

TODD TOWNSHIP  
FULTON COUNTY,  
PENNSYLVANIA

SUBDIVISION AND  
LAND DEVELOPMENT ORDINANCE

Adopted: October, 2006

**TODD TOWNSHIP  
FULTON COUNTY, PENNSYLVANIA**

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

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ARTICLE I  
GENERAL PROVISIONS  
AND  
TITLE, PURPOSE, AUTHORITY  
AND JURISDICTION

# Article I. GENERAL PROVISIONS AND TITLE, PURPOSE, AUTHORITY, AND JURISDICTION

## *Section 101*

### **Title.**

This Ordinance shall be known and may be cited as the "Subdivision and Land Development Ordinance of Todd Township."

## *Section 102*

### **Purpose.**

The Purpose of this Ordinance is to provide for the maintenance of a rural agricultural community, with complimentary orderly and harmonious development, and to protect, promote, and create conditions favorable to the health, safety, and general welfare of Todd Township's Citizenry by:

#### **Section 102.1**

Providing for the orderly development of appropriate non-agricultural acreage in concert with environmental and natural capacities and limitations.

#### **Section 102.2**

Assuring uniform and equitable processing of all Subdivision Plans by providing uniform standards and procedures.

#### **Section 102.3**

Establishing requirements, standards, and specifications to aid in guiding elected Public Officials, Planners, Planning Commissions, Developers, Land Surveyors, Landscape Architects, Architects, Engineers, and others in the design and development of Subdivisions and Land Developments throughout Todd Township.

#### **Section 102.4**

Assuring a coordination of proposed streets, parks, and other features in and bordering a proposed Subdivision or Land Development, as to such widths and grades and in such locations as deemed necessary to accommodate prospective traffic, with the existing street and highway system of Todd Township thereby facilitating the rational movement of local traffic.

#### **Section 102.5**

Providing for adequate oversight of subdivision and land development to assure that public concerns with accessibility, storm water management, on-lot sewage disposal, water supply, and other factors are taken into account.

#### **Section 102.6**

Providing for adequate open spaces for traffic, recreation, light, and air, and for proper distribution of the population.

#### **Section 102.7**

Encouraging and providing for innovations in new Residential Developments such as planned mixed use development, cluster development, traditional neighborhood development, and other evolving methods that provide for a greater variety in type, design, and layout of dwellings; the conservation and more efficient use of usable space in relation to new dwellings; savings on energy, water use, infrastructure, and paving; and integration of slope and other undevelopable areas into the total Development Plan for use as open space.

#### **Section 102.8**

Protecting the character and the social and economic stability of Todd Township, by promoting a harmony between existing development, existing villages, future development, and the natural environment.

#### **Section 102.9**

Protecting and conserving the value of land throughout Todd Township, and the value of buildings and improvements upon the land and minimize the conflicts among the uses of land and buildings.

#### **Section 102.10**

Guiding public and private policy and action in order to provide adequate and efficient transportation, water supply, sewerage, storm water management, schools, parks, trails, playgrounds, recreation, and other public requirements and facilities.

#### **Section 102.11**

Maintaining the viability of existing Village Centers in Todd Township and the village concept in general, and encouraging this concept for future development.

#### **Section 102.12**

Preventing the pollution of air, streams and ponds; to assure the adequacy of drainage of facilities; to safeguard the groundwater resources; and to encourage the wise use and management of the natural resources in order to preserve the community and value of the land.

#### **Section 102.13**

Preserving the natural beauty and topography of Todd Township and to ensure appropriate development with regard to these natural features.

#### **Section 102.14**

Providing the most beneficial relationship between the uses of land and buildings and the circulation of traffic within Todd Township, having particular regard to the avoidance of congestion in the streets and highways, and the pedestrian traffic movements appropriate to the various uses of land and building lines.

#### **Section 102.15**

Providing for the logical and orderly addition and extension of the community facilities and public utilities systems to developing areas while minimizing impacts on agricultural land,

and insuring that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.

**Section 102.16**

Upgrading the quality of land records through creation and filing of accurate and legible subdivision plans with the Fulton County Recorder of Deeds for future information and use by municipal officials and the general public.

**Section 102.17**

Generally, insuring the future orderly growth and development of Todd Township is well-planned and accompanied by adequate public facilities without negatively affecting the environment.

**Section 102.18**

Insuring that minimum setback lines and minimum lot sizes be applied throughout Todd Township based on the availability of water and sewage and the character of the surrounding area.

**Section 102.19**

Permitting Todd Township to minimize developmental and related problems as may exist or that may be foreseen, by encouraging development on land exhibiting the appropriate soils, slope, and other physiographic and environmental characteristics.

When development throughout Todd Township is guided by the foregoing, a mutual benefit will be derived by the Developer, the buyer, the owners of neighboring property, the adjacent local municipalities, Todd Township, the County, and the general public.

***Section 103***

**Creation, Authority, and Jurisdiction.**

**Section 103.1**

**Subdivision Control.** The Board has the jurisdiction, powers, and authorities as particularly and specifically set forth in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, and specifically the said Board shall have the jurisdiction and control of all Subdivision of Land located within the limits of Todd Township. All Plans shall be submitted to the Board for review and approval. This includes all plans, plots, or re-plots of land. No Subdivision or Land Development of any lot, tract, or parcel of land within Todd Township 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 Ordinance. No plat shall be accepted for recording by the Fulton County Recorder of Deeds unless such plat officially notes the approval of the Board.

**Section 103.2**

**Land Development Control.** Land development must comply with the regulations



contained in this Ordinance. Such compliance shall include, but not be limited to: the filing of Preliminary and Final Plans, the dedication and improvement of rights-of-way, streets and roads, and the payment of fees and charges as established by the Board. Land development plans shall indicate the location of each structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit, and improvements to public rights-of-way.

### Section 103.3

**Enforcement.** For any person or persons violating this Ordinance, the following enforcement actions should be applied: A letter sent to the violator stating the violation of the Ordinance and that a reply is required within twenty (20) days of the mailing date. If within the twenty (20) day reply period no reply is given, then a letter written by the Township Solicitor will be sent to the violator and a new twenty (20) day reply period will be given. If a reply is not received within the reply period, a final letter stating that legal action may be enforced shall be sent to said violator and given a final twenty (20) day time period to reply before legal action may be enforced.

Penalties may be enforced under Article XII of this Ordinance.

ARTICLE II  
DEFINITIONS

## Article II. DEFINITIONS

### *Section 201*

#### **Interpretation – General Terms.**

For the purpose of this Ordinance, words in the singular include the plural, and those in the plural include the singular.

Words in the present tense include the future tense.

Words in the masculine gender include the feminine and neuter. Gender Specific Pronouns or references shall refer to all genders.

The words “Person,” “Developer,” and “Owner” include a corporation, unincorporated association, and a partnership, or other legal entity, as well as an individual.

The word “Street” includes Street, Avenue, Boulevard, Road, Highway, Freeway, Parkway, Lane, Alley, Viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private.

The word “Building” includes structures and shall be construed as if followed by the phrase “Or Part Thereof.”

The word “Watercourse” includes channel, creek, ditch, drain, dry run, spring, and stream.

The word “Lot” includes the word plot and parcel.

The words “Should” and “May” are permissive; the words “Shall” and “Will” are mandatory.

Periods of time shall refer to the number of consecutive calendar days, unless specified as working days.

All references to statutes, regulations, ordinances, reports, and other documentation shall be understood to include the present statutes, regulations, ordinances, reports, and other documentation and all amendments thereto.

All references to federal, state, municipal, county, and/or local agencies shall include the agencies as referenced in this Ordinance and all successor agencies thereto.

### *Section 202*

#### **Definitions – Specific Terms.**

For the purpose of this Ordinance, the terms or words used herein unless otherwise expressly stated shall have the following meanings:

**Abandonment:** The relinquishment of property, or a cessation of the use of the property, by the owner with the intention neither of transferring rights to the property to another owner nor resuming the use of the property.

**Abut:** To physically touch or border upon or to share a common property line.

**Accelerated Erosion (Accelerated Runoff):** The removal of the surface of land (including, but not limited to, soil or rock) through the combined action of human-generated activity and the natural processes at a rate greater than would occur because of the natural process alone. There are several kinds of accelerated erosion. They are: sheet, rill, and gully erosion.

**Act 167:** Act 167 of October 4, 1978, as amended (32 P.S. §§680.1, et seq.), known as the “Storm Water Management Act.”

**Act 537:** Act 537 of January 24, 1966, as amended (35 P.S. §§750.1, et seq.), known as the “Pennsylvania Sewage Facilities Act.”

**Addition:** A structure added to a structure after the original.

**Agricultural Activities:** The work of producing crops and raising livestock including tillage, plowing, disking, harrowing, pasturing and installation of conservation measures. Construction of new buildings or impervious area is not considered an agricultural activity.

**Aisle:** The traveled way by which cars enter and exit parking stalls.

**Alley or Service Drive:** A minor right-of-way, privately or publicly owned, primarily for service access to the back or sides of properties.

**Alteration:** As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another; also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

**Apartment Unit:** One or more rooms with private bathroom and kitchen facilities comprising an independent self-contained dwelling unit in a building containing two (2) or more units.

**Appeal:** A means for obtaining review of a decision, determination, order, or failure to act pursuant to the terms of this Ordinance as authorized by the provisions of Article V.

**Applicant:** A landowner or developer, as hereinafter defined, who has filed an application for subdivision and/or land development. This term shall include the heirs, successors and assigns of said landowner or developer.

**Application for Development:** Every application, whether preliminary, tentative, or final, required to be filed and approved prior to the start of construction or development, including but not limited to, an application for a land use permit, for the approval of a subdivision plat or plan, or for the approval of a development plan.

**Appointing Authority:** The Board.

**As-Built Drawing:** A set of blueprints that show design or construction changes that were approved by the Board in a non-erasable red ink.

**Block:** A tract of land, a lot, or a group of lots bounded by streets, public parks, railroad rights-of-way, watercourses, and boundary lines of Todd Township, non-subdivided land, other definite barriers, or by a combination of the above.

**BMP (Best Management Practice):** Storm water structures, facilities, and techniques to control, maintain or improve the quantity and quality of surface runoff.

**Board:** The Board of Supervisors of Todd Township, Fulton County, Pennsylvania.

**Building:** A combination of materials that form a permanent structure having walls and a roof, including but not limited to, all mobile homes.

**Building Setback Line:** The line within a property, parallel to, and defining the required minimum distance between, the foremost part of any building and the adjacent right-of-way or property boundary line.

**Campsite:** Any site intended for temporary and/or seasonal use for camping, inclusive of the area required to sustain a tent, camper, motor home, or other temporary camping facility.

**Campground:** Any portion of land used for the purpose of providing a space or spaces for trailers or tents, for camping purposes regardless of whether a fee has been charged for the leasing, renting, or occupancy of such space.

**Candlepower:** Luminous expressed in terms of candelas.

**Cartway (Roadway):** The portion of a street right-of-way, paved or unpaved, intended for vehicular traffic.

**Certificate of Occupancy:** A document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure or use has been constructed and will be used in compliance with all applicable state laws and regulations and all applicable municipal codes and ordinances.

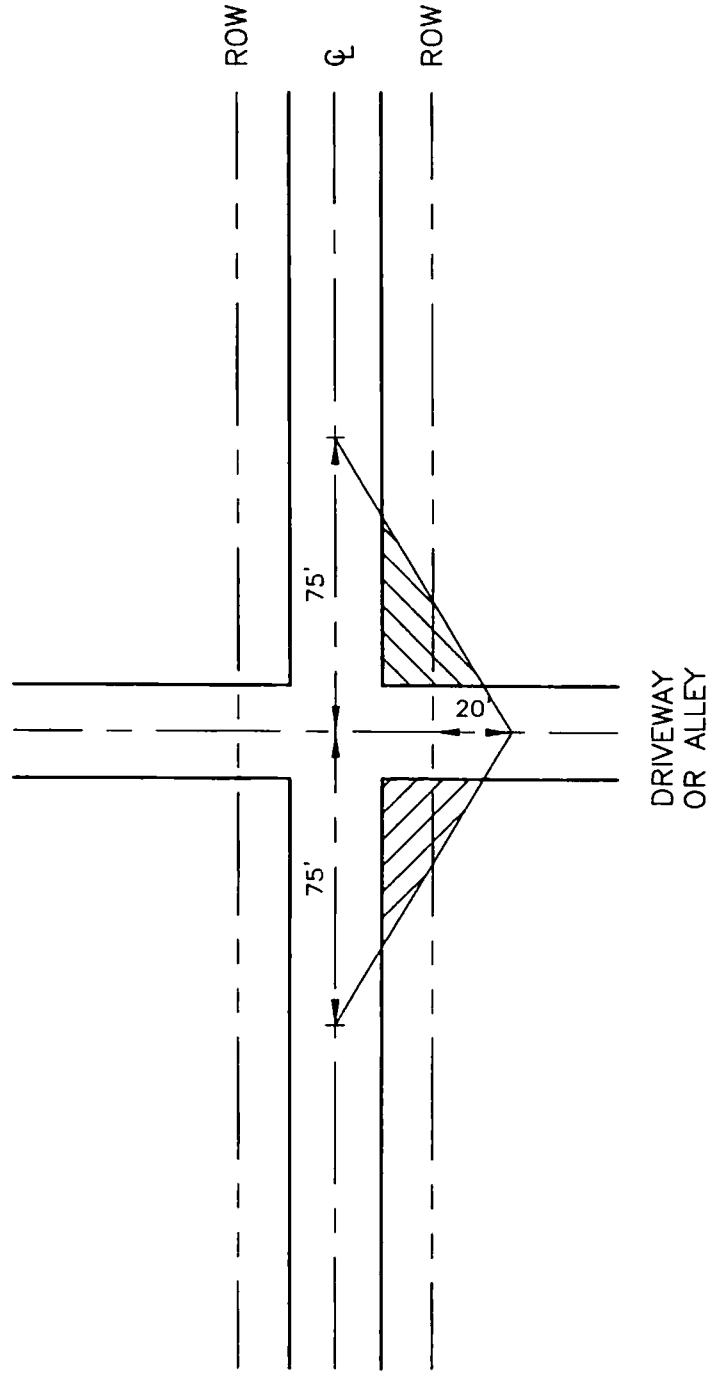
**Change of Use:** Any use that is substantially different from the previous use of a building or parcel of land.

**Channel Erosion:** The widening, deepening, and headward cutting of small channels and waterways, due to erosion caused by moderate to large floods.

**Cistern:** An underground reservoir or tank for storing rainwater.

**Clear Sight Triangle:** A triangular-shaped portion of land established at street intersections (including driveways and rail crossings) in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. A clear-sight triangle shall be defined by taking the specified minimum measured distances from the points as indicated on Figures 1 and 2, respectively for a driveway intersecting a street and for a street intersecting another street. These measured distances shall form the three points of the triangle that will be connected.

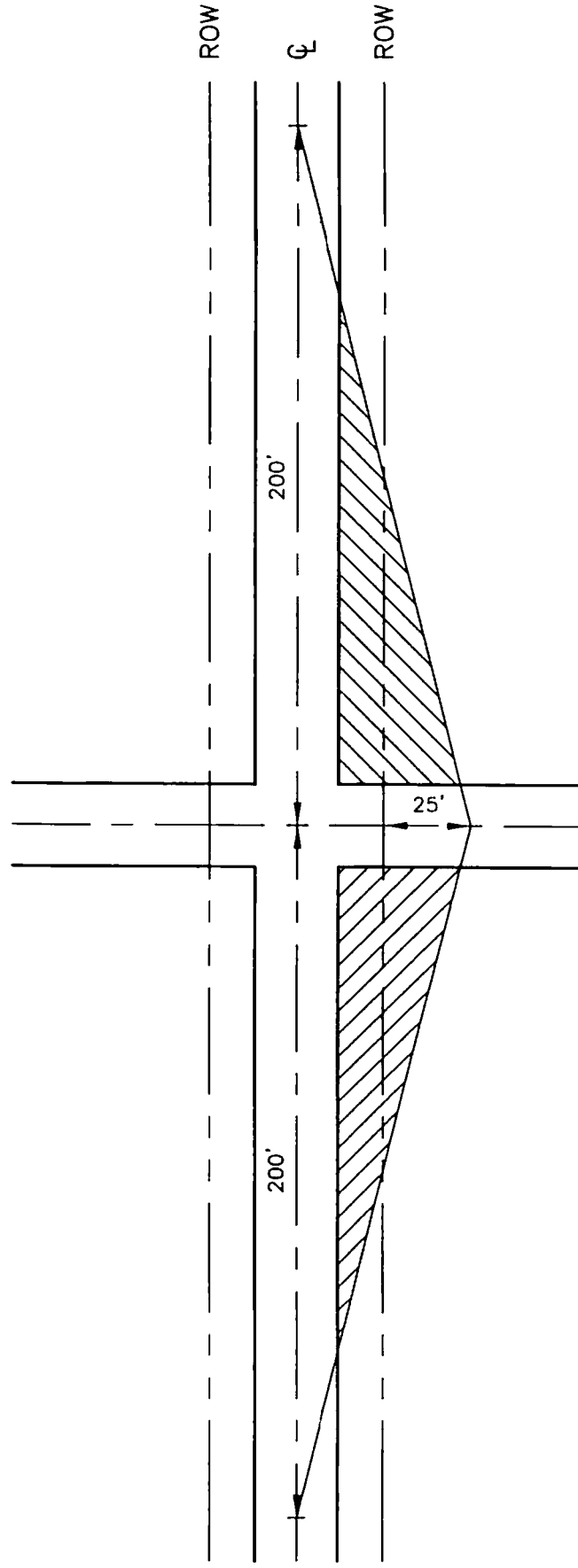
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**CLEAR-SIGHT TRIANGLE  
FOR  
DRIVEWAYS & ALLEYS**

FIGURE 1

**TODD TOWNSHIP  
SUBDIVISION & LAND DEVELOPMENT  
ORDINANCE**



**CLEAR-SIGHT TRIANGLE  
FOR  
ROAD & STREET INTERSECTIONS**

**FIGURE 2**

**Commerce Park:** A tract of land that has been planned, developed, and operated as an integrated facility intended for a number of non-retail professional, business, personal, and other service uses, with special measures for traffic circulation, parking, utilities, and compatibility.

**Common Open Space:** A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

**Commonwealth:** The Commonwealth of Pennsylvania.

**Condominium:** Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, together with individual ownership in fee of a particular unit or apartment in such building or on such parcel of land and may include dwellings, offices, and other types of space in commercial and industrial buildings or on real property.

**Conservation District:** The Fulton County Conservation District.

**Construction Plan:** The maps or drawings accompanying a subdivision or development plan and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Board as a condition of the approval of the plan.

**County:** Fulton County, Pennsylvania.

**County Planning Commission:** The Fulton County Planning Commission.

**Crosswalk:** A right-of-way, municipally or privately owned, intended to provide access for pedestrians.

**Cul-de-sac:** A short street having one end open to traffic and being permanently terminated by a vehicular turn-around.

**Culvert:** A pipe, conduit, or similar enclosed structure, including appurtenant works, that carries surface water.

**Cut:** An excavation. The difference between a point on the original ground and designated point of lower elevation on the final grade. Also, the material removed in excavation.

**Dam:** An artificial barrier, together with its appurtenant works, constructed for the purpose of impounding or storing water or another fluid or semi-fluid, or a refuse bank, fill, or structure for highway, railroad, or other purposes that does or may impound water or another fluid or semi-fluid.

**Decision:** Final adjudication of any board or other body granted jurisdiction under any land use ordinance or the Pennsylvania Municipalities Planning Code, as amended, to do so, either by reason



of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealed to the Court of Common Pleas of Fulton County.

**Density:** The number of persons, families, dwelling units, or housing structures per unit of land.

- (a) High Density: Those residential subdivisions and land developments in which the density is equal to or greater than three (3) dwelling units per acre.
- (b) Low Density: Those residential districts in which the density is between one (1) and two (2) dwelling units per acre.

**Dedication:** The deliberate appropriation of land by its owner for any general and public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

**Design Storm:** The magnitude of precipitation from a storm event measured in probability of occurrence (e.g., 50-year storm) and duration (e.g., 24 hours) and used in computing storm water management control systems.

**Designee:** The agent of the Board involved with the administration, review, or enforcement of any provisions of this Ordinance by contract or memorandum of understanding.

**Detention Basin:** A detention basin is designed to hold water and then to allow it to drain completely after a storm event at a rate that is equal to or less than that prior to the basin being developed. No retention barriers are permitted.

**Detention District:** Those subareas in which some type of detention is required to meet the plan requirements and the goals of Act 167, as amended.

**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 the following: buildings or other structures; the placement of mobile homes; the construction, extension, and/or installation of streets and other paving, utilities, mining, dredging, filling, grading, excavation, or drilling operations; and the subdivision of land.

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

**Development Site:** The specific tract of land for which a Regulated Activity is proposed.

**Diffused Drainage Discharge:** Drainage discharge not confined to a single point location or channel, such as sheet flow or shallow concentrated flow.

**Downslope Property Line:** That portion of the property line of the lot, tract, or parcels of land being developed located such that all overland or pipe flow from the site is directed towards it.

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

**Drainage Conveyance Facility:** A Storm Water Management Facility designed to transmit storm water runoff. This term shall also include, but not be limited to, streams, channels, swales, pipes, conduits, culverts, storm sewers, etc.

**Drainage Easement:** A right granted by a landowner to a grantee, allowing the use of private land for storm water management purposes.

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

**Drainage Permit:** A permit issued by the Board after the Drainage Plan has been approved. Said permit is issued prior to or with the final approval.

**Drainage Plan:** The documentation of the storm water management system, if any, to be used for a given development site, the contents of which are established in Section 510 of this Ordinance.

**Drainage Right-of-Way:** The lands required for the installation of storm water sewers, drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

**Driveway:** A private vehicular passageway providing access between a street and a private parking area or private garage.

**Dwelling:** Any building that is designed exclusively for human living quarters.

**Dwelling or Dwelling Unit:** A dwelling unit of at least one (1) habitable room together with kitchen or kitchenette and sanitary facilities.

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

- (a) **Detached House:** A dwelling that is not attached to any other dwelling by any other means. A dwelling unit occupying the whole of a freestanding residential structure.
- (b) **Twin or Semi-Detached House:** A residential structure occupied by two (2) dwelling units with a common wall.
- (c) **Duplex:** A residential structure divided horizontally into two (2) dwelling units.
- (d) **Row House or Town House:** A structure with two (2) or more party walls of three (3) or more units not having any horizontal division between units.
- (e) **Apartment:** A dwelling unit separated horizontally and/or vertically from one (1) or more other units in a structure.

- (1) Apartment House or Multiple Dwelling Unit: A residential structure containing two (2) or more apartments.
- (2) Garden Apartment: An apartment house not exceeding three (3) stories in height.
- (3) High-Rise Apartment: An apartment house exceeding three (3) stories in height.

**Earth Disturbance:** Any activity including, but not limited to, construction, mining, timber harvesting, and grubbing that alters, disturbs, and exposes the existing land surface.

**Easement:** A right-of-way granted, but not dedicated, for specific use of private land for a public or quasi-public purpose, and within which the owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land that is not inconsistent with the rights of the grantee.

**Energy Dissipater:** A device used to slow the velocity of storm water particularly at points of concentrated discharge such as pipe outlets.

**Engineer:** An individual licensed to practice in the Commonwealth of Pennsylvania as a "Registered Professional Engineer."

**Engineering Specifications:** The engineering criteria of Todd Township regulating the installation of any improvement or facility.

**Erosion:** The removal of surface materials by the action of natural elements.

**Erosion and Sediment Pollution Control Plan:** A plan that is designed to minimize accelerated erosion and sedimentation.

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

**Exceptional Value Waters:** Surface waters of high quality that satisfy Pennsylvania Code Title 25 Environmental Protections, Chapter 93 Water Quality Standards, §93.4b(b) (relating to exceptional value water).

**Existing Conditions:** The initial condition of a project site prior to the proposed construction. If the initial condition of the site is undeveloped land, the land use shall be considered as "meadow" unless the natural land cover is proven to generate lower curve numbers or Rational "C" value, such as forested lands.

**Farm:** A parcel of land used for agricultural activities.

**FEMA:** Federal Emergency Management Agency.

**Fill:** Sand, gravel, earth, or other material placed or deposited so as to form an embankment or raise the elevation of the land surface. The term includes material used to replace an area with aquatic life with dry land or to change the bottom elevation of a surface water area.

**Financial Security:** Any form of security including a cash deposit, collateral, property, or instrument of credit and restrictive of escrow accounts from Federal or Commonwealth chartered lending institutions in an amount and form satisfactory to the Board and to be used wherever required by this Ordinance. (See Article III.)

**Finished Floor:** Any part of a dwelling except a totally below ground basement. Buildings that have exposed basements shall include the basement as a finished floor.

**Flood:** A general, but temporary, condition of partial or complete inundation of normally dry land areas from the overflow of streams, rivers, and other waters of this Commonwealth.

**Flood Study:** A computer model or manual calculation of the hydraulic surface elevation (floodplain) of a flood.

**Floodplain:** The lands adjoining a river or stream that have been or may be expected to be inundated by flood waters in a 100-year frequency flood.

**Floodway:** The channel of the watercourse and those portions of the adjoining floodplains, that are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by FEMA. In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed - absent evidence to the contrary - that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

**Forest Management/Timber Operations:** Planning and activities necessary for the management of forest land. These include timber inventory and preparation of forest management plans, silvicultural treatment, cutting budgets, logging road design and construction, timber harvesting, site preparation, and reforestation.

**Freeboard:** A vertical distance between the elevation of the design high-water and the top of a dam, levee, tank, basin, or diversion ridge. The space is required as a safety margin in a pond or basin.

**Frontage:** That side of a lot abutting on a street; the front line.

**Government Agency:** Any department, commission, independent agency, or instrumentality of the United States, of a state, commonwealth, county, incorporated or unincorporated municipality, township, authority, district, or any other governmental unit.

**Grade:** The slope of a road, street, or other public way specified in percentage terms.

**Grassed Waterway:** A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from cropland.

**Groundwater Recharge:** Replenishment of existing natural underground water supplies.

**Hammerhead Turnaround:** A paved area at the end of a dead-end street where the cartway branches in two (2) directions, providing sufficient space for vehicles to execute three (3) point turning maneuvers without entering the driveways of any lots abutting the street.

**HEC-HMS:** The U.S. Army Corps of Engineers, Hydrologic Engineering Center (HEC) – Hydrologic Modeling System (HMS).

**High Quality Waters:** Surface waters having quality that exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water by satisfying Pennsylvania Code Title 25 Environmental Protection, Chapter 93 Water Quality Standards, §93.4b(a).

**Holding Pond:** A retention or detention basin.

**Impervious Surface:** A surface that prevents the percolation of water into the ground.

**Impoundment:** A retention or detention basin designed to retain storm water runoff and release it at a controlled rate.

**Improvements:** Physical additions and changes to the land, necessary to produce usable and desirable lots.

**Industrial:** Those fields of economic activity including, but not limited to, construction contractors, mining, manufacturing, transportation, communication, electric, gas, sanitary services, and wholesale trade.

**Industrial Park:** A tract of land that has been planned, developed, and operated as an integrated facility intended for a number of individual industrial uses, with special measures for traffic circulation, parking, utilities, and compatibility.

**Infiltration Structures:** A structure designed to direct runoff into the ground, e.g., French drains, seepage pits, dry wells, and seepage trenches.

**Inlet:** A surface connection to a closed drain. A structure at the diversion end of a conduit. The upstream end of any structure through which water may flow.

**Land Development:** Any of the following activities:

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

- (1) a group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential 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.
  - (d) For the purposes of this Ordinance, Land Development specifically excludes the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
  - (e) Land Development shall not include:
    - (1) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
    - (2) The addition or conversion of buildings or rides within the confines of an enterprise that would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

**Land Disturbance:** Any activity involving grading, tilling, digging, or filling of ground, stripping of vegetation, or any other activity that causes an alteration to the natural condition of the land.

**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 said lessee is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

**Landscape Architect:** An individual licensed and registered as a Landscape Architect by the Commonwealth of Pennsylvania.

**Land Surveyor:** An individual licensed and registered as a Professional Land Surveyor by the Commonwealth of Pennsylvania.

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

**Lot Area:** The horizontal area contained within the property lines of a parcel of land as shown on a subdivision plan, excluding space within any street, but including the area of any easement. The area contained within the property lines of the individual parcel of land, excluding space within the street right-of-way. The lot area includes the area of any utility easement or storm water

management facility, and does include the “flag pole” of flag lots, unless otherwise specified in this Ordinance.

**Lot, Corner:** A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

**Lot, Flag:** A parcel of land shaped like a flag flown from a staff. The staff is a narrow strip of land providing vehicular and pedestrian access to a street, with the bulk of the property lying to the rear of other lots. Flag lots are prohibited.

**Lot, Frontage:** That side of a lot abutting on a street or way, and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

**Lot, Interior:** A lot having side lot lines that do not abut on a street.

**Lot of Record:** Any lot that individually, or as part of a subdivision, has been recorded in the office of the Fulton County Recorder of Deeds.

**Lot, Reverse Frontage:** A lot extending between and having frontage on an arterial and a minor street with vehicular access solely from the latter. Reverse frontage lots are discouraged.

**Lot, Through or Double Frontage:** A lot with both front and rear street frontage.

**Maintenance Guarantee:** Any security, other than cash, that may be accepted by Todd Township for the maintenance of any improvements required by this Ordinance.

**Main Stem (Main Channel):** Any stream segment or other runoff conveyance facility used as a reach in the Conococheague Creek hydrologic model.

**Manning Equation (Manning formula):** A method for calculation of velocity of flow (e.g., feet per second) and flow rate (e.g., cubic feet per second) in open channels based upon channel shape, roughness, depth of flow and slope. “Open channels” may include closed conduits so long as the flow is not under pressure.

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

**Marginal Access Streets:** Minor collector streets parallel and adjacent to arterial streets providing access to abutting properties and control of intersections with an arterial street.

**Mediation:** A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences. Ideally, mediation will culminate in a written agreement that the parties themselves create and consider acceptable and to which each party agrees to be legally bound.

**Mobile 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 capable of again being separated for repeated towing, that 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 Lot:** A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

**Mobile Home Park:** A parcel or contiguous parcels of land that has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

**Modifications:** Waivers of the requirements of one (1) or more provisions of the Ordinance as the literal enforcement will exact undo hardship because of particular conditions pertaining to the land in question.

**Monument:** Stone or concrete monument of known coordinates, established by Land Surveyors, and utilized to locate property lines.

**Municipal Authority:** A body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

**Native Species Tree:**

- (a) Serviceberry, *Amelanchier laevis*;
- (b) American Hornbeam, *Carpinus caroliniana*;
- (c) Sugar Maple, *Acer saccharum*;
- (d) Black Gum, *Nyssa sylvatica*;
- (e) Northern Red Oak, *Quercus rubra*;
- (f) River Birch, *Betula nigra*;
- (g) White Oak, *Quercus alba*;
- (h) American Beech, *Fagus grandifolia*;
- (i) Eastern Redbud, *Cercis Canadensis* and
- (j) Tulip Poplar, *Liriodendron tulipifera*.

**Nonpoint Source Pollution:** Pollution that enters a watery body from diffuse origins in the watershed and does not result from discernible, confined, or discrete conveyances.

**Nonresidential Subdivision:** A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of this Ordinance.

**NRCS:** Natural Resource Conservation Service (previously Soil Conservation Service – SCS).



**Open Channel:** A drainage element in which storm water flows with an open surface. Open channels include, but shall not be limited to, natural and man-made drainageways, swales, streams, ditches, canals, and pipes flowing partly full.

**Ordinance:** This document, that shall be cited as the “Todd Township Subdivision and Land Development Ordinance.”

**Organized Camp:** A combination of program and facilities established for the primary purpose of providing an outdoor group living experience for children, youth, and adults, with social, recreational, and educational objectives and operated and used for five (5) or more consecutive days during one (1) or more seasons of the year.

**Outfall:** Point where water flows from a conduit, stream, or drain.

**Outlet:** Points of water disposal from a stream, river, lake, tidewater, or artificial drain.

**PennDOT:** Pennsylvania Department of Transportation.

**Parking Lot Storage:** Involves the use of impervious parking areas as temporary impoundments with controlled release rates during rainstorms.

**Peak Discharge:** The maximum rate of flow of water at a given point and time resulting from a storm event.

**Penn State Runoff Model (calibrated):** The computer-based hydrologic modeling technique adapted to the Conococheague Creek watershed for the Act 167 Plan. The model has been “calibrated” to reflect actual recorded flow values by adjoining key model input parameters.

**PaDEP (Pennsylvania Department of Environmental Protection):** The Pennsylvania Department of Environmental Protection, its Bureaus, Departments, or Divisions or any other appropriate agency.

**Pipe:** A culvert, closed conduit, or similar structure (including appurtenances) that conveys storm water.

**Phreatic Line:** The slope line of the hydraulic path of water through saturated soil.

**Plan, Final:** A complete and exact Subdivision Plan prepared for official recording as required by statute; a final plat.

**Plan, Preliminary:** The plan of a proposed subdivision or land development, including all supplementary information required by this Ordinance or applicable municipal ordinance to obtain preliminary approval. A subdivision plan or land development plan in lesser detail than the final plan.

**Plan, Sketch:** An informal optional submission preparatory to the Preliminary Plan showing the general intent of the Developer. A rough sketch map of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of classification and discussion.

**Plat:** The map or plan of a subdivision or land development, whether preliminary or final.

**Probable Maximum Flood (PMF):** The flood that may be expected from the most severe combination of critical meteorologic and hydrologic conditions that are reasonably possible in any area. The PMF is derived from the probable maximum precipitation (PMP) as determined based on data obtained from the National Oceanographic and Atmospheric Administration (NOAA).

**Professional Consultants:** Persons who provide expert or professional advice, including, but not limited to, Architects, Attorneys, Certified Public Accountants, Engineers, Geologists, Land Surveyors, Landscape Architects or Planners. Each of these individuals must have obtained and still hold full certification (including, but limited to, registration, licensure, etc.) in the area of consultancy from the Commonwealth of Pennsylvania, or any of its agencies and/or subdivisions that have been designated to provide said certification. If certification from the Commonwealth of Pennsylvania is not available, said consultant must have sufficient knowledge, experience, and education in the area of consultancy to provide expert or technical advice in that consultancy area.

**Property Line Change:** A change in lot lines between two (2) adjacent lots of record that does not involve the creation of a third new lot.

**Proposed Site:** Site conditions as they are designed to exist after development.

**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;
- (c) publicly owned or operated scenic and historic sites.

**Public Hearing:** A formal meeting held pursuant to Public Notice by the Board intended to inform and obtain public comment prior to taking action in accordance with the Pennsylvania Municipalities Planning Code.

**Public Meeting:** A forum held pursuant to notice under the 65 *Pa.C.S.* Ch. 7 (relating to open meetings).

**Public Notice:** Notice published once each week for two (2) weeks in a newspaper of general circulation in Todd Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.

**Qualified Design Professional:** An Engineer, a Landscape Architect, or a Land Surveyor trained and certified to develop storm water management plans.

**Rational Formula:** A rainfall-runoff relation used to estimate peak flow.

**Receiving Stream:** A defined channel that carries water in a non-intermittent flow.

**Recreational and Seasonal Land Development:** The improvement and development of land for camping and/or related activities via the provision of campsites and any supportive facilities on a rental basis.

**Recreational Vehicle:** A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, that has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper, and motor home.

**Recreational Vehicle Park:** A lot of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for vacation or recreation purposes.

**Recreational Vehicle Site:** A plot of ground within a recreation vehicle park intended for the accommodation of either a recreation vehicle or other similar individual camping unit on a temporary basis.

**Regulated Activities:** Actions or proposed actions that have an impact on storm water runoff and that are specified in Section 510 of this Ordinance.

**Regulatory Flood Elevation:** The elevation that includes the 100-year floodplain plus a freeboard safety factor of one and one-half (1½) feet.

**Release Rate:** The percentage of pre-development peak rate of runoff from a site or subarea to which the post development peak rate of runoff must be reduced to protect downstream areas.

**Report:** Any letter, review, memorandum, compilation, or similar writing made by any body, board, officer, or consultant other than the Township 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, received, or considered 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.

**Reserve Strip:** A parcel of ground separating a street from other adjacent properties, or from another street, that shall prevent a street from being connected or extended across property lines.

**Resubdivision:** Any replatting or resubdivision of land involving changes of street layout, or any reserved for public use, or any lot line on an approved or recorded plan. Any other more major changes shall be considered as constituting a new subdivision of land. (Also see Subdivision.)

**Retention Basin:** An impoundment in which storm water is stored and not released during the storm event. Stored water may be released from the basin at some time after the end of the storm.

**Return Period:** The average interval, in years, within which a storm event of a given magnitude can be expected to recur. For example, the 25-year return period rainfall would be expected to recur on the average of once every twenty-five years.

**Right-of-way:** A public thoroughfare for vehicular or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, or alley and including both cartway and shoulders.

**Riser:** A vertical pipe extending from the bottom of a pond that is used to control the discharge rate from the pond for a specified design storm.

**Rooftop Detention:** Temporary ponding and gradual release of storm water falling directly onto flat roof surfaces by incorporating controlled-flow roof drains into building designs.

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

**Sanitary Sewage Disposal, Community:** A sanitary sewage collection system, either publicly or privately owned, in which sewage is carried from individual lots by a system of pipes to a temporary central treatment and disposal plant, generally serving a neighborhood area.

**Sanitary Sewage Disposal, Public:** A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant.

**Sanitary Sewage Disposal, On-Lot:** Any structure designed to biochemically treat sanitary sewage within the boundaries of an individual lot.

**Sediment Basin:** A barrier, dam, or retention or detention basin located and designed to retain rock, sand, gravel, silt, or other material transported by water.

**Sediment Pollution:** The placement, discharge or any other introduction of sediment into Commonwealth waters occurring from the failure to design, construct, implement, or maintain control measures and control facilities in accordance with the requirements of this Ordinance.

**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."

**Sepage Pit/Sepage Trench:** An area of excavated earth filled with loose stone or similar coarse material, into which surface water is directed for infiltration into the ground.

**Septic Tank:** A watertight receptacle that receives sewage or industrial wastes and is designed and constructed to provide for sludge storage and sludge decomposition and to separate solids from liquids through a period of detention before allowing the liquid to be discharged.

**Service Street:** A minor right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

**Setback Line:** The line within a property defining the required minimum distance between any building to be erected and the adjacent property line. The front yard setback shall be measured at right angles from the front street right-of-way line that abuts the property on which said building is located and shall be parallel to said right-of-way line.

**Shade Tree:** A native species tree in a public place, street, special easement, or right-of-way adjoining a street as provided in this Ordinance.

**Sheet Flow:** Runoff that flows over the ground surface as a thin, even layer, not concentrated in a channel.

**Shopping Center:** A group of retail establishments planned, constructed, and managed as a total entity with customer and employee parking provided on-site, provision of goods delivery separated from customer access, and protection from the elements via a canopy or other enclosure.

**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 measurements shall be made from a point ten (10) feet from the edge of cartway, three and one-half (3 ½) feet high, to a point three and one-half (3 ½) feet above the road surface.

**Site Improvements:** Physical additions or changes to the land that may be necessary to provide usable and desirable lots, including but not limited to utilities, streets, curbing, sidewalks, street lights, and storm water facilities.

**Slope:** The rise or fall of the land usually measured in percent slope. The percent slope is equal to the rise or fall in feet for a horizontal distance of one hundred (100) feet.

Description	Percent Slope
(a) Nearly Level	0-3 Percent
(b) Gently Sloping	3-8 Percent
(c) Sloping	8-15 Percent
(d) Moderately Steep	15-25 Percent
(e) Steep	25-35 Percent
(f) Very Steep	35+ Percent

**Soil-Cover Complex Method:** A method of runoff computation developed by the NRCS that is based on relating soil type and land use/cover to a runoff parameter called Curve Number (CN).

**Soil Group, Hydrologic:** A classification of soils by the NRCS, into four runoff potential groups. The groups range from A soils, that are very permeable and produce little runoff, to D soils, that are not very permeable and produce much more runoff.

**Soil Percolation Test:** A field test conducted to determine the suitability of the soil for on-site sanitary sewage disposal facilities by measuring the absorptive capacity of the soil at a given location and depth.

**Spillway:** A depression in the embankment of a pond or basin that is used to pass peak discharge greater than the maximum design storm controlled by the pond.

**Stabilization:** Natural or mechanical treatment of a mass of soil or ground area to increase or maintain its stability and ensure its resistance to erosion, sliding, or other movement.

**Storage Indication Method:** A reservoir routing procedure based on solution of the continuity equation (inflow minus outflow equals the change in storage) with outflow defined as a function of storage volume and depth.

**Storm Frequency:** The number of times that a given storm "event" occurs or is exceeded on the average in a stated period of years. See "Return Period."

**Storm Sewer:** A system of pipes and/or open channels that convey intercepted runoff and storm water from other sources, but excludes domestic sewage and industrial wastes.

**Storm Water:** The total amount of precipitation reaching the ground surface.

**Storm Water Management:** The control of runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site does not exceed the rate prior to development.

**Storm Water Management Facility:** Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects storm water runoff. Typical storm water management facilities include, but are not limited to, detention and retention basins, open channels, storm sewers, pipes, and infiltration structures.

**Storm Water Management Plan:** The plan for managing storm water runoff as required by Section 510 of this Ordinance.

**Storm Water Management Site Plan:** The plan prepared by the Developer or his representative indicating how storm water runoff will be managed at the particular site of interest according to this Ordinance.

**Stream Enclosure:** A bridge, culvert or other structure in excess of 100 feet in length upstream to downstream that encloses a regulated water of this Commonwealth.

**Street:** Includes any street, avenue, boulevard, road, highway, freeway, parkway, lane alley, viaduct and any other way used or intended to be used by vehicular traffic (whether motorized or non-motorized) or pedestrians, whether public or private.

**Street Line:** The limit of a right-of-way.

**Street, Private:** Those streets not officially accepted by the municipality.

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

**Subarea:** The smallest drainage unit of a watershed for which storm water management criteria have been established in the Storm Water Management Plan.

**Subdivision:** The cumulative (from the date of adoption of this Ordinance) 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.

**Subdivision, Major:** All subdivisions not classified as minor subdivisions, including but not limited to subdivisions of six (6) or more lots, cumulative from the date of adoption of this Ordinance, or any size subdivision requiring any new street or extension of Township facilities, or the creation of any public improvements.

**Subdivision, Minor:** Any subdivision containing not more than five (5) lots cumulative from the date of adoption of this Ordinance, fronting on an existing street, not involving any new street or road, or the extension of municipal facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of any applicable Comprehensive Plan, Official Map, or this Ordinance.

**Substantially Completed:** Where, in the judgment of the Township Engineer, at least ninety percent (90%) (based on the cost of the required improvements for which financial security was posted pursuant to Section 509 of the Pennsylvania Municipalities Planning Code) 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.

**Surface Drainage Plan:** A plan showing all present and proposed grades and facilities for storm water drainage.

**Swale:** A low-lying stretch of land that gathers or carries surface water runoff.

**Temporary Occupancy:** Occupancy of a campground or organized camp for no more than six (6) months in any consecutive twelve (12) month period.

**Tent:** A portable lodging unit usually made of skins, canvas, plastic, or cloth stretched and usually sustained by poles, and dependent upon separate toilet and lavatory facilities.

**Timber Operations:** See Forest Management.

**Time-of-Concentration (T<sub>c</sub>):** The time for surface runoff to travel from the hydraulically most distant point of the watershed to a point of interest within the watershed. This time is the combined total of overland flow time and flow time in pipes or channels, if any.

**Topographic Map:** A map showing the elevations of the ground by contours or elevations including all existing topographic features such as streams, roads, streets, existing facilities, and improvements, as specified herein.

**Top Soil:** Surface soil and subsurface soil that presumably is fertile soil and ordinarily rich in organic matter or humus debris.

**Todd Township:** Todd Township, Fulton County, Pennsylvania, as represented by its Board, or its duly authorized agents.

**Township Engineer:** An Engineer or any consultant designated by the Board to review a subdivision plan or a drainage plan and to perform other duties on behalf of Todd Township.

**Township Solicitor:** The attorney, duly licensed to practice in the Commonwealth of Pennsylvania, designated by the Board to furnish legal assistance for the administration of this Ordinance.

**Trailer:** A vehicular portable structure built on, or designed to be mounted, on a chassis or wheels, or constructed as an integral part of a self-propelled vehicle for use as a temporary dwelling for travel, recreation, and vacation and commonly known as travel trailers, pick-up coaches, motor homes, or camping trailers.

**Waiver:** A modification to the minimum standards of this Ordinance. (Refer to Modification.) When the Developer can show that a provision of this Ordinance would cause unnecessary hardship if strictly adhered to because of conditions peculiar to the site, and where, in the opinion of the Board, a departure from this Ordinance may be made without destroying the intent of such provisions, the Board may authorize a waiver. A modification to the minimum standards of this Ordinance. (Refer to Modification.)

**Watercourse:** A permanent or intermittent stream, river, brook, creek, channel, or ditch for collection and conveyance of water, whether natural or man-made.



**Water Supply and Distribution System, Community:** A system for supplying and distributing water from a common source to two (2) or more dwellings and other buildings within a subdivision, neighborhood, or whole community, the total system being publicly or privately owned.

**Water Supply and Distribution System, On-Lot:** A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.

**Water Survey:** An inventory of the source, quantity, yield, and use of groundwater and surface water resources within a municipality.

**Waters of the Commonwealth:** Any and all rivers, streams, creeks, rivulets, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and all other bodies or channels of conveyance of surface and underground water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

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

### *Section 203*

#### **Terms Not Defined.**

Where terms or words are not defined in the foregoing definitions, they shall have their ordinarily accepted meanings or such as the context may imply; provided, however, that as to those terms that are not defined herein, but are defined in Section 107 of the Act of July 31, 1968 P.L. 247 (53 P.S. 10107), as amended, the Pennsylvania Municipalities Planning Code then, said words shall have the meaning as set forth in said section.

ARTICLE III  
APPLICATION SUBMISSION  
AND REVIEW PROCEDURES

## Article III. APPLICATION SUBMISSION AND REVIEW PROCEDURES

### *Section 301*

#### **General Procedures.**

The procedures established in this Article shall apply to all Subdivisions and Land Developments that require review and approval by Todd Township. It shall be the Developer's responsibility to observe and follow the procedures established in this Article and to submit all plans and documents as may be required herein for the review, approval, and recording of subdivisions and plans.

#### **Section 301.1**

**Classification of Subdivision.** Whenever any subdivision of land or land development is proposed, before any contract is made for the sale of any part thereof and before any permit for the erection of a structure in such proposed subdivision or land development shall be granted, the owner or his agent shall apply for and secure approval of such proposed subdivision or land development in accordance with the following procedures for subdivision and land development, that includes a maximum of two (2) steps for a Minor Subdivision and three (3) steps for a Major Subdivision as follows:

(a) Minor Subdivision:

1. Sketch Plan (optional)
2. Final Plan

(b) Major Subdivision:

1. Sketch Plan (optional)
2. Preliminary Plan
3. Final Plan

#### **Section 301.2**

**Pre-Application Consultation.** Prior to filing an application for approval of a Subdivision or Land Development within Todd Township, the owner or his authorized agent, may meet with the Board for an official classification of his proposed Subdivision or Land Development. The Board may determine whether the proposal shall be classified as a Major or Minor Subdivision, or a Land Development and make advisory comments. At this time, the Board may advise the owner or his authorized agent as to which of the procedures contained herein must be followed.

### Section 301.3

**Official Filing Date.** The official filing date shall be the date that the Board deem that the application complete at a regularly-scheduled or special (legally advertised) public meeting.

- (a) Plans may be received up to fifteen (15) days prior to a regular meeting of the Board. The date plans are received shall be stamped on said plans by the Todd Township Secretary.
- (b) A minimum of five (5) copies of the plans must be sent to Todd Township as well as two (2) copies to the Township Engineer for review and comment. In addition, one (1) set should be sent to the Township Planner and one (1) set should be sent to the Township Solicitor for review and comment on required submission information. (The reviews of professional staff may be used to determine if a plan is complete. Their fees shall be charged to the Developer's escrow account.)
- (c) The date of receiving plans and the date they are deemed complete and filed shall both be stamped on the official Township set.
- (d) Official action on a set of plans will be taken at the next regularly scheduled meeting or within thirty (30) days, whichever deadline comes first.

### Section 301.4

**Fulton County Planning Commission Review.** All plans shall be submitted to and reviewed by the Fulton County Planning Commission in accordance with its then prevailing rules and regulations. Todd Township shall forward to the Applicant a copy of any report of the Fulton County Planning Commission. The Board shall not take action on an application until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

### Section 301.5

**Board Review.** Any plans may be submitted to and reviewed by the Board for advisory comments at a regular meeting. The Board may review the plans with engineering, planning, and/or other consultants to assist in the preparation of one or more advisory reports for the Board. The Board may not take action on an application until all reports are received or until the expiration of thirty (30) days from the date the application was certified complete by the Board.

## *Section 302*

### **Submission and Review of "Sketch Plan" (Optional)**

Prior to the preparation of a "Preliminary Plan," the Applicant is encouraged to confer with the Board for the purpose of an informal discussion concerning the proposed subdivision or land development. The Developer may submit a "Sketch Plan" following the guidelines set forth in

Article IV, Section 402 of this Ordinance. The submission of a "Sketch Plan" is **optional**. When this option is chosen by the Applicant, the Sketch Plan shall be submitted for review not less than ten (10) days prior to the date of the regular or special meeting of the Board at which it is to be considered.

#### **Section 302.1**

**"Sketch Plan" Review.** The Board will review the "Sketch Plan" with the Applicant as it related to:

- (a) The Comprehensive Plan for Fulton County.
- (b) The Comprehensive Plan for Todd Township.
- (c) All other relevant Comprehensive Plans.
- (d) Other relevant ordinances, resolutions, and/or regulations, whether the same be federal, state, and/or local, that may exist.
- (e) The general suitability of the site for proposed development.
- (f) The demand for development for the type proposed and the particular location proposed.
- (g) The availability of necessary services and facilities.
- (h) The improvements and design required by this Ordinance.
- (i) Any proposals of either Local, State, or Federal Governments for such improvements as highways, dams, public grounds, and any other facility that may have an impact on the proposed subdivision.

### ***Section 303***

#### **Minor Subdivision Procedure.**

Minor subdivision plans shall be initiated and submitted for review in the form of a Final Plan as specified in Section 404 of this Ordinance and shall be otherwise reviewed in accordance with the procedures and standards of Section 303 through Section 309 of this Ordinance.

#### **Section 303.1**

**Property Line Changes.** Changes in lot lines between two (2) adjacent lots of record shall be reviewed and approved by the Board as a minor subdivision, and shall exclude certain plan requirements as outlined in Article IV, Section 404.4 of this Ordinance.

## ***Section 304***

### **Official Submission of the Preliminary Plan.”**

Upon reaching conclusions in the informal discussion(s) as a result of reviewing the optional “Sketch Plan” and after reviewing the Plan requirements of this Ordinance, the Applicant is then in a position to proceed with the preparation and official submission of the “Preliminary Plan.” The “Preliminary Plan” shall conform with the requirements set forth in Article IV, Section 403 of this Ordinance. When filing applications for review and approval of subdivision and land development plans, the Applicant shall submit to the Board plans and data at two (2) stages of preparation that shall be designated as: (1) “Preliminary Plan” and (2) “Final Plan.” Application forms for the submission of both “Preliminary” and “Final” Plans are available in the Todd Township Office.

#### **Section 304.1**

**Application Fee.** The fees for the submission and review of Subdivisions and Land Developments within Todd Township shall be established by Resolution by the Board.

#### **Section 304.2**

**Number of Copies.** When submitting an application for review and approval of a “Preliminary Plan,” the Applicant shall submit eight (8) copies of prints of the proposed subdivision or development plan, and supporting information along with three (3) copies of any proposed covenants to the Board, that will then forward copies of the “Preliminary Plan” to the Fulton County Planning Commission, affected water and sewer agencies, and the Fulton County Conservation District and the Todd Township Engineer.

Copies of the letter of transmittal from the Applicant will be sent to other relevant agencies and companies such as other affected Utility Companies, Post Offices, the Central Fulton School District, Assessors, and Fire Departments, along with a notation that the plans are available for review in the Todd Township Office. In addition to filing with Todd Township, “Preliminary Plans” shall be concurrently submitted to appropriate officials of Todd Township for action or information of such officials, as appropriate.

#### **Section 304.3**

**Sewerage Facilities Planning Module.** When applicable, the application form shall be accompanied by the Sewerage Facilities Planning Module as required by and submitted to PaDEP or any other applicable agency.

## ***Section 305***

### **Review of the “Preliminary Plan.”**

On receipt of the recommendations from the County Planning Commission, the Township Engineer, and other relevant agencies and Professional Consultants, if the same have been received within a period of thirty (30) days of such transmission, and on receipt of the recommendations of the other agencies noted in Section 304.2 of this Ordinance if the same has been received within a period of ten (10) days of such transmission, or such reasonable further time as may be requested by these agencies, the Board shall review the application. Based on a thorough review of the comments

of the above mentioned agencies and of the details of the "Preliminary Plan" in light of this Ordinance, the Board shall approve, approve with modification, or disapprove the "Preliminary Plan." The Board shall render its decision and communicate its decision to the Applicant not later than ninety (90) days following the date of the regular meeting of the Board next following the date of the application is filed.

#### Section 305.1

##### Changes and Modifications and Waivers.

- (a) An Applicant may request and the Board may grant a waiver to one (1) or more of the requirements of this Ordinance if the literal enforcement will create an unnecessary hardship on the Applicant, as defined by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, provided that there are physical characteristics of the land in question; however, no waiver will be granted if it is deemed to be contrary to the public health, safety, and/or welfare.
- (b) All modification and waiver requests shall be in written form, submitted with the plans, and be on permanent record at the Todd Township Building.
- (c) Pending written submission thereof, waivers to the requirements of this Ordinance may be granted and acted upon at the public hearing for the application. These requests should be submitted to the appropriate outside agencies for review and comment at least thirty (30) days prior to the public hearing on said application.

#### Section 305.2

##### Action on the "Preliminary Plan."

- (a) Approval or approval with conditions, revisions, or modifications as stipulated or suggested by the Board of the "Preliminary Plan" shall constitute approval of the subdivision or land development as to the character and intensity of development, the arrangement, and approximate dimensions of streets, lots, and other planned features. However, approval of the "Preliminary Plan" shall not constitute acceptance of approval for final approval and recording on fulfillment of all requirements of this Ordinance. The action of the Board shall be communicated to the Applicant in writing no later than fifteen (15) days following the decision.
- (b) Failure of the Board to notify the Applicant in writing within fifteen (15) days of the public hearing on said application will be considered approved by the Board.
- (c) When the application is not approved in terms as filed, the written decision shall specify the defects found in the application, describe the requirements that have not been met, shall cite the provisions of the statute or ordinance relied upon, and shall be communicated or mailed to the Applicant not later than fifteen (15) days following the date of the decision.

## ***Section 306***

### **Submission of the "Final Plan."**

After the Applicant has received official notification that his "Preliminary Plan" has been approved and recommended changes, if any, have been made, he has five (5) years in which to submit a final plan. If the Applicant does not do so within a five (5) year period, his "Preliminary Plan" shall be nullified unless a written time extension is approved by Board. The "Final Plan" must conform to the general scheme of the "Preliminary Plan" as approved and must contain the information specified in Article IV, Section 404 of this Ordinance. The "Final Plan" may be a portion of the entire subdivision shown on the "Preliminary Plan."

#### **Section 306.1**

##### **Provision for "Final Plan" Approval.**

- (a) Before requesting "Final Plan" approval, the Applicant must submit to the Board either (1) a certification by an Engineer that all improvements and installations to the subdivision required by this Ordinance have been made as required by this Ordinance and have been made in accordance with the specifications and approved plans, or (2) a financial security that shall be deposited with Todd Township an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings that may be required.
- (b) 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 required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers, and other improvements as may be required have been installed in accordance with this Ordinance.
- (c) In lieu of the completion of any improvements required as a condition for the final approval of a plat, this Ordinance provides for the deposit with Todd Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, storm water detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings that may be required.
- (d) 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 or 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.



- (e) Without limitation as to other types of financial security that the Board may approve, that 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 Section.
- (f) Such financial security shall be posted with a Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said lending institution is authorized to conduct such business within the Commonwealth.
- (g) Such financial security shall provide for, and secure to the public, the completion of any improvements that may be required pursuant to the Subdivision approval within one (1) year of the approval of the Subdivision Plan and must be irrevocable for a period of fourteen (14) months from the date of Final Plan approval.
- (h) The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the Developer. Annually, the Board may adjust the amount of the financial security by comparing the actual cost of the improvements that 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 percent (110%). Any additional security shall be posted by the Developer in accordance with this subsection.
- (i) The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, including, but not limited to, construction costs, advertising costs and costs associated with bidding the project, in accordance with applicable Prevailing Wage Rates for Pennsylvania (assuming that the remainder of the improvements would need to be performed by, or on behalf of, Todd Township), submitted by an applicant or developer and prepared by an Engineer as such in this Commonwealth and certified by such Engineer to be a fair and reasonable estimate of such cost. 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 Engineer and chosen mutually by the Board 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 Board and the applicant or developer.

- (j) 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 percent (10%) 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 percent (110%) 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.
- (k) In the case where development is projected over a period of years, the Board may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.
- (l) 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, 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, Board shall authorize release by the lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the 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 percent (10%) of the estimated cost of the aforesaid improvements.
- (m) 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 percent (15%) of the actual cost of installation of said improvements.
- (n) 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 Todd Township, 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 Section. Nevertheless, the provisions of Section 306.1(i) of this Ordinance shall apply.

- (o) 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 Section, 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. Any ordinance inconsistent herewith is hereby expressly repealed.

## Section 306.2

### Release from Financial Security

- (a) 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 Applicant's Engineer shall certify that all completed work complies with the approved plans. 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 acceptance or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be accepted or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- (b) The Board shall notify the Developer, within fifteen (15) days of receipt of the Township Engineer's report, in writing, by certified or registered mail, of the action of said Board with relation thereto.
- (c) 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 accepted and the Developer shall be released from all liability except that required under Section 306.1 of this Ordinance, pursuant to its financial security agreement.

- (d) If any portion of the said improvements shall not be accepted 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.
- (e) 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.
- (f) The Board prescribes that the Applicant shall reimburse the Board for the reasonable and necessary expense incurred for the inspection of improvements, including resident inspection for those improvements as determined by the Board. Such reimbursement shall be based upon a schedule established by ordinance or resolution. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the Township Engineer 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 Board when fees are not reimbursed or otherwise imposed on applications.
  - (1) 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 Todd Township 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 or Professional Consultant expense.
  - (2) If, within twenty (20) days from the date of billing, Todd Township and the Applicant cannot agree on the amount of expenses that are reasonable and necessary, then the Applicant and Todd Township shall jointly, by mutual agreement, appoint another Engineer or Professional Consultant to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.
  - (3) The Engineer or Professional Consultant so appointed shall hear such evidence and review such documentation as the Engineer or Professional Consultant 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.
  - (4) In the event that Todd Township and Applicant cannot agree upon the Engineer or Professional Consultant 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 Todd Township is located (or if at the time there be no President Judge, then the

senior active judge then sitting) shall appoint such Engineer or Professional Consultant, who, in that case, shall be neither the Township Engineer nor any Engineer or Professional Consultant who has been retained by, or performed services for, Todd Township or the Applicant within the preceding five (5) years.

- (5) The fee of the appointed Engineer or Professional Consultant 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 \$1,000 or more, Todd Township shall pay the fee of the professional engineer or consultant, but otherwise, Todd Township and the Applicant shall each pay one-half (1/2) of the fee of the appointed arbitrating Engineer or Professional Consultant.

### Section 306.3

**Remedies to Effect Completion Improvements.** In the event that any improvements that may be required have not been installed as provided in this Ordinance or in accord with the approved final plat, the Board shall have the power to enforce any financial security by appropriate legal and equitable remedies. If proceeds of such financial 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 all or 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 financial 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 financial security, and not for any other Township purpose.

### *Section 307*

#### **Review of the "Final Plan."**

Within ninety (90) days from the submission of the "Final Plan," the Board shall review and act on the Plan and notify the Applicant, in writing, of its action unless the Applicant requests a time extension. On finding the "Final Plan" application to be in accordance with the requirements of this Ordinance and in compliance with the approved Preliminary Plan, the Board shall affix its seal on the Plan, together with the certifying signature of the Chairman or Vice-Chairman. Where modifications of the "Final Plan" are requested or the Plan is disapproved, the grounds for these actions must be stated in the notification and noted in the Board's records.

#### **Section 307.1**

**Approval of the "Final Plan."** Based on a thorough review of the details of the "Final Plan," the Board shall (1) (a) approve, (b) approve with conditions, revisions, or modifications, or (c) disapprove the application; (2) render its decision; and (3) communicate its decision to the Applicant within ninety (90) days after the date the "Final Plan"

application was filed. The Board shall notify the Applicant, in writing, of its decision no later than fifteen (15) days following the decision.

The approval of the "Final Plan" by the Board shall not be deemed an acceptance of any proposed dedication and shall not impose any duty on any of the municipalities of Fulton County concerning the maintenance or improvements of any such street, highway, alley, or other portions of the same. No proposed dedication shall be deemed accepted unless and until the Township in which the subdivision is located shall have accepted by Ordinance said proposed dedication.

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

### *Section 308*

#### **Approval of Plats – Miscellaneous Procedures.**

All applications for approval of a plat, whether preliminary or final, shall be acted upon by the Board within such time limits as may be fixed in this Ordinance but 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 Board next following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.

- (a) The decision of the Board shall be in writing and shall be communicated to the Applicant personally or mailed to him at his last known address not later than fifteen (15) days following the decision.
- (b) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements that have not been met and shall, in each case, cite the provisions of the statute or ordinance relied upon.
- (c) Failure of the Board to render a decision and communicate it to the Applicant within the time and in the manner required in Section 308 of this Ordinance shall be deemed an approval of the application in terms as presented unless the Applicant has agreed, in writing, to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
- (d) Changes in the Ordinance 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 Ordinance, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision or

other governing ordinance or plan shall affect the decision on such application adversely to the Applicant, and the Applicant shall be entitled to a decision in accordance with the provision of the governing ordinances or plans as they stood at the time the application was duly filed. In addition, when a preliminary application has been duly approved, the Applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

- (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 the zoning, subdivision or other governing ordinance or plan shall be applied to affect adversely the right of the Applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from such approval.
- (3) Where final approval is preceded by preliminary approval, the aforesaid five (5) year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.
- (4) Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid five (5) year limit, or any extension thereof as may be granted by the Board, no change of municipal ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.
- (5) In the case of a preliminary plat calling for the installation of improvements beyond the five (5) year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed.

Such a schedule shall be updated annually by the Applicant on or before the anniversary of the preliminary plat approval, until final plat 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 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. Provided the landowner has not violated, and does not propose to violate, or defaulted, and does not propose to default, with regard to any of the conditions of the preliminary plat approval, including

compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within five (5) 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 (5) year period the aforesaid protections shall apply for an additional term or terms of three (3) years from the date of final plat approval for each section.

- (7) Failure of landowner to adhere to the aforesaid schedule of final plats for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinances enacted by the Board subsequent to the date of the initial preliminary plan submission.
- (e) Before action on any subdivision plat by the Board, the Applicant shall state that all rights-of-way, streets, sewer and water facilities, and other public improvements shall be certified by an Engineer to have been completed in accordance with the approved plans.
- (f) Before acting on any subdivision plat, the Board may hold a public hearing thereon after public notice.

### *Section 309*

#### **Abbreviated Procedures for Minor Plans and Plat Requirements.**

This section offers an option to combine preliminary and final applications for minor subdivision and land developments and a simple sign off process for plat adjustments. The option is available for review of minor plans and plan adjustments in Todd Township.

#### Review Procedures:

- (a) If the plan meets no objections or needs no modifications, the Board shall notify the Applicant within fifteen (15) days in writing. Failure to do so will grant the application approval.
- (b) If there are suggested revisions to the plan, conditions of plan approval, or recommendations made and the plan is denied, written notice of such denial shall be given to the Applicant in the time frame mentioned in Section 305.2 of this Ordinance, above.
- (c) Following completion of the review and approval, the Planning Commission shall accept the final plan in the form specified in Section 404 of this Ordinance for recording, with all required signatures.
  - (1) The County Planning Department will review the signed transparency for compliance with requirements of the Recorder's Office.



### *Section 310*

#### **Recording of the “Final Plan.”**

Within ninety (90) days after the date of the approval of the “Final Plan” by the Board, the Applicant shall record an original of the same in the office of the Fulton County Recorder of Deeds and file with Todd Township a Recorder’s Certificate that the approved Plan has been recorded with the Deed Book and Page numbers indicated. If the Applicant fails to have the Plan recorded, the decision of the Board is voided unless the Applicant has obtained a written extension of time approved, in writing, by the Board. The Applicant shall proceed with the sale of lots and structures **only** after the “Final Plan” has been recorded with the County Recorder of Deeds. Recording the Final Plan shall be an irrevocable offer to dedicate all streets and other public ways to public use, and to dedicate or reserve all park, open space, and other public areas to public use unless reserved by the Applicant. The approval of the Final Plan shall not impose any duty on the Board or Todd Township concerning maintenance or improvements by ordinance or resolution.

ARTICLE IV  
PLAN REQUIREMENTS

## Article IV.

## PLAN REQUIREMENTS

### *Section 401*

#### **Preliminary Considerations.**

After the effective date of this Ordinance, no person, firm, or corporation proposing to make, or having made a subdivision or land development, within Todd Township, Fulton County, shall proceed with any development such as grading of roads or alleys or any other action before obtaining approval of the proposed subdivision or land development by the Board. The provisions and requirements of this Ordinance shall apply to and control all land subdivision and development that has not been recorded in the Office of the Recorder of Deeds in and for Fulton County, Commonwealth of Pennsylvania, prior to the effective date of this Ordinance.

#### **Section 401.1**

**Discussion of Requirements.** Before preparing a Sketch Plan or Preliminary Plan for a subdivision or land development, the Applicant should discuss with Todd Township the procedure for adoption of a subdivision or land development plan and the requirements as to the general layout of streets and for the reservation of land, street improvements, drainage, sewage, fire protection, and similar matters, as well as the availability of existing services. The Board shall also advise the Applicant, where appropriate, to discuss the proposed subdivision or land development with those officials (including, but not limited to, the Soil Conservationist, the Township Solicitor, the Township Engineer, and the Sewage Enforcement Officer) who will eventually pass upon the aspects of the subdivision or land development plan coming within the jurisdiction of each.

#### **Section 401.2**

**Conformity with Master Plan.** The layout of the proposed subdivision or land development shall be in conformity with the Fulton County Comprehensive Plan, the Todd Township Comprehensive Plan, as periodically updated, any multi-municipal Comprehensive Plan of which Todd Township is a member municipality, and any local level plan that may exist within the area of the proposed subdivision.

#### **Section 401.3**

**Site Considerations.** No land shall be subdivided or developed:

- (a) Unless access to the land over adequate streets or roads exists, or will be provided by the Applicant; or
- (b) If such land is considered by Todd Township as unsuitable for development by reason of floodplain and floodway location or improper drainage, unacceptable underlying geologic structure, insufficient depth of the seasonal water table, unsuitable soil conditions, wetlands, unfavorable topographic features, or the presence of any other features harmful to the health and safety of possible residents and the community as a whole.

## *Section 402*

### **“Sketch Plan” (Optional).**

Prior to the official submission of the “Preliminary Plan,” a subdivision or land development “Sketch Plan” may be submitted by the Applicant or property owner to facilitate an informal discussion with Todd Township officials concerning the proposed subdivision or land development. This informal discussion may be extremely valuable in guiding the Applicant on the proper course in the development of a subdivision or land development thereby reducing the possibility of costly mistakes. Submission of the “Sketch Plan” will not constitute formal filing of the plan with Todd Township. The “Sketch Plan” need not be drawn to scale or contain precise dimensions.

The following items are suggested for inclusion in the “Sketch Plan” presentation:

- (a) Proof of ownership;
- (b) Name of owner;
- (c) Tax Parcel Identification Number;
- (d) General location within Todd Township;
- (e) Proposed name of subdivision or land development;
- (f) Tract boundary including all land that the Applicant intends to subdivide;
- (g) General topographical and physical features along with water courses, streams, ponds, flood plains, and wetlands;
- (h) Names of surrounding property owners;
- (i) North point; approximate scale and date of original drawing;
- (j) Streets on and adjacent to the tract;
- (k) Proposed general street layout;
- (l) Proposed general lot layout or development;
- (m) Proposed use of the lots or development;
- (n) Any other information that would be helpful in the preliminary discussion of what the Applicant intends to do; and
- (o) Statement of general availability of utilities of water and sewer, etc.

## *Section 403*

### **“Preliminary Plan.”**

The “Preliminary Plan” shall be accurately drawn to a scale of one (1) inch equals one hundred (100) feet. The “Preliminary Plan” shall be submitted on an 8½” X 14” sheet if a one (1) or two (2) lot subdivision; or the following sheet sizes if more than a two (2) lot subdivision: (a) 18” X 24”; (b) 24” X 36”; or (c) 36” X 42.” The sheets comprising a submission shall be on one (1) common size and shall contain the information noted in Section 403.1 of this Ordinance.

#### **Section 403.1**

**Required Information.** The “Preliminary Plan” shall contain the following information:

(a) Title Block Requirements:

The following are required to be included in the Title Block of all subdivision and site plan applications:

- (1) Name of proposed subdivision or land development with identification as a preliminary plan and the name of the municipality in which it is located.
- (2) Date of application for subdivision or land development approval. Add and Revision Date Block.
- (3) Name, address of record owner of the tract along with Deed Book and Page numbers of the deeds conveying the property to the owner.
- (4) Name(s) and address of developer, applicant or authorized agent if different from owner.
- (5) Name, address, and seal of Engineer, Architect, Surveyor, or Landscape Architect responsible for the plan.
- (6) Tax parcel number(s) of subject tracts.
- (7) Type of sewage disposal and water supply to be utilized.
- (8) Total acreage of the subject tracts and total number of proposed lots or units (if applicable), total gross square footage of proposed buildings (if applicable).
- (9) North point, graphic scale, date of original plan along with date and description of revisions to the plan.
- (10) Base of benchmark for elevations on the plan.

- (11) Proposed use of property.
- (12) Number of required parking spaces (if applicable).
- (13) A note in accordance with the Pennsylvania One Call Act (Act 287 of 1974, as amended) informing anyone planning to undertake excavation or demolition work in connection with the Subdivision or Land Development to notify the One Call System not less than three (3) nor more than ten (10) working days in advance of beginning excavation or demolition work. The designer of the plan shall indicate the serial number of the One Call Notice on the drawings and shall also show the toll free number of the One Call System on the drawings near the serial number.
- (14) Legend describing symbols used on plan.
- (15) Location map showing the proposed subdivision or land development in relation to municipal boundaries, public roads, streams, and adjoining areas. A location map at a scale of 1" (inch) = 2000' (feet).
- (16) All applications and plans must be signed by the legal owner of the property and, if the actual Subdivision or Land Development is being pursued by an equitable owner of the real estate, e.g., one holding a contract to purchase for a lease agreement on which the Applicant bases the right to proceed with Subdivision or Land Development activities, the equitable owner must also sign. As a part of the signature block, the legal owner and, if applicable, equitable owner shall be clearly identified, and the signature block shall contain a statement that the Application and the plan are submitted with the free will and consent of those who have signed. All signatures must be notarized. In the event the Application is being submitted by an equitable owner, documentation forming the basis of the equitable ownership shall be included with the Application.
- (17) Signed statement by owner listing land or facilities to be offered for dedication to Township and acknowledging that the owner will be responsible for maintenance of lands or facilities unless and until they are completed and accepted by formal action by the Board.
- (18) A place for the signatures of the Supervisors and Secretary of the Board and space to fill in date of approval.
- (19) A place for the signatures of the authorized persons of the County Planning Commission along with space to fill in date of signatures.
- (20) Evidence of submission of Sewer Planning Modules to PaDEP or any other applicable agency.

(21) If water is to be provided by means other than by private wells owned and maintained by the individual, owners of lots within the Subdivision or Land Development then, at the time of the initial submission an Applicant shall present written evidence that the Subdivision or Land Development is to be supplied by a Certified Public Utility, a bona fide Cooperative Association of Lot Owners, or 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 Certification, a Cooperative Agreement or a Commitment or Agreement to serve the area in question, whichever is appropriate shall be acceptable evidence for satisfying this requirement.

(b) Topographic Mapping of the subject tract showing the following information:

- (1) Exterior boundary line of tract.
- (2) Ground elevations indicated by contours at intervals of two (2) feet for land with an average natural slope of eight percent (8%) or less and at five (5) foot intervals for land with an average natural slope greater than eight percent (8%), and the location of benchmark and datum used.
- (3) The name and deed references of all owners of immediately adjacent land.
- (4) Existing streets on and adjacent to the tract: name, location of Right-of-Way, Right-of-Way widths, cartway widths, type of surfacing, elevation of surfacing, driveway cuts, and approximate grades.
- (5) Existing easements, including location, width, and purpose.
- (6) Existing utilities on and adjacent to the tract, including location, type, size, and invert elevation of sanitary and storm sewers, location and size of water mains and valves, fire hydrants, street lights, gas lines, oil and similar transmission lines, and power lines with utility poles, transformers, and related appurtenances. If any of the foregoing are not available at the site, indicate the distance to the nearest available utility and furnish a statement of availability.
- (7) Water courses, flood plains, wetlands, geologic features, tree masses, and other significant natural features.
- (8) Existing manmade features, including structures, railroads, bridges, and driveways.
- (9) Buffer areas required by this or other relevant Ordinances.

- (c) If preliminary plan is proposed to proceed to a final plan with the posting of financial security, the following shall be shown on plans:
- (1) A statement that approval of the preliminary plans does not authorize construction of facilities or the sales of lots depicted on plans.
  - (2) Location of proposed streets, including rights-of-way, Right-of-Way widths, cartway widths, approximate grades, and the type and elevation of surfaces, sidewalks, gutters, etc.
  - (3) Schematic design of proposed sanitary sewage system (if applicable), showing approximate location of manholes, pump stations, treatment facilities, force mains, and sizes of mains. If the subdivision or land development is to be served by a sewer authority or agency, verification of the capacity to serve the proposed subdivision or land development must accompany the submission.
  - (4) If on-site sewage disposal is to be utilized, show soil types, location of soil probes and percolation test sites, a listing of the test areas, with a summary of the general suitability of each test area.
  - (5) Schematic design of proposed water distribution system (if applicable) showing approximate location of fire hydrants, pumping facilities, storm, sanitary and wastewater treatment facilities, storage tanks, and sizes of mains. If the subdivision or land development is to be served by a water authority or agency, verification of the capacity to serve the proposed subdivision or land development must accompany the submission. In cases when an on-lot water supply is to be utilized, the location of areas for proposed well sites shall be identified. The horizontal and vertical spacing between potable water sources (wells, wellhead and mains) and sewage treatment facilities on both the lot in question and adjacent lots.
  - (6) Schematic design of proposed storm water management system, including inlets, culverts, swales, channels, and detention/retention facilities.
  - (7) Proposed lot lines, lot numbers, approximate area of each lot, and proposed minimum front, side, and rear building setback lines.
  - (8) Areas to be reserved for parks, playgrounds or other public grounds with statement of who will eventually assume ownership and/or maintenance responsibilities of such areas.
  - (9) Proposed buildings with ground floor area, gross square footage, and height of each building, vehicular and pedestrian circulation systems, outdoor storage facilities, including bulk trash containers, and material storage.



- (10) Proposed parking areas with handicap stalls, loading areas, driveways, and driveway location at the street line accessing a proposed street for each lot, buffer, and other landscape areas and fire lanes.
- (11) Phasing of project and tentative time table with proposed sequence of the project (if applicable).
- (12) Proposed easements, including location, width, purpose, and information related to maintenance arrangements.
- (13) A Highway Occupancy Permit issued by PennDOT, if the subdivision or land development proposes access to a State road, and/or a Driveway Permit issued by the Board, if the subdivision or land development proposes access to a Township road.
- (14) Traffic Impact Studies:
  - (a) Purpose. To provide the Board with an opportunity:
    - (1) To identify traffic and transportation problems associated with the adequacy of the existing transportation network and facilities to provide access to and from and through the site in light of the character and volume of traffic expected to be generated by the proposed subdivision and/or land development, including but not limited to consideration of the interrelationship and interconnection of proposed new street networks with the existing streets, the number of units being proposed, the types of activities proposed, the size of the proposed development, and the adequacy of access to and from the proposed development with the existing roadway network.
    - (2) To delineate solutions to such problems or facilities including the prescription of improvements to be provided by or at the expense of the Applicant.
  - (b) When required, a transportation impact study shall be submitted regarding subdivisions and land developments that meet the following criteria:
    - (1) Residential. Involving 25 or more dwelling units;
    - (2) Commercial. Having 25,000 or more feet of gross floor space;

- (3) Industrial. Involving 50,000 or more square feet of gross floor space.
  - (4) Other. Whenever the Board shall find that there is a reasonable ground to believe that the existing transportation network may be inadequate to handle the volume or character of traffic likely to result from the proposed subdivision or land development.
- (c) By whom prepared. The study shall be prepared by a qualified traffic engineer and/or transportation planner who shall be mutually agreed upon by the Developer and Todd Township. The study preparer shall have sufficient documented, prior traffic study experience to qualify him to perform the study and render any opinions and recommendations set forth therein. The cost to prepare the study will be borne entirely by the Developer.
- (d) Contents. The study shall contain information, analyses and conclusions regarding the following:
- (1) General site description. The site description shall include the size, location, proposed land uses, construction staging, and completion date of the proposed land development. If the development is residential, types of dwelling units and number of bedrooms shall also be included. A brief description of other major existing and proposed land developments within the study area shall be provided. The general site description shall also include probable socio-economic characteristics of potential site uses to the extent that they may affect the transportation needs of the site (e.g., number of senior citizens).
  - (2) Transportation facilities description:
    - (a) Proposed internal transportation system. This description shall show proposed vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all existing or proposed internal roadways including widths of paved cartways and rights-of-way, parking conditions, traffic channelizations, and any other traffic signals or other intersection control devices, within or near the site of the subdivision or land development.

- (b) External transportation system. This report shall describe the entire external roadway system within the study area of the proposed subdivision or land development. Major intersections in the study area shall be identified and sketched. All existing and proposed public transportation services and facilities within a one-mile radius of the site shall also be documented. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from PennDOT. Any proposed roadway improvements resulting from proposed surrounding developments shall also be recorded.
  
- (c) Existing traffic conditions. Existing traffic conditions shall be measured and documented for all roadways and intersections in the study area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic and peak development-generated hour(s) traffic shall be recorded. Manual traffic counts at major intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s), and documentation shall be included in the report. A volume capacity analysis based upon existing volumes shall be performed during the peak highway hour(s) for all roadways and major intersections in the study area. Levels of service shall be determined for each location. This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand.
  
- (d) Transportation impact. Estimation of vehicular trips to result from the proposal shall be completed for the average daily peak highway hour(s) and peak development-generated hour(s). Vehicular trip generation rates to be used for this calculation shall be obtained from Trip Generation Rates Tables found in the latest edition of the Institute of Transportation Engineers Trip Generation Manual. These development-generated traffic volumes shall be provided for the inbound and outbound traffic movements as estimated, and the reference source(s) and methodology followed shall be documented. All turning movements shall be calculated. These

generated volumes shall be distributed to the study area and assigned to the existing roadways and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points. Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause particular trip generation problems shall be noted.

- (e) Conclusions and recommended improvements. Levels of service for all roadways and intersections shall be listed. All roadways and/or intersections showing a level of service below "D" for signalized intersections and below "E" for unsignalized intersections shall be considered deficient and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to, the following elements: internal circulation design, site access and curb-cut location and design, external roadway and intersection design and improvements, and traffic signal installation and operation, including signal timing and transit design improvements. All physical roadway improvements shall be shown on the preliminary plan. Existing and/or future public transportation service shall also be addressed. A listing of all actions to be undertaken to increase present public transportation usage and improve service, if applicable, shall be included. The listing of recommended improvements for both roadways and transit shall include, for each improvement, the party responsible for the improvement, the cost and funding of the improvement and the completion date for the improvement. Unless otherwise prohibited or in conflict with another section of this Ordinance or other regulatory enactments, developments that are proposed to be constructed in phases shall be designed so as to provide more than one point of access to and from the particular phase of the development being constructed, unless based upon documentation submitted by the applicant the Board

determine that a waiver to this requirement shall be granted.

- (3) Modified study. Whenever a study is required solely because of the findings of the Board as provided in Section 403.1(c)(14)(b)(4) of this Ordinance, above, or if the Board shall conclude that certain of the required information, analyses or conclusions are unnecessary for an identification of the traffic problems or finding solutions therefor, the Board shall delineate the scope and contents of the study so as to include only those matters it deems appropriate to aid in the identification and solution of the problems envisaged.
- (15) If a preliminary plan is proposed to proceed to construction, with a final plan submitted for approval after completion of required improvements, the following shall be shown on plans:
    - (a) A statement that approval of preliminary plan authorizes construction of facilities depicted on plans, but does not authorize sales of lots or use of facilities.
    - (b) Information required by Section 404.1(g) and Section 404.2 of this Ordinance.
  - (16) Additional information, when required by the Board in the case of special conditions, may include the following:
    - (a) Profiles showing existing ground surface and proposed street grades and typical cross sections of the roadways and sidewalks.
    - (b) Areas to be reserved for schools, shopping, churches, industries, multi-family dwellings, or any other known public use exclusive of single family dwellings.
    - (c) A draft of protective covenants in cases where the Applicant wishes to regulate land use within the subdivision or land development and otherwise regulate and protect the proposed development.
    - (d) A water and sewage feasibility report prepared by an Engineer.
    - (e) If applicable, horizontal and vertical spacing between on lot sewage disposal systems and potable water wells on both the site in question and the adjacent lots must be included on the plans. Percolation test data of at least two (2) feasible locations on the lot(s) must be submitted as well.

A minimum lot size of one (1) acre is required. Also, the distance between the well and on lot sewage disposal system must be at least one hundred (100) feet apart in terms of horizontal space.

- (f) A Soil Erosion and Sediment Control Plan prepared by an Engineer and in compliance with the Conservation District.

#### ***Section 404*** **“Final Plan.”**

The “Final Plan” shall be accurately drawn to a scale of one (1) inch equals one hundred (100) feet or larger [e.g., one (1) inch equals twenty (20) feet, fifty (50) feet, etc.]. The “Final Plan” shall be submitted on an 8½” X 14” sheet if a one (1) or two (2) lot subdivision, or the following sizes if more than a two (2) lot subdivision: (a) 18” X 24”; (b) 24” X 36”; or (c) 36” X 42.” The sheets comprising a submission shall be on one (1) common size and shall contain the information noted in Section 404.1 of this Ordinance.

#### **Section 404.1**

**Required Information.** The “Final Plan” shall contain the following information:

- (a) That information required by Section 403.1(a) of this Ordinance, except that plan shall be identified as a “Final Plan” and Section 401.3(b) of this Ordinance.
- (b) Boundary lines of each lot or area to be dedicated or reserved for public or community use completely dimensioned in feet and hundredths of feet and bearing with degrees, minutes and seconds, with an error of closure of not more than one (1) foot in two thousand (2,000). All curves shall show radii, lengths of arcs, tangents, and chord bearings with distances.
- (c) The location and material of all permanent monuments and lot markers.
- (d) Lot numbers, area, and setback lines on each lot.
- (e) All proposed easements with dimensional information and purpose.
- (f) Space on lower edge of final plan for acknowledgment of receipt and recording of plan by the Fulton County Recorder of Deeds Office.
- (g) The following information regarding proposed improvements:
  - (1) Design of proposed streets, including a plan showing geometry and proposed contours, typical cross sections and profiles. Details of curbing, inlets, or other facilities involved in street construction.

- (2) Design of storm water management controls in accordance with Section 510 of this Ordinance.
- (3) Design of sewage collection and treatment facilities (if applicable), including plan showing location of facilities, profiles and details, and other information required by the municipal authority or utility company that will assume responsibility for the system upon completion.
- (4) If on lot sewage is to be utilized, show soil types, location of soil probes and percolation tests, suitable primary and replacement absorption bed areas on each lot with provisions for their protection and reservation, and a summary of the general suitability of each test area. The following statement shall be placed on plan: "This is not a guarantee that a sewage permit will or will not be issued for any lot or parcel. The Township Sewage Enforcement Officer (SEO) must be contacted to conduct any further tests, as necessary, to determine permit issuance."
- (5) Design of water supply facilities (if applicable), including plans and details showing location sizing and installation of mains, valves, fittings, fire hydrants, and other appurtenances.
- (6) Proposed buildings with finished ground floor elevations, ground floor area, gross floor area, and height listed.
- (7) Proposed pedestrian circulation systems, including details of construction.
- (8) Outdoor storage facilities, including bulk trash containers and material storage.
- (9) Proposed parking areas showing parking stalls, handicap stalls (in accordance with the regulations promulgated pursuant to the Americans with Disabilities Act [ADA]), signage, loading areas, fire lines and driveways, with dimensional information, and details of pavement construction.
- (10) Outdoor lighting showing type of fixtures and mountings.
- (11) Landscaping plan, when required by Article VIII, Section 802 of this Ordinance, or when buffer plantings are required.
- (12) Grading plans with proposed contours and spot elevations to depict accurately all changes to the topography within the site.
- (13) Location and details of soil erosion and sedimentation controls.

- (14) If development proposes access to a State Highway, the following shall be placed on plans: *“A Highway Occupancy Permit issued by PennDOT is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the “State Highway Law.”* Access to the State Highway shall be only as authorized by a Highway Occupancy Permit, all of which should be noted on the plan notes.
- (15) Profile and detail of “typical” driveway showing materials, profile, elevation, and connection with public street and a driveway construction specification plan in accordance with Figure 3.
- (16) A deed of dedication for each proposed road that the Applicant proposes to dedicate to Todd Township. Prior to making an offer of dedication of any street to Todd Township, the Developer shall have an engineering and traffic study conducted for speed limits and traffic controls in accordance with the requirements of 75 Pa.C.S. §3362, the regulations promulgated thereunder, and PennDOT’s Publication 201, “Engineering and Traffic Studies.”
- (17) Does not require Township to take over roads or any utility

#### Section 404.2

**Supporting Documentation.** If relevant to the proposed subdivision or land development, the following documentation shall be required and submitted prior to “Final Plan” approval:

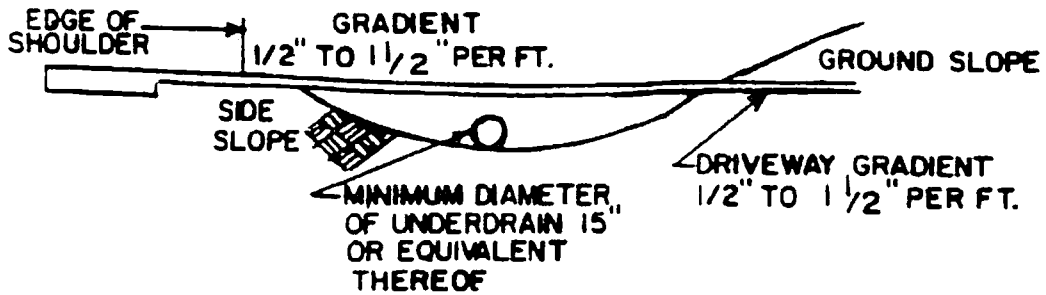
- (a) A Soil Erosion and Sedimentation Control Plan as required by Chapter 102 of the rules and regulations of PaDEP or any other applicable agency, along with a letter from the Conservation District reviewing said plan, or an Earth Disturbance Permit issued by PaDEP.
- (b) Applicable permits issued by PaDEP or any other applicable agency for waterway obstructions, stream or wetland encroachments, and community water systems.
- (c) If applicable, a Sewage Planning Module and a letter of approval for such from PaDEP.
- (d) If applicable, a Water Quality Management Permit, NPDES permit, or other permits that may be required for sewage systems and/or discharges of storm water.
- (e) Documents pertaining to homeowner associations, condominium declarations, and/or restrictive covenants.
- (f) Approval by the U.S. Postal Service and/or emergency dispatching agencies of street names.



# FIGURE 3 DRIVEWAY CONSTRUCTION SPECIFICATION

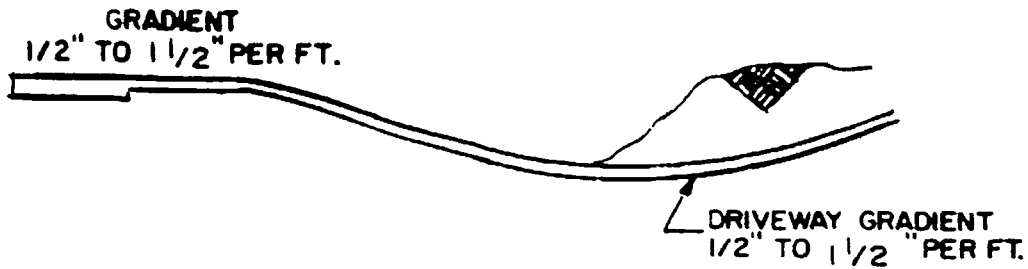
①

## WITHOUT HIGHWAY CURB DRIVEWAY IN CUT SECTION



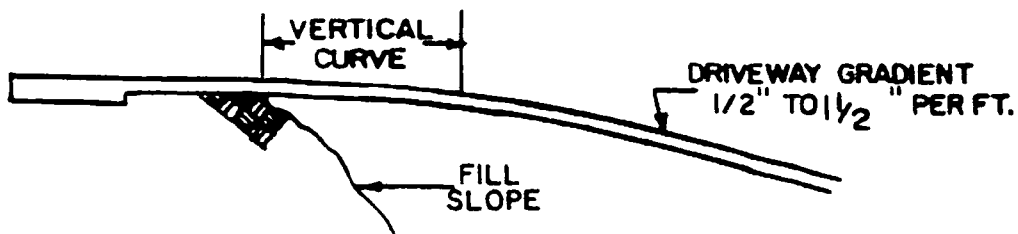
②

## DRIVEWAY IN VALLEY GUTTER



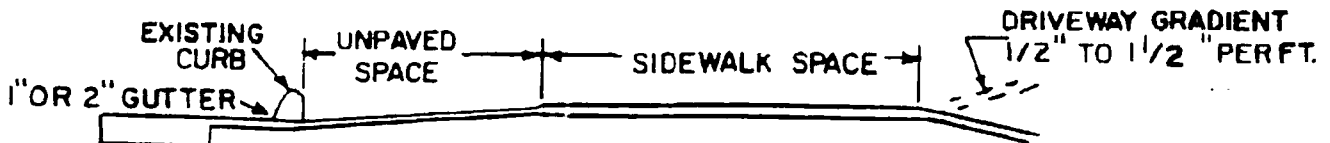
③

## DRIVEWAY IN FILL SECTION



④

## WITH HIGHWAY CURB DRIVEWAY WITH HIGHWAY EDGE CURB



DIFFERENCE BETWEEN GRADIENT OF DRIVEWAY  
AND CROSS SLOPE OF PAVEMENT SHOULD NOT  
EXCEED 1" PER FT.

- (g) A letter from each utility company servicing the site or lots is required.
- (h) All floodplains must be depicted on the plans.

#### Section 404.3

**Minor Subdivision Exclusions.** The following may be omitted from plans for subdivisions meeting the definition as Minor Subdivisions:

- (a) Ground elevation information as otherwise required in Section 403.1(b)(2) of this Ordinance. Topographic mapping on a base using USGS 7.5 minute mapping or better may be substituted.
- (b) Information on proposed streets as delineated in Section 404.1(7)(a) of this Ordinance.
- (c) Information on proposed sewage collection and treatment facilities, other than on-lot, as delineated in Section 404.1(7)(c) of this Ordinance, except when located within the future service area of a sanitary sewer system as per an approved Act 537 Plan.

#### Section 404.4

**Property Line Changes.** Changes in lot lines between two (2) adjacent lots of record shall be reviewed in accordance with Article III, Section 303 of this Ordinance, as a Final Plan; may exclude adherence to Section 404.1, Section 404.2, and Section 404.3 of this Ordinance; and shall include the following information:

- (a) Proof of ownership;
- (b) Name of owner;
- (c) General location within Todd Township;
- (d) Tract boundary, including all land that the Applicants intend to redivide;
- (e) General topographical and physical features such as streams, ponds, etc;
- (f) Names of surrounding property owners;
- (g) North point, approximate scale, and date of original drawing;
- (h) Streets on and adjacent to the affected tracts;
- (i) Existing and proposed lot lines;

- (j) A statement noting that *“This plan is for a change in lot lines between two (2) existing lots of record and not for the creation of any new lot.”*
- (k) Any other information that would be helpful in the discussion of what the Applicants propose; and
- (l) Tax Parcel Identification Number.

ARTICLE V  
DESIGN STANDARDS

## Article V. DESIGN STANDARDS

### *Section 501*

#### **General Intent.**

In all land developments and subdivisions in Todd Township proposed to be developed after the effective date of this Ordinance, certain improvements shall be installed in accordance with design specifications set forth herein. Whenever Todd Township standards or other ordinances, resolutions, or regulations exceed the minimum standards contained within this Ordinance, those Township standards shall apply. Whenever the standards of this Ordinance exceed those of the other municipal ordinances, the standards of this Ordinance shall apply.

### *Section 502*

#### **General Standards.**

The following general standards shall apply to all types of development. Todd Township will study the following factors affecting the suitability of a proposed subdivision or land development:

- (a) Land subject to flooding and land deemed by the Board to be uninhabitable for other reasons shall not be platted for development, nor for such other uses as may increase danger to health, life, property, groundwater, or aggravate the flood hazard; but such land within a plan shall be set aside for such uses as will not be endangered by periodic or occasional inundation, or as will not endanger life, property, or further aggravate or increase the existing menace.
- (b) Areas characterized by steep slopes [slopes greater than twenty-five percent (25%)], unsuitable geologic formations, sink holes, wetlands, or other such features that restrict the usability of the land shall not be subdivided or developed.
- (c) In determining the suitability of land for subdivision, the Board shall refer to all applicable Comprehensive Plans, applicable studies, ordinances, plans, and reports adopted by the County Planning Commission, State, and Federal agencies including the soil survey prepared by the NRCS.
- (d) The layout or arrangement of the subdivision or land development shall conform to all applicable Comprehensive Plans, and to any regulations or maps adopted in furtherance thereof; in addition, the layout or arrangement of the subdivision or land development shall conform to any or other applicable ordinances that may exist.
- (e) Where evidence indicates that the minimum lot size requirements specified in other sections of this Ordinance are not adequate to permit the installation of individual on-lot water and/or sewerage disposal facilities, along with an area to be set aside for a replacement sewage absorption bed, the Board shall require that the Township Sewage Enforcement Officer (SEO) or PaDEP or any other applicable agency make such tests as are necessary to

determine the adequacy of the proposed facilities in relation to the provisions of the Pennsylvania Sewage Facilities Act 537, as amended, plus other applicable State or local regulations. The Board shall review and shall make a final determination on the adequacy of the proposed facility.

- (f) Subdivisions and land developments showing reserve strips controlling the access to public ways will be permitted as long as construction and maintenance are the responsibility of the Applicant or owner and designated as such on all maps and plans.
- (g) Lot lines shall, where possible, follow municipal and County boundary lines rather than cross them.

### ***Section 503***

#### **Streets.**

The following general standards shall apply to all streets within a subdivision:

- (a) The proposed street system shall extend existing or recorded streets with the same width or larger but in no case less than the required minimum width.
- (b) Where, in the opinion of the Board, it is desirable to provide for street access to adjoining property, street stubs shall be extended by dedication to the boundary of such property.
- (c) New minor streets shall be so designed as to discourage through traffic, but the Developer shall give adequate consideration to provision for the extension and continuation of major arterial and collector streets into and from adjoining properties.
- (d) Where a subdivision abuts or contains an existing street of improper width or alignment, the Board may require the dedication of land sufficient to widen the street or correct the alignment and may require the Developer to pay all costs of widening the street and/or correcting the alignment.
- (e) Cul-de sacs:
  - (1) Dead-end streets ending in cul-de-sacs may be permitted if the streets (a) do not exceed 800 feet in length and (b) contain a turnaround having a minimum of 120 feet right-of-way and a minimum paved diameter of 100 feet. The length of a cul-de-sac street shall be measured from the center line of the intersecting street and the outer paved edge of the cartway at the closed end of the cul-de-sac. There shall be no more than three building lots accessing a cul-de-sac and no more than three driveway cuts accessing the cul-de-sac. A cul-de-sac street shall not intersect another dead-end street.
  - (2) When a land development or subdivision submission proposes to incorporate cul-de-sac streets in its design, an area or areas adjacent to a cul-de-sac of sufficient size to

contain a volume of snow equivalent to one foot on the paved area of the cul-de-sac shall be depicted and designated on the plans as an easement for purposes of snow removal from the paved area of the cul-de-sac. This area shall be in location adjacent to the cul-de-sac where snow plowed from the cul-de-sac may be deposited without special maneuvering by the snowplow.

- (3) Private streets shall have a minimum right-of-way width of fifty feet (50') and shall be constructed in accordance with the standards specified in Section 503 of this Ordinance, whether or not the street(s) is to be dedicated to Todd Township, unless a waiver to this requirement is granted by the Board in accordance with Section 305.1 of this Ordinance.
  - (4) Private streets shall serve not more than three building lots or dwelling units, unless a waiver to this requirement is granted by the Board in accordance with Section 305.1 of this Ordinance.
- (f) Todd Township NOT required to accept ANY offer of dedication.
- (g) Two (2) copies of an agreement between the Developer and the Lot Owners or Tenants shall be submitted to Todd Township with the Subdivision or Land Development submission. The agreement shall be binding on the Developer's or Developer's and Owner's or Tenant's heirs, successors and assigns. The agreement shall establish responsibility for such items as street maintenance and repair, snow and ice removal, and upkeep of the roadbed and drainage facilities. Said agreement shall be subject to the approval of the Board, shall be recorded with the Final Subdivision or Land Development Plan, and shall be made a part of all deeds for lots served by the private street. Said agreement shall establish the conditions under which the street or system of streets may later be offered for dedication to Todd Township and shall stipulate among other things the following:
- (1) That at the time of the offer of dedication, the street or system of streets shall be in a good state of repair as certified by an Engineer, to be retained by the Lot Owners, or that the Owner of the lots served by the street agrees to include with the offer of dedication sufficient money, as estimated by the Engineer subject to the review and approval by the Board, to pave and/or restore the street(s) to meet the standards of this Ordinance under Section 503.
  - (2) That an offer to dedicate the street shall be made only for the street as a whole.
  - (3) That the method of ensuring repair costs be established.
  - (4) That an agreement to offer the street for dedication by a majority of the owners of the lots shall be binding on owners of the remaining lots.

- (h) Street pavement design shall conform with the following:
- (1) The Board reserves the right to approve alternate designs for material type, depth, and width when sound engineering analysis proves the acceptability of the alternate. In no instance shall a proposed alternate design be less than the minimum requirement contained herein.
  - (2) The road construction standards contained herein are minimum standards. These standards are adequate to provide safe, durable roads for all streets within Todd Township. In no case should a proposed design provide for less than these standards require. Designs in excess of these standards may be required when conditions warrant. Design criteria to be used shall be PennDOT Design Manual, Part 2, Highway Design. Material and construction methods shall comply with the latest edition of PennDOT "Specification," Publication 408, and "Standards for Roadway Construction," PennDOT Publication 72.
  - (3) Roads on the State or Federal System must be designed to the specifications required by the above mentioned agencies, the standards of this Ordinance notwithstanding.
  - (4) All pavements shall be designed for a 20-year service life.
  - (5) Where it is proposed to use a road prior to the placement of the wearing course, the base course of the road must be structurally designed to support all anticipated loads.
  - (6) Parking lanes shall be provided where required by Todd Township. Thickness requirements for parking lanes shall be the same as the thickness requirements for the cartway.
  - (7) Temporary turnarounds, meeting the dimensional requirements contained herein for a cul-de-sac, shall be installed when streets are designed for future extension to adjoining properties or future extension to subsequent phases of a development. Temporary turnarounds shall be provided with easement meeting the Right-of-Way requirements herein for cul-de-sacs. Temporary turnarounds shall be constructed of a minimum of six inches (6") of well compacted gravel.
  - (8) All construction materials, equipment, procedures and methods shall conform to the requirements of PennDOT Specifications, Publication 408, most recent addition, unless specifically stated otherwise in this Ordinance.
  - (9) Subgrade: In accordance with the latest edition of PennDOT Publication 408, Section 210, the subgrade shall be approved by the Board prior to placing of subbase.
  - (10) Subbase: In accordance with the latest edition of PennDOT Publication 408, Section 350, subbase shall be approved by the Board prior to placement of base material.



- (11) Bituminous concrete base course: In accordance with the latest edition of PennDOT Publication 408, Section 305, bituminous concrete base course shall be approved by the Board prior to the placing of the wearing course.
- (12) ID-2 bituminous wearing course: In accordance with the latest edition of PennDOT Publication 408, Section 420, material shall conform to the latest edition of PennDOT Publication 408, Section 420.2a, b, and c. Skid resistance level shall be as required by the latest edition of PennDOT Publication 242. A tack coat shall be applied to the surface of any pavement that has been in place for more than seven (7) days prior to placement of subsequent course.
- (13) Plain cement concrete curb (where required): In accordance with the latest edition of PennDOT Publication 408, Section 630, curbing shall be plain cement concrete curb as shown in PennDOT standards for roadway construction, Publication 72, RC-64.
- (14) Shoulders: In accordance with the latest edition of PennDOT Publication 408, Section 653, shoulders shall be Type 3 as shown in PennDOT standards for roadway construction, Publication 72, RC-25, and as specified in PennDOT, Publication 408, Section 653.2, except bituminous surface treatment is not required.

(15) Pavement structures shall be as follows:

CLASSIFICATION OF STREET	DEPTH OF COURSES		
	Surface	Base	Subbase
Marginal access and cul-de-sac	1-1/2"	4-1/2"	8"
Local (Minor)	1-1/2"	4-1/2"	8"
Collector	4"*	6"	10"
Arterial	4"*	8"	12"

\*Consists of wearing and binder courses.

- (16) Street cross slopes shall be at a rate of 1/4 inch per foot for tangent alignments and shall be sloped in accordance with the super elevation requirements of the latest edition of the PennDOT Design Manual, Part 2. Shoulder cross slopes shall be a minimum of 1/2 inch per foot and a maximum of 3/4 inch per foot.
- (i) Storm water conveyance systems shall be designed in accordance with Section 510 of this Ordinance. All storm water conveyance systems within rights-of-way to be dedicated to Todd Township shall conform with the following:
  - (1) End walls and inlets shall be as per the latest editions of PennDOT Publication 408, Section 605 and PennDOT Publication 72, RC-31 and RC-34.
  - (2) Pipe culverts shall be as per the latest edition of PennDOT Publication 408, Sections 601, 602 and 603. Corrugated polyethylene culvert pipe is acceptable up to and including 24" OD. The minimum size of culvert pipes shall be 15" I.D.

- (j) Guide rail and median barrier requirements and design shall be as per PennDOT, Publication 13, Design Manual, Part 2, Chapter 12. Material and construction shall be as specified in PennDOT Publication 408, Section 1109 and PennDOT Publication 72, RC-50, 52, 53, 54 and 55.
- (k) All street construction shall be inspected by Todd Township, at the Developer's expense. Developer shall notify Township at least forty-eight (48) hours prior to time when inspection is required. The Developer may not under any circumstances proceed with subsequent stages until authorization to proceed is given by the Board.

**Section 503.1**

Width. Minimum street right-of-way and pavement widths, shall be as set forth in the following table:

**STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS**

<i>Street Type</i>	<i>Street Width</i>	<i>Shoulder Width</i>	<i>Minimum Grade</i>	<i>Maximum Grade</i>
Marginal Access and Cul-De-Sac				
Right-Of-Way	50'			
Cartway	18'	6'	1%	10%
Turnaround of Cul-De-Sac				
Right-Of-Way (minimum diameter)	120'			
Cartway (minimum diameter)	100'			
Length (maximum)	800'	6'	1%	10%
Local (Minor)				
Right-Of-Way	50'			
Cartway	18'	6'	1%	10%
Collector				
Right-Of-Way*	50'	6'	1%	10%
Cartway*	20'			
Arterial (Major)				
Right-Of-Way*	80'	10'	1%	5%
Cartway*	44'			

\*NOTE: The Board retains the option to allow the determination of right-of-way width, cartway width, and shoulder width of Collector and Arterial Streets to be determined on the basis of a traffic study furnished by the Applicant.

**Section 503.2**

**Alignment.** Proper sight distance shall be provided with respect to both horizontal and vertical alignment. Measured along the center line, four and one-half feet (4 ½') above grade, the minimum sight distance shall be as follows:

- (a) The minimum radius at the center line for horizontal curves on arterial streets shall be seven hundred feet (700'); for collector streets, three hundred feet (300'); and for minor streets, one hundred feet (100'). Proper super-elevation shall be provided for curves on arterial streets.
- (b) Between reverse curves, a tangent of not less than the following dimensions shall be provided:
  - 1. Arterial Streets – Two hundred feet (200');
  - 2. Collector Streets – One hundred feet (100'); and
  - 3. Minor Streets - Fifty feet (50').
- (c) When all changes of street grades occur where the algebraic difference exceeds one percent (1%), vertical curves shall be provided to permit the following minimum sight distances:
  - 1. Minor Streets - Two hundred feet (200');
  - 2. Collector Streets - Three hundred feet (300'); and
  - 3. Major Streets - Four hundred feet (400').

### Section 503.3

Grade. Minimum street grade standards shall be as follows:

- (a) The minimum grade on all streets shall be one percent (1%). The maximum permitted grade shall be as follows:
  - 1. Arterial Streets - Five percent (5%);
  - 2. Collector Streets - Ten percent (10%); and
  - 3. Minor Streets - Twelve percent (12%), for a maximum distance of twelve hundred feet (1200').
- (b) Intersections shall be approached on all sides by leveling areas. Where the grade exceeds five percent (5%), such leveling areas shall have a minimum length of seventy-five feet (75') (measured from the intersection of the center lines), within which no grade shall exceed a maximum of three percent (3%).
- (c) To the greatest extent possible, combinations of the minimum radius and maximum grade shall be avoided.

#### Section 503.4

**Intersections.** The following standards shall apply to all street intersections:

- (a) Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle less than seventy-five degrees (75°) or more than one hundred five degrees (105°).
- (b) No more than two (2) streets shall intersect at the same point.
- (c) Streets intersecting another street shall either intersect directly opposite to each other or shall be separated by at least one hundred twenty-five feet (125') between center lines measured along the center line of the street being intersected.
- (d) Intersections with major streets shall be located not less than one-thousand feet (1,000') apart measured from center line to center line along the center line of the major street.
- (e) Street curb intersections shall be rounded by a tangential arch with a minimum radius of:
  - 1. Twenty feet (20') for intersections involving only minor streets;
  - 2. Thirty feet (30') for all intersections involving a collector street; and
  - 3. Forty feet (40') for all intersections involving a major street.
- (f) Street right-of-way lines shall be parallel to (concentric with) curb arcs at intersections.

#### Section 503.5

**Alleys.** Alleys shall be permitted within a residential subdivision and designated as "private streets" on all maps and plans. All alleys must have a right-of-way of sixteen feet (16') minimum.

#### Section 503.6

**Names.** The Developer may choose street names subject to the approval of the Board and in conformance with the Fulton County 9-1-1 Process. Proposed streets, that are in alignment with others already existing and named, shall be assigned the names of the existing streets. The name of a proposed street shall not duplicate or confuse an existing street name in Todd Township, irrespective of the use of the suffix street, road, avenue, boulevard, driveway, place, court, lane, etc.

## ***Section 504***

### **Driveway Entrances.**

#### **Section 504.1**

Driveway entrances or aprons within the public street right-of-way shall be surfaced with a durable material, preferably paved, to their full width. For single-family residential dwellings, they shall not be less than 12 feet nor more than 20 feet in width. For multi-family residential dwellings and non-residential development uses, they shall be not less than 12 feet in width for single lane access entrances/exits or not less than 24 feet nor more than 32 feet for two-way access entrances/exits.

#### **Section 504.2**

Driveway entrances shall have a minimum radius of 10 feet and maximum radius of 15 feet for single-family residential dwellings and a minimum radius of 15 feet and a maximum radius of 25 feet for multi-family residential dwellings or non-residential development uses.

#### **Section 504.3:**

Driveway entrances shall have a minimum clear-sight triangle and specified measured distances as indicated on Figure 1.

#### **Section 504.4:**

Driveway entrances shall be installed to accommodate and allow for the proper drainage of storm water runoff. Those without public street curbs shall provide an underdrain in the cut section between the edge of shoulder and the slope of ground. The driveway gradient shall range from ½ inch to 1½ inches per foot. Those with public street curbs shall provide the difference between driveway gradient and cross slope of pavement not to exceed one inch per foot. The gutter shall be one to two inches in width. Those in valley gutters or in fill sections shall be connected to the adjacent shoulder with a gradient of ½ to 1½ inches per foot and drainage along the street shall be accommodated accordingly.

#### **Section 504.5:**

Driveways shall be constructed in accordance with Figure 3.

## ***Section 505***

### **Blocks.**

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

- (a) Provision of adequate sites for building of the type proposed;
- (b) Topography;
- (c) Requirements for safe and convenient vehicular and pedestrian circulation; and
- (d) Other site constraints.

### Section 505.1

**Width.** Blocks subdivided into lots will be at least two (2) lot depths in width excepting lots along a major thoroughfare that front on an interior street or are prevented by the site topographic conditions or other inherent conditions of the property, in which case the Board may approve a single tier of lots.

### Section 505.2

**Length.** All blocks in a subdivision shall have a maximum length of twelve hundred feet (1200') and a minimum length of four hundred feet (400'). Blocks over six hundred feet (600') in length may include crosswalks wherever necessary to facilitate pedestrian circulation and to give access to community facilities. Such crosswalks shall have a width of not less than ten feet (10') and a stabilized walkway of not less than five feet (5').

## *Section 506*

### **Lots.**

Within Todd Township, the width and area of lots shall be no less than provided in any application or ordinance. In so far as practical, side lot lines should be at right angles to straight street lines or radial to curved street lines. Lot lines should tend to follow municipal boundaries rather than cross them in order to avoid inter-jurisdiction problems.

### Section 506.1

**Frontage.** All lots shall meet the following frontage requirements:

- (a) All lots shall have direct access to a public street, existing or proposed;
- (b) Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific topographic problems.

### Section 506.2

**Size.** All lots shall meet the following minimum requirements:

- (a) In all sections of Todd Township not served by sanitary sewer or public water facilities, each lot shall have a minimum width of one hundred fifty feet (150') at the building line and a minimum area of 43,560 square feet in order to accommodate a second disposal bed if the first one fails. In addition, in sections of Todd Township requiring the utilization of on-lot sewage disposal, the minimum lot size shall be large enough to accommodate the original absorption bed and a tested, preserved, and reserved area for a replacement absorption bed.
- (b) In all sections of Todd Township served by either public water supply or public sewer, each lot shall have a minimum width of one hundred feet (100') at the building line and at least 21,780 square feet in area per single family dwelling; not less than 12,000 square feet in area per family for duplex dwellings with a width of not

less than seventy-five feet (75') at the building line; and not less than 7,500 square feet in area per family for row houses and apartments.

- (c) In all sections of Todd Township served by both public water supply and public sewer, each lot shall have a minimum width of one hundred feet (100') at the building line and a minimum area of twelve thousand (12,000) square feet.

#### **Section 506.3**

**Width.** Corner lots for residential use shall have a width of at least twenty percent (20%) greater than the aforementioned required widths to permit appropriate building setback from and orientation to both streets.

#### **Section 506.4**

**Setback Lines.** Structures built on lots shall meet the following setback lines depending upon the availability of public water and sanitary sewer service.

- (a) In all sections of Todd Township not served by public sanitary sewer and/or public water facilities, structures shall be constructed no closer than thirty-five feet (35') from front right-of-way line, fifteen feet (15') from side property line or right-of-way line (if a corner lot), and thirty-five feet (35') from rear property line or right-of-way line (if a through lot). In sections lacking public water and/or sanitary sewer service, setbacks shall be adequate to permit the proper installation and functioning of such systems.
- (b) In all sections of Todd Township served by public sanitary sewer and public water facilities, structures shall be constructed no closer than twenty-five feet (25') from front right-of-way line, ten feet (10') from side property line or right-of-way line (if a corner lot), and fifteen feet (15') from rear property line or right-of-way line (if a through lot), except that minimum front yard setbacks may be changed to conform with the average setback of existing adjacent structures.

#### ***Section 507***

##### **Easements.**

The following shall apply to easements within all subdivisions:

- (a) Easements with a minimum of fifteen feet (15') measured from the center line of the utility shall be provided for poles, wires, conduits, storm and sanitary sewers, gas, water, and heat mains, and/or other utility lines intended to serve abutting lots. No structures or trees shall be placed within such easements.
- (b) Emphasis shall be placed upon the location of easements centered on or adjacent to side and rear lot lines.
- (c) Where a subdivision is traversed by a watercourse, drainage-way, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such

watercourse, drainage-way, channel, or stream and of such widths as will be necessary to preserve the unimpeded flow of natural drainage, or for the purpose of widening, deepening, improving, or protecting such drainage facilities or for the purpose of installing a storm water system.

- (d) There shall be a minimum distance of one hundred feet (100'), measured at the shortest distance, between each proposed dwelling unit and any petroleum products or natural gas transmission, high pressure line, or high tension electric line that may traverse the subdivision.

### ***Section 508***

#### **Community Facilities.**

In reviewing subdivision plans, the Board will consider the adequacy of existing or proposed community facilities to serve the additional dwelling units proposed by the subdivision. The reservation of land for community facilities will be requested when appropriate; therefore, the Developer shall give earnest consideration to reserving land for parks, playgrounds, churches, schools, and other community facilities. If a facility of this type has been planned by any group or agency in any area that is to be subdivided, the Developer shall ascertain from such organization whether or not it plans to use the site.

### ***Section 509***

#### **Public Utilities.**

The following public utilities, when required, shall meet the indicated standards below:

##### **Section 509.1**

**Water.** Where public water lines are required in a new subdivision, they shall be in conformity with the adopted Water Plan for Fulton County and any applicable water plans developed for the municipal authority or utility company providing the service to Todd Township. Whenever Todd Township, authority, or utility company providing the service has no standards, or has standards below those of the PaDEP, the standards of PaDEP or any other applicable agency shall apply. Public water lines should be located between the curb line and the property line within any street right-of-way.

##### **Section 509.2**

**Sanitary Sewer.** Where public sewer lines are required in a new subdivision, they shall be in conformity with any Arcawide Sewer Plan for Fulton County or any applicable Act 537 Sewer Plans developed for Todd Township. The design specifications of all sewer lines installed in a new Subdivision shall meet the minimum standards set forth by the municipal authority or utility company providing the service in which the proposed subdivision is located. Whenever Todd Township, the municipal authority, or the utility company providing the service has no standards, or has standards below those of PaDEP, the standards of PaDEP or any other applicable agency shall apply.



Public sewer lines shall be located as near to the center line of any street right-of-way and/or utility easement as is reasonably possible to accommodate practical installation, future maintenance, and future replacement. All such sewer lines shall provide sewage connectors to the property lines of each and every lot and said sewage collection lines shall be properly capped. Manholes shall be provided at all changes in grades and direction and in no instance shall the distance between manholes exceed four hundred feet (400'). All sewer pipelines must be at least eight (8") inches (8" in diameter and sewer lateral must be at least four inches (4") in diameter. Storm sewers or foundation under-drainage systems shall not be connected with the sanitary sewer system.

### Section 509.3

**On-lot Sewage Disposal.** Where it is found necessary, feasible, and in compliance with the Todd Township Act 537 Plan to rely upon on-lot systems for sewage disposal, the on-lot sewage disposal systems shall meet the minimum requirements and standards of the Pennsylvania Sewage Facilities Act 537, as amended. Within Todd Township, the provisions of Act 537 are administered by Todd Township's SEO.

## *Section 510*

### Storm Water Management.

#### Section 510.1

**Purpose.** The purpose of this section is to promote the public health, safety, and welfare within Todd Township by minimizing the damages caused by inadequate management of accelerated runoff of storm water resulting from development by provisions designed to:

- (a) Manage accelerated runoff and erosion and sedimentation problems at their source by regulating activities that cause these problems.
- (b) Utilize and preserve the existing natural drainage systems.
- (c) Encourage recharge of groundwater where appropriate and prevent degradation of groundwater quality.
- (d) Maintain existing flows and quality of streams and water courses in Todd Township and the Commonwealth.
- (e) Preserve and restore the flood carrying capacity of streams.
- (f) Provide for proper maintenance of all permanent storm water management facilities that are constructed in Todd Township.
- (g) Provide performance standards and design criteria for Township-wide storm water management and planning.

## Section 510.2

### **Application for modification; granting.**

- (a) The Board may grant a modification if literal enforcement of the requirements of one or more provisions of this section 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 health, safety, and/or welfare and on the condition that the modification will be subject to conditions necessary to assure adequate management of storm water.
- (b) All requests for modification shall be in writing and shall accompany and be a part of the application for Storm water Management Plan approval. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is made, the provision or provisions of this section involved, and the minimum modification necessary.
- (c) Should the Board agree, in its sole discretion, to grant a request made under this Section, any such approval shall be effective **only** when made in writing. A written copy of any such approval shall be certified by the Todd Township Secretary and provided to the Developer who made the written request for a modification.

## Section 510.3

**Applicability.** This section shall only apply to permanent storm water management facilities constructed as part of any of the Regulated Activities listed in this section. Storm water management and erosion and sedimentation control during construction activities are specifically not regulated by this section, but shall continue to be regulated under existing laws and ordinances.

The following activities are defined as “Regulated Activities” and shall be regulated by this section:

- (a) Land development.
- (b) Subdivision.
- (c) Construction of new or additional impervious or semi-pervious surfaces (driveways, parking lots, etc.).
- (d) Construction of new buildings or additions to existing buildings.
- (e) Diversion or piping of any natural or man-made stream channel.
- (f) Installation of storm water management facilities or appurtenances thereto.

#### Section 510.4

**Compatibility with other legal requirements.** Approvals issued pursuant to this section do not relieve the Applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable Federal, State, and/or Local Statute, law, code, rule, act, ordinance, or resolution.

#### Section 510.5

##### **General requirements.**

- (a) All regulated activities in Todd Township that do not fall under the exemption criteria shown in Section 510.15 of this Ordinance shall submit a drainage plan consistent with the provisions of this section to Todd Township for review. These criteria shall apply to the total proposed development even if development is to take place in stages. Impervious cover shall include, but not be limited to, any roof, parking or driveway areas and any new streets and sidewalks. Any areas designed to initially be gravel or crushed stone shall be assumed to be impervious for the purposes of comparison to the exemption criteria.
- (b) All storm water management facility designs shall consider entire watersheds and shall include provisions for sound and stable construction, proper use of modern and readily available materials, with the primary consideration for public safety and preventing property damage.
- (c) Storm water drainage systems shall be provided in order to permit unimpeded flow along natural watercourses, except as modified by storm water management facilities or open channels consistent with this section.
- (d) Innovative designs and methods for storm water retention may be used with the Board's approval. Design methods may be tailored to meet unique site topography, site conditions, and building construction, including the use of existing ponds or basins, rooftop storage, greenroofs, parking lot storage, seepage pits, cisterns, and reductions in existing impervious areas.
- (e) Areas of existing diffused drainage discharge shall be subject to any applicable discharge criteria in the general direction of existing discharge, whether proposed to be concentrated or maintained as diffused drainage areas, except as otherwise provided by this section. If diffused drainage discharge is proposed to be concentrated and discharged onto adjacent property, the Developer must document that adequate downstream conveyance facilities exist to safely transport the concentrated discharge, or otherwise prove that no erosion, sedimentation, flooding, or other harm will result from the concentrated discharge. Storm water discharge from a proposed site onto adjacent property shall not exceed existing (predeveloped) site discharge. Discharge from a proposed site shall discharge in the same manner as existing flows into existing channels and/or culverts capable of handling the proposed discharge. Where an existing channel is not available to discharge flows from a proposed site, provisions shall be made to further detain proposed discharge

flows, or convert proposed flows into a pattern that matches existing flow type and capacities, or provide other means of downstream flow accommodation that will not cause undue hardship of erosion or concentrations of water on downstream property owners.

- (f) Where a development site is traversed by watercourses, drainage easements shall be provided conforming to the line of such watercourses. The terms of the easement shall prohibit excavation, the placing of fill or structures, and any alterations that may adversely affect the flow of storm water within any portion of the easement. Maintenance, including mowing of vegetation within the easement shall be required, unless if otherwise approved by the Board.
- (g) When it can be shown by the Developer or his agent that, due to topographic conditions, natural drainageways on the site cannot adequately provide for drainage, open channels may be constructed conforming substantially to the line and grade of such natural drainageways. Work within natural drainageways shall be subject to approval by PaDEP through the Joint Permit Application process, or, where deemed appropriate by PaDEP, through the General Permit process.
- (h) Any storm water management facilities regulated by this section that would be located in or adjacent to waters of the Commonwealth or wetlands shall be subject to approval by PaDEP through the Joint Permit Application process, or, where deemed appropriate by PaDEP, the General Permit process. When there is a question whether wetlands may be involved, it is the responsibility of the Developer or his agent to show that the land in question cannot be classified as wetlands, otherwise approval to work in the area must be obtained from PaDEP.
- (i) Any storm water management facilities regulated by this section that would be located on State highway rights-of-way shall be subject to approval by PennDOT.
- (j) Minimization of impervious surfaces and infiltration of runoff through seepage beds, infiltration trenches, etc. are encouraged strongly, where soil conditions permit, to reduce the size or eliminate the need for detention facilities.
- (k) Roof drains must not be connected to streets, sanitary or storm sewers, or roadside ditches. However, when it is more advantageous to connect directly to streets or storm sewers, then the Board may permit such connection on a case-by-case basis.
- (l) **Special requirements for watersheds draining to high quality (HQ) and exceptional value (EV) waters.** The temperature and quality of water and streams that have been declared as exceptional value and high quality are to be maintained as defined in Chapter 93, Water Quality Standards, Title 25 of PaDEP Rules and Regulations. Temperature sensitive BMPs and storm water conveyance systems are to be used and designed with storage pool areas and supply outflow channels and should be shaded with non-invasive trees, unless a modification of this requirement

is granted by the Board in accordance with Section 305.1 of this Ordinance. This will require modification of berms for permanent ponds and the relaxation of restrictions on planting vegetation within the facilities, provided that capacity for volumes and rate control is maintained. At a minimum, the southern half of pond shorelines shall be planted with non-invasive shade or canopy trees within ten (10) feet of the pond shoreline. In conjunction with this requirement, the maximum slope allowed on the berm area to be planted is 10 to 1. A long term maintenance schedule and management plan for the thermal control BMPs is to be established and recorded for all development sites.

- (m) Where this section does not specify materials or construction procedures, PennDOT Form 408 Specifications and PennDOT RC Series Roadway Construction Standards shall be used.

**Section 510.6**

**Storm Water Management.**

- (a) In addition to the requirements specified below, the groundwater recharge (Section 510.11), water quality (Section 510.12), and streambank erosion (Section 510.13) requirements of this Ordinance shall be implemented.
- (b) Standards for managing runoff in Todd Township are shown below. Development sites located in Todd Township must control post-development runoff rates to pre-development runoff rates for the design storms as follows:

Design Storm Post-Development	Design Storm Pre-Development
2- year	1- year
5- year	5- year
10- year	10- year
25- year	25- year
100- year	100- year

**Section 510.7**

**Storm Water management implementation provisions (performance standards).**

- (a) General - Post-development rates of runoff from any regulated activity shall meet the peak release rates of runoff prior to development for the design storms specified in Section 510 of this Ordinance.
- (b) Off-Site Areas - Off-site Areas that drain through a proposed development site are not subject to release rate criteria when determining allowable peak runoff rates. However, on-site drainage facilities shall be designed to safely convey off-site flows through the development site.
- (c) Site Areas - Where the site area to be impacted by a proposed development activity differs significantly from the total site area, only the proposed impact area utilizing

storm water management measures shall be subject to the section's criteria. In other words, unimpacted areas bypassing the storm water management facilities would not be subject to this section's criteria.

- (d) "Downstream Hydraulic Capacity Analysis" - Any downstream capacity hydraulic analysis conducted in accordance with this section shall use the following criteria for determining adequacy for accepting increased peak flow rates:
  - (1) Natural or man-made channels or swales must be able to convey the increased runoff associated with a 2-year return period event within their banks at velocities consistent with protection of the channels from erosion. Acceptable velocities shall be based upon criteria included in the PaDEP Erosion and Sediment Pollution Control Program Manual.
  - (2) Natural or man-made channels or swales must be able to convey increased 25-year return period runoff without creating any hazard to persons or property.
  - (3) Culverts, bridges, storm sewers, or any other facilities that must pass or convey flows from the tributary area must be designed in accordance with PaDEP Chapter 105 regulations (if applicable) and, at minimum, pass the increased 25-year return period runoff.
- (e) Regional Detention Alternatives - For certain areas within Todd Township, it may be more cost-effective to provide one control facility for more than one development site than to provide an individual control facility for each development site. The initiative and funding for any regional runoff control alternatives are the responsibility of prospective developers. The design of any regional control basins must incorporate reasonable development of the entire upstream watershed. The peak outflow of a regional basin will be determined on a case-by-case basis using the hydrologic model of the watershed consistent with protection of the downstream watershed areas. "Hydrologic model" refers to the calibrated model as developed for the Storm water Management Plan.

#### Section 510.8

##### **Design criteria for storm water management facilities.**

- (a) Any storm water facility located on State highway rights-of-way shall be subject to approval by PennDOT.
- (b) Any storm water management facility (e.g., detention basin) designed to store runoff and requiring a berm or earthen embankment required or regulated by this section shall be designed to provide an emergency spillway to handle flow up to and including the 100-year post-development conditions. The height of embankment must be set as to provide a minimum 1.0 foot of freeboard above the maximum pool elevation computed when the facility functions for the 100-year post-development

inflow. Should any storm water management facility require a dam safety permit under PaDEP Chapter 105, the facility shall be designed in accordance with Chapter 105 and meet the regulations of Chapter 105 concerning dam safety that may be required to pass storms larger than 100-year event.

- (c) Any facilities that constitute water obstructions (e.g., culverts, bridges, outfalls, or stream enclosures), and any work involving wetlands as directed in PaDEP Chapter 105 regulations (as amended or replaced from time to time by PaDEP), shall be designed in accordance with Chapter 105 and will require a permit from PaDEP. Any other drainage conveyance facility that does not fall under Chapter 105 regulations must be able to convey, without damage to the drainage structure or roadway, runoff from the 25-year design storm with a minimum 1.0 foot of freeboard measured below the lowest point along the top of the roadway. Roadway crossings located within designated floodplain areas must be able to convey runoff from a 100-year design storm with a minimum 1.0 foot of freeboard measured below the lowest point along the top of roadway. Any facility that constitutes a dam as defined in PaDEP Chapter 105 regulations may require a permit under dam safety regulations. Any facility located within a PennDOT right of way must meet PennDOT minimum design standards and permit submission requirements.
- (d) Any drainage conveyance facility and/or channel that does not fall under Chapter 105 Regulations, must be able to convey, without damage to the drainage structure or roadway, runoff from the 10-year design storm. Conveyance facilities to or exiting from storm water management facilities (e.g., detention basins) shall be designed to convey the design flow to or from that structure. Roadway crossings located within designated floodplain areas must be able to convey runoff from a 100-year design storm. Any facility located within a PennDOT right-of-way must meet PennDOT minimum design standards and permit submission requirements.

#### Section 510.9

**Calculation methodology.** Storm water runoff from all development sites shall be calculated using either the rational method or a soil-cover-complex methodology.

- (a) Any storm water runoff calculations shall use generally accepted calculation technique that is based on the NRCS soil cover complex method. TABLE 510.9 summarizes acceptable computation methods. It is assumed that all methods will be selected by the design professional based on the individual limitations and suitability of each method for a particular site.

The Board may allow the use of the Rational Method to estimate peak discharges from drainage areas that contain less than 200 acres. The Soil Complex Method is recommended for drainage areas greater than 200 acres.

- (b) All calculations consistent with this section using the soil cover complex method shall use the appropriate design rainfall depths for the various return period storms

according to the region for which they are located as presented in Table B-1 in Appendix B of this Ordinance. If a hydrologic computer model such as HEC-HMS or HEC-1 is used for storm water runoff calculations, then the duration of rainfall shall be 24 hours. The Alternating Block Method to develop design hyetographs described in Table B-1 in Appendix B of this Ordinance shall be used for the rainfall distribution.

- (c) For the purposes of pre-development flow rate determination, undeveloped land shall be considered as "meadow" in good condition, unless the natural ground cover generates a lower curve number or Rational 'C' value (e.g., forest), as listed in Table B-2 or Table B-3 in Appendix B of this Ordinance.
- (d) All calculations using the Rational Method shall use rainfall intensities consistent with appropriate times-of-concentration for overland flow and return periods from the Design Storm Curves from PennDOT Design Rainfall Curves (1986) (Figure B-3 and Figure B-4 in the Appendix of this Ordinance). Times-of-concentration for overland flow shall be calculated using the methodology presented in Chapter 3 of Urban Hydrology for Small Watersheds, NRCS, TR-55 (as amended or replaced from time to time by NRCS). Times-of-concentration for channel and pipe flow shall be computed using Manning's equation.
- (e) Runoff Curve Numbers (CN) for both existing and proposed conditions to be used in the soil cover complex method shall be obtained from Table B-2 in Appendix B of this Ordinance.
- (f) Runoff coefficients (c) for both existing and proposed conditions for use in the Rational method shall be obtained from Table B-3 in Appendix B of this Ordinance.
- (g) Where uniform flow is anticipated, the Manning equation shall be used for hydraulic computations, and to determine the capacity of open channels, pipes, and storm sewers. Values for Manning's roughness coefficient (n) shall be consistent with Table B-4 in Appendix B of this Ordinance.

Outlet structures for storm water management facilities shall be designed to meet the performance standards of this section using any generally accepted hydraulic analysis technique or method.

- (h) Time of Concentration Method

Time of concentration shall be calculated based on three flow patterns:



- (1) Sheet flow shall be a maximum of 150 feet using the equation:

$$T_c = (0.667 L n / S^{0.5})^{0.467}$$

Where:  $T_c$  = Time of concentration in minutes  
 $L$  = Length of flow path in feet  
 $n$  = 0.02 for smooth paved surfaces  
0.1 for bare packed soil or stone areas  
0.3 for poor grass cover or cultivated fields  
0.4 for average grass or light brush cover  
0.8 for dense grass or thick brush cover  
 $S$  = Average slope of the path in feet/foot

- (2) Shallow concentrated flow shall be calculated using the equations:

Paved areas	$T_c = L / 1220 S^{0.5}$
Unpaved areas	$T_c = L / 968 S^{0.5}$

Where:  $T_c$  = Time of concentration in minutes  
 $L$  = Length of flow path in feet  
 $S$  = Average slope of the path in feet/foot

- (3) Concentrated flow in depressions, swales, gutters, curbs and pipes shall be calculated using the Manning's Equation and/or other acceptable engineering practices.
- (4) Time of concentrations based on computer models that use the Rational Method as a basis of design may be used with prior approval of the Board.
- (i) The design of any storm water detention facilities intended to meet the performance standards of this section shall be verified by routing the design storm hydrograph through these facilities using the Storage-Indication Method. For drainage areas greater than 200 acres in size, the design storm hydrograph shall be computed using a calculation method that produces a full hydrograph. The Board may approve the use of any generally accepted full hydrograph approximation technique that shall use a total runoff volume that is consistent with the volume from a method that produces a full hydrograph.

**TABLE 510.9**  
**Acceptable Computation Methodologies For Storm Water Management Plans**

METHOD	METHOD DEVELOPED BY	APPLICABILITY
TR-20 (or commercial computer package based on TR-20)	USDA NRCS	Applicable where use of full hydrology computer model is desirable or necessary.
TR-55 (or commercial computer package based on TR-55)	USDA NRCS	Applicable for land development plans within limitations described in TR-55.
HEC-1 / HEC-HMS	US Army Corps of Engineers	Applicable where use of full hydrologic computer model is desirable or necessary.
PSRM	Penn State University	Applicable where use of a hydrologic computer model is desirable or necessary; simpler than TR-20 or HEC-1.
Rational Method (or commercial computer package based on Rational Method)	Emil Kuichling (1889)	For sites less than 200 acres, or as approved by the Board and the Township Engineer.
Other Methods and/or	Varies	Other computation methodologies approved by the Board and the Township Engineer.

**Section 510.10**

**Erosion and sedimentation requirements.**

- (a) Whenever the vegetation and topography are to be disturbed, such activity must be in conformance with Chapter 102, Title 25, Rules and Regulations, Part I, PaDEP, Subpart C, Protection of Natural Resources, Article II, Water Resources, Chapter 102, "Erosion Control," and in accordance with the Conservation District.
- (b) Additional erosion and sedimentation control design standards and criteria that must be or are recommended to be applied where infiltration BMPs are proposed shall include the following:
  - (1) Areas proposed for infiltration BMPs shall be protected from sedimentation and compaction during the construction phase, so as to maintain their maximum infiltration capacity.
  - (2) Infiltration BMPs shall not be constructed nor receive runoff until the entire contributory drainage area to the infiltration BMP has received final stabilization.

Section 510.11

**Groundwater recharge (infiltration/recharge/retention)..**

(a) The ability to retain and maximize the groundwater recharge capacity of the area being developed is encouraged strongly. Design of the infiltration/recharge storm water management facilities shall give consideration to providing groundwater recharge to compensate for the reduction in the percolation that occurs when the ground surface is paved and roofed over. These measures are encouraged, particularly in hydrologic soil groups A and B and should be utilized wherever feasible. Soils used for the construction of basins shall have low-erodibility factors ("K" factors).

(b) Infiltration BMPs shall meet the following minimum requirements:

(1) Infiltration BMPs intended to receive runoff from developed areas shall be selected based on suitability of soils and site conditions and shall be constructed on soils that have the following characteristics:

(a) A minimum depth of 24 inches between the bottom of the facility and the seasonal high water table and/or bedrock (limiting zones).

(b) An infiltration and/or percolation rate sufficient to accept the additional storm water load and drain completely as determined by field tests conducted by the Owner's professional designer or as otherwise approved by the Township Engineer.

(2) Infiltration BMPs receiving only roof runoff may be placed in soils having a minimum depth of 24 inches between the bottom of the facility and the limiting zone.

(3) The size of the recharge facility shall be based upon the following equation (DEP):

$$Re_v = [(S) (R_v) (A)] / 12$$

Where:

$Re_v$  = Recharge Volume (acre-feet)

S = Soil specific recharge factor (inches)

$R_v$  = Volumetric runoff coefficient

A = Site area contributing to the recharge facility (acres)

And:

$$R_v = 0.05 + 0.009 (I)$$

Where:

I = percent impervious area

And:

S may be obtained based upon hydrologic soil group based upon the table below recommended as general values by PaDEP. More site specific data may be utilized to determine recharge if justified by the design engineer and approved by the Township Engineer.

Hydrologic Soil Group Factor (S)	Soil	Specific	Recharge
A		0.38 inches	
B		0.25 inches	
C		0.13 inches	
D		0.06 inches	

If more than one hydrologic soil group (HSG) is present at a site, a composite recharge volume shall be computed based upon the proportion of total site area within each HSG.

- (4) The recharge volume provided at the site shall be directed to the most permeable HSG available, if feasible.
  - (5) The recharge facility shall be capable of completely infiltrating the recharge volume within 48 hours.
- (c) A detailed soils evaluation of the project site may be required to determine the suitability of recharge facilities. The evaluation shall be performed by a qualified design professional, and at a minimum, address soil permeability, depth to bedrock, susceptibility to sinkhole formation, and subgrade stability. The general process for designing the infiltration BMP shall be:
- (1) Analyze hydrologic soil groups as well as natural and man-made features within the watershed to determine general areas of suitability for infiltration practices.
  - (2) Provide field test to determine appropriate percolation rate and/or hydraulic conductivity.
  - (3) Design infiltration structure for required storm volume based on field determined capacity at the level of the proposed infiltration surface.
- (d) Extreme caution shall be exercised where infiltration is proposed in geologically susceptible areas such as strip mine or limestone areas. Extreme caution shall also be

exercised where salt or chloride would be a pollutant because soils do little to filter this pollutant and it may contaminate the groundwater. It is also extremely important that the qualified design professional evaluate the possibility of groundwater contamination from the proposed infiltration/recharge facility and recommend a hydrogeologic justification study be performed if necessary. Whenever a basin will be located in an area underlain by limestone, a geological evaluation of the proposed location shall be conducted to determine susceptibility to sinkhole formations. The design of all facilities over limestone formations shall include measures to prevent groundwater contamination and, where necessary, sinkhole formation. The infiltration requirement in the High Quality/Exceptional Waters shall be subject to the PaDEP's Chapter 93 and Antidegradation Regulations. The Board may require the installation of an impermeable liner in detention basins. A detailed hydrogeologic investigation may be required by the Board.

It shall be the Developer's responsibility to verify if the site is underlain by limestone. The following note shall be attached to all drainage plans and signed and sealed by the Developer's Engineer/Land Surveyor/geologist:

I, \_\_\_\_\_, certify that the proposed detention basin (circle one) is/is not underlain by limestone.

- (e) The Board may require the Developer to provide safeguards against groundwater contamination for uses that may cause groundwater contamination should there be a mishap or spill.
- (f) Where pervious pavement is permitted for parking lots, recreational facilities, non-dedicated streets, or other areas, pavement construction specifications and maintenance schedules shall be noted on the plan.
- (g) Recharge/infiltration facilities may be used in conjunction with other innovative or traditional BMPs, storm water management facilities, and nonstructural storm water management alternatives.

#### Section 510.12

##### Water quality requirements.

- (a) In addition to the performance standards and design criteria requirements of Article III of this Ordinance, the Developer SHALL comply with the following water quality requirements of this Article unless otherwise exempted by provisions of this Section.

Developed areas will provide adequate storm water management and treatment facilities necessary to capture and treat storm water runoff. The Recharge Volume computed under Section 510.11 of this Ordinance may be a component of the Water Quality Volume. If the Recharge Volume is less than the Water Quality Volume, the remaining Water Quality Volume may be captured and treated by methods other than recharge/infiltration BMPs.

The Water Quality Volume (WQv) is the storage capacity needed to treat storm water runoff produced by "P" inch of rainfall (90% Rule) from the developed areas of the site (For "P" Values, see Table B-5 in Appendix B). The following calculation formula is used to determine the storage volume, WQv, in acre-feet of storage:

$$WQv = [(P)(Rv)(A)]/12$$

WQv = Water Quality Volume

P = Rainfall Amount (90% of events producing this rainfall (Table B-5 in Appendix B)

A = Area in acres

Rv = 0.05 + 0.009(I) where I is the impervious surface ratio

- (b) WQv shall be designed as part of a storm water management facility that incorporates water quality BMPs as a primary benefit of using that facility, in accordance with design specifications contained in "Pennsylvania Handbook of Best Management Practices for Developing Areas."

The following factors SHALL be considered when evaluating the suitability of BMPs used to control water quality at a given development site:

- (1) Total contributing drainage area.
- (2) Permeability and infiltration rate of the site soils.
- (3) Slope and depth to bedrock.
- (4) Seasonal high water table.
- (5) Proximity to building foundations and well heads.
- (6) Erodibility of soils.
- (7) Land availability and configuration of the topography.

- (c) The following additional factors SHOULD be considered when evaluating the suitability of BMPs used to control water quality at a given development site:

- (1) Peak discharge and required volume control.
- (2) Stream bank erosion.
- (3) Efficiency of the BMPs to mitigate potential water quality problems.
- (4) The volume of runoff that will be effectively treated.
- (5) The nature of the pollutant being removed.
- (6) Maintenance requirements.
- (7) Creation/protection of aquatic and wildlife habitat.
- (8) Recreational value.
- (9) Enhancement of aesthetic and property value.

### Section 510.13

**Stream bank erosion requirements.** Applying the water quality criteria in Section 510.12 of this Ordinance, above will also help the stream bank erosion problem. Detain the 2-year post-development storm to the one-year predevelopment storm and detaining the 1-year post-development storm a minimum of 24 hours.

**Section 510.14**

**General requirements.** For any of the activities regulated by this Section, the preliminary or final approval of subdivision and/or land development plans, the issuance of any land use, building, or occupancy permit, or the commencement of any land disturbance activity may not proceed until the Property Owner or Developer or his/her agent has received written approval of a Drainage Plan from the Board.

**Section 510.15**

**Exemptions.** Any Regulated Activity that meets the exception criteria in the following table is exempt from the provisions of this Section. These criteria shall apply to the total development even if development is to take place in phases. The date of the adoption of this Section shall be the starting point from which to consider tracts as “parent tracts” in which future subdivisions and respective impervious area computations shall be cumulatively considered. An exemption shall not relieve the Applicant from implementing such measures as are necessary to protect health, safety, and property. This exemption shall not relieve the applicant from meeting the special requirements of this Ordinance for watersheds draining to high quality (HQ) or exceptional value (EV) waters (Section 510.5(l)) and requirements for groundwater recharge (Section 510.11), water quality (Section 510.12) and streambank erosion (Section 510.13). An exemption shall not relieve the Applicant from providing adequate storm water management to meet the purpose of this Section; however, drainage plans will not have to be submitted to Todd Township.

**Storm Water Management Exemption Criteria**

Total Parcel Size	Impervious Area Exemption (sq. ft.)
<¼ acre	2,500 sq. ft.
>¼ to 1 acre	5,000 sq. ft.
>1 to 2 acres	10,000 sq. ft.
>2 to 5 acres	15,000 sq. ft.
>5 acres	20,000 sq. ft.

**Section 510.16**

**Plan to consist of two parts.** The Drainage Plan shall consist of two parts, a plan showing the storm water facilities construction and a design narrative including the design calculations.

**Section 510.17**

**Plan content.** The Drainage Plan submission shall contain the following:

- (a) Plans shall be submitted on sheet sizes of 18 inches by 24 inches or 24 inches by 36 inches blueprints or black line prints or photo copies. Reproducible Mylars may be submitted for Township approval and signature upon final plan approval.
- (b) Project name, sheet titles and drawing numbers and index.

- (c) Names and addresses of landowner, Developer, existing topographic Land Surveyor, and the plan designer.
- (d) Names of landowners adjacent to the property.
- (e) Plan date and date of the latest plan revision.
- (f) Certificate signature blocks for:
  - (1) The Township Engineer; and
  - (2) A certification of design signed and scaled by an Engineer, a Landscape Architect, or a Land Surveyor. The certification shall state: I, \_\_\_\_\_, a Registered Professional Engineer/Landscape Architect/Land Surveyor, hereby certify that the Drainage Plan meets all the storm water requirements of the Todd Township Subdivision and Land Development Ordinance.
  - (3) Developer and Landowner.
- (g) Project location map at a minimum of one inch equals 2,000 feet showing the project site property line, limits of development, streets, street names, and bodies of water within 1,000 feet of the project boundary and the downstream drainage path from the proposed site to the nearest stream or the Todd Township boundary (whichever occurs first).
- (h) North arrow, graphic scale and written scale. Plans shall be to a scale of one inch equal to 10, 20, 30, 40 or 50 feet. General site layout plans that will not be used for construction detail may be at one inch equal to 100 feet.
- (i) The total tract boundary and size with distances marked to the nearest foot and bearings to the nearest degree.
- (j) Other physical features including flood hazard boundaries, sinkholes, streams, existing drainage courses, areas of natural vegetation to be preserved, and the total extent of the upstream area draining through the site.
- (k) The locations of all existing and proposed utilities, sanitary sewers, and water lines within 50 feet of property lines.
- (l) Proposed changes to the land surface and vegetative cover, including the type and amount of impervious area that would be added.
- (m) Proposed structures, roads, paved areas, and buildings.



- (n) Clearly show existing and proposed drainage patterns, overland drainage paths, outlines of existing and proposed drainage areas and subareas and the paths for calculating the times of concentration (as an alternative, information regarding existing and proposed drainage areas, subareas and paths may be included in the design narrative), existing and proposed elevation contours at intervals of at least one foot for plans at scale of one inch equal to 10 or 20 feet, at least two feet for all other scales. Where land is sloped more than 15%, contour intervals may be every five feet. Show spot elevations at high points and low points and critical areas that cannot be interpolated between contours. Indicate the location and elevation of the benchmark. Provide the date the existing topography was surveyed and the method of survey (aerial or field).
- (o) Existing and proposed land use(s).
- (p) A key map showing all existing man-made features beyond the property boundary that would be affected by the project.
- (q) Horizontal and vertical profiles of all open channels, including hydraulic capacity.
- (r) A fifteen foot wide access easement around all storm water management facilities that would provide ingress to and egress from a public right-of-way.
- (s) A note on the plan indicating the location and responsibility for maintenance of storm water management facilities that would be located off-site. All off-site facilities shall meet the performance standards and design criteria specified in this Section.
- (t) A construction detail of any improvements made to sinkholes and the location of all notes to be posted, as specified in this Section.
- (u) A statement, signed by the Landowner, acknowledging the storm water management system to be a permanent fixture that can be altered or removed only after approval of a revised plan by the Board.
- (v) Provide an outline of soil type limits and list soil types as shown in the Soil Survey of Fulton County. Provide a table listing the soil map symbol and soil name abbreviations for applicable on-site soil types.
- (w) Existing features and proposed improvements, existing and final land covers, existing and proposed storm drainage facilities. Provide a drawing legend of the unidentified or undesignated existing and proposed features.
- (x) Profiles of storm water piping systems using a horizontal scale the same scale as the plan and a vertical scale 1/10<sup>th</sup> of the horizontal scale. Identify pipe sizes, types.

lengths, slopes and inverts. Identify pertinent elevations for inlets, manholes and all other profiled facilities.

- (y) Construction details, sections, and specifications of facilities with sufficient information and dimensions for construction interpretation that will provide the constructor with sufficient information to meet the requirements of this Section. Provide a note that states the materials and details specified shall not be altered during construction without written approval by the Board.
- (z) When groundwater recharge methods such as seepage pits, beds, or trenches are used, the locations of existing and proposed septic tank infiltration areas and wells must be shown.
- (aa) All storm water management facilities must be located on a plan and described in detail.
- (bb) Describe maintenance responsibilities and the responsible party(ies). Provide a note prohibiting drainage easement areas from being obstructed with trees, shrubbery, and/or structures. Provide a plan note allowing Township officials access to easement areas for inspection or correction of storm water facilities.
- (cc) Existing and proposed one hundred-year storm water elevation and finished floor elevations for lots adjacent to the one hundred-year storm water elevation in areas with streams, intermittent channels, water impounding areas, and low or slow drainage areas. Show FEMA information where applicable.
- (dd) The location of all erosion and sedimentation control facilities required by PaDEP Chapter 102.
- (ee) Limits of construction phases and a narrative describing the construction sequence.

#### Section 510.18

##### **Design narrative content.**

- (a) An introductory section describing the existing site and drainage area features, the existing points of discharge from the site, proposed site improvements, description of major drainage improvements, and how they impact downstream areas. Identify and describe any unusual existing conditions at the site that effect the existing storm water drainage. Provide a statement with the name of the individual who visited the site and the date or dates of the site visit of both on-site and downstream facilities.
- (b) A summary table listing existing and proposed discharge points' identification, acreage, storm event frequency, and runoff flows/discharges.
- (c) Drainage area maps with outlines of existing and proposed drainage areas and subareas and the paths for calculating the times of concentration (alternate is to

show this information on the plan). Off-site drainage areas may be shown on USGS maps at a scale of one inch equals 2,000 feet or less.

- (d) Existing and proposed storm water detailed calculations of runoff, facility designs, and erosion and sedimentation control designs meeting the requirements of Section 510.10 of this Ordinance. All calculations, assumptions, and criteria used in the design of storm water management facilities must be provided.
- (e) Areas that are subject to flooding shall have a floodplain study provided in the narrative that meets the requirements of Section 510.23 of this Ordinance.
- (f) In areas that are located in whole or in part within the Cove Creek Storm Water Management District, the Applicant shall also fully comply with the requirements of all applicable ordinances and with Section 510.24 of this Ordinance
- (g) The design narrative shall be signed and sealed by an Engineer, a Landscape Architect, or a Land Surveyor.
- (h) A written description containing the following information shall be included:
  - (1) The overall storm water management concept for the project.
  - (2) Storm water runoff computations as specified in this Section.
  - (3) Storm water management techniques to be applied both during and after development.
  - (4) Expected project time schedule.
- (i) A geologic assessment of the effects of runoff on sinkholes as specified in this Section.
- (j) The effect of the project (in terms of runoff volumes and peak flows) on adjacent properties adjacent properties and on any existing municipal storm water collection system that may receive runoff from the project site.
- (k) A Declaration of Adequacy and Highway Occupancy Permit from the PennDOT District Office when utilization of a PennDOT storm drainage system is proposed.

#### **Section 510.19**

##### **Retention and detention basins.**

- (a) Retention and detention basins shall be designed to discharge the proposed two-, ten-, twenty-five-, and fifty-year storms through a principal spillway and the proposed one hundred-year storm through a surface water emergency spillway. The use of inlets and pipes are prohibited for the emergency spillway. Basin berm

protection shall be provided for the passage of the one hundred-year storm through the emergency spillway.

- (b) Basins shall be designed in accordance with soil conservation practices to accommodate sediment during construction.
- (c) Detention basins shall be designed to dewater within 24 hours after a two-year storm event and 96 hours after a fifty-year storm event.
- (d) Detention basins shall be provided with a minimum bottom slope of 1.0%. Paved or concrete low flow channels are recommended in detention basins to completely drain them and to carry low flows from inflow culverts to the principal spillway. With low flow channels, the bottom slope of the basin may be one-half percent.
- (e) Percolation rates may be used in Township approved areas to offset basin discharge rates as groundwater recharge. Percolation tests shall be performed at the site for each soil type.
- (f) The maximum water depth in basins shall be six feet for a proposed fifty-year storm. Depths of greater than six feet will be permitted only with written permission from the Board and may require provisions for fencing around the basin and a structural design of the basin embankment.
- (g) The minimum top width of basin berms shall be five feet.
- (h) Basin berm side slopes shall be a minimum of 3:1.
- (i) Basin berms shall include a cutoff trench from a depth of one foot below the toe of the interior basin berm to the fifty-year storm water elevation constructed of materials having a coefficient of permeability less than or equal to  $1 \times 10^{-7}$  cm/sec. This requirement is waived for berms using undisturbed existing soils. The discharge pipe shall also be backfilled with relatively impervious soil. No stone backfill will be allowed unless anti-seep collars are provided.
- (j) Concrete or a welded galvanized steel anti-seep collar shall be placed around all basin discharge pipes to increase the seepage length along the pipe by 15% within the saturated zone of the pipe based on a 4:1 phreatic line. The connection of the anti-seep collar to the discharge pipe shall be completely water tight.
- (k) Basin principal spillway outlet structures shall consist of stainless steel orifice plates and mounting hardware, galvanized corrugated metal, or reinforced concrete riser and discharge pipe, and welded structural steel inlet grates with a bituminous coating. The use of PVC or polyethylene pipe is prohibited for basin discharge piping except small single family on-lot systems. Principal spillways with riser pipes where the designed water depth is deeper than 0.4 times the diameter of the riser, the riser shall

have an anti-vortex device to prevent reduced capacity of the riser. (Example: if the top of an eighteen-inch riser is 100.00, the riser shall have an anti-vortex device if the water is higher than  $100.00 + [18'' \cdot 0.4/12] = 100.60$ ). Materials used (or to be used) for design shall be specified on the plans.

- (l) Lots adjacent to basins shall have a finished floor elevation of two feet above the one hundred-year storm elevation. The plans shall indicate the minimum allowable finished floor elevations.
- (m) Basins located on property of separate ownership and serving another property(ies) shall have a drainage easement placed around them that encloses the one hundred-year storm elevation.

**Section 510.20**

**Swales.**

- (a) Swales shall be designed using the Manning's Equation with the following n values and maximum allowable velocities:

Surface Cover	Manning's n Value	Permissible Velocity
Concrete	n = 0.014	12 fps
Asphalt	n = 0.016	8 fps
Rip-Rap 3"	n = 0.025	6 fps
Rip-Rap 6"	n = 0.025	9 fps
Rip-Rap 9"	n = 0.030	11 fps
Rip-Rap 12"	n = 0.030	13 fps
Rip-Rap 15"	n = 0.035	14 fps
Seeded grass swales	n = 0.030	4 fps
Sod grass swales	n = 0.040	5 fps
Existing grass swales	n = 0.050	6 fps

- (b) Swales shall be designed for a twenty-five year storm and include six inches of freeboard.
- (c) Swales with bare soils are not permissible. All swales shall have ground cover, or have a paved or concrete surface up to the twenty-five-year storm depth.
- (d) Swale side slopes shall be 2:1 minimum. Side slopes for grass covered swales that will be mowed shall be 3:1 minimum.
- (e) Bends in swales shall have adequate protection to avoid erosion and channel meandering.
- (f) Swales shall have a twenty-foot-wide easement minimum. The swale shall be centered in the easement.

- (g) All vegetative swales should have a minimum bottom slope of 1%.

**Section 510.21**

**Storm sewer pipes and culverts.**

- (a) Storm sewer pipes and culverts shall have a minimum diameter of 15 inches, except single-family on-lot systems shall have a minimum diameter of four inches.
- (b) Storm sewer pipes and culverts shall have sufficient slope to provide a minimum velocity of two feet per second for the ten-year storm.
- (c) Storm sewers and culverts shall be designed using the Manning's Equation with the following allowable pipe types and n values. The pipe types used for design shall be specified on the plans.

Pipe Type	Manning's n Value
Smooth lined polyethylene	0.012
Corrugated polyethylene	0.021
Reinforced concrete	0.013
Helical galvanized corrugated metal, less than 21 inches	0.016
Helical galvanized corrugated metal, 21 to 30 inches	0.019
Helical galvanized corrugated metal, greater than 30 inches	0.023
Annular galvanized corrugated metal	0.025

- (d) All pipes shall be laid with a minimum cover on top of the crown of the pipe of one foot below the proposed finished grade in unpaved areas or below the stone subgrade for paved areas. All pipes with the cartway, including the shoulder area, shall be bedded and backfilled with 2A stone. In other areas, pipes shall be bedded and backfilled with fine graded, highly compactable soil or stone.
- (e) Storm sewers shall run in a straight line. Bends in the system shall contain a manhole or inlet.
- (f) All pipe ends shall have either head walls or end walls and shall be PennDOT Type "D" or "DW" or galvanized metal flared end sections. Polyethylene flared end sections are prohibited.
- (g) All pipe ends shall have erosion protection that meets the velocities of the end pipe discharge for the design storm.
- (h) Head walls and end walls of pipes shall be protected for child entry by placing removable steel bars and mounting hardware, spaced eight inches apart, across the openings.
- (i) Roof gutters shall not be used to divert water away from a surface drainage area. Roof drains shall not discharge directly into road rights-of-way or storm sewers

unless they are being directly conveyed to a detention basin. Pipes from downspouts may be constructed of flexible or rigid plastic pipe of any diameter and shall be installed to prevent erosion.

- (j) Storm sewers and culverts shall have a twenty-foot-wide easement minimum, unless they are within a street or other public right-of-way. The pipe shall be centered in the easement.
- (k) The use of multiple pipe installations will not be permitted, unless a request for such use is made in accordance with Section 510.2 and only if approved by the Board.

#### Section 510.22

##### **Roadside gutters and inlets.**

- (a) Inlets shall be placed on both sides of the road at low points, spaced no more than 600 feet apart, at every abrupt change in horizontal or vertical direction of the storm sewer, at points where necessary to prevent gutter flow depths from exceeding three inches for the twenty-five-year storm, and at all curb and road tangent intersections.
- (b) The depths of flow across a street intersection shall not exceed one inch for the twenty-five-year storm.
- (c) Inlets shall be depressed two inches below proposed finished grades.
- (d) Manholes may be substituted for inlets at locations where inlets are not necessary.
- (e) Inlet capacities shall be per the most restrictive prevailing manufacturer design information. The manufacturer used for design shall be specified on the plans.
- (f) Inlets shall be concrete and the inlets and grates shall meet design loads. Steel inlet grates shall be bituminous coated.

#### Section 510.23

##### **Floodplain delineation.**

- (a) Sites with streams, intermittent channels, water impounding areas, or low to slow draining areas shall have the one hundred-year floodplain established.
- (b) The Federal Emergency Management Agency, National Flood Insurance Program, Detailed Flood Areas may serve as the principal means of establishing the one hundred-year floodplain for an existing site.
- (c) Where detailed flood area information is not available or a more detailed analysis is desired for an existing site, the U.S. Army Corps of Engineers, Hydrology Engineering Center method 2 (HEC2) flood study shall be performed. Other standard step methods for natural channels to determine water surface profiles for flows through a natural river or stream may be used with written Board approval.

- (d) Proposed sites, where improvements or changes are made in the existing one hundred-year floodplain, shall be analyzed for the one hundred-year floodplain using the HEC2 or other standard step methods with Township approval.
- (e) All flood studies shall be signed and sealed by an Engineer, a Landscape Architect, or a Land Surveyor.

#### Section 510.24

**Cove Creek Storm Water Management District - Additional Requirements.** If the proposed land development or subdivision is located in whole or in part within the Cove Creek Storm Water Management District, the Applicant must also comply with the requirements of the Cove Creek Storm Water Management District Ordinance. In the event of a conflict between the provisions of this Section and the provisions of the Cove Creek Storm Water Management District Ordinance, the more stringent provision shall be applicable.

#### Section 510.25

##### Submission procedures.

(a) Plan Submission:

- (1) For all activities regulated by this Section, the steps below shall be followed for submission. For any activities that require a PaDEP Joint Permit Application and regulated under Chapter 105 (Dam Safety and Waterway Management) or Chapter 106 (Floodplain Management) of PaDEP's Rules and Regulations, require a PennDOT Highway Occupancy Permit, or require any other permit under applicable state or federal regulations, the proof of application for that, the permit(s) shall be part of the plan. The plan shall be coordinated with the state and federal permit process.
- (2) The Drainage Plan shall be submitted by the Developer as part of the Preliminary Plan submission for the Regulated Activity.

Four (4) copies of the Drainage Plan shall be submitted.

Distribution of the Drainage Plan will be as follows:

- (a) Two (2) copies to Todd Township accompanied by the requisite Municipal Review Fee, as specified in this Section.
- (b) One (1) copy to the Township Engineer.
- (c) One (1) copy to the County Planning Commission/Department.



(b) Plan Review:

- (1) The Township Engineer will review the plans and narrative for consistency with this Section prior to Board approval.
- (2) For regulated activities other than land developments and subdivision submissions:
  - (a) The Township Engineer shall notify Todd Township in writing within fifteen (15) calendar days whether the Drainage Plan is consistent with the requirements of this Section. Should the Drainage Plan be determined to be consistent, the Township Engineer will forward an approval letter to Todd Township. Todd Township will forward an approval letter to the applicant.
  - (b) Should the submitted Drainage Plan be determined to be inconsistent with the requirements of this Section, the Township Engineer will forward a disapproval letter to Todd Township and Todd Township will notify the applicant, in writing, citing the reasons for the disapproval. Any disapproved submission may be revised by the applicant and resubmitted consistent with this Section.
- (3) For Regulated Activities requiring a PaDEP Joint Permit Application, the Township Engineer shall notify Todd Township whether the Drainage Plan is consistent with the requirements of this Section and Todd Township shall forward a copy of the review letter to the PaDEP and the Developer.
- (4) For Land Development and Subdivision submissions, the review procedures will be in accordance with Article III of this Ordinance.
- (5) The Board shall not approve any subdivision or land development for Regulated Activities specified in Section 510.3 of this Ordinance if the Drainage Plan has been found to be inconsistent with the requirements of this Section. All required permits from PaDEP must be obtained prior to approval of any subdivision or land development.
- (6) The Board shall not issue a land use permit for any Regulated Activity specified in Section 510.3 of this Ordinance if the Drainage Plan has been found to be inconsistent with the requirements of this Section. All required permits from PaDEP must be obtained prior to issuance of a land use permit.
- (7) The applicant shall be responsible for preparing record drawings (as-built drawings) of all storm water management facilities included in the approved Drainage Plan. The record drawings and an explanation of any discrepancies

with the approved plan shall be submitted to Todd Township and the Township Engineer for approval prior to construction of any changes to the design contained in the approved plan. The Board shall not approve the record drawings until it is in receipt of a copy of an approved Declaration of Adequacy, Highway Occupancy Permit from PennDOT and any PaDEP permits, if applicable.

- (8) A set of approved plans shall be maintained at the site for Township inspection.
- (9) Todd Township may periodically inspect the site during construction of the permanent storm water management facilities. Developer will pay the cost of such inspections. It is the responsibility of the Developer to notify Todd Township 48 hours in advance of the beginning of construction of the storm water management facilities. Any portion of the work that does not comply with the approved plan must be corrected promptly by the Developer. No work may proceed on any subsequent phase of the Drainage Plan, the subdivision or land development until the required corrections have been made.
- (10) Upon completion of the proposed facilities or an individual phase of construction, the Developer shall submit the necessary information (as outlined in Section 306.2 of this Ordinance) for the Board's release of financial guaranties.
- (11) The Board's approval of a Drainage Plan shall be valid for a period not to exceed one (1) year. This one-year time period shall commence on the date that the Board signs the approved Drainage Plan. If storm water management facilities included in the approved Drainage Plan have not been constructed, or if constructed, and record drawings of these facilities have not been approved within this one-year time period, then the Board may consider the Drainage Plan disapproved and may revoke any and all permits. Drainage Plans that are considered disapproved by the Board shall be resubmitted in accordance with Section 510.26 of this Ordinance.
- (12) Approval of a storm water management plan by the Board does not guarantee that all requirements are met for the state and federal agencies. Where applicable, storm water management plans shall comply with Chapter 105 (Water Obstructions and Encroachments), Chapter 102 (Erosion and Sediment Pollution Control) of PaDEP, and Storm water NPDES Permits of PaDEP; U.S. Army Corps of Engineers Joint Permit for Pennsylvania Waterways Obstructions; PennDOT Highway Occupancy; and other applicable permits.

### Section 510.26

**Modification of plans.** A modification to a submitted Drainage Plan for a development site that involves a change in storm water management facilities or techniques, or that involves the relocation or re-design of storm water management facilities, or that is necessary because soil or other conditions are not as stated on the Drainage Plan as determined by the Township Engineer, shall require a resubmission of the modified Drainage Plan consistent with Section 510.25 of this Ordinance and be subject to review as specified in Section 510.25 of this Ordinance.

A modification to an already approved or disapproved Drainage Plan shall be submitted to Todd Township, accompanied by the applicable review. A modification to a Drainage Plan for which a formal action has not been taken by the Board shall be submitted to Todd Township, accompanied by the applicable Township Review Fee.

### Section 510.27

**Resubmission of disapproved storm water management plans.** A disapproved Drainage Plan may be resubmitted, with the revisions addressing the Township Engineer's concerns documented in writing addressed to the Township Secretary in accordance with Section 510.25 of this Ordinance and distributed accordingly and be subject to review as specified in Section 510.25 of this Ordinance. The applicable Township Review Fee must accompany a resubmission of a disapproved Drainage Plan.

### Section 510.28

**Ownership and maintenance responsibility.** Each Storm Water Management Plan shall contain provisions that clearly set forth the ownership and maintenance responsibility of all temporary and permanent storm water management facilities and erosion and sedimentation control facilities, including:

- (a) Description of temporary and permanent maintenance requirements and disposal of temporary materials and soils.
- (b) Identification of responsible individual, corporation, association, or other entity for ownership and maintenance of both temporary and permanent storm water management and erosion and sedimentation control facilities.
- (c) Establishment of suitable easements for access to all facilities.
- (d) The intent of this Ordinance is to provide for private ownership and maintenance of storm water management and erosion and sedimentation control facilities.

### Section 510.29

**Maintenance agreement for privately owned storm water facilities.**

- (a) Prior to final approval of the site's Drainage Plan, the Landowner shall sign and record the maintenance agreement contained in Appendix A that is attached and made part hereof, covering all storm water management facilities that are to be privately owned.

- (b) Other items may be included in the agreement where determined necessary to guarantee the satisfactory maintenance of all facilities. The maintenance agreement shall be subject to the review and approval of the Township Solicitor and the Board.

**Section 510.30**

**Guaranties required; cost estimates; release.**

- (a) Improvement and performance guaranties shall be provided to Todd Township in the amounts and forms consistent with Section 306.1 of this Ordinance.
- (b) Itemized cost estimates for the storm water facilities shall be signed and sealed by an Engineer, a Landscape Architect, or a Land Surveyor. Cost estimates of materials and installation shall be based upon Prevailing Wage rates.
- (c) Improvement performance guaranties will be released upon satisfaction of the following requirements:
  - (1) Completion of the site storm water management facilities or phases.
  - (2) Submission of a letter of certification of completion from an Engineer, a Landscape Architect, or a Land Surveyor stating that the storm water management facilities were constructed in accordance with the approved plans.
  - (3) Submission of an as-built drawing signed and sealed by an Engineer, a Landscape Architect, or a Land Surveyor showing the elevations and locations of all of the constructed storm water facilities.
  - (4) Submission of detention or retention basin, or alternate storm water management device (if such device is a permitted modification, granted by the Board in accordance with Section 305.1 of this Ordinance), as-built at a minimum of one inch equals 50 feet and a stage/storage calculation and tabulation showing the volume of the completed basin.
  - (5) One or more site visits by the Township Engineer that indicate that all storm water facilities are operating in accordance with the design.
  - (6) Correction of any storm water facilities as required by Todd Township.

**Section 510.31**

**Maintenance agreements; corrective action.**

- (a) In cases where permanent control facilities are owned by a private entity (such as a homeowners' association), such entity shall be responsible for maintenance. In this case, a legally binding agreement between the entity and Todd Township shall be made providing for maintenance of all permanent control facilities, and allowing

inspection by Todd Township of all such facilities deemed critical to the public welfare at any reasonable time.

- (b) If the Board determines at any time that any permanent storm water management control facility has been eliminated, altered, or improperly maintained, the owner of the property shall be advised and given a reasonable period of time to take necessary corrective action. If such action is not taken by the property owner, Todd Township may cause the work to be done and lien all costs against the property.

#### **Section 510.32**

**Facility description to appear in property deed; corrective action.**

- (a) When storm water management control measures are located on an individual lot, and when they are the responsibility of that landowner to maintain, a description of the facility or system and the terms of the required maintenance shall be incorporated as part of every deed to the property.
- (b) If the Board determines at any time that any permanent storm water management control facility has been eliminated, altered, or improperly maintained, the owner of the property shall be advised and given a reasonable period of time to take necessary corrective action. If such action is not taken by the property owner, Todd Township may cause the work to be done and lien all costs against the property.

#### **Section 510.33**

**Inspection of property by Township representatives.** Upon presentation of proper credentials, duly authorized representatives of Todd Township may enter at reasonable times upon any property with Todd Township to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Section.

#### **Section 510.34**

**Notice of violation; corrective action.** In the event that a Landowner, Developer, or agent thereof fails to comply with the requirements of this Section, the Board shall provide written notification of violation(s). Such notification shall set forth the nature of the violations(s) and establish a time limit for correction of these violations. Upon failure to comply within the time specified, the Landowner, Developer, or agent thereof shall be subject to the penalty provisions of Article XII of this Ordinance).

### ***Section 511***

#### **Lot Grading.**

The following standards shall apply to lot grading for subdivisions and land developments:

##### **Section 511.1**

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

### Section 511.2

A Grading and Draining Plan shall be required for all subdivisions and land developments, except minor subdivisions. Lot grading shall be:

- (a) Designed as to carry surface waters to the nearest practical street, storm drain, or natural watercourse. Where drainage swales are used to deliver surface waters away from buildings, their grade shall not be less than one percent (1%). These shall be sodded, planted, or lined in accordance with the PaDEP Erosion and Sediment Control Program Manual, April 1990, as amended or superseded.
- (b) Proposed contouring shall be provided for all detention/retention areas. Other contouring shall be provided, as necessary, to depict the proposed grading where typical sections and standard details are inadequate.

### Section 511.3

No final grading shall be permitted with a cut face steeper in slope than two (2) horizontal to one (1) vertical except under one (1) or more of the following conditions:

- (a) The material in which the excavation is made is sufficiently stable to sustain a slope of steeper than two (2) horizontal to one (1) vertical, and a written statement of a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, to that effect is submitted to and accepted by the Board. The statement shall state that the site has been inspected and that the deviation from the slope specified hereinbefore will not result in injury to persons or damage to property.
- (b) A retaining wall constructed according to sound engineering standards from which plans are submitted to and accepted by Todd Township.

### Section 511.4

No final grading shall be permitted that creates any exposed surface steeper in slope than two (2) horizontal to one (1) vertical except under one (1) or more of the following conditions:

- (a) The fill is located so that settlement, sliding, or erosion will not result in property damage or be hazardous to adjoining property, streets, alleys, or buildings.
- (b) A written statement from a civil engineer, licensed by the Commonwealth of Pennsylvania and experienced in erosion control, certifying that he has inspected the site and that the proposed deviation from the slope specified above will not endanger any property or result in property damage, is submitted to and accepted by the Board.
- (c) A wall is constructed to support the face of the fill.

### Section 511.5

The top or bottom edge of slopes shall be a minimum of three feet (3') from property or right-of-way lines of streets or alleys in order to permit the normal rounding of the edge without encroaching on the abutting property. All property lines where walls or slopes are steeper than one (1) horizontal to one (1) vertical and five feet (5') or more in height shall be protected by a protective fence or suitable barrier no less than three feet (3') in height accepted by the Board.

### Section 511.6

All lots must be kept free of any debris or nuisances whatsoever.

## *Section 512*

### **Erosion and Sediment Control.**

The following standards shall apply to erosion and sediment control within Todd Township:

#### Section 512.1

##### **General Purpose.**

- (a) The Board finds that the minimization of erosion and control of sedimentation in connection with land development and subdivision are in the public interest, affecting public health, safety, and welfare, and, therefore, those regulations governing erosion control and sedimentation control are necessary for Todd Township.
- (b) No changes shall be made in the contour of the land, no grading, excavating, removal, or destruction to the topsoil, trees, or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation, as required by Chapter 102 of the Rules and Regulations of the PaDEP or any other applicable agency has been reviewed by the Conservation District or, if required, any NPDES Storm Water Permit has been issued.
- (c) No subdivision or land development plan authorizing construction shall be approved unless:
  - (1) Evidence is presented showing a favorable review of the soil erosion and sedimentation control plan by the Conservation District or, if applicable, the issuance of any NPDES Storm Water Permit by PaDEP.
  - (2) Financial security for erosion controls has been included in the financial security for the project as required in Section 306.1 of this Ordinance.
- (d) Where not specified in this Ordinance, measures used to control erosion and sedimentation shall meet the minimum standards contained in the "Erosion and Sediment Pollution Control Program Manual" of the PaDEP.

## Section 512.2

### Performance Principles.

- (a) Stripping for vegetation, grading, or other development shall be done in such a way that will prevent all but minor erosion.
- (b) Development plans shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
- (c) Whenever feasible, natural vegetation shall be retained, protected, and supplemented.
- (d) The disturbed area and the duration of exposure shall be kept to a practical minimum.
- (e) Disturbed soils shall be stabilized as quickly as practicable.
- (f) Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
- (g) The permanent final vegetation and structural erosion control and drainage measures shall be installed as soon as practical in the development.
- (h) Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Where necessary, the rate of surface water runoff will be structurally retarded.
- (i) Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of debris basins, sediment basins, silt traps, or similar measures.

## Section 512.3

### Grading for Erosion and Other Environmental Controls.

In order to provide suitable sites for building and other uses, improve surface drainage and control erosion, the following requirements shall be met:

- (a) Streets shall be improved to a mud-free or otherwise permanently passable condition as one of the first items of work done on a subdivision or development.
- (b) Provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills by installation of temporary or permanent drainage across or above these areas.
- (c) Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- (d) Fill placed adjacent to watercourses shall have suitable protection against erosion during periods of flooding.



- (e) During grading operations, necessary measures for dust control will be exercised.
- (f) Grading equipment will not be allowed to enter into flowing streams. Provisions will be made for the installation of temporary or permanent culverts or bridges.

#### Section 512.4

##### Responsibility.

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

#### Section 512.5

##### Compliance with Regulations and Procedures.

- (a) The Board, in its consideration of all preliminary plans of subdivision and land development, shall condition its approval upon the execution of erosion and sediment control measures as contained in Section 512.2 and Section 512.3 of this Ordinance.
- (b) The installation and design of the required erosion and sediment control measures shall be in accordance with standards and specifications of the PaDEP Erosion and Sediment Pollution Control Program Manual, April 1990, as amended or superseded.

#### Section 512.6

Stream channel construction on watersheds shall conform to criteria established by the PaDEP.

### **Section 512.7**

A written permit issued by the PaDEP or any other applicable agency shall be required prior to any construction, operation, maintenance, modification, enlargement, or abandonment of any dam, water obstruction, or encroachment. Evidence of the permit must be presented when requested prior to any approval of a subdivision or land development that authorizes construction.

### ***Section 513***

#### **Flood Hazard Area Regulations.**

The following standards shall apply to Flood hazard area within Todd Township:

(a) Purpose.

The specific purposes of these special provisions are:

- (1) To regulate the subdivision or development of land within any designated Regulatory Flood Elevation in accordance with the applicable Flood Plain Management Ordinance of Todd Township, in order to promote the general health, welfare, and safety of the community.
- (2) To require that each subdivision lot in flood prone areas be provided with a safe building site with adequate access; and that public facilities that serve such uses be designed and installed to preclude flood damage at the time of initial construction;
- (3) To prevent individuals from buying lands that are unsuitable for use because of flooding by prohibiting the improper subdivision or development of unprotected lands within the designated flood hazard area districts.

(b) Abrogation and Greater Restrictions.

To the extent that this Section imposes greater requirements or more complete disclosure than any other provisions of this Ordinance, in any respect, or to the extent that the provisions of this section are more restrictive than such other provisions, it shall control such other provisions of this Ordinance.

(c) Disclaimer of Municipal Liability.

The grant of a permit or approval of a plan for any proposed subdivision or land development to be located within any designated flood hazard area shall not constitute a representation, guarantee, or warranty of any kind by Todd Township, or by any official or employee thereof, of the practicability and/or safety of the proposed use, and shall create no liability upon Todd Township, its officials, employees, or agents.

(d) Application Procedures and Requirements.

(1) Pre-Application Procedures.

- (a) Prior to the preparation of any plans, it is suggested that prospective developers consult with the PaDEP or any other applicable agency concerning soil suitability when on-site sewage disposal facilities are proposed;
- (b) Prospective developers shall consult the Conservation District representative concerning erosion and sediment control and the effect of geologic conditions on the proposed development. At the same time, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development.

(2) Preliminary Plan Requirements.

The following information shall be required as part of the Preliminary Plan, in accordance with Section 403 of this Ordinance, and shall be prepared by an Engineer or Surveyor:

- (a) Name of Engineer, Surveyor, or other qualified person responsible for providing the information required in this Section;
- (b) A map showing the location of the proposed subdivision or land development with respect to any designated flood hazard area, including information on, but not limited to, the 100-year flood elevations, the Regulatory Flood Elevation, boundaries of the flood hazard area or areas, proposed lots and sites, fills, flood or erosion protective facilities, and areas subject to special deed restrictions;
- (c) Where the subdivision or land lies partially or completely within any designated flood hazard area, or where the subdivision or land development borders on a flood hazard area, the preliminary plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall also show contours at intervals of two feet (2'), and shall identify accurately the boundaries of the flood hazard areas;
- (d) Such other information as is required by this Ordinance and the applicable Flood Plain Management Ordinance.

(3) Final Plan Requirements.

The following information shall be required as part of the final plan and shall be prepared by an Engineer or Surveyor:

- (a) All information required for the submission of the Preliminary Plan incorporating any changes requested by the Board;
  - (b) A map showing the exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed within any designated flood hazard area and the Regulatory Flood Elevation. All such maps shall show contours at intervals of two feet (2') within the flood hazard area and shall identify accurately the boundaries of the flood prone areas;
  - (c) Submission of the final plan shall also be accompanied by all required permits and related documentation from the PaDEP and any other governmental agency or local municipality where alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified in advance of the proposed alteration or relocation. The Department of Community and Economic Development (or successor agency) and the Federal Insurance Administration (or successor agency) shall also be notified in advance of any such proposed activity, and proof of such notification shall be submitted in advance of the Board meeting at which such plan is to be considered.
- (4) Design Standards and Improvements in designated flood hazard areas.
- (a) General.
    - (1) Where not prohibited by this or any other laws or ordinances, land located in any designated flood hazard area may be platted for development with the provision that the Developer construct all buildings and structures to preclude flood damage in accordance with this Ordinance, the applicable Flood Plain Management Ordinance, and all other laws and ordinances regulating such development.
    - (2) No subdivision or land development, or part thereof, shall be approved if the proposed development or improvements will, individually or collectively, increase the 100-year flood elevation more than one foot (1') at any point.
    - (3) Building sites for residences or any other type of dwelling or accommodation shall be in accordance with this Ordinance and the applicable Flood Plain Management Ordinance.
    - (4) Building sites for structures and buildings other than for residential uses, and for Land Developments, shall be in accordance with this Ordinance and the applicable Flood Plain Management Ordinance.
    - (5) If Todd Township determines that only a part of a proposed plat can be safely developed in relation to the flood hazard area, it shall limit

development to that part and shall require that development proceed consistent with this determination.

- (6) When a developer does not intend to develop the plat himself and the Board determines that additional controls are required to insure safe development, it may require the Developer to place appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.

(b) Drainage Facilities.

- (1) Storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The system shall insure drainage at all points along streets and provide positive drainage away from buildings and on-site waste disposal sites.
- (2) Plans shall be subject to the approval of the Board. The Board may require a primary underground system to accommodate frequent floods and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with Section 510 of this Ordinance. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

(c) Other Facilities.

- (1) Streets and Driveways: The finished elevation of proposed streets and driveways shall be in accordance with this Ordinance and the applicable Flood Plain Management Ordinance. Profiles and elevations of streets and driveways to determine compliance with these requirements shall be submitted with the Final Plan. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.
- (2) Sewer Facilities: All sanitary sewer systems located in any designated flood hazard area, whether public or private, shall be flood-proofed up to the Regulatory Flood Elevation.
- (3) Water Facilities: All water systems located in any designated flood hazard area, whether public or private, shall be flood-proofed up to the Regulatory Flood Elevation.
- (4) Other Utilities: All other public or private utilities and facilities, including gas and electric, shall be elevated or flood-proofed up to the Regulatory Flood Elevation.

ARTICLE VI  
IMPROVEMENTS AND  
CONSTRUCTION REQUIREMENTS

## Article VI. IMPROVEMENTS AND CONSTRUCTION REQUIREMENTS

### *Section 601*

#### **General.**

It is the purpose of this Article to set forth the required improvements in all subdivisions and land developments and the construction standards required. Where not set forth, they shall be in accordance with the prevailing standards as established by the Township Engineer. Alternate improvement standards may be permitted if the Board deems them equal or superior in performance characteristics to the standards specified herein. Additional or higher type improvements may be required in specific cases where the Board deems it necessary to create conditions essential to the health, safety, and general welfare of the citizenry of the County.

Any or all of the following improvements as may be required by the Board, pursuant to the authority granted to it, considering the needs of the area in which the proposed subdivision is located, must have been completed in accordance with the requirements established by this Ordinance as well as in accordance with the requirements of the responsible public authority affected, public officials, or the Township Engineer for that portion included in the final plat. If the improvements are not completed, then satisfactory arrangements must have been made with the Board to the satisfaction of all public authorities concerned regarding proper completion of such improvements prior to the consideration of a final plat.

The following improvements shall be installed by the Developer. The final plan shall not be approved until final detailed design of the improvements is approved and the improvements are installed or financial security has been established with Todd Township.

### *Section 602*

#### **Required Improvements.**

##### **Section 602.1**

**Monumentation.** Monuments shall consist of iron or steel bars and shall be a minimum size of one inch (1") square or one inch (1") in diameter and thirty-six inches (36") long.

- (a) Monuments shall be set at all points of curve tangency on all street right-of-way and property lines;
- (b) Monuments shall be set at all points where lot lines intersect curves, either front or rear;
- (c) Monuments shall be set at all of the property lines of lots;
- (d) Monuments shall be set at all other lot corners of the lot in question and lots bounding said parcel;

- (e) Monuments shall be set so that the top of the monument is level with the top of the surrounding ground; and
- (f) Monuments shall be set under the direct supervision of a Land Surveyor.

### Section 602.2

**Streets.** All streets shall be graded to the full width of the right-of-way surfaced and improved to grades and dimensions shown on the plans, profiles, and cross-sections submitted by the Developer.

- (a) Streets shall be graded, surfaced, and improved to the dimensions required by the cross-sections. Pavement base and wearing surface shall be constructed according to the specifications as contained in Section 503 of this Ordinance.
- (b) Prior to placing street surface, adequate sub-surface drainage for the streets and all utilities under the streets shall be provided by the Developer upon the completion of the street improvements. Respective plans and profiles as built shall be filed with Todd Township. All underdrains must be a minimum four inch (4") PVC perforated pipe and in accordance with PennDOT Publication 408, as amended and detailed in Construction Drawings. These underdrains are subject to review and approval of the Board.
- (c) High Density Subdivisions shall have a minimum of two separate points of ingress. High Density Subdivisions shall have a minimum of two separate points of egress. The same road may serve as one point of ingress and one point of egress.
- (d) If a High Density Subdivision shall abut two or more public roads, the Developer shall provide for at least one point of ingress and egress onto at least two of the abutting public roads.

### Section 602.3

**Curbs.** Curbs shall be required on new streets in subdivisions that have a typical lot width of interior lots at the building setback lines of less than one hundred feet (100') in all High Density Subdivisions and for Land Developments. Curbs may also be required in any subdivision in which the lot areas or lot widths exceed one hundred feet (100') when the center line street grade of any street exceeds three percent (3%). In such cases curbs or other drainage controls shall be installed to properly control surface damage and protect the streets from erosion. The curbing requirement may be waived at the discretion of the Board, upon the request and justification by the Applicant. When the requirement is waived, grass-lined swales or rock-lined ditches shall be required. Curbs shall be as specified in Section 503 of this Ordinance. All curbs shall be depressed at intersections to sufficient width to accommodate the requirements of the handicapped. The depression shall be in line with sidewalks where provided.



#### Section 602.4

**Sidewalks.** Sidewalks shall be provided on all streets and parking areas located in all Subdivisions and Land Developments.

Sidewalks shall meet the following standards:

- (a) Sidewalks shall be located within the street right-of-way, one foot (1') from the right-of-way line and shall be a minimum of four feet (4') wide, except along collector and arterial streets and in the vicinity of shopping centers, schools, recreation areas, and other community facilities, where they shall be a minimum of five feet (5') wide.
- (b) A grass planting strip should be provided between the curb and the sidewalk.
- (c) Sidewalks shall be at least four inches (4") thick and shall be made of Class A concrete as specified in PennDOT Publication 408, Section 704, and installed in accordance with PennDOT Publication 408, Section 676, except that aggregate for bed shall be a four inch (4") deep foundation, and concrete shall be broom finished.
- (d) Where unusual or peculiar conditions prevail with respect to prospective traffic and/or safety of pedestrians, the Board may require different standards of improvements than those set forth in the previous Sections. Crosswalks may be required when deemed necessary by the Board and as noted in Section 505.2 of this Ordinance.
- (e) Handicap-accessible ramps shall be provided on all sidewalks at street intersections. Maximum gradient of an accessible ramp shall be 12:1 (8.33%). Depressed curb shall be installed at ramp so as to create a lip of no greater than one-half inch (½"). Ramps shall be concrete as specified in Section 602.4(c) of this Ordinance with a non-slip finish.
- (f) Maximum slope of banks measured perpendicular to the center line of the street should be three (3) to one (1) for fills and two (2) to one (1) for cuts.

#### Section 602.5

**Sanitary Sewers.** The method of sanitary waste disposal in a proposed subdivision shall be determined by the Board, in accordance with the Act 537 Plan. Generally, where an existing or proposed public sanitary sewer system is accessible to a High Density Subdivision and the capacity exists to serve the proposed subdivision, the Developer shall provide the subdivision with a complete sanitary sewage system to be connected to the existing or proposed public sanitary sewage system. The system shall be designed by an Engineer and shall meet the requirements of the PaDEP or any other applicable agency and the relevant municipal authority. Also, the sewer system must be fully complete after five (5) years. If a development is phased, dry sewers shall be put in place for future connections to subsequent phases.

To aid the Board in making its decision upon the best method of sanitary waste disposal within a proposed subdivision, the Developer shall submit, accompanying the "Preliminary Plan" application, two (2) copies of the "Sewage Planning Module" and a copy of the transmittal letter to PaDEP that accompanied the Planning Module Submission.

In cases where no municipal sewer system is available under the conditions stated previously, a decision shall be made as to which of the following methods of sewage disposal best meets the needs of the proposed subdivision: a community disposal system; an interim treatment plant; individual on-lot septic tanks; or other satisfactory methods of sewage waste disposal. Todd Township shall recommend the most suitable type of sewage disposal in consideration of the results of the Sewage Planning Module, the individual site characteristics of the proposed subdivision, and both the short-range (5 to 10 years) water and sewer program and the long-range (20 years) water and sewer plan for Todd Township. Regardless of the method of sewage disposal chosen, the system must meet the requirements of the Pennsylvania Sewage Facility Act 537, as amended, and other applicable Federal, State, and Local regulations.

Where required, a PaDEP Sewage Planning Module approval shall be obtained prior to plan approval by the Board authorizing construction.

Upon completion of the sanitary sewer system, community disposal system, and/or interim treatment plant, one (1) copy of as-built drawings shall be filed with Todd Township and one (1) copy shall be filed with the relevant municipal authority.

#### Section 602.6

**Water.** Where an existing or proposed public water supply system is accessible to a High Density Subdivision and the capacity exists to serve the proposed subdivision, the Developer shall provide the subdivision with a complete water main supply system that shall be connected to the municipal water supply. The system shall be designed by an Engineer. The system design shall be approved by the municipal authority or utility company providing service. Evidence of issuance of permits from the PaDEP, when such permits are required, shall be presented to the Board prior to approval of plans authorizing construction.

If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or development, Applicants shall present evidence that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority, or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. In cases where no municipal or community water supply system is available, each lot in a subdivision shall be provided with an individual water supply system in accordance with the minimum standards of the PaDEP.

The plans for installation of the mains of a water supply system shall be prepared for the subdivision with the cooperation of the applicable water supply agency and accepted by its Engineer. A statement of approval from the Engineer of the water supply agency to which the subdivision will be connected shall be submitted to Todd Township. Upon the completion of the water supply system, one (1) copy each of the as-built plans for such system shall be filed with Todd Township.

#### Section 602.7

**Storm Water Management Control.** Lots shall be laid out, designed, and graded in such a manner as to provide for drainage of surface runoff away from buildings and into the natural drainage system of the area. Storm water management control improvements shall be considered for all High Density Subdivisions and all land developments. The improvements shall be installed and maintained in accordance with the plans submitted by the Developer and accepted by the Board. The improvements shall be designed and constructed to the standards set forth in Section 510 of this Ordinance and/or any Township Storm Water Management Ordinance. One (1) copy of as-built drawings of storm water management control systems shall be filed with Todd Township. Under no circumstances shall storm sewers be connected with sanitary sewers.

#### Section 602.8

**Off-Street Parking.** Off-street parking shall meet the following standards:

- (a) Each proposed dwelling unit in a subdivision shall be provided with two (2) off-street parking spaces.

Such off-street parking spaces may be provided as an individual garage, carport, and/or driveway, preferably located behind the building line or in a parking compound adjacent to or near the dwelling units it serves. Driveway and parking compounds shall provide two (2) usable and paved parking spaces, each containing two hundred (200) square feet.

- (b) Non-residential subdivisions and land developments within the scope of this Ordinance shall provide paved parking areas in conformance with Article VIII, Section 803 of this Ordinance.

#### Section 602.9

**Street Name Signs.** Street name signs shall be placed at all intersections in conformance with the specifications of Todd Township. They shall be paid for by the Developer and installed by Todd Township at Developer's expense.

#### Section 602.10

**Buffer Areas.** All non-residential subdivisions and land developments shall include a landscaped buffer area of at least five feet (5') in width along all public rights-of-way and ten feet (10') in width along property lines abutting existing homes and/or homes under construction. In cases where the buffer area abuts homes, at least fifty percent (50%) of the trees and shrubs shall consist of evergreens. Landscaping shall be at least three feet (3') in height and spaced no further than three feet (3') apart at the time of planting, unless an alternate planting plan by a landscape professional is approved by the Board.

#### Section 602.11

**Post Light at Drive.** Each driveway shall have a post light at the end of the driveway, interior to the right-of-way line.

#### Section 602.12

**Underground Wiring.** All electric, telephone, and television cable lines shall be placed underground. Electric, telephone, and television cables, and appurtenances thereto, shall be constructed in accordance with the rules, regulations, and specifications of the respective utility providers.

#### Section 602.13

**Recreation Areas.** All High Density Subdivisions shall be provided with a recreation area for residents of the High Density Subdivision. The recreation area shall be no less than five percent (5%) of the total area of the High Density Subdivision. Such an area shall be appropriately developed with recreation facilities and easily accessible to all homes in the High Density Subdivision.

### *Section 603*

#### **Recommended Improvements.**

Although not required, the following improvements are recommended as valuable to public safety, convenience, and attractiveness of a subdivision. They are viewed as assets to Todd Township, the potential buyer, and future residents of Todd Township.

#### Section 603.1

**Shade Trees.** All possible efforts should be made by the Developer to preserve existing shade trees. When provided, native species shade trees of deciduous hardwood type with a minimum caliper of two inches (2") shall be planted between the sidewalk and the building line at least five feet (5') from the sidewalk, or between the curb and sidewalk, provided the planting strip is a minimum of six feet (6') wide. Preserved shade trees may be included in the buffer areas required under Section 602.10 of this Ordinance.

ARTICLE VII  
MOBILE HOME PARK  
DESIGN STANDARDS

## Article VII. MOBILE HOME PARK DESIGN STANDARDS

### *Section 701*

#### **General Requirements.**

The general design standards and required and recommended improvements of Article V and Article VI of this Ordinance and residential design standards shall apply to mobile home park subdivisions or developments even though streets will not be submitted for dedication. The following additional standards shall also apply to mobile home park developments.

### *Section 702*

#### **Specific Design Standards.**

#### **Section 702.1**

##### **Mobile Home Park Site.**

- (a) A mobile home park shall be located on land having a reasonably flat terrain (having an average slope of eight percent [8%] or less).
- (b) The land area shall be free from swamps, marshes, garbage, excessive noise, smoke, or other elements generally considered detrimental to residential development.
- (c) The location shall be free from flooding by a 100-year flood and shall have access to public roads.
- (d) The minimum size requirement for a Mobile Home Park shall be three (3) acres.

#### **Section 702.2**

##### **Placement of Mobile Homes.**

- (a) Each mobile home site shall be provided with a stand or pad consisting of two (2) concrete strips to accommodate the axles of the mobile home.
- (b) The poured concrete base shall measure three feet (3') deep and three feet (3') wide for each of the two (2) strips.
- (c) Each mobile home site shall also be provided with a poured concrete outdoor patio four inches (4") deep and at least 180 square feet in area at the main entrance to the mobile home.
- (d) The mobile home shall be required to be provided with anchors and tie-downs that are able to sustain a total tensile load equal to four times the weight of that particular mobile home.
- (e) Each mobile home shall have skirting around the base between the bottom of the exterior and the ground.

- (f) The length of each mobile home unit shall be parallel with the contour of the land so that no end of the unit is elevated higher than the other from the ground.

### Section 702.3

**Mobile Home Lot Requirements.** Lot area, dimension, setback and coverage shall meet with the approval of the Board and meet the following minimal requirements:

- (a) Minimum Lot Area - 5,200 square feet per lot.
- (b) Minimum Lot width - 45 feet.
- (c) Minimum Setback from Other Homes and Buildings - 30 feet.
- (d) Minimum Setback from Streets, Paved Areas, Common Areas - 30 feet.
- (e) Maximum Lot Coverage by Buildings/Structures - 25%.

### Section 702.4

**Buffer Areas.** All mobile home parks projected to contain more than ten (10) units at full build-out shall be bounded by a buffer area with a minimum of thirty-five feet (35') depth as measured at right angles to the tract boundary lines. This space shall be used for no other purpose but landscaping, except where access roads cross it.

All mobile home parks projected to contain fewer than ten (10) units at full build-out shall be bounded by a buffer area with a minimum of ten feet (10') in depth as measured at right angles to the tract boundary lines. This space shall be used for no other purpose but landscaping, except where access roads cross it. Buffer areas shall be landscaped and consist of at least fifty percent (50%) evergreens. All landscaping shall be at least three feet (3') in height at the time of planting.

### Section 702.5

**Recreation Areas.** A mobile home park shall be provided with a recreation area for mobile home residents. The recreation area shall be no less than five percent (5%) of the total area of the park. Such an area shall be appropriately developed with recreation facilities and easily accessible to all homes in the park.

### Section 702.6

**Utilities.** All utilities serving mobile home lots shall be placed underground in accordance with the requirements of the respective utility companies. Each mobile home in the park shall be served by public water and sewer or approved central water and sewage systems as well as with electric and other utilities.

### Section 702.7

**Drainage.** Storm drainage from roofs and paved areas shall be channeled to natural drainage courses and away from adjoining properties and public roads. Trees and shrubbery shall be maintained on the property of the mobile home park and on every lot within the park for absorption of water runoff and hence for flood protection. Storm drainage shall also be handled according to the requirements prescribed by Article V of this Ordinance and by the Todd Township Storm Water Management Ordinance, if any.

#### Section 702.8

**Refuse Storage.** Each mobile home park shall provide sufficient dumpsters and private hauling service for the use of and to meet the needs of the residents of the mobile home park. In addition, each mobile home shall provide its own garbage and refuse containers until the residents of that mobile home properly dispose of said waste in the dumpsters provided by the mobile home park. These individual garbage and refuse containers shall be in accordance with any Township regulations pertaining to garbage and other solid wastes for the accumulation of waste.

#### Section 702.9

**Sewage Systems.** Each mobile home lot shall be provided with at least a four inch (4") diameter vertical riser pipe that connects the mobile home sewage drain outlet to the sewer line. Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the lot. Surface drainage shall be directed away from the riser. The rim of the riser pipe shall extend at least six inches (6") above ground elevation.

#### Section 702.10

**Water Systems.** Each mobile home lot shall have a water riser pipe with a minimum inside diameter of three-quarter inch ( $\frac{3}{4}$ ") that connects the mobile home water supply to the central water system. An outside hose bib shall be supplied for each mobile home.

#### Section 702.11

**Sidewalks.** All mobile home parks shall be provided with safe, convenient, all-season pedestrian walks of ID-2 bituminous concrete, or a hard surface, to a depth and width approved by the Township Engineer between individual mobile homes and streets and to all park facilities provided for the residents. Walkways serving park facilities shall have a minimum width of four feet (4').

#### Section 702.12

**Parking Areas.** Two off-street parking spaces shall be provided for each mobile home. All parking spaces for mobile home lots shall be have a minimum of a tar and chip surface.

#### Section 702.13

**Ingress and Egress.** Access points to public streets from a mobile home park shall be located no less than sixty feet (60') from any public street intersection. Streets within the mobile home park shall be constructed to Township specifications as described in Article V of this Ordinance, except that one-way streets may be allowed, if access by fire and other emergency vehicles is not impaired and if the street plan is reviewed and accepted by the Board. All streets within mobile home parks, whether offered for municipal dedication or not, shall conform to the following:

- (a) General Requirements - A safe and convenient vehicular access shall be provided from abutting public streets or roads.



- (b) Access - The entrance road connecting the park streets with a public street or road shall have a minimum cartway width of twenty-four feet (24'). Wherever a street intersects a public street, a stop sign shall be installed at Developer's expense and maintained in accordance with Township and/or state regulations.
- (c) Illumination - In accordance with the conditions to be agreed upon by the Developer, the Board, and the appropriate public utility, street lights or individual post lights are required to be installed in all mobile home parks. The Developer shall be responsible for making the necessary arrangements with the applicable agencies, and, whether or not street lights are initially installed, the Developer shall be responsible for providing utility easements for future street lighting installations.

**Section 702.14**

**Street Signs.** Street identification signs shall be provided for all streets at every intersection in the mobile home park. Such signs shall be purchased by the Developer and installed by the Developer at the direction of the Board.

ARTICLE VIII  
SUPPLEMENTARY LAND  
DEVELOPMENT REQUIREMENTS

## Article VIII. SUPPLEMENTARY LAND DEVELOPMENT REQUIREMENTS

### *Section 801*

#### **General Requirements and Intent.**

In accordance with the definition in this Ordinance, as per the Pennsylvania Municipalities Planning Code (MPC), Land Development may include various types of development and subdivision of land. In this regard, Article V and Article VI of this Ordinance delineate design standards and construction requirements that are intended to apply to all types of development, while Article VII of this Ordinance applies standards to the design of Mobile Home Parks. The Board recognizes that certain types of Land Development may have needs and requirements unmet by these Articles alone. This Article provides such supplementary standards for various forms of non-residential development such as commercial, retail, professional offices, and manufacturing uses. It is the intent of this Article to supplement, and not to replace, any of the standards and requirements of the above-referenced previous Articles.

### *Section 802*

#### **Submission Review Procedures and Plan Requirements.**

The submission and review procedures contained in Article III and Article IV of this Ordinance shall be required for all Land Development proposals, as noted in each applicable Section of the above-referenced Articles. In addition, the following shall be required for all proposals for Commercial, Retail, and Professional Office development in excess of 5,000 square feet, and for all proposals for manufacturing uses:

#### **Section 802.1**

A traffic study analyzing the capacity of area streets, roads, and intersections abutting the development, as determined by the Board. The study shall include at a minimum an analysis of the system before development, at each phase of development (if applicable), and at full build-out. The study shall include an analysis of capacities, levels of service, and improvements required to maintain acceptable levels of service.

#### **Section 802.2**

A landscape plan for the site prepared by a landscape design or site planning professional.

#### **Section 802.3**

A sewer and water study of the proposed development.

### *Section 803*

#### **Parking Requirements.**

Non-residential development shall be designed in a manner that maximizes benefits and minimizes conflicts in relation parking and traffic safety. Specific supplementary requirements are as follows:

**Section 803.1**

All non-residential proposals shall meet the following:

- (a) In cases where more than a single row of parking spaces are required due to projected parking demand and/or site conditions, the following design configurations shall be followed:
  - (1) A minimum parking bay width of forty-five feet (45') shall be provided for 45-degree [diagonal] parking, with a one-way traffic aisle having a minimum width of fourteen feet (14').
  - (2) A minimum parking bay width of sixty-one feet (61') shall be provided for 90-degree [head-in] parking with a two-way traffic aisle having a minimum width of twenty-five feet (25').
- (b) All parking areas shall be stabilized with compacted stone or gravel, or with a bituminous or concrete surface, or Township-approved semi-pervious surface, and include adequate drainage control as approved by the Board.
- (c) Parking areas shall be designed so that vehicles need not back out onto a public right-of-way.

**Section 803.2**

Commercial land developments within the scope of this Ordinance shall provide stabilized parking areas. The minimum number of 9 foot x 18 foot parking spaces to be provided will vary depending upon use and/or interior and/or gross square footage area as summarized below:

FOR	MINIMUM PARKING SPACE
Place of worship, library, other public buildings and places of public assembly	1 space per 200 square feet of floor area but not less than 1 space for each 3.5 seats, where provided
Tennis courts	2 spaces for each court
Secondary schools	4 spaces per classroom plus 1 space for each 5 seats in any auditorium or other place of assembly
Elementary schools	2 spaces per classroom plus 1 space for each 5 seats in any auditorium or other place of assembly
Hospitals, sanitarium, nursing homes, philanthropic, or charitable institutions	1 and ½ spaces per bed
Boarding or lodging house, tourist home	1 space per guest bedroom and resident family
Eating places	1 space per 3.0 seats
Undertakers and funeral homes	1 space per 2 employees plus 1 for each chapel seat
Hotels, motels and resorts	1 space per guest room plus 1 for each employee
Bowling alleys	8 spaces for each alley

Office buildings, banks, businesses, and professional services	1 space per 300 square feet of gross floor area
Professional offices of veterinarians, physicians, or dentists	5 spaces per each physician, dentist, or veterinarian or 1 space per 200 square feet of gross floor area, whichever is greater
Commercial stable or riding academy	1 space for each horse stall
Retail stores and shops, strip malls and shopping centers,	5 spaces for each 1,000 square feet of gross floor area
Wholesale establishments, warehouses, offices, businesses, and industrial facilities	1 space for each employee on the peak working shift or 1 space for each 1,000 square feet of floor area, whichever is greater

For uses not classified above, no fewer than three (3) square feet of stabilized parking area, inclusive of access lanes, for every one (1) square foot of interior floor area.

### Section 803.3

All non-residential establishments in excess of 10,000 square feet of gross floor area shall provide loading docking/berth. The gross floor area at which point a second dock/berth will be required will be dependent upon the use in accordance with the following table:

(1)	Wholesale	40,000 square feet
(2)	Retail	20,000 square feet
(3)	Offices/Services	100,000 square feet
(4)	Restaurants	25,000 square feet
(5)	Hotels/Schools	100,000 square feet

### Section 803.4

Truck loading, unloading, and maneuvering shall be accommodated within the property lines.

### Section 803.5

Industrial developments within the scope of this Ordinance shall provide in addition to requirements of Section 803(b), a minimum of stabilized off-street parking in the ratio of one (1) parking space for every employee anticipated during the peak work shift. In addition, stabilized truck loading areas shall be provided such that all truck loading, unloading, and maneuvering can be accommodated within the property lines.

### Section 803.6

Commercial and industrial parking areas are also subject to the following requirements:

- (a) **Illumination:** If provided, all parking areas shall be illuminated by light standards with a maximum height of forty feet (40'), with sharp cut-off shields on the fixtures to allow the direction of lighting on the lot and to avoid glare above the lot and on adjacent properties.

- (b) **Interior Landscaping:** All parking areas shall include interior landscaping of at least ten percent (10%) of the area of the parking lot, exclusive of any buffer areas provided under Article VI, Section 602.10 of this Ordinance. The interior of the parking area includes that area between the frontage or buffer yard and any paved walkways or the structure, when a walkway is not necessary.
- (c) **Sidewalks:** The principal access point for commercial, service, and industrial establishments abutting the parking lot shall have a paved walkway with a minimum width of five feet (5').
- (d) **Access Drives:** Each parking area shall include adequately sized access drives having a minimum width of twelve feet (12') when separate exit and entrance lanes are provided and twenty feet (20') when combined exit and entrance lanes are provided.
- (e) **Special Access Designations:** Fire lanes and handicap parking stalls appropriately located in relation to the structure shall be designated by signage and pavement markings.
- (f) No off-street parking shall be closer than ten feet (10') to the principal structure or closer than ten feet (10') to any side or rear lot line.

#### **Section 803.7**

Off-street loading berths, open or enclosed, are subject to the following minimum provisions:

- (a) **Size of Spaces:**  
Each loading berth shall be at least twelve feet (12') wide, thirty-three feet (33') long and fourteen feet (14') high.
- (b) **Location and Access:**  
Unobstructed access, at least ten feet (10') wide, to and from a street shall be provided. Such access may be combined with access to a parking lot. All permitted or required loading berths shall be on the same lot as the use to which they are accessory. No entrance or exit for any off-street loading area shall be located within fifty feet (50') of any street intersection. No off-street berth shall be located in any front yard or within ten feet (10') of any side or rear yard that adjoins a residential use.

#### **Section 804**

##### **Supplementary Requirements.**

Non-residential development shall be designed in a manner that maximizes benefits and minimizes conflicts in relation with public safety. Specific supplementary requirements are as follows:

### Section 804.1

Proposed developments with drive-in facilities shall meet the following standards:

- (a) No more than two (2) driveways shall be provided to any one (1) property from a single public right-of-way.
  - (1) Non-residential developments shall have a minimum of two separate points of ingress. Non-residential developments shall have a minimum of two separate points of egress. The same road may serve as one point of ingress and one point of egress.
  - (2) If a Non-residential development shall abut two or more public roads, the Developer shall provide for at least one point of ingress and egress onto at least two of the abutting public roads.
- (b) Driveways shall be no closer than thirty feet (30') from any adjacent property line. However, the Developer may request a waiver of this requirement, and the Board may grant a waiver to this requirement, in accordance with Section 305.1 of this Ordinance, if the Developer and the adjoining land owner agree to share the driveway.
- (c) The maximum width of driveways shall be no wider than fifty feet (50').
- (d) The intersection of any private drive and a public right-of-way shall provide for proper sight distance visibility.
- (e) A State Highway Occupancy Permit shall be required from PennDOT for any driveway access to a State Highway, and a Township Highway Occupancy Permit shall be required from the Board for any driveway access to Township Road prior to plan approval.
- (f) Gasoline or other fuel pumps shall be no closer than twenty-five feet (25') to any public right-of-way.

### Section 804.2

All proposed structures and buildings shall be no closer than fifty feet (50') to any right-of-way line.

### Section 804.3

Proposals for industrial parks and/or commerce parks shall meet the following requirements:

- (a) A fifty foot (50') buffer shall be provided around the proposed Park.

- (b) Any internal illumination shall be of the sharp cut-off variety avoiding glare above and onto adjacent properties.
- (c) An internal street or traffic circulation system shall be provided.
- (d) All plans for individual structures or buildings shall be subject to review under the requirements of this Ordinance.

**Section 804.4**

- (a) Loading docks as required by Section 803 of this Ordinance shall be at least fourteen feet (14') wide and have a clearance of at least fourteen feet (14') and shall not be located in the front of the building.
- (b) All outdoor storage areas shall be buffered by landscaping or an opaque fence.
- (c) Manufacturing buildings may not cover more than twenty-five percent (25%) of the lot.



ARTICLE IX  
RECREATIONAL AND SEASONAL  
LAND DEVELOPMENT  
STANDARDS

## Article IX. RECREATIONAL AND SEASONAL LAND DEVELOPMENT STANDARDS

### *Section 901*

#### **General Requirements.**

A Recreational and Seasonal Land Development includes the improvement and development of land for seasonal and/or leisure time activities. Such developments are for temporary occupancy and are not intended now or in the future for year-round dwelling purposes, and may include travel trailers, motor homes, campers, lots intended for tents, and land intended for various other outdoor recreational activities such as hunting and fishing. However, developments comprised of cottages, cabins, second homes, other permanent and fixed dwelling structures, and any recreational and seasonal lots for sale are excluded from this Article and are viewed as residential subdivisions in relation to this Ordinance.

#### **Section 901.1**

**Classification.** Whenever any land development is proposed, before any contract is made for the sale or lease of any part thereof, and before any permit for development in such proposed land development shall be granted, the owner or his agent, shall apply for and secure approval of such proposed land development in accordance with the following procedures for development, that includes a maximum of two (2) steps for a Minor and three (3) steps for a Major Land Development as follows:

- (a) Minor Development - includes ten (10) or fewer campsites for recreational and/or seasonal use:
  - (1) Sketch Plan (Optional)
  - (2) Final Plan
  
- (b) Major development - includes eleven (11) or more campsites for recreational and/or seasonal use:
  - (1) Sketch Plan (Optional)
  - (2) Preliminary Plan
  - (3) Final Plan

#### **Section 901.2**

**Pre-Application Consultation.** Prior to filing an application for approval of a Land Development within Todd Township, the owner or his authorized agent, should meet with the Board for an official classification of his proposed Land Development. The Board may determine whether the proposal shall be classified as a Minor Development or a Major Land Development. At this time, the Board may advise the owner or his authorized agent as to which of the procedures contained herein should be followed.

### **Section 901.3**

**Official Filing Date.** For the purpose of this Ordinance, the official filing date shall be the date of the regular meeting of the Board next following the date the application and plans are received at the Township Building. If that said regular meeting occurs more than thirty (30) days following the submission of the application, the official filing date shall be the thirtieth (30<sup>th</sup>) day following the day the application has been received at the Township Building. On receipt of an application for land development approval, the Board shall affix to the application both the date of receipt and the official filing date.

### **Section 901.4**

**Fulton County Planning Commission Review.** All plans shall be submitted to and reviewed by the Fulton County Planning Commission in accordance with its then prevailing rules and regulations. Todd Township shall forward to the Applicant a copy of any report of the Fulton County Planning Commission. The Board may not approve an application until the County report is received or until the expiration of thirty (30) days from the date the application was forwarded to the County.

## ***Section 902***

### **Submission and Review of “Sketch Plan” (Optional).**

The submission and review of the Optional Sketch Plan for Land Developments shall follow the procedures outlined in Article III, Section 302 of this Ordinance.

## ***Section 903***

### **Official Submission and Review of the “Preliminary Plan.”**

The submission and review of the Official Preliminary Plan shall follow the procedures outlined in Article III, Section 304 and Section 305 of this Ordinance. Prior to the review and approval of the Preliminary Plan, the Applicant must make application and meet all requirements of PaDEP Regulations Title 25, Chapter 191, or any other applicable agency regarding Organized Camps and Campgrounds, as well as any other State Government regulations that may apply.

## ***Section 904***

### **Official Submission and Review of the “Final Plan.”**

The submission and review of the Final Plan shall follow the procedures outlined in Article III, Section 306 and Section 307 of this Ordinance.

## ***Section 905***

### **Recording of the “Final Plan.”**

The recording of the Final Plan shall follow the procedures outlined in Article III, Section 310 of this Ordinance.

### ***Section 906***

#### **Performance Guarantees.**

The submission of required performance guarantees shall follow the procedures outlined in Article III, Section 306.1 of this Ordinance.

### ***Section 907***

#### **Plan Requirements.**

Plan Requirements for all Recreation and Seasonal Land Developments shall follow the requirements delineated in Article IV of this Ordinance.

### ***Section 908***

#### **Design Standards.**

Recreational and Seasonal Land Developments shall be designed pursuant to the applicable standards and requirements contained in Article V and Article VI of this Ordinance, except for the following:

- (a) Section 503 and Section 602.2 (with the exception of Section 503.4 and Section 503.6 that remains in effect for situations as noted in Section 908.1 below)
- (b) Section 505.
- (c) Section 506.
- (d) Section 602.3.
- (e) Section 602.4.
- (f) Section 602.8.

The following Design Standards apply to Recreational and Seasonal Land Developments not covered elsewhere in this Ordinance.

#### **Section 908.1**

**Streets.** The Land Development shall be designed to provide an access and internal traffic circulation system adequate to accommodate the type and volume of traffic to be generated, and shall be constructed to provide a sound, all-weather driving surface, reasonably smooth and free from mud, dust, and/or standing water. All private streets shall be considered to be required improvements.

Maximum Allowable Grade - The maximum allowable grade for private roads shall be a fourteen percent (14%) slope for distances of no more than (500') feet. However, special drainage measures and considerations will be required on grades

exceeding a six percent (6%) slope, including special roadway cross sections, grading, shoulder construction and stabilization, cross drainage structures, and cut-and-fill slopes, as recommended and/or accepted by the Township Engineer.

Cul-de-sac Minimum Standards - Cul-de-sacs shall be constructed in accordance with the requirements of Section 503 of this Ordinance. A turn-around area shall be provided at the terminus of all dead-end and/or cul-de-sac segments having an unobstructed maneuvering area equal to a fifty foot (50') turning radius.

The internal street and roadway system shall be privately owned and appropriately noted on the Final Plan and provide safe and convenient access to all camp sites and facilities. The alignment and gradients of all internal streets and roadways shall be properly adapted to the topography, to the types of anticipated traffic, and to the satisfactory control of surface water. Points of connection between the private street and roadway system and the existing public street system shall be designed to avoid congestion and hazardous intersections in accordance with Section 503.4 of this Ordinance.

#### Section 908.2

**Lots.** Individual campsites shall be comprised of a minimum area of at least 1,500 square feet, with no more than a total of fifteen (15) individual campsites per acre. Each campsite shall be accessible from the private street/roadway system without the necessity to cross any other campsite. In addition, recreation vehicle campsites shall have a minimum width of forty feet (40'), and a minimum depth of fifty feet (50') or thirty percent (30%) longer than the maximum length of the recreational vehicle anticipated to occupy the space.

#### Section 908.3

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

#### Section 908.4

**Campsites.** Individual campsites and accessory buildings shall be designed to be at least fifty feet (50') from any arterial highway, or thirty-five feet (35') from any other type of public right-of-way. Recreational vehicle campsites for trailers, campers, and/or motor homes shall contain a stabilized vehicular parking pad of shale, gravel, stone, paving, or other suitable material. These campsites shall be dimensioned so that when any space is occupied, no portion of any camping unit shall be within ten feet (10') of any portion of any other camping unit or accessory building and so that each camping unit shall be at least fifteen feet (15') from any internal private roadway.

### Section 908.5

**Relationship with Adjoining Properties.** The design of proposed land developments governed by this Section shall take into account potential effects and impacts on adjacent properties. A landscaped buffer strip having a minimum width of twenty feet (20') shall be provided along the perimeter of the land development, within which no campsites shall be located.

### Section 908.6

**Minimum Acreage.** The minimum size for a Recreation Vehicle Park is five (5) acres, of which at least ten percent (10%) shall be set aside and developed as common use areas for open and unenclosed recreation facilities, which may include any required buffer areas.

### *Section 909 Improvements.*

Where appropriate, the Applicant of any Land Development shall be required to provide the following improvements, or a suitable guarantee pursuant to Section 306.1 of this Ordinance, and address at least the following:

- (a) Streets and access roads, including, where applicable, parking areas, driveways, curb cuts, and traffic control devices.
- (b) Utilities including, where applicable, storm water management facilities, sanitary sewer facilities, water facilities, pumping facilities, gas lines, electrical facilities, telephone, and other utility facilities.
- (c) Any proposed amenities including recreational facilities, meeting facilities, and screening and landscaping.
- (d) Any other improvements that may be required for approval.
- (e) Procedures and mechanisms guaranteeing the perpetual private maintenance of all improvements by the owner and/or operator of the facility.

### *Section 910*

#### **Minimum Facilities.**

At a minimum, Land Developments proposed under this Article shall include certain facilities, depending upon the type of camping area planned:

- (a) Camping areas intended to primarily serve the needs of overnight tenting campers shall include toilet facilities, including sewage disposal and/or treatment.
- (b) Camping areas intended to primarily serve the needs of overnight camper, trailer, and motor home users shall include the availability of electric service to individual campsites, central travel trailer sanitary and water stations, and toilet facilities.
- (c) Camping areas intended to serve as longer term destinations shall include back-in parking at campsites, individual electric and water connections, central travel trailer sanitation station, and central toilet and shower facilities.

The above are minimal requirements, subject to more stringent requirements imposed by the regulations of Title 25, Chapter 191, of PaDEP. The Applicant may provide enhanced facilities such as laundry, picnic, swimming, and other facilities. The Applicant shall specify the manner in which all facilities are to be privately maintained.

ARTICLE X  
FEES

## Article X. FEES

### *Section 1001*

#### **Payment of Fees.**

The following fees as set by Resolution, shall be paid by the Developer, or his agent, to Todd Township by check or money order:

#### **Section 1001.1**

An application fee for Preliminary Plan review when such plan is required. The fee shall be as established by the Board by Resolution.

#### **Section 1001.2**

An application fee for Final Plan review, which fee shall be as established by the Board by Resolution.

#### **Section 1001.3**

A filing fee for drainage plan applications for regulated activities other than land developments and subdivision submissions, which fee shall be as established by the Board by Resolution.

#### **Section 1001.4**

A fee for review of the plan by the Fulton County Planning Commission, in accordance with its "Schedule of Fees for Review of Sewage Facilities Planning Modules and Applications for Subdivisions and Land Developments."

#### **Section 1001.5**

Review fees charged by Todd Township's professional consultants for review and reports to Todd Township pertaining to the application.

#### **Section 1001.6**

A financial security in the amount of one hundred ten percent (110%) of the cost of proposed required improvements, if the completion of such improvements is to be delayed as a condition of final approval. (See Article III of this Ordinance.)

#### **Section 1001.7**

A final security for the maintenance of improvements for no more than eighteen (18) months from the date of the acceptance of dedication and not to exceed fifteen percent (15%) of the actual cost of installation. (See Article III of this Ordinance.)

#### **Section 1001.8**

An inspection fee based on the actual cost of inspection by the Township Engineer, or other agent appointed by Township, of required improvements.

#### **Section 1001.9**

Road Opening Permits, Inspection Reports, Municipal Lien Letters, or other municipal service fees.



ARTICLE XI  
RELIEF FROM REQUIREMENTS

## Article XI. RELIEF FROM REQUIREMENTS

### *Section 1101*

#### **General Provisions.**

From time to time, a situation may arise where the standards of the Subdivision and Land Development Ordinance cause an undue hardship or prove unreasonable in application. Faced with this situation, a modification or alteration of requirements may be granted from the literal application of the standards. However, modifications shall not be contrary to the public interest and must observe the basic purpose and intent of the Ordinance.

Assurance must be provided that any modification is absolutely necessary and represents the minimum possible modification. Unusual physical circumstances may involve minor adjustments in curve radii, street grade or slope, cul-de-sac length, or problems over the width of an existing right-of-way. In most cases, minor design modifications will not jeopardize public safety.

Any request must be submitted in writing, citing the specific provisions or standards from which relief is requested, and should be part of the preliminary or final plan submission. A request must state in full the grounds and facts of unreasonableness or hardship upon which the request is based, the provisions of the Ordinance involved, and the exact alteration or modification necessary. A record of the request should appear in the official minutes of the Board. This record documents the reasons for the request, facts of unreasonableness, and any action taken on the request. Any relief approved should represent the minimum or least possible modification of the standard.

ARTICLE XII  
ADMINISTRATION, AMENDMENT  
AND ENFORCEMENT

## Article XII. ADMINISTRATION, AMENDMENT, AND ENFORCEMENT

### *Section 1201*

#### Revision and Amendment.

The Board may revise or amend in whole or in part this Ordinance, provided, however, that the amendment thereof shall be accomplished in accordance with the provisions of Section 505 of the Act of July 31, 1968 P.L. 247 (53 P.S. §10505), as supplemented and amended.

### *Section 1202*

#### Modification of Requirements.

##### Section 1202.1

**Modified Standards.** The provisions of this Ordinance are the minimum standards for the protection of the public welfare. The Board reserves the right to modify or to extend this Ordinance as may be necessary in the public interest.

##### Section 1202.2

**Waiver.** If a majority of the Board feels that one or more provisions of this Ordinance cause(s) undue hardship upon a particular subdivision, it may grant a waiver providing that such does not nullify the intent and purpose of this Ordinance. In granting waivers, the Board may impose such conditions as will, in its judgment, advance the achievement of the intent of this Ordinance. The standards and requirements of this Ordinance may be modified by the Board in the case of a plan or program for complete community, new town, neighborhood, cluster subdivision, or mobile home park which, in the judgment of the Board, provides adequate open and public spaces and improvements for circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and that also provides such covenants or other legal provisions that will assure conformity to and achievement of the development goals of Todd Township.

### *Section 1203*

#### Reconsideration and Appeal.

##### Section 1203.1

Any Developer aggrieved by a finding, decision, or recommendation of the Board may request and shall receive another opportunity to appear before the Board to present additional relevant information. This request shall be in writing and must be received by Todd Township within thirty (30) days after the original date of action by the Board.

##### Section 1203.2

Upon receipt of such appeal, the Board shall hold a hearing after proper notification of all parties concerned and in a manner prescribed by law.

### **Section 1203.3**

After such hearing, the Board may affirm or reverse its original action by a recorded vote and in the manner prescribed by law. The findings and reasons for the disposition of the appeal shall be stated on the records of the Board. Affirmative action shall authorize the Developer to continue application from the point at which it was interrupted.

### **Section 1203.4**

Any person aggrieved by action of the Board may appeal within thirty (30) days directly to the Court of Common Pleas of Fulton County in accordance with and in a manner prescribed by law.

## ***Section 1204***

### **Keeping of Records.**

Todd Township shall maintain a record of findings, decisions, and recommendations relative to all subdivision plans filed for review. Such records shall be made available to the public.

## ***Section 1205***

### **Enforcement Remedies.**

Any person, partnership, corporation, or other entity that has violated any provision of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by Todd Township before the Magisterial District Judge, pay a judgment of not more than six hundred dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by Todd Township as a result thereof. If the defendant neither pays nor timely appeals the judgment, Todd Township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation continues shall constitute a separate violation, unless the Magisterial District Judge, after determining that there has been a violation, further determines that there was good faith basis for the person, partnership, corporation, or other entity violating this Ordinance to have believed that there was no such violation until the fifth (5<sup>th</sup>) day following the date of the determination of a violation by the Magisterial District Judge, and thereafter each day that a violation continues shall constitute a respective violation.

## ***Section 1206***

### **Preventive Remedies.**

#### **Section 1206.1**

In addition to any other remedies available to it, Todd Township may institute and maintain appropriate actions by law or in equity to restrain, correct, and/or abate violations, to prevent unlawful construction, to recover damages, and/or 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 remedies herein provided.

### **Section 1206.2**

The Board may refuse to issue any permit or grant any approval necessary to further improve or develop any real property that has been developed or that has resulted from a subdivision of real property in violation of this Ordinance. This authority to deny such a permit or approval shall apply to any of the following:

- (a) The Owner of Record at the time of such violation.
- (b) The Vendee or Lessee of the Owner of Record at 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.

### **Section 1206.3**

As an additional condition of 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, Todd Township may require compliance with the conditions that would have been applicable to the property at the time the Applicant acquired an interest in such real property.

### ***Section 1207*** **Severability.**

Should any article, section, subsection, paragraph, sentence, clause, phrase, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of this Ordinance as a whole, or any part or provision thereof, other than the part so declared invalid or unconstitutional.

### ***Section 1208*** **Effective Date.**

This Ordinance shall become effective five (5) days after the date of final passage.

DULY APPROVED AND ENACTED BY THE TODD TOWNSHIP BOARD OF SUPERVISORS this the 23<sup>rd</sup> day of OCTOBER, 2006,

BOARD OF SUPERVISORS OF TODD TOWNSHIP

BY: *Mark S. Washabaugh*  
Mark S. Washabaugh, Chairman

BY: *Mack M. Clevenger*  
Mack M. Clevenger

BY: *Stanley E. Mellott*  
Stanley E. Mellott

ATTEST:

*Marcie J. Mellott*  
Marcie J. Mellott (SEAL)  
Secretary, Todd Township Board of Supervisors

# APPENDICES



APPENDIX "A"

STORM WATER FACILITIES  
MAINTENANCE AND MONITORING  
AGREEMENT

## APPENDIX "A"

### *Storm Water Facilities Maintenance and Monitoring Agreement*

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_, (hereinafter the "Landowner"), and Todd Township, Fulton County; Pennsylvania, (hereinafter "Township");

WITNESSETH:

WHEREAS, the Landowner is the owner of certain real property as recorded by deed in the land records of Fulton County, Pennsylvania, at the Fulton County Courthouse, in Record Book \_\_\_\_\_ at Page \_\_\_\_\_, (hereinafter "Property");

WHEREAS, the Landowner is proceeding to build and develop the Property; and

WHEREAS, the Subdivision/Land Development Plan (hereinafter "Plan") for the \_\_\_\_\_ Subdivision which is expressly made a part hereof, as approved or to be approved by the Township, provides for detention or retention of storm water within the confines of the Property; and

WHEREAS, the Township and the Landowner, his successors, and assigns agree that the health, safety, and welfare of the residents of the Township require that on-site storm water management facilities be constructed and maintained on the Property; and

WHEREAS, the Township requires, that storm water management facilities as shown on the Plan be constructed and adequately maintained by the Landowner, his successors and assigns;

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site storm water management facilities shall be constructed by the Landowner, his successors and assigns, in accordance with the terms, conditions, and specifications identified in the Plan.
2. The Landowner, his successors and assigns, shall maintain the storm water management facilities in good working condition, acceptable to the Township, and in such a manner that they are performing their design functions.
3. The Landowner, his successors and assigns, hereby grants permission to the Township, its authorized agents and employees, upon presentation of proper identification, to enter upon

the Property at reasonable times, and to inspect the storm water management facilities whenever the Township deems necessary. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facilities, berms, outlet structures, pond areas, access roads, etc. When inspections are conducted, the Township shall give the Landowner, his successors and assigns, copies of the inspection report with findings and evaluations. At a minimum, maintenance inspections shall be performed in accordance with the following schedule:

- Annually for the first 5 years after the construction of the storm water facilities,
  - Once every 2 years thereafter, and/or
  - During or immediately upon the cessation of a 100 year or greater precipitation event.
4. All reasonable costs for said inspections shall be born by the Landowner and payable to the Township.
  5. The owner shall convey to the Township easements and/or rights-of-way to assure access for periodic inspections by the Township and maintenance, if required.
  6. In the event the Landowner, his successors and assigns, fail to maintain the storm water management facilities in good working condition acceptable to the Township, the Township may enter upon the Property and take such necessary and prudent action to maintain said storm water management facilities and to charge the costs of the maintenance and/or repairs to the Landowner, his successors and assigns. This provision shall not be construed as to allow the Township to erect any structure of a permanent nature on the land of the Landowner, outside of any easement belonging to the Township. It is expressly understood and agreed that the Township is under no obligation to maintain or repair said facilities, and in no event shall this Agreement be construed to impose any such obligation on the Township.
  7. The Landowner, his successors and assigns, will perform maintenance in accordance with the maintenance schedule for the storm water management facilities including sediment removal as outlined on the approved schedule and/or Subdivision/Land Management Plan.
  8. In the event the Township, pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like on account of the Landowner's or his successors' and assigns' failure to perform such work, the Landowner, his successors and assigns, shall reimburse the Township upon demand, within 30 days of receipt of invoice thereof, for all costs incurred by the Township hereunder. If not paid within said 30-day period, the Township may enter a lien against the property in the amount of such costs, or may proceed to recover its costs through proceedings in equity or at law as authorized under the provisions of the *Second Class Township Code*, as amended, or any other applicable statute.
  9. The Landowner, his successors and assigns, shall indemnify the Township and its agents and employees against any and all damages, accidents, casualties, occurrences or claims which



Commonwealth of Pennsylvania }  
 } ss  
County of Fulton }

On this the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord two thousand \_\_\_\_\_ (20\_\_\_\_\_), before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that s/he executed the same for the purposes therein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_(SEAL)  
Notary Public

Commonwealth of Pennsylvania }  
 } ss  
County of Fulton }

On this the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord two thousand \_\_\_\_\_ (20\_\_\_\_\_), before me, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that s/he executed the same for the purposes therein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_(SEAL)  
Notary Public

# APPENDIX "B"

## STORM WATER MANAGEMENT DESIGN CRITERIA

# APPENDIX "B"

## *STORM WATER MANAGEMENT DESIGN CRITERIA*

### TABLE B-1

#### DESIGN STORM RAINFALL AMOUNT (INCHES)

Source: "Field Manual of Pennsylvania Department of Transportation"  
STORM INTENSITY-DURATION-FREQUENCY CHARTS, PDT-IDF, May, 1986.

### FIGURE B-1

#### ALTERNATING BLOCK METHOD FOR RAINFALL DISTRIBUTION

Source: Applied Hydrology, Chow, Maidment, May, 1988

### FIGURE B-2

#### PENNDOT DELINEATED REGIONS

Source: "Field Manual of Pennsylvania Department of Transportation"  
STORM INTENSITY-DURATION-FREQUENCY CHARTS, PDT-IDF, May, 1986.

### FIGURE B-3

#### REGION 3 PENNDOT STORM INTENSITY-DURATION-FREQUENCY CURVE

Source: "Field Manual of Pennsylvania Department of Transportation"  
STORM INTENSITY-DURATION-FREQUENCY CHARTS, PDT-IDF, May, 1986.

### FIGURE B-4

#### REGION 4 PENNDOT STORM INTENSITY-DURATION-FREQUENCY CURVE

Source: "Field Manual of Pennsylvania Department of Transportation"  
STORM INTENSITY-DURATION-FREQUENCY CHARTS, PDT-IDF, May, 1986.

### TABLE B-2

#### RUNOFF CURVE NUMBERS

Source: NRCS (SCS) TR-55

### TABLE B-3

#### RATIONAL RUNOFF COEFFICIENTS

### TABLE B-4

#### MANNING ROUGHNESS COEFFICIENTS

### TABLE B-5

#### 24-HOUR STORM VALUES REPRESENTING 90% OF ANNUAL RAINFALL

### TABLE B-6

#### STORM WATER CREDITS FOR COMPUTING POST-DEVELOPMENT HYDROGRAPH

**TABLE B-1**

**Design Storm Rainfall Amount (Inches)**

The design storm rainfall amount chosen for design should be obtained from the PennDOT region for which the site is located according to FIGURE B-2.

Source: "Field Manual of Pennsylvania Department of Transportation"  
STORM INTENSITY-DURATION-FREQUENCY CHARTS  
PDT-IDF, May, 1986.

**Region 3**  
**Precipitation Depth (in)**

Duration	1 Yr	2 Yr	5 Yr	10 Yr	25 Yr	50 Yr	100 Yr
5 min	0.32	0.35	0.40	0.44	0.48	0.53	0.58
15 min	0.60	0.70	0.78	0.88	0.98	1.13	1.24
1 hr	1.00	1.16	1.34	1.53	1.76	2.06	2.31
2 hrs	1.20	1.38	1.62	1.90	2.18	2.56	2.88
3 hrs	1.32	1.50	1.80	2.13	2.46	2.88	3.27
6 hrs	1.56	1.80	2.16	2.64	3.06	3.60	4.02
12 hrs	1.80	2.16	2.52	3.24	3.72	4.44	5.04
24 hr	2.16	2.64	3.12	3.84	4.56	5.52	6.20

**Region 4**  
**Precipitation Depth (in)**

Duration	1 Yr	2 Yr	5 Yr	10 Yr	25 Yr	50 Yr	100 Yr
5 min	0.30	0.35	0.41	0.45	0.50	0.55	0.61
15 min	0.58	0.68	0.80	0.93	1.03	1.13	1.25
1 hr	1.01	1.22	1.48	1.70	1.91	2.16	2.41
2 hr	1.24	1.50	1.84	2.14	2.46	2.80	3.18
3 hr	1.38	1.71	2.10	2.43	2.82	3.24	3.69
6 hr	1.68	2.04	2.52	3.06	3.60	4.14	4.74
12 hr	2.04	2.52	3.00	3.84	4.56	5.16	6.00
24 hr	2.40	2.88	3.60	4.56	5.76	6.48	7.44



**FIGURE B-1**

**ALTERNATING BLOCK METHOD FOR  
RAINFALL DISTRIBUTION**

Source: Applied Hydrology, Chow, Maidment, Mays, 1988

The Alternating Block Method can be utilized by to develop design hyetographs from the PennDOT Storm Intensity-Duration-Frequency (PDT-IDF) curves. This method redistributes the incremental rainfall values developed from the PDT-IDF curves in a quasi-symmetrical form, where the block of maximum incremental depth is positioned at the middle of the required duration and the remaining blocks of rainfall are arranged in descending order, alternately to the right and to the left of the central block. Example B-1 below shows this method for a 100-year, 2- hour duration storm with 20- minute time intervals.

**Example B-1, 100- Year, 2- hour duration storm Hyetograph Development, Region 3**

(1)	(2)	(3)	(4)	(5)
Time (min)	100-Yr Rainfall Intensity (Inches/hr)	100-Yr Accumulated Rainfall Depth (Inches)	100-Yr Incremental Rainfall Depth (Inches)	100-Yr Rainfall Distribution (Inches)
0	0.00	0.00	0.00	0.00
10	5.78	0.96	0.96	0.08
20	4.34	1.45	0.49	0.11
30	3.52	1.76	0.31	0.14
40	2.98	1.99	0.23	0.18
50	2.60	2.17	0.18	0.31
60	2.31	2.31	0.14	0.96
70	2.10	2.45	0.14	0.49
80	1.91	2.55	0.11	0.23
90	1.76	2.64	0.09	0.14
100	1.65	2.76	0.12	0.12
110	1.55	2.84	0.08	0.09
120	1.44	2.88	0.04	0.04

**Notes :**

Values from Column (2) are derived from the appropriate rainfall chart based on the location of the site under analysis. (Region 3 in this example, therefore use FIGURE B-3)

Column (3) = Column (2) \* Column (1) / 60 minutes (i.e. 5.78 inches / hr \* 10 min / 60 = 0.96).

Column (4) = Difference in Column(3) for each time interval (i.e. 1.45 - 0.96 = 0.49).

Column (5) is Column (4) rearranged with the maximum increment from Column (4) placed at the middle of the event (Time = 60 minutes, in this example), then rearranging the remaining values from Column (4) in descending order, alternately right and left (below and above) the central block.



FIGURE B-3

PENNDOT STORM INTENSITY-DURATION-FREQUENCY CURVE

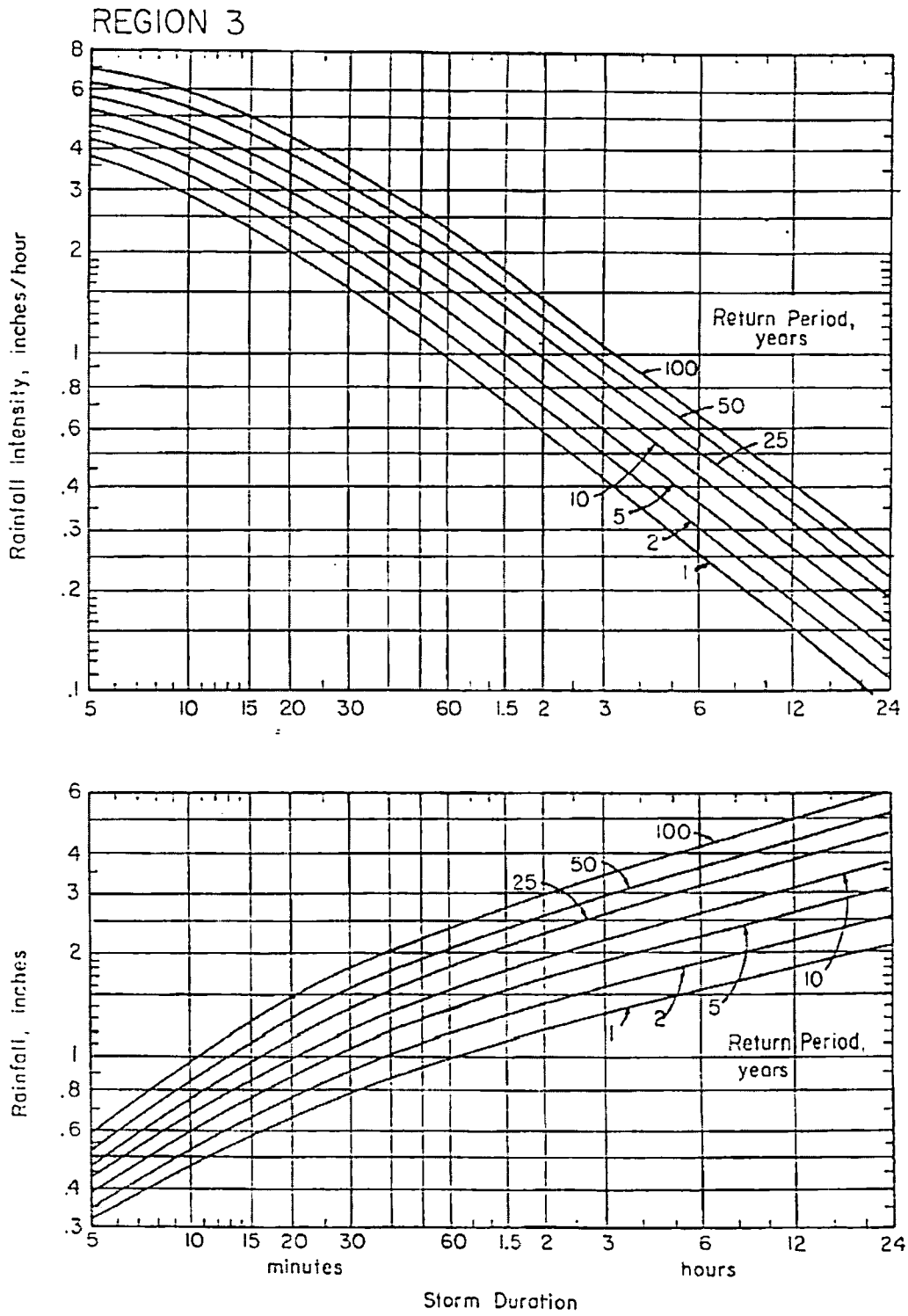
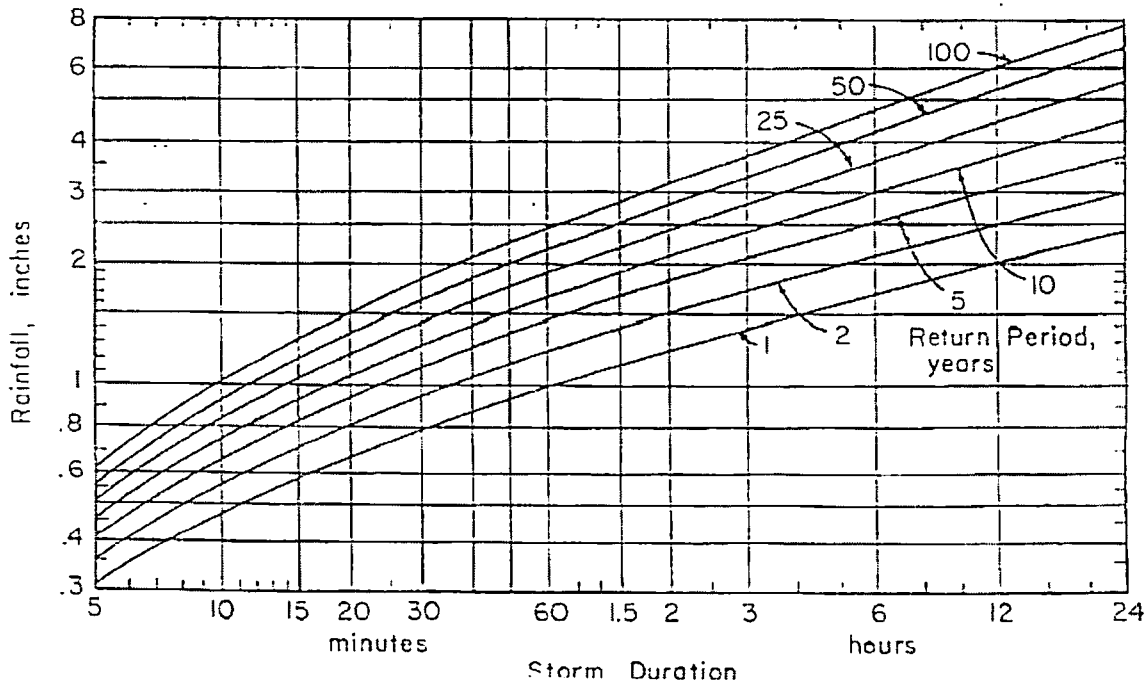
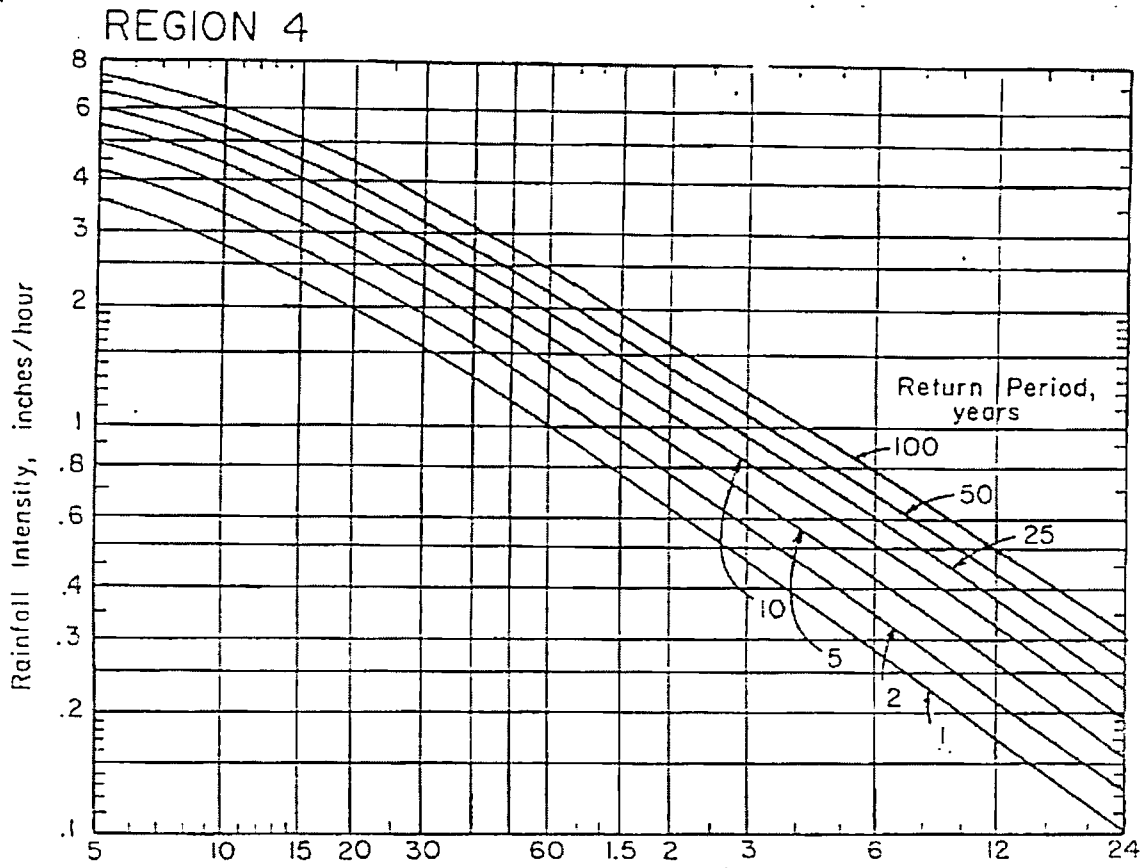


FIGURE B-4

PENNDOT STORM INTENSITY-DURATION-FREQUENCY CURVE



To Ad

TABLE B-2

Runoff Curve Numbers  
(From NRCS (SCS) TR-55)

HYDROLOGIC SOIL GROUP				
LAND USE DESCRIPTION	A	B	C	D
Open Space	44	65	77	82
Orchard	44	65	77	82
Meadow	30**	58	71	78
Agricultural	59	71	79	83
Forest	36**	60	73	79
Commercial (85% Impervious)	89	92	94	95
Industrial (72% Impervious)	81	88	91	93
Institutional (50% Impervious)	71	82	88	90
Residential:				
Average Lot Size	% Impervious			
1/8 acre or less	65	77	85	90
1/8 - 1/3 acre	34	59	74	82
1/3 - 1 acre	23	53	69	80
1 - 4 acres	12	46	66	78
Farmstead	59	74	82	86
Smooth Surfaces (Concrete, Asphalt, Gravel or Bare Compacted Soil)	98	98	98	98
Water	98	98	98	98
Mining/Newly Graded Areas (Pervious Areas Only)	77	86	91	94

\* Includes Multi-Family Housing unless justified lower density can be provided.

\*\* Caution - CN values under 40 may produce erroneous modeling results.

**Note:** Existing site conditions of bare earth or fallow shall be considered as meadow when choosing a CN value.

TABLE B-3

RUNOFF COEFFICIENTS - "C" VALUES - FOR THE RATIONAL METHOD

TODD TOWNSHIP  
FULTON COUNTY, PENNSYLVANIA

Land Use	Soil Group A			Soil Group B			Soil Group C			Soil Group D		
	Slope			Slope			Slope			Slope		
	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+
Cultivated Lane winter conditions summer conditions	0.14	0.23	0.34	0.21	0.32	0.41	0.27	0.37	0.48	0.54	0.45	0.56
	0.10	0.16	0.22	0.14	0.20	0.28	0.19	0.26	0.33	0.23	0.29	0.38
Fallowed Fields poor condition good condition	0.12	0.19	0.29	0.17	0.25	0.34	0.23	0.33	0.40	0.27	0.35	0.45
	0.08	0.13	0.16	0.11	0.15	0.21	0.14	0.19	0.26	0.18	0.23	0.31
Forest/Woodland	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
Grass Areas poor condition average condition good condition	0.14	0.21	0.30	0.18	0.28	0.37	0.25	0.35	0.44	0.30	0.40	0.50
	0.12	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
	0.10	0.16	0.20	0.14	0.19	0.26	0.18	0.22	0.30	0.21	0.25	0.35
Impervious Areas	0.90	0.91	0.92	0.91	0.92	0.93	0.92	0.93	0.94	0.93	0.94	0.95
Stone Areas compacted stone well graded stone loose stone	0.78	0.79	0.80	0.79	0.80	0.81	0.80	0.81	0.82	0.81	0.82	0.83
	0.58	0.59	0.60	0.59	0.60	0.61	0.60	0.61	0.62	0.61	0.62	0.63
	0.38	0.39	0.40	0.39	0.40	0.41	0.40	0.41	0.42	0.41	0.42	0.43

For large drainage areas, the following range of weighted C values may be used:

Weighted Residential

(less than 1/2 acre)

multi-units 0.50 to 0.70  
small lots 0.30 to 0.40

(1/2 acre or greater)

large lots 0.25 to 0.30

Weighted Industrial

light 0.50 to 0.80  
heavy 0.60 to 0.90

Weighted Commercial

downtown 0.70 to 0.95  
neighborhood 0.50 to 0.70

**TABLE B-4**

**Roughness Coefficients (Manning's "n") For Overland Flow  
(U.S. Army Corps of Engineers, HEC-1 Users Manual)**

<u>Surface Description</u>	<u>n</u>		
Dense Growth	0.4	-	0.5
Pasture	0.3	-	0.4
Lawns	0.2	-	0.3
Bluegrass Sod	0.2	-	0.5
Short Grass Prairie	0.1	-	0.2
Sparse Vegetation	0.05	-	0.13
Bare Clay-Loam Soil (eroded)	0.01	-	0.03
Concrete/Asphalt - very shallow depths (less than ¼ inch)	0.10	-	0.15
- small depths (¼ inch to several inches)	0.05	-	0.10

**Roughness Coefficients (Manning's "n") For Channel Flow**

<u>Reach Description</u>	<u>n</u>
Natural stream, clean, straight, no rifts or pools	0.03
Natural stream, clean, winding, some pools or shoals	0.04
Natural stream, winding, pools, shoals, stony with some weeds	0.05
Natural stream, sluggish deep pools and weeds	0.07
Natural stream or swale, very weedy or with timber underbrush	0.10
Concrete pipe, culvert or channel	0.012
Corrugated metal pipe	0.012-0.027*

\*depending upon type, coating and diameter

*TABLE B-5*

24-Hour Storm Values Representing 90 % of Annual Rainfall  
(Source: PA Handbook of Best Management Practices for Developing Areas, 1998)

PennDOT Rainfall Region	P Inches
1	1.13
2	1.48
3	1.60
4	1.95
5	2.04



**TABLE B-6**

**Storm Water Credits for Computing Post-Development Hydrograph**

The developer may, subject to approval of the Township Engineer, use the storm water credits, described in the following table, in computing post-development hydrograph:

Storm water Credit	Description
Natural Area Conservation	Conservation of natural areas such as forest, wetlands, or other sensitive areas in a protected easement thereby retaining their pre-development hydrologic and water quality characteristics. Using this credit, a designer may subtract conservation areas from total site area when computing the required water quality volume. Additionally, the post-development curve number (CN) for these areas may be assumed to be forest in good condition.
Disconnection of Rooftop Runoff	Credit is given when rooftop runoff is disconnected and then directed over a pervious area where it may either infiltrate into the soil or filter over it. Credit is typically obtained by grading the site to promote overland flow or by providing bioretention on single-family residential lots. If a rooftop area is adequately disconnected, the impervious area may be deducted from the total impervious cover. Additionally, the post-development CNs for disconnected rooftop areas may be assumed to be forest in good condition.
Disconnection of Non-Rooftop Runoff	Credit is given for practices that disconnect surface impervious cover by directing it to pervious areas where it is either infiltrated or filtered through the soil. As with rooftop runoff, the impervious area may be deducted from the total impervious cover thereby reducing the required water quality volume.
Stream Buffer Credit	Credit is given when a stream buffer effectively treats storm water runoff. Effective treatment constitutes capturing runoff from pervious and impervious areas adjacent to the buffer and treating the runoff through overland flow across a grass or forested area. Areas treated in this manner may be deducted from total site area in calculating and may contribute to meeting requirements for groundwater recharge.
Grass Channel (Open Section Roads)	Credit may be given when open grass channels are used to reduce the volume of runoff and pollutants during smaller storms. Use of grass channels will automatically meet the minimum groundwater recharge requirement. If designed according to appropriate criteria, these channels may meet water quality criteria for certain types of residential development.
Environmentally Sensitive Rural Development	Credit is given when a group of environmental site design techniques are applied to low density or rural residential development. This credit eliminates the need for structural practices to treat both the required recharge volume $R_c$ , and water quality volume. The designer must still address the channel protection volume, the overbank protection, and the overbank/extreme flood event requirements for all roadway and connected impervious surfaces.

APPENDIX "C"

DRAINAGE PLAN APPLICATION



5. Type of subdivision or development proposed:

Single-Family Lots	Townhouses	Commercial (Multi-Lot)
Two Family Lots	Garden Apartments	Commercial (One-Lot)
Multi-Family Lots	Mobile-Home Park	Industrial (Multi-Lot)
Cluster Type Lots	Campground	Industrial (One-Lot)
Planned Residential	Other (_____)	Development

6. Lineal feet of new road proposed? \_\_\_\_\_ L.F.

7. Area of proposed and existing impervious area on entire tract.

a. Existing (to remain): \_\_\_\_\_ S.F. \_\_\_\_\_ % of Property

b. Proposed: \_\_\_\_\_ S.F. \_\_\_\_\_ % of Property

8. Storm Water

a. Does the peak rate of runoff from proposed conditions exceed that flow which occurred for pre-development conditions for the designated design storm? \_\_\_\_\_

b. Design storm utilized (on-site conveyance systems) (24 hr.)

No. of Subarea(s): \_\_\_\_\_

Watershed Name: \_\_\_\_\_

Explain: \_\_\_\_\_

\_\_\_\_\_

c. Does the submission and/or district meet the release rate criteria for the applicable subarea? \_\_\_\_\_

d. Number of subarea(s) from of the Conococheague Creek Watershed Storm Water Management Plan. \_\_\_\_\_

e. Type of proposed runoff control: \_\_\_\_\_

f. Do the proposed storm water control criteria meet the requirements/guidelines of Section 510 of the Todd Township Subdivision and Land Development Ordinance as well as all applicable Storm Water Ordinances? \_\_\_\_\_

If not, what variances/waivers are requested? \_\_\_\_\_

Reasons: \_\_\_\_\_  
\_\_\_\_\_

- g. Does the plan meet the requirements of Article III of the Todd Township Subdivision and Land Development Ordinance as well as all applicable Storm Water Ordinances? \_\_\_\_\_  
If not, what variances/waivers are requested? \_\_\_\_\_  
Reasons why: \_\_\_\_\_
- h. Was TR-55, June 1986 utilized in determining the time of concentration? \_\_\_\_\_
- i. What hydrologic method was used in the storm water computations? \_\_\_\_\_
- j. Is a hydraulic routing through the storm water control structure submitted? \_\_\_\_\_
- k. Is a construction schedule or staging attached? \_\_\_\_\_
- l. Is a recommended maintenance program attached? \_\_\_\_\_

9. Erosion and Sediment Pollution Control (E&S):

- a. Has the storm water management and E&S plan, supporting documentation, and narrative been submitted to the Fulton County Conservation District? \_\_\_\_\_
- b. Total area of earth disturbance: \_\_\_\_\_ S.F.

10. Wetlands

- a. Have the wetlands been delineated by someone trained in wetland delineation? \_\_\_\_\_
- b. Have the wetland lines been verified by a state or federal permitting authority? \_\_\_\_\_
- c. Have the wetland lines been surveyed? \_\_\_\_\_
- d. Total acreage of wetland within the property? \_\_\_\_\_
- e. Total acreage of wetland disturbed? \_\_\_\_\_
- f. Supporting documentation: \_\_\_\_\_

11. Filing

- a. Has the required fee been submitted? \_\_\_\_\_  
Amount? \$ \_\_\_\_\_



APPENDIX “D”

STORM WATER MANAGEMENT  
DISTRICT WATERSHED MAP