

**SUBDIVISION AND LAND
DEVELOPMENT ORDINANCE
OF
WEST SADSBUY TOWNSHIP**

**LAST REVISED
AUGUST 2018**

TABLE OF CONTENTS

	<u>Page</u>
PART 1	GENERAL PROVISIONS.....a
§101.	Short Title.1
§102.	Purpose.....1
§103.	Authority and Jurisdiction.....1
§104.	Amendment.....1
§105.	Exemptions.1
§106.	Community Development Objectives.....2
PART 2	DEFINITIONS3
§201.	Language Interpretation.3
§202.	Definitions.....3
PART 3	APPLICATION PROCEDURES37
§301.	Pre-Application Procedures.37
§302.	Application Forms and Fees.37
§303.	Review Fees.37
§304.	Plans.....38
§305.	Preliminary Plan.....39
§306.	Final Plan.42
§307.	Effect of Change in This Chapter 22.44
PART 4	PLAN REQUIREMENTS.....46
§401.	Preparation, Submission and Review of Sketch Plan.46
§402.	Preliminary Plan Requirements.48
§403.	Final Plan Requirements.58
PART 5	REQUIRED IMPROVEMENTS64
§501.	General.....64
§502.	Monuments and Markers.64
§503.	Streets.....64
§504.	Sanitary Sewers.....65
§505.	Water Supply.65
§506.	Storm Water Drainage.66
§507.	Curbing.66
§508.	Sidewalks.67
§509.	Street Lights.....67
§510.	Street Signs.67
§511.	Street Trees.67
§512.	Traffic Control Signs.68
§513.	Erosion Control.....68

§514.	Open Space and Recreation Land.....	68
§515.	As-Built Drawings.....	68
§516.	Rock Removal.....	68
§517.	Backfilling.....	68
§518.	Handicapped Accessibility.....	68
PART 6	DESIGN STANDARDS.....	69
§601.	Application.....	69
§602.	General Standards.....	69
§603.	Design Character.....	69
§604.	Street System.....	70
§605.	Cul-De-Sac Streets.....	72
§606.	Street Width.....	72
§607.	Street Alignment.....	73
§608.	Street Grades.....	73
§609.	Street Intersections.....	74
§610.	Street Construction.....	75
§611.	Sidewalks.....	76
§612.	Curbing.....	76
§613.	Street Lights.....	76
§614.	Storm and Surface Drainage.....	76
§615.	Blocks.....	76
§616.	Lots and Lot Sizes.....	77
§617.	Sanitary Sewers.....	78
§618.	Water Supply.....	78
§619.	Other Utilities.....	78
§620.	Easements.....	78
§621.	Gas and Petroleum Products Pipelines.....	79
§622.	Access Drives.....	79
§623.	Driveways and Easements.....	80
§624.	Alleys and Service Streets.....	81
§625.	Community Facilities.....	81
§626.	Street Name Signs.....	82
§627.	Semi-Detached and Attached Dwelling Units.....	83
§628.	Fire Protection.....	83
§629.	Access and Traffic Control.....	84
§630.	Mobile Home/Modular Home Parks.....	84
§631.	Erosion and Sedimentation Control.....	85
§632.	Guide Rail.....	85
PART 6A	RESOURCE CONSERVATION AND OPEN SPACE	
	DELINEATION STANDARDS.....	87
§633.	Applicability.....	87
§634.	Planning and Design Standards.....	87
§635.	Design Process For Residential Subdivisions With Open Space Lands.....	92

§636.	Open Space Design Review Standards.....	94
§637.	Resource Conservation Standards for Site Preparation and Cleanup.....	96
PART 7	MODIFICATION AND/OR WAIVER OF REQUIREMENTS AND STANDARDS	98
§701.	Roads.....	98
§702.	Sidewalks.....	98
PART 8	CONSTRUCTION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS	99
§801.	Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.....	99
§802.	Construction.....	101
§803.	Release from Improvement Bond.....	101
§804.	Remedies to Effect Completion of Improvements.....	103
§805.	As-Built Plans.....	103
§806.	Dedication and Acceptance of Public Improvements.....	104
§807.	Recording Plats and Deeds.....	104
PART 9	ADMINISTRATION	105
§901.	Preventive Remedies.....	105
§902.	Enforcement Remedies.....	105
§903.	Reconsideration.....	106
§904.	Modifications.....	106
§905.	Appeal.....	106
§906.	Records.....	106
§907.	Inspections.....	106
§908.	Official Map.....	107
APPENDICES		
Appendix A Residential Site Capacity Determination		
Appendix B Industrial/Commercial Site Capacity Determination		
Appendix C Application for Plan Review		
Appendix D Recommended Certificates and Acknowledgments		
Appendix E Road Construction Standards – Typical Intersection Plan		
Appendix F Road Construction Standards – Sidewalk/Gutter/Alternate		
Appendix G Road Construction Standards – Sidewalk-Curb		
Appendix H Street Design Construction Standards		

PART 1

GENERAL PROVISIONS

§101. Short Title.

This Chapter 22 shall be known and may be cited as "The West Sadsbury Township Subdivision and Land Development Ordinance of 1998."

§102. Purpose.

The purpose of this Chapter 22 is to provide regulations which will help to protect and promote the safety, health, and general welfare of the citizens of West Sadsbury Township; to assist in providing a coordinated approach to development within the Township; to guide and protect development and growth; to guide uses of land and structures, type and location of streets, public grounds and other facilities; and to afford the Township the opportunity to minimize such problems as may presently exist and/or which may be foreseen.

§103. Authority and Jurisdiction.

1. The authority of the Township of West Sadsbury to adopt this Chapter 22 regulating subdivision and land development within West Sadsbury Township is granted by Article V of the Pennsylvania Municipalities Planning Code of July 31, 1968, General Assembly Act No. 247, as amended.
2. As a result, no subdivision or land development of any lot, tract or parcel of land shall be made; no street, sanitary sewer, storm sewer, water main or other improvements in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Chapter 22.

§104. Amendment.

The Board of Supervisors, from time to time, may amend, supplement, change, modify, or repeal this Chapter 22 in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

§105. Exemptions.

The following are exempt or partially exempt from the provisions of this Chapter:

- A. The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
- B. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
- C. The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection,

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.

§106. Community Development Objectives.

This Subdivision and Land Development Ordinance, Chapter 22, is adopted with the specific intent of ensuring that the layout or arrangement of subdivision and land developments shall conform to the Comprehensive Plan of West Sadsbury Township and to any regulations or maps adopted in furtherance thereof which includes but is not limited to the Community Development Goals and Objectives contained in Chapter IX of the Comprehensive Plan of West Sadsbury Township. Said Community Development Goals and Objectives are made a part hereof by reference as if set forth at length herein.

PART 2

DEFINITIONS

§201. Language Interpretation.

Unless otherwise expressly stated, the following words and phrases shall have, for the purposes of this Chapter 22, the meanings given in the following definitions. Words used in the present include the future. The singular includes the plural and the plural the singular.

BOARD – The Board of Supervisors of West Sadsbury Township.

BUILDING – Includes "Structure" and any part thereof.

COMMISSION AND PLANNING COMMISSION – The West Sadsbury Township Planning Commission.

DISTRICT AND ZONE – Are used interchangeably.

INCLUDES OR INCLUDING – Shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character.

MASCULINE GENDER – Includes the feminine and neuter.

PERSON – Includes an individual, corporation, partnership, incorporated association or any other similar entity.

SHALL OR MUST – Is always mandatory.

SUPERVISORS – The Board of Supervisors of West Sadsbury Township.

USED OR OCCUPIED – As applied to any land or building shall be construed to include the words "intended," "arranged," "designed," "constructed," "altered," or "converted to be occupied or used."

Any word or term defined herein shall be used with a meaning of standard usage.

§202. Definitions.

ACCESS DRIVE – A private drive providing pedestrian and vehicular access between a public or private street and a parking area(s) within a land development. The access drive is not intended to include any portion of the travel lane abutting parking areas.

ACCESSORY BUILDING – A detached subordinate building located on the same lot as a principal building and the use of which is clearly incidental and subordinate to the principal building. Any

portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building. An accessory building includes storage or utility sheds for residential purposes.

ACCESSORY BUILDING OR STRUCTURE – A detached, subordinate building located on the same lot as a principal building and the use of which is clearly incidental and subordinate to the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building. An accessory building includes storage or utility sheds for residential purposes

ACCESSORY USE – A use located on the same lot with a principal use, and clearly incidental or subordinate to, and in connection with, the principal use.

ACT 170 – The Pennsylvania Municipalities Planning Code, Act 170 of 1988, 53 P.S. 10101 et seq., as the same may be from time to time amended.

ACT 247 – the Pennsylvania Municipalities Planning Code of July 31, 1968, P.L. 805 (Act 247), as amended.

ADJUSTED CONSTRAINED LANDS – The area of environmentally sensitive land (constrained land) multiplied by a percentage assigned in the West Sadsbury Township Zoning Ordinance 3A §302, §312, and §322. (See Adjusted Tract Area).

ADJUSTED TRACT AREA – The area within a tract of land remaining after reducing the total tract area by certain percentages of sensitive environmental resources (constrained lands) and all areas within all public and private rights-of-way. The types of environmental resources (constrained lands) and the corresponding percentages of reduction are as follows: wetlands and very poorly drained soils (100%); floodplain (100%); riparian buffer (100%); steep slopes between fifteen (15) percent and twenty-five (25) percent (80%); steep slopes over twenty-five (25) percent (90%); woodlands (66%); areas within the Conestoga Geologic Formation (80%); areas of extensive rock outcroppings (90%); pond shores (80%); and prime agricultural soils (80%).

ADVERSELY AFFECT – Raise, lower, or in any way influence the level of the surface water of the One Hundred (100) Year Flood, or in any way the topography of any watercourse, drainage ditch, or drainage facility.

ADVERTISING SIGN – see "Sign" and "Billboard."

AGRICULTURE - EXTENSIVE – Extensive agriculture shall be deemed to include the customary growing of crops and raising of livestock for production of meat, dairy products, skins and like activities such as horticulture, excluding intensive agriculture as hereinafter defined. Extensive agriculture envisions a demand for substantial areas of land and, by reason of disbursed activity, it generally will present few unusual environmental problems, such as runoff, animal waste concentrations and the like.

AGRICULTURE - INTENSIVE – Intensive agriculture is intended to include, but not be limited to, the following activities: raising of poultry, mushroom houses, fattening pens, enclosed feed lots, and

pig farms which typically results in strong offensive odors, substantial runoff, large concentrations of animal waste, noise, extensive use of chemicals, compost and manure piles. In addition to all of the foregoing, the land application of sewage sludge shall not be deemed an accessory use to extensive agriculture but shall be deemed intensive agriculture, subject to all of the terms, conditions and limitations of engaging in intensive agriculture under the terms of Chapter 27. Intensive and extensive agriculture may coexist upon the same tract of land and those portions of a farm dedicated to intensive agriculture shall be separately addressed and deemed a separate and distinct use.

AGRICULTURAL SOILS – Soils classified in the Chester and Delaware Counties, Pennsylvania Soil Survey, 1959, No. 19. The term, unless otherwise specified, refers to agricultural soil capability classes I-1 through and including II-e. These soils have been further categorized by the Chester County Soil Conservation Service District Office as being prime farmland.

ALLEY – A minor way intended as a secondary means of access, which may or may not be legally dedicated, and which is used primarily for vehicular access to the rear or side of properties otherwise abutting on a street or road.

ALLUVIAL SOILS – Areas subject to periodic flooding as defined in the "Chester and Delaware Counties, Pennsylvania Soil Survey," 1959, No. 19.

ALTERATION – Any change in the supporting members of a building or structure such as bearing walls, columns, beams, girders, joists or rafters; enclosing walls; doors or windows in exterior walls; or changing outside physical dimensions of the building or structure.

APARTMENT BUILDING – A structure containing three or more dwelling units each with one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit.

APPLICANT – A landowner or developer, including heirs, successors, assigns and grantees, who has filed an application for subdivision and/or land development, as hereinafter defined, or an application for a special exception, variance, or conditional use.

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

ARCHAEOLOGICAL SITE – The location of material remains of past human activity – primarily those areas registered with the Pennsylvania Bureau of Historic Preservation or listed in the National Register of Historic Places that contain artifacts and/or information contributing to our understanding of prehistoric or historic settlement patterns and significant historic events.

AREA –

A. **LOT AREA** –

AVERAGE – The sum of the net lot areas of all lots within a development divided by the number of lots within the same development the areas of which form a part of the sum. Individual lot areas may be smaller or larger than the average lot area for all lots.

GROSS – The total planar area contained within the property lines of an individual parcel of land.

BUILDABLE – The net lot area further reduced by the area contained within all applicable perimeters setbacks and the area of all required open space on the lot or tract.

NET – The total planar area contained within the property lines of an individual parcel of land excluding:

- (1) any road right-of-way, existing or proposed, public or private,
- (2) the area within the exterior perimeter of any drainage retention or detention basin serving or intended to serve more than the lot on which it is located,
- (3) all possessory servient easements or rights-of-way burdening the lot, including, but not limited to, utility easements, above or on the ground, railroad rights-of-way and private easements of passage for the benefit of adjacent land and
- (4) lands under conservation easements or prohibitory building restrictions.

In all zoning districts, as used for establishing minimum lot areas, and computation of percentages of lot coverage the term "lot area" shall be deemed to mean "net lot area".

- B. **FLOOR AREA** – The sum of the gross floor area for each of a building's stories measured from the exterior limits of the faces of the structure. The floor area includes the basement floor area and includes the attic floor area only if the attic area meets the definition of habitable space. It does not include cellars and unenclosed porches or any floor space which is designed for the parking of motor vehicles in order to meet the parking requirements of Chapter 27.
- C. **FLOOR AREA RATIO** – The floor area of all buildings or structures on a lot, divided by the net lot area.
- D. **SITE AREA** – The total planar area contained within the property lines of the site proposed for subdivision or development.
- E. **BASE SITE AREA** – The total planar area contained within the property lines of the site proposed for subdivision or development excluding:
 - (1) Land within the ultimate rights-of-way of existing roads or streets, or within the rights-of-way or easements of utilities.
 - (2) Land which is not contiguous, i.e.:
 - (a) A separate parcel which does not abut or adjoin, nor share common boundaries with the rest of the parcel, and/or;
 - (b) Land which is separated from the main parcel by a road, a railroad, an existing land use or a stream which serves as a barrier to common use

- (3) Land which in a previously approved subdivision plan was reserved as open space.
 - (4) Land used or zoned for use which is different from the use or zoning on that portion of the parcel proposed for subdivision or development.
- F. NET BUILDABLE SITE AREA – That portion of the Base Site Area remaining after adjustment for the resource protection and recreation open space requirements.

AUTOMOBILE SERVICE STATION – A structure, building or area of land or any portion thereof that is used for the sale of gasoline and/or other motor vehicle fuel, which may or may not include facilities for lubrication, service, washing or minor repair of motor vehicles, but not for body repair or painting or for the sale of new or used vehicles. Any use dispensing motor fuel for its own vehicles will not be deemed to be an automobile service station.

BARN – A building for the storage of farm products, grain and feed and for the housing of farm animals and/or farm equipment.

BARN LOT – An area for the concentrated containment of animals.

BASEMENT – An enclosed area partly underground, but having one-half or more of its height (measured from floor to ceiling) above the average elevation of the adjoining ground. It shall be considered a story for the purpose of height measurements or determining square footage for floor area, only if the vertical distance between the ceiling and the average level of the adjoining ground is more than four (4') feet, or if used for business purposes or habitation.

BED AND BREAKFAST – A single-family detached residential dwelling containing guest rooms available for short-term overnight rental and providing breakfast services to overnight guests.

BILLBOARD – A sign upon which advertising matter of any character is printed, posted or lettered, except for a sign indicating a business or profession conducted on the premises. A billboard may be either freestanding or attached to a surface of a building or other structure.

BLOCK – A block is a tract of land bounded by streets, roads, public parks, railroad right-of-way, corporate boundary lines of the Township, waterways or any other barrier which disrupts the continuity of development.

BOARD – The Board of Supervisors of West Sadsbury Township, or any body granted jurisdiction under a land use ordinance or under this Chapter 22 to render final adjudication

BOARDER – see "Roomer."

BOARDING HOUSE – see "Rooming House."

BUFFER AREA – An area with natural ground-cover adjacent to a property boundary which does not contain any structures and which is landscaped and maintained as required by this Chapter 22.

BUFFER PLANTING STRIP – An area of land within the required Buffer Area which is landscaped with trees and shrubs of sufficient height and density to conceal from the view of abutting property owners the structures and uses on the premises on which the screening is located. The buffer strip shall be installed and maintained as required by this Chapter 22 and the applicable provisions of Chapter 27.

BUILDING – A structure under roof, whether stationary or movable, designed or used for the shelter, housing, enclosure or support of persons, animals or property. The word "building" shall include any part thereof.

BUILDING, ACCESSORY – see "Accessory Building."

BUILDING AREA – The sum of the largest horizontal cross-sectional areas of all buildings on a lot, excluding: cornices, eaves, gutters, or chimneys projecting not more than eighteen (18) inches; steps, balconies and bay windows not extending through more than one (1) story and not projecting more than five (5) feet; and one (1) story open porches projecting not more than ten (10) feet, ("projecting" means extending from the building wall).

BUILDING, PRINCIPAL – see "Principal Building."

BUILDING HEIGHT – The vertical distance measured from the average elevation of the proposed finish grade between the building corners to a point midway between the highest and lowest point of the roof, but not including chimneys, spires and those buildings and structures accessory to agriculture such as barns and silos.

BUILDING LENGTH – The horizontal measurement of the longest continuous building wall.

BUILDING PERMIT – A permit issued by the Zoning Officer indicating that the building or improvement plans submitted show compliance with the provisions of Chapter 27, and the structure proposed is allowed by Chapter 27 or has been allowed by the granting of a variance or special exception by the Zoning Hearing Board, or by granting of a conditional use by the Supervisors. No structure can be constructed or altered or be in compliance with Chapter 27 unless a building permit has been properly obtained.

BUILDING SETBACK LINE – A line that is parallel to and separated from a corresponding lot line a distance which is equal to that specified in the applicable zoning district for the required depth of the yard associated therewith. See also "Yard Line".

BUILDING SETBACK LINE, FRONT YARD – The line normally parallel to the public or private street right-of-way line at a distance equal to the minimum depth of the required front yard. All yards adjacent to a public or private street right-of-way normally shall be considered front yards. However, in the case of an interior flag lot, such setback line shall be measured from the front lot line or from the points of convergence between the side lot lines and the access to the private or public street.

BUILDING SETBACK LINE, SIDE YARD – The line normally perpendicular to the front lot line and equal to the minimum depth of a required side yard.

BUILDING SETBACK LINE, REAR YARD – The line normally parallel to the front lot line and equal to the required minimum depth of the rear yard.

BULK – The term used to describe the size, height and floor area of buildings or other structures and their relationship to each other, to open areas such as yards, and to lot lines; the relation of the number of dwelling units in a residential building to the area of the lot (usually called density); all open areas in yard space relating to buildings and other structures.

CARPORT – a roofed-over structure, open on at least two (2) sides, used in conjunction with a dwelling for storage of motor vehicles.

CARTWAY – The paved area of a public or private street, within which vehicles are permitted, including travel lanes, but not including shoulders, curbs, gutters, sidewalks or drainage swales.

CELLAR – an enclosed area partly or completely underground, having more than half of its height (measured from floor to ceiling) below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories or square footage for floor area.

CENTER LINE OF STREET – see "Street, Center Line of."

CENTRALIZED SEWER AND/OR WATER – A non-public sewer and/or water system serving a community and having a common disposal area and/or well facility with the necessary collection and/or distribution system to provide such service. Any installed system must meet all applicable state and county regulations.

CHANGE OF USE – An alteration of a building, structure or land by change of use, heretofore existing, to a new use which imposes other special provisions of law governing building construction, equipment, exits, or zoning regulations.

CHAPTER 27 – A reference used to identify the current West Sadsbury Township Zoning Ordinance.

CHURCH – see "Religious Worship."

CLEAR 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 3.5 feet above the centerline of the road surface and ten (10') feet from the edge of paving to a point 0.5 feet above the center line of the road surface. See also "Sight Distance".

CLEAR SIGHT TRIANGLE – The triangular area formed by two (2) intersecting street center lines and a line interconnecting points established on each center line, seventy-five (75) feet from their point of intersection. This entire area is to remain clear of obstructions to vision above the height of thirty (30) inches and below the height of fifteen (15) feet measured from the centerline elevation of the intersecting streets.

CLUSTER – A concept of design and site planning in which several dwellings are grouped together on a tract of land. Each cluster of dwellings are set off from others by an intervening space, often held for the common enjoyment of the neighboring residents or the community at large, and helps give visual definition to each individual group.

COMMERCIAL USE – Any enterprise engaged in a retail or service activity for profit.

COMMUNICATIONS TOWER – A structure intended to be used for transmitting and/or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

COMPREHENSIVE PLAN – The Comprehensive Plan of West Sadsbury Township, Chester County, Pennsylvania.

CONDITIONAL USE – A use permitted in a particular zoning district by the Board of Supervisors pursuant to the provisions of Chapter 27 and Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 et seq.

CONDOMINIUM – Real estate, portions of which in accordance with the provisions of the Pennsylvania Uniform Condominium Act of 1980 as amended are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners. The unit may be any permitted dwelling type.

CONSTRAINED LAND – All environmentally sensitive lands deducted from the gross tract area to determine the Adjusted Tract Area (ATA).

CONSTRUCTION – The building, rebuilding, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of prefabricated or mobile units.

CONVERSION APARTMENT – A multi-family dwelling created by converting an existing single-family dwelling into residences for three or more families living independently of each other.

CORNER LOT – see "Lot, Corner."

COUNTRY CLUB – An association of persons with the common goal of enjoying different forms of recreation, such as golf and tennis.

COUNTRY CLUBHOUSE – A building used to house the usual facilities and indoor activities of a country club for the accommodation of members and their guests.

CROSSWALK – A publicly or privately owned right-of-way continuously available for free and uninterrupted pedestrian use extending from a street into a block, across a block to another street or a path or system of paths designed to facilitate pedestrian traffic. See also "Interior Walk".

CUL-DE-SAC – A local street intersecting with another street at only one end with the opposite end terminating in a permanent vehicular turnaround.

CURB – A stone, concrete or other substantial material forming a defined physical improvement designed to delineate the edge of a cartway, roadway, parking area, driveway, planting area and the like.

DATE OF FILING – Date on which all required information and fees related to an application is received in acceptable and complete form.

DECISION – Final adjudication of any board or other body granted jurisdiction under any land use ordinance or Chapter 27 to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the West Sadsbury Township lies.

DEMOLITION – The razing or destruction, whether entirely or in significant part, of a building, structure, site, or object. Demolition includes the removal or destruction of the facade or surface and also includes natural living barriers such as tree stands.

DENSITY – A measure of the number of dwelling units per acre of land area. It shall be expressed in dwelling units per acre.

- A. **GROSS DENSITY** – This is the maximum density that may be permitted in any Zoning District. It is calculated by dividing the total number of existing and/or proposed dwelling units by the Base Site Area. This density is illustrative only, net density is controlling.
- B. **NET DENSITY** – This is the maximum permitted density on the buildable portion of the site. Net density is calculated by dividing the total number of existing and/or proposed dwelling units by the Net Buildable Site Area. This density controls actual site capacity.

DESIGN STANDARDS – Standards adopted pursuant to these regulations imposing minimum standards in the layout by which a subdivision or land development is developed.

DETACHED DWELLING – see "Dwelling."

DETERMINATION – Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the following:

- A. The Board of Supervisors;
- B. The Zoning Hearing Board; or
- C. The Planning Commission, only if and to the extent the Planning Commission is charged with final decision on preliminary or final plans under the subdivision and land development or planned residential development ordinances. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DETENTION BASIN – A reservoir which temporarily contains stormwater runoff and gradually releases it through an outlet structure into a watercourse or stormwater facility.

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

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

DEVELOPMENT PLAN – The provisions for development including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of development plan" when used in this Chapter 22 shall mean the written and graphic materials referred to in this definition.

DEVELOPMENT UNIT – Any one (1) unit of development whether it be a dwelling unit, commercial unit, industrial unit, or the like.

DIAMETER AT BREAST HEIGHT (DBH) – The diameter of a tree trunk, measured at a point four and one-half (4.5) feet from the average ground surface at the base of the tree.

DISTRICT – A designated portion of the Township designed for the purposes of establishing zoning regulations, the boundary of which is drawn on the Township Zoning Map.

DORMITORY – A building occupied by and maintained exclusively for faculty, students or other such persons affiliated with a school, church, recreational or educational facility or other recognized institution, and when regulated by such institution.

DRIVEWAY – A private cartway providing vehicular access to and from a public or private street to an abutting parcel. A driveway shall be limited to serving only one (1) use and in the case of residential uses not more than two (2) dwelling units.

DUMP – a tract of ground, or portion thereof, used for deposit and storage of refuse including, but not by way of limitation, garbage, ashes, rubbish and discarded materials. The definition of dump does not include a sanitary land fill as defined by this Chapter 22 and when operated in accordance with standards and regulations established by the Pennsylvania Department of Environmental Protection or the Chester County Health Department.

DWELLING, MANUFACTURED HOME – A fully pre-fabricated transportable, single-family detached dwelling unit intended for household occupancy contained in one (1) or more units designed to be joined into one (1) integral unit, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and household furnishings. It is constructed as required by the Township Building Code and shall be placed on a permanent

foundation with the same, or equivalent, electrical, plumbing and sanitary facilities as for a conventional stick-built single-family detached dwelling. A manufactured home may include any addition or accessory structure such as porches, sheds, or decks, which are attached to it.

DWELLING, MOBILE HOME – A transportable, single-family detached dwelling unit intended for household occupancy contained in one (1) unit or two (2) units designed to be jointed into one (1) integral unit which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations; and is constructed so that it may be used without a permanent foundation, but with the same, or equivalent, electrical, plumbing and sanitary facilities as for a conventional single-family detached dwelling. A mobile home may include any addition or accessory structure such as porches, sheds, or decks, which are attached to it.

DWELLING, MULTI-FAMILY – A building designed for and occupied exclusively as a residence for two (2) or more households living independently of each other.

DWELLING, MULTI-FAMILY, CONDOMINIUM – A dwelling or group of dwellings specifically designed for separate ownership of the individual dwelling units, which may have a common access to the exterior of the building, with the remainder of the building and grounds designated for common ownership (See Condominium), but are only allowed in accordance with the specific terms and conditions of Chapter 27.

DWELLING, MULTI-FAMILY, RETIREMENT RESIDENCE – A dwelling or group of dwellings specifically designed for retired or senior persons. Retirement dwellings may be of any dwelling type defined, but are only allowed in accordance with the specific terms and conditions of Chapter 27.

DWELLING, SINGLE-FAMILY, DETACHED – A building designed for and occupied exclusively as a residence for only one (1) family and having no party wall in common with an adjacent dwelling unit, exclusive of mobile homes defined above. Where a garage is structurally attached to such building, it shall be considered a part of the dwelling.

DWELLING, SINGLE-FAMILY, ATTACHED – A dwelling with party walls separating two (2) or more single-family dwelling units including duplex, triplex, quadruplex, multiplex and townhouse buildings.

DWELLING, SINGLE-FAMILY, ATTACHED, DUPLEX OR TWIN HOUSE – A single-family dwelling having two (2) individual dwelling units separated by one (1) common party wall from ground to roof with no communicating openings.

DWELLING UNIT – A structure or portion thereof, forming a single habitable unit with a private access and facilities which are used or intended to be used for living, sleeping, cooking and eating exclusively by one (1) family.

DWELLING UNIT, ACCESSORY (ADU) – A separate dwelling unit on the same lot as the principal dwelling unit housing one or more members of the family related by blood or marriage, living together as a single housekeeping unit, and not sharing common eating, cooking and/or bathroom facilities. Immediately upon cessation of its occupancy by a family member, the ADU shall be physically

removed from the premises by the record owner of the property and all remaining structures not conforming to the provisions of Chapter 27 shall be made to conform.

EASEMENT – A right-of-way granted for limited use of land for public or quasi-public purposes. The owner of the property on which an easement is situated shall not have the right to make use of the land contained within the easement in a manner which violates or diminishes the rights of the grantee described in the easement agreement.

EMPLOYEE – A term referenced in the parking standards section of Chapter 27 as a measure of the number of parking spaces required. It shall refer to the maximum number of employees on duty at any time, whether the employees are full or part time. If shifts are involved in which two shifts overlap, it refers to the total number of employees on duty during both shifts.

ENGINEER – a licensed professional engineer registered in Pennsylvania.

ENGINEER, TOWNSHIP – the duly designated engineer of West Sadsbury Township or the engineer or consultant employed by the Township to perform the duties of engineer.

ENLARGEMENT – An addition to the floor area or increase in size of an existing structure, an increase in the area of a parcel which is occupied by an existing use, or an increase in the intensity of a use as a result of increased parking, traffic generation or alternate sewage disposal system or other impacts on surrounding land uses.

EROSION – the removal of surface materials by the action of natural elements.

ESTATE LOT – A very large residential lot, typically rural in character and generally ten (10) acres or greater in size but not less than five (5) acres whose use is permanently protected from development through a conservation easement. Because this private property is permanently protected from development, an estate lot is considered a type of open space.

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

EXISTING RESOURCE AND SITE ANALYSIS PLAN: A base map with a comprehensive analysis of the existing conditions on any site proposed for subdivision or land development.

FAMILY – A "family" is one or more individuals living together as a single non-profit housekeeping unit, sharing kitchen and other common facilities, and meeting one of the three (3) criteria listed below, together with any domestic servants and with any specialized individuals required to render assistance, aid or services necessary by reason of any mental or physical disability of one or more of said primary resident occupants:

- A. One individual;
- B. Two or more individuals related by blood, marriage or adoption, and including foster children permanently residing in the family unit as part thereof and placed with the

family unit by consent of the natural parents or order of the court or authority of competent jurisdiction; or

- C. Four or few individuals unrelated by blood or marriage and residing permanently on the premises as part of the family unit.

The term "family" shall not include institutional group homes, disciplinary group homes, dormitories, boarding houses, rooming houses, fraternity houses, hotels, day care facilities, or any use similar to those specifically excluded.

FEED LOT – A lot or plot of ground on or in which livestock are fed or fattened with prepared food brought to the lot; grazing land is not included.

FEMA – Federal Emergency Management Agency.

FENCE – Any freestanding and uninhabited structure consisting of wood, glass, metal, plastic, wire, mesh, masonry or vegetation singly or in combination with other materials, 2½ feet or higher, erected to secure or divide one property from another or part of a property from a remaining part, to assure privacy, to protect the property so defined, or to enclose all or part of the property; freestanding masonry wall is considered a fence.

FILL – Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade; the material used to make fill.

FLOOD – A temporary inundation of normally dry land area.

FLOOD ELEVATION, ESTABLISHED – The elevation at a point on the boundary of the identified floodprone area which is nearest to the construction site in question.

FLOOD, ONE HUNDRED YEAR – A flood that, on the average, is likely to occur once every one hundred (100) years, that is, one that has a one (1) percent likelihood of occurring each year, but may occur more than once in any one hundred year period, as delineated by the Federal Insurance Agency Maps developed in the Flood Insurance Program. For the purpose of this ordinance, a storm of seven and four-tenths (7.4") inches or more of rain within a twenty-four (24) hour period shall be deemed a 100-year storm.

FLOODPLAIN – Areas adjoining any streams, ponds, lakes or other watercourse subject to a 100-year-recurrence-interval flood as delineated by the U.S. Department of Housing and Urban Development's National Flood Insurance Program, or by alluvial soils as defined in the "Chester and Delaware Counties, Pennsylvania, Soil Survey," 1959, No. 19, or by a study conducted by a person expert and experienced in the preparation of hydrological studies and the determination of floodlines. The methodology yielding the largest area shall be used for determining the area in question.

FLOODPLAIN (ALLUVIAL) SOILS – Soils subject to periodic flooding and listed in the "Chester and Delaware Counties, Pennsylvania Soil Survey," 1959, No. 19, as being "on the floodplain" or subject to "flooding." (Group 13 for Building Sites).

FLOODPRONE AREA – A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOODPROOFING – Any combination of structural and non-structural additions, changes, or adjustment to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY – The designated area of a floodplain required to carry and discharge flood waters of a given magnitude.

FLOOR AREA – see "Area."

FLOOR AREA RATIO – see "Area."

FOREST – see "Woodland."

FOUR-STEP DESIGN PROCESS – A process for determining the layout of residential subdivisions with a primary emphasis on preserving environmentally sensitive natural features, scenic views, and historic resources while minimizing the extent of roads and infrastructure required to service new lots as described in this Chapter §402.7.

FRONT YARD – see "Yard."

FRONT YARD LINE – see "Yard Line."

GAME FARM – Any preserve used solely for the protection and propagation of wildlife.

GARAGE, PRIVATE – A storage building for vehicles which is accessory to a principal building, either attached to it or separate, and used only for storage purposes.

GASOLINE SERVICE STATION – see "Automobile Service Station."

GREENHOUSE – An enclosed structure used for the growing, raising, or keeping of flowers or other plants.

GREENHOUSE, COMMERCIAL – An enclosed structure used for the growing, raising, keeping and/or selling of flowers or other plants.

HALF OR PARTIAL STREET – A street, generally parallel and adjacent to a property line having a lesser right-of-way width than normally required for a satisfactory improvement and use of street.

HEAVY INDUSTRY – See "Industry Manufacturing, Heavy."

HEIGHT OF BUILDING – See "Building Height."

HEIGHT OF SIGN – The vertical distance measured from the ground elevation to the highest point on the sign or its supporting structure whichever is greater.

HOME OCCUPATION – Home Occupations are accessory uses to the use of the premises for dwelling purposes and second principal uses shall not be deemed home occupations solely by virtue of the fact that the owner thereof resides upon the premises. Home occupations are divided into two (2) categories: the first, being Level 1 home occupations, are permitted as a use-by-right in any dwelling unit or building accessory thereto, provided the limitations and criteria set forth in the relevant sections hereof, relating to design standards for home occupations are fully complied with.

The premises on which the activity is conducted shall, at all times, maintain an external residential appearance. Except for a single sign, not exceeding four (4) square feet, as provided by the standards of Chapter 27; there shall be no display of goods outside the building or buildings on the lot, no window displays, or no exterior devices indicating or advertising non-residential activities.

A. LEVEL 1 home occupations include and are limited to:

- (1) all uses shall be limited to a maximum of 10% of the total residential area or 500 square feet, whichever is less; any person engaged in a Level 1 home occupation is required to register such use with the West Sadsbury Township Zoning Officer and obtain a permit for such use;
- (2) small office uses, such as professional offices, manufacturers' representatives, real estate brokers;
- (3) studio uses, such as artist studios, musician studios and handicraft shops;
- (4) educational uses, such as tutorial services, day care for not more than three (3) persons at any one time, music, art or similar instruction for not more than three (3) persons at any one time (but excluding equestrian training). Provided, however, in all such cases, the practitioner shall reside within the principal dwelling unit and the principal activity or use is that of a residence and not a business. No more than two (2) persons not residents of the premises shall be employed in a Level 1 home occupation.

B. LEVEL 2 home occupations shall be, in like manner, an accessory use to the principal residential dwelling use and shall be demonstrated by the applicant to be clearly subordinate to the residential use. Because of the wide variety of uses that may fall within the category of Level 2 home occupations, these shall be permitted only by Special Exception. Before such home occupation is approved, the Zoning Hearing Board shall ascertain that the applicant has and will continue to comply with all of the design and performance standards set forth in the relevant residential district. The design and performance standards shall be deemed definitional and no Special Exception shall be granted unless and until the applicant brings himself within the definitional aspects, including performance and design standards for which such Special Exception may be granted. No Level 2 home occupation shall employ more

than three (3) persons not residing in the principal dwelling house and all such activities shall be conducted in the principal dwelling, buildings accessory thereto or in open areas adequately screened from public roads and adjacent properties. The premises on which the activity is conducted shall, at all times, maintain an external residential appearance. Except for a single sign, not exceeding four (4) square feet, as provided by the standards of Chapter 27; there shall be no display of goods outside the building or buildings on the lot, no window displays, or no exterior devices indicating or advertising non-residential activities. Both the owner and operator of the Level 2 home occupation shall reside upon the premises. The Level 2 home occupations are somewhat larger commercial enterprises, and include and are limited to:

- (1) office uses;
- (2) studio uses;
- (3) retail service uses;
- (4) educational uses, including day care facilities for not more than eight (8) persons at any one time, art, music and classroom instructions for not more than eight (8) students at any one time, equestrian training for not more than four (4) students at any one time;
- (5) manufacturing and industrial occupations, such as general automotive repair shops (excluding body and fender shops); the production and sale of handicraft items, furniture repair, and custom cabinet making;
- (6) contractors establishment provided that all activities are conducted in enclosed buildings all vehicles, equipment, supplies, materials and inventory are stored in enclosed accessory buildings;
- (7) indoor retail activities containing less than 800 square feet of sales floor area and 1,000 square feet of storage area;
- (8) outdoor nurseries containing less than 10,000 square feet of area, properly screened from view of adjacent properties and public roads.
- (9) The sale, lease or otherwise trading in motor vehicles, mobile homes, recreational vehicles, boats, trailers and the like shall not be deemed home occupations.

HOMEOWNERS ASSOCIATION – A non-profit organization comprised of homeowners or property owners, planned and operated under specific guidelines for the purpose of administering to the needs of residents through the maintenance of community-owned property.

HORSE BARN – An accessory building to house horses or ponies and non-motorized carriage storage for private, non-commercial transportation use only.

HOTEL, MOTEL OR INN – A building or group of buildings containing six (6) or more guest rooms, without stationary cooking facilities, especially designed for the temporary lodging of transient guests in guest rooms. Such establishments shall provide guests with customary hotel

services such as maid service and the furnishing of linen. Eating and drinking facilities may be an accessory use to the hotel, motel or inn.

IMPERVIOUS SURFACE – Those surfaces not easily penetrated by water, such as buildings, parking areas, driveways, roads, sidewalks, and other areas in concrete, asphalt, and packed stone.

IMPERVIOUS SURFACE RATIO – The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the net lot area of the site by the net lot area.

IMPROVEMENTS – Changes made to the land including, but not limited to, grading, paving, curbing, fire hydrants, water mains, sanitary sewers, storm sewers, and other surface drainage facilities, retaining walls, street signs, monuments or the like.

IMPROVEMENTS, PUBLIC – Those improvements made to the land which are intended to be offered for dedication to the Township. See also "Public Improvements".

INDUSTRY MANUFACTURING, HEAVY – The assembly, construction, fabrication, machining, or processing, of materials or goods that emit noxious smells, high ambient sound levels, excessive light or glare, or pollutants beyond the confines of the building or structure intended for such use.

INDUSTRY MANUFACTURING, LIGHT – Any industrial type use that does not meet the criteria of heavy industry manufacturing above.

INTERIOR WALK – A publicly or privately owned right-of-way continuously available for free and uninterrupted pedestrian use extending from a street into a block, across a block to another street or a path or system of paths designed to facilitate pedestrian traffic. See also "Crosswalk".

JUNKYARD – An area of land with or without buildings used for storage, outside a completely enclosed building, of used and discarded materials including, but not limited to, wastepaper, rags, metal, building materials, house furnishings, machinery, vehicles or parts thereof, with or without the dismantling, processing salvage, sale or other use or disposition of the same. The deposit or storage on a lot of an unlicensed, wrecked or disabled vehicle, or the major part thereof, is a junkyard. The term "unlicensed vehicle" shall not apply to farm machinery or to recreational vehicles. One (1) disabled vehicle with spare parts will be permitted on a lot if it can be demonstrated that it is being repaired or restored as a recreational vehicle or an antique and is stored in such a manner as not to be hazardous. A disabled vehicle is a vehicle intended to be self-propelled that shall not be operable under its own power for any reason, or a vehicle that does not have a valid or current registration plate or that has a certificate of inspection which is more than 60 days beyond the expiration date.

KENNEL – Any structure or establishment for housing more than four (4) dogs that are more than six (6) months old, for remuneration, hire, or sale.

LANDSCAPE ARCHITECT – A licensed landscape architect registered in Pennsylvania.

LAKES AND PONDS – Natural or artificial bodies of water which retain water year-round. Artificial ponds may be created by dams, or result from excavation. The shoreline of such water bodies shall

be measured from the spillway crest elevation rather than permanent pool if there is any difference. Lakes and bodies of water two (2) or more acres in extent. Ponds are any water body less than two (2) acres in extent.

LAND DEVELOPMENT – Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two (2) or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or,
 - (2) The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
- B. A subdivision of land.
- C. Development in accordance with Section 503(1.1) of the Pennsylvania Municipalities Planning Code.

LANDFILL, SANITARY – A tract of land on which engineering principles are applied for the permanent storage and disposal of solid wastes, as defined in the current regulations of the Department of Environmental Protection without creating public health or safety hazards, nuisances, pollution, or environmental degradation. A sanitary landfill shall be operated in accordance with standards established by, and shall be subject to, inspection by the Pennsylvania Department of Environmental Protection or the Chester County Health Department, or it shall be considered a dump.

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 purposes of this Chapter 22.

LANDSCAPED AREA – The landscaped area includes the buffer planting strip and those plantings which serve a functional and/or aesthetic purpose and are located around and between buildings, roads, parking area, sidewalks, walkways, sitting areas, service or maintenance structures, courtyards and the like. The landscaped area is both unsurfaced and water absorbent. It includes the portion of a tract or lot maintained in its natural state and is not occupied by any buildings, paved surfaces or man-made structures.

LIGHT INDUSTRY – See "Industry Manufacturing, Light."

LIMESTONE – Areas underlain by limestone as indicated on the map, "Geology, Chester County, Pennsylvania," contained in "Chester County Geology," published by the Chester County Planning Commission, June, 1973.

LIMIT OF DISTURBANCE – A line established on a construction site beyond which no construction activities, grading or disturbance is permitted to take place.

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.

- A. Lot Area. See "Area, Lot."
- B. Lot, Corner. A lot which has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of at least two (2) street lines. A lot abutting upon a rural street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of less than one hundred and thirty-five (135) degrees. Both yards adjacent to streets shall be considered front yards. The owner or developer of a corner lot may specify which remaining lot lines shall be the side lot line and rear lot line.
- C. Lot Coverage. The ratio of the total ground floor area of all buildings on a lot to the total net area of the lot on which they are located.
- D. Lot, Depth of – The mean distance from the street ultimate right-of-way line traversing the lot to the rear lot line, measured in the general direction of the side lot lines.
- E. Lot, Double Frontage – A lot having frontage on two generally parallel streets. See also "Lot, Through". Double frontage lots are prohibited unless granted as a special exception by the Zoning Hearing Board.
- F. Lot, Interior – A lot which is generally the shape of a flag on a flag pole. The base of the flag pole portion of the lot shall abut a public street and meet the applicable requirements of the zoning district in which it is located, except, that in no circumstance shall the width of the flag pole portion of the lot at the street line be less than seventy-five (75) feet. The length of the flag pole portion of the lot shall not exceed three-hundred and fifty (350) feet. The flag portion of the lot shall meet the minimum requirements of the applicable zoning district in which it is located. The flag pole portion of the lot shall be a fee simple part of the flag portion of the lot and not a separate lot or easement. The area of the flag pole portion of the lot shall not be included in the computation of lot area for the purpose of meeting the requirements of the provisions of the applicable zoning district in which it is located or the applicable requirements of the Subdivision and Land Development Ordinance, Chapter 22.
- G. Lot, Reverse Frontage – A lot extending between and having frontage on two generally parallel streets with vehicular access limited to one street. Access shall be from a Minor i.e., Local rather than a Major i.e., Collector or arterial street.
- H. Lot, Through. A lot having frontage on two generally parallel streets. See also "Lot, Double Frontage". Through lots are prohibited unless granted as a special exception by the Zoning Hearing Board.
- I. Lot Width. The distance measured between the side lot lines at the required building setback line. In a case where there is only one (1) side lot line, lot width shall be measured between such side lot line and the opposite lot line or street ultimate right-of-way line. For lots with a curved or irregular front lot line, the width shall be

measured along a line parallel to a straight line joining the points where side lot lines intersect the front lot line.

LOT LINES –

- A. Lot line, Front. The line separating a lot from a street; generally the same as the street right-of-way line or street line. See also “Street Right-of-Way Line”.
- B. Lot line, Rear. Any lot line which is parallel to or within forty-five (45°) degrees of being parallel to a street line, except for a lot line that is itself a street line (through lot), and except that in the case of a corner lot, the owner shall have the option of choosing which of the two lot lines that are not street lines to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one (1) lot line furthest from any street shall be considered a rear lot line.
- C. Lot line, Side. Any lot line which is not a front lot line or a rear lot line.

MARKER – a metal pipe or pin of at least one-half (½") inch diameter, and at least twenty-four (24") inches in length.

METES AND BOUNDS – The measurements, boundaries, and limits of a property.

MINOR REPAIR – The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep; but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

MINOR SUBDIVISION – A subdivision involving the creation of no more than two (2) lots and in which no public improvements are required.

MOBILE HOME/MANUFACTURED HOME – A transportable, single family dwelling intended for permanent occupancy, contained in one (1) unit or in two (2) or more units designed to be joined into one (1) integral unit 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.

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

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

MONUMENT – a stone or concrete monument with a flat top at least four (4") inches across and at least twenty-four (24") inches in length, to the top of which is permanently affixed a brass or copper marker.

MOTEL – See "Hotel, Motel or Inn"

MUNICIPAL AUTHORITY – A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipalities Authority Act of 1945."

MUNICIPALITY – the Township of West Sadsbury, Chester County.

NEW CONSTRUCTION – The building, rebuilding, renovation, repair, extension, expansion, alteration, or relocation of a building, structure, and/or improvements such as streets, utilities, etc. Also, for purposes of this Chapter 22, all proposed subdivision and/or land development shall be considered to be new construction.

NONCONFORMING LOCATION, DIMENSION OR STANDARD – A nonconforming location exists where an otherwise lawful building or structure encroaches in mandated setbacks from lot lines, roads or other buildings or structures. A nonconforming dimension is a lawful nonconformity arising where an otherwise lawful building or structure or paving exceeds the lot coverage, green area requirement or other similar dimensions or percentages under Chapter 27 or restrictive or prohibitory amendment thereto. A nonconforming standard is a lawful nonconformity arising by reason of violation of standards created under Chapter 27 or any restrictive or prohibitive amendment thereto with reference to those common regulations set forth under Chapter 27 or otherwise established under any design or performance standards applicable to the use, activity or structure. By way of illustration and not by way of limitation, a nonconforming standard arises where a use had sufficient parking under a prior ordinance but the parking is deficient under the standards set forth in this ordinance.

NONCONFORMING LOT – A lot the area or dimension of which was lawful prior to the original adoption or subsequent amendment of Chapter 27, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment

NONCONFORMING STRUCTURE – A structure or part of a structure manifestly not designed to comply with the use or extent of use provisions of Chapter 27 or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the original enactment of Chapter 27 or subsequent amendment or prior to the application of Chapter 27 or subsequent amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE – A use, whether of land or of structure, which does not comply with the applicable use provisions in Chapter 27 or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the original enactment of Chapter 27 or subsequent amendment, or prior to the application of Chapter 27 or subsequent amendment to its location by reason of annexation.

NON-CONFORMITY – Any variation from the requirements of Chapter 27 which exist legally on the original effective date of Chapter 27 or subsequent amendments thereto.

OBSTRUCTION – Any wall, dam, wharf, embankment, levee, dike pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure or matter in, along, across, or projection into any channel, watercourse, or floodprone area, which may impede, retard, or change the direction of flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life and property.

OFF-SITE SEWAGE SERVICE – See "Public Sewage Facilities."

ON-SITE WATER SERVICE – See "Water Service, On-Site."

ONE HUNDRED YEAR FLOOD – A flood that, on the average, is likely to occur every one hundred (100) years, i.e., that has a one (1%) percent chance of occurring each year, although the flood may occur in any year.

OPEN SPACE, CONSERVATION – Conservation open space is that area within a residential development that falls within those critical environmental areas that are sufficiently environmentally sensitive as to preclude actual construction thereon.

OPEN SPACE, COMMON OR COMMUNITY – Common or community open space shall be those areas within the residential development dedicated to the use and enjoyment of the residents thereof or to the public generally. The common open space shall include, but is not limited to, those areas dedicated to water and sewage treatment facilities suitable for active or passive recreation, parks and recreation areas (active or passive), sedimentation and erosion control facilities suitable for active or passive recreation and like amenities, but shall exclude from the definition sewer lines, water lines and electrical easements not otherwise used for the purposes herein described, and shall exclude roads and sidewalks and required yard distances and spaces between structure perimeter setbacks and other areas not suitable for active or passive recreation.

OPEN SPACE, DESIGNATED – Areas, identified on an applicant's plan, which will be limited to open space use in perpetuity.

OPEN SPACE, TOTAL – Total open space within a residential development shall be deemed to include common and conservation open space in the total acreage. Provided, however, that where open space is both common and conservation, the total open space required shall not be reduced below the sum total of required common open space plus the require conservation open space separately computed. The total open space shall not duplicate that acreage, but the total acreage shall be deemed to include the sum total of all acreage dedicated to one or more of the open space areas defined above.

OPEN SPACE RATIO – A measure of the intensity of land use. It is arrived at by dividing the total area of all open space within the site by the Base Site Area.

PARK – A tract of land designated and used by the public primarily for recreation of an active or passive nature.

PARKING SPACE – An open space with a dustless, all-weather surface, or space in a private garage or other structure which shall be at least ten (10') feet by twenty (20') feet in size for the storage of one (1) automobile, accessible from a public way.

PARTIAL STREET – See "Half Street."

PERSON – Any person, persons, partnership, business, corporation, or other similar entity.

PLAN, FINAL – A complete and exact land development or subdivision plan prepared by a registered engineer, land surveyor or landscape architect for official recording as required by Act 170 or Act 247 to define property rights and proposed streets and other improvements.

PLAN, PRELIMINARY – A land development or subdivision plan prepared by a registered engineer, land surveyor or landscape architect, in less detail than a final plan, showing approximate proposed street, drainage, and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN, PROFILE – A plan prepared by a registered engineer or surveyor showing the vertical section of the existing grade and proposed grade along the center line of any proposed street, and any street appurtenances to be constructed or installed, which must include a typical cross-section of the street construction.

PLAN, SKETCH – An informal plan, not necessarily to exact scale, indicating topographic and other salient existing features of a tract and its surroundings and general layout of the proposed subdivision or land development.

PLANNING COMMISSION – The Planning Commission of West Sadsbury Township.

PLANTING STRIP – The unpaved portion of a street right-of-way, parking lot, access or similar area intended to separate parking and traffic areas from adjacent areas. Also, any strip of land intended to separate a use on one lot from a use on an adjacent lot.

PRIMARY RESOURCE CONSERVATION LAND – Land to be contained within areas of Designated Open Space and which mainly consist of areas within the floodplain, areas with slopes between fifteen percent (15%) and twenty-five percent (25%), areas with slopes over twenty-five percent (25%), woodlands, areas within the Conestoga Geologic Formation, areas of extensive rock outcroppings (over 1,000 square feet) and pond shores. These areas are to be shown on the Existing Resource and Site Analysis Plan.

PRIME AGRICULTURAL SOILS – Soil Capacity Classes I-1 through and including IIe-2, as classified by the "Chester and Delaware Counties, Pennsylvania Soil Survey," 1959, No. 19. Non-prime agricultural soils are all other soil capability classes.

PRINCIPAL BUILDING – A building in which is conducted, or intended to be conducted, the principal use of the lot on which it is located.

PRINCIPAL PERMITTED USE – Any use of land or building which is specifically permitted within a zoning district under the provisions of Chapter 27.

PRINCIPAL USE – The main use on a lot.

PRIVATE GARAGE – See "Garage, Private."

PROPERTY LINE – A recorded boundary of a plot of land.

PUBLIC GROUNDS – Includes:

- A. Parks, playgrounds, trails, paths and other recreational areas and other public areas;
- B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and
- C. publicly owned or operated scenic and historic sites.

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

PUBLIC IMPROVEMENTS – See "Improvement, Public."

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

PUBLIC NOTICE – Public notice as defined in the Pennsylvania Municipalities Planning Code.

PUBLIC RECREATION – Leisure-time activities, including, but not limited to sports and entertainment that are open to anyone without restriction, except for rules and standards of conduct and use.

PUBLIC UTILITIES – See "Utilities, Public."

PUBLIC WATER FACILITIES – Any system, regardless of ownership, which supplies water to more than one (1) development unit as approved by the appropriate County and State agencies.

REAR YARD – See "Yard, Rear."

REAR YARD LINE – See "Yard Line."

RECREATION LAND – Usable public or common open space as near to each development unit as possible and not consisting of floodplain, steep slopes or wetland. It shall consist of landscaped or natural terrain and may include such buildings and facilities as are necessary to fulfill its permitted functions. These areas shall not include street rights-of-way or required off-street parking.

REGULATORY FLOOD ELEVATION – The One Hundred (100) Year Flood Elevation, plus a freeboard safety factor of one and one-half (1½) feet.

RELIGIOUS WORSHIP, PLACE OF – Any structure or structures used for worship or religious instruction, including social and administrative rooms accessory thereto, but not including any commercial activity.

REPORT – Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RESOURCE PROTECTION LAND – Land which exhibits natural development constraints in the form of steep slopes, high water table, flood potential, ground water pollution hazard, severe erosion potential, and woodland which requires protection in varying degrees from the impact of urban development.

RETENTION BASIN – A reservoir which retains stormwater runoff and gradually releases it through the infiltration of said water into the ground. Typically, a retention basin will retain water permanently or for significantly longer periods of time than does a detention basin.

RIGHT-OF-WAY – Land set aside for use as a street, alley or other means of travel, or essential services and utilities.

- A. Existing Right-of-Way. The legal right-of-way as established by the Commonwealth, Township, or other appropriate governing authority and currently in existence.
- B. Future Right-of-Way. The right-of-way deemed necessary by the West Sadsbury Township Comprehensive Plan, the Chester County Planning Commission, and/or the official Map as appropriate to provide adequate width for future street improvements also referred to as ultimate right-of-way.

RIPARIAN BUFFER – Areas immediately adjacent to the Township's perennial streams, Watercourses where the drainage area to the wetland or watercourse exceeds 75 acres, and areas deemed by the Township to possess environmental value shall be defined as the Riparian Buffer Zone (RBZ). In the RBZ, special requirements shall apply in order to maintain important natural functions. These RBZ requirements are based on both the heightened sensitivity of the RBZ and the potential to negatively impact the stream system when this RBZ is disturbed, as well as the potential of this RBZ to mitigate to the maximum extent the negative effects of Development in areas adjacent to the stream system. The RBZ shall include three sub-zones, Zones 1 through 3, to be established and protected, as defined below:

- A. Zone 1, a 35-foot setback zone, measured from the top of the bank of the Watercourse, where no disturbance of vegetation and soil except for restoration shall occur, in order to shade the stream with natural vegetation, to provide a source of numerous other organic inputs to the aquatic system, to anchor the streambank and Floodplain Area, and to consume and otherwise remove nitrogen, sediment, and other substances which can adversely affect stream systems.
- B. Zone 2, a managed buffer zone, extending a distance equal to 45 feet outward from Zone 1 or to the 100 year Floodplain boundary, whichever is larger, where disturbance of natural vegetative cover shall be limited to activities which minimally disrupt existing tree cover, in accordance with applicable zoning restrictions, and soil mantle, in order to maximize filtering and overall physical removal of particulate-form pollutants from Runoff generated upgradient and to promote subsurface vegetative uptake of nitrogen and other non-particulate elements from Stormwater generated upgradient. The Developer shall use land within Zone 2 only for those uses authorized within the 100-year floodplain as allowed in the Zoning Ordinance, even if portions of Zone 2 are located outside of the 100-year floodplain.
- C. Zone 3, a zone of 20 feet extending outward from Zone 2; Zone 3 is defined in those cases where upslope areas adjacent to the RBZ are being disturbed during the Land Development process and where direct discharge of Stormwater would otherwise occur; Zone 3 must include level spreading devices as necessary to ensure that any directly discharged Stormwater flows are properly distributed as sheet flow. Developer shall avoid channelization and point source discharges.
- D. An RBZ adjacent to "High Quality Waters" and "Exceptional Value Waters" designated by the DEP shall be subject to the provisions of the most recent edition of DEP Special Protection Waters Implementation Handbook and its amendments. To the extent that the Township and DEP requirements are not consistent, the more restrictive requirements shall apply.
- E. For areas immediately adjacent to the Township's perennial streams and Watercourses where the drainage area to the Watercourse is less than 75 acres, the RBZ shall be defined as a zone extending 35 feet outward from the top of the bank(s) of the Watercourse. Within this area, no disturbance of vegetation and soil except for restoration shall occur.

ROOMER, BOARDER, OR LODGER – A person other than a family member occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging, or board and lodging, by prearrangement for a week or more at a time, to an owner or operator. Any person occupying such room or rooms and paying such compensation without pre-arrangement or for less than one (1) week at a time shall be classified for purposes of Chapter 27, not as a roomer, boarder, or lodger, but as a guest of a commercial lodging establishment (motel, hotel, tourist home).

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

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

SEWAGE – All-water carried domestic or commercial wastes or any combination thereof.

SEWAGE FACILITIES – A system of sewage collection, conveyance, treatment and disposal which will prevent the discharge of untreated or inadequately treated sewage or other waste into waters of this Commonwealth or otherwise provide for the safe and sanitary treatment and disposal of sewage or other waste. Sewage Facilities consist of a mechanical treatment section and a disposal section. The mechanical section may consist of pipes, pumps, mechanical treatment plants, treatment and storage ponds, or other treatment facilities. The disposal section may be a subsurface soil absorption area or a mechanical storage tank.

- A. **INDIVIDUAL SEWAGE SYSTEM** – A sewage facility, whether publicly or privately owned, serving a single lot and serving one equivalent dwelling unit and collecting, treating and disposing of sewage in whole or in part into the soil or into waters of this Commonwealth or by means of conveyance of retaining tank wastes to another site for final disposal.
 - (1) **INDIVIDUAL ON LOT SEWAGE SYSTEM** – An individual sewage system which uses a system of piping, tanks or other facilities for collecting, treating and disposing of sewage with a soil absorption area or spray field or by retention in a retaining tank.
 - (2) **INDIVIDUAL SEWERAGE SYSTEM** – An individual sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a soil absorption area, spray field, or retention in a retaining tank.
- B. **COMMUNITY SEWAGE SYSTEM** – A sewage facility, whether publicly or privately owned, for the collection of sewage from two or more lots, or two or more equivalent dwelling units and the treatment and/or disposal of the sewage on one or more of the lots or another site.
 - (1) **COMMUNITY ON LOT SEWAGE SYSTEM** – A system of piping, tanks or other facilities serving two or more lots and collecting, treating and disposing of sewage into a soil absorption area or retaining tank on one or more of the lots or at another site.
 - (2) **COMMUNITY SEWERAGE SYSTEM** – A publicly or privately owned community sewage system which uses a method of sewage collection, conveyance, treatment and disposal other than renovation in a soil absorption area or retention in a retaining tank.
- C. **PUBLIC SEWAGE SYSTEM** – An off-site system for the treatment and disposal of sewage in which sewage is conveyed by interceptor to a publicly-operated treatment plant and disposed of through means approved by the Pennsylvania

Department of Environmental Protection. Note: This should replace the definition of “public sewage facilities” in the current definitions section.

- D. **SMALL FLOW TREATMENT FACILITIES** – An individual or community sewerage system designed to adequately treat sewage flows not greater than 2,000 gallons per day for final disposal using a stream discharge or disposed through means approved by the Pennsylvania Department of Environmental Protection.
- E. **SUBSURFACE SOIL ABSORPTION AREA** – That portion of a sewage facility that remains all or substantially below the surface, is used for the dissipation of treated sewage, and excludes buildings, structures, and ponds for collection, storage and treatment of sewage.

SHOPPING CENTER – The multiple use of a single property for the retail sale of such things as dry goods, variety and general merchandise, clothing, food, flowers, drugs, household supplies or furnishings, sale or repair of jewelry, watches and clocks, optical goods, or musical, professional or scientific instruments; the provision of personal services such as barber shops, banks, hairdressers, laundry or laundromats, and cleaning and pressing shops and for such purposes as theaters or bowling alleys.

SIDE YARD LINE – See "Yard Line."

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 3.5 feet above the centerline of the road surface and ten (10') feet from the edge of paving to a point 0.5 feet above the center line of the road surface. See also "Clear Sight Distance".

SIGN – Any permanent or temporary structure or part thereof, or any devise attached, painted or represented directly or indirectly on a structure or other surface that displays or includes any letter, work, insignia, flag or representation which is in the nature of an advertisement, announcement, visual communication, direction or is designed to attract the eye or bring the subject to the attention of the public. Flags of any governmental unit or branch of any charitable or religious organization, interior signs not visible from a public right-of-way or adjoining property and cornerstones built into or attached to a wall of a building are excluded.

SIGN AREA – The area of a sign shall be construed to include all lettering, working and accompanying designs and symbols together with the background, whether open or enclosed, on which they are displayed but not including any supporting framework and bracing which are incidental to the display itself. Where the sign consists of individual letters or symbols attached to a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape, including the sign background which encompasses all of the letters and symbols.

SIGN, DIRECTIONAL – A sign for the sole purpose of providing directional information to a specific site location or activity.

SIGN, FLASHING – A sign, the illumination of which, when in use, is not kept constant in intensity or color at all times, and which exhibits sudden or marked changes in lighting effects. Illuminated signs which indicate the time, temperature or date information shall not be considered a flashing sign.

SIGN, GROUND – Any sign supported by uprights or braces placed upon the ground, and not attached to any building.

SIGN, ILLUMINATED – A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign with illumination derived from an external artificial source so arranged that no direct rays of light are projected from such artificial source to areas other than the sign being illuminated.

SIGN, ON-PREMISES – A sign relating in its subject matter to the premises on which it is located or to products, accommodations, services or activities available on the premises.

SIGN, OFF-PREMISES – A sign which direct attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

SIGN, PARALLEL – A sign which is mounted parallel to a wall or other vertical building surface not extending beyond the edge of any wall or other surface to which it is mounted and not projecting more than fifteen (15) inches from the wall surface.

SIGN, POLE – A sign that is mounted on a freestanding pole or other single support.

SIGN, PROJECTING – A sign which is attached directly to the wall of a building or other structure which extends more than fifteen (15) inches from the face of such wall.

SIGN, REAL ESTATE – A sign pertaining to the sale or lease of the premises on which the sign is located.

SIGN, ROOF – Any sign erected, constructed and maintained wholly upon or over the roof an any building with the principal support of the sign on the roof structure.

SIGN, TEMPORARY – Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for thirty (30) days or less.

SIGN, WALL – A sign inset into a freestanding wall or fences which are not connected to any structure.

SIGN, WINDOW SIGN – A sign which is oriented to the public right-of-way, is legible to persons in vehicles and is located on the outside or inside of a window to direct attention to an activity conducted on the same lot.

SINGLE AND SEPARATE OWNERSHIP – The ownership of a lot by one or more persons, which ownership is separate and distinct from that of any adjoining property.

SITE – A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots by a single developer.

SITE CAPACITY – A determination of the intensity of development appropriate for the site to be developed. Such determination is made for residential, commercial and industrial uses following the provisions of Part 9A and Part 9B of Chapter 27.

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

SOLICITOR – the Attorney for West Sadsbury Township.

SOLID WASTE – Waste including solid, liquid, semi-solid, or contained gaseous materials. Such waste concrete shall not include biological excrement nor hazardous materials as defined in the Code of Federal Regulations.

SPECIAL EXCEPTION – A use permitted in a particular zoning district pursuant to the provisions of Chapter 27 and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10601 et seq., 10901 et seq.

SPECIAL PERMIT – A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

STABLE – A building containing stalls where horses or ponies are sheltered and fed.

STEEP SLOPES – Areas where the slope exceeds fifteen (15%) percent which, because of this slope, are subject to high rates of storm water run-off and therefore erosion.

STORMWATER – Water which surfaces, flows or collects during and subsequent to a rain or snowfall event.

STREET – A strip of land, including the entire right-of-way, publicly or privately owned, serving primarily as a means of vehicular and pedestrian travel, and furnishing access to abutting properties, which may also be used to provide space for sewer, public utilities, shade trees, sidewalks, etc. and shall include street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic whether public or private.

- A. Principal Arterials have as their primary function the movement of large volumes of traffic at relatively high rates of speed. They provide high levels of services and facilitate traffic over long distances on an inter-county or interstate basis.

- B. Minor Arterials interconnect with and augment the principal arterial system. These roads provide services to trips of moderate length and have controlled access points. Minor arterials provide greater access to adjacent land than principal arterials.
- C. Major Collectors connect municipalities and incorporated centers. These roads are the major contributors to arterial traffic and carry fairly heavy traffic volumes at moderate rates of speed.
- D. Minor Collectors facilitate relatively low volumes of traffic at lower speeds. They gather traffic from local streets and direct it to the arterial and major collector road networks. Minor collectors often provide traffic circulation between and within residential neighborhoods.
- E. Local Street. A street intended to serve and provide access to the properties abutting thereon and not connecting with other streets in such a manner as to encourage through traffic.
- F. Cul-de-Sac Street. A local street intersecting with another street at only one end with the opposite end terminating in a permanent vehicular turnaround.
- G. Public Street. A street constructed to meet the applicable requirements of this Chapter 22 and also Chapter 27 and which has been accepted by the Board by deed of dedication to West Sadsbury Township or which has heretofore been opened, accepted and used as a public thoroughfare or is otherwise determined to be accessible, without limitation, for use by the public.
- H. Private Street. A street constructed to meet the applicable requirements of this Chapter 22 and also Chapter 27 but which has not been offered to or accepted by the Board as a public thoroughfare. Existing streets not constructed to meet the requirements of this Chapter 22 and also Chapter 27 shall not be considered private streets.

STREET, CENTERLINE OF – the line which is at an equal distance from both street lines, or right-of-way lines.

STREET RIGHT-OF-WAY LINE – The legal boundary of a street dividing a lot from the abutting street; also referred to as street line. See also “Lot Line, Front”.

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

SUBDIVISION – The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SUBSTANTIALLY COMPLETED – Where in the judgment of the Township engineer, at least ninety (90%) percent (based on the cost of the required improvements for which financial security

was posted pursuant to the requirements of this Chapter) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

SUPPLEMENTAL FARM BUSINESS – An accessory use in the agricultural district that would allow for a secondary source of income for a resident farmer, so as to promote the continuation of existing agricultural uses in accordance with §348 of this Ordinance.

SURVEYOR – A licensed surveyor registered in Pennsylvania.

SWALE – A relatively wide shallow channel or ditch which collects and/or directs and carries surface water.

SWIMMING POOL – Any facility constructed from manufactured materials with a water capacity in excess of one thousand (1,000) gallons, or more than two (2') feet deep, used for swimming.

TOPSOIL – Surface soils and subsurface soils which presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Topsoil is usually found in the uppermost soil layer called the "A Horizon."

TOWNSHIP – The Township of West Sadsbury, Chester County.

TOWNSHIP ENGINEER – See "Engineer, Township."

TRACT – One (1) or more lots assembled for the purpose of development.

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

USE – Any purpose for which a building or other structure or tract of land by be designed, arranged, intended, maintained or occupied, or any activity, occupation, business, or operation carried on, or intended to be carried on in a building or other structure or tract of land.

- A. Use, Accessory. See "Accessory Use."
- B. Use, Principal. See "Principal Use."
- C. Use, Principal Permitted. See "Principal Permitted Use."

UTILITIES, PUBLIC – A public utility is a use forming part of a system of uses, structures and improvements designed to provide services to the public, and operated by a governmental agency, or a private corporation operating under a certificate of, or with the authority of, the Public Utility Commission or other similar state or federal regulatory agency. As examples, this definition includes transformers, pumping stations, water works, sewage plants and the like, but does not include the office where the corporated personnel are located.

VARIANCE – Relief granted pursuant to the provisions of Chapter 27 and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S §10101 et seq.

WATERCOURSE – Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banking and includes any area adjacent thereto subject to inundation by reason of overflow of floodwater.

WATER BALANCE ANALYSIS – An analysis to determine the net gain or loss of groundwater based on inflows and outflows on the property. The analysis considers precipitation, infiltration, on-lot sanitary system effluent, well demand, and other factors.

WATER SERVICE, ON-SITE – A safe, adequate and healthful supply of water to a single user from a private source as approved by the Chester County Health Department or Department of Environmental Protection.

WATER SUPPLY, CENTRAL – A system for supplying potable water from a common source or sources to all dwellings and other buildings within a development.

WATER SUPPLY, INDIVIDUAL – A safe, healthful and adequate supply of water to a single user from a private well on the lot of the user.

WATER SURVEY – An inventory of the source, quantity, yield and use of groundwater and surface-water resources within the Township of West Sadsbury.

WETLAND – Those areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

WOODLAND – Areas, groves, or stands of mature, or largely mature (i.e., greater than six (6") inches caliper) covering an area greater than one-quarter (1/4) acre; or areas, groves or stands of mature trees (greater than twelve (12") inches caliper) consisting of more than ten (10) trees.

YARD – An open space which lies between the principal building or group of buildings and the nearest lot line or street right-of-way, and is occupied and unobstructed from the ground upward except as herein permitted. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street right-of-way.

- A. Yard, Front. A yard between a principal building and the street right-of-way extending the full width of the lot, unoccupied and unobstructed from the ground upward (excluding shrubs, trees, and fences). In the case of a corner lot or a lot that fronts on more than one street, the yards extending along all streets are front yards.
- B. Yard, Rear. A yard extending the full width of the lot between a principal building and the rear lot line.
- C. Yard, Side. A yard extending from the front yard to the rear yard between a principal building and the nearest side lot line. In the case of a lot having no street frontage or

a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

YARD DEPTH – The distance from any specified lot line to its corresponding yard line.

YARD LINE – A line that is parallel to and separated from a corresponding lot line a distance which is equal to that specified in the applicable zoning district for the required depth of the yard associated therewith. See also "Building Setback Line".

ZONING HEARING BOARD – The Zoning Hearing Board of West Sadsbury Township.

ZONING OFFICER - The administrative officer charged with the duty of enforcing the provisions of Chapter 27.

PART 3

APPLICATION PROCEDURES

§301. Pre-Application Procedures.

1. Copies of this Chapter 22 shall be available for use by any person seeking information concerning land development and/or subdivision standards and procedures in effect within West Sadsbury Township. Any prospective subdivider or developer may, but is also encouraged to, meet with the Township Planning Commission at any regular monthly meeting to discuss tentative plans, sketch plans, concept plans and the like and/or the interpretation and application of any provisions of this Chapter 22.
2. Prior to the preparation of any plans, it is suggested that subdividers consult with the Pennsylvania Department of Environmental Protection and/or Chester County Health Department concerning soils suitability in regard to sewerage facilities and provisions for water supply.
3. Prospective subdividers are also advised to make sure the subject premises is not within a wetland area and to check with the County Conservation District Representative concerning erosion and sediment control. At the same time, a determination can be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development.

§302. Application Forms and Fees.

1. The Township shall prescribe and make available to applicants a form upon which all applications for approval of subdivision and land development plans shall be made.
2. Every applicant shall, at the time submitting an application for a subdivision or land development plan, pay a review fee.

§303. Review Fees.

1. Review fees shall include the reasonable and necessary charges by the Township of West Sadsbury's professional consultants or engineer for review and report to the Township of West Sadsbury, and shall be set by resolution. Such review fees shall be reasonable and in accordance with the ordinary and customary charges by the Township engineer or consultant for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the engineer or consultant to the Township of West Sadsbury when fees are not reimbursed or otherwise imposed on applicants.
2. In the event the applicant disputes the amount of any such review fees, the applicant shall, within ten (10) days of the billing date, notify the Township of West Sadsbury that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.
3. In the event the Township of West Sadsbury and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and

chosen mutually by the Township of West Sadsbury and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township of West Sadsbury and the applicant or developer.

§304. Plans.

1. It is the intent of the Board of Supervisors in enacting these procedures to provide the applicant with a timely and comprehensive review of plans submitted for subdivision and/or land development. To this end, the following classifications of plans are established as hereinafter provided:
 - A. Sketch Plans.
 - B. Preliminary Plans.
 - C. Final Plans.
2. Subdivision plans for two (2) lots or less without public improvements shall be considered minor subdivisions. In such a case, a minor subdivision plan prepared in accordance with Part 4 may be submitted and considered as a final plan on first application. All other applications shall be submitted in accordance with the following procedures including preliminary and final plan approval.
3. Overview of Procedures. Items E. through M. below are required under this Ordinance. Items A through D. are optional but strongly encouraged as important, valuable, and highly recommended steps that may speed the Township review process and may result in lower costs for the project. These steps shall be followed sequentially, and may be combined only at the discretion of West Sadsbury Township.
 - A. Pre-sketch Conference
 - B. Sketch Plan Submission and Review (diagrammatic sketch)
 - C. Site Inspection by Planning Commission members and Applicant
 - D. Pre-Application Work Session
 - E. Preparation and submission of Existing Resources and Site Analysis Plan
 - F. Site Capacity Determination
 - G. Preparation and Submission of Preliminary Plan, following the Four Step Design process as required by the applicable zoning district in Chapter 27, Zoning Ordinance of West Sadsbury Township.
 - H. Preliminary Plan Review – Determination of Completeness by Zoning Officer and Supervisors, Review by the Chester County and West Sadsbury Township Planning Commissions, West Sadsbury Township Engineer and Chester County Health Department; and Action by Supervisors on the advice of the Township Planning Commission.
 - I. Final Plan Preparation – Incorporation of all Preliminary Plan approval conditions, and documentation of all other agency approvals, as applicable.

- J. Final Plan Submission – Determination of Completeness, Review and Action by the Supervisors.
- K. Township Agreements - preparation and execution of subdivision/land development agreements and posting of financial security.
- L. Supervisors' signatures.
- M. Recording of Plan with Chester County Office of the Recorder of Deeds.

§305. Preliminary Plan.

Prior to submission of a Preliminary Plan, subdividers are encouraged to submit a sketch plan to the Township Planning Commission. This will enable the Planning Commission to review the proposal and to make any suggestions or inform the subdivider of any proposed plans or factors that may affect his subdivision. Submission of a Sketch Plan is optional, such submission shall not constitute official submission of a plan to the Township, and the Sketch Plan is submitted only for informal discussion between the Developer and the Township Planning Commission.

1. Submission of the Preliminary Plan.

- A. Preliminary Plans and all required accompanying documentation shall be submitted by the subdivider or his authorized representative to the Township ten (10) business days in advance of a regularly scheduled Planning Commission meeting.
- B. A complete submission shall consist of the following:
 - (1) Four (4) completed copies of the appropriate application form available from the Township.
 - (2) Ten (10) blue-line or black-line paper prints of the Preliminary Plan showing all the information required in Part 4
 - (3) Six (6) copies of applicable sections of "Planning Modules for Land Development" (obtained from the Chester County Health Department).
 - (4) Six (6) copies of all other documentation required by this Chapter 22 or Chapter 27.
 - (5) Payment of the established review fee to cover the expenses incurred by the Township.
- C. In the case of a Preliminary Plan calling for the installation of improvements beyond a five (5) year period, a schedule shall be filed by the land owner 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 section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Board in its discretion.
- D. Each section in any residential subdivision or land development, except for the last section to be developed, shall contain a minimum of twenty-five percent (25%) of the total number of dwelling units as depicted on the Preliminary Plan, unless a lesser percentage is approved by the Board in its discretion.

2. Distribution of Preliminary Plan. Copies of the Preliminary Plan and accompanying documentation shall be distributed as follows:
 - A. One (1) copy of the application, Plan, and accompanying documentation along with the review fee to the Township Secretary.
 - B. One (1) copy of the application, Plan, and accompanying documentation to the Township Engineer and/or planning consultant.
 - C. One (1) copy of the application, Plan, and accompanying documentation to the Township Zoning Officer.
 - D. One (1) copy of the Plan and accompanying documentation to the Chester County Planning Commission.
 - E. Two (2) copies of the Plan and Planning Module to the Chester County Health Department.
 - F. One (1) copy of the Plan to the Chester County Conservation District.
 - G. The remaining copies of the application, Plan, and accompanying documentation to the Township Planning Commission.
3. Action on Preliminary Plan by the Planning Commission.
 - A. Action on a Preliminary Plan shall be taken by the Planning Commission following receipt of a complete submission by the Township. However, no final decision or action shall be taken by the Planning Commission until reports are received from the County Planning Commission, County Health Department and other individuals and agencies to whom the Plan was sent for review and comment, or until the expiration thirty (30) days from the date the Plans were forwarded to such individuals and agencies.
 - B. All actions by the Planning Commission shall be taken at a public meeting whether it be a regularly scheduled or special meeting. If a Plan is to be considered at a special meeting the subdivider shall be so notified. In addition, the Planning Commission may schedule a public hearing before taking action regarding a Plan.
 - C. The decision of the Planning Commission concerning a Plan shall be in writing. If a Plan is not recommended for approval, or approval subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Chapter 22. Copies of the decision shall be sent to the Board of Supervisors, Township Engineer and/or planner, and Zoning Officer.
4. Action on Preliminary Plan by the Board of Supervisors.
 - A. Following receipt of the written decision from the Planning Commission, the Board shall consider the Preliminary Plan at a regularly scheduled or special meeting. If the Plan is to be considered at a special meeting, the subdivider shall be so notified, and in addition, the Board may also schedule a public hearing before taking any action on the Plan.

- B. The Board shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Township Planning Commission following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application was filed. The subdivider may grant an extension of time to the Township. In its review, the Board shall consider reports and recommendations of the Planning Commission and other individuals and agencies to whom the Plan was sent for review and comment. As a result of its review, the Board may require or recommend such changes and modifications as it shall deem necessary or advisable in the public interest.
- C. The decision of the Board concerning the Plan shall be in writing and shall be communicated to the subdivider personally or mailed to him at his last known address not later than fifteen (15) days following the date of the decision. If a plan is not approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Chapter 22 and/or other ordinances and regulations. Copies of the decision shall be sent to the Planning Commission and Zoning Officer.
- D. Failure of the Board to render a decision and communicate it to the subdivider within the time and in the manner required by this Chapter 22 shall be deemed an approval of the Plan as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
- E. The Board may approve a Preliminary Plan subject to conditions acceptable to the applicant, provided the applicant indicates his written acceptance of those conditions to the Board within seven (7) days of the date of the written notification from the Board. Approval of a plat shall be rescinded automatically upon the applicant's failure to accept or reject such conditions within seven (7) days.
- F. If the Preliminary Plan proposes a staging plan calling for submission of the Final Plan in sections, the boundaries of the sections as well as the order and timing of submittal of the Final Plans therefor, shall be subject to the approval of the Board. In approving a staging plan, the Board, in its discretion, may:
 - (1) Impose conditions to the development of any single stage, phase or section which shall be complied with prior to the commencement of the next or any subsequent stage, phase or section of the subdivision or land development; and,
 - (2) Impose conditions which shall be met by the developer within a time period specified by the Board, said time period to commence after completion of any stage, phase or section if development of the subsequent stage, phase or section during which such conditions were to be met is not commenced within said time period; and,

- (3) Impose conditions which must be met within a time period specified by the Board in the event of a subsequent change in the use of the buildings constructed within the subdivision or land development; and,
 - (4) Require any or all conditions imposed by the Board to be set forth and included on the Final or Recorded Plan pertaining to any or all stages, phases or sections of the subdivision or land development plan prior to the recording of any such Final or Recorded Plan.
- G. Approval of the Preliminary Plan shall not constitute approval of the Final Plan for any purpose or reason, but shall constitute conditional approval of the proposed subdivision or development as to its general character and layout.
- H. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Chapter 22, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
- I. When a Preliminary Plan has been approved or approved subject to certain conditions acceptable to the subdivider, no subsequent change or amendment in this Chapter 22 or any other applicable ordinances shall be applied to affect adversely the right of the subdivider to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval. Where final approval is preceded by preliminary approval, the five (5) year period shall be counted from the date of preliminary approval. In the case of any doubt as to the terms of a Preliminary Plan Approval, the terms shall be applied in the context of the provisions of this Chapter 22 or the governing ordinances as they stood at the time when the Plan for such approval was duly submitted to the Township.

§306. Final Plan.

- 1. Submission of a Final Plan for approval by the Board shall occur not more than three (3) years following the date of approval of the Preliminary Plan. Failure to submit the Final Plan within this period of time shall make approval of the Preliminary Plan null and void unless an extension of time has been granted by the Board.
- 2. Except for any modifications or changes required by the Board, the Final Plan shall conform to the approved Preliminary Plan. Where significant modifications or changes, other than those required by the Board, are made to an approved Preliminary Plan, the Plan shall be submitted, again, as a Preliminary Plan.
- 3. A Final Plan may be prepared for only a portion of the approved Preliminary Plan where so desired by the subdivider.

- A. Submission of the Final Plan.
 - (1) Final Plans and all accompanying documentation shall be submitted by the subdivider or his authorized representative to the Township ten (10) days in advance of a regularly scheduled Planning Commission meeting.
 - (2) A complete submission shall consist of the following:
 - (a) Four (4) completed copies of the appropriate application form available from the Township.
 - (b) Ten (10) blue-line or black-line paper prints of the Final Plan, showing all the information required in Part 5.
 - (c) Six (6) copies of all other documentation required by this Chapter 22 or Chapter 27.
 - (d) Payment of the established review fee to cover expenses incurred by the Township.
- B. Distribution of Final Plan for Review and Comment. Copies of the Final Plan and accompanying documentation shall be distributed in accordance with §305(2) of this Chapter 22, "Distribution of Preliminary Plan."
- 4. Action on Final Plan by the Planning Commission. Action on the Final Plan shall be taken in the same manner as for Preliminary Plans in accordance with §305(3). In addition, if a Final Plan is recommended for approval, the Planning Commission Chairman and Secretary shall sign all prints and forward all but one (1) print to the Board along with a copy of its written decision.
- 5. Action on Final Plan by the Board of Supervisors.
 - A. Following receipt of the written decision from the Planning Commission, the Board shall consider the Final Plan at a regularly scheduled or special meeting. If the Plan is to be considered at a special meeting, the subdivider shall be so notified and, in addition, the Board may also schedule a public hearing before taking any action on the Plan.
 - B. The Board shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Township Planning Commission following the date the application is filed. Should the next regular meeting occur more than thirty (30) days following the filing of the application, the ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application was filed. The subdivider may grant an extension of time to the Township. In its review, the Board shall consider the reports and recommendations of the Planning Commission and various other individuals and agencies to whom the Plan was sent for review and comment. As a result of its review, the Board may require or recommend such changes and modifications as it shall deem necessary or advisable in the public interest.
 - C. The decision of the Board concerning the Plan shall be in writing and shall be communicated to the subdivider personally or mailed to him at his last known address not later than fifteen (15) days following the date of the decision. If a plan is not

approved, or approved subject to certain conditions, the written decision shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Chapter 22 and/or other ordinances and regulations. Copies of the decision shall be sent to the Planning Commission and Zoning Officer.

- D. Failure of the Board to render a decision and communicate it to the subdivider within the time and in the manner required by this Chapter 22 shall be deemed an approval of the Plan as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
- E. Before any Final Plan is approved, the subdivider shall install all the required improvements or, provide for a bond or security in accordance with §801 of this Chapter 22.

6. Recording of Plan or Plat.

- A. Upon approval of a final plat, the developer shall within ninety (90) days of such final approval record such plat in the office of the recorder of deeds of Chester County. The recorder of deeds shall not accept any plat for recording unless such plat officially notes the approval of the Board of Supervisors, and review by the county planning agency.
- B. Recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.
- C. If the Plan is not recorded within ninety (90) days the approval by the Board shall be null and void unless an extension of time is granted by the Board upon request from the subdivider.
- D. After the Plan has been recorded, a copy of the Recorder's Certificate shall be submitted to the Township.
- E. After a plat has been approved and recorded as provided in this Chapter 22, all streets and public grounds on such plats shall be, and become a part of the official map of the Township of West Sadsbury without a public hearing.

§307. Effect of Change in This Chapter 22.

Changes in this Chapter 22 shall affect plats as follows:

- 1. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Chapter 22, and while such application is pending approval or disapproval, no change or amendment of this Chapter 22, zoning or other governing ordinance or plan shall affect the decision on such application adversely and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly accepted. The applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided.

- However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.
2. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this Chapter 22, zoning or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from the date of such approval.
 3. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of preliminary plan approval. In case of any doubt as to the terms of preliminary plan approval, the terms shall be applied in the context of the provisions of this Chapter 22 or the governing ordinances as they stood at the time when the application for such approval was duly filed.
 4. Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five-year limit, or any extension thereof as may be granted by the Board, no change of any ordinance or plan enacted subsequent to the date of filing of the preliminary plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street or utility location.
 5. In the case of a preliminary plan calling for installation of improvements beyond the five-year period, a schedule shall be filed by the landowner with the preliminary plan 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 section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Board in its discretion.
 6. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five (25%) percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Board in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plan approval, including compliance with landowner's aforesaid schedule of submission of final plans for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plan within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period the aforesaid protections shall apply for an additional term or terms of three years from the date of final plan approval for each section.
 7. Failure of landowner to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any such section to any and all changes in this Chapter 22, zoning, and other governing ordinance enacted by the Township of West Sadsbury subsequent to the date of the initial preliminary plan submission.

PART 4

PLAN REQUIREMENTS

§401. Preparation, Submission and Review of Sketch Plan.

1. Applicability. The preparation and submission of a Sketch Plan is strongly encouraged for all proposed minor and major subdivisions. Although not required, Sketch Plans as described in §401.2 may be submitted to West Sadsbury Township for review by the Planning Commission. Such plans are for informal discussion only and shall not constitute a formal review by West Sadsbury Township.
 - A. Submission of a Sketch Plan does not constitute formal filing of a plan with West Sadsbury Township, and shall not commence the statutory review period as required by the Municipalities Planning Code.
 - B. The procedures for submission of a Sketch Plan are described in §401.2 and may be altered only at the discretion of West Sadsbury Township.
2. Sketch Plan Contents. The Sketch Plan is intended to be an informal document prepared by the applicant (or his agent) that provides a conceptual indication of the nature and scope of the intended activity. Sketch Plans should include sufficient detail to fully describe the project and should include as much of the following information as appropriate:
 - A. Name and address of the legal owner, the equitable owner and/or the applicant;
 - B. Name and address of the professional engineer, surveyor, planner, architect, landscape architect, or site designer responsible for preparing the Sketch Plan;
 - C. Graphic scale [not greater than one inch (1”) equal to two hundred feet (200’)]; however plan dimensions need not be exact at the Sketch Plan phase;
 - D. North arrow;
 - E. Approximate tract boundaries, sufficient to locate the tract on a map of the municipality;
 - F. Tax parcel number(s);
 - G. Location map;
 - H. Zoning district(s);
 - I. Streets on and adjacent to the subject tract (existing and proposed);
 - J. 100-year floodplain limits and the approximate location of wetlands, if any;
 - K. Topographic, physical and cultural features including fields, pastures, meadows woodlands, trees with a diameter of fifteen (15) inches or more, hedgerows, tree lines and other significant vegetation, steep slopes between fifteen percent (15%) and twenty-five percent (25%), steep slopes over twenty-five percent (25%), riparian buffers, rock outcrops, soil types, ponds, ditches, drains, dumps, storage

- tanks, streams within two hundred (200) feet of the tract, and existing rights of way and easements, structures, walls, trails, etc.;
- L. Schematic layout showing a general concept for land conservation and development (“bubble” or concept drawing format is acceptable);
 - M. Proposed general street and lot layout;
 - N. For land development plans, proposed location of buildings and other major structures, parking areas and other improvements;
 - O. Site Capacity Determination, including the estimated Total Tract Area, Adjusted Tract Area, Primary Conservation Resources and proposed density calculated as set forth in the applicable zoning district of Chapter 27 the West Sadsbury Township Zoning Ordinance; and,
 - P. General description of proposed method of water supply, sewage disposal and stormwater management.
3. Pre-Sketch Conference - Prior to the submission of a sketch plan for residential developments or subdivisions, the applicant shall meet with the Township Zoning Officer, or Planning Commission to discuss and to develop a mutual understanding on the general approach for subdividing and/or developing the tract in accordance with the Four Step Design Process described in §402.7 of this Ordinance. A pre-sketch conference is recommended for commercial and industrial land developments as well, but is not required.
4. Sketch Plan Submission and Review.
- A. Three (3) copies of a sketch plan shall be submitted to the Township Secretary or Zoning Officer during business hours for distribution to the Board of Supervisors, the Planning Commission and the Township Engineer at least two (2) weeks prior to the Planning Commission meeting at which the sketch plan is to be discussed.
 - B. The Sketch Plan illustrates the conceptual layout of open space (if applicable), house sites, and street alignments and shall be based closely upon the information contained in the Existing Resources and Site Analysis Plan as required by Section 402.2.
 - C. The Sketch Plan for residential developments and subdivisions shall also be designed in accordance with the Four-Step Design Process described in §402.7. Industrial and commercial land developments shall be designed in accordance with the Industrial/Commercial Site Capacity Determination as provided in Appendix B
 - D. The Planning Commission shall review the Sketch Plan in accordance with the criteria contained in this Ordinance and with other applicable ordinances of the Township. Their review shall informally advise the applicant of the extent to which the proposed subdivision or land development conforms to the relevant standards of this Ordinance, and may suggest possible plan modifications that would increase its degree of conformance. Their review shall include but is not limited to:
 - (1) The location of all areas proposed for land disturbance (streets, foundations, yards, septic disposal systems, storm water management areas, etc.) with respect to notable features of natural or cultural significance.

- (2) The potential for street connections with existing streets, other proposed streets or potential development on adjoining parcels.
 - (3) The location of proposed access points along the existing road network.
 - (4) The proposed building density and impervious coverage.
 - (5) The compatibility of the proposal with respect to the objectives and policy recommendations of the Comprehensive Plan and the West Sadsbury Township Open Space, Recreation and Environmental Resources Plan.
 - (6) Consistency with the West Sadsbury Township Zoning Ordinance.
- E. The Planning Commission may submit comments to the applicant and the Board. The Sketch Plan may also be submitted by the Board to the Chester County Planning Commission for review and comment.
5. Site Inspection. After preparation and presentation of the Sketch Plan, applicants shall arrange for a site inspection of the property by the Planning Commission and other municipal officials. This inspection is held at the discretion of the Planning Commission and may not be deemed necessary.
- A. Applicants, their site designers, and the landowner are encouraged to accompany the Planning Commission on the Site Inspection.
 - B. The purpose of the visit is to familiarize local officials with the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the general layout of any designated open space areas, and potential locations for proposed buildings and street alignments. Comments made by municipal officials or their staff and consultants shall be interpreted as being only suggestive. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made at the Site Inspection.

§402. Preliminary Plan Requirements.

The Preliminary Plan submission shall be prepared by a registered surveyor, registered professional engineer or registered landscape architect and consist of the following information as a minimum. The Board reserves the right to require special studies including but not limited to hydro-geologic, traffic impact, and/or environmental studies when, in the opinion of the Board, site conditions or the nature of the proposed development warrant such studies or additional information.

- 1. Pre-Application Work Session.
 - A. A pre-application work session is strongly encouraged between the applicant, the site designer, and the Planning Commission (and/or its planning consultant). The objectives of the work session are: to provide the applicant with an opportunity to review West Sadsbury Township's zoning and subdivision regulations and procedures, to discuss the applicant's objectives, and to schedule site inspections, meetings and plan submissions as described below.

- B. At this work session, applicants are encouraged to present the Existing Resources and Site Analysis Plan, described in §402.2, below.
2. Existing Resources and Site Analysis Plan. Applicants shall submit an Existing Resources and Site Analysis Plan prepared in accordance with the requirements contained below.
- A. The purpose of this key submission is to familiarize Township officials with existing conditions on the applicant's tract and within its immediate vicinity, and to provide a complete and factual reference for them in making a site inspection.
 - B. This Plan shall be provided prior to or at Pre-Application Work Session, described in §402.1 above, and shall form the basis for the development design, as initially shown on the Sketch Plan, if a Sketch Plan is prepared.
3. Existing Resources and Site Analysis Plan Contents. For all subdivisions and land developments, an "Existing Resources and Site Analysis Plan" shall be prepared to provide the developer and the Township with a comprehensive analysis of existing conditions, both on the proposed development site and within four hundred feet (400') of the site. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies and from aerial photographs. The Planning Commission shall review the Plan to assess its accuracy, conformance with Township ordinances, and likely impact upon the natural and cultural resources on the property. The following information shall be required:
- A. Complete current perimeter boundary survey of the property to be subdivided or developed prepared by a registered surveyor, showing all bearings, distances, and site area and tie-ins to all adjacent road intersections.
 - B. The most recent aerial photograph available from the Chester County Planning Commission (unless the applicant has taken new aerial photographs), enlarged to a scale of not less than one (1) inch equals four hundred feet (400'), with the site boundaries clearly marked.
 - C. Natural Features including:
 - (1) Contour lines at intervals of not more than two (2) feet. Contour lines shall be based on a topographic survey of the property, which shall be documented on the plan by the date and source of the contours *Note: Ten (10) foot intervals are permissible beyond the parcel boundaries, interpolated from U.S.G.S. published maps.*
 - (2) Location of the known, established benchmark and identification of the datum used.
 - (3) Steep slopes in the following ranges: 15 percent (15%) to 25 percent (25%) and 25 percent (25%) and greater. The location of these slopes shall be graphically depicted by category on the Plan. Slope shall be measured over three (3) or more two (2) foot contour intervals.
 - (4) Areas within the one hundred year floodplain, including the floodway, flood prone areas, and approximated flood plain, or a floodplain calculated by a registered, professional engineer.

- (5) Watercourses, either continuous or intermittent and named or unnamed, and lakes, ponds or other water features as depicted on the Parkesburg or Honey Brook U.S.G.S. Quadrangle Maps, most current edition.
- (6) Wetlands.
- (7) Riparian buffers, as defined by this Ordinance.
- (8) Soil, series, types and phases, and their boundaries, as mapped by the U.S. Department of Agriculture, Soil Conservation Service, in the published soil survey for Chester County, Pennsylvania including a table listing the soil characteristics pertaining to suitability for construction and, in unsewered areas, for septic suitability. Alluvial and hydric soils and prime agricultural soils shall specifically be depicted on the plan.
- (9) Existing vegetation, denoted by type, including woodlands, hedgerows, tree masses, tree lines, individual freestanding trees over ten (10) inches DBH, wetland vegetation, pasture or croplands, orchards, permanent grass land, old fields, and any other notable vegetative features on the site. Vegetative types shall be described by plant community, relative age, and condition.
- (10) Any portion of the tract identified as a Pennsylvania Natural Diversity Inventory (PNDI) site. Evidence of a PNDI search shall be included with the preliminary plan.
- (11) Scenic roads and vistas, as set forth in the West Sadsbury Township *Open Space, Recreation, and Environmental Resources Plan*.
- (12) Geologic formations on the tract, including rock outcroppings, cliffs, areas underlain by the Conestoga Geologic Formation, sinkholes, and fault lines, based on available published information or more detailed data obtained by the applicant.
- (13) Evaluation of existing woodlands as set forth in Chapter 27, the West Sadsbury Zoning Ordinance, Part 8F – Woodland and Tree Preservation § 872.
- (14) Existing Man-Made Features, including:
 - (a) Location, dimensions, and use of existing buildings and driveways.
 - (b) Location, names, widths, cartway widths, identification numbers, and rights-of-way of existing streets, roads, highways and railroads.
 - (c) Location of trails that have been in public use (pedestrian, equestrian, bicycle, etc.).
- (15) Location of land previously reserved as permanent open space, if any, within the tract or within adjacent tracts.
- (16) Location and size of water mains and feeder lines, wells and sewage disposal systems (public and private), fire hydrants, gas, electric and oil transmission lines within four hundred (400) feet of the tract.

- (17) Location of hazardous wastes, dumps, underground tanks, active and abandoned wells, quarries, and landfills.
- (18) Locations of historically significant sites or structures on the tract, including, but not limited to foundations, cellar holes, stone walls, earthworks, prehistoric archeological sites and burial sites, as identified on the Scenic, Historic, and Cultural Resources Map of the West Sadsbury Township *Open Space, Recreation and Environmental Resources Plan*.
- (19) Any easements, deed restrictions, rights-of-way, or any other encumbrances upon the land, including location, size, and ownership.

3. Site Capacity Determination Calculations.

- A. Site Capacity Determination Calculations for residential subdivisions shall be provided as set forth in the applicable Zoning District of Chapter 27, the West Sadsbury Township Zoning Ordinance, and the “Four-step Design” process shall be followed, as set forth in §402.7 below.
- B. Industrial/Commercial Site Capacity Determination calculations shall be provided as set forth in Appendix B of this Ordinance.

4. Drafting Standards.

- A. Sheet Size. The following sheet sizes shall apply:
 - (1) Minimum size: eighteen inches by twenty-two inches (18” x 22”).
 - (2) Maximum size thirty inches by forty-two inches (30” x 42”).
- B. Plan Scale. The following scales shall apply:
1” = 10’, 1” = 20’, 1” = 30’, 1” = 40’, 1” = 50’ or 1” = 100’.

5. General Information. The following general information is required for both Preliminary and Final Plans:

- A. A key map for the purpose of locating the site, at a minimum scale of one inch equal to two thousand feet (1” = 2,000’), showing the relation of the tract to adjoining properties and to all streets, roads, public utilities, and Township boundaries existing within one thousand feet (1,000’) of the boundaries of the tract to be subdivided or developed.
- B. Proposed name of the subdivision or land development.
 - (1) Municipality(ies) in which the subdivision or land development is located.
 - (2) Name and address of the owner of the tract, his authorized agent, if any, and the subdivider or developer, together with the source of title to the land as shown by the records of the Chester County Office of the Recorder of Deeds and the County tax parcel number(s).
 - (3) Date, north arrow and written and graphic scales.
 - (4) The zoning applicable to the tract along with all Township and/or zoning boundaries, if any, that traverses or are within four hundred (400) feet of the tract.

- (5) The zoning classification of adjacent municipalities, if applicable, in which the tract lies.
 - (6) A written description or graphic depiction of the proposed land use.
 - (7) Site data including, but not limited to:
 - (a) Total Tract Area (TTA) both gross and net in acres and square feet;
 - (b) The number of lots, building heights, number of dwelling units, and density;
 - (c) The impervious surface ratio and street lengths;
 - (d) Areas of required open space;
 - (e) Proposed improvements and the extent of improvements.
 - (8) Names, addresses, and tax parcel numbers of all owners of abutting properties.
 - (9) The names of all proposed or existing subdivisions abutting the tract and the locations and dimensions of any streets or easements shown or existing or proposed within adjacent tracts.
 - (10) Plan contents, showing number of sheets, title of sheet and relationship to the total number of plan sheets.
6. Four-Step Design Process for Residential Subdivisions. RU, RLD and RMD Districts. All Preliminary Plans in the RU, RLD and RMD districts shall include documentation of the Four-Step Design process to determine the layout of proposed open space lands, house sites, streets and lot lines, as set forth below:
- A. Step 1: Delineation of Open Space Lands. The minimum percentage and acreage of required open space lands shall be calculated by the applicant and submitted as part of the Sketch Plan and/or Preliminary Plan in accordance with the provisions of this Ordinance and the Township Zoning Ordinance.
- (1) Proposed open space lands shall be designated using the required density and open space calculations for the selected design option as set forth in the corresponding Zoning District. The Township's Comprehensive Municipal Environmental Resources Map and the Open Space, Recreation and Environmental Resources Plan shall also be referenced and considered.
 - (2) Using the Existing Resources and Site Analysis Plan as a base map, "Primary Resource Conservation Lands" shall be delineated. Primary Resource Conservation Lands shall include the following (as set forth in the applicable Zoning District):
 - (a) Areas within the 100-year floodplain;
 - (b) Wetlands and poorly drained soils;
 - (c) Slopes between fifteen percent (15%) and twenty-five percent (25%);
 - (d) Slopes greater than twenty-five percent (25%) percent;

- (e) Woodlands;
 - (f) Areas within the Conestoga Geologic Formation;
 - (g) Extensive rock outcroppings (over 1,000 square feet in area)
 - (h) Ponds and lakes (not within the floodplain);
 - (i) Areas with prime agricultural soils;
 - (j) Riparian Buffers
- (3) The remaining developable lands that contain other significant natural resources not included in the list of “Primary Resource Conservation Lands” above, or that exhibit scenic, historic or cultural value, as described in the Township’s *Open Space, Recreation and Environmental Resources Plan*, shall be shown as “Secondary Resource Conservation Areas” The applicant shall prioritize natural and cultural resources on the tract in terms of their highest to least suitability for inclusion in the proposed open space network in consultation with the Planning Commission. The list shall be prioritized in accordance with the criteria of Section 636.A.
- (4) Open space land shall be delineated to meet at least the minimum area percentage requirements for open space lands in a manner clearly indicating open space boundaries and the types of resources included within them. Location of the open space land shall be determined as indicated above.
- (5) Development areas shall constitute the remaining lands of the tract outside of the Designated Open Space, Primary Resource Conservation Lands, and Secondary Resource Conservation Lands where house sites, streets, and lots are to be delineated in accordance with Steps B., C., and D. below.
- B. Step 2: Locate House Sites. Potential house sites shall be tentatively located, using the proposed open space lands as delineated above as a base map as well as other relevant data on the Existing Resources and Site Analysis Plan, such as topography and soils. House sites in the tracts designated development areas shall be designed to fit the tract’s natural topography, be served by adequate water and sewage facilities and provide views of and access to adjoining open space areas. New homes should not obstruct the views from existing dwellings, where feasible. House sites shall be located no closer than one hundred (100) feet from Primary Resource Conservation Lands and fifty (50) feet from Secondary Resource Conservation Areas.
- C. Step 3: Alignment of Streets and Trails. After the location of house sites has been determined, a street plan shall be designed to provide vehicular access to each house, and conform to the site’s natural topography.
- (1) Street design shall comply with the standards set forth in Part 6, *Design Standards*, of the West Sadsbury Township Subdivision and Land Development Ordinance.
 - (2) Streets shall avoid, or at least minimize, adverse impacts on the open space areas.

- (3) New streets traversing slopes of fifteen percent (15%) or greater shall only be permitted if deemed necessary by the Township Engineer.
 - (4) Street connections shall facilitate easy access to and from homes in different parts of the tract (and on adjoining parcels where applicable) and minimize the use of cul-de-sacs.
 - (5) A tentative network of trails shall also be shown, connecting streets with various natural and cultural features in the “Designated Open Space” lands. Potential trail connections to adjacent parcels shall also be shown in areas where a Township trail network is envisioned.
 - D. Step 4: Draw in Lot Lines. Lot lines for the subdivision should be drawn as the last step in the design procedure. Lot lines should follow the configuration of house sites and streets in a logical and flexible manner and be consistent with the applicable dimensional standards of corresponding Zoning District.
7. Site Design and Layout Plan. The proposed improvements shall be shown on a plan designated as the “Site Design and Layout Plan” and include the following requirements:
 - A. Zoning information, including selected design option, if applicable.
 - B. Location, width, and name of all proposed streets including all street extensions or spurs as are reasonably necessary to provide adequate street connections to adjoining developed and/or undeveloped areas.
 - C. Location, width, and purpose of all proposed easements.
 - D. Areas of required open space, playgrounds, public areas, and parcels of land proposed to be dedicated or reserved for public use, together with the conditions of such dedication or reservation.
 - E. Proposals for developments with multi-family dwellings (including twins, townhouses, duplexes, and multi-family dwellings) or that include “Designated Open Space” shall provide the following information as applicable:
 - (1) Total number of dwelling units by type;
 - (2) Total number of buildings and distances between buildings;
 - (3) Proposed density; and total parking spaces;
 - (4) Total building coverage and impervious surface coverage;
 - (5) Areas that are proposed to remain open including the intended use of the open land (recreation, agriculture, etc.)
 - (6) Proposed landscaping, buffering and lighting.
8. Improvements Construction Plan. The proposed infrastructure for the project shall be shown on a plan designated as the “Improvements Construction Plan” and include the following requirements:
 - A. Where Community On Lot Sewage Systems and Public Sewage Systems are utilized, the conceptual layout of sewage systems, including but not limited to the tentative location of sewer mains and sewage treatment plants, showing the type and degree of

- treatment intended, stream discharge locations, and the size and capacity of treatment facilities.
- B. Where an Individual On-lot Sewage System is utilized, location of all percolation tests, including all failed test sites or pits as well as those approved and including an approved alternate site. All approved sites shall be clearly distinguished from unapproved sites.
 - C. Limit of construction disturbance line.
 - D. Final design of all bridges and culverts that may be required. For each culvert or bridge, the "Improvements Construction Plan" shall show the area of land drained and the projected flow in cubic feet per second.
 - E. A Plan of street profiles and cross-sections designated as the "Profile Plan" incorporating the following information:
 - (1) The Profile Plan shall show the vertical section of the existing grade and proposed grade along the centerline of the proposed street. Where storm drainage, water, and/or sanitary sewer lines are to be installed, they shall also be on the Profile Plan.
 - (2) The horizontal scale on the Profile Plan shall not be less than one inch (1") equals one hundred feet (100') and the vertical scales shall not be less than one inch (1") equals ten feet (10') or in cases where larger scales are used, the ratio shall be 1:10 vertical to horizontal.
 - (3) Typical cross-sections for all street construction shall be shown on the Profile Plan and shall indicate the following:
 - (a) Right-of-way width and the location and width of paving within the right-of-way.
 - (b) Type, thickness and crown of paving.
 - (4) The location, width, type and thickness of sidewalks to be installed.
 - (5) Typical location, size and depth of any underground utilities that are to be installed in the right-of-way where such information is available.
 - (6) Design and dimensions of curbing.
 - (7) Design and dimensions of planting strips.
 - (8) Design and dimensions of gutters.
 - F. A plan for landscaping, prepared and sealed by a professional landscape architect registered in the Commonwealth of Pennsylvania, showing the location of all required screening, landscaping, street trees, and/or replacement trees or seedlings. The species of proposed plant materials, planting size and proposed quantities shall be shown in a planting chart on the landscape plan.
 - G. The location and type of all traffic control signs, signals, and devices to be installed.
 - H. At all street intersection the following should be clearly shown on the plan:

- (1) Clear-sight triangles, as required, at all street intersections. A note should be added to the recorded plan indicating the restrictions of the clear-sight triangle.
 - (2) Required and available safe stopping sight distance at the intersection of streets and driveways.
 - I. A plan for the location and type of streetlights to be installed.
 - J. A statement describing all proposed improvements held in common by the homeowners, other entity or to be dedicated to the Township.
 - K. Preliminary profile drawings of all proposed streets showing existing and proposed grades.
 - L. Preliminary profile drawings of proposed sanitary and storm sewers including grades, manholes, inlets, pipe sizes, pump stations and other appurtenances.
 - M. The preliminary design of water distribution facilities including, but not limited to the size, material and location of water mains, fire hydrants, storage tanks and, where applicable, wells and other water sources.
 - N. The Open Space Management Plan as required in Part 11B of the West Sadsbury Township Zoning Ordinance with sufficient detail to demonstrate compliance with the provisions of Part 11B of such Zoning Ordinance.
9. Utilities and Easements Plan. The following information shall be provided in a plan designated as the “Utilities and Easements Plan”.
- A. Utility easement locations.
 - B. Layout of all sanitary and storm sewers and location of all inlets and culverts, and any proposed connections with existing facilities.
 - C. Tentative location of Community On-Lot Sewage System and Central Water Supply.
10. Stormwater Management and Erosion and Sedimentation Pollution Control Plan. The preliminary design of surface and stormwater drainage shall be shown on a plan designated as “Stormwater Management and Erosion and Sedimentation Pollution Control Plan”. Such plan shall also provide protection against erosion during and after the construction period. The Stormwater Management and Erosion and Sedimentation Pollution Control Plan shall incorporate the requirements of Sections 506 and 614 of this Chapter and the West Sadsbury Township Stormwater Management Ordinance, Chapter 28.
11. Other Required Plan Information, Studies and Analyses. The following information shall also be included in the Preliminary Plans:
- A. A statement or certificate by the applicant that the plans are or are not in conformity with engineering, zoning, subdivision, and other applicable Township ordinances, regulations, and standards, and if they are not so conforming, the reasons for such nonconformity.
 - B. A complete draft of any proposed covenants to run with the land.
 - C. A complete draft of common space ownership and maintenance agreements.

- D. A complete draft of a Homeowners Association agreement if one is proposed.
- E. A timetable for the proposed sequence of development for the tract. The timetable may be in letterform indicating the order in which activities will occur.
- F. Where the land included in the proposed subdivision or development has a gas, petroleum, or petroleum products transmission line located thereon, the application shall be accompanied by a letter from the owner of such pipeline stating the minimum setback requirements.
- G. Where state roads or highways abut the proposed subdivision or development, the plan shall include the following note: "A highway occupancy permit is required pursuant to §420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before access to a State highway is permitted. Access to the State highway shall only be as authorized by a highway occupancy permit, and the Board's approval of this plan in no way implies that such permit can be acquired."
- H. Where the Preliminary Plan covers only a part of the applicant's entire holding, a Sketch Plan shall be submitted of the prospective layout and improvements for the remainder of the tract with a time schedule for submission of plans for those sections.
- I. If land to be subdivided or developed lies partly in another municipality, the applicant shall submit information concerning the location and design of streets, layout and size of lots, and provision of public utilities on lands subject to his control within the adjoining municipalities. Evidence of review of the proposed subdivision or development by appropriate officials of the adjoining municipalities shall also be submitted.
- J. The submission shall include statements from utility companies as to their willingness and capability to provide services.
- K. A completed Department of Environmental Protection Revision to Sewage Facilities Planning Module for review by the Township.
- L. Where, in the opinion of the Township Engineer, doubt exists about the ability of the soil to absorb waste from proposed subsurface sewage disposal facilities, the Township may require that a registered professional engineer or geologist prepare a feasibility report certifying that the proposed quantities of waste generated by the development can be adequately and properly disposed of. Costs incurred for such studies shall be borne by the applicant.
- M. Where, in the opinion of the Township Engineer, doubt exists about the sufficiency and acceptability of the proposed means of water supply, the Township may require that a feasibility report be prepared by a registered professional engineer or geologist. Costs incurred for such studies shall be borne by the applicant.
- N. When required by the Board, plans for subdivision or land development proposing the use of an on-site well(s) shall be accompanied by a hydrogeologic study prepared by a qualified hydrogeologist and consisting, as a minimum, of a map showing the location of the proposed well(s); a description of the geologic conditions on and around the site, including factors that would affect the groundwater recharge rate and the degree of groundwater renovation; an analysis of site geology, including

stratigraphy, structure, and soils; an analysis of hydrogeology, including aquifer characteristics, groundwater movement, local water use, aquifer yield, and water quality; and an analysis of groundwater impacts, availability of groundwater, well interference, water quality, and yield availability. Should it be determined by the Board that the proposed use(s) would result in a degradation of groundwater quality, quantity or availability, then measures that will be employed to prevent such adverse impacts shall be required and specified in writing to the Board.

- O. Where subdivision of land is proposed as part of a land development because of the creation of mortgages encumbering less than the entire tract, a plan shall be submitted showing the proposed division of property including easements for access to all existing parcels not fronting on public or private roads. Such easements shall be a minimum of fifty (50) feet wide.
- P. A Traffic Impact Study when required pursuant to Section 629 of this Chapter 22.
- Q. A Scenic Inventory and analysis pursuant to Part 8E of Chapter 27, the West Sadsbury Township Zoning Ordinance.
- R. A Historic Resource Impact Study and mitigation plan pursuant to Part 8D of Chapter 27, the West Sadsbury Township Zoning Ordinance.
- S. In areas underlain by the Conestoga Formation, plans an Environmental Assessment report required pursuant to Part 8C of Chapter 27, the West Sadsbury Township Zoning Ordinance.
- T. Demonstration of compliance with Part 8A, Environmental Regulations, of Chapter 27, the West Sadsbury Township Zoning Ordinance.
- U. All variances, special exceptions, or waivers shall be referenced on the record sheet of the plan set.
- V. Certifications and acknowledgments that are applicable to the project and plan (see Appendix D) shall be affixed to each sheet of the plan that is to be recorded.
- W. A plan for landscaping, prepared and sealed by a professional landscape architect registered in the Commonwealth of Pennsylvania, showing the location of all required screening, landscaping, street trees, and/or replacement trees or seedlings. The species of proposed plant materials, planting size and proposed quantities shall be shown in a planting chart on the landscape plan.

§403. Final Plan Requirements.

After submittal of the Preliminary Plan and resolution of all issues identified during the review process, the applicant shall submit a Final Plan. The Final Plan submission shall be prepared by a registered surveyor, professional engineer or registered landscape architect and consist of all of the requirements of the Preliminary Plan as described in §402 of this Part 4 plus the following additional requirements. The Board reserves the right to require special studies, including but not limited to those listed in §402.12 of this Part 4, to be conducted by the applicant or additional information to be provided by the applicant, when in the opinion of the Board, site conditions or the nature of the proposed development warrant such studies or additional information.

1. Existing Resources and Site Analysis Plan. An Existing Resources and Site Analysis Plan shall be prepared to provide the developer and the Township with a comprehensive analysis of existing conditions, both on the proposed development site and within four hundred feet (400') of the site, as set forth in §402.2. above.
2. Site Capacity Determination Calculations.
 - A. Site Capacity Determination Calculations shall be provided as set forth in the applicable Zoning District of Chapter 27, the West Sadsbury Township Zoning Ordinance, and the Four-Step Design Process shall be followed, as set forth in §402.4. above.
 - B. Industrial/Commercial Site Capacity Determination Calculations shall be provided as set forth in Appendix A of this Ordinance.
3. Drafting Standards. All Drafting Standards are required for Final Plans as set forth in section 402.5. above.
4. General Information. All general information is required for Final Plans as set forth in §402.6 above.
5. Four-Step Design Process for Residential Subdivisions. RU, RLD and RMD Districts. Final Plans in the RU, RLD and RMD districts shall include documentation of the preparation of a four-step design process to determine the layout of proposed open space lands, house sites, streets and lot lines, as set forth in §402.7. above.
6. Site Design and Layout Plan. A Site Design and Layout Plan shall be prepared in accordance with the requirements of §402.8. above. Additionally, the plan shall show the following information:
 - A. For proposals involving single-family detached dwelling or no proposed development, the Final Plan shall show the proposed lot layout with building setbacks and accurate gross and net lot areas and dimensions. Lots shall be consecutively numbered. Distances shall be to the nearest hundredth of a foot. Areas greater than one (1) acre shall be to the nearest square foot.
 - (1) Final Plans shall show all proposed building locations, the location and size of all proposed parking lot(s), provisions for access and traffic control, locations of loading docks, provisions for landscaping and lighting of the site and final elevation drawings and floor plans. Lots shall be consecutively numbered.
 - (2) The exact length of street construction and dedication including location, width, and name of all proposed streets including all street extensions or spurs as are reasonably necessary to provide adequate street connections to adjoining developed or undeveloped areas.
 - (3) The exact location, width and purpose of all proposed easements.
 - (4) Accurate dimensions and locations of playgrounds, public buildings, public areas, and parcels of land proposed to be dedicated or reserved for the public, together with the conditions of such dedication and reservation.

- (5) Approximate distances to the intersection of the centerlines of the nearest established street intersection or official monuments.
 - (6) Complete curve data for all street centerlines and street right-of-way curves included in the plan, including radius, tangent, arc and chord. Curve segments included in the descriptions shall be comprised of arc, chord bearing and distance. At street intersections, tangent distance shall be included.
 - (7) Street lines with accurate dimensions in feet and hundredths of feet with bearings.
 - (8) Location and material of all permanent monuments and lot markers.
 - (9) Primary control points approved by the Township Engineer with description and “ties” to such control points to which all dimensions, angles, bearings, and similar data on the Final Plan shall be shown.
 - (10) Clear sight triangles as required for all street intersections.
 - (11) Location and description of new trees to be installed by Developer, as required by Part 8F § 872 of the West Sadsbury Township Zoning Ordinance.
7. Improvements Construction Plan. A final “Improvements Construction Plan” shall be prepared in accordance with the requirements of §402.9. above. Additionally, the plan shall show the following information:
- A. The final design of water distribution facilities, including but not limited to, the size, material, location of water mains, fire hydrants, fire tanks, storage tanks and, where applicable, wells and other water sources.
 - B. Final cross-section drawings of all proposed streets showing rights-of-way, cartway, curbing or gutters, sidewalks and planting strips.
 - C. Final profile drawings of all proposed streets showing existing and proposed grades.
 - D. Final profile drawings of proposed sanitary and storm sewers including grades, manholes, inlets, pipe sizes, pump stations and other appurtenances.
 - E. The final design of water distribution facilities including, material and location of water mains, fire hydrants, storage tanks and, where applicable, wells and other water sources.
8. Utilities and Easements. A Final Utilities and Easements Plan shall be prepared in accordance with the requirements of §402.10. above.
9. Stormwater Management and Erosion and Sedimentation Pollution Control Plan. A Final Stormwater Management and Erosion and Sedimentation Pollution Control Plan shall be prepared in accordance with the requirements of §402.11. above. The Plan shall include the final design of surface and storm drainage, and shall provide for the protection against erosion during and after the construction period.
10. Other Required Information. The following information shall also be included with the Final Plan submission:

- A. A plan showing proposed finished grades associated with all site improvements designated as a “Grading Plan”.
- B. A final Stormwater Management Report, prepared in accordance with Chapter 28, the West Sadsbury Township Stormwater Management Ordinance, containing all supporting data, maps and information
- C. A final Erosion and Sediment Control Plan and narrative containing all supporting data, maps and information. Written approval from the Chester County Conservation District of the Erosion and Sediment Control Plan and an NPDES permit, if applicable, shall be submitted prior to Township signature being affixed to the final plat for recording.
- D. Written approval from the Department of Environmental Protection of the Revision to Sewage Facilities Planning Module.
- E. If the land to be subdivided or developed lies partly in another municipality, evidence of approval of the proposed subdivision or development in such municipality by appropriate officials of the adjoining municipality (ies) shall also be submitted.
- F. Written approval of the proposed street names from the local postmaster and the Chester County GIS Department (Addressing Group).
- G. The following certificates, where applicable, shall be shown on the Final Plan:
 - (1) Certification, with seal, by a registered professional engineer, registered surveyor, or registered landscape architect, to the effect that the survey and the Plan are correct in the form set forth in Appendix D.
 - (2) Certification, with seal, by a registered professional engineer, registered surveyor, or registered landscape architect that the Plans are in conformity with the Chapter 27 (the West Sadsbury Township Zoning Ordinance), this Chapter 22, the West Sadsbury Township Subdivision and Land Development Ordinance, and other applicable Township ordinances and regulations. In any instance where such plans do not conform, evidence shall be presented that a waiver of the requirement(s) has been granted.
 - (3) A statement, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the owners of the property, to the effect that the subdivision or land development shown on the Final Plan is the act and deed of the owner, that he is the owner of the property shown on the Plan and the he desires the same to be recorded as such.
 - (4) Certificate of Approval with signature block for the Township Board of Supervisors in the form set forth in Appendix D.
 - (5) Certificate of Approval with signature block for the Township Planning Commission in the form set forth in Appendix D.
 - (6) Certificate of Review with signature block for the Chester County Planning Commission in the form set forth in Appendix D.

- (7) Certificate of Dedication of streets and other public property (Offer of Dedication). The Plan shall be marked to clearly define the streets and property being offered for dedication in the form set forth in Appendix D.
 - (8) Any other certificates, affidavits, endorsements, or dedications, etc., that may be required by the Board of Supervisors.
 - (9) Certificates and acknowledgements that are applicable to the project and plan, shall be affixed to each sheet of the Plan that is to be recorded (see Appendix D).
 - (10) Such Certificates of Approval by proper authorities as may be required by the Board including certificates approving the water supply system and sanitary sewer system of the subdivision or land development in the form set forth in Appendix D.
- H. Restrictions of all types that will run with the land and become covenants in the deeds of lots shown on the plan.
- I. A note shall be added to the Final Record Plan regarding ownership and maintenance of common and designated open space and any restrictions against future development. All covenants running with the land governing the reservation and maintenance of dedicated or undedicated land or open space shall bear the Certificate of Approval of the Township Solicitor as to their legal sufficiency.
- J. One of the following for guaranteeing improvements:
- (1) A certificate from the subdivider stating that all improvements and installations in the subdivision or land development required by the Township have been made or installed in accordance with specifications; or when installation prior to Final Plan approval is not required;
 - (2) A bond or other security in accordance with Part 8 of this Chapter.
- K. When not provided at Preliminary Plan stage, the following may be required at Final Plan stage by the Board of Supervisors:
- (1) A Traffic Impact Study when required pursuant to Section 629 of this Chapter 22.
 - (2) A Scenic Inventory and analysis pursuant to Part 8E of Chapter 27, the West Sadsbury Township Zoning Ordinance.
 - (3) A Historic Resource Impact Study and mitigation plan pursuant to Part 8D of Chapter 27, the West Sadsbury Township Zoning Ordinance.
 - (4) In areas underlain by the Conestoga Geologic Formation, plans an Environmental Assessment report required pursuant to Part 8C of Chapter 27, the West Sadsbury Township Zoning Ordinance.
 - (5) Demonstration of compliance with Part 8A, Environmental Regulations, of Chapter 27, the West Sadsbury Township Zoning Ordinance.
 - (6) Demonstration of compliance with Part 8F, Woodland Preservation and Regulations for Timber Harvesting and Tree Clearing, of Chapter 27, the West

Sadsbury Township Zoning Ordinance, including provisions for protecting during construction woodlands and large isolated trees to remain on the site.

- (7) Demonstration of compliance with the requirements of §637, Resource Conservation Standards for Site Preparation and Cleanup, regarding protection of vegetation during construction, to include conservation practices and tree protection details.

PART 5

REQUIRED IMPROVEMENTS

§501. General.

1. In those instances where standards for required improvements are not set forth herein or referenced hereunder, the applicable standard requirements of the Pennsylvania Departments of Transportation and Department of Environmental Protection shall govern, and all work shall be performed in the manner prescribed in the standard specifications of said departments.
2. Where literal compliance with the requirements herein specified is clearly impractical, the Board may modify or adjust the standards to permit reasonable utilization of property while securing substantial compliance with the objectives of this Chapter 22.

§502. Monuments and Markers.

1. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.
 - A. Monuments. Monuments shall be set:
 - (1) At the intersections of all right-of-way lines;
 - (3) At the intersection of lines forming angles in the boundaries of the tract;
 - (3) At such intermediate points as may be required by the Township Engineer.
2. Monuments shall be six (6") inches square or four (4") inches in diameter, thirty (30") inches long, and made of concrete, stone, or by setting a four (4") inch cast iron or steel pipe filled with concrete.
3. Markers shall be three-quarters (3/4") of an inch square or three-quarters (3/4") of an inch in diameter, fifteen (15") inches long, and made of iron or steel pipes or bars.
 - A. Markers. Markers shall be set:
 - (1) At all lot corners except those monumented;
 - (2) Upon completion of final grading.

§503. Streets.

1. All streets shall be constructed to the grades shown on the street profile and typical cross-section plans submitted as part of the approved Final Subdivision or Land Development Plan.
2. All streets shall be constructed to the satisfaction of the Township Engineer who shall inspect the construction and check the grading of streets for accuracy.

3. Streets shall be graded to the full width of the right-of-way and, where sidewalks are not required, the sidewalk areas shall be graded in the same manner as if sidewalks were to be constructed.
4. Grading, installation and/or preparation of subgrade, and installation of base and paving shall be done in strict accordance with current Pennsylvania Department of Transportation specifications.
5. Maximum slopes of two to one (2:1) shall be provided beyond the right-of-way line where cut or fill is required.
6. Prior to placement of street paving, adequate subsurface drainage for the streets and all subsurface utilities shall be installed.

§504. Sanitary Sewers.

1. The method of waste disposal shall be determined, giving consideration to the following in order of preference:
 - A. Connection to a public sewage facility if available to the proposed subdivision or land development.
 - B. Provision by the developer of a complete centralized sewer system including treatment facility in accordance with the regulations of the Pennsylvania Department of Environmental Protection. This shall include an on-site spray irrigation, or similar sewage treatment facility, if determined to be feasible.
 - C. On-lot sewage service on individual lots.
2. In no case will the Township consider on-lot sewage service on lots less than one (1) acre net in area.
3. When, in the opinion of the Township Engineer, doubt exists about ability of the soil to absorb waste from proposed on-site sewage service facilities, the Township may require that a feasibility report be prepared by a registered professional engineer certifying that the proposed quantities of waste generated by the development can be adequately and properly disposed of.
4. In areas of the Township not presently served by public sewers, but in which they are to be installed within a reasonable time, in the opinion of the Board, the Board shall require that capped sewer mains and lateral connections be installed, in addition to other sewage facilities provided.
5. The minimum diameter of any sewer pipe main shall be eight (8") inches and any lateral, four (4") inches.
6. Storm sewers shall not be connected to sanitary sewers.

§505. Water Supply.

1. The method of water supply shall be determined, giving consideration to the following, in order of preference:
 - A. Connection to a public water facilities, if available, to the proposed subdivision or land development;

- B. Provision by the developer of a complete centralized water system in accordance with the regulations of the Pennsylvania Department of Environmental Protection;
 - C. Individual, on-lot water service.
2. In no case will the Township consider on-lot, individual wells for lots less than one (1) acre net in area.
 3. When, in the opinion of the Township Engineer, doubt exists about the sufficiency and acceptability of the proposed means of water supply, the Township may require that a feasibility report be prepared by a registered professional engineer certifying that the proposed quantities of water usage by the development can be adequately and properly met.
 4. The minimum diameter of any water main shall be six (6") inches.

§506. Storm Water Drainage.

1. The subdivider shall install storm sewers, culverts, and related facilities, as necessary to:
 - A. Permit the unimpeded flow of natural water courses;
 - B. Insure the drainage of all low points along the lines of streets and throughout the subdivision or land development;
 - C. Intercept storm water run-off along streets at reasonable intervals related to the extent and grade of the area drained;
 - D. Provide positive drainage away from on-site disposal facilities.
2. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in run-off that may occur when all the property at a higher elevation in the same drainage basin is fully developed.
3. Where adequate existing storm sewers are readily accessible, the subdivider must connect his storm water facilities to the existing storm sewers.
4. In the design of storm drainage facilities, special consideration must be given to preventing excess run-off onto adjacent developed or undeveloped properties.
5. Streets must be designed so as to provide for the discharge of surface water from the right-of-way.
6. Storm sewers or drainage channels opening onto adjoining land shall discharge into natural water courses. Where a natural water course does not exist, the Board shall require submission by the developer of written approval from adjoining affected property owners.
7. The design of storm sewers, culverts and related facilities shall, in addition, conform to the provisions of Section 614 of this Chapter 22.

§507. Curbing.

1. Curbing shall be required on all new streets, access driveways, parking lots and wherever sidewalks are to be constructed along streets or access driveways.

2. In areas where the requirement to install curbing has been waived then suitable gutters shall be installed to avoid erosion.

§508. Sidewalks.

In every proposed subdivision or land development, with the exception of single-family detached dwelling units on lots one (1) acre or greater in size, sidewalks shall be installed on each side of the street.

§509. Street Lights.

In every proposed subdivision or land development, with the exception of single-family detached dwelling units on lots one-half (½) acre or greater in size, street lighting shall be installed at one (1) corner of every intersection and at intervals of no more than eight hundred (800) feet along the length of every street.

1. At a minimum, street lights shall also be provided at:
 - A. All street intersections;
 - B. Changes in grade in excess of five percent (5%); and,
 - C. All other locations considered hazardous by the Township Engineer.
2. Style and type of fixture shall be subject to the approval of the Board.
3. Lighting shall be provided on metal poles serviced by underground cable. Wooden poles may be used only by specific approval of the Board of Supervisors.
4. Required streetlights shall be installed at the expense of the applicant, according to a plan approved by West Sadsbury Township and the applicable utility company.
5. Streetlights shall be energized after fifty percent (50%) or more of the buildings in a given subdivision or land development have been occupied. The developer shall be responsible for all costs involved in lighting the streets until the streets are accepted as public streets by the Township.

§510. Street Signs.

Street name signs shall be placed at one (1) corner of every intersection.

§511. Street Trees.

1. In every proposed residential subdivision or land development, with the exception of single-family detached dwelling units on lots one (1) acre or greater in size, shade trees shall be planted by the developer at intervals of between fifty (50') feet and seventy (70') feet along both sides of all streets of the subdivision or development.
2. The trees shall be located between the sidewalk and the building setback line and at least five (5') feet from the sidewalks. No trees shall be planted between the sidewalk and curb.
3. Each tree shall be at least eight (8') feet in height and one and one-half (1½") inches in diameter.

4. A list of proposed trees, selected from a list of approved trees maintained by the West Sadsbury Township Engineer, shall be submitted to the Board of Supervisors for approval.

§512. Traffic Control Signs.

The developer shall provide and install standard traffic control signs including, but not limited to stop signs, yield signs, no parking signs, and speed limit signs.

§513. Erosion Control.

The developer shall exercise particular care to prevent erosion and shall provide all control facilities as required by Section 631 and related sections of this Chapter 22.

§514. Open Space and Recreation Land.

The developer shall provide open space and recreation land when required pursuant to this Chapter 22 and Chapter 27 in concert with the provisions of the Comprehensive Plan and Open Space, Recreation and Environmental Resources Plan of the Township.

§515. As-Built Drawings.

As-built drawings shall be prepared as required by this Chapter 22.

§516. Rock Removal.

Provision shall be made for rock removal in the Subdivision Improvements Agreement and Guarantee. See Section 801.7. of this Chapter 22.

§517. Backfilling.

Utility excavations in areas of streets, access drives, parking areas, and loading areas shall be backfilled in accordance with established Township standards.

§518. Handicapped Accessibility.

All curbs, sidewalks, intersections and other improvements shall be made accessible to persons with disabilities pursuant to the requirements of the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities.

PART 6

DESIGN STANDARDS

§601. Application.

1. The following principles, standards, and requirements shall be applied by the Board in evaluating plans for proposed subdivisions and land development. In addition, the standards set forth in Chapter 27 for the particular district in which the subdivision or land development is proposed, the provisions of this Part 6 shall govern the layout and size of lots and/or design of buildings, parking lots, and other facilities.
2. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of public health, safety, and general welfare.

§602. General Standards.

1. The Board requires wherever practical, the use of interior streets to serve all proposed lots and will discourage, thereby, the submission of plans which provide for development of lots in "strips" fronting on Township or State roads within the Township.
2. It is the policy of the Board that land shall be suited to the purposes for which it is to be subdivided or developed.
3. Proposed subdivisions or land developments shall be coordinated with existing nearby neighborhoods both within and outside of the Township so that the community, as a whole, may develop harmoniously. Where necessary, in the opinion of the Board, joint reviews with neighboring townships shall be required.
4. In all developments, every precaution shall be taken to preserve natural and historic features.
5. Lot lines shall, where possible, follow Township boundary lines, rather than cross them.

§603. Design Character.

1. It is the policy of the Township that all development designs shall strive to achieve the following:
 - A. Development grouped together on a tract of land, and each cluster of development serves as a module which is set off from others by an intervening space that helps give visual definition to each individual cluster.
 - B. Preservation and utilization of unusual and important physical or topographical features of undeveloped land.
 - C. Efficient use of the land and of those public facilities required to serve new residential development.
2. Thoughtful and imaginative design of streets and their relationship to the arrangement and shape of lots is required. An important element is blending with the natural topography to

produce curvilinear designs and reasonable grades. The rectilinear design of streets and lots involving long straight sections of street should be avoided unless clearly indicated otherwise by existing development patterns.

§604. Street System.

1. Proposed streets shall be properly related to such street plans or parts thereof as have been officially prepared and adopted by the Township, including recorded subdivision plans and the Official Map of the Township.
2. Proposed streets shall conform to such Township, County, and State road and highway plans as have been prepared and adopted.
3. Local streets shall be laid out so as to discourage through traffic, but provision for street connections into and from adjacent areas will be required.
4. If lots resulting from original subdivisions are large enough for resubdivision, or if a portion of the tract is not subdivided, adequate street rights-of-way to permit further subdivision shall be provided.
5. Where a subdivision abuts or contains an existing or proposed Township or State road, the Township may require dedication of additional right-of-way to provide the minimum right-of-way specified hereinafter. Marginal access streets, rear service alleys, reverse frontage lots, or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major thoroughfare and separation of local and through traffic are encountered.
6. New half or partial streets shall not be permitted, except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of this Chapter 22 and where, in addition, dedication of the remaining part of the street has been 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. Where half or partial streets are proposed, the acceptance of Final Plans shall be conditioned upon the provision of guarantees providing for the construction or completion of such streets to Township standards.
7. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as a cul-de-sac.
8. Continuation of existing streets shall be known by the same name, but names for other streets shall not duplicate or closely resemble names for existing streets in the Township and/or Post Office District. The Board may reject street names and suggest alternate names.
9. Where streets and other public improvements continue into adjoining municipalities, evidence of compatibility of design, particularly with regard to street widths, shall be submitted. The applicant shall coordinate such design with both municipalities to avoid abrupt changes in cartway width or in improvements.
10. Private streets shall be discouraged. They may be approved only if they are designed to meet public street standards and all other applicable requirements of this Chapter 22. An

- ownership and maintenance agreement concerning the private street shall be recorded with the final plan.
11. The proposed street system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width.
 12. Where, in the opinion of the Board, it is desirable to provide for street access to an adjoining property, the applicant shall create and provide a right-of-way between the proposed internal street right-of-way and the adjoining property line which right-of-way shall meet the applicable requirements of the Zoning Ordinance (Chapter 27) and this Chapter 22. The right-of-way so created shall be shown on the subdivision and/or land development plan and shall be described by bearings and distances. The property line for each lot abutting thereon shall extend to the center of the right-of-way. The deed for each affected lot shall contain a description, including bearings and distances, of the right-of-way and language giving notice that no permanent structures, trees, plants or other objects may be erected or maintained within the limits of the right-of-way. Further, the deed shall contain language which states the right-of-way is continuously offered for dedication to the Township and that no compensation is due the property owner should the Township exercise its option to accept dedication at anytime in the future.
 13. Where a subdivision abuts an existing street of improper alignment, the Board may require the dedication of land sufficient to correct the misalignment.
 14. Streets shall be logically related to the topography so as to produce usable lots, reasonable grades, and proper alignment and drainage.
 15. Where a subdivision abuts an existing street, and drainage problems are created or improvements are required due to increased traffic, the existing street and both of its sides shall be improved as a responsibility of the subdivider himself, or by means of sufficient funds escrowed for use by the Township to execute such improvement.
 16. When reservations for future streets will adjoin lots to be developed prior to the construction of the streets, the developer shall establish the proposed grades of the future streets and the extent of the area necessary for the construction of those streets. If the area necessary for the construction of the streets extends beyond the proposed street right-of-way lines, all excavation and grading necessary for the roads beyond the right-of-way lines shall be done in conjunction with the subdivision which contains the adjoining lots. Alternatively, construction easements shall be provided on the adjoining lots, sufficient to permit construction of the future street.
 17. For all subdivisions and land developments for which only one means of ingress and egress is proposed, the Board may require, where deemed necessary in the public interest and for the public safety, the provision of additional street or access drive access meeting Township standards or the provision of an alternate means of ingress and egress meeting Township standards which could be used by emergency vehicles if the primary means of ingress and egress were rendered unusable. Such alternate means of ingress and egress shall be of such width and improved to such an extent to be usable by emergency vehicles, and shall not be used for structures, trees, or similar obstructions.

18. All access drives within multiple family and nonresidential developments which are intended for circulation within the development shall be designed to the horizontal and vertical alignment standards found in this Chapter 22 for streets.
19. Any street not fully constructed for its entire length shall terminate in a temporary cul-de-sac or other turnaround configuration and shall be constructed as if it were to be a permanent street its entire length, including the turnaround area, and meet all applicable provisions of this Chapter 22 and also Chapter 27 to include installation of all utilities, stormwater control devices, grading, surfacing and so forth.

The temporary cul-de-sac or other turnaround configuration shall be completely removed and the area restored upon construction of the street beyond the temporary cul-de-sac or other turnaround configuration.

§605. Cul-De-Sac Streets.

1. Cul-de-sac streets permanently designed as such shall not exceed one thousand (1000') feet in length nor shall they be less than two hundred and fifty (250') feet in length and shall be provided at the closed end with a paved turnaround having a minimum diameter to the outer pavement edge of eighty (80') feet. Right-of-way shall have a minimum diameter of one hundred (100') feet within the turnaround areas. The Board may allow cul-de-sacs up to sixteen hundred (1600') feet in length based upon topography or other characteristics of the site.
2. Unless future extension is clearly impractical or undesirable, the turn-around right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the boundary of the subdivision in such a way as to permit future extension of the street into the adjoining tract.
3. The small triangles of land between the cul-de-sac and the boundary shall be maintained by the adjoining property owners.
4. The center line grade on the cul-de-sac turning area shall not exceed four (4%) percent.
5. Drainage of cul-de-sac shall preferably be toward the open end.
6. The maximum number of dwelling units that may be served by a cul-de-sac street shall be 25, regardless of the configuration of such dwelling units.

§606. Street Width.

1. The rights-of-way for all new streets in the Township shall be as specified in Appendix H but in no event less than fifty (50') feet.
2. Typical street, road, intersection, curb and sidewalk details are shown as Appendices E, F and G.
3. Additional rights-of-way and cartway widths may be required by the Board for the following purposes:
 - A. To promote public safety and convenience.

- B. To provide parking space in commercial districts and in areas of High Density Residential Development.

§607. Street Alignment.

1. Whenever street lines are deflected in excess of two (2°) degrees, connection shall be made by horizontal curves
2. To insure adequate sight distance, minimum center line radii for horizontal curves shall be at least:
 - A. Local streets: two hundred (200') feet.
 - B. Other Street Classifications: five hundred (500') feet.

The centerline radii shall correspond to the required design speed per Appendix H and AASHTO.

3. A tangent of at least one hundred (100') feet measured at the center line shall be required between reverse curves.

§608. Street Grades.

1. Vertical Alignment. Vertical street alignments shall be measured along the centerline. The minimum grade of all streets shall be one percent (1%). The maximum grade shall be as listed in Appendix H.
 - A. Vertical Curves shall be used in changes in grade exceeding one percent (1%). The minimum length (in feet) of vertical curves shall be fifteen (15) times the algebraic difference in grade. For example, if a three percent (3%) upgrade is followed by a four percent (4%) downgrade, the algebraic difference in grade is 7 [$+3-(-4)=7$]; the minimum length of the vertical curve would be 105 feet [$15 \times 7 = 105$].
 - B. Where the approaching grade exceeds six percent (6%) on any or all streets at a four-way street intersection, or the terminating street at a three-way intersection, a leveling area shall be provided on the street(s) with such excessive grade. Such leveling area(s) shall have a maximum grade of four percent (4%) for minimum length of seventy-five (75) feet measured from the intersection of the centerlines.
 - C. The grade within the diameter of a turnaround at the terminus of a permanent cul-de-sac shall not exceed five percent (5%).
 - D. All new streets shall be graded to the right-of-way line.
 - E. All cut and fill slopes shall be a minimum of 3:1.
 - F. Vertical curves shall correspond to the required design speed as listed in Appendix H and by ASSHTO.
 - G. The following minimum sight distances shall be maintained:
 - (1) Local streets: two hundred (200') feet.
 - (2) All other streets: three hundred twenty-five (325') feet.

2. **Horizontal Alignment.** Horizontal street alignments shall be measured along the centerline. Horizontal curves shall be used at all angle changes in excess of two (2) degrees. Single, long radius curves shall be used rather than a series of short curves with varying radii and/or a series of short curves separated by short, straight segments.
 - A. The minimum horizontal curve radius for local street shall be two hundred (200) feet.
 - B. The minimum horizontal radius for major streets shall be five hundred (500) feet.
 - C. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.
 - D. Plans with street locations along the perimeter of a property shall be required to show building setback lines and clear sight triangles within the adjacent properties.

§609. Street Intersections.

1. Right angle intersections shall be used. No intersection angle, measured at the center line, of less than ninety (90°) degrees shall be permitted.
2. No more than two (2) streets shall cross at the same point.
3. Streets entering the opposite sides of another street shall either be directly across from each other or offset by at least two hundred (200') feet from center line to center line for local streets and three hundred (300') feet for major streets.
4. Intersections of adjacent streets shall be separated from each other a minimum of one hundred seventy-five (175') feet measured from centerline to centerline for local streets and three hundred (300') feet for major streets.
5. A minimum paving radius of twenty-five (25') feet shall be provided at all street intersections. The Board may increase the required radii at intersections involving collector and arterial streets.
6. All necessary street name signs and traffic control signs shall be provided and erected by the applicant. The street signs shall be of the type existing in the neighborhood and shall be subject to approval by the Board. Street signs shall be erected before acceptance of the street.
7. Clear sight triangles, as defined in this Chapter 22, shall be provided and maintained at all street intersections. The Subdivision and Land Development Plan shall depict clear sight triangles at all street intersections. The Board may require the clear sight triangle dimensions be increased to one hundred (100) feet for intersections where one or more intersecting streets are classified as collector and to one hundred fifty (150) feet for intersections where one or more intersecting streets are classified as arterial.
8. Any access, driveway, street construction and the like which directly involves or impacts a State highway shall be subject to approval and permitting by the Pennsylvania Department of Transportation. Pursuant to Article V, Section 508, subsection (6) of the Pennsylvania Municipalities Planning Code every plan which requires access to a State highway shall contain a notice that 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".

§610. Street Construction.

1. All materials used in the construction of streets and the methods of construction and drainage shall be in accordance with the applicable requirements of the Pennsylvania Department of Transportation (PennDOT) Specifications, Publication 72M, Publication 242, and Publication 408, the latest revisions thereof and the requirements of this Chapter 22.
2. Subgrade.
 - A. The area within the limits of the proposed road surface shall be shaped to conform to the line, grade and cross-section of the proposed road.
 - B. Remove or stabilize all unsuitable subgrade materials.
 - C. Wet or swampy areas shall be permanently drained and stabilized.
 - D. Fill shall be made with suitable materials and thoroughly compacted for full width in uniform layers of not more than eight (8") inches thick.
 - E. Compaction testing shall be performed in accordance with, and meet the requirements of, PennDOT specifications.
 - F. Backfill of trenches within the cartway and curb area shall be thoroughly compacted prior to application of the base course.
3. Base Course.
 - A. No material shall be placed on a wet or frozen subgrade.
 - B. Installation shall be in accordance with PennDOT specifications.
 - C. Weather limitations. Paving shall not be placed if air temperature is not in accordance with PennDOT specifications.
 - D. Paving materials and installation shall be in accordance with the specifications as listed in Appendix F.
4. Grading and Shoulders. Roadways shall be graded for not less than eight (8') feet beyond the edge of the proposed paving on each side. This grading width shall be increased as necessary where sidewalks and/or planting strips are to be provided. Shoulders shall be graded with a slope of one (1") inch per foot.
5. Slope of Banks Along Streets. The slope of banks along streets measured perpendicular to the street center line shall be no steeper than the following:
 - A. One (1') foot of vertical measurement for three (3') feet of horizontal measurement for fills.
 - B. One (1') foot of vertical measurement for two (2') feet of horizontal measurement for cuts.

§611. Sidewalks.

When provided, sidewalks shall be constructed and installed in accordance with PennDOT Publications 408 and 72M. At driveway crossings, the sidewalk thickness shall be increased to six (6") inches with reinforcement; a typical sidewalk detail is shown as Appendix G and placement is shown as Appendix F. Sidewalks and ramps shall be constructed in accordance with the Americans with Disabilities Act requirements.

§612. Curbing.

Curbs shall be constructed and installed in accordance with PennDOT Publications 408 and 72M. Where no curb is required, there shall be a minimum of six (6') feet of stabilized shoulder provided; a typical curb detail is shown as Appendix G.

§613. Street Lights.

1. The light source for street lighting shall produce a minimum of four thousand (4,000) lumens.
2. Style and type of fixture shall be subject to approval of the Board.

§614. Storm and Surface Drainage.

All stormwater management facilities, including but not limited to, stormwater carrying structures, retention and detention basins, infiltration facilities, and sediment basins shall be designed in accordance with the West Sadsbury Township Stormwater Management Ordinance.

§615. Blocks.

1. The length, width, and shape of blocks shall be determined with regard to:
 - A. Provision of adequate sites for building of the type proposed;
 - B. Topography;
 - C. Requirements for safe and convenient vehicular and pedestrian circulation;
 - D. Thoughtful and innovative design to create an attractive community or to extend an existing pattern in established neighborhoods.
2. Blocks shall have a maximum length of sixteen hundred (1,600') feet and a minimum length of five hundred (500') feet. In design of blocks longer than eleven hundred (1,100') feet, special consideration shall be given to access for fire protection.
3. Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots, except where reverse frontage lots bordering a major thoroughfare are used.
4. Interior walks shall be required in blocks more than eight hundred (800') feet long. A pedestrian easement for such walks shall be not less than twelve (12') feet wide and a minimum paved walkway of four (4') feet wide shall be provided. Greater width may be required to facilitate pedestrian circulation. Interior walks shall be maintained by the abutting property owners in the same manner as sidewalks on public or private streets. The deeds for each lot with frontage on an interior walk shall reflect the right of entry by the

public to the easement area and the responsibility of the property owner to maintain the abutting easement area.

5. Blocks in commercial and industrial areas may vary from the elements of design detailed above if required by the nature of their use. In all cases, however, adequate provision shall be made for off-street parking and loading areas, as well as for traffic circulation, emergency services access and parking for employees and customers.

§616. Lots and Lot Sizes.

1. Lot dimensions and areas shall not be less than specified by the provisions of Chapter 27.
2. Minimum building setback line shall be not less than specified by the provisions of Chapter 27.
3. Side lot lines shall be substantially at right angles or radial to street lines.
4. All lots shall abut an existing or proposed public street and meet the requirements of the applicable provisions of Chapter 27. Where it is necessary to create interior lots in order to facilitate proper utilization of the land proposed to be subdivided, such interior lots shall meet the requirements of Chapter 27.
5. No more than two contiguous interior lots shall be created. The creation of interior lots shall be limited to those circumstances where creation of an interior lot will facilitate proper utilization of the land proposed to be subdivided.
6. The total number of interior lots proposed to be created by the submission of any preliminary and/or final subdivision plan shall not exceed two (2) if the total number of lots proposed shall be fifteen (15) or fewer and shall not exceed fifteen percent (15%) of the total number of lots proposed if the total number of lots proposed shall be more than fifteen (15).
7. Reverse frontage lots are prohibited, except where employed to prevent vehicular access to major thoroughfares.
8. The size, shape and orientation of lots shall be appropriate for the type of development contemplated.
9. Depth and width of parcels intended for non-residential uses shall be adequate for the use proposed and sufficient to provide satisfactory space for on-site parking, loading and unloading, setbacks, landscaping, etc.
10. All residential reverse frontage lots shall have a planting screen easement of at least twenty (20') feet in width across which there shall be no access to the major thoroughfare to which it abuts.
11. Double frontage lots and through lots are prohibited except when permitted by the Zoning Hearing Board as a special exception.

§617. Sanitary Sewers.

Requirements relating to design, construction and dedication of sanitary sewers shall be determined by the Pennsylvania Department of Environmental Protection and shall be subject to review and approval by such County and State regulatory authorities as have jurisdiction in such matters. Permits, where required, shall be obtained before construction of a sanitary sewer system is started.

§618. Water Supply.

1. Mains must be sized to provide for adequate pressure and supply for the anticipated demands of the subdivision and to meet the minimum requirements for fire protection established by the Middle Department Association for Fire Underwriters. If adequate source of supply is available, hydrants shall be installed at a maximum spacing so that properties to be built upon shall be within six hundred (600') feet of a hydrant. If adequate supply is not available, hydrant connectors shall be provided for future installation. System design and the design and development of water sources shall conform to the requirements of the Pennsylvania Department of Environmental Protection.
2. Where a permit is required by said Department, it shall be presented with the application for building permits as evidence of such review and approval in the case of private or public systems before construction commences.
3. Water Supply. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or development, applicants shall present evidence to the Board that the subdivision is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable.

§619. Other Utilities.

All utility lines including, but not limited to, electric, gas, street light supply, cable television and telephone shall be placed underground. Installation of all utilities shall be in strict accordance with the engineering standards and specifications of the Township, municipal authority, or public utility concerned. All such underground utilities shall be put in place, connected and approved, before the streets are constructed where such utilities lie under the proposed cartway and before any person is permitted to occupy any building to be served by such utilities.

§620. Easements.

1. Easements shall be provided for all utilities. Where water and/or sewer facilities are intended for dedication, the requirements for such easements shall be determined by the Board.
2. Easements shall be provided for all stormwater management facilities such as but not limited to swales, culverts, pipes, basins and storm sewers. The adequacy of such easements shall be determined by the Board.

3. To the fullest extent possible, easements shall be centered on or adjacent to lot lines.
4. Nothing shall be placed, planted, set or put within the easement area that would adversely impact the use or maintenance of the easement area for its intended purpose.
5. All subdivision and/or land development plans shall clearly identify and address ownership, use, maintenance and repair of the easement area and infrastructure contained therein either on the record sheet of the plan set or by reference to a separate document which shall be recorded along with the final plan.

§621. Gas and Petroleum Products Pipelines.

1. The minimum distance from a natural gas line to a dwelling unit is that required by the applicable transmission or distributing company, or as may be required by the applicable regulations issued by the Department of Transportation under the Natural Gas Pipe Safety Act of 1968, as amended, whichever is greater.
2. When any petroleum or petroleum products transmission line traverses a subdivision or land development, the developer shall confer with the applicable transmission or distributing company to determine the minimum distance which shall be required between each proposed dwelling unit and the centerline of such petroleum or petroleum products transmission line.

§622. Access Drives

1. A property which utilizes access drives shall maintain frontage along a public or private street.
2. An application that proposes access drives shall be accompanied by an agreement which shall be recorded with the final plan and which shall establish the terms and conditions under which the access drives will be maintained.
3. The final plan, intended for recording, shall include a plan note which identifies the specific access drives, the recorded maintenance agreement and a notification that the access drives do not qualify for dedication to the municipality and that the municipality will not assume any responsibility for their maintenance.
4. The cartway of all access drives shall be constructed according to the latest edition of the Pennsylvania Department of Transportation Manual 408.
5. Access drives do not require a specific right-of-way; however, the following standards for cartway width shall apply:

<u>Functional</u>	<u>Cartway Width</u>
Two lanes of traffic with on-street parking	34 feet
Two lanes of traffic without on-street parking*	24 feet
One lane of traffic with one lane of on-street parking	20 feet

One lane of traffic without on-street parking** 12 feet

* Off-street parking areas must be provided and the prohibition of on-street parking must be identified along the cartway.

** The one-way direction of traffic must be identified along the cartway.

6. Access drive intersection separation requirements shall be as follows:
 - A. Access drive intersections shall be aligned with the intersections of existing access drives located on the opposite side of the street. If alignment is not possible, the intersections shall be offset at least two hundred (200') feet measured from the centerline for local streets and three hundred (300') feet for major streets.
 - B. Access drives located on the same side of the intersecting street shall be separated a distance of at least one hundred seventy five (175') feet measured from centerline to centerline along local streets and three hundred (300') feet measured from centerline to centerline along collector or arterial streets. Access drive intersections with other access drives within the site shall not be subject to such restrictions.
7. Wherever practical access drives shall be shared for adjoining users to minimize access drive intersections.
8. Adequate sight distance shall be provided at access drive intersections pursuant to the provisions of this Chapter 22.
9. The cartway of all access drives that are located within Township street rights-of-way shall be constructed to public street standards.
10. Vertical and horizontal alignment of access drives shall be designed to conform to street standards as stated in this Chapter 22 and to provide for safe and convenient movement of traffic within the developed site.
11. No single use or group of attached buildings or uses designed as a single unit shall have more than two (2) access drives.
12. Not more than two (2) lots may share one (1) access drive. Cross easements which address construction, maintenance and use of a shared access drive shall be required and are subject to review and approval by the Board.

§623. Driveways and Easements.

1. Access from a lot to a public street or highway shall be placed so that interference with adjacent street intersection traffic is prevented. Driveways and entrances shall be located a minimum of one hundred (100') feet from the street line of an intersecting street on the same side as the access and shall be designed in a manner conducive for safe ingress and egress. Exits shall be located on minor rather than major streets or highways. Driveways shall be at least ten (10') feet wide and where crossing a bridge, such bridge shall be at least twelve (12') feet wide.
2. No single use or group of attached buildings or uses designed as a single unit shall have more than two (2) driveways.

3. Not more than two (2) lots may share one (1) driveway. Cross easements which address construction, maintenance and use of a shared driveway shall be required and are subject to review and approval by the Board.
4. A driveway must be located in safe relationship to sight distance and barriers to vision. The driveway may not exceed a slope of five (5%) percent within twenty-five (25') feet of the street right-of-way lines. Where a driveway enters a bank through a cut, the shoulders of the cut may not exceed fifty (50%) percent in slope within twenty-five (25') feet of the point the driveway intersects the street right-of-way.
5. Driveways shall be graded to furnish safe and convenient access and parking.
6. Driveways between the existing paved cartway and the building setback line shall be paved with either asphalt or cement.
7. Driveways shall be no wider than twenty-four (24') feet.

§624. Alleys and Service Streets.

1. Alleys and service streets shall not be permitted in residential developments except by special permission of the Board. Where alleys and service streets are permitted in residential developments, they shall be twenty-five (25') feet wide, curbed and paved for a width of at least twelve (12') feet. No part of any dwelling, garage or other structure may be located within twenty (20') feet of the center line of a public alley.
2. Alleys and service streets serving commercial and industrial establishments and multi-family developments may be required if the Board deems necessary. Such alleys shall have a paved cartway of at least twenty (20') feet and right-of-way width of thirty (30') feet. Where necessary, corners shall have a radius of twenty (20') feet or a triangle using the chord of a fifteen (15') foot radius, cut back to permit safe use by large vehicles. If it is impossible for an alley to go through a block, the alley shall be provided with a turn-around at its closed end, of a design approved by the Township Engineer.

§625. Community Facilities.

1. In reviewing subdivision plans, the Board will consider the adequacy of existing or proposed community facilities to serve the additional dwellings proposed by the subdivision.
2. Applicants and the Board 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, play fields, and pedestrian/bicycle trails.
3. Areas provided or reserved for such community facilities should be adequate to provide for building sites, landscaping and off-street parking as appropriate to the use proposed. Such areas should be located in a manner to best serve the public likely to use the same and to incorporate, to the greatest extent, all topographical features.
4. Open spaces are subject to the provisions of Section 1220 of Chapter 27 and also Section 625.6 of this Chapter 22. Open space within Cluster Developments is further subject to Section 1114 of Chapter 27.

5. Recreation land is required in certain developments pursuant to Residential Site Capacity Determination, Appendix A.

In lieu of reserving areas for recreation, and upon agreement between the Board and the developer, the developer shall pay the Township a fee for each lot and/or dwelling unit, such fee to be established by resolution of the Board in conformance with the applicable provisions of the Municipalities Planning Code and Township Open Space, Recreation and Environmental Resources Plan.

6. Recreation Land shall meet the following standards:

- A. Land shall be suitable to serve the purpose of active recreation by reason of its size, shape, location, topography, and other natural features and shall be subject to approval of the Board. The Board may declare any land to be unsuitable for recreation purposes that does not meet the requirements of this subsection 6.

Examples of active recreation areas are athletic fields and hard-surfaced courts, pools, open turf areas, and apparatus areas.

- b. Land shall be easily and safely accessible from all areas of the development to be served and have suitable ingress and egress from a public roadway for maintenance equipment. However, no public roadways shall traverse the site(s).
- c. Land shall be contiguous and regular in shape.
- d. Land shall have suitable topography and soil conditions for use and development as a recreation area.
At least seventy-five percent (75%) of the reserved area shall have a slope of seven percent (7%) or less.
- e. Land shall be easily accessible to all essential utilities.
- f. Land shall be suitable for development as a particular type of active recreation facility, as categorized by the National Recreation and Park Association's National Park, Recreation and Open Space Standards and Guidelines, 1983, as amended.
- g. Land shall be designed and developed according to standards established by the National Recreation and Park Association upon agreement between the Board and the developer.

§626. Street Name Signs.

1. Street name signs shall be put at all intersections, naming all streets at each intersection, and shall be visible from both directions when approaching an intersection. Generally, the sign shall be parallel to the street that it is identifying.
2. Street name signs shall be mounted on a heavy post or standard that shall consist of a two (2") inch galvanized pipe, or equivalent, of sufficient length to allow the bottom of the sign to be eight (8') feet from the curb or ground final grade and long enough to allow at least three (3') feet to be embedded in a hole at least nine (9") inches in diameter, three (3') feet deep, and shall rest on a steel plate or flat stone at the bottom of the hole and have at least two and one-half (2½') feet of concrete poured around it and firmly tamped, taking care

that the post is plumb and is adequately braced while the concrete sets so that the post will be permanently plumb. Provision should be made on the embedded section of the post so that during the time when the concrete is setting or sometime later that it cannot be turned by the wind or other means, but shall remain rigid about its axis.

3. The remaining six (6") inches above the concrete can then be adequately backfilled with dirt and tamped.
4. The post shall be equipped with such standard rust-proofed hardware as to hold the nameplates rigidly in a proper and permanent position and to prevent swaying in the wind and also to prevent water from getting inside the post.
5. The signs themselves shall be of rust-proof materials such as aluminum and properly reinforced at the edge to have rigidity and stiffness. If they are of a material other than aluminum, such as steel or cast iron, they shall be adequately rust-proofed by bonderizing or other acceptable methods, prior to final painting. The backgrounds shall be white and the letters black or other acceptable contrasting colors. The finish shall be equivalent to baked enamel, and the letters shall be of spacing and proportions as recommended in one of the alphabets used by the U.S. Bureau of Public Roads. The letters shall have a minimum height of three and one-half (3½") inches, and shall have a reflecting surface.
6. All signs shall be positioned in a fashion to be seen at all times with a minimum of effort by both pedestrian and vehicular traffic, and as close to the side of the cartway or curb as practical, but no part shall extend beyond the edge of curb or cartway.
7. Street nameplates, standards, installation and location shall be approved by the Board.

§627. Semi-Detached and Attached Dwelling Units.

1. Diversity in appearance is a requirement for these dwelling types, and such structures must meet the following minimum standards:
 - A. Buildings cannot have a common roof line. Roof elevations must differ by at least twelve (12") inches per unit.
 - B. Buildings shall not have equal front yard setbacks. A minimum of a two (2') foot setback is required between individual or pairs of dwelling units.
 - C. The building facades must change in appearance through use of materials, color, width, and/or roof line.
2. These standards shall not apply to garden, mid-rise, or high-rise apartment buildings.

§628. Fire Protection.

1. Where fire hydrants cannot be provided to serve commercial, industrial and multi-family residential land developments due to the lack of public water supply or inadequate pressure, the Board may require the provision of water reservoirs for fire protection.
2. Prior to formal plan submission, local fire protection agencies shall be consulted as to the adequacy of available water supplies for the proposed development. The developer shall further consult with these agencies as to the type and capacity of any additional water supply required.

3. Provision of reservoirs controlling and utilizing storm water run-off shall be encouraged by the Board as a water supply for fire protection and may be required by the Board to be installed.
4. No building permit shall be issued prior to receipt of a fee as provided by resolution of the Board to be used for fire protection.
5. Adequate provision shall be made for access by fire fighting vehicles, which shall be reviewed by local fire protection agencies and approved by the Board.
6. Debris, rubbish, or other waste material resulting from grading or construction activities on the lot shall be removed from the lot prior to the issuance of a certificate of use and occupancy for the lot. No debris, rubbish, or waste material shall remain within an area covered by a performance guarantee after expiration of the guarantee or completion of the improvements, whichever is sooner.

§629. Access and Traffic Control.

1. Access and traffic control shall be in accordance with Section 1103 of Chapter 27.
2. A Traffic Impact Study shall be submitted with the preliminary plan when:
 - A. A residential subdivision or land development of fifty (50) or more lots and/or dwelling units is proposed.
 - B. A nonresidential subdivision of five (5) or more lots is proposed.
 - C. A nonresidential land development containing 40,000 square feet or more of floor area is proposed.
 - D. A nonresidential land development within one quarter (1/4) mile of an intersection involving an arterial road or two or more collector roads is proposed.

The Board reserves the right to require a traffic study for any subdivision or land development other than a minor subdivision, when it deems such a study necessary to adequately review the impact of the subdivision or land development on existing and proposed roads.

The Traffic Impact Study shall be prepared by a traffic engineer or traffic planner with verifiable experience in preparing such studies.

The study area shall be based on an understanding of existing traffic conditions at and near the site and encompass the area which is likely to be affected by the development. The study area limits and specific content of the study shall be agreed upon by the developer and the Board prior to performing the study.

3. A PennDOT accepted methodology shall be used for the Study.

§630. Mobile Home/Modular Home Parks.

1. Mobile home/modular home parks shall comply with all of the design standards and improvement requirements found in Parts 5 and 6 of this Chapter 22.

2. The submission, review, approval or disapproval and recording of any mobile home/modular home park shall be in accordance with the provisions of Parts 3 and 8 of this Chapter 22.
3. The Plan of any mobile home/modular home park shall comply with the requirements stated in Part 4 of this Chapter 22.
4. All mobile home/modular home parks shall comply with all applicable requirements listed in Section 309A of Chapter 27 and any other Township regulations, and shall meet all applicable requirements established by the Commonwealth of Pennsylvania.

§631. Erosion and Sedimentation Control.

1. There shall be no increase in discharge of sediment or other solid materials from the site as a result of storm water runoff.
2. Erosion and sedimentation control devices such as temporary vegetation/mulch, temporary sediment basins, permanent detention basins, diversion swales or berms, rock filter berms, silt fences, sediment filters, stone tire cleaners, etc. appropriate to the scale of operations shall be installed concurrent with earthmoving activities and whenever a situation is created which would contribute to increased erosion.
3. Earthmoving and the placement of fill shall not exceed that which is required for development of the site to its final use and shall preserve desirable natural features and the topography of the site. Changes in grade and topography and other earthmoving shall be in accordance with the storm and surface drainage plan prepared by the applicant and approved by the Board.
4. All earthmoving activities shall conform to the Rules and Regulations of the Pennsylvania Department of Environmental Protection, and the requirements of the Chester County Conservation District.
5. Stripping of vegetation, regrading or other development shall not promote erosion.
6. Land disturbance shall be limited to the actual construction site and an access strip. The extent of the area to be disturbed shall be minimized.
7. Permanent (final) vegetative and structural erosion control and drainage measures shall be installed.
8. Sediment in runoff water shall be trapped and removed through means to assure adequate capacity in the basins or traps.
9. Procedures for protecting soils or geologic structures with water supply potential from contamination by surface water or other disruption by construction activity shall be established and such areas shall include, at minimum, those underlain by carbonate limestone formations. The Board may require pollution control facilities to be provided on existing or proposed storm water management systems within or adjacent to the project site.
10. Provisions for protecting existing wells or other water supplies shall be established.

§632. Guide Rail.

1. Streets shall be designed to preclude or minimize the need for guide rail. The Board 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 as amended or replaced.
2. Fixed obstructions along streets which would require guide rail shall be precluded or minimized. The Board 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 as amended or replaced.
3. The design and selection of guide rail shall be in accordance with the standards in Design Manual Part 2 Highway Design, January 1990 edition as amended or replaced, however, the Board shall determine the suitability of all guide rail systems. The Board may require wooden guide rail when deemed appropriate because of the rural, historic, or scenic nature of an area.

PART 6A

RESOURCE CONSERVATION AND

OPEN SPACE DELINEATION STANDARDS

§633. Applicability.

The standards for resource conservation and open space delineation, as set forth in this Article, shall apply to all subdivision and land developments in West Sadsbury Township.

§634. Planning and Design Standards.

1. General Standards to Minimize Adverse Impacts. All subdivisions and land developments shall avoid or minimize adverse impacts on the municipality's natural, cultural and historic resources, as defined below.
2. Groundwater Resources. This section is intended to ensure that West Sadsbury Township's groundwater resources are protected for purposes of providing water supplies for its residents and businesses, and to protect the base flow of the Township's surface waters. These regulations shall be applied in conjunction with those provided for in other sections of this ordinance, dealing with groundwater conservation and replenishment.
 - A. The proposed subdivision and land development of any tract shall be designed to cause the least practicable disturbance to natural infiltration and percolation of precipitation to the groundwater table, through careful planning of vegetation and land disturbance activities, and the placement of streets, buildings and other impervious surfaces in locations other than those identified on the Existing Resources and Site Analysis Plan as having the greatest permeability where precipitation is most likely to infiltrate and recharge the groundwater.
 - B. All new development or expansion of existing development in West Sadsbury Township shall attempt to provide a non-negative hydrologic balance, pre-and post-development. Any reduction in the groundwater recharge resulting from the construction of new impervious surfaces, alteration of grading and drainage, loss of vegetation, construction of sanitary and storm sewers, and/or modification from any other pre-development condition, plus any groundwater consumed for water supply or other purposes, shall attempt to be compensated for by the increased infiltration of precipitation and wastewater effluent into the soil mantle. This recharge system shall utilize design and engineering standards and techniques approved by the Supervisors upon recommendations after review by the Township Engineer.
 - C. Pre-development and post-development water balance calculations must be made to determine the resultant impact on groundwater resources. Typically, the impact of changed site conditions must be estimated by using average rainfall, total disturbance acreage, and appropriate soil cover factors as applied in the "Cover-

Complex Method” developed by the Soil Conservation Service, or another method acceptable to the Township Engineer. This calculation will provide an estimate of increased stormwater runoff resulting from development and therefore the net reduction in groundwater recharge. The estimate shall be developed on an average annual basis, in inches and gallons. If groundwater withdrawals are being undertaken for water supply or other purposes, this quantity also must be considered as a debit for the groundwater system. The difference between the pre-development and post-development conditions equals the total debit which must be balanced through modifications to stormwater management techniques or to wastewater effluent application which mitigate the total loss of groundwater recharge, where possible.

3. Stream Valleys, Swales, Springs, and Other Lowland Areas. The Township’s *Open Space, Recreation and Environmental Resources Plan* describes and maps stream valleys (which include stream channels and flood plains), swales, springs and other lowland areas as resources that warrant restrictive land use controls because of flooding hazards to human life and property, their ground water recharge functions, their importance to water quality and the health of aquatic communities, and their wildlife habitats. They are generally poorly suited for on-site subsurface sewage disposal systems.

A. The following activities shall be minimized:

- (1) Disturbance to streams and drainage swales.
- (2) Disturbance to year-round wetlands, areas with seasonally high water tables, and areas of surface water concentration.
- (3) Because of their extreme limitations, stream valleys, swales and other lowland areas warrant designation as open space lands. They may also require adjoining buffer lands to be included in the open space, to be determined by an analysis of the protection requirements of such areas on a case-by-case basis. In certain instances, seasonal high water table soils may be excluded from the open space where it can be demonstrated that they are suitable for low density residential uses and conventional on-site sewage systems.

4. Woodlands. Woodlands are found throughout the Township, often in association with stream valleys and wet areas, poor and erodible agricultural soils, and moderate to steep slopes.

A. Woodland conditions within West Sadsbury Township vary with respect to species composition, age, stocking, and health. They range from relatively recent post-agricultural young stands to mature mixed-age forests. Most woodlands in the Township represent one or more of the following resource values:

- (1) As soil stabilizers, particularly on moderate to steep slopes, thereby controlling erosion into nearby streams, ponds, impoundments and roads. A closely related function is their enhancement of ground water recharge.
- (2) As a means of ameliorating harsh microclimatic conditions, in both summer and winter.

- (3) As a source of wood products, i.e., poles, sawtimber, veneer and firewood.
 - (4) As habitats for woodland birds, mammals and other wildlife.
 - (5) As recreation resources for walkers, equestrians, picnickers and other related outdoor activities.
 - (6) As visual buffers between areas of development and adjacent roads and properties.
- B. Because of their resource values, all woodlands on any tract proposed for subdivision or land development shall be evaluated by the applicant to determine the extent to which such woodlands should be designated partly or entirely as open space or development lands. Evaluation criteria shall include:
- (1) Configuration and size.
 - (2) Present conditions, i.e., stocking, health and species composition.
 - (3) Site potential, i.e., the site's capabilities to support woodlands, based upon its topographic, soil and hydrologic characteristics.
 - (4) Ecological functions: i.e., in protecting steep slopes, erodible soils, maintaining stream quality and providing for wildlife habitats.
 - (5) Relationship to woodlands on adjoining and nearby properties and the potential for maintaining continuous woodland areas.
- C. The evaluation of the tract's woodlands shall be undertaken by a forester, landscape architect, horticulturist or another qualified professional acceptable to the municipality. This evaluation shall be submitted as a report and made a part of the application for a preliminary plan. At a minimum, that report shall include one or more maps indicating boundaries and conditions of woodland areas accompanied by a report addressing the criteria in paragraph 1 above.
- D. In designing a subdivision and land development plan for any tract, the applicant shall be guided by the following standards:
- (1) Healthy woodlands exceeding one acre shall be preserved and designated as open space areas, to the maximum extent possible. Proposed site improvements shall be located, designed and constructed to minimize the loss or degradation of woodland areas.
 - (2) Subdivisions shall be designed to preserve woodlands along roadways, property lines and lines occurring within a site such as streams, swales, stone fences and hedgerows. Such lines and the native vegetation associated with them shall be preserved as buffers between adjacent properties and between areas being subdivided within a property. Preservation shall include ground, shrub, understory and canopy vegetation.
 - (3) Disturbance or removal of woodlands occupying environmentally sensitive areas shall be undertaken only when approved by the Board and on a limited, selective basis to minimize the adverse impacts of such actions. This shall include but not necessarily be limited to, vegetation performing

important soil stabilizing functions on wet soils, stream banks and sloping lands.

- (4) No clearing or earth disturbance (except for minimal disturbance needed to perform soil analysis for proposed sewage disposal systems) shall be permitted on a site before the completion of subdivision and land development agreements. The determination of sight distance clearances along roadways shall be made graphically and not by clearing on-site prior to final plan approval.

5. Upland Rural-Agricultural Areas. These areas comprise fields, pastures, meadows, and former agricultural areas in early stages of woodlands succession, with fences, stone walls, and hedgerows, typically bordered by stream valleys and upland woodlands. These comprise the Township's historic working landscape, dotted with historic houses, barns and other structures and give West Sadsbury Township much of its rural character. They also contain the greatest concentration of prime agricultural soils. Because of their openness and high visibility, development in these areas is likely to be most readily seen and disruptive to the historic landscape. They sometimes provide habitat for wildlife, in conjunction with nearby woodlands and stream valleys. However, it is recognized that these areas also frequently offer the fewest constraints for development.

- A. Several elements of these working landscapes lend themselves to incorporation into the Township's open space network. These include prime agricultural soils and natural features which visually punctuate the landscape, such as hedgerows, tree copses, stone walls, and visually prominent places such as knolls and hilltops.
- B. These areas can also accommodate development, with preferred locations being the non-prime agricultural soils and lower topographic settings where development will be visually less obtrusive. Compact clustered residential designs, with coordinated architectural and landscape architectural themes, are encouraged in highly visible locations where future development cannot be avoided (such as at the far edge of open fields).

6. Slopes. Moderately steep sloping lands fifteen percent to twenty-five percent (15% to 25%) and steeply sloping lands (over 25%) are prone to severe erosion if disturbed. Erosion and the resulting overland flow of soil sediments into streams, ponds and public roads, are detrimental to water quality and aquatic life, and a potential hazard to public safety.

- A. Areas of steep slope shall be preserved in accordance with the Zoning Ordinance and as required below.
- B. All grading and earthmoving on slopes exceeding fifteen percent (15%) shall be minimized.
- C. No site disturbance shall be allowed on slopes exceeding twenty-five percent (25%) except grading for a portion of a driveway accessing a single family dwelling when it can be demonstrated that no other routing which avoids slopes exceeding twenty-five percent (25%) is feasible.
- D. On slopes of fifteen percent to twenty-five percent (15% to 25%), the only permitted grading beyond the terms described above, shall be in conjunction with

the siting of a single family dwelling, its access driveway and the septic system (which should typically be designed with a long, narrow drainage field following the land contours.

- E. Grading or earthmoving on all sloping lands of fifteen percent (15%) or greater shall not result in earth cuts or fills whose highest vertical dimension exceeds six feet, except where in the judgment of the Board no reasonable alternatives exist for construction of roads, drainage structures and other public improvements, in which case such vertical dimensions shall not exceed twelve (12) feet. Roads and driveways shall follow the line of existing topography to minimize the required cut and fill. Finished slopes of all cuts and fills shall be as required to minimize disturbance of natural grades.
7. Significant Natural Areas and Features. Natural areas containing rare or endangered plants and animals, as well as other features of natural significance exist throughout West Sadsbury Township. Some of these features and areas have been carefully documented by the Pennsylvania Natural Diversity Inventory (PNDI), whereas for others, only their general locations are known. Subdivision applicants shall take all reasonable measures to protect significant natural areas and features either identified by the Township's Comprehensive Open Space and Recreation Recommendations Map found in the Township's *Open Space, Recreation and Environmental Resources Plan* or by the applicant's Existing Resources and Site Analysis Plan by incorporating them into proposed open space areas or avoiding their disturbance in areas proposed for development.
8. Historic Structures and Sites. West Sadsbury Township's documented historical resources begin with settlement in the early 18th century and extend through its colonial agricultural, residential and industrial development in the late 18th and 19th centuries. Many of the Township's historic structures and sites remain intact.
- A. All subdivisions and land developments shall comply with Part 8D of the Zoning Ordinance, "Historic Resource Impact Study and Mitigation."
 - B. Plans requiring subdivision and land development approval shall be designed to protect existing historic resources of all classes. The protection of an existing historic resource shall include the conservation of the landscape immediately associated with and significant to that resource, to preserve its historic context. Where, in the opinion of the Board, a plan will have an impact upon an historic resource, the developer shall mitigate that impact to the satisfaction of the Board by modifying the design, relocating proposed lot lines, providing landscape buffers, or other approved means.
 - C. Municipal participation, review and approval of the applicant's interaction with the Pennsylvania Historical and Museum Commission with regard to the preservation of historic resources, as required for DEP approval of proposed sewage disposal systems, shall be required prior to Final Plan approval.
9. Scenic Roads and Scenic Vistas. The Township's *Open Space, Recreation and Environmental Resources Plan* identifies a number of scenic roads in various parts of the municipality. All applications for subdivision and land development shall attempt to preserve the scenic visual corridors along such roads by incorporating them into open space

areas or otherwise providing for building setbacks and architectural designs to minimize their intrusion. In instances where such designs fail to satisfactorily protect corridors, applicants will be required to provide naturalistic landscape buffers to minimize their adverse visual impacts. The species specified for such buffers shall be selected on the basis of an inventory of tree and shrub species found in existing hedgerows and along wooded roadside edges in the vicinity of the development proposal.

10. Trails. When a subdivision or land development proposal is traversed by or abuts an existing trail customarily used by pedestrians and/or equestrians, the Board may require the applicant to make provisions for continued recreational use of the trail.
 - A. The applicant may alter the course of the trail within the tract for which development is proposed under the following conditions:
 - (1) The points at which the trail enters and exits the tract remain unchanged.
 - (2) The proposed alteration exhibits quality trail design according to generally accepted principles of landscape architecture (For example: Bureau of State Parks publication Non-Motorized Trails).
 - (3) The proposed alteration does not coincide with a paved road intended for use by motorized vehicles.
 - B. When trails are intended for public or private use, they shall be protected by a permanent conservation easement on the properties on which they are located. The width of the protected area in which the trail is located should be a minimum of ten (10) feet. The language of the conservation easement shall be to the satisfaction of the Board of Supervisors upon recommendation of the West Sadsbury Township Solicitor.
 - C. The land area permanently designated for trails for public use may be credited toward open space land requirements of Chapter 27, the West Sadsbury Township Zoning Ordinance.
 - D. An applicant may propose and develop a new trail. If said trail is available for use by the general public and connects with an existing trail, the land area protected for said trail may be credited toward the open space requirement described in the RLD, RMD and RU Zoning Districts of Chapter 27, the West Sadsbury Township Zoning Ordinance.
 - E. Trails shall be designed in accordance with the specifications of the Chester County Park and Recreation Department.
 - F. Trails shall have a vertical clearance of no less than ten (10) feet.
 - G. Width of the trail surface may vary depending upon type of use to be accommodated, but in no case shall be less than three (3) feet or greater than six (6) feet.
 - H. No trail shall be designed with the intent to accommodate motorized vehicles.

§635. Design Process For Residential Subdivisions With Open Space Lands.

1. Resource Inventory and Analysis. The tract's resources shall be delineated on an Existing Resources and Site Analysis Plan, as required in §402 and §403.
2. Four-Step Design Process. Following the resource inventory and analysis, all residential subdivisions with open space lands shall generally follow a four-step design process as described below. Applicants will be required to document the design process as described in §402.
 - A. Step 1: Delineation of Open Space Lands.
 - (1) Proposed open space lands shall be designated using the required density and open space calculations for the selected design option as set forth in the corresponding zoning district in Chapter 27, the West Sadsbury Township Zoning Ordinance. The Township's *Comprehensive Municipal Environmental Resources Map* and the *Open Space, Recreation and Environmental Resources Plan* shall also be referenced and considered.
 - (2) All lands deducted from the gross tract area to determine the Adjusted Tract Area (ATA), shall be delineated in their entirety as "Constrained Land."
 - (3) Class A Open Space lands shall consist of flood plains, wetlands, and slopes greater than twenty-five percent (25%), which are Primary Resource Conservation Areas. All Primary Resource Conservation Areas shall be contained within the open space lands.
 - (4) Class B Open Space lands shall consist of all other resources contained in the Constrained Land calculation, and are considered Secondary Resource Conservation Areas.
 - (5) The locations and boundaries of Primary Resource Conservation Areas shall follow the actual boundaries of floodplains, wetlands and slopes.
 - (6) The locations and boundaries of Secondary Resource Conservation Areas shall be based upon the applicant's analysis of the tract's resource features, using the design standards in Section 403. The applicant shall also be guided by any written recommendations provided by the municipality regarding the delineation of Secondary Resource Conservation Areas lands, following the Site Inspection or the Pre-Sketch Conference.
 - (7) Development areas constitute the remaining lands of the tract outside of the designated open space areas, where house sites, streets and lots are to be delineated in accordance with steps 2, 3 and 4 below.
 - B. Step 2: Location of House Sites.
 - (1) Applicants shall identify house site locations in the tract's designated development areas, designed to: fit the tract's natural topography, served by adequate water and sewerage facilities, and provide views of and access to adjoining open space areas (without encroaching upon them in a manner visually intrusive to users of such areas). House sites shall be located no closer than one hundred (100) feet and fifty (50) feet from Primary Resource and Secondary Resource Conservation Areas, respectively.

C. Step 3: Alignment of Streets and Trails.

- (1) After house site locations have been identified, applicants shall delineate a street system to provide vehicular access to each house in a manner conforming to the tract's natural topography and providing for a safe pattern of circulation and ingress and egress to and from the tract.
- (2) Streets shall avoid or at least minimize adverse impacts on the open space areas. Wetland crossings and new streets or driveways traversing slopes over fifteen percent (15%) shall be avoided.
- (3) Street connections shall generally be encouraged to minimize the number of new cul-de-sacs to be maintained by the municipality and to facilitate easy access to and from homes in different parts of the tract (and on adjoining parcels).
- (4) A tentative network of trails shall also be shown, connecting streets with various natural and cultural features in the conserved greenway lands. Potential trail connections to adjacent parcels shall also be shown, in areas where a municipal trail network is envisioned.

D. Step 4: Design of Lot Lines.

Lot lines for the subdivision shall be drawn as the last step in the design procedure. They should follow the configuration of house sites and streets in a logical and flexible manner.

§636. Open Space Design Review Standards.

1. Prioritized List of Resources to be Conserved. The design of open space lands in any subdivision or land development plan shall reflect the standards set forth in Section 601, and, to the fullest extent possible, incorporate any of the following resources if they occur on the tract (listed in order of significance):
 - A. Stream channels, floodplains, wet soils, swales, springs and other lowland areas, including adjacent buffer areas which may be required to insure their protection.
 - B. Significant natural areas of species listed as endangered, threatened, or of special concern, such as those listed in the Pennsylvania Natural Diversity Inventory.
 - C. Moderate to steep slopes, particularly those adjoining water courses and ponds, where disturbance and resulting soil erosion and sedimentation could be detrimental to water quality.
 - D. Healthy woodlands, particularly those performing important ecological functions such as soil stabilization and protection of streams, wetlands and wildlife habitats.
 - E. Areas where precipitation is most likely to recharge local groundwater resources because of topographic and soil conditions affording high rates of infiltration and percolation.
 - F. Hedgerows, groups of trees, large individual trees of botanic significance, and other vegetational features representing the site's rural past.

- G. Class I, II and III agricultural soils as defined by the U.S. Department of Agriculture, Soil Conservation Service.
 - H. Historic structures and sites.
 - I. Visually prominent topographic features such as knolls, hilltops and ridges, and scenic viewsheds as seen from public roads (particularly those with historic features).
 - J. Existing trails connecting the tract to other locations in the municipality.
2. Other Design Considerations. The configuration of proposed open space lands set aside for common use in residential subdivisions shall comply with the following standards:
- A. They shall be free of all structures except historic buildings, stone walls, and structures related to open space uses. The Board may grant approval of structures and improvements required for storm drainage, sewage treatment and water supply within the open space provided that such facilities would not be detrimental to the open space (and that the acreage of lands required for such uses is not credited towards minimum open space acreage requirements for the tract, unless the land they occupy is appropriate for passive recreational use).
 - B. They shall not include parcels smaller than three (3) acres, have a length-to-width ratio of less than 4:1, or be less than seventy-five (75) feet in width, except for such lands specifically designed as neighborhood greens, playing fields or trail links.
 - C. They shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjointing lots shall be provided with safe and convenient pedestrian access to open space land.
 - D. They shall be suitable for active recreational uses to the extent deemed necessary by the Board, without interfering with adjacent dwelling units, parking, driveways, and roads.
 - E. They shall be interconnected wherever possible to provide a continuous network of open space lands within and adjoining the subdivision.
 - F. They shall provide buffers to adjoining parks, preserves or other protected lands.
 - G. Except in those cases where part of the open space area is located within private houselots, they shall provide for pedestrian pathways for use by the residents of the subdivision. Consideration shall be given to providing for public access on such trails if they are linked to other publicly-accessible pathway systems within the municipality. Provisions should be made for access to the open space lands, as required for land management and emergency purposes.
 - H. They shall be undivided by public or private streets, except where necessary for proper traffic circulation.
 - I. They shall be suitably landscaped either by retaining existing natural cover and wooded areas and/or according to a landscaping plan to protect open space resources.

- J. They shall be made subject to such agreement with the municipality and such conservation easements duly recorded in the office of the Chester County Recorder of Deeds as may be required by the Board for the purpose of preserving the common open space for such uses.
 - K. They shall be consistent with the municipality's *Comprehensive Plan* and its *Open Space, Recreation and Environmental Resources Plan*.
3. Ownership and Maintenance. Applicants shall demonstrate compliance with open space ownership and maintenance standards in Part 11B of the Zoning Ordinance.

§637. Resource Conservation Standards for Site Preparation and Cleanup.

- 1. Conservation Practices During Site Preparation and Clean-Up.
 - A. Protection of Vegetation from Mechanical Injury. Where earthwork, grading, or construction activities will take place in or adjacent to woodlands, old fields or other significant vegetation or site features, the Board may require that the limit of disturbance be delineated and vegetation protected through installation of temporary fencing or other approved measures. Such fencing shall be installed prior to commencing of and shall be maintained throughout the period of construction activity.
 - B. Protection of Vegetation from Grading Change. Grade changes to occur at any location of the property shall not result in an alteration to soil or drainage conditions which would adversely affect existing vegetation to be retained following site disturbance, unless adequate provisions are made to protect such vegetation and its root systems.
 - C. Protection of Vegetation from Excavations
 - (1) When digging trenches for utility lines or similar uses, disturbances to the root zones of all woody vegetation shall be minimized.
 - (2) If trenches must be excavated in the root zone, all disturbed roots shall be cut as cleanly as possible. The trench shall be backfilled immediately following installation of the utility line.
 - D. Protection of Topsoil
 - (1) No topsoil shall be removed from the site.
 - (2) Prior to grading operations or excavation, topsoil in the area to be disturbed shall be removed and stored on site.
 - (3) Topsoil removed shall be redistributed and stabilized immediately following the establishment of required grades for a project or project phase. All exposed earth surfaces shall be stabilized by hydroseeding on slopes of less than ten percent (10%), and by sodding, hydroseeding, or rip-rap on slopes exceeding ten percent (10%).

- (4) Grading and earthmoving operations shall be scheduled to minimize site disturbance during the period from November 1 to April 1, when revegetation of exposed ground is difficult.

PART 7

MODIFICATION AND/OR WAIVER OF REQUIREMENTS AND STANDARDS

§701. Roads.

Standards for roads included in this Chapter 22 are intended to provide for safe and intelligent layout of streets which can be easily maintained. There are several aspects which may lead to varying the size or design of specific streets.

1. Road Width.

A. Where a street is designed as a minor residential street and overflow parking is provided, a reduction in width may be permitted.

B. Where a street is utilized for residential parking, an increase in width will be required.

2. Right-of-Way Width. Right-of-way width is intended to provide enough land for roads, sidewalks, or other utilities. Secondly, it is intended to provide an additional buffer between homes and streets. Where sidewalks are not constructed along streets, cartway widths may be reduced where utilities are located outside of the right-of-way, or where houses do not front on the street, a reduction in the width of the right-of-way may be permitted.

3. Curbs. Curbs are used to channel water to storm water systems and to keep cars in the cartway. In low-intensity developments, natural drainage should be encouraged. The soils and topography will be considered. Swales should be saucer-shaped in profile and seeded to prevent erosion.

4. Design Speed. In the case of local streets, the Board may allow a design speed less than thirty (30) miles per hour, provided the street will be posted with a maximum speed limit no greater than the design speed. Horizontal and vertical alignment of the street shall correspond to AASHTO standards for the permitted design speed.

§702. Sidewalks.

Sidewalks are intended to provide a safe means of movement for pedestrians. Modern design practice encourages placing sidewalks away from streets. In doing so, the function of sidewalks must be kept in mind. First, the walks must be all-weather and easily cleared of snow. Second, they must be convenient and facilitate their intended use, such as children walking to school bus stops. Where deemed appropriate by the Board, one or both sidewalks within street rights-of-way may be eliminated.

PART 8

CONSTRUCTION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS

§801. Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.

1. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be otherwise required by this Chapter 22 and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by this Chapter 22 have been installed in accordance with this Chapter 22. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees otherwise required by this Chapter 22, the developer may deposit with the Township of West Sadsbury financial security in an amount sufficient to cover the costs of such improvements or common amenities including basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required.
2. When requested by the developer, in order to facilitate financing, the Board, shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within ninety (90) days unless a written extension is granted by the Board; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.
3. Without limitation as to other types of financial security which the Board may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this Part 8.
4. Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
5. Such bond, or other security shall provide for, and secure to the public the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.
6. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110%) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer. Annually, the Board may adjust the amount of the financial security by

comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Board may require the developer to post additional security in order to assure that the financial security equals said one hundred ten (110%) percent. Any additional security shall be posted by the developer in accordance with this Part 8.

7. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost including an allowance and line item for removal of rock that may be encountered during construction. The Board, upon the recommendation of the Township engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Board are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Board and the applicant or developer. The estimate certified by the third (3rd) engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third (3rd) engineer is so chosen, fees for the services of said engineer shall be paid equally by the Board and the applicant or developer.
8. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10%) percent for each one (1) year period beyond the first anniversary date from posting of financial security or to an amount not exceeding one hundred ten (110%) percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above bidding procedure.
9. In the case where development is projected over a period of years, the Board may authorize submission of final plats by sections or stages of development subject to such requirements or guarantees as to improvements in future section or stages of development as it finds essential for the protection of any finally approved section of the development.
10. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board, and the Board shall have forty-five (45) days from receipt of such request within which to allow the Township engineer to certify, in writing, to the Board that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Board shall authorize release by the bonding company or lending institution of an amount as estimated by the Township engineer fairly representing the value of the improvements completed or, if the Board fails to act within said forty-five (45) day period, the Board shall be deemed to have approved the release of funds as requested. The Board may, prior to final release at the time of completion and certification

by its engineer, require retention of ten (10%) percent of the estimated cost of the aforesaid improvements.

11. Where the Board accepts dedication of all or some of the required improvements following completion, the Board may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.
12. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township of West Sadsbury, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Part 8.
13. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Part 8, the Board shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

§802. Construction.

All streets, storm drains, sewers and sewer laterals, water mains and services, monuments, street signs and other public improvements required shall be installed in accordance with the approved plans, the applicable regulations of the Pennsylvania Department of Transportation Specifications, Form 408, dated 1976, or the latest revision thereof, or other applicable regulations. The construction or installation of all public improvements shall, at all times, be subject to inspection by a designated representative of the Township. If such inspection reveals that work is not in accordance with approved plans and specifications or that construction is not being done in a workmanlike manner, said representative is empowered to stop work and/or to require corrections to be made. The developer shall notify the Board of the schedule of anticipated road or other improvement construction and upon completion of subgrade, base course and surface course.

§803. Release from Improvement Bond.

1. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township engineer. The Board shall, within ten (10) days after receipt of such notice, direct and authorize the Township engineer to inspect all of the aforesaid improvements. The Township engineer shall, thereupon, file a report in writing, with the Board, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township engineer of the aforesaid authorization from the Board; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township engineer, said report shall contain a statement of reasons for such nonapproval or rejection.
2. The Board shall notify the developer, within fifteen (15) days of receipt of the engineer's report, in writing by certified or registered mail of the action of said Board with relation thereto.
3. If the Board or the Township engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to its performance guaranty bond or other security agreement.
4. If any portion of the said improvements shall not be approved or shall be rejected by the Board, the developer shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.
5. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise, any determination of the Board or the Township engineer.
6. Where herein reference is made to the Township engineer, he shall be as a consultant thereto.
7. The applicant or developer shall reimburse the Township of West Sadsbury for the reasonable and necessary expense incurred for the inspection or improvements according to a schedule of fees adopted by resolution of the Board and as from time to time amended. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township engineer or consultant 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 or consultant to the Township of West Sadsbury when fees are not reimbursed or otherwise imposed on applicants.
 - A. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within ten (10) working days of the date of billing, notify the Board that such expenses are disputed as unreasonable or unnecessary, in which case the Board shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the applicant's request over disputed engineer expenses.

- B. If, within twenty (20) days from the date of billing, the Board and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and the Board shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
- C. The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.
- D. In the event that the Board and applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township of West Sadsbury is located (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such engineer, who, in that case, shall be neither the Township engineer nor any professional engineer who has been retained by, or performed services for, the Township of West Sadsbury or the applicant within the preceding five (5) years.
- E. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one thousand (\$1,000) dollars or more, the Township of West Sadsbury shall pay the fee of the professional engineer, but otherwise the Township of West Sadsbury and the applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

§804. Remedies to Effect Completion of Improvements.

In the event that any improvements which may be required have not been installed as provided in this Chapter 22 or in accord with the approved final plat the Board is hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If the proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

§805. As-Built Plans.

Within thirty (30) days after completion and approval by the Board of public improvements, as shown on the Final Plans, and before acceptance of such public improvements, the applicant shall

submit to the Board a corrected copy of said Plans, showing actual dimensions and conditions of streets and all other improvements by the applicant to be in accordance with actual construction.

§806. Dedication and Acceptance of Public Improvements.

Upon completion of any public improvements shown on an approved Final Plan, the Board may require that a developer offer such public improvements for dedication. In such a case, the developer shall prepare a deed of dedication and forward same to the Secretary of the Township for review by the Solicitor. Deeds of Dedication for public improvements may be accepted by resolution of the Board at a regular meeting thereof.

§807. Recording Plats and Deeds.

1. Upon the approval of a final plat, the developer shall within ninety (90) days of such final approval record such plat in the office of the recorder of deeds of Chester County. The recorder of deeds shall not accept any plat for recording unless such plat officially notes the approval of the Board, and review by the county planning agency.
2. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.
3. After a plat has been approved and recorded as provided in this Chapter 22, all streets and public grounds on such plat shall be, and become, a part of the official map of the Township of West Sadsbury without a public hearing.

PART 9

ADMINISTRATION

§901. Preventive Remedies.

1. In addition to other remedies, the Board 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.
2. The Board may refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Chapter 22. 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 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.
3. 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 Board 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.

§902. Enforcement Remedies.

1. Any person, partnership or corporation who or which has violated the provisions of this Chapter 22 shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township of West Sadsbury, pay a judgment of not more than one thousand (\$1,000.00) dollars plus all court costs, including reasonable attorney fees incurred by the Township of West Sadsbury as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township of West Sadsbury 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 this Chapter 22 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 (5th) 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.

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township of West Sadsbury the right to commence any action for enforcement pursuant to this Section.
4. District justices shall have initial jurisdiction in proceedings brought under this Section.

§903. Reconsideration.

Any applicant aggrieved by a finding, decision, or recommendation of the Board may request and receive opportunity to appear before the Board, present additional relevant information and request reconsideration of the original finding, decision, or recommendation.

§904. Modifications.

1. The Board may grant a modification of the requirements of one (1) or more provisions of this Chapter 22 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 this Chapter 22 is observed.
2. 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 this Chapter 22 involved and the minimum modification necessary.
3. The request for modification shall be referred to the West Sadsbury Township Planning Commission for advisory comments.
4. The Board shall keep a written record of all action on all requests for modifications.

§905. Appeal.

Upon exhaustion of all administrative remedies, a subdivider may appeal an adverse decision of the Board to the Courts.

§906. Records.

The Township shall maintain an accurate public record of all the plans upon which it takes action and of its findings, decisions and recommendations in relation thereto.

§907. Inspections.

The Board shall require inspections to be made to determine whether construction is proceeding in accordance with the approved Plan. At a minimum, six (6) inspections shall be made at the following stages of construction:

1. Excavation and completion of subgrade.
2. Completion of drainage structures.
3. Completion of sub-base course.
4. Completion of base course.
5. Installation of wearing surface.
6. Final.

§908. Official Map.

After a Plan has been approved and recorded, all streets and public grounds on such Plan shall be and become a part of the Official Map of the Township without public hearing.

Appendix A

Residential Site Capacity Determination

§A1. General.

In order to promulgate the objectives of the West Sadsbury Township Comprehensive Plan, this Chapter 22 requires that prior to development of any tract or parcel of land a determination be made as to the intensity of development appropriate for the site.

These regulations shall apply to any tract or parcel of land or fraction thereof under single ownership as of the effective date of this Chapter 22.

§A2. Base Site Area.

Certain portions of tracts may not be usable for the proposed activities and shall be subtracted from the site area to determine the Base Site Area:

- | | | | |
|----|---|-------|-----|
| 1. | Site Area as determined by survey: | _____ | Ac. |
| 2. | Subtract land which is not contiguous: | _____ | Ac. |
| | A. A separate parcel which does not abut or adjoin the development. | _____ | Ac. |
| | B. Land which is cut off from the main parcel by a road, railroad, existing land use, or so that it is isolated and unavailable for development purposes: | _____ | Ac. |
| 3. | Subtract land previously reserved as permanent open space: | _____ | Ac. |
| 4. | Subtract land used or zoned for another use | _____ | Ac. |
| 5. | Equals Base Site Area | | |

§A3. Resource Protection Land.

All land within the base site area shall be mapped and measured for the purpose of determining the amount of open space needed to protect it.

RESOURCE	Open Space Ratio	Acres of Land in Resource	Resource Protection Land (Acres in Resource X Open Space Ratio)
Floodplains	1.00		
Floodplain soils	1.00		
Streams	1.00		
Lakes or ponds	1.00		
Wetlands	1.00		
Limestone	0.90 +		
Steep Slope (25% or more)	0.90		
Woodland	0.66*		
Agricultural soil	0.80		
Pond shore	0.80		
Lake shore	0.80		
Steep slope (15% to 25%)	0.80		
1. Total Acres of Land in All Resources		_____	Ac.
2. Total Acres of Resource Protection Land		_____	Ac.

+ See §802.12 of Chapter 27.

* Unless a smaller ratio is approved by the Board as a conditional use.

◆ 1.00 in the case of the AG-Agricultural District, except as noted in §347 of Chapter 27.

§A4. Recreation Land.

While some of the open space required may be resource protection land, the intent of this §903 is to provide for usable public or common open space as near to each residential unit as possible. Thus, there is a need for specific guidelines insuring that a minimum amount of land not restricted by §901 and §902 is retained for this purpose.

1.	Base Site Area as determined under §A2:	_____	Ac.
2.	Subtract total land with resource restrictions as determined under §A2:	_____	Ac.
3.	Equals Total Unrestricted Land	_____	Ac.
4.	Multiply total unrestricted land by one of the following as applicable:	_____	
	A. 0.10 for residential developments wherein the net lot area of the lots is less than one (1) acre or utilizing attached or semi-detached dwellings	_____	x
5.	Equals Total Recreation Land		Ac.

§A5. Determination of Site Capacity.

Individual site capacity is found by calculating the net buildable site area. The number of allowable dwelling units is determined by multiplying the net buildable site area by the permitted dwelling unit density.

1.	Base Site Area as determined under §A2:	_____	Ac.
2.	Subtract Resource Protection land as determined under §A3:	_____	Ac.
3.	Subtract Recreation Land as determined under §A4:	_____	Ac.
4.	Equals Net Buildable Site Area	_____	Ac.
5.	Multiply Net Buildable Site Area by the appropriate dwelling unit density provided for in the applicable zoned district.	x _____	Ac.
6.	Equals Total Number of Dwelling Units Permitted (Do not round off.)	_____	D.U.

Appendix B

Industrial/Commercial Site Capacity Determination

§B1. General.

In order to promulgate the objectives of the West Sadsbury Township Comprehensive Plan, this Chapter 22 requires that prior to development of any tract or parcel of land, a determination be made as to the intensity of development appropriate for the site.

These regulations shall apply to any tract or parcel of land or fraction thereof under single ownership as of the effective date of this Chapter 22.

§B2. Calculation of Site Capacity.

The formula for determining Site Capacity shall be as set forth in Part 9B of the West Sadsbury Township Zoning Ordinance.

Appendix C

Application for Plan Review

**West Sadsbury Township
Chester County, Pennsylvania**

Level of plan submission:

Sketch _____
Preliminary _____
Final _____

Date of Plan Submission:

The undersigned hereby applies for review by the West Sadsbury Township Planning Commission and approval by the West Sadsbury Township Board of Supervisors of the plan submitted herewith and described below:

1. Name of proposed subdivision, land development, or street: _____

Plan Date: _____
Most recent revision date: _____
2. Name of property owner: _____
Address: _____
Telephone: _____
3. Name of applicant: _____
Address: _____
Telephone: _____
4. Person responsible for preparation of the plan: _____
Drawing Number(s) _____
5. Proposed public improvements (if any): _____

6. Intended use (check all that are applicable):

_____ Single Family _____ Commercial _____ Easement
_____ Multi-Family _____ Industrial _____ Recreational
_____ Other (specify) _____

7. Zoning: _____

Existing Zoning: _____

Proposed zoning changes (if any): _____

8. Also submitted herewith are the following items:

Plan review fee in the amount of: \$ _____

Other items: _____

The undersigned hereby certifies that, to the best of his knowledge and belief, all information and statements contained herein and in any papers or plans submitted herewith are true, correct, and complete.

As part of this application for plan approval, the applicant agrees to pay to the Township of West Sadsbury such fees and expenses as said Township may be required to incur for the services of inspectors, engineers, or other consultants in investigation, tests, and advising the Board of Supervisors in relation to the acceptance of public improvements.

Signature of applicant

Date

Appendix D

Recommended Certificates and Acknowledgments

The following certificates and acknowledgments are to appear on the Final Plan, as applicable:

1. Certification by engineer, surveyor or landscape architect that the survey and plan are correct:

A. I certify that this survey and plat are correct _____.

B. A seal which includes the name of the engineer, surveyor, or landscape architect.

2. Certification of ownership and acknowledgment of Subdivision and Land Development Plans:

On this, the _____ day of _____, 20____, before me, the undersigned officer, personally appeared _____, who being duly sworn according to law, deposes and says that he is the owner and/or equitable owner of the property shown on this plan, and that he acknowledges that same to be his act and plan and desires the same be recorded as such according to law.

Witness my hand and seal the day and date above written. My commission expires:

(Notary Public or other officer)

3. The Offer of Dedication:

We the undersigned, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and hereby lay off, plat and subdivide, said real estate in accordance with this plat, and that all proposed streets and alleys shown and not heretofore dedicated, are hereby dedicated to the public use. We, the undersigned, do hereby agree that said dedication must be approved by the Board of Supervisors of West Sadsbury Township.

4. Certificate for County Planning Commission.

Reviewed by the Chester County Planning Commission on _____,
20____.

5. Certificate for Municipality.

A. Municipality:

Approved by of the Board of Supervisors of West Sadsbury this _____ day
of _____, 20____.

Chairman

Vice Chairman

Secretary

B. Municipal Planning Commission

Approved by the West Sadsbury Township Planning Commission this _____ day of
_____, 20____.

Chairman

Secretary

C. Municipal Engineer

Approved by:

West Sadsbury Township Engineer

Date

6. Where the lot sizes are based on the availability of a public water supply and sewerage disposal system, the following certificates shall be used:

A. Water:

It is hereby certified that the final plan known as (Name of Subdivision or Land Development) has been examined by the (Name of the Company or Authority) and that approval is hereby given for the provision of water to all lots in this development by the (Name of Company or Authority)

(Signature of Engineer or Officer,
Company or Authority)

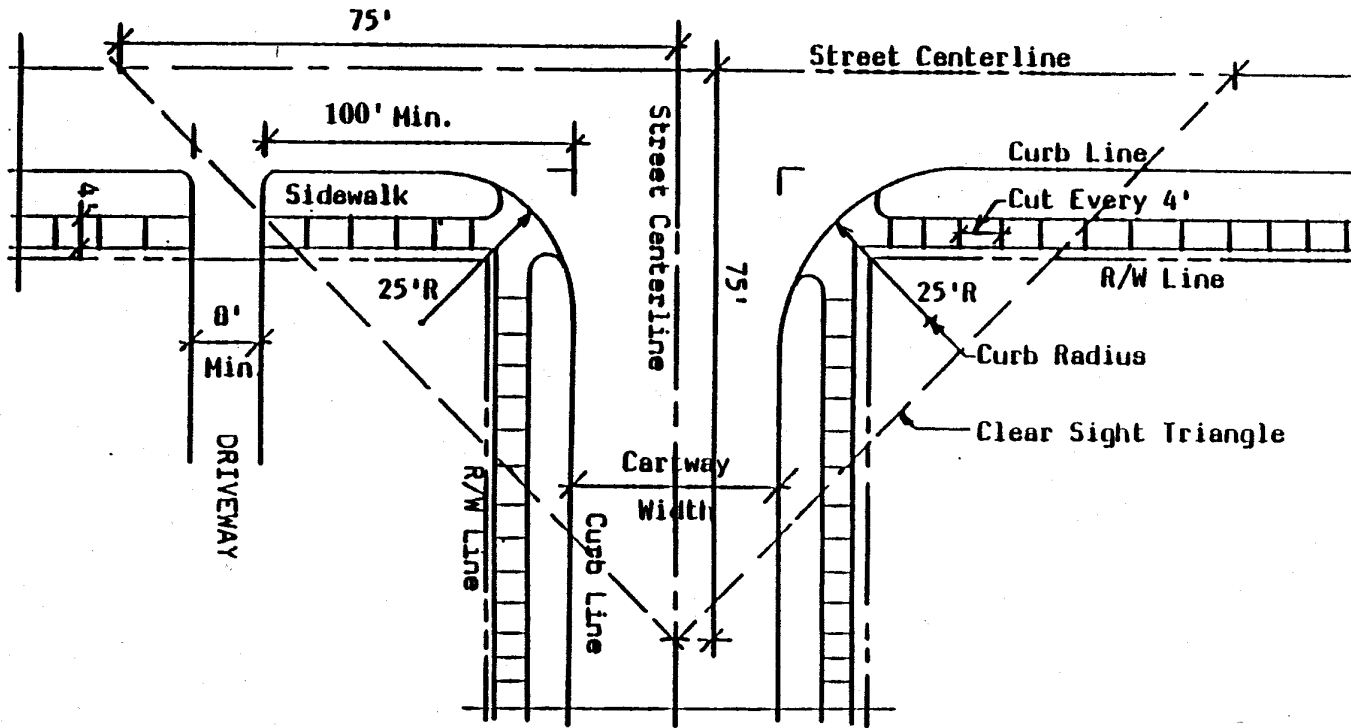
B. Sewer:

It is hereby certified that the final plan known as (Name of Subdivision or Land Development) has been examined by the (Name of Company or Authority) and that approval is hereby given for the provision of sanitary sewer facilities to all lots in this development by the (Name of Company or Authority).

(Signature of Engineer or Officer,
Company or Authority)

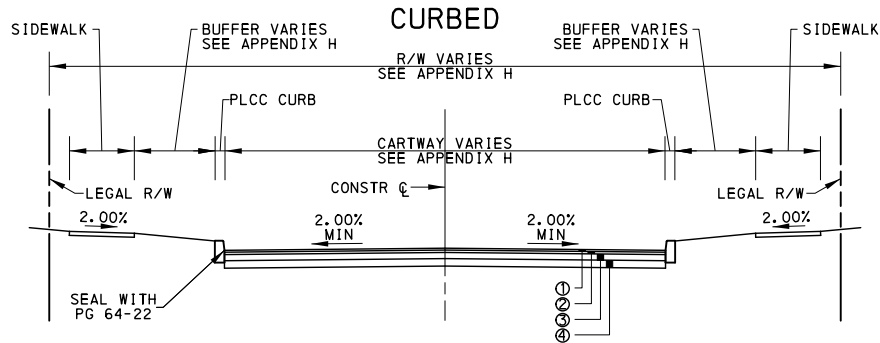
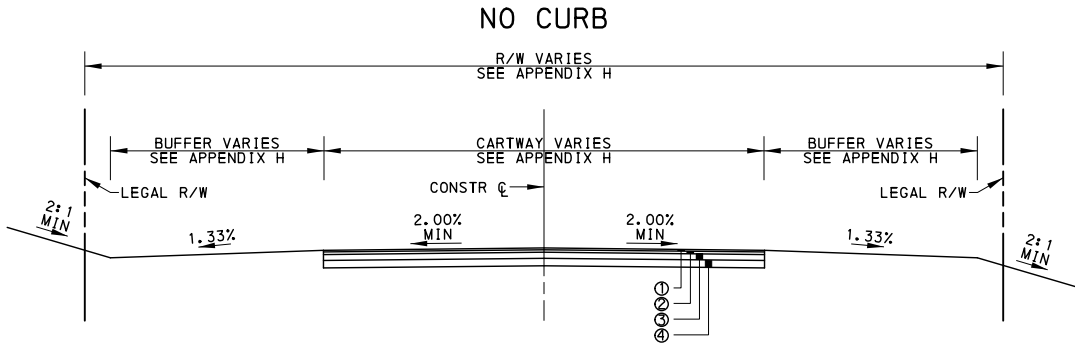
Appendix E

Road Construction Standards – Typical Intersection Plan



TYPICAL INTERSECTION PLAN

APPENDIX F - WEST SADSBUY TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ROAD CONSTRUCTION STANDARDS



ARTERIAL ROAD TYPICAL SECTION

- ① 1.5" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 9.5mm, PG 64-22, WMA WEARING COURSE, 3 - <10 M ESALS, SRL-H
- ② 2.5" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 19mm, PG 64-22, WMA BINDER COURSE, 3 - <10 M ESALS
- ③ 8" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 25mm, PG 64-22, WMA BASE COURSE, 3 - <10 M ESALS
- ④ 8" 2A SUBBASE

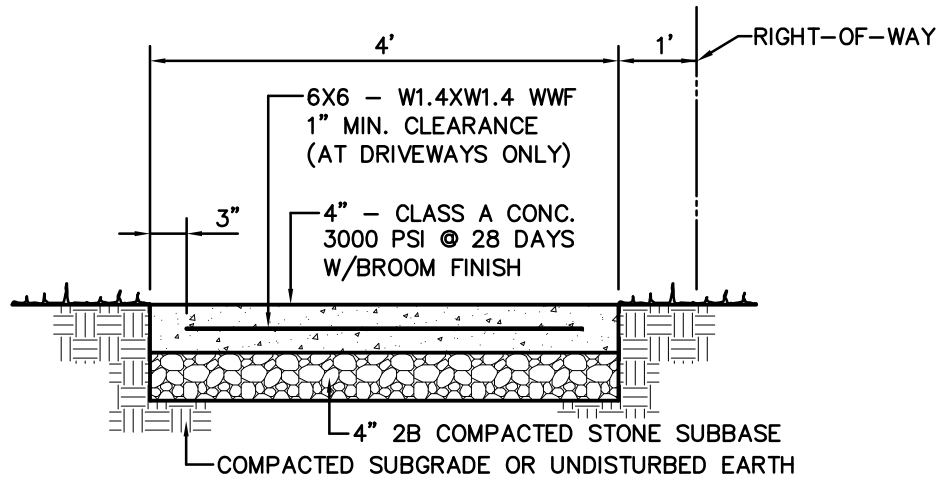
COLLECTOR ROAD TYPICAL SECTION

- ① 1.5" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 9.5mm, PG 64-22, WMA WEARING COURSE, 3 - <10 M ESALS, SRL-H
- ② 2.5" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 19mm, PG 64-22, WMA BINDER COURSE, 3 - <10 M ESALS
- ③ 6" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 25mm, PG 64-22, WMA BASE COURSE, 3 - <10 M ESALS
- ④ 6" 2A SUBBASE

LOCAL ROAD TYPICAL SECTION

- ① 1.5" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 9.5mm, PG 64-22, WMA WEARING COURSE, 0.3-3 M ESALS, SRL-H
- ② N/A
- ③ 4" SUPERPAVE VOLUMETRIC ASPHALT MIXTURE DESIGN, 25mm, PG 64-22, WMA BASE COURSE, 0.3-3 M ESALS
- ④ 6" 2A SUBBASE

APPENDIX G



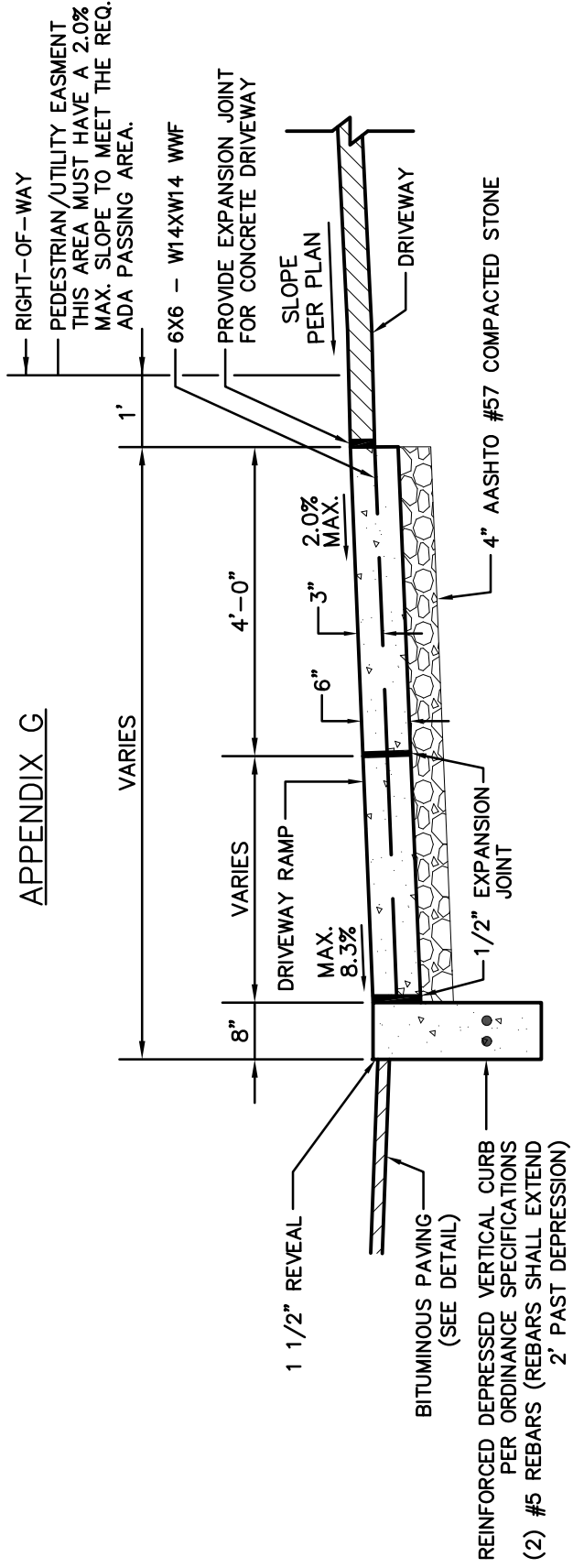
NOTES:

1. ONE-HALF (1/2) INCH EXPANSION JOINTS FOR FULL DEPTH OF THE SIDEWALK (RUBBERIZED MATERIAL) 20 FT. O.C. MAX.
2. SLABS SHALL BE SCORED (TRAVERSE DUMMY JOINTS) EVERY FIVE (5) FEET O.C. APPROXIMATE 1/8" WIDE AND AT LEAST 1" DEEP.
3. ALL SIDEWALKS TO HAVE A 2% MAXIMUM CROSS SLOPE.
4. SIDEWALK DEPTH SHALL BE 6" AT ALL DRIVEWAY LOCATIONS.
5. SIDEWALK TO BE LIGHT BROOM FINISHED IN DIRECTION OF SIDEWALK WIDTH.
6. FORM OUTSIDE EDGES AND JOINTS WITH A 1/4-INCH RADIUS-EDGING TOOL.
7. CURB RAMPS AS REQUIRED AND WHERE INDICATED, CONSTRUCT CEMENT CONCRETE SIDEWALK FOR CURB RAMP CONFIGURATIONS AS INDICATED ON THE MOST CURRENT STANDARD DRAWINGS (RC-67M) AND ADA REQUIREMENTS, EXCEPT FOR THE DETECTABLE WARNING SURFACE (DWS) LOCATED AT THE BOTTOM OF EACH RAMP. CONSTRUCT THE DWS AS SPECIFIED IN SECTION 695 IN PUBLICATION 408.
8. DO NOT REMOVE SIDE FORMS UNTIL AT LEAST 12 HOURS AFTER PLACING CONCRETE. AFTER REMOVAL OF FORM, FILL MINOR HONEYCOMBED AREAS WITH MORTAR.
9. SIDEWALK SHALL BE A MINIMUM OF 4 FEET WIDE UNLESS EXISTING SIDEWALK IS WIDER, THEN SIDEWALK SHALL MATCH EXISTING SIDEWALK.
10. PROVIDE MATERIALS AND CONSTRUCTION MEETING THE REQUIREMENTS OF PENNDOT PUBLICATION 408. THIS INCLUDES MEETING AMBIENT TEMPERATURE REQUIREMENTS FOR CONCRETE PLACEMENT.

TYPICAL CONCRETE SIDEWALK DETAIL

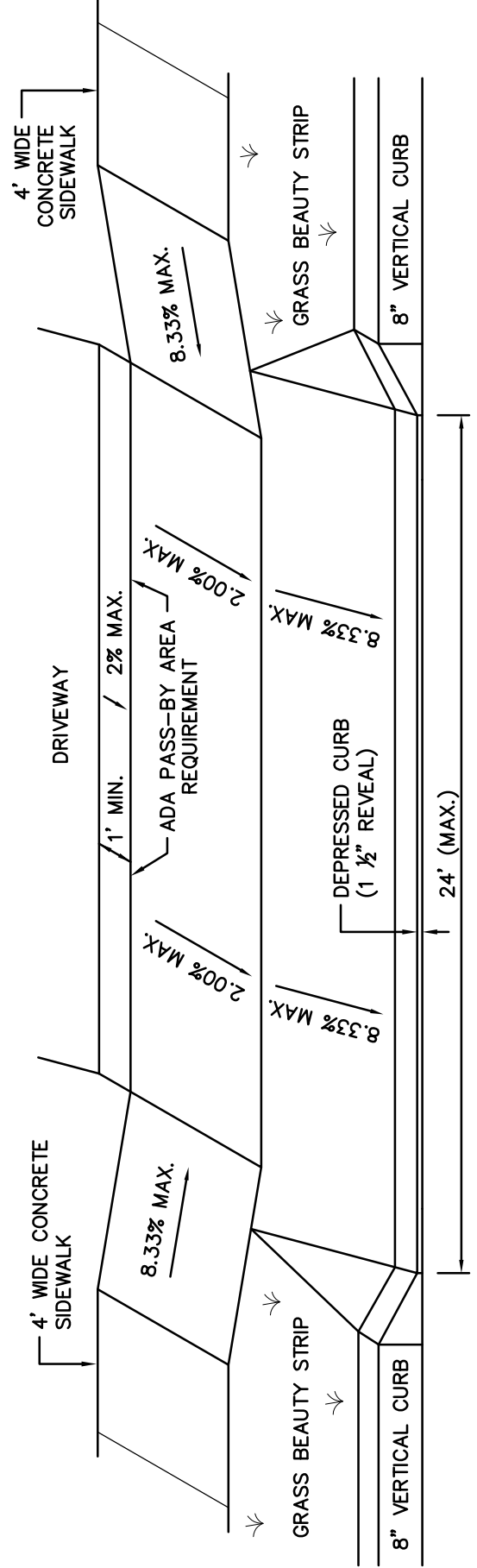
NOT TO SCALE

APPENDIX G



CONCRETE DRIVEWAY APRON DETAIL - SECTION

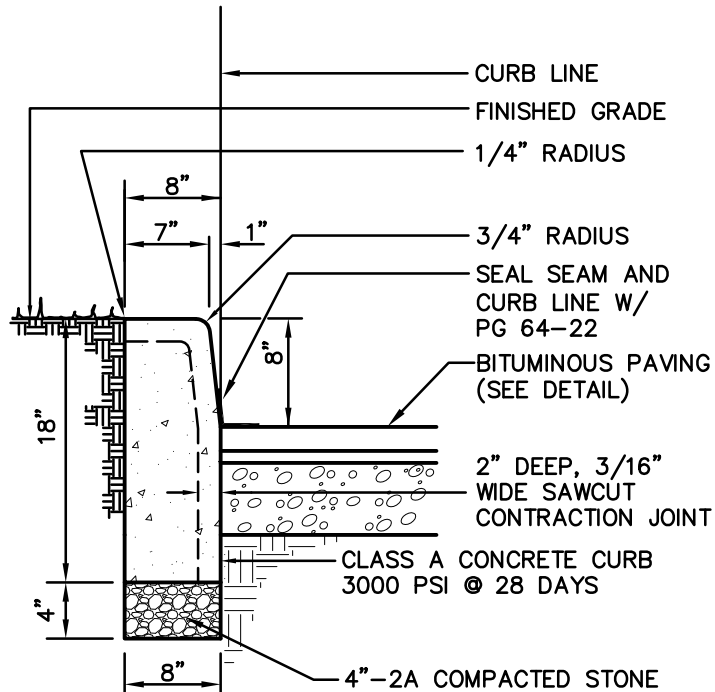
NOT TO SCALE



CONCRETE DRIVEWAY APRON DETAIL

NOT TO SCALE

APPENDIX G



NOTES:

1. PROVIDE MATERIALS AND CONSTRUCTION MEETING THE REQUIREMENTS OF PUBLICATION 408, SECTION 630 FOR PLAIN CEMENT CONCRETE CURB AND DEPRESSED CURB.
2. SPACE CONTRACTION JOINTS IN UNIFORM LENGTHS OR SECTIONS.
3. PLACE 3/4" THICK PREMOLDED EXPANSION JOINT FILLER MATERIAL AT STRUCTURES AND AT THE END OF THE WORK DAY. CUT MATERIAL TO CONFORM TO AREA ADJACENT TO THE CURB OR TO CONFORM TO CROSS SECTIONAL AREA OF CURB.

VERTICAL CURB DETAIL (FOR TOWNSHIP ROADS)

NOT TO SCALE

Appendix H

Street Design Construction Standards

	Principal Arterial	Minor Arterial	Major Collector	Minor Collector	Local Access
Number of Lanes	2 – 6	2 – 4	2 – 3	2 – 3	2
Travel Lane Width	12'	12'	12'	12'	12'
Median Width	12'	4 – 12'	0 – 6'	None	None
Left Turn Lane Width	12'	12'	10 – 12'	10 – 12'	None
Right Turn Lane Width	14'	14'	10'	10'	None
Shoulder Width	10'	10'	8'	8'	6'
(1) Buffer Width	15 – 20'	15 – 20'	10 – 15'	10 – 15'	10 – 15'
(2) Right-of-Way Width	150'	100'	60 – 80'	60 – 80'	50'
Design Speed	60 MPH	60 MPH	50 MPH	40 MPH	30 MPH
Maximum Percent Grade	6%	6%	8%	9%	10%
Maximum Horizontal Curve	12 degrees	12 degrees	21 degrees	21 degrees	30 degrees
Passing Sight Distance	2,100'	2,100'	1,500'	1,500'	1,100'