

ORDINANCE NO. 93-6

TOWNSHIP OF FRANKLIN
Carbon County, Pennsylvania

SUBDIVISION AND
LAND DEVELOPMENT
ORDINANCE

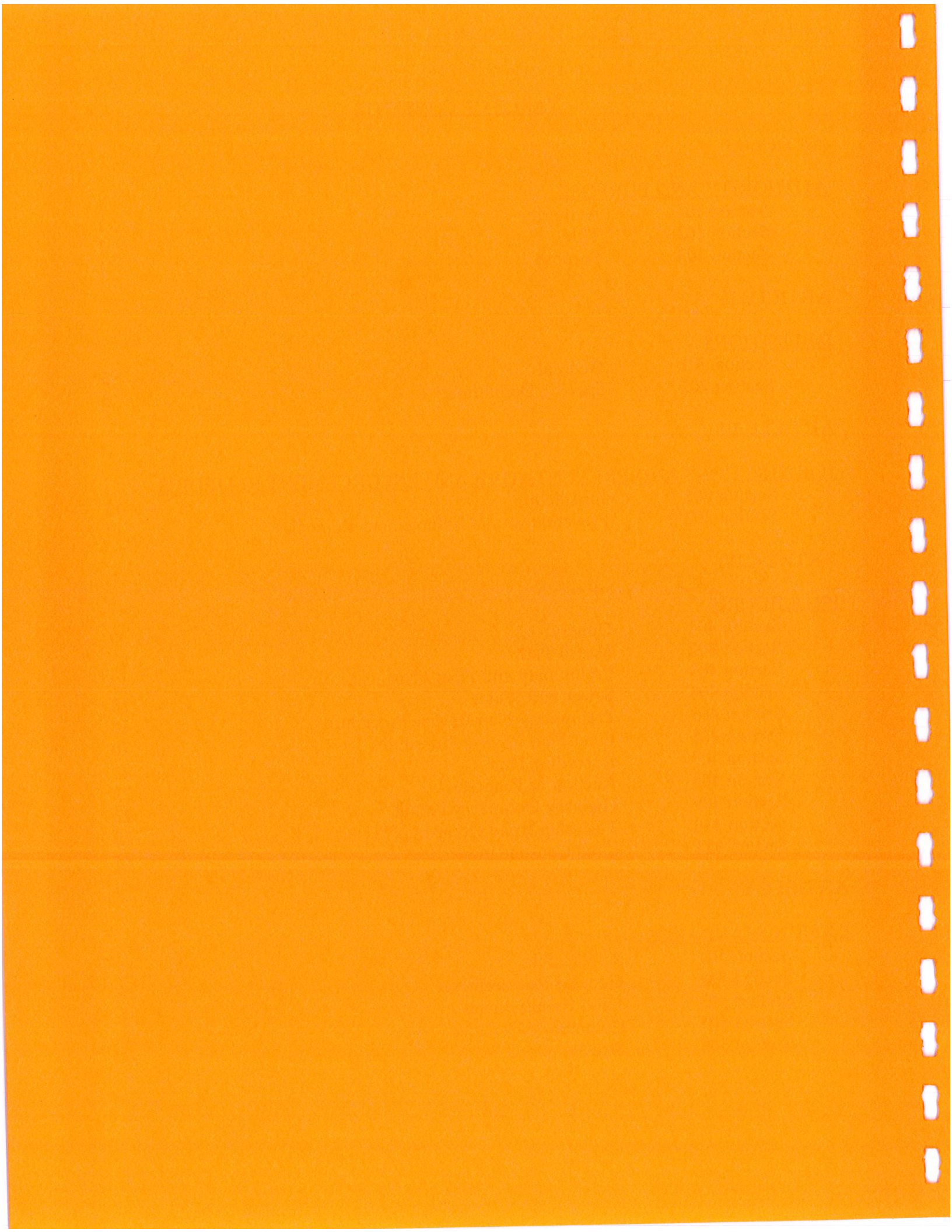


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ARTICLE I

AUTHORITY AND PURPOSE

Section 101 Authority

The Franklin Township Planning Commission, by authority of the Ordinance of the Supervisors of Franklin Township, Carbon County Pennsylvania, and the Pennsylvania Municipalities Planning Code, as amended has proposed these regulations governing subdivision and development of land within the Township of Franklin, Carbon County, Pennsylvania.

Section 102 Title

These regulations shall be known and cited as the Franklin Township Subdivision and Land Development Regulations.

Section 103 Purpose

The regulations are adopted for the following purposes:

1. To assist orderly, efficient and integrated development of land.
2. To provide for coordination of existing streets and public roadway.
3. To promote thereby the health, safety, morals and general welfare of the residents of Franklin Township.
4. To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards for observance, both by the subdividers and the Commission.

ARTICLE II
DEFINITIONS

Section 201 General

As used in these regulations, words expressed in the singular include their plural meanings and words expressed in the plural include their singular meanings. The word "person" includes a corporation, unincorporated association and a partnership as well as an individual. The words "building" and "street" are used generally and shall be construed as if followed by the phrase "or part thereof". The word "may" is permissive; and the words "shall" and "will" are mandatory, subject to hardship as hereinafter provided.

Section 202 Specific Definitions

The following words or phrases, when used in these regulations, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

Access Drive

A private drive providing vehicular access between a public or private street and a building, parking area and/or loading area within a land development.

Agent

Any person, other than the subdivider, who, acting for the subdivider submits to the Commission, subdivision or land development plans for the purpose of obtaining approval thereof.

Alley

A right of-way providing secondary vehicular access to the side or rear of two or more properties.

Applicant

A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

Block

An area bounded by streets.

Building Set-back Line

A line within a property defining the required minimum distance between any structure and the adjacent right-of-way line.

Cartway

The portion of a street or alley intended for vehicular use.

Clear-sight Triangle

An area of unobstructed vision at a street intersection defined by the right-of-way lines of the streets and by a line of sight between points on their right-of-way lines at a given distance from the intersection of the right-of-way lines.

Commission

The Planning Commission of the Township of Franklin, Carbon County, Pennsylvania.

County Planning Commission

The Carbon County, Pennsylvania Planning Commission

Crosswalk or Interior Walk

A right-of-way or easement for pedestrian travel across or within a block.

Cul-de-sac

A street intersecting another street at one end and terminating at the other in a vehicular turn-around.

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.

Drainage Facility

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

Driveway

A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

Dwelling Unit

Any structure, or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

Easement

A limited right of use granted in private land for public or quasi-public purpose.

Future Right-of-Way

1. The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads.
2. A right-of-way established to provide future access to or through undeveloped land.

Half or Partial Street.

A street parallel and adjacent to a property line having a lesser right-of-way width than required for satisfactory improvement and use of the street.

Improvements

Those physical additions, installations and changes required to render land suitable for the use proposed.

Land Development

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - a. A group of two or more 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 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.

The following land development activities shall be excluded from the definition of a Land Development:

- a. the conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
- b. 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 initial plans for the expanded area have been approved by proper authorities.
- c. The addition or expansion of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; provided, the total floor area of all such excluded additions or expansions related to one principal building shall not exceed 1,000 square feet; and, provided further, in the event a lot is improved with more than one principal building, the total floor area of all of such excluded additions or expansions on said lot shall not exceed 1,000 square feet.

- d. The expansion of an existing non-residential principal building; provided, the total floor area of any such excluded expansion(s) to any one non-residential principal building shall not exceed 1,000 square feet or 25% of the floor area of the ground floor that exists (or that is shown on an approved Land Development Plan), whichever is less; and, provided further, in the event a lot is improved with more than one non-residential principal building, the total floor area of all such excluded expansions on said lot shall not exceed 1,000 square feet.

Landowner

The legal or beneficial 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 condition), a lessee, if he is authorized under the lease, to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Ordinance

Lot

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

Lot Area

The area contained within the property lines of the individual parcels of land as shown on a subdivision plan, excluding any area within a street right-of-way.

Minor Subdivision

A subdivision, containing not more than five (5) lots, no public or private improvements in which all proposed lots will have frontage on and direct vehicular access to an existing improved Township or State Road, and which lots will be used only for single family detached dwellings.

Mobilehome

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

Mobilehome Lot

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

Mobilehome Park

A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobilehome lots for the placement thereon of mobilehomes. Mobilehome parks shall be considered subdivisions.

Multiple Dwelling Building.

A building providing separate living quarters for three (3) or more families.

Owner

Same as Landowner.

Park Model

A self-contained, licensed, or unlicensed, recreation vehicle, normally having less than 400 square feet of habitable space and utilized as a temporary, short-term living unit (less than three (3) consecutive days) used for recreational purposes only and not considered as a permanent place of residence such as modular, mobile or manufactured homes.

Paved Street or Road

Hard surface improved all weather road.

Plan - Final

A complete and exact subdivision or land development plan, prepared as for official recording, to define property rights and proposed streets and other improvements.

Plan - Preliminary

A tentative subdivision or land development plan, in lesser detail than a final plan, showing the salient existing features of a tract and its surroundings and approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

Plan - Record

An exact copy of the approved Final Plan of standard size prepared for necessary signatures and recording.

Plan - Sketch

An informal plan, not necessarily to scale, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision or land development for discussion purposes only, and not to be presented for approval.

Public Hearing

A formal meeting held pursuant to Public Notice by the Township Supervisors or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

Public Notice

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

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 rights-of-way not in strict accordance with the approved plan.

Reverse Frontage Lot

A lot extending between and having frontage on two generally parallel streets, excluding service streets, with vehicular access solely from one street.

Right-of-Way

Land set aside for use as a street, alley or other means of travel or for other public or private purposes.

Sewage Facilities

a. Sanitary Sewage Disposal, Centralized

A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, commonly called a "package treatment plant", generally serving a single land development, subdivision or neighborhood, and operated by a governmental agency, governmental authority or public utility company.

b. Sanitary Sewage Disposal, On-Lot

Any structure designed to treat sanitary sewage within the boundary of an individual lot.

c. Sanitary Sewage Disposal, Public

A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a major portion of a municipality or municipalities, and operated by a governmental agency, governmental authority or public utility company.

d. Septic Tank

A watertight receptacle which receives domestic sewage or industrial waste and is designed and constructed to provide for sludge storage, sludge decomposition and to separate solids from the liquid, through a period of detention, before allowing the liquid to be discharged.

Sight Distance

The required length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic. Sight distance measurement shall be made from a point 3.75 feet above the center line of the road surface to a point 0.5 feet above the centerline of the road surface.

Street

A strip of land, including the entire right-of-way, intended primarily as a means of vehicular and pedestrian travel.

Streets are further classified as follows:

- a. Major Traffic Street: Streets serving large volumes of comparatively high speed traffic, including those facilities classified as Class 1 and Class 2 highways by the Pennsylvania Department of Transportation.
- b. Marginal Access Street: A minor street parallel and adjacent to a major traffic street, but separated from it by a reserve strip, which provides access to abutting properties and control of intersections with the major traffic street.
- c. Minor Street: Streets which are used primarily for access to abutting properties and generally serve internally developed areas.
- d. Primary Street: Streets which in addition to giving access to abutting properties, intercept minor streets and provide routes to communities facilities and to major traffic streets.
- e. Private Street: A street which has not been offered for dedication or accepted by the Township.
- f. Service Street (Alley) - A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.

Subdivider

Same as Developer.

Subdivision

- a. The division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
- b. Any development of a parcel of land, (for example, as a shopping center, industrial park, or multiple dwelling project), which involves installation of streets, driveways and/or alleys, even though the streets and alleys may not be dedicated to public use and the parcel may not be divided immediately for the purpose of conveyance, transfer or sale.

- c. The term subdivision includes re-subdivision and, as appropriate in these regulations, shall refer to the process of subdividing land or to the land being subdivided.

Township

The Township of Franklin, Carbon County, Pennsylvania. Unless otherwise stated, this shall mean the Board of Supervisors and their authorized agents.

Undeveloped Land

Land in parcels, sufficiently large for future subdivision, which is presently in agriculture, woodland or lying fallow.

Water Facility

Any water works, water supply facility, water distribution system or part thereof designed, intended or constructed, to provide or distribute potable water.

Wetlands

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 vegetation typically adapted for life in saturated soil conditions; and those areas which may be classified as wetlands under applicable guidelines issued by the Federal Government or by the Commonwealth of Pennsylvania.

ARTICLE III

JURISDICTIONS AND PREVENTATIVE AND ENFORCEMENT REMEDIES

Section 301 Jurisdiction

The Franklin Township Planning Commission (Commission) and Franklin Township Board of Supervisors (Supervisors) shall have jurisdiction and control of subdivision, and land development within the Township. All plans for subdivision, land development, and plans, plots and replots of land laid out in building lots, and the streets, highways, alleys or other portions of the same intended to be dedicated to public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, located within the Township limits, shall be submitted to the Commission for review and approved by the Supervisors before it is recorded.

Section 302 Preventative and Enforcement Remedies

1. Preventative Remedies

In addition to other remedies, the Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

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:

- a. The owner of record at the time of such violation.
- b. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such a vendee or lessee had actual or constructive knowledge of the violation.

- c. 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.
- d. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

As an additional condition for issuance of a permit or the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

2. Enforcement Remedies

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

The court of common pleas, upon petition, may grant an order to stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this section.

ARTICLE IV

PROCEDURE

Section 401 General

In order to discharge the duties imposed by law, the following procedures shall be observed by all subdividers.

Section 402 Sketch Plan

Subdividers are invited to prepare for review with the Commission subdivision and land development sketch plans as further described herein.

Such sketch plans shall be considered as submitted for informal and confidential discussion between the subdivider and the Commission. Submission of a sketch plan shall not constitute formal filing of a plan with the Commission.

As far as may be practical on the basis of a sketch plan, the Commission will informally advise the subdivider as promptly as possible of the extent to which the proposed subdivision or land development conforms to the Design Standards of these regulations, and will discuss possible plan modifications necessary to secure conformance.

Section 403 Preliminary and Final Plans

Preliminary and final plans for all proposed subdivisions of land and land developments lying within the Township shall be filed with the Commission via the Township Secretary.

The initial plan filed with the Commission after the Sketch Plan shall be considered as a preliminary plan. However, if the plan and supporting data comply in all respects with the requirements for final plans set forth herein, the Commission may, in the case of a minor subdivision, proceed to review the plan as a final plan, subject to receipt of Carbon County Planning Commission review.

Section 404

Sewer and Water

When connection to public water and/or sewer facilities is proposed, assurance of the availability of such service must be presented to the Township before approval of the final plan. This assurance may be in the form of a letter or statement on the final plan, signed by a responsible officer of the company or authority concerned, indicating their ability and willingness to make such service available.

When on-lot sewage facilities are proposed, said facilities must be installed in accordance with the requirements and recommendations of the Pennsylvania Department of Environmental Resources.

Section 405

Preliminary Plan Review Procedures

Preliminary plans and supporting data shall comply with the provisions of Article VII of these regulations.

The Subdivider shall file with the Carbon County Planning Commission the number of copies of the Preliminary plan required for review by the Carbon County Planning Commission.

Four (4) copies, blue or black line paper prints, of the preliminary plan, and three (3) copies of required supporting data shall be submitted to the Commission by the subdivider. The Commission may discuss the preliminary subdivision plan and supporting data with the subdivider, or such other interested persons as it sees fit.

Prior to the meeting at which the preliminary plan is to be considered, the following persons will be notified in writing that the preliminary plan has been received and will be considered by the Commission at its meeting of specified date:

- a. The subdivider.
- b. The engineer, surveyor or architect responsible for the plan.

The commission shall review the Preliminary Plan to determine its conformance to Township Regulations at one or more regularly scheduled or special meetings. The Commission shall make a recommendation to the Supervisors as to whether the plan should be approved or disapproved, or if conditions, revisions, and modifications should be precedent to approval of the Preliminary Plan.

After a Preliminary plan has been reviewed by the Commission and the comments of the Commission regarding the plan have been forwarded to the Supervisors,

the plan shall be reviewed at one or more regularly scheduled or special meetings of the Supervisors. No official action shall be taken by either the Supervisors or the Commission with respect to a Preliminary Plan until they have received the written report of the County Planning Commission, provided that the report is received within thirty (30) days after the date the plan was forwarded to the County Planning Commission, for review.

Before action on a Preliminary Plan, the Supervisors or the Commission may arrange for a public hearing on the Plan, giving public notice as required by law.

Within fifteen (15) days after the final meeting at which the Preliminary Plan is reviewed by the Supervisors, the Township Secretary shall notify the subdivider and the engineer or surveyor responsible for the plan of the action of the Supervisors on the Plan. When the plan is not approved the notification shall specify the reasons for such disapproval and any requirements of this Ordinance which have not been met.

The Supervisors shall within ninety (90) days following the date of the regularly scheduled meeting of the Commission next following the date the plan was submitted to the Township, notify the Subdivider or his agent of the action taken by the Supervisors. Should the said next regularly scheduled meeting occur more than thirty (30) days following the submission of the plan, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the plan was submitted. The subdivider may grant an extension of time to the Township

In the case of a preliminary plan calling for the installation of improvements beyond a five year period, a schedule shall be filed by the landowner delineating all proposed sections as well as deadlines within which applications for final plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final sections has been granted and any modification in the aforesaid schedule shall be subject to approval of the Supervisors in its discretion. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five percent of the total number of dwelling units as depicted on the preliminary plan unless a lesser percentage is approved by the Supervisors in its discretion.

Approval of the preliminary plan, subject to conditions, revisions and modifications as stipulated by the Supervisors shall constitute conditional approval of the subdivision as to the character and intensity of development and the general layout and approximate dimensions of streets, lots and other proposed features, but shall not authorize sale of the lots except as provided in Section 408 hereof.

The Township Supervisors may approve a Preliminary Plan subject to conditions acceptable to the applicant, provided that the applicant indicates his written acceptance of those conditions to the Township Supervisors within seven (7) days of the date of the written notification from the Township Supervisors. Approval of a plat shall be rescinded automatically upon the applicant's failure to accept or reject such conditions within seven (7) days.

Section 406 Final Plan Review Procedures

Within six months after Supervisor action on the preliminary plan, a final plan and necessary supporting data shall be filed with the Commission for final plan review. Otherwise, the plan submitted shall be considered as a new preliminary plan, unless an extension of time has been granted by the Commission upon written request.

The final plan shall conform in all important respects with the preliminary plan as previously reviewed by the Commission and Supervisors and shall incorporate modifications and revisions specified by the Supervisors in their approval of the preliminary plan. Otherwise the plan shall be considered as a revised preliminary plan.

No plan shall be considered by the Commission unless it complies with the provisions of Article VII of these regulations.

The Subdivider shall file with the Carbon County Planning Commission the number of copies of the Final plan required for review by the Carbon County Planning Commission.

Nine (9) blue or black line paper prints of the final plan and four (4) copies of the required supporting data shall be submitted to the Commission.

Prior to the meeting at which the final plan is to be considered, the following persons will be notified in writing that a final plan has been received and will be considered by the Commission at its meeting of specified date:

- a. The subdivider.
- b. The engineer, surveyor or architect responsible for the plan.

The Commission may permit submission of the final plan in sections, each covering a portion of the entire proposed subdivision as shown on the preliminary plan. The Commission at its discretion, may require a key map showing the individual sections within the entire tract being subdivided. ~

The Commission shall review the Final Plan to determine its conformance to the Township Regulations at one or more regularly scheduled or special meetings. The Commission shall make a recommendation to the Supervisors as to whether the plan should be approved or disapproved, or if conditions, reviews, and modifications should be precedent to approval of the Final Plan.

After a Final Plan has been reviewed by the Commission and the comments of the Commission regarding the Plan have been forwarded to the Supervisors the Plan shall be reviewed at one or more regularly scheduled or special meetings of the Supervisors. No official action shall be taken by either the Supervisors or the Commission with respect to a Final Plan until they have received the written report of the County Planning Commission, provided that the report is received within thirty (30) days after the date the plan was forwarded to the County Planning Commission for review.

Before acting on a Final Plan, the Supervisors or the Commission may arrange for a public hearing on the Plan, giving public notice as required by law.

Within fifteen (15) days after the final meeting at which the Final Plan is reviewed by the Supervisors, the Township Secretary shall notify the subdivider and the engineer or surveyor responsible for the plan of the action of the Supervisors on the Plan. When the Plan is not approved, the notification shall specify the reasons for such disapproval and any requirements of this ordinance which have not been met.

The Supervisors shall within ninety (90) days following the date of the regularly scheduled meeting of the Commission next following the date the plan was submitted to the Township, notify the Subdivider or his agent of the action taken by the Supervisors. Should the said next regularly scheduled meeting occur more than thirty (30) days following the submission of the plan, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the plan was submitted. The subdivider may grant an extension of time to the Township.

Section 407 Recording Plan

Within ninety (90) days after the Supervisors approve a final plan, the plan shall be filed for recording with the Carbon County Recorder of Deeds. If the plan is not recorded within such period, the approval of the Supervisors shall become null and void, unless an extension of time has been granted by the Supervisors upon written request.

The record plan shall be an exact copy of the approved final plan, blue or black line print, prepared in accordance with the provisions of Article VII of these regulations. All seals on the record plan shall be impressed or raised seals. The

Chairman of the Commission and the members of the Supervisors shall not endorse the record plan unless it bears all other endorsements required by law.

Section 408 **Auction of Property**

When an owner proposes to offer his land for sale at auction in two or more parts, the following procedures shall be followed:

- a. Preliminary plans, showing the manner in which the owner desires to divide his land for sale at auction, shall be submitted for approval or review as required under Section 403 and 405 of these regulations, prior to advertisement of the sale.
- b. After preliminary approval the land may be advertised and offered for sale as shown on the approved preliminary plan.
- c. All agreements of sale shall be subject to approval of final plans, and final settlement shall not be made until after such final approval and recording of the plan has been completed in accordance with the provisions of Sections 406 and 407 of these regulations.
- d. When the land is sold in such a manner that Section 404 hereof is applicable, appropriate water and sewer certification shall be presented prior to approval of the final plan.
- e. The final plan shall show the land divided into the number and size of parcels as sold.
- f. If the land is sold as an entirety, the subdivider shall so notify the Township in writing and need not proceed with further approval of plans.

Section 409 **Highway Occupancy Permit**

Plans which require a Highway Occupancy Permit from the Pennsylvania Department of Transportation for a street intersection with a State Legislative Route shall not be approved by the Township Supervisors unless such Highway Occupancy Permit has been issued. In the case of driveways requiring such a Permit, the Plan shall not be approved by the Supervisors until the Permit is issued or the following note is added to the Plan.

A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P. L. 1242, No. 428), known as the "State Highway Law", before a driveway access to a state highway is permitted. Access to the state highway shall only be as authorized by a Highway Occupancy Permit.

The approval of this subdivision/land development plan shall not imply that a State Highway Occupancy Permit can be acquired or that Franklin Township will support, encourage or not oppose the granting of such a permit. It is possible that access to the property from a state highway will not be permitted by the Commonwealth and the property therefore cannot be used for the purpose intended by any purchaser. Purchasers are accordingly warned and should govern themselves accordingly, acquiring state and local highway occupancy permits before purchasing any premises.

Section 410 Township Road Occupancy Permit

All street or driveways entering upon a Township road requires an approved Township Road Occupancy Permit prior to Construction.

Section 411 Land Consolidation

When a person intends to combine two adjoining lots shown on a recorded subdivision plan into one lot to be described on one deed, no subdivision plan for such combining of lots need be submitted to the Township; however, the person combining such lots shall submit to the Township a copy of the deed which accomplishes the combining of those two lots into one lot. This will not exempt any person from submitting any required land development plan for the combined lot.

When a person intends to combine the entire property described on one deed, on which no development is proposed with adjoining property on another deed for the purpose of increasing lot size, no subdivision plan for such combining of parcels of land need be submitted to the Township; however, the person combining the parcels of land shall submit to the Township a copy of the deed which accomplishes the combining of those two parcels into one parcel. This will not exempt any person from submitting any required land development plan for the combined parcel.

ARTICLE V

DESIGN STANDARDS

Section 501 Applications

The following land subdivision principles, standards and requirements will be applied by the Commission in evaluating plans for proposed subdivisions or land developments. These principles, standards and requirements are minimum provisions for adoption by developers.

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 these regulations.

Section 502 General Requirements

All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created.

Reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands are prohibited. Wherever possible, subdividers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks. Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.

Section 503 Land Requirements

Land shall be suited to the purposes for which it is to be subdivided or developed. Land subject to flooding or other hazards to life, health or property, and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for such other uses as may increase danger to health, life or property or aggravate erosion or flood hazard until all such hazards have been eliminated, or unless adequate safeguards against such hazards are provided by the subdivision and land development plans. Such land within the subdivision or land development shall be set aside on the plat for uses as shall not be

endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding" and shall not be platted in streets and lots.

Section 504 Community Facilities

In reviewing subdivision and land development plans, the Township will consider the adequacy of existing or proposed community facilities to serve the additional dwellings proposed by the subdivision or land development.

Subdividers shall give earnest consideration to the desirability of providing or reserving areas for facilities normally required in residential sections, including churches, libraries, schools and other public buildings; parks, playgrounds and playfields; shopping and local business centers.

Areas provided or reserved for such community facilities shall be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Prior to preparation of final plans, subdividers of large tracts shall review with the Township minimum standards for various community facilities applicable to the tract to be subdivided.

Section 505 Streets

Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites. Residential streets shall be so laid out as to discourage through traffic; however, the arrangement of streets shall provide for continuation of existing or platted streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.

If lots resulting from original subdivision are large enough to permit re-subdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided as necessary.

Dead end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs. Stub streets greater than one lot depth in length shall be provided with a temporary turn-around to the standards required for cul-de-sacs.

Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within

a municipality and all street names shall be subject to approval of appropriate local authorities and the Township.

Private streets serving more than two single-family dwellings are prohibited. On private streets two two-family dwellings or more than four multiple-family dwelling units shall be prohibited.

All design elements of all streets, including horizontal and vertical alignment, sight distance, and superelevation, are subject to review and approval by the Township. When reviewing the design of streets, in addition to the standards in this Ordinance, the Rural Design Criteria in the Pennsylvania Department of Transportation Design Manual Part 2, Highway Design, latest edition, and A Policy On Geometric Design of Highways and Streets, AASHTO, latest revision, shall be consulted to assure that the road design is in accordance with acceptable engineering practice.

For certain aspects of vertical and horizontal alignment discussed below, standards are determined by design speed of the road involved. For all proposed streets, the subdivider shall indicate the proposed design speed. The designated design speed is subject to the approval of the Township. In general, the design speed on major traffic streets shall be considered as 55 MPH (to be determined in each individual case), or primary streets a minimum of 35 MPH (to be determined in each individual case) and on minor streets 35 MPH unless a lesser design speed is permitted by the Township.

The designation of streets as major traffic, primary and minor streets and as no parking, parking one side and parking both sides is subject to approval by the Township.

All access drives within multiple family and non-residential developments which are intended for circulation within the development shall be designed to the horizontal and vertical alignment standards for streets contained within this Ordinance.

Section 506

Cul-de-sacs

Cul-de-sacs permanently designed as such, shall not exceed eight hundred (800) feet in length and shall furnish access to not more than fifteen dwelling units. Cul-de-sacs shall have at the closed end a turn-around with a right-of-way having a minimum outside radius of not less than fifty (50) feet, and shall be paved to a radius of not less than forty (40) feet. Drainage of cul-de-sacs shall preferably be towards the open end. The length of a cul-de-sac shall be measured from right-of-way of the intersected street to center point of the cul-de-sac.

Section 507

Street Widths

Minimum street widths shall be as follows:					
Class	Minimum Required Right-of-Way in Feet	Minimum Required Cartway Width in Feet			Shale Base Shoulder (Each Side) in Feet
		No Parking Permitted	Parking Permitted One Side of Street	Parking Permitted Both Sides of Street	
Major Traffic Street	80' ±	48' ±	N/A	N/A	4' ±
Primary Streets	60'	24'	32'	40'	3'
Minor Streets	50'	20'	28'	36'	3'
Marginal Access Streets	33'*	20'	28'	36'	3'
Service Streets	33'	20'	N/A	N/A	N/A
* TO BE DETERMINED AFTER DISCUSSION WITH TOWNSHIP AND PENNSYLVANIA DEPARTMENT OF TRANSPORTATION					
± May be reduced after review by and with permission of the Township					

Short extension of existing streets with lesser right-of-way and/or cartway widths than prescribed by Section 507 above may be permitted, provided however, that no section of new right-of-way be less than thirty-three (33) feet in width.

Where a subdivision or land development abuts or contains an existing street of inadequate right-of-way width, additional right-of-way shall be dedicated to conform to the standards as set by the Township, any applicable studies conducted by the Township of future rights-of-way or if not addressed therein, to the above standards.

Where a subdivision or land development fronts on and will provide for vehicular access to and from an existing Township road which does not meet the minimum width requirements for Pavement, Shoulders, and Clearance Beyond Shoulder established in the latest edition of Guidelines For the Design of Local Roads and Streets, Publication 70, issued by the Pennsylvania Department of Transportation, the Township may require the Subdivider to improve at his expense the Township road to meet those width standards for Pavement, Shoulders, and Clearance Beyond Shoulder. Pavement shall be constructed in accordance with Pavement Design Guidelines for Rural Areas in Guidelines For the Design of Local Roads and Streets, Publication 70. Shoulders shall be either Paved Shoulders, Type 3 or Paved Shoulders, Type 4, constructed at a minimum depth of four (4) inches in accordance with the requirements of the latest edition of the Pennsylvania Department of Transportation Specifications Publication 408. In addition, provision shall be made for adequate drainage along the sides of the roads. Such drainage provisions shall be approved by the Township.

New half or partial streets will not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.

Section 508 Horizontal Curves

Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves. To ensure adequate sight distance, minimum center line radii for horizontal curves shall be as follows:

<u>Design Speed</u> <u>(in miles per hour)</u>	<u>Minimum Center Line Radius</u> <u>(in feet)</u>
20	100
25	150
30	230
35	310
40	430
45	550
50	700
55	850

Except on minor streets, a minimum tangent of one hundred (100) feet shall be required between curves.

A long radius curve shall be preferred in all cases to a series of curves and tangents.

The approaches to an intersection shall follow a straight course.

Section 509 **Vertical Curves**

Center line grades shall not be less than one (1) percent. Center line grades shall not exceed the following:

- a. Minor streets: Twelve (12) Percent
- b. Primary streets: Eight (8) Percent
- c. Major Traffic streets: Six (6) Percent

Vertical curves shall be used at changes of grade exceeding one (1) percent and shall be designed to provide the following minimum sight distance:

<u>Design Speed</u> <u>(in miles per hour)</u>	<u>Minimum Required Sight</u> <u>(Distance in feet)</u>
20	150
25	175
30	200
35	250
40	325
45	400
50	475
55	550

Where the grade of any street at the approach to an intersection exceeds seven (7) percent, a fifty (50) foot leveling area shall be provided having not greater than four (4) percent grade. Maximum grade within any intersection or in the closed-end (circle) of a cul-de-sac shall not exceed five (5) percent.

Section 510 **Intersections**

Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees. Multiple intersections involving junction of more than two (2) streets shall be prohibited.

Clear sight triangles of fifty (50) feet measured along street right-of-way lines from their points of junction shall be provided at all intersections and no buildings, structure, grade or planting higher than (2) feet above the center line of

the street shall be permitted within such sight triangles. Intersections with major traffic streets shall be located not less than eight hundred (800) feet apart.

Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred twenty-five (125) feet between their center lines. Minimum curb radii at street intersections shall be twenty (20) feet and at the property line the radius shall be ten (10) feet.

Section 511 Access Restrictions

Where a subdivision abuts or contains an existing or proposed major traffic or primary street, the Township may require marginal access streets, reverse frontage lots or such other treatment as will provide protection for abutting properties and for reduction in the number of intersections with the major or primary street, and separation of local and through traffic.

Access to parking areas on commercial and industrial sites shall be controlled and shall be so located in accordance with the Franklin Township Zoning Ordinance. Access drives to parking areas shall not be less than thirty (30) feet or more than fifty (50) feet wide.

Private driveways, where provided, shall be located not less than forty (40) feet from the intersection of cartway lines at corner lots and shall provide access to the street of lower classification where a corner lot is bounded by streets of two (2) different classifications as herein defined.

Section 512 Storm Water Management Standards and Design

A. Storm Water Management Standards and Design

1. General Principles for Storm Drainage Systems

Storm sewers, culverts, endwalls, inlets, and related installations and improvements shall be provided in order to:

- a. Permit unimpeded flow of natural water courses;
- b. Ensure adequate drainage of all streets;
- c. Intercept storm water runoff along streets at intervals related to the extent and grade of the area drained;

- d. Provide positive drainage away from on-site sewage disposal facilities and buildings;
- e. Accommodate runoff so that there shall be no increase in rate of storm water peak discharge leaving the subdivision or land development during or after construction based on the design rainfall frequency established in this Ordinance. Pre- and post-development runoff shall be evaluated for all drainage areas discharging from the site.
- f. Ensure adequate drainage at intersections of driveways with streets.
- g. Provide that where existing storm sewers are reasonably accessible and of adequate capacity, subdivisions and land developments shall connect to the existing storm sewers.
- h. Provide that when no existing storm sewer system is accessible and of adequate capacity, storm water runoff shall discharge to an existing watercourse with defined bed and barriers. Runoff shall not be increased or concentrated onto adjacent properties, nor shall the velocity of flow be increased beyond that existing prior to subdivision or land development unless written approval is given by the adjacent property owners to the proposed discharge of surface runoff and the written agreements are approved by the Township Supervisors.
- i. Provide that when storm drainage will be directed into an adjacent municipality, all provisions for accommodating such storm drainage shall be submitted to the governing body of that municipality for review.

2. Design of Storm Drainage Systems

- a. Complete storm water calculations in accordance with the design standards and Appendices of this Ordinance and all designs for drainage facilities shall be submitted to the Township for review.
- b. Where a subdivision or land development is traversed by or contains a pond, lake, watercourse, drainage way, channel, storm drainage system, or stream, there shall be provided a drainage easement that conforms substantially with the line of such pond, lake, water course, drainage way, channel, storm drainage system, or stream of such width as will be adequate to preserve the unimpeded flow of

- drainage (100-yr. flow) and to provide for widening, deepening, relocating, improving or protecting such features or drainage facilities. Minimum easement width shall be ten feet (10') from each side of the water course, waterbody, stream, pond, lake or drainage facility, but the Township may require a greater easement when necessary. Bearings and distances shall be provided for the boundaries of easements.
- c. Any changes in an existing drainage way shall be subject to the approval of the Pennsylvania Department of Environmental Resources, the Army Corps of Engineers, or the Federal Emergency Management Agency when each or all have jurisdiction. All permits and approvals shall be issued prior to construction of storm drainage-related improvements.
 - d. The developer shall properly grade and seed slopes, and fence open ditches when a safety hazard can result. Areas within easements shall be kept as lawn or in natural conditions to allow maintenance and entrance.
 - e. All drainage facilities shall be designed to adequately handle surface runoff and carry it to suitable outlets and shall be designed in accordance with the minimum design standards in the Appendices of this Ordinance.
 - (1) Subsurface drainage systems shall have manholes spaced at intervals not exceeding 400 feet and located wherever branches are connected or sizes are changed and wherever there is a change in alignment or grade. Inlets or other means of interconnection may be used instead of manholes when approved by the Township Supervisors.
 - (2) For drainage lines of 36" diameter or greater, manholes may be spaced at intervals greater than 400' with the approval of the Township Supervisors.
 - (3) Storm sewer lines within street rights-of-way shall be placed immediately in front of the curb when parallel to the right-of-way. Locating storm sewers under curbs in curves or at street intersections will not be permitted.
 - (4) Drainage structures that are to be located within State Highway rights-of-way shall be approved by the Pennsylvania Department of Transportation, and a letter from that

Department indicating such approval shall be submitted to the Township.

- (5) Subsurface storm drainage systems shall have PennDOT-approved inlets located as required by this Ordinance to intercept runoff. Inlets shall be designed and located to prevent hazards to vehicles, bicycles, and pedestrians.
 - (6) PennDOT-approved endwalls or end sections shall be used in lieu of inlets where feasible to minimize clogging of grates with leaves, debris, etc.
 - (7) Reinforced concrete pipe shall be used for all storm sewer lines, including retention/detention facilities. Alternate pipe materials may be used with Township Supervisors approval; however, alternate materials shall be backfilled with select granular PennDOT (2-RC) material, solidly compacted in six inch (6") lifts. All pipe materials shall meet PennDOT requirements, and shall have a minimum diameter of fifteen inches (15").
 - (8) Provisions shall be made to minimize erosion within water courses and at points of discharge from storm drainage facilities through the use of proper ground cover, rip-rap, or root-reinforcing systems.
 - (9) Where there is a change in pipe size through an inlet, the top inside elevation of the outlet pipe shall be at or below the elevations of all incoming pipes.
- f. Storm sewers, culverts, swales, channels, and related facilities shall be designed to accommodate and discharge all runoff from adjacent upstream drainage areas, assuming the upstream area is fully developed.

3. Standards for Drainage of Streets

- a. All streets shall be designed to provide for the discharge of surface water from their rights-of-way. The design storm shall be a 10-year frequency for residential subdivisions with a gross density less than six (6) units per acre, and a 25-year frequency for all other subdivisions or land developments. The design storm shall be one hundred (100) years for sections conveying runoff directly to

detention facilities and in other instances when required by the Township.

- b. The pavement cross slope on streets shall not be less than 1/4" per foot and not more than 1/2" per foot. The slope of the shoulder areas shall not be less than 3/4" per foot and not more than 1" per foot.
- c. Surface cross drainage at intersections or other roadway sections will not be permitted.
- d. Inlets shall be spaced to limit the gutter flow spread into the travel lanes to one-half (1/2) the lane width during the design storm.
- e. Inlet efficiency and bypass flows, per PennDOT design charts, shall be considered in the design of storm sewer systems.
- f. To ensure adequate drainage at low points along the line of streets, overflow swales shall be designed to convey the full 100-year storm flow away from all street low points. These swales shall be located to prevent flooding of downslope lots.

4. Design of Retention and Detention Facilities

a. General Requirements

- (1) Where retention (permanent pool) and detention (dry bottom) basins are required by the Township Supervisors, adequate assurances of maintenance, indemnification, liability insurance, and security shall be provided and approved by the Supervisors.
- (2) Retention and detention facilities shall be designed and located so as to not present a hazard to the public health or safety. Their design shall be approved by the Township Supervisors.
- (3) Such facilities shall be designed so that no adverse effects will result from backwater flooding.

b. General Design Considerations

- (1) The number and location of retention/detention facilities are subject to the approval of the Township Supervisors.

- (2) For detention basins, a method of carrying low flow through the basin area shall be provided and the basin shall be provided with a positive gravity outlet to a natural channel or storm sewer of adequate capacity.
- (3) If percolation of runoff is considered as a method of runoff abatement, percolation tests shall be taken at the site of the proposed detention facilities and the results submitted to the Township for review. At the discretion of the Township Supervisors, percolation facilities may be prohibited.
- (4) The storage duration of storm water runoff shall not exceed twenty-four (24) hours after rainfall has ceased. The Township Supervisors may require the fencing of retention/detention basins when deemed necessary for the public safety.
- (5) The pipe spillway outletting from the retention/detention basin shall be designed on the basis of a rainfall frequency that is consistent with the requirements of this Ordinance. Basin discharge velocities and quantities shall be consistent with the need to protect the public health, safety, and welfare and to prevent turbulent conditions and erosive velocities in a receiving watercourse.
- (6) Minimum grades for turf areas inside detention basins shall be one (1) percent and maximum side slopes of retention/detention basins shall be thirty-three (33) percent (3 units horizontally to 1 unit vertically). Depending upon the location and the intended use of the detention facilities during nonfunctioning times, a side slope of less than thirty-three (33) percent for one or both slopes may be required by the Township Supervisors. Side slopes shall be kept as close to the natural land contours as practical, but when a detention basin is to be maintained by a future residential lot owner, the maximum side slope shall be twenty-five (25) percent (4 units horizontally to 1 unit vertically).
- (7) Paved surfaces that are to serve as storm water storage areas shall have minimum grades of one-half (1/2) percent and shall be restricted to storage depths of six inches (6") maximum.

- (8) If a portion of an area within a storm water storage area is to be paved for parking or recreational purposes, the paved surface shall be placed at the highest elevation possible within the storage area.
- (9) The following additional conditions shall be complied with for retention basins:
 - (a) Water surface area shall not exceed one-tenth (1/10) of the tributary drainage area.
 - (b) Shoreline protection shall be provided to prevent erosion from wave action.
 - (c) Facilities shall be provided to allow the pond level to be lowered by gravity flow for cleaning purposes and shoreline maintenance.
 - (d) Aeration facilities as may be required to prevent pond stagnation shall be provided. Design calculations to substantiate the effectiveness of these aeration facilities shall be submitted with final engineering plans. Agreements for the perpetual operation and maintenance of aeration facilities shall be prepared to the satisfaction of the Township Supervisors.

5. Specific Design Considerations for Retention/Detention Basins

- a. Retention/detention basins shall be designed according to the methods outlined in U.S. Department of Agriculture, Soil Conservation Service Technical Release No. 55, "Urban Hydrology for Small Watersheds", latest edition. Other methods may be used with approval from the Township Supervisors.
 - (1) Design Storm - Storage volume for all subdivision and land development retention/detention facilities shall be based on a 25-year storm event.

Where deemed necessary in the public interest and for the public safety by the Township Supervisors, the Supervisors may require volume and allowable discharge to be calculated based on a 50- or 100-year storm.

- (2) Design Storm Rainfall - Storm water runoff shall be based on the following 24-hour Type II distribution storm events:

<u>Storm Event</u>	<u>Inches Rainfall</u>
2 yr.	3.0
10 yr.	4.6
25 yr.	5.6
50 yr.	6.6
100 yr.	7.5

- b. The facilities shall be designed such that the peak discharge from the site after development to all points of discharge does not exceed the peak predevelopment discharge for the 2-, 10-, and 25-year storm events.
- c. The predevelopment ground condition for all lands within the subject property which are farm fields shall be considered as pasture with good ground cover.
- d. Retention/detention basins shall be designed to safely discharge the peak discharge of a post-development one hundred (100) year frequency storm event through an emergency spillway in a manner which will not damage the integrity of the basin or the downstream drainage area. The emergency spillway shall be designed by the 100-year inflow hydrograph through the spillway assuming there is no storage volume below the spillway invert.
- e. Retention/detention basins which are designed as earth fill dams shall incorporate the following minimum standards:
- (1) The height of the dam shall not exceed fifteen feet (15'), unless approved by the Township Supervisors and the Pennsylvania Department of Environmental Resources.
 - (2) The minimum top width of dams up to fifteen feet (15') in height shall be equal to three-fourths of the dam height, but in no case shall the top width be less than eight feet (8').
 - (3) The side slopes of the settled earth fill shall not be steeper than three (3) horizontal to one (1) vertical.

- (4) A key trench at least two feet (2') deep, or extending down to stable subgrade, whichever is deeper, of compacted relatively impervious material (Unified Soil Classification CL or ML).

Minimum bottom width for the key trench shall be four feet (4'). Maximum side slopes for the key trench shall be one (1) horizontal to one (1) vertical. A compacted impervious core at least eight feet (8') wide at the top, having a maximum side slope of one (1) horizontal to one (1) vertical, shall extend for the full length of the embankment, and the top elevation shall be set at the 25-year design water surface elevation.

- (5) All pipes and culverts through dams shall have properly spaced concrete anti-seep collars a minimum of 6" thick. Design calculations shall be submitted for review.
- (6) The top of berm shall be constructed at least six inches (6") above the design elevations to allow for settlement of the embankment.
- (7) The emergency spillway shall be constructed in undisturbed earth, or be of concrete construction along its bottom and sides.
- (8) Whenever a basin will be located in an area underlain by limestone, a geological evaluation of the proposed location shall be conducted to determine susceptibility to sinkhole formations. The design of all facilities over limestone formations shall include measures to prevent groundwater contamination and, where necessary, sinkhole formation. Soils used for the construction of basins shall have low-erodibility factors ("K" factors). The Township may require the installation of an impermeable liner in detention basins.

6. Design Submission Requirements

The following storm water management data are required submittals:

- a. All calculations, assumptions, and criteria used in the design of storm water management facilities and in the establishment of the calculated predevelopment and post development peak discharge.

- b. All plans and profiles (including cross-country systems) of proposed storm water management facilities (storm sewers, swales, etc.) including horizontal and vertical location, size, and type of material. This information shall provide sufficient information required for the construction of all facilities.
- c. A map(s) clearly delineating and labelling all drainage areas used in the design of storm water management facilities.
- d. For all retention/detention basins, a plotting or tabulation of storage volumes with corresponding water surface elevations and outflow rates for those water surfaces.
- e. For all retention/detention basins, the design inflow and outflow hydrographs and routing calculations to determine the function of the basin. The storage-indication routing method shall be used.
- f. For all retention basins which hold two and one-half (2-1/2) acre feet or more of water during the 25-year design storm and have an embankment that is ten feet (10') or more in height, soil structures and characteristics shall be investigated. Plans and data prepared by a registered professional, experienced and educated in soil mechanics, shall be submitted.
- g. A map(s) clearly delineating any existing wetlands as classified by a qualified environmental scientist experienced in wetland determination. Wetland determination shall be performed in accordance with U.S. Army Corps of Engineers procedures as outlined in publication TRY-87-1, "Wetlands Delineation Manual", latest edition.

No construction or development shall be permitted in wetlands without approval from the U.S. Army Corps of Engineers and the Pennsylvania Department of Environmental Resources, Bureau of Dams and Waterway Management.

7. Maintenance of Storm Water Management Facilities

Proposals for the ownership and maintenance responsibilities for all proposed storm drainage facilities shall be submitted to the Township for review and approval at Preliminary Plan stage. The Township Supervisors shall be satisfied that sufficient provision has been made for adequate and perpetual maintenance of all such facilities. All drainage facilities to be

owned by the developer or his assigns shall be maintained to retain their design capacity.

8. Groundwater Recharge

The ability to retain and maximize the groundwater recharge capacity of the area being developed is encouraged. Design of the storm water management facilities shall give consideration to providing groundwater recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved and roofed over. A detailed geologic evaluation of the project site shall be performed to determine the suitability of recharge facilities. The evaluation shall be performed by a qualified geologist and/or soil scientist, and at a minimum, address soil permeability, depth to bedrock, susceptibility to sinkhole formation, and subgrade stability. Where pervious pavement is permitted for parking lots, recreational facilities, nondedicated streets, or other areas, pavement construction specifications shall be noted on the plan.

9. Erosion and Sediment Controls and Plan Requirements

Land shall not be developed or changed by grading, excavation or the removal or destruction of natural topsoil, trees or other vegetative cover unless adequate provisions for minimizing erosion and sedimentation are provided.

- a. A plan for erosion and sediment control shall be prepared and submitted to the Township as required by this section of the Ordinance. The plan shall meet all requirements and be approved by the County Conservation District, the Township, and the Pennsylvania Department of Environmental Resources (Chapter 102 of Title 25, latest revision), when applicable.
- b. The erosion and sediment control plan shall be submitted at Final Plan submission for a subdivision or land development. The plan shall contain two (2) parts: (1) a map(s) describing the topography of the area within the subdivision or development, the proposed alterations of the area, and the erosion and sediment control measures and facilities which are proposed; and (2) a Narrative Report describing the project and giving the purpose, engineering assumptions, and calculations for control measures and facilities.

The map(s) shall show:

(1) The types, depth, slope, and areal extent of the soils on the site.

(2) The proposed alteration to the area, including:

Arrows indicating existing and proposed runoff flow direction, when contours do not adequately describe flow paths.

Areas of cuts and fills exceeding five feet (5') in vertical difference.

Structures, roads, paved areas, buildings.

Storm water and erosion and sediment control facilities.

Existing contours on the site at intervals required by this Ordinance and finished contours at the same interval. The Township may require that the proposed grading of individual lots be shown on the plan.

(3) The following certification statements:

1. "I CERTIFY THAT THE PLAN OF DEVELOPMENT AND THE PLAN FOR SOIL EROSION AND SEDIMENT CONTROL MEET THE REQUIREMENTS, STANDARDS AND SPECIFICATIONS OF THE PENNSYLVANIA DEPARTMENT OF RESOURCES (CHAPTER 102 OF TITLE 25 LATEST REVISION) AND APPROVE BY THE CARBON COUNTY CONSERVATION DISTRICT."

Engineer for Developer Date

2. "I CERTIFY THAT ALL CONSTRUCTION AND/OR DEVELOPMENT WILL BE DONE AS DESCRIBED BY THIS PLAN OF DEVELOPMENT AND THE PLAN FOR SOIL EROSION AND SEDIMENT CONTROL, INCLUDING THE NARRATIVE REPORT."

Developer Date

The Narrative Report shall contain:

(4) A General Statement of the Project which shall contain:

A general description of the project.

A general description of storm water control methods.

A general description of accelerated erosion control.

A general description of sedimentation control.

(5) The Staging of Earthmoving Activities, including cover removal, control facility installation, installation of improvements, and program of operations.

(6) A Maintenance Program for the control facilities, including:

Frequency of inspection of control facilities.

Method of disposal of materials removed from the control facilities of the project area.

The methods, frequency, and ultimate disposal site for solid waste material. Construction waste shall be removed from the site and disposed of in an approved landfill. Construction waste shall not be buried on the site.

(7) A specification for both temporary and permanent seeding, including preparation of the seed bed. Application rates for seed, fertilizer and mulch shall be provided, and shall comply with the specifications and standards established by the County Conservation District.

The following items shall be shown on a map and also described in the Narrative Report:

(8) Temporary control measures and facilities for use during earthmoving, including:

Purpose.

Types of measures and facilities.

Location of measures and facilities.

Dimensioned construction details of the facilities.

- (9) Permanent control measures and facilities for site restoration and long-term protection, including:**

Purpose.

Types of measures and facilities.

Location of measures and facilities.

Dimensioned construction details of the facilities.

Design considerations and calculations.

- c. All erosion and sediment control facilities shall be periodically inspected and checked for adequacy and compliance with the approved erosion and sediment control plan by the Township. The approved erosion and sediment control plan shall be maintained at the site of earthmoving at all times.**
- d. All control facilities shall be maintained for their designed operation to ensure adequate performance.**
- e. The following guidelines shall be followed as needed in developing erosion and sediment control measures:**
- (1) Stripping of vegetation, grading, filling, excavating or other alteration of the landscape shall be kept to a minimum and shall be done in such a way that will minimize erosion.**
 - (2) Whenever feasible, natural vegetation shall be retained, protected, and supplemented.**
 - (3) The disturbed area and the duration of exposure shall not exceed twenty (20) days, except in the case of building construction.**
 - (4) Disturbed soils shall be stabilized as quickly as practicable.**
 - (5) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.**

- (6) Erosion control and drainage measures shall be installed prior to earthmoving activities.
 - (7) Both permanent and temporary provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff shall be mechanically retarded.
 - (8) Until disturbed areas are stabilized, sediment in runoff water shall be trapped by the use of debris basins, sediment basins, silt traps, or other similar approved measures.
 - (9) Provision shall be made to protect existing water supplies and geologic structures with water supply potential from contamination.
- f. The following guidelines shall be applied as needed in excavation and fills as part of erosion and sediment controls:
- (1) All lots, tracts, or parcels shall be graded to provide positive drainage away from buildings, without ponding.
 - (2) Grading and cut-fill operations shall be kept to a minimum to ensure conformity with the natural topography, to minimize the erosion hazard, and to adequately handle surface runoff.
 - (3) Natural drainage patterns shall be preserved wherever possible and desirable.
 - (4) Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations and the sloping surfaces of fills.
 - (5) Cut and fills shall not endanger adjoining property.
 - (6) Fill shall be placed and mechanically compacted to minimize sliding and erosion of the soil.
 - (7) Fills shall not encroach on natural watercourses, floodplains, or constructed channels.
 - (8) During grading operations, necessary measures for dust control shall be exercised.

(9) Grading equipment shall not cross live streams. Provisions must be made for the installation of culverts or bridges.

g. Whenever sedimentation is caused by stripping vegetation, regrading, or other development or earthmoving, it shall be the responsibility of the person, corporation, or other entity causing such sedimentation, at his expense, to remove it from all adjoining surfaces, drainage systems, and watercourses and to repair any damage which was caused within seventy-two (72) hours of such sedimentation or damage. The Township Supervisors may require a note to this effect to be placed on the Final Plan.

B. DESIGN OF STORM DRAINAGE SYSTEMS

1. METHOD OF STORM WATER RUNOFF CALCULATIONS

The collection system shall be designed using the Rational Method in accordance with American Society of Civil Engineers Manual No. 37 or the U.S. Department of Agriculture Soil Cover Complex Method in Technical Release No. 55, latest edition.

The Rational Method uses the formula $Q = CiA$, where

"Q" is the required capacity in cubic feet per second for the collection system at the point of interest.

"C" is the runoff coefficient applicable to the entire drainage area. It shall be based upon existing development in the drainage area, consideration of soil conditions, topography, and the ultimate development of the proposed subdivision or land development.

"i" is the intensity of rainfall in inches per hour and shall be based on the Region 4 PennDOT storm intensity-duration-frequency curve, latest revision. Time of concentration calculations shall be submitted, and shall be based on methods outlined in Technical Release No. 55. The sheet and shallow concentrated flow lengths used in the calculations shall be justified based on existing or proposed topography. The time of concentration flow paths (pre- and post development) should be shown on the grading plan. The predevelopment sheet flow length shall be 150', unless a shorter length can be justified. The maximum post development sheet flow length for unpaved surfaces shall be 150', with a maximum flow length of 100' for most situations, depending on the proposed site grading.

"A" is the drainage area in acres.

2. Values of Coefficient "C"

- a. The following runoff coefficients shall be used for calculating runoff using the Rational Method:

RUNOFF COEFFICIENTS FOR THE RATIONAL METHOD*								
HYDROLOGIC SOIL GROUP AND SLOPE RANGE								
	A		B		C		D	
Land Use	0-6%	6%+	0-6%	6%+	0-6%	6%+	0-6%	6%+
Cultivated Land	0.25 ^a	0.35	0.30	0.40	0.35	0.45	0.40	0.50
	0.30 ^b	0.40	0.35	0.45	0.40	0.50	0.50	0.60
Pasture	0.20	0.30	0.28	0.37	0.34	0.44	0.40	0.50
	0.25	0.37	0.34	0.45	0.42	0.52	0.50	0.62
Meadow	0.10	0.13	0.13	0.19	0.16	0.23	0.19	0.26
	0.14	0.16	0.16	0.22	0.20	0.26	0.23	0.30
Forest	0.08	0.11	0.11	0.14	0.13	0.16	0.16	0.20
	0.11	0.14	0.14	0.18	0.16	0.20	0.20	0.25
Open Space (Lawn)	0.10	0.14	0.15	0.19	0.20	0.24	0.25	0.28
	0.16	0.20	0.20	0.25	0.25	0.30	0.30	0.35
Paving, Buildings, Sidewalks	.95	.95	.95	.95	.95	.95	.95	.95
^a Runoff coefficients for storm recurrence intervals less than 25 years.								
^b Runoff coefficients for storm recurrence intervals of 25 years or more.								
*Higher coefficients may be required by the Township due to local soil conditions.								

C. DESIGN OF DRAINAGE FACILITIES

1. In the design of storm sewers, the following formulas shall be used:

$$V = \frac{1.49}{n} (R)^{\frac{2}{3}} (s)^{\frac{1}{2}} \quad (\text{Manning's Formula For Velocity})$$

$$Q = va \quad (\text{Continuity Equation})$$

Where:

V = velocity of flow (in feet per second)

n = coefficient or roughness

R = Hydraulic Radius

s = slope (in feet per foot)

Q = discharge (in cubic feet per second)

All storm sewers or culverts which are provided shall have a minimum diameter of fifteen inches (15").

In all cases where drainage is collected by a headwall or catch basin where inlet or outlet control may govern, the pipe shall be designed as a culvert as outlined in Hydraulic Design Series No. 5, latest edition, and 13 of the U.S. Department of Transportation, Federal Highway Administration, Washington, D.C. The allowable headwater should be determined by the specific entrance conditions and sound engineering judgment. The design of culverts shall not create excessive headwater depths.

2. The coefficient of roughness, "n", shall be as follows unless otherwise approved by the Township Supervisors:

<u>Pipe Material</u>	<u>"n"</u>
Concrete	0.012
Corrugated Steel	
Annular	0.024
Helical	
15"	0.012
18"	0.014
21"	0.016
24"	0.017
30"	0.018
36"	0.019
42"-54"	0.020
larger than 54"	0.021
PVC	0.011

For all open channels, the coefficients shall be taken from Tables 5-6 and Figures 5-5 of Open-Channel Hydraulics by Ven Te Chow, Ph.D., McGraw-Hill Book Co., 1959.

3. Permissible Flow Velocities in Open Channels

The design of open channels, swales, diversions, etc. shall minimize possible erosion caused by excessive channel velocities. The storm sewer design frequency storm shall be used to determine the maximum channel velocity and type of ground cover required to stabilize the channel properly.

Grass-lined channels shall be considered stable if the calculated velocity for the design flow does not exceed the allowable velocities shown below:

- a. Three (3) feet per second where only sparse vegetation can be established and maintained because of shade or soil condition.
- b. Four (4) feet per second where normal growing conditions exist and vegetation is to be established by seeding.
- c. Five (5) feet per second where a dense, vigorous sod can be quickly established or where water can be temporarily diverted during establishment of vegetation. Netting and mulch or other equivalent methods for establishing vegetation shall be used.

- d. Six (6) feet per second where there exists a well established sod of good quality, or if root-reinforcing systems are installed.

These calculated grass-lined channel velocities may be exceeded if the designer can provide supportive design criteria as proof of erosion prevention.

Where the velocity of storm water runoff exceeds the allowable velocity, an erosion resistant lining shall be provided.

4. Permissible Velocities in Storm Pipe at Design Flow

Minimum - 2.5 feet per second

Maximum - Although there is no apparent limitation for the maximum permitted velocity in storm sewer pipes, the design shall consider minor losses due to bends, restrictions, manholes, etc. and the erosion potential at pipe outlets in the design of pipes. The pipe manufacturer's suggested maximum velocities, if any, shall also be considered in the pipe design.

D. ADDITIONAL NOTES

1. All calculations are subject to approval by the Township.
2. A drawing showing all drainage areas contributing to drainage facilities shall be submitted with the storm water runoff calculations.
3. Alternative methods of storm water runoff determination may be permitted by the Township upon written request of the developer.
4. When deemed appropriate by the Township, storm water runoff determination using alternative methods may be required.
5. When open channels are used, side slopes, depth of channel, and width of channel shall be subject to approval of the Township and shall not be such that a danger to life, property and the public health, safety and welfare results.

Section 513

Blocks

The length, width and shape of blocks shall be determined with due regard to the following:

1. Provision of adequate sites for type of buildings proposed.
2. Topography.
3. Requirements for safe and convenient vehicular and pedestrian circulation.

Blocks shall have a maximum length of one thousand six hundred (1,600) feet, and so far as practical, a minimum length of five hundred (500) feet. In the design of blocks longer than one thousand one hundred (1,100) feet special consideration shall be given to the requirements of satisfactory fire protection.

Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a major traffic street are used.

Pedestrian interior walls may be required where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than four (4) feet and be constructed of Township approved material.

Section 514

Lots

Lot dimensions and areas exclusive of easements shall be in accordance with the provisions of the Franklin Township Zoning Ordinance. All lots must conform to the Pennsylvania Department of Environmental Resources regulations concerning on-lot water and sewerage.

Lot depths shall be not less than one (1) nor more than two and one-half (2-1/2) times the average width.

Depth and width of parcels laid out or reserved for non-residential use shall be adequate for the use proposed and sufficient to provide satisfactory space for off-street parking and unloading. Residential lots shall front on a street, existing or proposed. Double frontage lots are prohibited, except where employed to prevent vehicular access to major streets. Side lot lines shall be substantially at right angles or radial to street lines.

If remnants of land exist after subdivision, they shall be incorporated in existing or proposed lots, or dedicated to public use if acceptable to the Township.

Section 515

Easements

Easements with minimum width of twenty (20) feet shall be provided as necessary for utilities.

Where a subdivision is traversed by watercourses, there shall be provided a drainage easement or right-of-way conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage.

Section 516

Driveways

1. Subdivisions shall be designed to minimize the number of driveway intersections with existing public roads. Consideration should be given to the use of common driveways. Whenever deemed feasible by the Supervisors and required by the Supervisors to minimize driveway intersections with existing Township roads (thus lessening interruptions to traffic flow and accident hazards and minimizing sedimentation and runoff problems onto existing public roads) subdivisions shall be provided with internal streets on which proposed lots will front and to which the lots will have driveway access.
2. All driveways which provide access to major traffic streets, if such driveways are permitted by the Supervisors, shall be designed with turnaround areas so that cars will not back onto the major traffic street and will enter the street head-on.
3. Provisions shall be made at all intersections of driveways with streets to ensure adequate storm water drainage and erosion and sediment control. Driveways shall be located, designed, constructed and maintained in such a manner as to not interfere with the design, maintenance, and drainage of streets.

The Supervisors may require subdivision plans to show a typical treatment of the construction of driveways and handling of storm drainage where the driveways intersect a street. The Supervisors may further require, as a condition to approval of a subdivision plan, that prior to the issuance of zoning or building permits for a lot, that the specific proposals for the construction of that driveway and treatment of storm drainage and erosion and sediment control for that driveway be submitted to the Township for approval.

4. Driveways shall be so located as to provide reasonable and safe sight distance at intersections with streets for both the operator of a vehicle departing the driveway and the operator of a vehicle on the intersected

street who would be approaching the driveway. Driveways shall be located such that the free movement of normal street traffic is not impaired, the driveways will not create a hazard and the driveways will not create areas of undue traffic congestion on streets. The Supervisors may require the permissible location of a driveway for a lot to be shown on the subdivision plan, and further require that driveway locations be subject to approval by the Supervisors.

A clear sight triangle of a minimum of twenty-five (25) feet shall be provided at the intersection of a driveway servicing a one or two family dwelling with a Township street. A clear sight triangle of a minimum of forty (40) feet shall be provided at the intersection of all other driveways with Township streets. Such clear sight triangles shall be measured from the intersection of the centerline of the driveway and the centerline of the street and measured along the centerline of the street and driveway.

Within such clear sight triangles, no vision-obstructing object shall be permitted which obscures vision above the height of thirty (30) inches and below the height of ten (10) feet, measured from the centerline grades of the intersection driveway and street.

5. Entrances to private driveways serving multiple-family dwellings shall be rounded at a minimum radius of ten (10) feet. The maximum radius shall be thirty (30) feet.

Entrances to private driveways serving one and two family dwellings shall be rounded a minimum radius of five (5) feet. The maximum radius shall be twenty (20) feet.

6. The angle of a driveway as it intersects a street shall be such that a vehicle entering the driveway may do so in an orderly and safe manner with a minimum of interference to through street traffic and such that a vehicle leaving the driveway may enter safely into the lane of traffic moving in the desired direction.

Driveways shall intersect streets as nearly as possible at right angles, and in no case at an angle of less than seventy (70) degrees or more than one hundred ten (110) degrees. Provided that the Township may permit the use of one-way driveways on a property, and such one-way driveways may intersect streets at an angle of not less than forty-five (45) degrees.

7. Private driveways shall have such grades as to furnish safe and convenient parking spaces and to provide a safe and convenient means of access. The grades and construction material of driveways shall be

such that the materials of the driveway will not wash onto public streets. The maximum permissible grade shall be fifteen (15) percent on one or two family residential driveways and ten (10) percent on all other driveways except that driveway grades shall not exceed five (5) percent within twenty (20) feet of street cartway lines. The Township may require driveways to be paved when grades exceed eight (8) percent on residential driveways and five (5) percent on all other driveways.

The Township may require the subdivider to submit with his subdivision plans evidence that the above, and the other standards for driveways established in this Section, can be met for each lot where doubt exists as to the feasibility of meeting the standards.

8. The centerline of entrances to private driveways serving one and two family dwellings shall be located at least forty (40) feet from the point of intersection of the nearest street cartway lines if only Minor streets are involved, at least eighty (80) feet if a Primary street is involved, and at least one hundred twenty (120) feet if a major access street is involved. The centerline of entrances to private driveways serving multiple-family dwellings or nonresidential buildings shall be located at least eighty (80) feet from the point of intersection of the nearest street cartway lines if only Minor streets are involved, at least one hundred twenty (120) feet if a Primary street is involved, and at least one hundred sixty (160) feet if a major access street is involved.
9. After review of existing street speed and volumes and the proposed location and arrangement of driveways, the Township may require the installation of an acceleration or deceleration lane, or both, to serve a driveway. A speed change lane of sufficient length and width shall be constructed to allow vehicles to safely decelerate or accelerate when entering or leaving a property.

Section 517

Sanitary Sewage Disposal

1. The subdivider shall provide the highest type of sanitary sewage disposal facility consistent with existing physical, geographical and geological conditions. The following types of sanitary sewage disposal facilities are listed in order of decreasing desirability:
 - a. Public sanitary sewer and treatment plant system;
 - b. Community sanitary sewer system with a temporary sewage treatment plant;

- c. Capped sewers with temporary, approved on-site facilities:
 - d. Approved on-site facilities.
2. All sewage disposal systems shall conform in all respects to the minimum requirements of the Pennsylvania Department of Environmental Resources, and all ordinances, rules and regulations of the Township and applicable authorities.
 3. If on-site sanitary sewage disposal facilities are proposed, the Township may require that the subdivider submit a Feasibility Report if the Township considers that such facilities are not the highest type consistent with existing conditions. Such report shall compare the feasibility of providing on-site facilities with that of providing higher types of facilities. Based on analysis of the Feasibility Report, the Township may require the installation of a higher type of facility (see Section 517.1).
 4. Whenever approval by an Authority, another public agency, or the Pennsylvania Department of Environmental Resources is required for the sanitary sewage disposal system for a proposed subdivision or land development, the subdivider shall submit a copy of such approval to the Township prior to final approval of a plan.
 5. Within Special Flood Hazard Areas established by the Federal Insurance Administration, on-site sewage disposal systems shall be located to avoid impairment to them or contamination from them during flooding. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters.
 6. Suitable arrangements, approved by the Supervisors, shall be made for the ownership and maintenance of all community sewer systems.

Section 518

Water Supply

1. The subdivider shall provide the highest type of water supply and distribution facility consistent with existing physical, geographical, and geological conditions. The following types of water systems are listed in order of decreasing desirability:
 - a. Public water supply and distribution system;
 - b. Community water supply, and distribution system

c. **Approved on-site system.**

2. Each property shall connect with an approved public or community water system, if reasonably accessible. A distribution system shall be designed to furnish an adequate supply of water to each lot and dwelling unit with adequate main sizes, water pressure and fire hydrant locations to meet the specifications of the Insurance Services Office.
3. Where public or community systems are not reasonably accessible, cannot be connected to, or are not adequate to service the proposed development, but on-site sanitary sewage disposal systems are proposed to be used; or when a public water distribution system is planned for extension to the subdivision within ten (10) years; or if deemed necessary for the public health, safety and welfare, a community water supply and distribution system may be required by the Supervisors. If such a system is provided, it shall be approved by the Supervisors and the Pennsylvania Department of Environmental Resources, and appropriate agreements established to ensure proper and adequate maintenance shall be submitted to and approved by the Supervisors.
4. All water supply and distribution systems, public, community and on-site, shall be constructed in full compliance with Pennsylvania Department of Environmental Resources specifications, and all ordinances, rules and regulations of the Township and applicable authorities. Minimum water supply recognized by the Insurance Services Office shall be provided.
5. Whenever approval by an Authority or other public agency, a utility company, or the Pennsylvania Department of Environmental Resources is required for the water supply and distribution system for a proposed subdivision or land development, the subdivider shall submit a copy of such approval to the Township prior to final approval of a plan.
6. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
7. New subdivisions and developments shall incorporate adequate provisions for a reliable, safe and adequate water supply to support intended uses within the capacity of available resources.
8. The water system shall comply with the Pennsylvania Department of Environmental Resources, Bureau of Community and Environmental Control Division of Water Supplied Public Water Supply Manual, latest edition.

The minimum size of a water main shall be six inches (6") diameter.

All test well operations are subject to the approval of the Township and shall be in compliance with Pennsylvania Department of Environmental Resources regulations.

Prior to approval of any plan utilizing groundwater supplies, the applicant shall drill a test well(s), perform pump test and have monitoring test wells around the pump test well. In addition, wells of houses in the surrounding area shall be monitored and drawdown levels measured. The aquifer evaluation shall establish whether sufficient water supply exists and the effect on the aquifer of withdrawing that water.

No plan will be approved unless the applicant can demonstrate that adequate domestic and fire supplies can be obtained without adversely affecting surrounding wells.

In addition to the aquifer evaluation, a water budget analysis shall be prepared for the basin area around the development. This analysis shall measure the water coming into the basin against the water being taken out of the basin.

9. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or land development, applicants shall present evidence to the Township Supervisor at preliminary plan stage that the subdivision or development 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 evidence.

Section 519

Community Facilities

1. In reviewing subdivision and land development plans, the Township shall consider the adequacy of existing and proposed recreation facilities within the Township to serve the additional dwelling units proposed by the subdivision or land development. Except as set forth in paragraphs (6) and (7) below, in order to provide for the recreation facilities necessary to serve the needs of future residents of the proposed dwelling units, the Township shall require the public dedication of lands suitable

for recreation areas accessible to the subdivision or land development. The recreation area shall be provided in accordance with a plan submitted to the Township by the developer and approved by the Township, and in accordance with the schedule below.

Gross Density of Tract in Dwelling Units Per Acre	Percentage of Total Area of Subdivision or Land Development to be Reserved for Recreation Area
Up to 1.0	5%
1.01 to 2.0	10%
2.01 to 3.0	15%
3.01 and greater	20%

2. Notwithstanding the foregoing, if the proposed subdivision or land development, in addition to any existing or proposed subdivision or land development of which the subject tract is part, will allow for five or less dwelling units, the area to be dedicated for recreation area shall be lesser of one acre or five percent (5%) of the total area of the subdivision or land development. In determining whether a subdivision or land development qualifies under this subsection, the enumeration of dwelling units allowed shall include all dwelling units allowed since the effective date of this amendment.
3. The recreation areas shall be shown on the preliminary and final plan, and shall be designated "Recreation Area Offered for Dedication to Franklin Township."
4. In conjunction with the preliminary and final plans, the developer shall submit for Township approval, provisions for the ownership and maintenance of the recreation areas until such time as the Township may accept the offer of dedication.
5. Areas dedicated for recreation purposes shall meet the following standards:
 - a. The recreation area shall be readily accessible to residents of the subdivision or land development.
 - b. At least one side of each recreation area should abut a township or state road or street for a minimum distance of 100 feet.
 - c. The size, surface conditions, shape, topography and location of the parcels shall be suitable for the intended recreation purpose,

and be such that recreation use is feasible. Designated purposes are subject to Township approval.

- d. No more than fifty percent (50%) of the recreation areas shall be land with slope of over fifteen percent (15%) and/or land with high water table or seasonal high water table.
- e. Other than those recreation areas to remain in existing condition, recreation areas shall be improved and equipped to a usable state in accordance with plans to be approved by the Township. Such improvement and equipping shall be guaranteed through the Subdivision Improvements Agreement.

6. Upon agreement with the developer, the Township may allow the developer to privately reserve the aforesaid recreation areas, rather than dedicate them to the Township. In such case the recreation areas should be designated "Reserved for Recreation Area" on the preliminary and final plans. Additionally, in such case, the developer should submit with the preliminary and final plans, provisions for the perpetual ownership and maintenance of the recreation areas. Otherwise, privately reserved recreation areas shall comply with the same standards as recreation areas dedicated to the Township.

7. Upon agreement with the developer, the Township may accept a cash contribution in lieu of the aforesaid dedication. The cash contribution shall be ~~\$200.00~~ ^{*500.00} for each dwelling unit proposed in the subdivision or land development and payment shall be a condition of final approval and must be received by the Township before the final plan will be signed. A credit shall be allowed in the amount of any cash payment previously paid under this section for any dwelling units proposed (or possible) on a previous subdivision or land development of which the subject tract is part. For example, if a ten acre tract is subdivided into two five acre tracts, the cash contribution shall be \$400.00. If one of the five acre tracts is subsequently subdivided into five one acre tracts the cash contribution shall be \$800.00 (\$1,000.00 less \$200.00 previously paid). If a multiple dwelling building containing four dwelling units is proposed for the other five acre tract, the cash contribution shall be \$600.00 (\$800.00 less \$200.00 previously paid). Such case contributions shall be used solely for the purpose of the purchase or development of recreation land within the Township which will be reasonably used by and accessible to the residents of the subdivision or land development. The timing of cash outlay(s) by the Township and location of area(s) chosen are at Township discretion, subject to the provisions of the M.P.C.

**500.00
(SEE ATTACHED
2006-04)
Resolution*

8. The amount of the cash contribution set forth in the paragraph 7, above may be set by resolution duly adopted at any regular or special meeting of the Supervisors. Such change shall only be effective as to the subdivisions or land developments filed after the date the resolution is adopted.

Section 520

Guide Rail

1. Streets shall be designed to preclude or minimize the need for guide rail. The Township Supervisors may require guide rail to be placed for protection on embankments when a barrier is required in Design Manual Part 2 Highway Design by the Pennsylvania Department of Transportation, January 1990 edition.
2. Fixed obstructions along streets which would require guide rail shall be preclude or minimized. The Township supervisors may require guide rail to be placed when a barrier is required for fixed objects in Design Manual Part 2 Highway Design by the Pennsylvania Department of Transportation, January 1990 edition.
3. The design and selection of guide rail shall be in accordance with the standard in Design Manual Part 2 Highway Design, January 1990 edition, however, the Township Supervisors shall approve all guide rail systems.

Section 521

Determination of Flood Plains

For all subdivisions and land developments, all existing and proposed 100-year floodplain areas shall be shown on the subdivision or land development plans. Floodplain areas shall be determined using the methods set forth below, except that where 100-year floodplains have been calculated and mapped by FEMA, such FEMA mapping shall be used.

1. Hydrologic Criteria for Estimating Runoff

The following methods may be used in computing runoff for the 100-year storm. A conservative average of at least two (2) methods shall be used, and the design flow is subject to approval by the Township.

- a. The method in Technical Release No. 55, "Urban Hydrology for Small Watersheds", latest edition, by the United States Department of Agriculture Soil Conservation Service. The graphical method may be used for streams whose drainage area at the point of interest is no larger than 2,000 acres, and the

tabular method may be used for drainage areas up to twenty (20) square miles.

- b. The Rational Method can be used for streams whose drainage area at the point of interest is no larger than 320 acres.
- c. The method in Water Resources Bulletin Number 13, Floods in Pennsylvania, issued by the Pennsylvania Department of Environmental Resources can be used for streams whose drainage area at the point of interest is larger than two (2) square miles.
- d. The "Procedure PSU-IV for Estimating Design Flood Peaks on Un-gauged Pennsylvania Watersheds".
- e. The Penn State Runoff Model.

2. Hydraulics of Flow

The horizontal and vertical limits of the floodplain shall be determined utilizing the Standard Step Method (i.e., HEC-2 or similar approved computer model). If the HEC-2 model is used, the applicant shall submit a computer disc containing all input files for the calculations, in order to expedite the floodplain review. For drainage areas less than one hundred (100) acres, the Mannings Equation may be used.

All methods used and calculations performed in estimating runoff and computing flood elevations are subject to the review and approval of the Township.

Section 522

Mobile Home Parks

All mobile home parks shall conform with the provisions of this Ordinance and the Franklin Township Zoning Ordinance.

ARTICLE VI

REQUIRED IMPROVEMENTS

Section 601

Required Improvements

The subdivider shall complete such improvements as the Supervisors may require in the public interest.

Section 602

Street Grading

All streets shall be graded the full extent of the right-of-way to the grades shown on the street profile and cross-section plan submitted and approved with the final plan.

Section 603

Drainage Facilities

All drainage facilities shall be installed and the land graded for adequate drainage as shown on the final plan. A detailed plan of storm drainage culverts, drains and inlets shall be required when deemed necessary by the Supervisors.

Section 604

Roadway and Appurtenances

All pavement, including pavement of streets and sidewalks, shall be installed as shown on the final plan as approved by the Supervisors. All curbs where required shall be installed as shown on the final plan. Curbs shall be constructed in accordance with Pennsylvania Department of Transportation Standards for plain cement concrete curb except the depth shall be twenty-four (24) inches, and shall be the vertical type. Adequate provision shall be made for depressed curb driveway entrances. Sidewalks shall have a minimum width of four (4) feet and depth of four (4) inches and be constructed upon a four (4) inch aggregate base.

Section 605

Sewer and Water

Facilities shall be provided for the connection of each lot with a public water supply system and a public sanitary sewer system, if accessible.

Where a sewer is not yet accessible but is planned for extension to the subdivision the subdivider shall install sewer lines, including lateral connections, as may be necessary to provide adequate service to each lot

when connection with the sewer system is made. The sewer lines shall be suitably capped at the limits of the subdivision, and the laterals shall be capped at the street right-of-way line. When capped sewers are provided, on-site disposal facilities shall also be provided.

A sewer shall be considered to be planned for extension to a given area any time after engineering and related studies have been completed, and the construction of facilities adequate to serve the area containing the subdivision has been programmed for completion within a reasonable time.

Section 606

Lot Markers

Metal markers shall be accurately placed at all lot corners prior to sale of lots.

Section 607

Street Lights

In accordance with the conditions to be agreed upon by the subdivider, the Supervisors, and the appropriate public utility, street lights may be installed in all subdivisions and land developments.

Section 608

Erosion and Sediment Control Measures

Installations necessary to implement the erosion and sediment control plan shall be made on the tract by the subdivider as required improvements.

Section 609

Shade Trees

Where feasible, the subdivider shall preserve existing shade trees within the tract being developed. In addition, deciduous hardwood trees of a species approved by the Township having a minimum caliper of two (2) to two and one-half (2-1/2) inches shall be planted when required by the Township. In general, the trees are to be placed one (1) foot outside the street right-of-way at a maximum distance of fifty (50) feet between trees. Conditions of placement and inspection shall be specified by the Township.

Section 610

Recreation Facilities

When required by the Township, recreation facilities shall be provided in accordance with this Ordinance.

Section 611

Traffic Control Devices

The traffic control devices shown on the approved plan, including such items as stop signs and signs restricting parking, etc. are to be the responsibility of the developer and installation shall be coordinated with the Township.

Section 612

Guide Rail

When required by the Township, guide rail shall be provided in accordance with this Ordinance.

Section 613

Fire Hydrants

Whenever a public or community water distribution system is provided, fire hydrants shall be installed. The location, number and separation of hydrants shall be approved by the Supervisors in accordance with the guidelines of the Insurance Services Office. In general, the maximum distance between fire hydrants shall be six hundred (600) feet.

Section 614

Monuments

1. Where required by the Supervisors, permanent stone, concrete, or steel pin encased in concrete monuments shall be accurately placed at the intersection of all lines forming angles in the boundary of the subdivision or land development and at changes in direction of lines in the boundary of the property.
2. All streets shall be monumented on the right-of-way line or the five (5) feet range line at the following locations:

At least one (1) monument at each street intersection;

At changes in direction of street lines, excluding curb arcs at intersections;

At each end of each curved street line, excluding curb arcs at intersections;

At intermediate points wherever topographical or other conditions make it impossible to site between two (2) otherwise required monuments;

At such other places along the line of streets as may be determined by the Township to be necessary so that any street may be readily defined in the future.

3. All monuments shall be placed so that the center of the monument coincides exactly with the point of intersection of the lines being monumented.
4. Monuments shall be set with their top level with the finished grade of surrounding ground, except:

Monuments which are placed within lines of existing or proposed sidewalks shall be so located (preferably beneath the sidewalks) that their tops will not be affected by lateral movement of the sidewalk.

Where monuments are located beneath a sidewalk, proper access shall be provided for their use.

Section 615

Street Name Signs

Street name signs will be installed at all street intersections. The developer is responsible for material cost and installation of all street name signs. The Township shall provide to the developer, at cost, approved street name signs. The Township will install all street name signs and bill the developer, at cost, for labor and equipment.

Section 616

Centralized Mail Delivery

When required by the Township, an area approved by the Supervisors and postmaster shall be designated for centralized mail delivery to serve the proposed subdivision or land development. Safe and adequate access and parking shall be provided by the developer and included as part of the required street improvements.

Section 617

Rock Removal

Provision shall be made for rock removal in the Subdivision Improvements Agreement and Guarantee.

Section 618

Backfilling

Utility excavations in areas of streets, access drives, parking areas, and loading areas shall be backfilled in accordance with the following standards:

- (1) Backfilling shall be done as promptly as possible.
- (2) The trench shall be filled with hand-placed stone acceptable to the Township to a height of at least one foot (1') above the top of the conduit, pipe or pipe bell.
- (3) The remainder of the trench shall be backfilled with 2-RC and promptly compacted. The backfill material shall be mechanically tamped in approximately six inch (6") layers.
- (4) Where openings are made behind the curb line, the opening covered with good topsoil to a depth of six inches (6") and seeded or sodded to the satisfaction of the Township.
- (5) Whenever the trenches have not been properly filled or if settlement occurs, they shall be refilled, compacted, smoothed off and finally made to conform to the surface of the ground.
- (6) Frozen material shall not be used for backfill, nor shall any backfilling be done when materials already in the trench are frozen.

Section 619

Parking and Loading Area Paving

All access drives and parking and loading areas for apartment, townhouses, commercial, office and industrial land developments shall be constructed of a minimum of seven inches (7") of 2A subbase material, six inches (6") crushed aggregate base course, one and one-half inches (1-1/2") ID-2 binder course, and one inch (1") ID-2 wearing course. Alternate cross sections may be permitted at the discretion of the Township Supervisors. All construction shall conform to PennDOT Publication 408, latest edition.

Section 620

Physical Improvements

Physical improvements to the property being subdivided or developed shall be provided, constructed, and installed as shown on the Record Plan, and all supplemental plans and drawings accompanying the approved final plan, in accordance with the requirements of the Township.

All improvements installed by the subdivider shall be constructed in accordance with the applicable design specifications of the Township or,

where none apply, the applicable specifications of the Pennsylvania Department of Transportation or the specifications of any other applicable state agency shall be used. Where no applicable Township or state specifications apply, improvements shall be constructed in accordance with specifications furnished by a registered professional engineer, which shall be approved by the Township.

Section 621

Guarantees

Completion of improvements or guarantee thereof pre-requisite to final approval and maintenance guarantee.

Section 509 of the municipalities planning code, 53 P.S. Section 10509, and any amendments thereto, is hereby incorporated as though more fully set forth at length.

Section 622

Observation of Installation

Observation of the installation of improvements required by this Ordinance shall in all cases be the responsibility of the Township or of the appropriate state regulatory agency. Any observation to be performed by the Township shall be performed by such person as may be designated by the Township Supervisors.

Section 623

Preparation of As-Built Plans

As-built plans for all improvements within the subdivision or land development listed in the Subdivision Improvements Agreement shall be submitted to the Township within thirty (30) days after inspection and approval of the improvements by the Township and prior to the release of the Performance Guarantee and acceptance of any such improvements by the Township. Plans shall be in accordance with the requirements of Section 703 of this Ordinance, be mylars in reproducible form, and certified by the developer in accordance with actual construction. The developer is responsible for the preparation of such plans.

If any information relating to potential lot owners shown on the record and final plan shall have been changed, such as lot boundaries, easements, and maintenance responsibilities, a revised subdivision and/or land development plan shall be filed with the Township in accordance with the procedures of this Ordinance.

ARTICLE VII

PLAN REQUIREMENTS

Section 701

Sketch Plan

A sketch subdivision or land development plan may be submitted by the subdivider as a basis for informal and confidential discussion with the Commission.

Data furnished in a sketch plan shall be at the discretion of the subdivider. For fullest usefulness, it is suggested that a subdivision or land development sketch include the following information:

- a. Tract boundaries, name of subdivision or land development, date of plan, acreage of the tract.
- b. North point, scale, location map, name and address of subdivider or developer.
- c. Streets on and adjacent to the tract.
- d. Significant topographical and physical features, contour lines, soils types.
- e. Proposed general street layout. In the case of land development, proposed general building, street, access drive, open space, parking and loading layout.
- f. Proposed general lot layout, lot usage, lot sizes, method of water supply and sewage disposal.

Section 702

Preliminary Plan

The preliminary subdivision or land development plan shall be at a scale not more than one hundred (100) feet to the inch. Sheet size shall be either eighteen (18) inch by twenty-two (22) inch or thirty-six (36) inch by forty-four (44) inch.

The preliminary plan shall show or be accompanied by the following information:

- a. Proposed subdivision or land development name or identifying title, and plan status.

- b. North point, graphic and written scale and date.
- c. Name and address of the owner of the property or of his authorized agent.
- d. Name of the registered engineer, surveyor or architect responsible for the plan.
- e. Total acreage of the tract.
- f. Number of lots proposed and minimum lot size.
- g. Length of new street proposed.
- h. Type of water supply and sewage disposal facilities proposed, i.e. on-lot or public.
- i. A location map for the purpose of locating the site to be subdivided or developed at a scale of not less than eight hundred (800) feet to the inch, showing the relation of the tract to adjoining property and to all streets, roads and municipal boundaries existing within one thousand (1,000) feet of any part of the property proposed to be subdivided or developed.
- j. Tract boundaries showing bearings and distances.
- k. Contours at vertical intervals of five (5) feet. When new streets or drainage facilities are proposed, contour lines shall be from field or aerial survey information.
- l. Datum to which contour elevation refer. Where reasonably practicable, data shall refer to known, established elevations.
- m. The names of owners of immediately adjacent unplatted land; the names of proposed or existing subdivisions or land developments immediately adjacent, and the locations and dimensions of any streets or easements shown thereon which abut the land to be subdivided or developed.
- n. All existing water courses, tree masses and other significant natural features, such as rock outcrops, wetlands, springs and swampy areas; one hundred (100) year flood plains and one hundred (100) year flood plain elevations.

- o. All existing buildings, sewers, water mains, culverts, petroleum or petroleum products lines, gas lines, fire hydrants and other significant man-made features.
- p. All existing streets on, adjacent to or within four hundred (400) feet of any part of the street, including name, right-of-way width and cartway width.
- q. All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.
- r. Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; driveway access points on corner lots where proposed; proposed minimum set-back line for each street; playgrounds public buildings, public areas and parcels of land proposed to be dedicated or reserved for public use; location of percolation tests; typical street cross-sections of proposed streets; tentative profiles along the centerline of each proposed street, showing existing and proposed grades and vertical curves.
- s. Where the preliminary plan covers only a part of the subdivider's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
- t. Water mains, fire hydrants, sanitary sewers, and storm sewers and other drainage facilities, with the size and material of each indicated, and any proposed connections with existing facilities. Cross-sections shall be shown for all drainage swales.
- u. A plan for the surface drainage of the tract, including storm water runoff calculations and the proposed method of accommodating the anticipated runoff.
- v. A preliminary center line stakeout of proposed roads, so that an on-site road alignment evaluation may be conducted.
- w. Guide rail locations.
- x. Clear sight triangles at intersections.
- y. Proposed street names.

- m. **Location, size, proposed use and design of all parks, playgrounds, and other public areas, and all dimensions and angles or bearings of the lines of each area proposed to be dedicated to public use.**
- n. **The proposed building set-back line for each street, or the proposed placement of each building.**

A final land development plan shall show proposed building locations, location and grade of all parking areas and access drives, the size and number of parking spaces, and the width of aisles and access drives, provisions for access and traffic control, locations size and number of loading docks and provisions for landscaping and lighting of the site, and a table showing extent of compliance with applicable zoning regulations.

Zoning data and datum to which elevations refer.

- o. **The point of access of driveways on corner lots, where proposed.**
- p. **Location, size, material, pipe length and invert elevation of all sanitary and storm sewers; the location and construction details of all manholes, inlets, endwalls, headwalls, culverts and junction boxes; the location and design of all drainage swales and other drainage facilities including the slope and maximum depth of all swales and velocities in all swales; the location and design of all detention facilities; size, depth, length and width of rip-rap aprons, with design calculations; the location of all fire hydrants, blow-offs, and valves on water mains, location size and material of water mains, location of storage tanks and water sources; design of pumping stations, force mains, sewage treatment plants.**
- q. **All dimensions shall be shown in feet and hundredths of a foot.**
- r. **Lots within a subdivision or land development shall be numbered.**
- s. **Names of streets within and adjacent to the subdivision or land development shall be shown.**
- t. **Permanent street and perimeter reference monuments shall be shown on the plan.**

- u. A statement to the effect that the applicant is the owner of the land proposed to be subdivided and that the subdivision or land development shown on the final plan is made with his or their free consent and that it is desired to record the same.
- v. Clear sight triangles at street intersections. Design speed of all roads. Sight distance calculations for vertical curves and at street and driveway intersections with public streets when they have changed from preliminary plan.
- w. One hundred (100) year flood plains, one hundred (100) year flood plain elevations and wetlands.
- x. An erosion and sediment control plan.-
- y. A grading plan for the tract, when required by the Township
- z. A landscaping plan for the tract, when required by the Township.

The final plan shall include thereon or be accompanied by:

- a. A copy of such private deed restrictions, and such that may be imposed upon the property as a condition of sale by the present owner, proposed ownership and maintenance of storm drainage facilities and private streets.
- b. Typical cross sections showing right-of-way and cartway widths, construction detail of streets, shoulders, curbs and sidewalks, cross slopes of streets, shoulders, sidewalks, and planting strips, and street profiles for all streets. Such profiles shall show a least the following: existing (natural) and proposed grades along the proposed street center line; culvert locations, invert elevations and sizes, vertical curves, sanitary sewer mains and manholes with top and invert data, and watermains when they cross other utilities.
- c. Certification of water and sewer facilities as required in Article IV, Section 404, of these regulations.
- d. Final plans of projects requiring excavation and/or demolition work shall contain the Act 287 information, the Act 172 serial number, and the following note:

"It is the contractor's responsibility to comply with the Pennsylvania Act 172, and to contact the "One Call" system prior to the start of construction."

Section 704

Record Plan

The Record Plan shall be clear and legible blue or black line on white paper print and shall be an exact copy of the approved final plan on a sheet of the size required for final plans.

The following information shall appear on the record plan, in addition to the information required in Section 703 for the final plan:

a. Seals.

- (1) The impressed seal of the licensed engineer or surveyor who prepared the plan.**
- (2) The impressed corporation seal, if the subdivider or land developer is a corporation.**

b. Acknowledgments

c. The following signatures shall be placed directly on the plan in black ink:

- (1) The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.**
- (2) The signatures of the licensed engineer or surveyor who prepared the plan.**
- (3) The signatures of all three (3) Township Supervisors.**

ARTICLE VIII

ADMINISTRATION

Section 801

Amendment Procedures

The Supervisors may, from time to time, revise, modify and amend these regulations in accordance with Section 504 of the Municipalities Planning Code, 53 P.S. Section 10504, and any amendments thereto.

Section 802

Fee Schedule

The Township Supervisors shall establish by resolution or ordinance a Schedule of Fees to be paid by the subdivider or developer for review of the plan and report thereon by the Township's Professional Consultant or Engineer. The Schedule of Fees shall be obtained from the Township Secretary. No Final Plan shall be approved unless all fees have been paid in full. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township Engineer or Consultant for similar services in the community, but in no event shall be fees exceed the rate or cost charged by the Engineer or Consultant to the Township when fees are not reimbursed or otherwise imposed on applicants.

Section 803

Improvements Inspection

The Township Engineer shall observe the construction of any improvements required as a condition for the final approval of a subdivision or land development at such times as directed by the Board of Supervisors. Fees and costs incurred for construction observation shall be borne by the owner or developer.

The applicant shall reimburse the Township for the reasonable and necessary expense incurred for the inspection of improvements. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the engineer to the Township when fees are not reimbursed or otherwise imposed on applicants.

Section 804

Modifications

The governing body or the planning agency, if authorized to approve applications within the subdivision and land development ordinance, may grant a modification of the requirements of one or more provisions if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.

All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the ordinance involved and the minimum modification necessary.

If approval power is reserved by the governing body, the request for modification may be referred to the planning agency for advisory comments.

The governing body or the planning agency, as the case may be, shall keep a written record of all action of all requests for modifications.

Section 805

Reconsideration

Any subdivider or land developer aggrieved by a finding, decision or recommendation of the Commission or Supervisors may request and receive opportunity to appear before the Commission or Supervisors, present additional relevant information and request reconsideration of the original finding, decision or recommendation.

Section 806

Records

The Commission and Supervisors shall keep a record of its findings, decisions and recommendations relative to all subdivision and land development plans filed with it for review. All records of the Commission and Supervisors shall be public records.

Section 807

Validity

Should any section, subsection or provision of these regulations be declared illegal, invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the regulations as a whole, or any part thereof. It is hereby declared to be the intention of the Supervisors that the remaining portions of these regulations would have been adopted

had such illegal, invalid or unconstitutional section, subsection or provision not been included therein.

Section 808

Approvals

In all cases in these regulations which mention approval, such approval shall be construed as requiring the approval of the Franklin Township Supervisors.

Section 809

Certification

The Planning Commission and the Supervisors of Franklin Township may, in their discretion, accept the certification of the registered professional engineer employed by the developer or subdivider, certifying that the plan requirements and proposed development or subdivision are set forth in accordance with these regulations.

All ordinances or parts of ordinances, together with the amendments and supplements thereto, including the Township of Franklin Subdivision and Land Development Ordinances adopted January 2, 1968 by Ordinance No. 31, as amended October 25, 1988, by Ordinance No. 88-2, are hereby repealed to the extent that the same conflict with the provisions of this Subdivision and Land Development Ordinance, provided however, that the provisions of this Subdivision and Land Development Ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any provisions of such repealed ordinance or to punish any offense against any such repealed ordinance committed prior to the effective date of this Subdivision and Land Development Ordinance.

Adopted by the Board of Supervisors
Township of Franklin

Date: October 26, 1993

ORDAINED AND ENACTED this 26th day of October, 1993.

FRANKLIN TOWNSHIP
SUPERVISORS:

ATTEST:

Ronald W. Stout Andrea L. Gummer
Chairman

Chew H. Ekman

Ellen Hayde

FRANKLIN TOWNSHIP PLANNING COMMISSION:

Ellen Hayde
Chairman

Ronald F. Stout
Secretary

FRANKLIN TOWNSHIP SOLICITOR:

Thomas J. Nevins

SUBDIVISION & LAND DEVELOPMENT ORDINANCE AMENDMENTS

ORDINANCE NO. 2002-3 - Basis for Pre-Development Ground Conditions
- Revised Stormwater Runoff Coefficient Chart
- Revised Pavement Construction Standards

ORDINANCE NO. 2002-6 - Regulation of Flag Lots

ORDINANCE NO. 02- 3

**AN ORDINANCE AMENDING THE SUBDIVISION
AND LAND DEVELOPMENT ORDINANCE OF
FRANKLIN TOWNSHIP, CARBON COUNTY,
PENNSYLVANIA, ENTITLED "FRANKLIN
TOWNSHIP SUBDIVISION AND LAND
DEVELOPMENT REGULATIONS" (HEREINAFTER
"SUBDIVISION ORDINANCE")**

BE IT ENACTED AND ORDAINED by Franklin Township, Carbon County, Pennsylvania,
and it is hereby enacted and ordained by authority of the same, that the following additions, deletions, and
amendments be made a part of the subdivision ordinance:

1. Section 512(A) (5)(c) shall be deleted in its entirety and replaced by the following:

The pre-development ground condition for all lands within the subject property shall be based on its present land use unless the Township determines that prior land use is more appropriate.

2. The chart entitled "Runoff Coefficients For The Rational Method" contained in Section 512(B)(2)(a) shall be deleted in its entirety and replaced by the attached chart entitled "Runoff Coefficients For The Rational Method", prepared by Carbon Engineering Inc., and dated September 2001.

3. Drawing No. C7080-001-A-001 (which is an attachment to the subdivision ordinance) shall be amended by deleting the current roadway pavement construction standards and replacing them with the following roadway pavement construction standards:

Minor-Marginal Access and Service Streets

6"-Subbase
3"-Bituminous Base Course
1 1/2" - Bituminous Wearing Course

Preliminary Streets

8"-Subbase
6"-Bituminous Base Course
1 1/2" -Bituminous Wearing Course



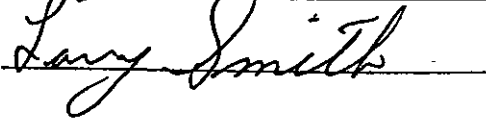
Major Traffic Streets

Pavement structure shall be in accordance
with the most recent edition of PennDOT
Pub. No. 242, Roadway Management Manual.

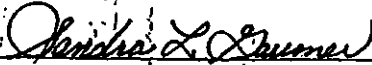
4. Drawing No. C7080-001L-002 (which is an attachment to the subdivision ordinance)
shall be deleted in its entirety.
5. The subdivision ordinance is amended in no other way.
6. These amendments shall become affective five (5) days after their enactment.

THIS ORDINANCE IS ENACTED AND ORDAINED this 26th day of March, 2002.

BOARD OF SUPERVISORS
TOWNSHIP OF FRANKLIN

ATTEST:


Secretary

RUNOFF COEFFICIENTS FOR THE RATIONAL METHOD

Prepared by Carbon Engineering Inc. September 2001

LAND USE	HYDROLOGIC SOIL GROUP AND SLOPE RANGE															
	A				B				C				D			
	0-2%	2-6%	6%+		0-2%	2-6%	6%+		0-2%	2-6%	6%+		0-2%	2-6%	6%+	
Cultivated Land*	0.11 ^a	0.15	0.18		0.20	0.24	0.27		0.26	0.30	0.33		0.29	0.33	0.36	
	0.16 ^b	0.20	0.26		0.26	0.31	0.36		0.33	0.37	0.42		0.36	0.40	0.45	
Pasture*	0.10	0.13	0.17		0.21	0.25	0.29		0.29	0.32	0.35		0.32	0.36	0.39	
	0.15	0.19	0.25		0.28	0.32	0.37		0.35	0.39	0.44		0.39	0.43	0.47	
Meadow*	0.04	0.06	0.08		0.15	0.18	0.22		0.23	0.26	0.30		0.28	0.31	0.35	
	0.06	0.09	0.13		0.20	0.25	0.30		0.29	0.33	0.39		0.34	0.39	0.43	
Forest, Woods*	0.04	0.06	0.08		0.13	0.17	0.20		0.22	0.26	0.29		0.27	0.31	0.34	
	0.06	0.09	0.13		0.18	0.23	0.28		0.28	0.33	0.38		0.34	0.38	0.43	
Grass, Lawn*	0.06	0.09	0.12		0.17	0.20	0.24		0.25	0.29	0.32		0.29	0.33	0.36	
	0.10	0.13	0.19		0.22	0.27	0.32		0.31	0.36	0.41		0.36	0.40	0.45	
Impervious	0.87	0.87	0.87		0.87	0.87	0.87		0.87	0.87	0.87		0.87	0.87	0.87	
	0.97	0.97	0.97		0.97	0.97	0.97		0.97	0.97	0.97		0.97	0.97	0.97	

*Based on Rossmiller Equation for translating NRCS curve numbers into Rational Method "c" values

^aRunoff coefficients for storm recurrence intervals less than 25 years.

^bRunoff coefficients for storm recurrence intervals of 25 years or more.

Note: All gravel areas shall be considered impervious.



ORDINANCE NO. 02-6

AN ORDINANCE AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF FRANKLIN TOWNSHIP, CARBON COUNTY, PENNSYLVANIA, ENTITLED "FRANKLIN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS" (HEREINAFTER "SUBDIVISION ORDINANCE")

BE IT ENACTED AND ORDAINED by Franklin Township, Carbon County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that the following provisions be made a part of the subdivision ordinance:

1. The following definition shall be added:

Flag-Lot: A lot which has an access lane (the width of which does not meet the minimum lot width requirements of the Zoning Ordinance) leading from a public street to a wider portion of the lot, which wider portion of the lot meets or exceeds all of the requirements of the Zoning Ordinance, including but not limited to, the lot width and lot area requirements.

2. The following section shall be added:


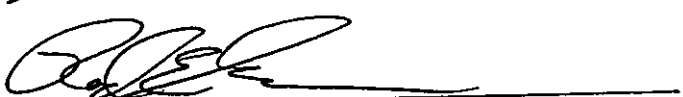
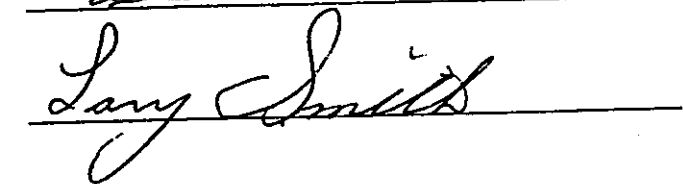
Section 514 (A) Flag lots may be considered in certain circumstances to minimize hardships in the use of land that lacks adequate road frontage for an equitable use of the lot. This situation shall only be deemed to exist when the lot lacks double the required road frontage for lots in that zoning district. However, flag lots shall not be permitted merely to increase the density of development nor to minimize the amount of road improvements. The following requirements shall apply:

- (1) No more than one flag lot shall be permitted per original tract of land, as it existed on the effective date of this section, even if lots are subdivided from the tract at different times.
- (2) The access lane shall have a minimum width of 25 feet, shall be contained entirely within the lot, shall serve only one lot and shall front on a public street.
- (3) The access lane shall have a maximum length of 300 feet measured from the right-of-way of the public road to the perimeter of the wider portion of the lot. (ie. that portion of the lot other than the access lane).
- (4) The area in the access lane shall be excluded from the area required for meeting the minimum lot size standards of the Zoning Ordinance.
- (5) No sharp turns (greater than 45 degrees) shall be allowed within the access lane.


- (6) The location of the access lane shall be logically related to the wider portion of the lot, surrounding property configurations, woodlands, topography, watercourses and floodplains.
- (7) The wider portion of the lot shall comply with all the requirements in Section 514 above.
- (8) If the original tract of land, as it existed on the effective date of this Section, can be subdivided into one or more conventional lots (ie. lots that are not flag lots) a flag lot shall not be permitted.
3. The subdivision ordinance is amended in no other way.
4. These amendments shall become affective five (5) days after their enactment.

THIS ORDINANCE IS ENACTED AND ORDAINED this 23rd day of July, 2002.

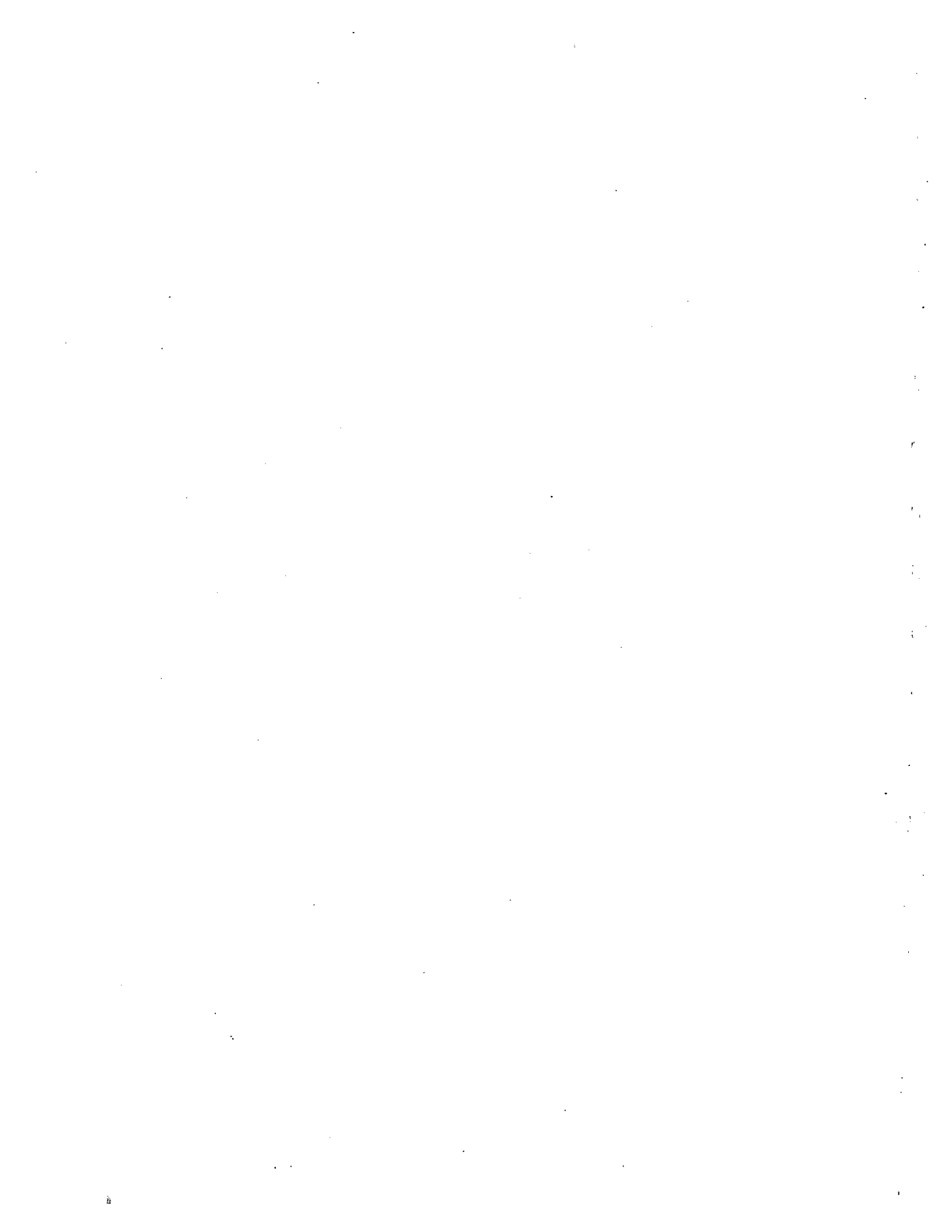
BOARD OF SUPERVISORS
TOWNSHIP OF FRANKLIN

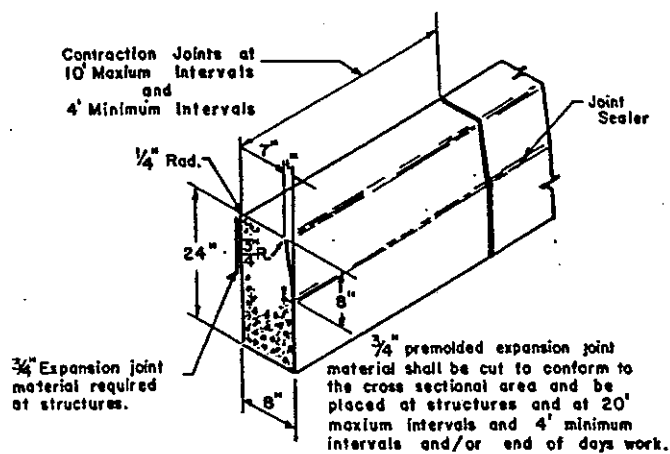
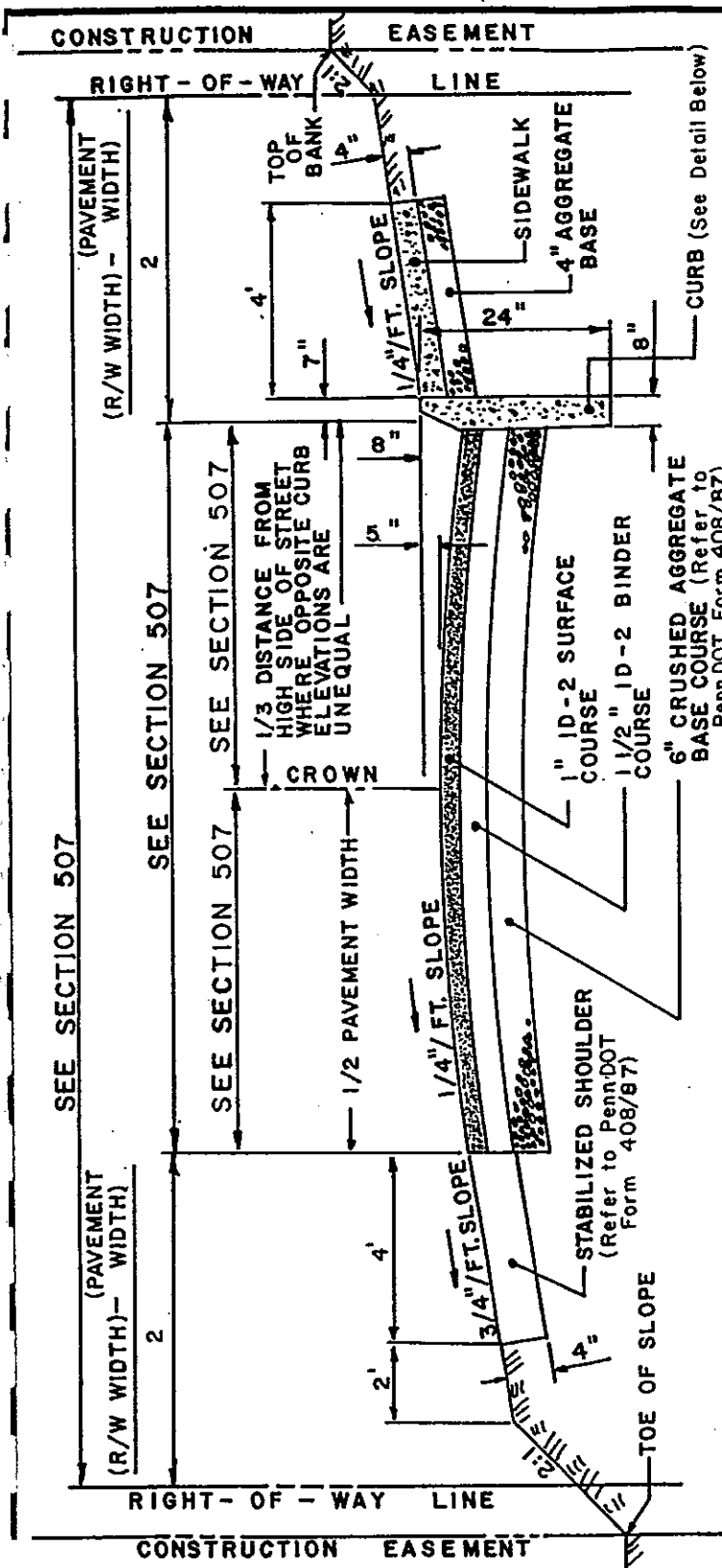




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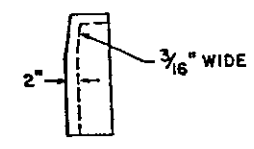

Secretary

ATTACHMENTS





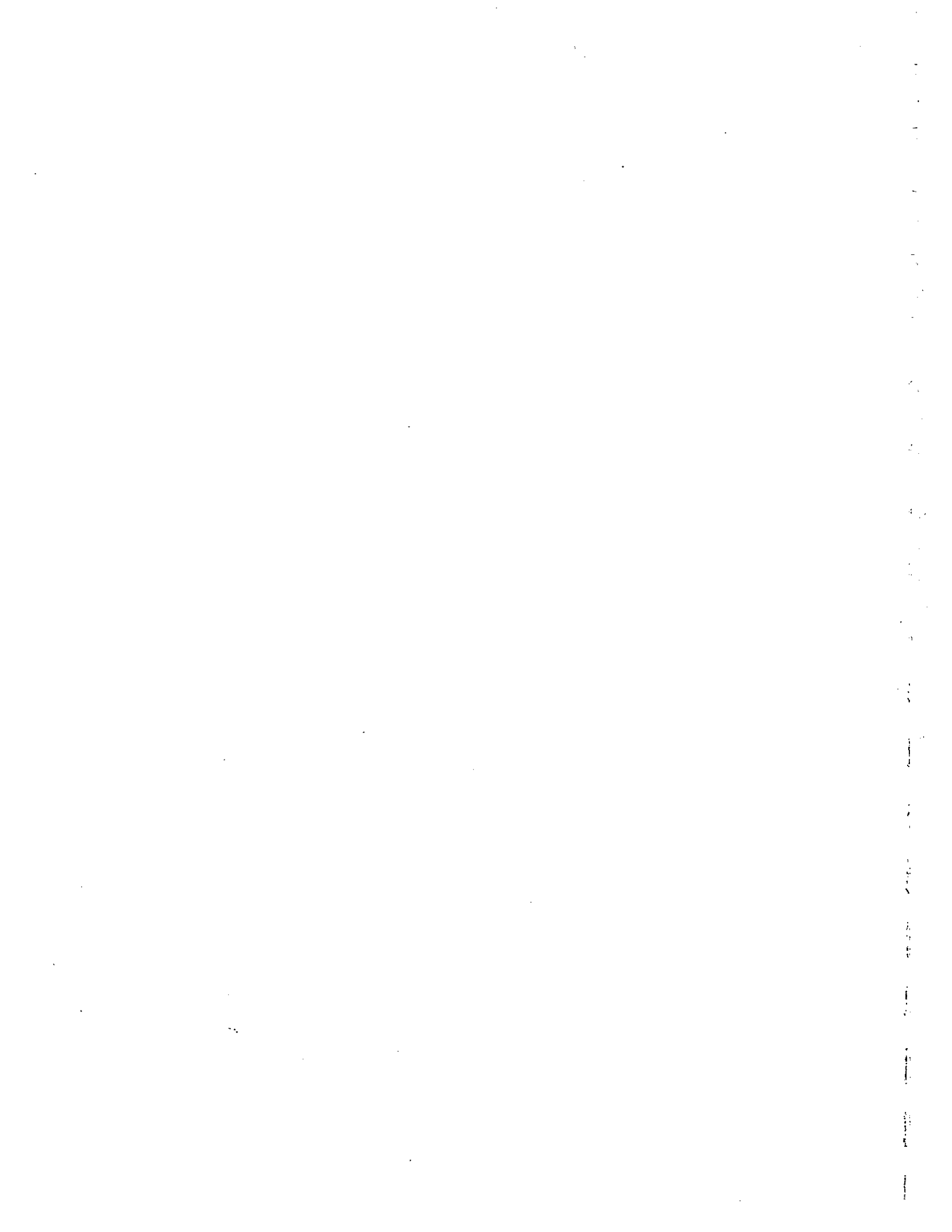
PLAIN CEMENT CONCRETE CURB

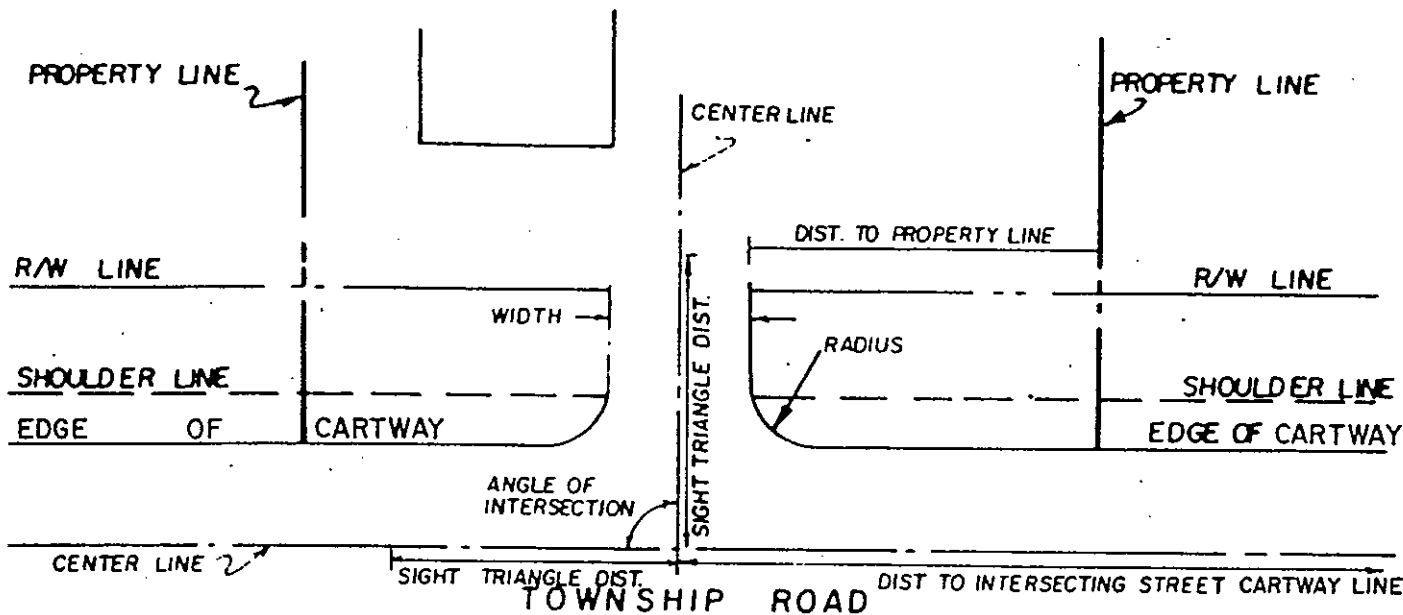


**CONTRACTION JOINT
PLAIN CEMENT CONCRETE CURB**

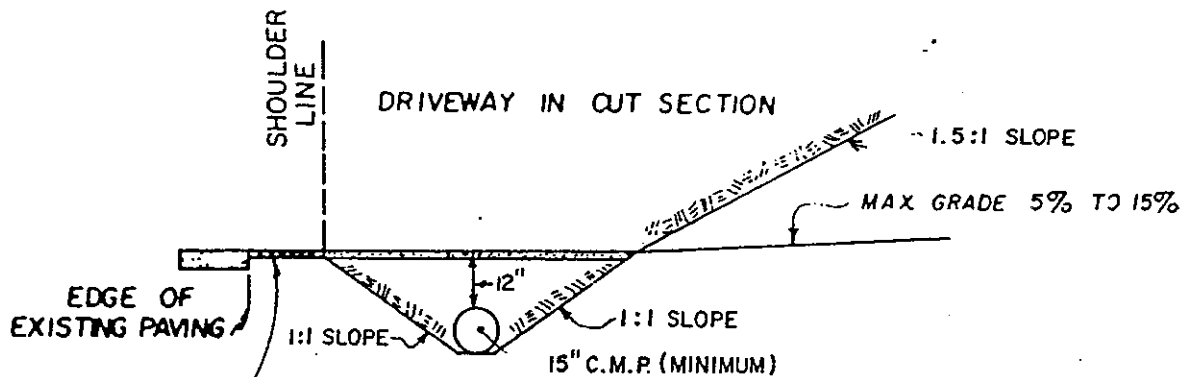
ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH PENN DOT PUB. 408, LATEST REVISION, STANDARD SPECIAL PROVISIONS THERETO, APPLICABLE TOWNSHIP ORDINANCES OR AS SPECIFICALLY NOTED ABOVE.

FRANKLIN TOWNSHIP CARBON COUNTY- PENNSYLVANIA		SPOTTS, STEVENS and McCOY, Inc. CONSULTING ENGINEERS WYOMISSING, PENNSYLVANIA 19610			
		ROADWAY CONSTRUCTION TYPICAL STREET CROSS SECTION LOCAL STREET	CF RFC MADE CHECK NONE	APPROVALS C7080-001-A-001	3-25-88 DATE

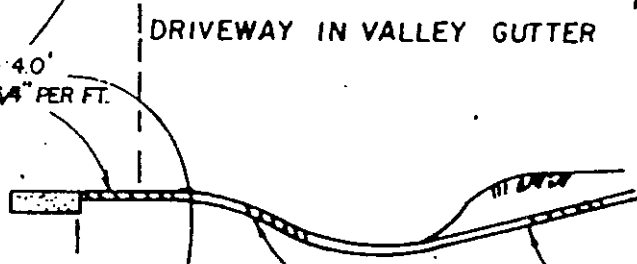




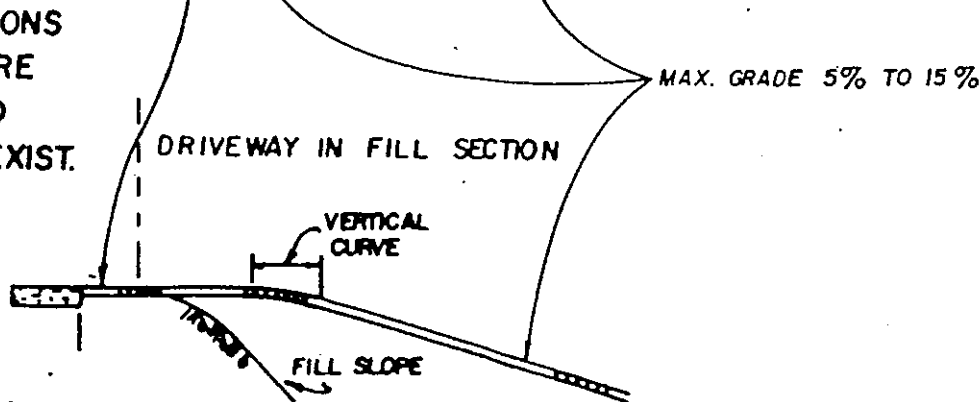
PLAN VIEW OF DRIVEWAY ENTRANCE WHERE CONCRETE CURB AND SIDEWALK DO NOT EXIST.



MINIMUM SHOULDER WIDTH - 4.0'
 MINIMUM SHOULDER SLOPE - 3/4" PER FT.



TYPICAL CROSS-SECTIONS OF DRIVEWAYS WHERE CONCRETE CURB AND SIDEWALK DO NOT EXIST.



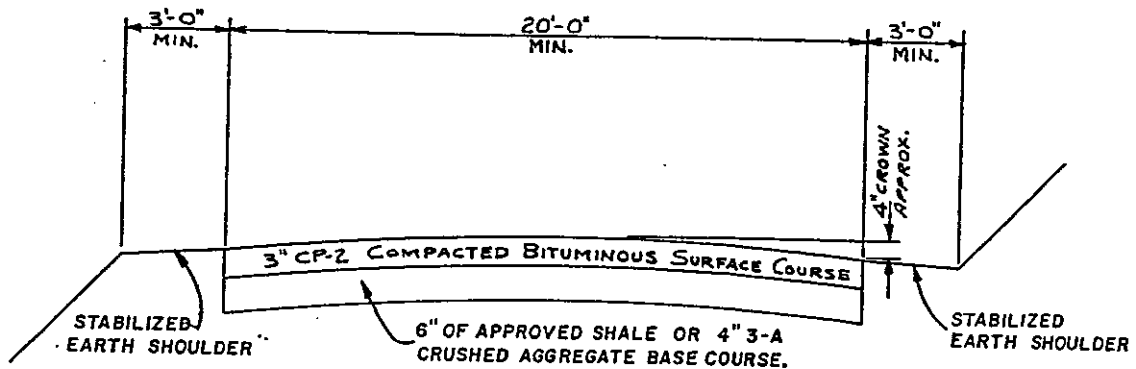
FRANKLIN TOWNSHIP - TYPICAL DRIVEWAY CROSS SECTIONS

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FRANKLIN TOWNSHIP

ROAD PAVING REQUIREMENTS

- Minimum Paved Width: 20 feet
- Minimum Base Course: 6 inches of Acceptable Shale Material, or 4 inch Crushed Aggregate Base Course meeting the requirements of 3A Stone in Section 703 of Form 408 of the Pennsylvania Department of Transportation.
- Minimum Surface Course: 3 inches of Compacted CP-2 Bituminous Surface Course meeting the requirements of Section 441 of Form 408 of the Pennsylvania Department of Transportation.
- Shoulder Width: Minimum 3 foot wide Stabilized Shoulder on Each Side of Paved Surface.



TYPICAL ROAD CROSS SECTION

	FRANKLIN TOWNSHIP		SPOTTS, STEVENS and McCOY, Inc.			
	CARBON COUNTY		CONSULTING		ENGINEERS	
	PENNSYLVANIA					
	ROAD PAVING		WYOMISSING, PENNSYLVANIA 19610			
ADOPTED — JULY 13, 1976		DHM	MADE	CHECK	APPROVALS	DATE
JULY 1976		NONE	C7080-001 L-002			
		SCALE	DRAWING NUMBER			REV.

ORDINANCE NO. 03 -4

**AN ORDINANCE AMENDING THE FRANKLIN TOWNSHIP SUBDIVISION
AND LAND DEVELOPMENT REGULATIONS ("SALDO")**

Be it enacted and ordained by Franklin Township, Carbon County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, that the following addition shall be made a part of the SALDO:

1. Section 406 (Final Plan Review Procedures) shall be amended by adding the following:

In the event a final plan is given approval subject to conditions, which conditions are accepted by the Applicant, the Applicant shall satisfy all of such conditions within 90 days from the date of the Applicant's acceptance of such conditions, or the approval of the plan shall be rescinded automatically for failure to satisfy such conditions, unless an extension of time has been granted by the Supervisors upon written request made within such 90 day period.

2. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

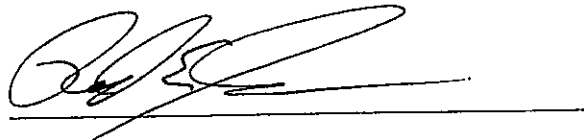
3. The Franklin Township Subdivision and Land Development Regulations are amended in no other way.

4. This ordinance shall become effective five (5) days after its enactment.

This Ordinance is enacted and ordained this 18th day of November, 2003.


BOARD OF SUPERVISORS OF
FRANKLIN TOWNSHIP







ATTEST:



Secretary



RESOLUTION NO. 2006 -04

RESOLUTION ESTABLISHING THE AMOUNT OF THE CASH CONTRIBUTION IN LIEU OF OFFER OF DEDICATION OF LANDS TO BE USED FOR RECREATION AREAS PURSUANT TO SECTION 519 OF THE FRANKLIN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS

WHEREAS, on October 26, 1993, Franklin Township enacted Ordinance No. 93-6 entitled "FRANKLIN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT REGULATIONS ("SALDO")"; and

WHEREAS, Section 519 (Community Facilities) of the SALDO provides for the offer of dedication of land to be used for recreational areas accessible to subdivisions or land developments; and

WHEREAS, Section 519 of the SALDO provides that, "Upon agreement with the developer, the Township may accept a cash contribution in lieu of the aforesaid dedication."; and

WHEREAS, Section 519 provides that, "The cash contribution shall be Two Hundred (\$200.00) Dollars for each dwelling unit proposed in the subdivision or land development and payment shall be a condition of final approval and must be received by the Township before the final plan will be signed"; and

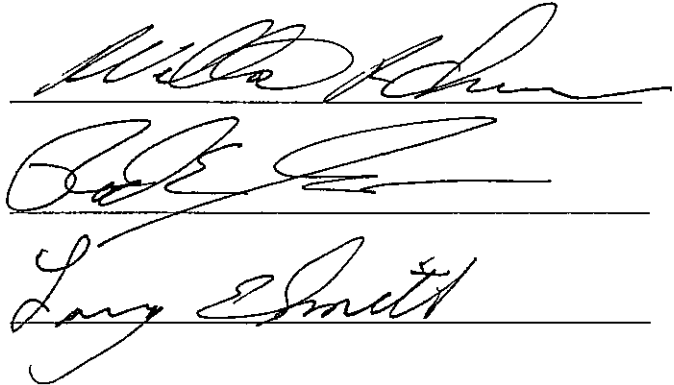
WHEREAS, Section 519 of the SALDO provides that the amount of the contribution may be set by resolution duly adopted at any regular or special meeting of the Supervisors; and

WHEREAS, the Supervisors desire to increase the amount of the aforesaid cash contribution from Two Hundred (\$200.00) Dollars to Five Hundred (\$500.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED, that the cash contribution in lieu of an offer of dedication of lands to be used for recreation areas pursuant to Section 519 of the SALDO, shall be increased from Two Hundred (\$200.00) Dollars to Five Hundred (\$500.00) Dollars effective as to all subdivisions or land developments filed after the date this resolution is adopted.

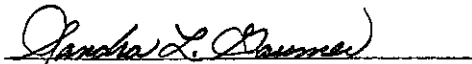
IT IS RESOLVED AND ENACTED this 23rd day of January, 2006.

FRANKLIN TOWNSHIP
BOARD OF SUPERVISORS



The image shows three handwritten signatures in cursive, each written over a horizontal line. The signatures are arranged vertically. The top signature is the most legible, appearing to read 'W. J. ...'. The middle signature is less legible, possibly 'D. ...'. The bottom signature is 'Larry Smith'.

ATTEST:



Secretary

ORDINANCE NO. 2014-03

AN ORDINANCE AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF FRANKLIN TOWNSHIP, CARBON COUNTY PENNSYLVANIA ENTITLED, "SUBDIVISION AND LAND DEVELOPMENT ORDINANCE".

BE IT ENACTED AND ORDAINED by Franklin Township, Carbon County, Pennsylvania, and it is hereby enacted and ordained by the authority of same, that the following addition and amendment be made to the Subdivision and Land Development Ordinance (Unless otherwise indicated all references are to sections in the Subdivision and Land Development Ordinance.):

1. Under Article II, Definitions, the definition of "Land Development", shall be amended as the following:

Land Development

1. The improvement of one lot or two more contiguous lots, tracts or parcels of land for any purpose involving:
 - a. A Group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - b. The division of allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;

2. A subdivision of land.

The following land development activities shall be excluded from the definition of a Land Development:

- a. The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
- b. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of the 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 initial plans for the expanded area have been approved by proper authorities.
- c. The construction, addition or expansion of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; provided, the total floor area of all such excluded construction, additions or expansions related to one principal building shall not exceed 5,000 square feet; and, provided further, in the event a lot is improved with more than one principal building, the total floor area of all of such excluded construction, additions or expansions on said lot shall not exceed 5,000 square feet.

- d. The expansion of an existing non-residential principal building; provided, the total floor area of any such excluded expansion(s) to any one non-residential principal building shall not exceed 1,000 square feet or 25% of the floor area of the ground floor that exists (or that is shown on an approved Land Development Plan), whichever is less; and, provided further, in the event a lot is improved with more than one non-residential principal building, the total floor area of all such excluded expansions on said lot shall not exceed 1,000 square feet.

THIS ORDINANCE IS ENACTED AND ORDAINED this 15th day of April, 2014.

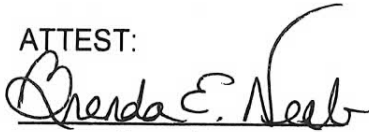
FRANKLIN TOWNSHIP SUPERVISORS


Chairman


Vice-Chairman


Member

ATTEST:


Secretary

3-21-14, Alk. Franklin, 10500-1-43