electric service, gas service,

driveways, survey monuments and markers, and/or any other similar type of structure, area or item as may be designated by the Township.

**PUBLIC MEETING** – A forum held pursuant to notice under Act of July 3, 1986 (P.L. 388, No. 84), known as the “Sunshine Act,” 53 P.S. §§271 et seq., as amended and supplemented.

**PUBLIC NOTICE** – A notice published once in a newspaper of general circulation in the Township. Such notice shall state the time and place of the public hearing and the particular nature of the matter to be considered at the hearing. The publication shall be not less than thirty (30) days from the date of the hearing. Such notice will also be posted at the Township Municipal Building and on the Township website, if applicable.

**RECREATIONAL AND SEASONAL LAND DEVELOPMENT** – The improvement and development of land for camping and/or related activities by way of the provision of campsites and any supporting facilities on a rental basis.

**RECREATIONAL VEHICLE** – A vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailers, camping trailers, truck campers and motor homes.

**RECREATIONAL VEHICLE PARK** – A parcel of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for vacation or recreation purposes.

**RECREATIONAL VEHICLE SITE** – A plot of ground within a recreational vehicle park intended for the accommodation of either a recreational vehicle or other similar individual camping unit on a temporary basis.

**RE-SUBDIVISION** – Any subdivision or transfer of land, laid out on a plan which has been approved by the Township which changes or proposes to change property lines and/or public right-of-way not in strict accordance with the approved plan.

**RIGHT-OF-WAY** – Land legally dedicated for public purposes, including but not limited to, a street, alley, utilities, interior walk or other public or private use.

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

**SEDIMENTATION** – The process by which mineral or organic matter is accumulated or deposited by moving wind, water, or gravity. Once this matter is deposited, or remains suspended in water, it is usually referred to as “Sediment.”

**SEPTIC TANK** – A watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.

**SEWAGE DISPOSAL SYSTEM, ON-SITE** – A system of piping, tanks or other facilities serving a lot and collecting and disposing of sewage in whole or in part into the soil.

**SEWAGE DISPOSAL SYSTEM, PUBLIC** – A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

**SEWAGE ENFORCEMENT OFFICER (SEO)** – The Sewage Enforcement Officer of the Township.

**SHOULDER** – The portion of a roadway (cartway) between the curb or gutter or ditch and the cartway intended for emergency and parking use.

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

**STREET** – Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

**STREET, PRIVATE** – Any and all streets not officially dedicated and accepted by the Township, Commonwealth of Pennsylvania, County of Blair or Federal government.

**STREET, PUBLIC** – Any and all streets owned and maintained by the Township, Commonwealth of Pennsylvania, County of Blair or Federal government.

**STRUCTURE** – Anything constructed or erected on the ground or attached to the ground including, but not limited to, dwellings, buildings, sheds, wind turbine generators, swimming pools and other similar items.

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

**SUBDIVISION, MINOR** – Any residential subdivision containing not more than three (3) lots plus the residual parcel and not involving new public streets, paving, new or improved storm water management systems, new or improved sanitary sewage collection and disposal facilities (not laterals), other public improvements and facilities and not located within, or partially within, an identified floodplain area. A Minor Subdivision shall conform to DEP sewage facilities planning requirements and the Township storm water management requirements.

**SUPERVISORS** – The Board of Supervisors of Frankstown Township, Blair County, Pennsylvania.

**SUBSTANTIALLY COMPLETED** – Where in the judgment of the Township Engineer, at least ninety (90%) percent (based upon the cost of the required improvements for which financial security was posted pursuant to Part 6) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

**SURVEYOR, LAND** – A licensed surveyor registered by the Commonwealth of Pennsylvania.

**SWALE** – A low-lying stretch of land characterized as a depression used to carry surface water runoff.

**TOP SOIL** – Surface soils and subsurface soils which normally are fertile soils and soil material, ordinarily rich in organic matter of humus debris. Top soil is usually found in the uppermost soil layer called the A horizon.

**TOWNSHIP** – Shall mean the Township of Frankstown, Blair County, Pennsylvania acting by or through its governing bodies.

**TOWNSHIP ENGINEER** – A registered professional engineer in Pennsylvania designated by the Township as the Township Engineer.

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

**UNIT** – A part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way, or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

**WATERCOURSE** – Any permanent or intermittent stream, river, brook, creek, swale, pond, lake, channel, ditch or other body of water carrying or holding surface water, whether natural or man-made.

**WETLAND** – Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that, under normal circumstances, do support a prevalence of hydrophytes typically adapted to life in hydric soil conditions, including swamps, marshes, bogs and similar areas. The term includes, but is not limited to, wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan, and any areas designated as wetlands by the United States Army Corps of Engineers, DEP, a river basin commission, or the Township.

**WIND TURBINE GENERATOR** – An electric generating facility that converts wind energy into electricity and includes the nacelle, rotor, tower, pad transformer, if any, accessory

structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

### **Part 3** **Procedures**

#### **Section 301. Preliminary Procedure.**

Whenever any subdivision of land or land development is proposed, before any contract is made for the sale of any part thereof and before any permit for the erection of a structure in such proposed subdivision or land development shall be granted, the Landowner, or his/her authorized agent, shall apply for and secure approval of such proposed subdivision or land development in accordance with the following procedures for subdivision and land development.

- 301.1        Pre-Application Consultation (Sketch Plan Submission). Prior to filing an application for approval of a subdivision or land development within the Township, the owner and/or his/her authorized agent shall meet with the Township Engineer for an official classification of his/her proposed subdivision or land development. At this time, the Township Engineer shall advise the Landowner or his/her authorized agent as to which of the procedures contained herein must be followed. At least ten (10) working days prior to the date of the pre-application consultation, the Landowner or his/her authorized agent shall submit the information specified in Section 401 of this Ordinance. The filing of a sketch plan shall not constitute submission of a plan or application for land development or subdivision.

#### **Section 302. Fee Schedule.**

- 302.1        General. All Township filing fees and Township inspection fees shall be submitted to the Township.
- 302.2        Plan Filing Fees. Plan filing fees shall be established by Resolution of the Frankstown Township Board of Supervisors, which may be amended from time to time.
- 302.3        Review Fees.
- 302.3.1       Review fees shall include the reasonable and necessary charges by the Township's professional consultants or Engineer for review and report to the Township and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township Engineer, Solicitor or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the Township Engineer, Solicitor or consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

302.3.2 In the event the Applicant disputes the amount of any such review fees, the Applicant shall, within ten (10) business days of the billing date, notify the Township that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the Applicant's request over disputed fees.

302.3.3 In the event that the Township and the Applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the Applicant. In the case of a dispute involving legal fees the same shall be submitted to the appropriate committee of the Blair County Bar Association. The estimate certified by the appointed engineer or the Bar Association, as the case may be, shall be presumed fair and reasonable and shall be the final estimate. In the event that an independent engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the Applicant.

302.4 Obligation to Pay Fees. An Applicant shall, by filing a plan, be then obligated to pay the fees herein provided. The engineering fees and legal fees shall be paid directly to the professional rendering the service and shall be paid within fifteen (15) days after receipt of the statement for services. If the Applicant shall fail to pay such bills when due, the Township shall direct that all work on the project shall cease until the obligations of the Applicant have been satisfied. The payment procedure provided herein is for the convenience of the parties only and shall not be construed to make the professional an employee or agent of the applicant. The professional is deemed that of the Township and owes his professional obligation only to the Township.

302.5 Recording Fees. The Township Solicitor shall record the approved Final Plan for all Subdivisions and Land Developments in the Office of the Recorder of Deeds for Blair County, Pennsylvania. The Applicant shall be responsible for payment of all fees and costs associated with the recording of the Final Plan.

### **Section 303. Preliminary Plan Application.**

303.1 Projects That Require Preliminary Plan Procedure. A Preliminary Plan application is required for subdivision or land development that includes the construction of streets, storm water collection and management systems and/or sanitary sewage collection and conveyance systems (not laterals).

303.2 Submission Procedure. The Preliminary Plan application shall be submitted to the Township Secretary at the Township Municipal Office on any Township business day. However, Preliminary Plan applications must be submitted at least ten (10) business days prior to a scheduled Township Board of Supervisors meeting in order to be placed on the agenda. Submissions that are not received prior to this

closing date will not be received at the meeting. The Preliminary Plan and all information and procedures relating thereto shall in all respects be in compliance with the applicable provisions of this Ordinance. It is the responsibility of the Applicant to coordinate his/her plans with the respective private and public service agencies.

- 303.3 Official Filing Date. The filing of the Preliminary Plan application shall not constitute a submission to the Board of Supervisors until the Applicant appears before the Board of Supervisors at the next regular meeting of the Frankstown Township Board of Supervisors following the date the application is received to formally present the Preliminary Plan and be available to answer questions concerning the same. The date of this meeting shall be the Official Filing Date of the Preliminary Plan application provided that if said regular meeting shall occur more than thirty (30) days following the submission of the application, the Official Filing Date shall be the thirtieth (30<sup>th</sup>) day following the date the application was submitted.
- 303.4 Application Requirements. All Preliminary Plan applications shall include the following:
- 303.4.1 A minimum of six (6) copies of the Preliminary Plan and all reports, notifications and certifications which are specified in Section 402 of this Ordinance. Additional copies of the Preliminary Plan may be required by the Township.
  - 303.4.2 One (1) Township Application for Development form.
  - 303.4.3 Township filing fee as set forth in Section 302.2 of this Ordinance.
  - 303.4.4 A review by the Blair County Planning Commission or evidence of submission to the Blair County Planning Commission.
  - 303.4.5 If the application proposes the construction of a Wind Turbine Generator, a copy of the Frankstown Township Zoning Hearing Board's decision approving the Applicant's application for a special exception to construct a Wind Turbine Generator within the Township's "M-F" Manufacturing-Farming District.
  - 303.4.6 When applicable, a completed Sewage Facilities Planning Module for Land Development, as required by the Pennsylvania Department of Environmental Protection. If related to the construction of a sewage collection system, appropriate plans and Planning Module shall be submitted to the Frankstown Township Sewer Authority for its review and approval. Delivery of the plans and Planning Module to the Frankstown Township Sewer Authority shall be the responsibility of the Applicant.



- 303.5 Review for Completeness of Application. The Township Secretary, or designee, shall check the plans and documents to determine if the application, documents, fee and number of copies required by this Ordinance are provided. If defective, the application may be returned to the Applicant with statement of rejection, within the seven (7) day period following submission of the Application; otherwise, the application shall be deemed accepted for presentation to the Board of Supervisors at its next regularly schedule meeting. Acceptance for presentation shall not; however, constitute a waiver of any deficiencies or irregularities. The Applicant may appeal a decision by the Township Secretary, or designee, under this section to the Board of Supervisors.
- 303.6 Distribution. The Township Secretary, or designee, shall distribute one (1) of the Preliminary Plan application to the each Supervisor, Township Zoning Officer, Township Engineer, and, if deemed necessary, other officials.
- 303.7 Review of Preliminary Plan. The Supervisors will consider the plan to determine if it meets the standards set forth in this Ordinance, the Township Stormwater Management Ordinance, the Township Zoning Ordinance, the Township Floodplain Ordinance and other related ordinances.
- 303.8 Township's Engineering Review. All plans shall be reviewed by the Township Engineer.
- 303.9 Resubmission of Preliminary Plans. A revised plan submitted after disapproval shall be considered and processed as a new plan submission.
- 303.10 Decision on the Preliminary Plan. The Applicant will be advised of the scheduled meeting for consideration of the Preliminary Plan by the Board of Supervisors. Attendance at the Board of Supervisors meeting by the Applicant or authorized agent is mandatory. The Applicant or authorized agent must be prepared to establish the acceptance or rejection of any conditions of approval. The acceptance or rejections of the conditions of approval will be entered into the minutes of the Board of Supervisors. The acceptance of conditions will also be acknowledged in writing. If there is no acceptance of conditions of approval, the plan will be disapproved.

The Board of Supervisors shall approve, conditionally approve or disapprove the Preliminary Plan within ninety (90) calendar days of the Official Filing Date. Failure to do so shall be deemed an approval. Before acting on a Preliminary Plan, the Township may hold a hearing thereon after public notice.

Should the Applicant grant an extension of time within which the Board of Supervisors may act upon the Preliminary Plan and/or render a written decision, the Board of Supervisors shall act in accordance within the limits of such extension of time.

303.11

Notification of Decision. The Township shall notify the Applicant of its decision to approve, approve with conditions, or disapprove the Preliminary Plan in writing. The written notice shall cite the conditions of approval, if any, and/or any plan defects, citing to specific sections of this Ordinance, an applicable statute, or applicable Township Ordinance. Such notice shall be given to the Applicant in person or mailed to him/her at his/her last known address not later than fifteen (15) days following the decision. Refusal by the Applicant to accept the conditions of approval shall constitute disapproval of the Preliminary Plan.

In the event that any modification of the requirements of this Ordinance is deemed necessary by the Board of Supervisors, the modification and the reasons for its necessity shall be entered into the minutes of the Board of Supervisors.

When the Preliminary Plan as presented to the Board of Supervisors is disapproved, the decision shall specify the deficiencies found in the Plan and, in each case, cite the provisions of this Ordinance that deal with the deficiencies.

Approval of the Preliminary Plan shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement and approximate dimensions of streets, lots, and other planned features. The approval binds the Applicant to the general scheme of the subdivision or land development shown, unless a revised Preliminary Plan is submitted, and permits the Applicant to proceed with final detailed design of improvements, to arrange for guarantee to cover installation of the improvements, and to prepare the final plan. Approval of the Preliminary Plan does not authorize the recording, sale or transfer of lots or the recording of the Preliminary Plan in the Office of the Recorder of Deeds for the County of Blair.

Unconditional preliminary approval shall expire within two (2) years after being granted, unless an extension is requested by the Applicant and approved by the Board of Supervisors. Requests for extensions shall be submitted the Township at least ten (10) business days prior to the Board of Supervisors meeting that precedes the expiration date. The Township has no responsibility to inform the Applicant of the termination or pending termination of an application.

303.12

Compliance with Conditions of Approval. If the Board of Supervisors conditions its Preliminary Plan approval upon receipt of additional information, alternations, changes or notifications, such data shall be submitted and/or alterations noted on two (2) copies of the Preliminary Plan to be submitted to the Township Secretary, or designee. The Applicant shall include a brief, written descriptive narrative on the submitted data. The conditions of approval must be satisfied to obtain Preliminary Plan approval. Compliance with the conditions of the Preliminary Plan approval must be attained within six (6) months of the Board of Supervisors' decision on the Preliminary Plan, unless an extension is requested in writing from the Applicant and granted by the Board of Supervisors. Preliminary Plans which

have not complied with the conditions of approval within the above time frame shall be considered disapproved.

### **Section 304. Final Plan Application.**

- 304.1 Projects That Require Final Plan Procedure. A Final Plan application is required for all subdivision and land development plans. When a Preliminary Plan application is required, in accordance with Section 303, an application for Final Plan approval can be submitted only after obtaining Preliminary Plan approval.
- 304.2 Consistency with Preliminary Plan. The Final Plan shall conform in all respects with the approved Preliminary Plan. If it does not, the plan submitted shall be considered as a revised Preliminary Plan and shall be handled as a Preliminary Plan in accordance with the provisions of Section 303 this Ordinance.
- 304.3 Submission Procedure. The Final Plan application shall be submitted to the Township Secretary at the Township Municipal Office on any Township business day. However, Final Plan applications must be submitted at least ten (10) business days prior to a scheduled Township Board of Supervisors meeting in order to be placed on the agenda. Submissions that are not received prior to this closing date will not be received at the meeting. The Final Plan and all information and procedures relating thereto shall in all respects be in compliance with the applicable provisions of this Ordinance. It is the responsibility of the Applicant to coordinate his/her plans with the respective private and public service agencies.
- 304.4 Official Filing Date. The filing of the Preliminary Plan application shall not constitute a submission to the Board of Supervisors until the Applicant appears before the Board of Supervisors at the next regular meeting of the Frankstown Township Board of Supervisors following the date the application is received to formally present the Final Plan and be available to answer questions concerning the same. The date of this meeting shall be the Official Filing Date of the Final Plan application provided that if said regular meeting shall occur more than thirty (30) days following the submission of the application, the Official Filing Date shall be the thirtieth (30<sup>th</sup>) day following the date the application was submitted.
- 304.5 Application Requirements. All Final Plan applications shall include the following:
- 304.5.1 A minimum of six (6) copies of the Final Plan and all reports, notifications and certifications which are specified in Section 403 of this Ordinance. Additional copies of the Final Plan may be required by the Township.
  - 304.5.2 One (1) Township Application for Development form.
  - 304.5.3 Township filing fee as set forth in Section 302.2 of this Ordinance.

- 304.5.4 A review letter from the Blair County Planning Commission.
- 304.5.5 Documented approval of the Planning Module for Land Development by the Department of Environmental Protection shall be a part of the requisite materials accompanying the Final Plan submission.
- 304.5.6 If related to the construction of a sewage collection system, appropriate plans and Planning Module shall be submitted to the Frankstown Township Sewer Authority for its review and approval. Delivery of the plans and Planning Module to the Frankstown Township Sewer Authority shall be the responsibility of the Applicant.
- 304.6 Review for Completeness of Application. The Township Secretary, or designee, shall check the plans and documents to determine if the application, documents, fee and number of copies required by this Ordinance are provided. If defective, the application may be returned to the Applicant with statement of rejection, within the seven (7) day period following submission of the Application; otherwise, the application shall be deemed accepted for presentation to the Board of Supervisors at its next regularly schedule meeting. Acceptance for presentation shall not; however, constitute a waiver of any deficiencies or irregularities. The Applicant may appeal a decision by the Township Secretary, or designee, under this section to the Board of Supervisors.
- 304.7 Distribution. The Township Secretary, or designee, shall distribute one (1) of the Final Plan application to the each Supervisor, Township Zoning Officer, Township Engineer, and, if deemed necessary, other officials.
- 304.8 Review of Final Plan. The Supervisors will review the plan and requisite materials for compliance with the approved Preliminary Plan and for conformance to the requirements of this Ordinance, the Township Stormwater Management Ordinance, the Township Zoning Ordinance, the Township Floodplain Ordinance and related ordinances.
- 304.9 Prior Approvals. All approvals required for the development or subdivision by any other governmental agency shall be obtained prior to submission of the plans for approval by the Township and such approval shall accompany the request for Final Plan approval.
- 304.10 Resubmission of Final Plan. A revised plan submitted after disapproval shall be considered and processed as a new plan submission. All filing fees required for a new plan submission shall be payable by the Applicant.
- 304.11 Decision on Final Plan. The Applicant will be advised of the scheduled meeting for consideration of the Final Plan by the Board of Supervisors. Attendance at the Board of Supervisors meeting by the Applicant or authorized agent is mandatory. The Applicant or authorized agent must be prepared to establish the acceptance or rejection of any conditions of approval. The acceptance or rejections of the

conditions of approval will be entered into the minutes of the Board of Supervisors. The acceptance of conditions will also be acknowledged in writing. If there is no acceptance of conditions of approval, the plan will be disapproved.

The Board of Supervisors shall take action to approve, conditionally approve or disapprove the Final Plan within ninety (90) calendar days of the Official Filing Date of the Final Plan. Failure to do so shall be deemed an approval.

Should the Applicant grant an extension of time within which the Board of Supervisors may act upon the Final Plan and/or render a written decision, the Board of Supervisors shall act in accordance within the limits of such extension of time.

304.12 Notification of Decision. The Township shall notify the Applicant in writing of its decision to approve, approve with conditions acceptable to the Developer and accepted by him/her in writing, or disapprove the Final Plan. The written notice shall cite the conditions of approval, if any, and/or any plan defects, citing to specific sections of this Ordinance, an applicable statute, or applicable Township Ordinance. Such notice shall be given to the Applicant in person or mailed to him/her at his/her last known address not later than fifteen (15) days following the decision. Refusal by the Applicant to accept the conditions of approval shall constitute disapproval of the Final Plan.

In the event that any modification of the requirements of this Ordinance is deemed necessary by the Board of Supervisors, the modification and the reasons for its necessity shall be entered into the minutes of the Board of Supervisors. When the Final Plan as presented to the Board of Supervisors is disapproved, the decision shall specify the deficiencies found in the Plan and, in each case, cite the provisions of this Ordinance that deal with the deficiencies.

304.13 Compliance with Conditions of Approval. If the Board of Supervisors conditions its Final Plan approval upon receipt of additional information, alternations, changes or notifications, such data shall be submitted and/or alterations noted on two (2) copies of the Final Plan to be submitted to the Township Secretary, or designee. The Applicant shall include a brief, written descriptive narrative on the submitted data. The conditions of approval must be satisfied to obtain Final Plan approval. Compliance with the conditions of the Final Plan approval and submission for Final Plan certification must be attained within six (6) months of the Board of Supervisors' decision on the Final Plan or the Board of Supervisor's action on the Final Plan shall be considered a disapproval unless the Board of Supervisors grants a waiver by extending the effective time period. The Township has no responsibility to inform the Applicant of the termination or pending termination of an application.

If the Township approves the Final Plan or grants a conditional approval, it shall set the amount of financial security necessary to guarantee the construction of

improvements and community facilities and shall state such amount in the notice to the Applicant.

- 304.14 Final Plan Certification. Upon approval of the Final Plan, the Developer shall prepare no less than one (1) recordable copy and six (6) full copies thereof which shall be submitted to the Township not later than thirty (30) days after approval. All copies of the Final Plan for execution by the Board of Supervisors shall be in black or blue print and bear the original signatures on each certificate.
- 304.14.1 The Township will not sign and record the Final Plan unless the Developer signs the Developer's Agreement, provides a guarantee for the installation of improvements which meets the requirements of Part 6 of this Ordinance and pays any outstanding plan review fees.
- 304.14.2 These plans, upon satisfaction of all conditions attached to the approval, will be signed by the Supervisors of the Township. A copy of the signed Final Plan shall be recorded in the office of the Blair County, Pennsylvania Recorder of Deeds within ninety (90) days after approval of the Final Plan or the approval of the Township shall be null and void. The Final Plan must be recorded before proceeding with the sale of lots or construction of buildings. The Final Plan will be recorded by the Township Solicitor, with all recording fees and costs being paid by the Applicant.
- 304.14.3 Recording the Final Plan shall be an irrevocable offer to dedicate all streets and other public ways to the Township, and to dedicate or reserve all park reservations and other public areas to public use shown thereon, unless reserved by the Developer as hereinafter provided. The approval of the Final Plan shall not impose any duty upon the Township concerning maintenance or improvements of any such dedicated streets or other areas of public use until the Board of Supervisors shall have accepted the same by the prevailing procedures of the Township.
- 304.14.4 If the Final Plan includes a notation to the effect that there is no offer of dedication to the public of common use areas, the title of such areas shall remain with the Developer, its heirs and assigns, and the Township shall assume no responsibility for improvements or maintenance thereof, which fact shall also be noted on the final plan.

### **Section 305. Alternative Plan Processing Procedure.**

The following alternative procedures apply to certain types of activities that require approval by the Board of Supervisors but can be processed in an abbreviated format. In general the types of activity described below are:

- Lot Merger (Side Lot Addition) (See Section 404).
- Revisions to Recorded Plans (Section 405).

Subdivision of Up to Three (3) Lots Plus the Residual Tract (Minor Subdivision (Section 406).

Land Development Up to Two Percent (2%) Building Coverage (Minor Land Development) (Section 407).

Plans for these types of activity shall be reviewed in accordance with Section 304 of this Ordinance as a Final Plan and shall comply with the standards specified in the Sections of this Ordinance listed above. The application procedure and the application requirements shall conform to the Section 304 of this Ordinance.

## **Part 4** **Plan Requirements**

### **Section 401. Sketch Plan.**

The scale and sheet size of Sketch Plans shall be as required for Preliminary Plans in Section 402.1 of this Ordinance. A landowner or representative of the landowner may prepare the Sketch Plan. It is recommended that the Sketch Plan be prepared by an engineer, architect or land surveyor.

401.1            General. The Sketch Plan shall show the following and be accompanied by a copy of the current deed:

401.2            Location and Identification.

401.2.1           Proposed subdivision or land development name or identifying title.

401.2.2           The Township in which the project is located. The location of the boundary shall be shown if the property is located in the vicinity of the Township boundary line.

401.2.3           A location map, drawn to scale that clearly relates the property to a least two (2) intersections of existing road centerlines.

401.2.4           North arrow, graphic scale and a written scale.

401.2.5           Name(s) and addresses of the owner(s) of the property, authorized agent for the land and developer.

401.2.6           Source of title to the land included within the subject application, as shown in the office of the Blair County Recorder of Deeds. Additionally, if the property is subject to an equitable owner, the name, address and reference to the equity agreement shall be included.

401.2.7           The uniform parcel identifier number assigned to the property by the Blair County Tax Assessment Office.

- 401.2.8 The file or project number assigned by the firm(s) that prepared the plan, the date of plan preparation and the date(s) of all plan revisions.
- 401.2.9 Total acreage of the entire existing property, number of lots, average lot size, density and open space.
- 401.2.10 Statement on the plan identifying, with applicable date of decision, any existing waivers or modifications.
- 401.3 Existing Features.
  - 401.3.1 Significant topographic features (areas of fifteen percent [15%] to twenty-five [25%] slope and areas of over twenty-five percent [25%] slope).
  - 401.3.2 Names and addresses of owners of all adjoining properties, including the source of title of the properties, as shown in the office of the Blair County Recorder of Deeds, and the names and plan book record numbers of all previously-recorded plans for all abutting subdivisions.
  - 401.3.3 The following items shall be identified on the plan when located on the subject property, or within two hundred (200) feet of the subject property. The Township may require the applicant to provide this information beyond two hundred (200) feet of the subject property when the item affects the subject property.
    - 401.3.3.1 All existing water courses, floodplains, wetlands, rock outcrops, soil types, landscaping, quarries, geologic types, tree masses and other significant natural features.
    - 401.3.3.2 All existing buildings, sanitary sewer facilities, storm water facilities, water supply facilities, petroleum or petroleum product lines, cable television lines, telephone lines, electric transmission lines, and other significant man-made features.
    - 401.3.3.3 All existing streets, access drives, alleys, driveways, parking facilities, pedestrian ways, railroads, street signs and traffic controls on or adjacent to the tract, including, where applicable, name, right-of-way width and cartway width.
    - 401.3.3.4 All existing property lines, easements and rights-of-way, including the widths and purpose for which the easements or rights-of-way have been established.
- 401.4 Proposed Features.
  - 401.4.1 New streets.



- 401.4.3 Lot numbers in consecutive order.
- 401.4.4 The location and configuration of the proposed features, including but not limited to, the following:
- Buildings, Driveways, Landscaping, Lighting, Off-Street Parking, Utilities (sewer, water, electric, gas, cable, etc.), Parking Facilities, Pedestrian-ways, Refuge Collection Facilities, Stormwater Management Facilities, Street Signs, Streets, Traffic Controls.
- 401.4.5 A statement on the Plan indicating the proposed total number of lots, units of occupancy, density, minimum lot size, lot coverage, building coverage, type of sanitary sewage disposal, type of water supply, name of authority providing sanitary sewage disposal and water supply (if applicable), and proposed land use.
- 401.4.6 The location of each land use, if several types of uses are proposed.
- 401.4.7 Easements for utilities, access, stormwater management facilities, etc.
- 401.4.8 Building setback lines, with distances from the property and street rights-of-way. A typical example may be used to identify side and rear yard setbacks; however, odd or unusual-shaped lots shall be plotted with all setback lines.
- 401.4.9 Identification of buildings and other structures to be demolished. Additionally, the schedule for demolition shall be acknowledged on the Plan.
- 401.4.10 Typical street cross-section for each proposed street and typical cross-section for any existing street that will be improved as part of the proposed project.
- Each cross-section shall include the entire street right-of-way width. Cross-sections for improvements to existing streets shall be provided for each fifty (50) foot station location.
- 401.4.11 Proposed names for new streets, pavement marking and traffic control devices. The Township, Blair County Emergency Management (Blair County 911) and local U.S. Postal Office should be consulted.
- 401.4.12 A statement on the Plan indicating any proposed modifications. The statement must be revised upon action on the request to acknowledge the outcome of the requested modifications prior to recording the Final Plan.
- 401.4.13 Identification of any lands to be dedicated or reserved for public, semi-public or community uses.

## **Section 402. Preliminary Plan.**

Preliminary Plans shall be prepared by an engineer, land surveyor and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Land surveyors shall prepare a plan of lots including metes and bounds for the property boundary and all proposed lot descriptions. Registered professionals with appropriate expertise shall prepare designs that entail their expertise. The Preliminary Plan shall show, be accompanied by, or be prepared in accordance with the following:

### **402.1 Drafting Standard.**

402.1.1 The preliminary plan shall be clearly and legibly drawn to a scale of twenty (20) feet or fifty (50) feet to the inch, except that if the average size of the proposed lots is two (2) acres or more, the plan may be drawn to a scale of one hundred (100) feet to the inch. Profile plans shall maintain a ratio of 1:10 vertical to horizontal.

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

If it is the intention of the landowner to retain a single lot with a lot area in excess of ten (10) acres, the boundary of that lot may be identified as a deed-plotting and may be drawn at any legible scale.

402.1.3 The sheet size shall be no smaller than eighteen inches by twenty-two inches (18" x 22"), and no larger than twenty-four inches by thirty-six inches (24" x 36"). If the plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet.

If more than one (1) sheet is necessary, each sheet shall be numbered to show the relationship to the total number of sheets in the plan (e.g., Sheet 1 of 2).

402.1.4 Plans shall be legible in every detail to the satisfaction of the Township.

402.1.5 All profile sheets shall include the corresponding horizontal alignment; utilities and storm water facilities shall be located in a given area on the same sheet to show their relationship.

402.1.6 All plan information shall be provided in an easy-to-read format.

### **402.2 Location and Identification.**

402.2.1 Proposed subdivision or land development name or identifying title.

- 402.2.2 The Township in which the project is located. The location of the boundary shall be shown if the property is located in the vicinity of the Township boundary line.
- 402.2.3 A location map, drawn to scale that clearly relates the property to a least two (2) intersections of existing road centerlines.
- 402.2.4 North arrow, graphic scale and a written scale.
- 402.2.5 Name(s) and addresses of the owner(s) of the property and authorized agent for the land and developer.
- 402.2.6 Source of title to the land included within the subject application, as shown in the Office of the Recorder of Deeds for Blair County, Pennsylvania. Additionally, if the property is subject to an equitable owner, the name, address and reference to the equity agreement shall be included.
- 402.2.7 The uniform parcel identifier number assigned to the property by the Blair County Tax Assessment Office.
- 402.2.8 Name and seal of the registered engineer or surveyor or other person responsible for the Plan.
- 402.2.9 The file or project number assigned by the firm(s) that prepared the plan, the date of plan preparation and the date(s) of all plan revisions.
- 402.2.10 Total acreage of the entire existing property, number of lots, average lot size, density and open space.
- 402.2.11 Statement on the plan identifying, with applicable date of decision, any existing special exceptions, waivers or modifications granted by the Frankstown Township Zoning Hearing Board or Board of Supervisors.

402.3 Existing Features.

- 402.3.1 Existing contours, at a minimum vertical interval of two (2) feet for land with average natural slope of ten percent (10%) or less, and at a minimum vertical interval of five (5) feet for more steeply sloping land. The contours shall extend at least twenty (20) feet beyond the property lines. Contours shall be accompanied by the location of the benchmark within or immediately adjacent to the subject property and a notation indicating the datum used.
- 402.3.2 The United States Geodetic Survey shall be used for benchmark datum.
- 402.3.3 Names and addresses of owners of all adjoining properties, including the source of title of the properties, as shown in the office of the Blair County

Recorder of Deeds, and the names and plan book record numbers of all previously-recorded plans for all abutting subdivisions.

402.3.4 The location and description of existing property line markers and monuments along the perimeter of the entire existing property.

402.3.5 The following items shall be identified on the plan when located on the subject property or within two hundred (200) feet of the subject property. The Township may require the applicant to provide this information beyond two hundred (200) feet of the subject property when the item affects the subject property.

402.3.5.1 All existing water courses, floodplains, wetlands, known springs, rock outcrops, soil types, landscaping, geologic types, quarries, tree masses and other significant natural features.

402.3.5.2 All existing buildings, sanitary sewer facilities, on-lot sewage disposal facilities, storm water facilities, water supply facilities, petroleum or petroleum product lines, cable television lines, telephone lines, electric transmission lines, and other significant man-made features.

402.3.5.3 All existing streets, access drives, alleys, driveways, parking facilities, pedestrian ways, railroads, street signs and traffic controls on or adjacent to the tract, including, where applicable, name, right-of-way width and cartway width.

402.3.5.4 All existing property lines, easements and rights-of-way, including the widths and purpose for which the easements or rights-of-way have been established.

402.3.6 Important natural habitats when located within the subject property. For the purpose of this paragraph, important natural habitats are defined areas plotted on the Pennsylvania Natural Diversity Inventory (PNDI) as confirmed extant plant and animal species and communities that are listed as Pennsylvania Threatened or Pennsylvania Endangered, or have a State Rank of S1 or S2.

402.3.7 Where the Preliminary Plan covers only a part of the landowner's entire holding, a sketch shall be submitted of the prospective street layout for the remainder of the landowner's holding.

#### 402.4 Proposed Features.

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

- 402.4.2 Approximate lot line dimensions and lot areas for all proposed lots. The description shall utilize the existing deed lines along existing street rights-of-way.
- 402.4.3 Lot numbers in consecutive order.
- 402.4.4 Location and width of all proposed streets, rights-of-way and easements; proposed minimum building setback lines, with distances from the property lines and street rights-of-way; playgrounds, public buildings, public areas and parcels of land to be dedicated or reserved for public use; proposed street names; proposed water courses and retention/detention basins; proposed phasing of land development; off-street parking, parking facilities; utilities; pedestrian-ways; street signs; traffic controls; and driveways.
- A typical example may be used to identify side and rear yard setbacks; however, odd or unusual-shaped lots shall be plotted with all setback lines.
- 402.4.5 A statement on the Plan indicating the proposed total number of lots, units of occupancy, density, minimum lot size, lot coverage, building coverage, type of sanitary sewage disposal, type of water supply, name of authority providing sanitary sewage disposal and water supply (if applicable), and proposed land use.
- 402.4.6 The location of each land use, if several types of uses are proposed.
- 402.4.7 Identification of buildings and other structures to be demolished. Additionally, the schedule for demolition shall be acknowledged on the Plan.
- 402.4.8 Cross-sections for each proposed street and for any existing street that will be improved as part of the proposed project. Cross-sections for each intersection that will be part of the proposed project. Each cross-section shall include the entire street right-of-way width. Cross-sections shall be provided for each fifty (50) foot station location.
- 402.4.9 Vertical and horizontal alignment on the same sheet for each proposed street and storm water management facility.
- All street profiles shall show at least the existing (natural) profile along the centerline, proposed grade at the centerline and the length of all proposed vertical curves for streets.
- 402.4.10 Plans for public sewage disposal system showing the location of the sanitary sewage collection system (and treatment facilities, if applicable), size of sanitary sewer lines with stations corresponding to the profile, profiles showing existing and proposed ground surfaces along the centerline of the sanitary sewer lines, grades between manholes, elevation of the flow line and

top of each manhole, design engineer's report, details and other information required by the Township and Authority. If applicable, provide a letter from the purveyor of the public sanitary sewage service approving the design of the proposed sanitary sewage collection system.

- 402.4.11 If on-site sewage disposal systems are proposed show soil types, location of soil probes and percolation test sites, suitable primary and replacement absorption bed areas on each lot with provisions for their protection and reservation and all other information required by the Sewage Enforcement Officer and DEP.
- 402.4.12 Plans for public water supply system, if applicable, showing the location and size of waterlines and appurtenances with stations corresponding to the profile, profiles showing existing and proposed ground surfaces along the centerline of the waterlines, details and other information required by the purveyor providing the water service and DEP. If applicable, provide a letter from the purveyor water service approving the design of the proposed water supply facilities. If individual wells are proposed for each lot, the Township may direct the Developer to prepare a hydrogeological study of the development site.
- 402.4.13 Proposed names for new streets, pavement marking and traffic control devices. The Township, Blair County Emergency Management (Blair County 911) and local U.S. Postal Office should be consulted.
- 402.4.14 Grading and drainage plan for all subdivision and land development plans. Grading shall identify all surface storm water conveyance and storage facilities.
- 402.4.15 If any proposed subdivision or land development is located within, or partially within, any identified floodplain area, the Developer shall provide the information listed under Section 304 of the Frankstown Township Floodplain Ordinance.
- 402.4.16 A statement on the Plan indicating any proposed modifications from the any of the provisions of this Ordinance and citing the reasons for same. This statement must be revised, upon action on the request, to acknowledge the outcome of the requested modification.
- 402.4.17 Identification of any lands to be dedicated or reserved for public, semi-public or community uses.
- 402.4.18 Block for signatures of the Supervisors of the Township, Township Secretary and date of approval.

402.5 Wind Turbine Generators.

If the application proposes the construction of a Wind Turbine Generator, the following information shall also be submitted to the Township:

- 402.5.1 A narrative describing the proposed Wind Turbine Generator, including an overview of the project; the project location; the generating capacity of the Wind Turbine Generator; the type and height of the Wind Turbine Generator, including its generating capacity, dimensions and manufacturer, and a description of ancillary facilities.
- 402.5.2 An affidavit or similar evidence of agreement between the property owner and the owner or operator of the Wind Turbine Generator demonstrating that the owner or operator has the permission of the property owner to apply for the necessary permits for construction and operation of the Wind Turbine Generator.
- 402.5.3 Name and address of the record owner(s) of the property upon which the proposed Wind Turbine Generator will be located and the name and address of record owner(s) of the property adjacent to where the Wind Turbine Generator will be located, including reference to tax map parcel number and deed book, volume and page of the current legal owner(s).
- 402.5.4. A plan showing the planned location of the Wind Turbine Generator, property lines, setback lines, access road locations, wetlands, known springs, streams, substation(s), electrical cabling from the Wind Turbine Generator to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines and layout of all structures within the geographical boundaries of any applicable setback.
- 402.5.5 Documentation that the Applicant has presented its proposed land development plans by certified mail, return receipt requested, to the following agencies for their comments and recommendations regarding the planned location of the proposed Wind Turbine Generator(s) and associated structures. The Applicant shall provide the Township with a copy of all correspondence received from these agencies. The Applicant shall be required to follow all recommendations and directives of these agencies and provide a letter of consistency from each agency. Should any agency fail to respond within ninety (90) days of the date of the return receipt of the Applicant's request for review of the proposed land development plans, this requirement will be satisfied as to the need to obtain a finding of consistency from that specific agency. Setback requirements or recommendations of the following agencies as they relate to Natural Resources and Historic Sites and Structures supersede the setback set forth in Exhibit "A" of the Wind Turbine Generator Ordinance if said setbacks are larger than the setbacks set forth in Exhibit "A" of the Wind Turbine Generator Ordinance. Where specific standards,

recommendations or requirements as to any of the Township's natural resources, including but not limited to, important bird areas, wetlands and Blair County Natural Heritage Sites, or Historic Sites and Structures are not obtained, this Ordinance and Development Agreement and Permit requirements shall be adhered to. Where different agencies differ in their standards, recommendations or requirements, the strictest standard, recommendation or requirement shall be followed by the Applicant.

- A. U.S. Fish and Wildlife Service  
Pennsylvania Field Office  
315 South Allen Street, Suite 322  
State College, PA 16801-4850
- B. Pennsylvania Historical and Museum Commission  
Bureau of Historical Preservation  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120-0093
- C. PA Department of Conservation and Natural Resources  
Bureau of Forestry Central Office  
6<sup>th</sup> Floor, Rachel Carson State Office Building  
P.O. Box 8552  
Harrisburg, PA 17105-8552
- D. Pennsylvania Game Commission  
2001 Elmerton Avenue  
Harrisburg, PA 17110-9797
- E. Pennsylvania Fish and Boat Commission  
1601 Elmerton Avenue  
P.O. Box 67000  
Harrisburg, PA 17106-7000

402.5.6 Documents related to decommissioning.

402.5.7 Any other relevant studies, reports, certifications and approvals as may be requested by the Township to ensure compliance with this Ordinance.

402.5.8 The Applicant shall identify all Commonwealth and Township roads to be used within the Township to transport equipment and parts for construction, operation or maintenance of the Wind Turbine Generator. The Township may require bonding of the Township roads by the Applicant/Owner in compliance with Commonwealth and Township regulations. Where different agencies differ in their standards, recommendations or requirements, the strictest standard, recommendation or requirement shall be followed by the Applicant.



402.6 Reports.

402.6.1 Sanitary Sewer. When required by Pennsylvania Sewage Facilities Act 537 of 1966, as amended and supplemented, a Planning Module for Land Development or Exemption shall be prepared by the Applicant in accordance with the rules and regulations of the DEP. The completed module or exemption shall accompany the Preliminary Plan submission.

402.6.2 Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, Applicants shall present evidence to the Township that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.

With the exception of Minor Subdivisions, if water is provided by means of private wells owned and maintained by the individual owners of lots within the subdivision or development, a hydrogeological report of the subdivision or development site prepared by a professional geologist, licensed by the Commonwealth of Pennsylvania, shall accompany the Preliminary Plan Submission. For Minor Subdivisions, the Township may direct the Applicant to prepare a hydrogeological study.

402.6.3 Storm Water Management Plan. Projects that include the installation of impervious or semi-impervious surfaces, diversion or piping of a watercourse; removal of ground cover, or excavation shall comply with the requirements of the Frankstown Township Stormwater Management Ordinance.

402.6.4 Traffic Impact Report. A traffic impact report shall be submitted for projects that generate greater than seven hundred fifty (750) vehicles per day. In addition to the above, the Board of Supervisors may require a traffic impact report when, in its opinion, the following conditions exist:

- A. Current traffic problems in the area (e.g., high accident location, confusing intersection, congested intersection), or
- B. The questionable capability of the existing road system to handle increased traffic.

The traffic impact report shall be prepared in accordance with PennDOT Publications 201 and 282; ITE's Recommended Practice "Traffic Access and Impact Studies for Site Development."

402.6.5 Wetland Study. When a wetland is identified on an inventory conducted by a State or Federal agency or the Township suspects the presence of a wetland, a Wetland Study shall be performed by a professional soil scientist, biologist, hydrologist, wetland ecologist or other person with demonstrated qualifications. The Township may require a second study, at the Applicant's expense, by another mutually-chosen professional of a "Jurisdictional Delineation" by the U.S. Army Corps of Engineers.

The Wetland Study shall identify the location of existing wetlands as determined by the standards of either the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, DEP, or the U.S. Soil Conservation Service.

All subdivision and land development plan shall identify by plan note the Wetland Study and location of all wetland areas.

402.6.6 National Pollutant Discharge Elimination System (NPDES) Permit for Stormwater Discharges Associated with Construction Activities (Erosion and Sedimentation Control Plan). All earthmoving activities shall be conducted in a way as to minimize accelerated erosion and resulting sedimentation. Measures to control erosion and sedimentation shall, at a minimum, meet the standards of the Blair County Conservation District and DEP. The NPDES permit application and supporting documentation shall be submitted to the Blair County Conservation District and DEP, if required, for their review and approval. The copy of the NPDES permit application package shall accompany the Preliminary Plan submission.

402.6.7 Highway Occupancy Permit. In cases where the subdivision or land development adjoins an existing or proposed Federal or Commonwealth highway or has proposed streets entering onto Commonwealth or Federal highways, the Developer shall submit the plans to PennDOT for review and approval. The copy of the Highway Occupancy Permit application package shall accompany the Preliminary Plan submission.

402.6.8 Additional Studies and Reports. The Township may require the Applicant to prepare studies and reports that address the proposal's coordination with the existing facilities necessary to service the development and Township according to the standards of this Ordinance, or to level the service that existed prior to the development.

#### 402.7 Certifications and Notifications.

402.7.1 Where the land included in the subject application has an electric, telecommunication or telephone transmission line, a gas pipeline, or a petroleum or petroleum products transmission line located within the property, the Preliminary Plan submission shall be accompanied by a copy of the right-

of-way agreement, or a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setbacks and/or right-of-way lines. This requirement may also be satisfied by submitting a copy of the recorded agreement.

402.7.2 The following “Statement of Accuracy” signed and sealed by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct shall be placed on the Plan:

“I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by the Frankstown Township Subdivision and Land Development Ordinance. The error of closure is not greater than one (1) foot in ten thousand (10,000) feet.

\_\_\_\_\_, 20\_\_\_\_ \* \_\_\_\_\_

\*Signature and seal of the registered Land Surveyor responsible for the preparation of the Plan.

402.7.3 A statement of acknowledgment in legal form on the Plan, executed by a Notary Public, stating that the Developer is the Owner or equitable Owner of the land proposed for subdivision or land development, and that the subdivision or land development as shown on the Preliminary Plan is the act and deed of the Owner or equitable Owner. A copy of the current deed for said land shall be provided with the Preliminary Plan.

402.7.4 When applicable, a statement on the Plan that a PennDOT Highway Occupancy Permit is required before approval of the Final Plan by the Board of Supervisors. Approval of the Preliminary Plan shall in no way imply that a PennDOT Highway Occupancy Permit can be acquired or that the Township will support, encourage or not oppose the granting of such permit. It is possible that access to the property from a Commonwealth or Federal Highway will not be permitted by the Commonwealth and the property; therefore, cannot be used for the intended purpose. Developers are accordingly warned and should govern themselves accordingly regarding acquiring Commonwealth permits before purchasing any premises. The Applicant shall include Township comments with the submission of a PennDOT Highway Occupancy Permit. Evidence of such submission is required with the Preliminary Plan submission.

402.7.5 A block on the cover sheet for signatures of the Board of Supervisors, Township Secretary and the date of approval.

### **Section 403. Final Plan.**

Final Plans shall be prepared by an engineer, land surveyor and/or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. Land surveyors shall prepare a plan of lots including metes and bounds for the property boundary and all proposed lot descriptions. Registered engineers with appropriate expertise shall prepare designs that entail engineering. The Final Plan shall show, be accompanied by, or be prepared in accordance with the following:

- 403.1        Drafting Standard. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.1.
  
- 403.2        Location and Identification. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.2.
  
- 403.3        Existing Features. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.3.
  
- 403.4        Proposed Features. In addition to the following data, the same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.4:
  - 403.4.1        Complete description of the centerline and right-of-way lines for all new and existing streets. This description shall include distances and bearings with curve segments comprised as radius, tangent, arc and chord. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
  
  - 403.4.2        Complete description of all lot lines, with accurate bearings and distances, and lot areas for all lots. Curve segments shall be comprised of arc, chord, bearing and distance. The description may utilize the existing deed lines or road centerlines along existing street rights-of-way. The description shall be prepared to the right-of-way lines along all proposed street rights-of-way. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
  
  - 403.4.3        A copy of any and all written easements, rights-of-way or deeds to be dedicated to the Township including, but not limited to, storm drainage easements, storm water management deeds and sanitary sewer easements with complete description of such easements, rights-of-way and deeds and with accurate bearings and distances.
  
  - 403.4.4        If any proposed subdivision or land development is located within, or partially within, any identified floodplain area, the minimum first floor (including basement) elevations for all lots located within, or partially within, the identified floodplain area shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania. Within, or partially

within, any FA (Floodway Area), the construction of new residential and new non-residential structures and uses shall not be permitted. Within, or partially within, any FF (Flood-Fringe Area or FA (General Floodplain Area), the lowest floor (including basement) of any new residential or non-residential structures shall be one and one-half (1-1/2) feet or more above the established one hundred (100) year flood elevation.

403.5 Wind Turbine Generators. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.5:

403.6 Reports. The same standards are required for a Final Plan as specified for a Preliminary Plan in Section 402.6. If the reports were submitted with the Preliminary and the contents are unchanged, they may be submitted by reference, as opposed to full text submission.

403.7 Certifications and Notifications. In addition to the following data, the same standards are required for a Final Plan, as specified for a Preliminary Plan in Section 402.7

403.7.1 A statement acknowledging Final Plan approval for signatures of the Board of Supervisors, Township Secretary and the date of approval. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

403.7.2 Notice from DEP that the Sewage Facilities Plan Revision or Exemption has been approved.

403.7.3 Copies of all written notices of approval and permits required by all applicable Federal and Commonwealth statutes and regulations and Frankstown Township ordinances.

403.7.4 A statement of acknowledgment in legal form, executed by a Notary Public, stating that the Developer is the Owner or equitable Owner of the land proposed for subdivision or land development, and that the subdivision or land development as shown on the Final Plan is the act and deed of the Owner or equitable Owner, that all those signing are all the owners of the property shown on the Final Plan, and that they desire the same to be recorded. This must be dated following the last change or revision to said Plan. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

403.7.5 A copy of the current deed for the land proposed for subdivision or land development.

403.7.6 An appropriate statement signed by Owner or equitable Owner of the subdivision and land development unequivocally indicating his intention to

dedicate for public use all streets, stormwater detention/retention basins, easements, rights-of-way and other public property so intended and designated. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

403.7.7 If on-site sewage disposal systems are proposed, the following statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

“Approval of the Plan by the Board of Supervisors of Frankstown Township does not guarantee that a sewer permit will or will not be issued for any lot of parcel. The Sewage Enforcement Officer must be contacted to any further tests, if necessary, or design review to determine if a sewage permit will be issued by the Sewage Enforcement Officer and/or DEP.”

403.7.8 Statement from the Authority approving the design of the proposed sanitary sewage collection system.

403.7.9 Statement from the purveyor of the public water supply service approving the design of the proposed public water supply system.

403.7.10 Copy of the executed “Development Agreement and Permit” for each Wind Turbine Generator to be constructed.

403.7.11 Copy of the Commonwealth Highway Occupancy Permit(s). Any conditions listed on the Permit(s) shall be noted on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

403.7.12 A statement signed by Owner or equitable Owner of the subdivision and land development acknowledging the storm water management system to be a permanent fixture which can be altered or removed only after approval of a revised plan by the Board of Supervisors. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

403.7.13 The following “Statement of Accuracy” signed and sealed by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct shall be placed on the Final Plan:

“I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by the Frankstown Township Subdivision and Land Development Ordinance. The error of closure is not greater than one (1) foot in ten thousand (10,000) feet.

\_\_\_\_\_, 20\_\_\_\_ \* \_\_\_\_\_

\*Signature and seal of the registered Land Surveyor responsible for the preparation of the Plan.

This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.

- 403.7.14 A statement signed and sealed by the Professional Engineer responsible for the preparation of the Final Plan certifying that the Final Plan meets all design standards and criteria of all applicable Federal and Commonwealth statutes and regulations and Frankstown Township ordinances. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.
- 403.7.15 Recorder of Deeds Certificate. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.
- 403.7.16 Certificate of Title executed by either an attorney licensed to practice law in the County of Blair, Pennsylvania, or a from a reputable title insurance company (to be decided at the discretion of the Township), indicating that the Landowner has good and marketable title to all of the real estate comprising the Subdivision or Land Development including, but not limited to, all rights-of-way and access to and from the Subdivision or Land Development and any and all storm water management system and sanitary sewage collection system easements. Furthermore, the Landowner or Developer shall certify to the Township that the legal description provided with the Certificate of Title is accurate in all respects and not subject to any reservations.
- 403.7.17 A copy of final deed restrictions or protective covenants.
- 403.7.18 A copy of the executed Declaration of Condominium.
- 403.7.19 Improvement Guarantees in accordance with Part 6 of this Ordinance.
- 403.7.20 Stormwater Management Maintenance Fund Deposit in accordance with Section 703 of the Frankstown Township Stormwater Management Ordinance.
- 403.7.21 Executed Developer's Agreement which sets forth the responsibilities of all parties regarding the installation and inspection of the required improvements.

#### **Section 404. Lot Merger (Side Lot Addition) Plan Standards.**

- 404.1 The sole purpose of the plan is to change the lot lines between two (2) adjacent lots of record.

- 404.2 Both the resulting remnant lot and expanded lot shall conform to the lot area, width (frontage) and yard regulations of the Township.
- 404.3 The plan shall show, be accompanied by, or be prepared in accordance with the following:
- 404.3.1 The plan shall be clearly and legibly drawn to a scale of twenty (20) feet or fifty (50) feet to the inch, except that if the average size of the proposed lots is two (2) acres or more, the plan may be drawn to a scale of one hundred (100) feet to the inch.
  - 404.3.2 Dimensions for the boundaries of the properties shall be in feet and decimals; bearings shall be in degrees, minutes and seconds. Lot line descriptions shall read in a clockwise direction. The description shall be based upon a field instrument survey and not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
  - 404.3.3 The sheet size shall be no smaller than eighteen inches by twenty-two inches (18" x 22"), and no larger than twenty-four inches by thirty-six inches (24" x 36"). If the plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet.
  - 404.3.4 Plans shall be legible in every detail to the satisfaction of the Township.
  - 404.3.5 All plan information shall be provided in an easy-to-read format.
  - 404.3.6 A location map, drawn to scale that clearly relates the property to a least two (2) intersections of existing road centerlines.
  - 404.3.7 North arrow, graphic scale and a written scale.
  - 404.3.8 Name(s) and addresses of the owner(s) of the lots.
  - 404.3.9 Source of title to the lots, as shown in the Office of the Recorder of Deeds for Blair County, Pennsylvania. Additionally, if the property is subject to an equitable owner, the name, address and reference to the equity agreement shall be included.
  - 404.3.10 The uniform parcel identifier number assigned to the lots by the Blair County Tax Assessment Office.
  - 404.3.11 Name and seal of the professional land surveyor responsible for the Plan.
  - 404.3.12 The file or project number assigned by the person or firm that prepared the plan, the date of plan preparation and the date(s) of all plan revisions.



- 404.3.13 Total acreage of each lot.
- 404.3.14 Names and addresses of owners of all adjoining properties, including the source of title of the properties, as shown in the office of the Blair County Recorder of Deeds
- 404.3.15 The following items shall be identified on the plan when located on the subject property: existing buildings, sanitary sewer facilities, on-site sewage disposal facilities, storm water facilities, water supply facilities, petroleum or petroleum product lines, cable television lines, telephone lines, electric transmission lines.
- 404.3.16 All existing easements and rights-of-way, including the widths and purpose for which the easements or rights-of-way have been established.
- 404.3.17 The following “Statement of Accuracy” signed and sealed by the individual responsible for the data to the effect that the survey, plan and/or other general data are correct shall be placed on the Plan:

“I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by the Frankstown Township Subdivision and Land Development Ordinance. The error of closure is not greater than one (1) foot in ten thousand (10,000) feet.

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\*Signature and seal of the registered Land Surveyor responsible for the preparation of the Plan.

- 404.3.18 Recorder of Deeds Certificate. This statement shall appear on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania.
- 404.4 A completed DEP “Request for Planning Waiver & Non-Building Declaration” shall be provided and the language required by said document shall be included on the plan. If on-site sewage disposal systems exist on the lots, said facilities for the remnant lot shall not be located within the side lot addition.
- 404.5 Deeds. Copies of the following deeds shall be provided for review by the Township Solicitor and Township Engineer.
  - 404.5.1 The current deed for each lot.
  - 404.5.2 The deed conveying the land acquired as a side lot addition.
  - 404.5.3 The deed merging the side lot addition land into the adjacent lot. This deed shall include one (1) encompassing description.

404.5.4 The deed describing the residual lot after the transfer of the side lot addition.

**Section 405. Revisions to Recorded Plan Standards.**

- 405.1 The sole purpose of the plan change is to correct an obvious error in previously-approved and recorded plan.
- 405.2 The number, location or configuration of lots, buildings or other aspects of the plan shall not change from the original understanding of the Board of Supervisors.
- 405.3 Design principles of this Ordinance shall be met.
- 405.4 A plan note shall identify, in detail, the specific revision and indicate that the plan supersedes the previously approved and recorded plan solely as it applies to the revision.

**Section 406. Minor Subdivision Standards.**

- 406.1 The subdivision shall not involve more than three (3) lots, plus the residual tract.
- 406.2 The subdivision shall not involve new public streets, paving, new or improved storm water management systems, new or improved sanitary sewage collection and disposal facilities (not laterals), except on-lot systems, and other public improvements and facilities and shall not be located within, or partially within, an identified floodplain area.
- 406.3 The subdivision shall conform to DEP sewage facilities planning requirements and the Township storm water management requirements.
- 406.4 The design principles of this Ordinance shall be met.
- 406.5 The plan shall show, be accompanied by, or be prepared in accordance with the requirements of Section 403 of this Ordinance, with the exception that the following items are not required.
  - 406.5.1 Unless required by DEP or the SEO, contours as required under Section 402.3.1. Contours may be based upon United States Geological Survey 7.5 Minute mapping.
  - 406.5.2 Information regarding proposed public streets as required under Section 402.4.1, Section 402.4.8 and Section 402.4.9.
  - 406.5.3 Information regarding proposed public sewage disposal systems as required under Section 402.4.10.

406.5.4 Information regarding proposed public water supply system as required under Section 402.4.12.

406.5.5 Improvements Guarantees (Section 403.7.19) and Developer's Agreement (Section 403.7.21).

## **Part 5**

### **General Design Principles**

#### **Section 501. Application.**

The following principles, standards and requirements will be applied by the Township for any proposed subdivision or land development. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare. Where literal compliance with the standards herein specified is clearly impractical, the Township may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of this Ordinance.

#### **Section 502. Land, Lots and Access Requirements.**

##### 502.1 Land.

502.1.1 Land shall be suited to the purposes for which it is to be subdivided or developed.

502.1.2 Land which is unsuitable for development because of hazards to life, safety, health, or property shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the Subdivision or Land Development Plan. Land included as having unsuitable characteristics would be the following:

502.1.2.1 Land subject to flooding or which has a high ground water table.

502.1.2.2 Land which, if developed, will create or aggravate a flooding condition upon other land.

502.1.2.3 Land containing significant areas of slopes greater than ten percent (10%).

502.1.2.4 Land which, because of topography or means of access, is considered hazardous by the Township.

502.1.3 Proposed subdivisions or land developments shall be coordinated with existing nearby neighborhoods so that the community as a whole may develop harmoniously.

502.1.4 Where the proposed subdivision or land development covers only a part of the landowner's entire holding, a sketch plan shall be submitted of the prospective street layout for the remainder of the landowner's holding that indicates the potential subdivision or land development is generally in conformance with the design standards.

502.1.5 Proposed land uses shall conform to the Frankstown Township Zoning Ordinance and other related ordinances.

502.2 Lots.

502.2.1 All lots shall have frontage upon a public street.

502.2.2 Side lot lines shall be at right angle or radial to street right-of-way lines, whenever practical.

502.2.3 Lots that front upon two (2) parallel streets, or upon two (2) streets that do not intersect, shall be avoided except where required to overcome specific topographic problems.

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

502.3 Flag Lots.

502.3.1 Flag lots shall be permitted for single family detached dwellings, and when it will enable the preservation of some important natural or cultural feature (including productive farmland), which would otherwise be disturbed by conventional lot development techniques.

502.3.2 One (1) single family detached dwelling and accessory buildings and uses customarily incidental to said dwelling shall be the only structures and uses permitted on a flag lot.

502.3.3 For the purposes of this subsection, a flag lot shall be described as containing two (2) parts: (1) The "flag" shall include the portion of the lot that is the location of the principal and accessory buildings. (2) The "flag pole" shall be considered that portion of the lot that is used for vehicular access between the site and its adjoining public street.

502.3.4 The flag shall meet the frontage, area, front yard, rear yard and side yard requirements as specified in this Ordinance for the district in which the lot is located. The area and frontage shall be measured exclusively upon the flag.

502.3.5 The frontage shall be measured along the lot line of the flag that is closest and most parallel to the public street providing vehicular access to the lot.

502.3.6 The flag lot shall contain adequate driveway dimensions for vehicular backup (turnaround) so that ingress to and egress from the lot is in a forward direction.

502.3.7 The flag pole shall meet the following requirements:

502.3.7.1 The flag pole shall be at least thirty (30) feet in width along the public street and shall extend back therefrom a minimum of thirty (30) feet in width from the public street to the flag.

502.3.7.2 The flag pole shall not exceed six hundred (600) feet in length, unless additional length is needed to avoid the disturbance of productive farmlands or some other significant natural or cultural feature.

502.3.7.3 The flag pole shall be used solely and exclusively for ingress, egress and regress from the flag.

502.3.7.4 No part of the flag pole shall be used for any portion of an on-lot sewage disposal system, or any other improvement except a driveway or other permitted improvements, such as landscaping, fencing, utility connections to off-site facilities, mailboxes and signs.

502.3.7.5 The edge of the driveway contained on the flag pole shall be located at least six (6) feet from any adjoining property line and twenty (20) feet from any existing structures on the property or any adjoining property.

502.3.7.6 No flag pole shall be located within two hundred (200) feet of another flag pole on the same side of the street.

#### 502.4 Area and Width Regulations.

##### 502.4.1 “R” Residential Zoning District.

502.4.1.1 Each interior lot or through lot or flag lot not served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred (100) feet and said lot shall be a minimum of one hundred (100) feet in width from the public street right-of-way line to the rear property line of the lot. Said lots shall have an area not less than twenty thousand (20,000) square feet.

502.4.1.2 Each interior lot or through lot or flag lot served by a public sanitary sewer system approved by DEP shall have a frontage of at least seventy-five (75) feet and said lot shall be a minimum of seventy-five (75) feet in width from the public street right-of-way line to the rear property line of the lot. Said lots shall have an area not less than ten thousand (10,000) square feet.

502.4.1.3 Each corner lot not served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred thirty-five (135) feet and said lot shall be a minimum of one hundred thirty (135) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than twenty thousand (20,000) square feet.

502.4.1.4 Each corner lot served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred ten (110) feet and said lot shall be a minimum of one hundred ten (110) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than ten thousand (10,000) square feet.

502.4.2 “R-1” Diverse Residential Zoning District.

502.4.2.1 Single Family Detached Dwelling.

502.4.2.1.1 Each interior lot or through lot or flag lot not served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred (100) feet and said lot shall be a minimum of one hundred (100) feet in width from the public street right-of-way line, or the front property in the case of a flag lot, to the rear property line of the lot. Said lots shall have an area not less than twenty thousand (20,000) square feet.

502.4.2.1.2 Each interior or through lot or flag lot served by a public sanitary sewer system approved by DEP shall have a frontage of at least seventy-five (75) feet and said lot shall be a minimum of seventy-five (75) feet in width from the public street right-of-way line, or the front property line in the case of a flag lot, to the rear property line of the lot. Said lots shall have an area not less than ten thousand (10,000) square feet.

502.4.2.1.3 Each corner lot not served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred thirty-five (135) feet and said lot shall be a minimum of one hundred thirty-five (135) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than twenty thousand (20,000) square feet.

502.4.2.1.4 Each corner lot served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred ten (110) feet and said lot shall be a minimum of one hundred ten (110) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than ten thousand (10,000) square feet.

502.4.2.2 Single Family Semi-Detached Dwelling (Double Home) and Two-Family Detached Dwelling (Duplex).

502.4.2.2.1 Each interior or through lot not served by a public sanitary sewer system approved by DEP shall have a frontage of at least one hundred fifty (150) feet and said lot shall be a minimum of one hundred fifty (150) feet in width from the public street right-of-way line to the rear property line of the lot. Said lots shall have an area not less than thirty thousand (30,000) square feet.

502.4.2.2.2 Each interior or through lot served by a public sanitary sewer system approved by the DEP shall have a frontage of at least one hundred (100) feet and said lot shall be a minimum of one hundred (100) feet in width from the public street right-of-way line to the rear property line of the lot. Said lots shall have an area not less than fifteen thousand (15,000) square feet.

502.4.2.2.3 Each corner lot not served by a public sanitary sewer system approved by the DEP shall have a frontage of at least one hundred seventy-five (175) feet and said lot shall be a minimum of one hundred seventy-five (175) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than thirty thousand (30,000) square feet.

502.4.2.2.4 Each corner lot served by a public sanitary sewer system approved by the DEP shall have a frontage of at least one hundred twenty-five (125) feet and said lot shall be a minimum of one hundred twenty-five (125) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than fifteen thousand (15,000) square feet.

502.4.2.3 Single Family Attached Dwellings (Row or Town House). Of this type dwelling, no more than eight (8) single family units per acre shall be constructed. In addition thereto, no such construction shall be allowed unless served by a public sanitary sewer system.

502.4.2.4 Two Family Semi-Detached Dwelling (Double Duplex).

502.4.2.4.1 No such construction shall be allowed unless served by a public sanitary sewer system.

502.4.2.4.2 Each interior or through lot shall have a frontage of at least one hundred fifty (150) feet and said lot shall be a minimum of one hundred fifty (150) feet in width from the public street right-of-way line to the rear property line of the lot. Said lots shall have an area not less than thirty thousand (30,000) square feet.

- 502.4.2.4.3 Each corner lot shall have a frontage of at least one hundred seventy-five (175) feet and said lot shall be a minimum of one hundred seventy-five (175) feet in width from the public street right-of-way to the rear property line of the lot. Said lots shall have an area not less than thirty thousand (30,000) square feet.
- 502.4.2.5 Multi-Family Dwellings. All multi-family dwellings must be served by a public sanitary sewer system and shall be limited to fifteen (15) dwelling units per acre. In computation of the units per acre, the entire tract may be considered; however, if it is, then in no event may it later be subdivided.
- 502.4.3 “M-F” Manufacturing-Farming Zoning District. Area and width regulations for the “M-F” Manufacturing-Farming District shall conform to the area and width regulations for the “R” Residential District and the “R-1” Diverse Residential District.
- 502.5 Access.
- 502.5.1 There shall be at least two (2) accesses for ingress, egress and regress from and to the land to be developed or subdivided to existing public streets, except where all lots abut a public street.
- 502.5.2 Private streets (streets not to be offered for dedication) will not be approved for access to the land to be subdivided. Private streets will be approved only in a land development project not requiring subdivision if they meet the design standards in this Ordinance.

### **Section 503. Street System.**

- 503.1 Coordination.
- 503.1.1 Proposed streets shall be coordinated with existing or proposed streets in adjoining subdivisions or land developments.
- 503.1.2 Proposed streets shall further conform to such Township, County and State road and highway plans as have been prepared, adopted or filed as prescribed by law.
- 503.1.3 Streets shall be related to the topography so as to produce acceptable grades.
- 503.2 Access to Adjacent Land. Access shall be given to all lots and portions of the tract in the subdivision or land development and to adjacent parcels of land unless the topography clearly indicates that such connection is not feasible. Streets giving such access shall be improved to the limits of the subdivision or land development and shall be improved to the Township specifications. In addition,



the street rights-of-way for said accesses to adjacent parcels of land shall be dedicated to the Township.

503.3 Dead-end Streets. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, in which case such streets shall be designed with adequate cul-de-sacs.

503.4 Uniform Width. All streets shall have a uniform width throughout their respective lengths.

## **Section 504. Street Design.**

504.1 Street Right-of-Way and Width.

504.1.1 Every street right-of-way shall be at least fifty (50) feet in width and shall contain a constructed roadway of at least twenty (20) feet in width, excluding shoulders, ten (10) feet on each side of the roadway centerline. The cross slope of the roadway shall be two percent (2%) in tangent sections and six percent (6%) in super-elevated sections. All street rights-of-way shall be subject to the cul-de-sac provision as set forth in Section 504.10 of this Ordinance where said street dead-ends.

504.1.2 Each roadway shall have tapered shoulders on both sides, each being at least seven (7) feet in width. The cross slope of the shoulders shall be three percent (3%).

504.1.3 The entire street right-of-way shall be cleared. Each roadway and shoulder shall be cut out and graded to the above dimensions and shall be constructed as specified under Section 504.4, Section 504.5 and Section 504.7 of this Ordinance.

504.1.4 Street Side Slope. All areas within the street right-of-way shall be graded substantially consistent with the street centerline. The maximum slopes of banks outside located outside of the street right-of-way, measured perpendicular to the right-of-way of the street, shall not exceed three to one (3:1) for fills and cuts. The Board of Supervisors may accept steeper slopes to avoid disruption of significant natural features, provided adequate safety and maintenance issues are addressed. Guide rail protection shall be required along embankments when a barrier is indicated as warranted in the latest edition of Design Manual Part 2, PennDOT. Guide rail shall be constructed according to PennDOT standards.

504.2 Grades. The maximum street grade shall be ten percent (10%). The minimum street grade shall be seven-five percent (0.75%).

- 504.3        Drainage Systems. All roadways shall have adequate drainage systems. The drainage systems shall be designed in accordance with the specifications set forth in the Frankstown Township Stormwater Management Ordinance. All piping used within the Township right-of-way shall have a minimum inside diameter (I.D.) of fifteen (15) inches, unless the Township approves a smaller diameter. Pipe shall be reinforced cement concrete pipe or corrugated high density polyethylene pipe (N-12) with an annular corrugated exterior wall and a smooth inner wall and shall be approved by the Township. Larger diameter pipe may be required by the Township. Rock lining shall conform to the specifications set forth in the Frankstown Township Stormwater Management Ordinance.
- 504.4        Subbase. All roadway subbases shall have a minimum thickness of twelve (12) inches, after proper compaction. At a minimum, all roadway subbases shall be constructed by the Developer utilizing a mixture of four hundred fifty (450) pounds of PennDOT Select Granular Material (2RC), refer to PennDOT Publication 408, Section 703.3 and nine hundred (900) pounds of American Association of State Highway and Transportation Officials (AASHTO) No. 1 coarse aggregate, refer to PennDOT Publication 408, Section 703.2, per square yard of roadway. Said construction shall be completed under the supervision and direction of the Township. The Developer shall comply with all reasonable directions of the Township relative to the construction thereof.
- 504.5        Shoulders. All roadway shoulders shall, at a minimum, be constructed by the Developer utilizing two hundred sixty (260) pounds, per side, of PennDOT Select Granular Material (2RC), refer to PennDOT Publication 408, Section 703.3, per square yard of shoulder. Said construction shall be completed under the supervision and direction of the Township. The Developer shall comply with all reasonable directions of the Township relative to the construction thereof.
- 504.6        Curbs.
- 504.6.1        Curbs and associated inlets and storm sewers are not required along streets. The use of curbs must be approved by the Board of Supervisors. If the Developer desires to install curbs with inlets and a storm sewer system, he must request same with his Sketch Plan submission. The Board of Supervisors will approve or disapprove the use of curbs based upon its review of the Sketch Plan.
- 504.6.2        Curbs shall be constructed in accordance with PennDOT Publication 408 Specifications, PennDOT Publication 72 Standard Drawings or other construction specifications and details approved by the Board of Supervisors.
- 504.6.3        Curbs shall conform to the latest edition of the Americans With Disabilities Act Accessibility Guidelines.

- 504.6.4 If curbs and associated inlets and storm sewers are installed, the base course and wearing course specified herein shall be constructed by the Developer. The Developer shall also install the four (4) inch double yellow centerline pavement markings and the two (2) four (4) inch single white edge of payment pavement markings. The pavement markings shall meet PennDOT specifications. Said construction shall be completed under the supervision and direction of the Township. The Developer shall comply with all reasonable directions of the Township relative to the construction thereof.
- 504.7 Bituminous Base Course and Wearing Course. Except as specified under Section 504.6.4 of this Ordinance, upon approval of the Final Plan by the Board of Supervisors, the Developer shall provide sufficient cash to the Township as shall be necessary to fully reimburse the Township for the cost of placing bituminous pavement on the roadways within the Subdivision comprised of a base course of three hundred forty (340) pounds per square yard of PennDOT Bituminous Concrete Base Course (25.0 mm Superpave), refer to PennDOT Publication 408, Section 305, and a wearing course one hundred eighty (180) pounds per square yard of PennDOT Bituminous Wearing Course ID-2 (9.5 mm Superpave), refer to PennDOT Publication 408, Section 420.
- 504.8 Utility Lines and Service Connections. The installation of all underground utility lines and service connections shall be completed prior to the installation of the bituminous concrete base course, curbs and bituminous wearing course.
- 504.9 Materials. The source of all materials for construction of the roadways shall be approved by the Township before delivery is started.
- 504.10 Cul-de-Sacs. Cul-de-sacs shall be constructed at the terminus point of roadways. Cul-de-sacs shall be constructed as follows:
- 504.10.1 The right-of-way radius shall be at least fifty (50) feet.
  - 504.10.2 The outside edge of the cartway shall be forty (40) feet.
  - 504.10.3 The minimum grade across the cul-de-sac shall be one (1%) percent. The maximum grade across the cul-de-sac shall be five (5%) percent.
  - 504.10.4 The entire cul-de-sac, including the center, shall be constructed as specified under Sections 504.5, 504.6 and 504.7.
  - 504.10.5 Cul-de-sac streets shall not exceed three hundred (300) feet in length measured from the centerline of the intersecting street to the center point of said cul-de-sac.
  - 504.10.6 A snow drop-off area shall be provided at the terminus of the turnaround area. The snow drop-off area shall be twenty-eight (28) feet wide and twenty (20) feet deep from the edge of the pavement or curb. The snow drop-off area

shall be centered on the centerline of the street as the street approaches the turnaround area. The snow drop-off area shall be free of utility terminal boxes, mailboxes and other facilities that may hamper snow storage or may require accessibility during snow periods.

- 504.11 Intersections. The following standards apply to all roadway intersections:
- 504.11.1 Roadways shall intersect as nearly as possible at right angles. No roadway shall intersect another at an angle less than seventy-five (75) degrees or more than one hundred five (105) degrees.
  - 504.11.2 No more than two (2) roadways shall intersect at the same point.
  - 504.11.3 Roadways intersecting another roadway shall intersect directly opposite each other.
  - 504.11.4 The cartway edge at intersections shall be rounded by a tangential arc for the largest vehicle anticipated to use the intersection unless PennDOT requires a larger radius. The minimum radii shall conform to the latest edition of the *AASHTO Design Manual, Exhibit 9-20, Edge of Traveled Way of Turns at Intersections.*
  - 504.11.5 Street right-of-way lines shall be parallel to (concentric with) cartway arcs at intersections.
  - 504.11.6 Sight Distance. Minimum sight distance shall be provided at all street intersections in accordance with Pennsylvania Code, Title 67, Section 441.8(h)(2)(iv) and PennDOT Publication 282, as amended and supplemented.
  - 504.11.7 Leveling Areas: Leveling areas shall be provided at all street intersections having not greater than three percent (3%) grades for a distance of fifty (50) feet measured from the nearest right-of-way line of the intersecting streets.
  - 504.11.8 The distance between the centerline intersections of streets shall be measured along the centerline of the street being intersected and shall not exceed one hundred fifty (150) feet.
  - 504.11.9 All intersections with a State Route shall be subject to the approval of PennDOT. The Applicant shall include Township comments with the submission of the PennDOT Highway Occupancy Permit. Evidence of such submission is required with the Preliminary Plan submission.
  - 504.11.10 Sight Triangle: On corner lots, there shall be provided and maintained a clear sight triangle of at least one hundred (100) feet, as measured along the centerline from the intersecting roads. No structure, planting, excavation, nor

other visual obstruction shall be permitted above the height of thirty (30) inches and below a height of ten (10) feet. All such clear sight triangles shall be depicted upon proposed subdivision and land development plans. A public right-of-way shall be reserved for removing any visual obstruction within the clear sight triangle.

504.12 Testing.

504.12.1 Subgrade. Prior to approval of the subdivision or land development Final Plan, the Township may direct the Developer to complete core borings, inspection pits and/or other excavations along the proposed roadway centerlines to determine the condition of the subgrade material. If the Township Engineer determines that the existing subgrade material will not support the construction of the proposed roadway, the plans shall include provisions for mitigating the unsuitable subgrade conditions.

504.12.2 Compaction. During construction of the roadways, the Township may direct the Developer to employ an independent testing laboratory, approved by the Township Engineer, to conduct soil and soil compaction tests on the roadway subgrade. Said laboratory shall present a certification to the Township that states that the fill in every portion and depth of the roadway subgrade tested has been constructed in accordance with PennDOT Publication 408 Specifications, Section 210.3, as amended and supplemented to date.

504.12.3 Non-movement Test. Prior to final approval of the roadway subgrade, the Developer shall perform, in the presence of the Township Inspector and/or Township Engineer, a subgrade non-movement test by subjecting the entire roadway subgrade to the load of a tri-axle truck carrying at least a twenty (20) ton load. The Township Inspector and/or Township Engineer shall determine the suitability of the subgrade based upon results of this test. The Developer shall comply with all reasonable directions of the Township Inspector and/or Township Engineer relative to the reconstruction of any portion of the roadway subgrade that fails this non-movement test. The subgrade shall be approved by the Township prior to placement of the roadway bituminous base course.

504.13 Signs. Traffic control and roadway identification signs shall be constructed and lettered in accordance with Township and PennDOT standards. Signs shall be placed at all locations as directed by the Township. Signs shall be paid for by the Developer and installed by the Township.

504.14 Street Names. Names of all streets shall be subject to approval by the Township and Blair County Emergency Management (Blair County 911) and local U.S. Postal Office.

## **Section 505. Stormwater Drainage.**

All of the requirements of the Frankstown Township Stormwater Management Ordinance, Ordinance, as amended and supplemented from time to time, are incorporated herein by reference and shall be complied with where applicable. The stormwater management plan for all subdivisions and land developments shall be prepared in accordance with the requirements and standards as set forth in said Ordinance.

## **Section 506. Lot Grading for Subdivisions and Land Developments.**

506.1 General. Blocks and lots shall be graded to provide proper drainage away from buildings and to prevent the collection of storm water in pools. Minimum two percent (2%) slopes away from structures shall be required.

506.2 Lot Grading. Lot grading shall be of such design as to carry surface waters to nearest practical street, storm drain, or natural watercourse. Where drainage swales are used to deliver surface waters away from buildings, their grade shall not be less than one percent (1%) or more than four percent (4%). The swales shall be sodded, planted or lined in accordance with the latest edition of the DEP's Erosion and Sediment Pollution Control Manual or as required by the Township. A "Grading and Drainage Plan" for individual lots indicating the buildable area within each lot, complying with the setback requirements, for which positive drainage is assured shall be provided and approved by the Township prior to the issuance of a building permit for such lot. The "Grading and Drainage Plan" must document that stormwater drainage from the lot will not adversely impact adjoining properties and will not create any hazards to persons or cause any damage to other lots, properties or infrastructure.

506.3 Maximum Slopes. No final grading shall be permitted which creates any exposed surface, cut face or fill, steeper in slope than three (3) horizontal to one (1) vertical unless the Developer provides a retaining wall designed in accordance to sound engineering standards for which plans are submitted to the Township Engineer for review and acceptance. This slope requirement may be modified based upon a detailed engineering study completed by a licensed professional engineer of the Commonwealth of Pennsylvania with specific expertise in geotechnical engineering and slope stability, on behalf of the Developer, which demonstrates that modification of this slope requirement is justified and states that the deviation from this slope requirement will not result in injury to persons or damage to property, and said study is reviewed and approved by the Township Engineer.

506.4 Fills. All fills shall be located so that settlement, sliding or erosion will not result in injury to persons or damage to property or be hazardous to adjoining property, roadways or buildings.

506.5 Clean-Up. All lots must be kept free of any debris or nuisances whatsoever.

506.6 Slope Edges. The top and bottom edges of slopes shall be a minimum of three (3) feet from property lines or right-of-way lines of roadways in order to permit normal rounding of the edge without encroaching upon abutting property or roadways.

**Section 507. Erosion and Sediment Control.**

507.1 General Purpose.

507.1.1 The Township finds that the minimization of erosion and control of sedimentation in connection with land developments and subdivisions are in the public interest, affecting public health, safety and welfare, and therefore those regulations governing erosion control and sedimentation control are necessary for the Township.

507.1.2 No changes shall be made in the contour of the land, no grading, excavating, removal or destruction to the topsoil, trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed with, reviewed and approved by the Township Engineer, by the Blair County Conservation District and, if applicable, by DEP, or there has been a determination by the above entities that such plans are not necessary.

507.1.3 No subdivision or land development plan shall be approved unless: (1) there has been an Erosion and Sedimentation Control Plan approved by the Township that provides for minimizing erosion and sedimentation consistent with this Section, and an improvement bond or other acceptable securities are deposited with The Township, in the form of an escrow guarantee which will ensure installation and completion of the required improvements; or (2) there has been a determination by the Township that a plan for minimizing erosion and sedimentation is not necessary.

507.1.4 All earthmoving activities shall be conducted in such a manner as to minimize accelerated erosion and resulting sedimentation. Measures used to control erosion and reduce sedimentation shall, as a minimum, meet the standards and specifications of the Blair County Conservation District and Chapter 102 (Erosion Control) of Title 25, Rules and Regulations of the Pennsylvania Department of Environmental Protection and Pennsylvania Stormwater Best Management Practices Manual, as amended and supplemented from time to time. The Township Engineer, or other officials as designated, shall ensure compliance with the appropriate specifications, copies of which are available from the Blair County Conservation District and DEP.

507.2 Performance Principles. The following measures are effective in minimizing erosion and sedimentation and shall be included where applicable in the control plan:

- 507.2.1 Stripping of vegetation, grading or other soil disturbance shall be done in such a manner that will minimize soil erosion.
- 507.2.2 Development plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
- 507.2.3 Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
- 507.2.4 The disturbed area and the duration of exposure shall be kept to a practical minimum.
- 507.2.5 Disturbed soils shall be stabilized as quickly as practicable.
- 507.2.6 Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
- 507.2.7 The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.
- 507.2.8 Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditioning during and after development. Where necessary, the rate of surface water runoff shall be structurally retarded.
- 507.2.9 Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.

507.3 Grading for Erosion and Other Environmental Controls. In order to provide suitable sites for building and other uses, improve surface drainage, and control erosion, the following requirements shall be met:

- 507.3.1 Streets shall be improved to a mud-free or otherwise permanently passable condition as one of the first items of work done on a subdivision or land development.
- 507.3.2 Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills by installation of temporary or permanent drainage across or above these areas.



- 507.3.3. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- 507.3.4 Fills placed adjacent to watercourses shall have suitable protection against erosion during periods of flooding.
- 507.3.5 During grading operations, necessary measures for dust control shall be exercised.

507.4 Responsibility.

- 507.4.1 Whenever sedimentation damage is caused by stripping vegetation, grading or other development, it shall be the collective responsibility of the Developer and of the contractor, person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his/her expense as quickly as possible.
- 507.4.2 Maintenance of all erosion and sedimentation control facilities during the construction and development period is the responsibility of the Developer.
- 507.4.3 It is the responsibility of any Developer and any person, corporation, or other entity doing any act on or across a communal stream, watercourse or swale, or upon the floodplain or right-of-way, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain or right-of-way during the completion of the activity and to return it to its original or equal condition after such activity is completed.
- 507.4.4 The Developer shall provide and install, at his expense, in accordance with the Township, the Blair County Conservation District and DEP requirements, all drainage and erosion control improvements (temporary and permanent) shown on the approved Erosion and Sedimentation Control Plan.

507.5 Compliance with Regulations and Procedures.

- 507.5.2 The Township in its consideration of all Preliminary Plans for a subdivision and land development shall condition its approval upon the execution of erosion and sediment control measures as herein described.
- 507.5.1 The installation and design of the required erosion and sediment control measures shall, at a minimum, be in accordance with standards and specifications of the Township, the Blair County Conservation District and DEP.

## **Section 508. Floodplain Area Ordinances and Regulations.**

All of the requirements of the Frankstown Township Floodplain Ordinance, as amended and supplemented from time to time, are incorporated herein by reference and shall be complied with where applicable.

## **Section 509. Easements.**

Easements for public or private utilities (e.g., sanitary sewer, water supply, storm water management facilities, telephone, electric, television cable, natural gas) shall meet the following standards;

- 509.1           Where practicable, easements shall be parallel with and conjunctive to property lines.
- 509.2           Easement agreements shall stipulate that no trees, scrubs, structures, excavations or fills shall be placed and no regrading be performed within the area of the easement without written approval of the Township.
- 509.3           The Plan notes and easement agreement shall clearly identify who has the right of access and responsibility for function of the easement area.
- 509.4           Within a subdivision or land development, each lot which abuts another lot shall have a utility and drainage easement having a minimum width of ten (10) feet around all sides of the lot not fronting on a public street, said easement being for the purpose of installing and maintaining utilities and to provide for surface or sub-surface drainage systems. Lots not abutting another lot having a like utility and drainage easement on the abutting line, shall have a utility and drainage easement having a minimum width of twenty (20) feet on the side of the lot which has no abutting a utility easement. The Township Supervisors may require wider easements as circumstances warrant.
- 509.5           When stormwater conveyance pipes, channels and swales are located in undedicated land, they shall be placed within utility and drainage easements specifying rights of entry, not less than twenty (20) feet wide as approved by the Township Supervisors, who may require wider easements as circumstances warrant.
- 509.6           Where a watercourse, drainage way, channel, stream or spring seep traverse a subdivision or land development site, such watercourse, drainage way, channel, stream or spring seep shall not be moved or diverted. A utility and drainage easement shall be provided paralleling the line of such watercourse, drainage way, channel, stream or spring seep. The width of the utility and drainage easement shall be adequate to preserve the unimpeded flow of the natural discharge in the one hundred (100) year floodplain, in accordance with the computed width of the

floodplain. The terms of the easements shall provide for maintenance of the easement, including mowing of vegetation within the easement.

- 509.7 Sanitary sewer easements shall have a minimum width of twenty (20) feet, being ten (10) feet on each side of the centerline of the as-built sanitary sewer. The Township Supervisors or the Authority may require wider easement as circumstances warrant.
- 509.8 In the case of a shared utility easement, sufficient area shall be provided to allow a minimum of ten (10) feet between the centerline of the utility and the edge of the right-of-way.
- 509.9 Where any existing electric or telephone transmission or petroleum product transmission line traverses a property to be subdivided or developed, the Applicant shall determine from the applicable company the minimum distance required between each structure and the centerline of the transmission line. All applications shall include a copy of the recorded agreement or a letter from the owner of the transmission line stating the conditions on the use of the property and the right-of-way width.
- 509.10 All easement agreements shall be recorded with a reference to the easement indicated on the Plan to be recorded in the Office of the Recorder of Deeds for Blair County, Pennsylvania. The format and content of the easement agreement shall be reviewed by the Township Supervisors, Township Solicitor and Township Engineer and approved by the Township Supervisors.

## **Section 510. Utilities.**

- 510.1 Telephone, electric, television cable and such other utilities shall be installed underground and shall be provided within the street rights-of-way or easements to be dedicated for such utilities, and in accordance with plans approved by the Township and the applicable utility company. Underground installation of the utility distribution and service lines shall be completed prior to the placement of the aggregate subbase material for the streets specified under Section 504.4 of this Ordinance. All such utilities shall have at least four (4) feet of cover.
- 510.2 Except for service connections, utilities shall not be placed under the cartway or roadway.
- 510.3 Sanitary sewer system manholes shall not be placed within the cartway. All of the requirements of the “Frankstown Township Rules and Regulations Governing the Sanitary Sewage Collection System in All Districts of Frankstown Township”, as amended and supplemented, are incorporated herein by reference and shall be complied with where applicable.
- 510.4 All utility lines crossing the cartway and/or shoulder, or installed within the roadway shoulder shall be completed backfilled with properly compacted

PennDOT No. 2B coarse aggregate. It is further understood that a highway occupancy permit must be obtained from the Township before entering any Township street right-of-way.

510.5 Off-site utility extensions within Township roadway right-of-way shall be installed as follows:

510.5.1 Saw cut the existing pavement structure to the bottom of the base course to a neat straight line.

510.5.2 Completely backfill the utility trenches with properly compacted PennDOT No. 2B coarse aggregate.

510.5.3 Back-cut or over-cut the utility trench a minimum of one (1) foot on each side of trench.

510.5.4 Install the new pavement structure in accordance with the standards set forth in Part 5, Section 504 of this Ordinance.

510.5.5 Pour hot bitumastic joint sealant on all pavement joints in accordance with PennDOT Publication 408 Specifications, Section 469.

510.6 Sanitary Sewage Disposal. The Township shall determine, at its sole discretion, the method of sanitary sewage disposal in a subdivision or land development.

510.6.1 Public Sanitary Sewerage System. Where an existing public sanitary sewerage system is within one thousand (1,000) feet, or a reasonable distance, of the proposed subdivision or land development, and the capacity exists to serve the proposed subdivision or land development, the Developer shall provide the subdivision or land development with a complete sanitary sewer system to be connected to the existing public sanitary sewerage system. A professional engineer licensed by the Commonwealth of Pennsylvania shall design the sanitary sewage collection system. The design and construction of the sanitary sewage collection system shall conform to all of the requirements of the “Frankstown Township Rules and Regulations Governing the Sanitary Sewage Collection System in All Districts of Frankstown Township”, as amended and supplemented, which is incorporated herein by reference. The Developer shall provide to the Township all required permits from DEP for the proposed sanitary sewage collection system. The above is subject to the Developer being able to secure suitable rights-of-way.

510.6.2 Individual On-Site Sewage System. Where it is determined by the Township that a subdivision or land development may rely upon on-site sewage systems for sanitary sewage disposal, the on-site system(s) shall comply with the rules and regulations of DEP and the requirements of the Township’s SEO. The

Developer shall provide to the Township all required permits from DEP and the SEO for the proposed individual on-site sewage disposal system.

510.7 Water Supply Systems.

510.7.1 Public Water Supply System. Where an existing public water supply system is within one thousand (1,000) feet, or a reasonable distance, of the proposed subdivision or land development and the capacity exists to serve the proposed subdivision or land development, the Developer shall provide a complete water supply system to be connected to the existing public water supply system. A professional engineer licensed by the Commonwealth of Pennsylvania shall design the water supply system. The design and construction of the water supply system shall conform to the specifications of the owner of the existing public water supply system and/or DEP. The Developer shall provide to the Township copies all required permits from DEP for the proposed water supply system. The above is subject to the Developer being able to secure suitable rights-of-way.

510.7.2 Private Water Supply System. If water is to be provided by a privately owned and operated water supply system, the water supply system shall comply with the rules and regulations of DEP and, if applicable, the Pennsylvania Public Utility Commission. A professional engineer licensed by the Commonwealth of Pennsylvania shall design the water supply system. The Developer shall provide to the Township copies of all required permits for the proposed private water supply system.

510.7.3 Individual Wells. With the exception of Minor Subdivisions, if water is provided by means of private wells owned and maintained by the individual owners of lots within the subdivision or development, a hydrogeological report of the subdivision or development site prepared by a professional geologist, licensed by the Commonwealth of Pennsylvania, shall accompany the Preliminary Plan Submission. For Minor Subdivisions, the Township may direct the Applicant to prepare a hydrogeological study.

If individual wells are proposed for the water supply for each lot, the following minimum specifications shall be used for construction of all wells:

510.7.3.1 Wells shall be constructed with a grouted well casing. The well casing shall be installed in a rock socket that allows the grout curbing to have a thickness of at least one and one-half (1-1/2) inches, i.e., a six (6) inch diameter well casing shall be installed in a ten (10) inch nominal diameter borehole.

510.7.3.2 The grout shall be placed with a grout pump and a Tremic pipe system.

510.7.3.3 Well casings shall be installed to a minimum depth of forty (40) feet.

- 510.7.3.4 The land surface surrounding the well site shall be graded so that surface water runs away from the wellhead in all directions.
- 510.7.3.5 A minimum isolation distance of fifty (50) feet shall be maintained between the wellhead and the following features:
  - 510.7.3.5.1 Storm water detention/retention basins.
  - 510.7.3.5.2 Roof drain sumps and other storm water infiltration systems.
  - 510.7.3.5.3 Sanitary and storm sewers.
  - 510.7.3.5.4 Natural watercourses and springs.
  - 510.7.3.5.5 Above and below ground heating oil tanks.
- 510.7.3.6 The following minimum isolation distance shall be maintained between the wellhead and following features:
  - 510.7.3.6.1 Property lines - ten (10) feet.
  - 510.7.3.6.2 Driveways - ten (10) feet.
  - 510.7.3.6.3 Principal structures/dwellings - twenty (20) feet.

**Section 511. Monuments and Markers.**

- 511.1 Prior to the release of the financial guarantee for completion of improvements as required by Part 6 of this Ordinance, the Developer shall place permanent monumentation in accordance with the current edition of the “Manual of Practice for Professional Surveyors in the Commonwealth of Pennsylvania”.
- 511.2 Monuments shall be composed of ferrous or other material detectable by an electromagnetic locator and shall be at least three quarter (3/4) inches in diameter and thirty-six (36) inches long.
- 511.3 Monuments shall be placed at all property corners of lots; at all points where lot lines intersect curves, both front and rear; and at all points of curve tangency on all roadway right-of-way and property lines.
- 511.4 Monuments shall be placed under the direct supervision of a professional land surveyor licensed by the Commonwealth of Pennsylvania and the professional land surveyor who supervised the placement of the monuments shall be identifiable by inspection of the monuments in the field.

- 511.5 Boundary monuments found during the retracement survey process on the parent tract or exterior boundary of the tract to be subdivided, which are found to be in their relative correct positions, shall not be disturbed. Said found boundary monuments shall be referenced as to material, size, shape and condition on the Preliminary Plan for the subdivision/land development. All existing and proposed monuments shall be delineated on the Final Plan.
- 511.6 All permanent monuments shall be placed after the completion of all site-grading activities. All permanent monuments shall be set twelve (12) inches above finished grade.
- 511.7 Monument Replacement - Any monuments or markers that are removed must be replaced by a registered land surveyor at the expense of the person responsible for the removal.

### **Section 512. Time Limits.**

All improvements shall be installed according to a time schedule which shall be approved by the Township.

### **Section 513. Inspections.**

Observations shall be required before the start of construction, during the preparation of the roadway subgrade (excavation, embankment and backfills), during installation of materials and structures, and upon completion of all improvements. Before the initiation of construction, the Developer shall arrange a pre-construction meeting with the Township and Township Engineer so that an observation schedule can be coordinated with the construction schedule. The Township and Township Engineer shall be notified at least five (5) working days in advance of any intended date of construction. The provisions stated herein shall not be construed as mandating periodic observations and the undertaking of periodic observations shall not be construed as an acceptance of the work during construction or as a final observation of the construction.

The Developer's Agreement shall establish the portions of the construction to be inspected and the frequency of the inspections. The Township, at the expense of the Developer, reserves the right to require drawing details, shop drawings and tests by testing facilities approved by the Township to determine whether the improvement complies in all respects with the requirements of the Township. All costs of undertaking the inspections (observations) will be borne by the Developer.

Sanitary sewers shall be inspected and approved by the Frankstown Township Sewer Authority in accordance with the rules and regulations of such Authority.

## **Section 514. Water Obstructions and Encroachments.**

The Developer must apply for and obtain a DEP General Permit and/or a DEP/U.S. Army Corps of Engineers Joint Permit for construction across or within a waterway or wetland. The design and construction of this work must meet the requirements of DEP and/or the U.S. Army Corps of Engineers.

## **Section 515. Wetlands.**

- 515.1 All subdivision and land development plans shall identify the location of all existing wetlands as determined by the standards of the U.S. Army Corps of Engineers and the DEP.
- 515.2 Wetland areas shall not be limited to those areas delineated on wetland maps prepared by the U.S. Fish and Wildlife Service.
- 515.3 When a wetland is identified on an inventory conducted by the U.S. Army Corps of Engineers, the DEP or other Federal, Commonwealth or County agency, or the Township suspects the presence of a wetland, a wetland survey shall be performed by a professional soil scientist, biologist, hydrogeologist, wetland ecologist or other person with demonstrated qualifications regarding wetland identifications. The Township may require a second study, at the Applicant's expense, by another mutually chosen professional or a "Jurisdictional Delineation" by the U.S. Army Corps of Engineers.
- 515.4 Any proposed encroachment into a wetland shall include a copy of the permit or approval from the applicable Commonwealth and Federal agencies.
- 515.5 No action by the Township shall be relied upon in lieu of a permit issued by the appropriate Commonwealth and Federal agencies.

## **Section 516. Driveways.**

- 516.1 Driveways shall only be used to provide vehicular access between the public street and a tract of land containing one (1) single family dwelling or farm. Driveways shall be provided along the frontage of the each lot and shall not encroach upon the utility and drainage easements around the sides of the lot not fronting on a public street. The Township may require the subdivision and land development plan to identify the potential location of driveways when site conditions may limit available driveway locations. No driveway intersecting with a Township street shall be constructed without a Township driveway permit.
- 516.2 Driveway intersections with a State Route shall be subject to the approval of PennDOT. The Applicant shall include Township comments with the submission of a PennDOT Highway Occupancy Permit. Evidence of such submission is required with the Preliminary Plan submission.



- 516.3 Driveways shall not connect with a public street with fifty (50) feet of the right-of-way lines of any intersecting street, within five (5) feet of a fire hydrant or within ten (10) feet of adjoining lot lines.
- 516.4 Driveways shall be provided with a clear sight triangle with a line of sight between points which are established along the centerline of the intersection streets. The minimum clear sight triangle is seventy-five (75) feet from all points. No permanent obstructions and/or plant material over thirty (30) inches high shall be placed within the clear sight distance.
- 516.5 Driveways shall not exceed a slope of seven percent (7%) within twenty-five (25) feet of the street right-of-way.
- 516.6 No driveway shall have a width exceeding twenty-four (24) feet at the street cartway.
- 516.7 Driveways shall have a paved apron for a distance of twenty-five (25) feet from the paved edge of the street cartway.
- 516.8 Driveways shall be provided with adequate controls for storm water runoff from the driveway, along the driveway and along the intersecting street. These controls shall comply with the provisions of the Frankstown Township Stormwater Management Ordinance.

### **Section 517. Wind Turbine Generators.**

All of the requirements of the Frankstown Township Wind Turbine Generator Ordinance, as amended and supplemented from time to time, are incorporated herein by reference and shall be complied with where applicable.

## **Part 6 Improvement Guarantees**

### **Section 601. General.**

No project shall be considered in compliance with this Ordinance until all improvements required by this Ordinance have been constructed and installed by the Developer as shown on the approved Final Plan, and all supplemental plans and drawings accompanying the Preliminary Plan and approved Final Plan.

The Developer shall execute a Developer's Agreement which sets forth the responsibilities of all parties regarding the installation and inspection of the required improvements. The Developer shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of required improvements.

## **Section 602. Financial Guarantee for Completion of Improvements.**

### 602.1 Guarantee of Completion of Improvements.

- 602.1.1 No Final Plan shall be finally approved unless the Developer shall deposit with the Township financial security in an amount sufficient to cover the improvements required by the plans to be approved for the subdivision (“required improvements”).
- 602.1.2 Financial security must comply with the following, and is subject to review by the Township Solicitor and Board of Supervisors for adequacy:
- 602.1.2.1 Irrevocable Letter of Credit. A letter provided by the Developer from a Federal or Commonwealth-chartered financial institution, which is authorized to conduct business within the Commonwealth of Pennsylvania.
- 602.1.2.2 Escrow Account. A deposit of cash, either with the Township, or in escrow with a Federal or Commonwealth-chartered financial institution, which is authorized to conduct business within the Commonwealth of Pennsylvania.
- 602.1.3 The terms of any financial security documents shall be acceptable to the Township Solicitor. In addition to other information required by the Township, financial securities shall include the following:
- 602.1.3.1 The amount of the secured funds.
- 602.1.3.2 In case of failure on the part of the Developer to complete the required improvements within a time period specified in the Developer’s Agreement, the funds shall be paid to the Township immediately and without further action, upon presentation of a signed draft in an amount necessary to finance the completion of required improvements, up to the limit of the security.
- 602.1.3.3 The security is irrevocable and may not be withdrawn, or reduced in amount by any party other than the Township, until released or partially released by the Township.
- 602.1.4 Such 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.
- 602.1.5 The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of

the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the Developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (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 said one hundred ten percent (110%). Any additional security shall be posted by the Developer in accordance with this Ordinance.

601.1.6 The amount of financial security required shall be based upon an estimate of the cost of completion (including quantities and unit costs) of the required improvements, submitted by the 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 Township Engineer, may refuse to accept such estimate for good cause shown. If the Applicant or Developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the Applicant or Developer. The estimate certified by the third (3rd) engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third (3rd) engineer is chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or Developer.

601.1.7 As the work of installing the financially secured required improvements proceeds, the party posting the financial security may request the Township to release or authorize the release, from time to time, of such portions of the financial security necessary to payment to the contractor or contractors performing the work. Requests for a reduction of a portion of the financial security shall be limited to an amount that is at least twenty percent (20%) of the original total financial security, unless a smaller percentage equals at least one hundred thousand dollars (\$100,000.00). Any such requests shall be in writing, by certified or registered mail, addressed to the Township at the Township Municipal Building, and a copy thereof shall be sent to the Township Engineer. The Township shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Township that such portion of the work upon the improvements has been completed in accordance with the approved Final Plan. Upon such certification the Township shall authorize release by the lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Township fails to act within said forty-five (45) day period, the Township shall be

deemed to have approved the release of funds as requested. The Township may, prior to final release at the time of completion and certification by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

602.2 Release from Improvement Security.

- 602.2.1 When the Developer has completed all of the necessary and appropriate financially secured required improvements, the Developer shall notify the Township, in writing, by certified or registered mail, to the Township at the Township Municipal Building of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. Said notice shall be accompanied by the “As-Built Plan”, in accordance with Section 607 of this Ordinance, and a certification by a registered Engineer certifying that all improvements have been completed in accordance with the approved plans and specifications. The Township shall, within ten (10) days 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 Township, and shall promptly mail a copy of the same to the Developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Township; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- 602.2.2 The Township shall notify the Developer, within fifteen (15) days of receipt of the Township Engineer’s report, in writing, by certified or registered mail, of the action of said Township with relation thereto.
- 602.2.3 If the Township or the Township Engineer fails to comply with the time limitation provision contained herein, all improvements will be deemed to have been approved and the Developer shall be released from all liability pursuant to its security agreement.
- 602.2.3 If any portion of the said improvements shall not be approved or shall be rejected by the Township, the Developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

**Section 603. Remedies to Effect Completion of Improvements.**

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan, the Township shall, in addition to any other legal or equitable remedy, enforce any security by appropriate legal and equitable

remedies. If the proceeds of such security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Township may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the Developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purposes.

#### **Section 604. Preventative Remedies.**

- 604.1 In addition to other remedies, the Township may issue stop work orders in order to ensure compliance with this Ordinance and may institute and maintain appropriate actions at 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.
- 604.2 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 Ordinance. This authority to deny such a permit or approval shall apply to any of the following applicants:
- 604.2.1 The owner of record at the time of such violation.
  - 604.2.2 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.
  - 604.2.3 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.
  - 604.2.4 The Developer or any of his/her agents, employees, or sub-contractors.
- 604.3 As an additional condition for issuance of a permit for the granting of an approval to any such owner, current owners, 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.

#### **Section 605. Enforcement Remedies.**

Any person, partnership, or corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than Five Hundred Dollars (\$500.00) plus all court

costs, including reasonable attorney fees incurred by the Township as a result thereof. Each day that a violation continues after notice thereof by the Township shall constitute a separate violation.

### **Section 606. Maintenance Guarantee.**

The Board of Supervisors may require the Developer to post a maintenance guarantee guaranteeing the structural integrity, as well as function of any improvements shown on the Final Plan, for the term of eighteen (18) months from the date of acceptance of dedication by the Board of Supervisors. Said guarantee shall be fifteen percent (15%) of the actual cost of installation of said improvements and be in the same type of financial security as required by Section 602 of this Ordinance. The maintenance guarantee shall not start until as-built plans are approved by the Board of Supervisors as required by Section 607 of this Ordinance.

### **Section 607. As-Built Plan.**

Upon completion of all required improvements shown on the Final Plan, and prior to final inspection of said improvements by the Board of Supervisors, the Developer shall submit an As-Built Plan showing the actual location, dimension and elevation of all said improvements. The As-Built Plan shall show the location of all storm sewers, manholes, inlets, outfalls, endwalls, the angle and distance between manholes, inlets, outfalls and endwalls, and top and invert elevations of each manhole, inlet, outfall and endwall. The As-Built Plan shall show the location of all sanitary sewers, manholes, cleanouts, the angle and distance between manholes and cleanouts, the top and invert elevations of each manhole and cleanout, the exact location of each lateral connection or the sewer relative to the nearest manhole (both upstream and downstream), the exact location of the end of each lateral relative to permanent landmarks (buildings, trees, utility poles, property corners, etc.) and the depth at each lateral end. The As-Built Plan submission shall also include, when necessary, revised deed information for all lands that are not fully improved and offered for dedication. The As-Built Plan shall include a plan note that specifically identifies all deviations from the previously approved drawings. The Developer's engineer shall certify that the construction of all improvements was completed in accordance with the As-Built Plan. Three (3) copies of the As-Built Plan shall be submitted to the Township Secretary at the Township Municipal Building. Two (2) copies of the As-Built Plan for the sanitary sewer system shall be submitted to the Frankstown Township Sewer Authority.

## **Part 7** **Manufactured Home Parks**

### **Section 701. General.**

The standards and requirements contained in this Part shall apply as minimum design standards for manufactured homes, manufactured home lots and manufactured home parks. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained in this Part, the more restrictive shall apply. The accesses and internal roadways shall be privately owned and maintained, and appropriately noted on the Final Plan.

**Section 702. Procedure.**

In addition to the requirements of this Part, all new manufactured home parks and expansions to manufactured home parks shall follow the subdivision and land development submissions and review procedures and the general design standards and required improvements specified in this Ordinance even though roadways and other public improvements may not be offered for dedication to the Township.

**Section 703. Manufactured Home Park Area.**

703.1 A manufactured home park shall contain a minimum of five (5) acres.

703.2 A manufactured home park shall be located on land having a reasonably flat terrain having an average slope of eight percent (8%) or less.

**Section 704. Density.**

The total density of a manufactured home park shall not exceed the following:

On-Lot Water and On-Lot Sewer	One (1) unit per 60,000 square feet
Either Public Water or Public Sewer	One (1) unit per 30,000 square feet
Both Public Water and Public Sewer	One (1) unit per 10,000 square feet

**Section 705. Recreation Area.**

The manufactured home park shall be provided with a usable active and/or passive common recreation area of five thousand (5,000) square feet plus five hundred (500) square feet for each home exceeding ten (10). The recreation area(s) shall be centrally located so it is easily accessible to all homes in the park. The recreation area(s) shall be appropriately developed with recreation facilities. The types and sizes of such facilities shall be shown on the plans. Responsibility for maintenance of the recreational area(s) shall be with the manufactured home park owner.

**Section 706. Buffer Area.**

Buffer areas shall be provided along the entire perimeter of any manufactured home park. The buffer areas shall be at least fifty (50) feet in depth, measured at right angles to the property boundary lines. The required depth of any buffer area shall be determined by the Township based upon the objectives and requirements of this Part. The exact placement and character of the buffer area shall be established by the Township subject to the following general requirements:

706.1 A buffer area shall provide a year-round visual screen. The buffer area may consist of one or a combination of the following:

706.1.1 Native species of evergreen and deciduous plant material.

- 706.1.2 A natural or artificial land form or wooded area provided such area is preserved from future development by easement, deed restriction, covenant or similar measure.
- 706.1.3 An exposed fence or wall between five (5) and eight (8) feet in height with at least sixty percent (60%) of the surface being opaque with appropriate landscaping as determined by the Township based upon the objectives and requirements of this Part.
- 706.2 When a planted buffer area is utilized, it shall consist of a mix of native species of evergreen and deciduous plant materials. At the time of planting, the evergreen material shall be sufficient to screen the property visually and shall be a minimum of five (5) feet in height (at the time of planting). The remainder of the plantings may be of varying lesser heights.
- 706.3 When a fence or wall is used, it shall be designed to be architecturally compatible with adjacent buildings and comply with all other applicable provisions of this Part.
- 706.4 The manufactured home park owner shall be responsible for the continuing maintenance of all buffer areas, including replacement of any dead plant material. Buffer areas shall be kept clean of all debris, rubbish, weeds and tall grass.
- 706.5 No structures shall be permitted in a required buffer area, except an authorized fence or wall, nor shall a buffer area be used for parking, loading, vehicular circulation, such as a private road, storage or any other purpose.
- 706.6 The buffer area shall be continuous along the property lines where they are required, except for points of vehicular or pedestrian access. Clear sight distances at all street and driveway intersections shall be maintained.
- 706.7 The Township may authorize a modification in the otherwise applicable buffer area requirements where it determines that: (1) a greater buffer area, or an element thereof, is required to accomplish the purposes of this Part; or (2) the changes in elevation between abutting properties or other natural features exist such that they decrease or eliminate the need for the buffer area at the points where the buffer area is required by this Part.

## **Section 707. Garbage and Refuse Disposal and Recycling.**

The manufactured home park owner shall provide private garbage and refuse hauling service for the park residents. All garbage and refuse shall be collected at least once weekly and shall comply with the current recycling requirements. All garbage and refuse shall be collected and transported in enclosed vehicles and containers. Manufactured home park garbage and refuse disposal sites shall be provided at locations which are not more than one hundred (100) feet from any manufactured home space, and not less than fifty (50) feet from the manufactured home park



boundary. Containers shall be provided in sufficient number and capacity to properly store all garbage and refuse. Garbage and refuse containers shall be enclosed in a masonry or equivalent structure of sufficient height, width and depth to prevent dispersal of the garbage and refuse in the vicinity with a solid gate sufficient to conceal the containers.

### **Section 708. Manufactured Home Lots.**

- 708.1 Each manufactured home lot shall contain at least ten thousand (10,000) square feet.
- 708.2 No manufactured home or other structure shall be closer than seventy-five (75) feet from any property line or street right-of-way line defining the external boundary of the park.
- 708.3 Manufactured homes, office, service, utility or other buildings shall have a minimum front yard of thirty-five (35) feet, rear yard of twenty (20) feet and two (2) side yards of fifteen (15) feet each.
- 708.4 No more than five (5) adjacent manufactured home spaces shall be located parallel to each other.
- 708.5 The length of each manufactured home shall be parallel with the contour of the land so that no end of the manufactured home is elevated higher than the other from the ground.
- 708.6 Each mobile home lot shall be marked off by the placement of permanent monuments as set forth in Section 511, "Monuments and Markers", of this Ordinance. Manufactured home lot lines shall not extend beyond right-of-way lines of internal roadways.
- 708.7 Each manufactured home lot shall be consecutively numbered, said number to be shown on a permanent marker on the lot. When lots front on both sides of a street, one side shall bear odd numbers and the other side shall bear even numbers.
- 708.8 A manufactured home pad, properly graded, placed and compacted so as to be durable and adequate for support of the maximum anticipated loads during all seasons shall be provided on each manufactured home lot within the park. Each home shall be provided with anchoring system that complies with the requirements of the Pennsylvania Uniform Construction Code.
- 708.9 Each manufactured home lot shall be provided with a poured-in-place reinforced cement concrete outdoor patio having a surface area of at least two hundred (200) square feet and a depth of at least twelve (12) inches. The outdoor patio shall be located at the main entrance to the manufactured home.

- 708.10 Each manufactured home lot shall be provided with an outdoor storage building with a capacity of at least five hundred sixty (560) cubic feet. Centrally located storage lockers shall not be permitted.
- 708.11 All lawns at each manufactured home lot, and manufactured home park open spaces, shall be graded and seeded. The ground surface of the park shall be graded and equipped to drain all surface water in a safe, efficient manner.

### **Section 709. Manufactured Home Unit Requirements.**

- 709.1 All manufactured homes shall have a minimum of seven hundred fifty (750) square feet of habitable space.
- 709.2 Each manufactured home shall have skirting around the base between the bottom of the exterior of the home and the ground.

### **Section 710. Access.**

- 710.1 Each manufactured home park shall be directly accessible from an existing Federal, Commonwealth, County or Township roadway. No individual manufactured home lot shall have direct access from such adjoining roadway.
- 710.2 There shall be at least two (2) accesses from the manufactured home park to a Federal, Commonwealth, County or Township roadway. However, there shall be no more than two (2) points of ingress and egress for any manufactured home park on the same roadway.
- 710.2.1 Points of ingress and egress shall be located with a minimum distance of two hundred (200) feet between them.
- 710.2.2 All entrances and exits shall be at right angles to the existing roadway.
- 710.3 A tangential arc shall round the roadway edge at all intersections of both internal streets and access drives with a minimum radius of fifty-five (55) feet.
- 710.4 All manufactured home lots shall have frontage on an internal street within the manufactured home park.
- 710.5 All internal streets within the manufactured home park shall be posted at least every two hundred (200) feet with fifteen (15) miles per hour speed limit signs
- 710.6 Names of all accesses and internal streets shall be subject to approval by the Township and Blair County Emergency Management (Blair County 911) and local U.S. Postal Office.

## **Section 711. Internal Streets and Parking.**

- 711.1 All accesses, internal streets, shoulders and curbs within the manufactured home park shall be designed to the minimum design standards set forth in Section 504 of this Ordinance.
- 711.2 Two (2) off-street parking spaces shall be provided for each manufactured home site.
- 711.3 There shall be established and maintained in the manufactured home park off-street parking areas for the use of guests. The number of spaces shall be equal to one (1) space for every four (4) manufactured home sites.
- 711.4 All parking spaces shall be provided with a tar and chip, pervious concrete or similar type paving.
- 711.4 Traffic control and street identification signs shall be constructed and lettered in compliance with PennDOT and Township standards. Signs shall be placed at locations as directed by the Township. The signs shall be paid for by and installed by the manufactured home owner.

## **Section 712. Driveways.**

Driveways shall conform to Section 516 of this Ordinance. Driveways to all manufactured homes must access onto the interior streets or access drive system of the manufactured home park. Direct driveway access to an existing adjoining public street is prohibited.

## **Section 713. Sanitary Sewage Disposal.**

- 713.1 All manufactured home parks shall be served by a public or community sanitary sewerage system.
- 713.2 The Township shall determine, at its sole discretion, the method of sanitary sewage disposal in the manufactured home park.
- 713.3 Existing Public Sanitary Sewage Disposal System. Where an existing public sanitary sewerage system is within one thousand (1,000) feet, or a reasonable distance, of the proposed manufactured home park, and the capacity exists to serve the proposed manufactured home park, the manufactured home park owner shall provide the manufactured home park with a complete sanitary sewage collection system to be connected to the existing public sanitary sewerage system. A professional engineer licensed by the Commonwealth of Pennsylvania shall design the sanitary sewage collection system. The Developer shall provide to the Township all required permits from DEP for the proposed sanitary sewage collection system. The above is subject to the manufactured home park owner being able to secure suitable rights-of-way.

- 713.4 Private Sanitary Sewage Disposal System. Where it is determined by the Township that a manufactured home park may rely upon a private (package sewage treatment system or on-site sewage disposal systems) for sanitary sewage disposal, the private system shall comply with the rules and regulations of DEP and the requirements of the Township’s Sewage Enforcement Officer (SEO). The Developer shall provide to the Township all required permits from DEP and the SEO for the proposed private sanitary sewage disposal system.
- 713.5 Sewage Collection System Design. A professional engineer licensed by the Commonwealth of Pennsylvania shall design the sanitary sewage collection system. The design and construction of the sanitary sewage collection system shall conform to all of the requirements of the “Frankstown Township Rules and Regulations Governing the Sanitary Sewage Collection System in All Districts of Frankstown Township”, as amended and supplemented, which is incorporated herein by reference.
- 713.6 Connection. All manufactured home lots shall be provided with a sewer lateral and building sewer as specified in the “Frankstown Township Rules and Regulations Governing the Sanitary Sewage Collection System in All Districts of Frankstown Township”, as amended and supplemented. The building sewer connection shall be sealed with a securely-fastened plug or cap approved by the Township when the manufactured home lot is unoccupied.
- 713.7 Protection. Adequate provision shall be made to protect sanitary sewers from storm water infiltration and damage.

#### **Section 714. Water Supply.**

- 714.1 All manufactured home parks shall be served by public water supply system.
- 714.2 Existing Public Water Supply System. Where an existing public water supply system is within one thousand (1,000) feet, or a reasonable distance, of the proposed manufactured home park and the capacity exists to serve the proposed manufactured home park, the Developer shall provide a complete water supply system to be connected to the existing public water supply system. A professional engineer licensed by the Commonwealth of Pennsylvania shall design the water supply system. The design and construction of the water supply system shall conform to the specifications of the owner of the existing public water supply system and/or DEP. The Developer shall provide to the Township copies all required permits from DEP for the proposed water supply system. The above is subject to the Developer being able to secure suitable rights-of-way.
- 714.3 Private Water Supply System. If water is to be provided by a privately owned and operated water supply system, the water supply system shall comply with the rules and regulations of DEP and, if applicable, the Pennsylvania Public Utility Commission. A professional engineer licensed by the Commonwealth of

Pennsylvania shall design the water supply system. The Developer shall provide to the Township copies of all required permits for the proposed private water supply system.

**Section 715. Stormwater Management.**

All of the requirements of the Frankstown Township Stormwater Management Ordinance, as amended and supplemented from time to time, are incorporated herein by reference and shall be complied with where applicable.

**Section 716. Floodplain.**

New manufactured home parks and manufactured home subdivisions and improvements to such existing parks and subdivisions are prohibited if located entirely or partially within an identified floodplain area.

**Section 717. Wetlands.**

Manufactured home parks shall conform to the wetland standards in Section 515 of this Ordinance.

**Section 718. Easements.**

Manufactured home parks shall conform to the easement standards in Section 509 of this Ordinance.

**Part 8**  
**Recreational and Seasonal Land Development**

**Section 801. General.**

The standards and requirements contained in this Part shall apply as minimum design standards for the improvement of land for recreational, seasonal and/or leisure time activities. Such developments are for temporary occupancy and are not intended now or in the future for year-round dwelling purposes, and may include travel trailers, camping trailers, truck campers, motor homes, lots intended for tents and land intended for various other outdoor recreational activities such as hunting and fishing. However, development comprised of cottages, cabins, second homes, other permanent or fixed dwellings or structures and any recreational and seasonal lots for sale are excluded from this Article and are viewed as residential subdivisions in relation to this Ordinance. Whenever other Township ordinances or regulations impose more restrictive standards and requirements than those contained in this Part, the more restrictive shall apply.

## **Section 802. Procedure.**

In addition to the requirements of this Part, all new recreational and seasonal land developments and expansions to recreational and seasonal land developments shall follow the subdivision and land development submissions and review procedures and the general design standards and required improvements specified in this Ordinance even though roadways and other public improvements may not be offered for dedication to the Township.

## **Section 803. Minimum Area and Recreation Area.**

The minimum size for a recreational vehicle park shall be five (5) acres, of which at least ten percent (10%) shall be set aside and developed as common use areas for open and unenclosed recreation facilities, which may include any required buffer areas. The recreation area(s) shall be appropriately developed with recreation facilities. The types and sizes of such facilities shall be shown on the plans. Responsibility for maintenance of the recreational area(s) shall be with the owner of the land development.

## **Section 804. Lots and Campsites.**

- 804.1 Individual campsites shall be comprised of a minimum of at least one thousand five hundred (1,500) square feet with no more than a total of fifteen (15) individual campsites per acre. Each campsite shall be accessible from the private street system without the necessity to cross any other campsite. In addition, recreational vehicle campsites shall have a minimum width of forty (40) feet and a minimum depth of fifty (50) feet or thirty percent (30%) longer than the maximum length of the recreational vehicle anticipated to occupy the space.
- 804.2 Individual campsites and accessory buildings shall be designed to be at least fifty (50) feet from any public street right-of-way, or thirty-five (35) feet from any other type of public right-of-way. Recreational vehicle campsites for trailers, campers and/or motor homes shall contain a stabilized vehicular parking pad of PennDOT coarse aggregate material, bituminous material or other suitable material and shall be dimensioned so that when any space is occupied, no portion of any camping unit shall be within ten (10) feet of any portion of any other camping unit or accessory building, and shall be at least fifteen (15) feet from any internal private roadway.

## **Section 805. Buffer Area.**

The design of a recreational vehicle park shall take into account potential effects and impacts on adjacent properties. A landscaped buffer strip have a minimum width of twenty (20) feet shall be provided along the entire perimeter of the land development, within which no campsites shall be located. The exact placement and character of the buffer area shall be established by the Township subject to the following general requirements:

- 805.1 A buffer area shall provide a year-round visual screen. The buffer area may consist of one or a combination of the following:
- 805.1.1 Native species of evergreen and deciduous plant material.
  - 805.1.2 A natural or artificial land form or wooded area provided such area is preserved from future development by easement, deed restriction, covenant or similar measure.
  - 805.1.3 An exposed fence or wall between five (5) and eight (8) feet in height with at least sixty percent (60%) of the surface being opaque with appropriate landscaping as determined by the Township based upon the objectives and requirements of this Part.
- 805.2 When a planted buffer area is utilized, it shall consist of a mix of native species of evergreen and deciduous plant materials. At the time of planting, the evergreen material shall be sufficient to screen the property visually and shall be a minimum of five (5) feet in height (at the time of planting). The remainder of the plantings may be of varying lesser heights.
- 805.3 When a fence or wall is used, it shall be designed to be architecturally compatible with adjacent buildings and comply with all other applicable provisions of this Part.
- 805.4 The recreational vehicle park owner shall be responsible for the continuing maintenance of all buffer areas, including replacement of any dead plant material. Buffer areas shall be kept clean of all debris, rubbish, weeds and tall grass.
- 805.5 No structures shall be permitted in a required buffer area, except an authorized fence or wall, nor shall a buffer area be used for parking, loading, vehicular circulation, such as a private road, storage or any other purpose.
- 805.6 The buffer area shall be continuous along the property lines where they are required, except for points of vehicular or pedestrian access. Clear sight distances at all street and driveway intersections shall be maintained.
- 805.7 The Township may authorize a modification in the otherwise applicable buffer area requirements where it determines that: (1) a greater buffer area, or an element thereof, is required to accomplish the purposes of this Part; or (2) the changes in elevation between abutting properties or other natural features exist such that they decrease or eliminate the need for the buffer area at the points where the buffer area is required by this Part.

## **Section 806. Garbage and Refuse Disposal.**

The recreational vehicle park owner shall provide private garbage and refuse hauling service for the park residents. All garbage and refuse shall be collected at least once weekly and shall comply with the current recycling requirements. All garbage and refuse shall be collected and transported in enclosed vehicles and containers. Park garbage and refuse disposal sites shall be not less than fifty (50) feet from the park boundary. Containers shall be provided in sufficient number and capacity to properly store all garbage and refuse. Garbage and refuse containers shall be enclosed in a masonry or equivalent structure of sufficient height, width and depth to prevent dispersal of the garbage and refuse in the vicinity with a solid gate sufficient to conceal the containers.

## **Section 807. Accesses and Internal Streets**

- 807.1 The accesses and internal streets shall be privately owned and maintained, and appropriately noted on the Final Plan. The accesses and internal roadways shall provide safe and convenient access to all campsites and accessory facilities. The alignment and gradients of all accesses and internal streets shall be properly adapted to the topography, to the types of anticipated traffic and to the satisfactory control of surface water.
- 807.2 Each recreational vehicle park shall be directly accessible from an existing Federal, Commonwealth, County or Township roadway. No individual campsite shall have direct access from such adjoining roadway.
- 807.3 There shall be at least two (2) accesses from a recreational vehicle part to a Federal, Commonwealth, County or Township roadway. However, there shall be no more than two (2) points of ingress and egress for any recreational vehicle park on the same roadway. Points of connection between the private accesses and the existing public street(s) shall be designed to avoid congestion and hazardous intersections in accordance with Section 504.11 (Intersections) of this Ordinance.
- 807.3.1 Points of ingress and egress shall be located with a minimum distance of two hundred (200) feet between them.
- 807.3.2 All entrances and exits shall be at right angles to the existing roadway.
- 807.4 All recreational vehicle sites shall front on an internal street within the recreational vehicle park.
- 807.5 All internal streets within the recreational vehicle park shall be posted at least every two hundred (200) feet with fifteen (15) miles per hour speed limit signs
- 807.6 All accesses and internal streets within the recreational vehicle park shall designed to the minimum design standards set forth in Section 504.1, Section



504.2, Section 504.3, Section 504.4, Section 504.9 and Section 504.10 of this Ordinance.

807.7 Names of all accesses and internal streets shall be subject to approval by the Township and Blair County Emergency Management (Blair County 911) and local U.S. Postal Office.

807.8 Traffic control and street identification signs shall be constructed and lettered in compliance with PennDOT and Township standards. Signs shall be placed at locations as directed by the Township. The signs shall be paid for and installed by the recreational vehicle park owner.

### **Section 808. Parking.**

Parking spaces shall be provided to accommodate the number and size of vehicles anticipated. Parking spaces for all campsite users shall be on the campsite lot. In addition, a minimum of one (1) parking space for every two (2) campsites shall be provided for visitors. Parking spaces for visitors may be on a common parking area. The parking spaces shall be of a compacted and graded PennDOT coarse aggregate material or bituminous material to provide a permanent and all-weather surface, and support the types, lengths and weights of vehicles anticipated to use the parking space.

### **Section 809. Improvements.**

Where appropriate the Applicant for any recreational vehicle park land development shall be required to provide the following improvements, or a suitable guarantee pursuant to Section 602.1 of this Ordinance, and address at the following.

809.1 Streets and accesses, including parking areas, curb cuts and traffic control devices.

809.2 Utilities including, where applicable, stormwater management facilities, sanitary sewer facilities, water supply facilities, pumping facilities, gas lines, electrical facilities, telephone facilities and other utility facilities.

809.3 Any proposed amenities including recreational facilities, meeting facilities and screening and landscaping.

809.4 Any other improvements which may be required for approval by the Township or any other governmental agency.

809.5 Procedures and mechanisms guaranteeing the perpetual private maintenance of all improvements by the owner of the recreational vehicle park.

**Section 810. Minimum Facilities.**

As a minimum, a recreational vehicle park land development proposed under this Article shall include the certain facilities, depending upon the type of camping area planned. The following are minimal requirements, subject to more stringent requirements imposed by the rules and regulations of the Title 25, Chapter 191 of the DEP. The Applicant may provide enhanced facilities such as laundry, picnic, swimming and other facilities. The Applicant shall specify in his application the manner in which all facilities are to be privately maintained.

- 810.1           Camping areas intended to primarily serve the needs of overnight tenting campers shall include toilets facilities.
  
- 810.2           Camping areas intended to primarily serve the needs of overnight campers, trailers and motor home users shall include the availability of electric service to individual campsites, central travel trailer sanitary and water stations and toilet facilities.
  
- 819.3           Camping areas intended to serve as longer term destinations shall include back-in parking at campsites, individual electric and water connections, central travel trailer sanitary and water stations and central toilet and shower facilities.

**Section 811. Stormwater Management.**

All of the requirements of the Frankstown Township Stormwater Management Ordinance, as amended and supplement from time to time, are incorporated herein by reference and shall be complied with where applicable.

**Section 812. Floodplain.**

New recreational vehicle parks and improvements to such existing parks are prohibited if located entirely or partially within an identified floodplain area.

**Section 813. Wetlands.**

Manufactured home parks shall conform to the wetland standards in Section 515 of this Ordinance.

**Section 814. Easements.**

Recreational vehicle parks shall conform to the easement standards in Section 509 of this Ordinance.

**Part 9**  
**Repealer**

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as same affects this Ordinance.

**Part 10**  
**Severability**

If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township of Frankstown that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

**Part 11**  
**Effective Date**

This Ordinance shall become effective upon the earliest date provided by law.

**ADOPTED** at a public meeting of the Frankstown Township Supervisors held the \_\_\_\_ day of \_\_\_\_\_, 2007, following advertisement, as required by law.

ATTEST:

FRANKSTOWN TOWNSHIP SUPERVISORS

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_