

INTRODUCTION

The Weisenberg Township Subdivision and Land Development Ordinance is a legal document which provides regulations and control of the subdivision of land; the approval of plans, plots and re-plots of land laid out in building lots; standards for the design of streets, intersections, easements, blocks and other improvements for minimum improvements of construction standards on all streets and required dedications; for the purpose of achieving an orderly land use pattern and for the protection of the public health, safety and general welfare.

This Ordinance has been developed by the Weisenberg Township Planning Commission and the Weisenberg Township Board of Supervisors in conjunction with the planning directives set forth in the 1991 Comprehensive Plan as well as the 2004 and 2022 Multi-Municipal Comprehensive Plan.

It is recognized that the Subdivision and Land Development Ordinance cannot satisfy the needs and individual interests of every citizen in the Township. This is not its intent. The Subdivision and Land Development Ordinance is designed for the public welfare based upon a set of facts, objectives, and analyses described in the Comprehensive Plans. As circumstances change, certain of these facts and analyses may require reconsideration. This Subdivision and Land Development Ordinance #01-3 adopted the 8th day of January 2001 has been amended by Ordinance #02-02 adopted the 11th day of March 2002, Ordinance #05-3 adopted the 9th day of May 2005, and Ordinance #05-05 adopted the 11th day of July 2005 and Ordinance #2023-6 adopted the 11th day of September 2023. This Ordinance may be amended further should changed conditions warrant.

The Township Planning Commission is the official body designated to monitor future change and to make recommendations to the Township Supervisors. Accordingly, it is hoped that individual citizens will work with the Planning Commission in bringing new development possibilities in the Township to light and in suggesting improvements to this Ordinance and the overall Comprehensive Plan.

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ARTICLE I

GENERAL PROVISIONS

101. TITLE.

An Ordinance providing for the regulation and control of the subdivision of lots and the development of land; the approval of plans, plots, or re-plots of land laid out in building lots; standards for the design of streets, intersections, lots, easements, blocks and other improvements; certain minimum improvements and construction standards on all streets and required dedications; the administration of this Ordinance by the Weisenberg Township Planning Commission and the Weisenberg Township Board of Supervisors; and penalties for the violation of this Ordinance.

102. SHORT TITLE.

This ordinance shall be known and may be cited as "The Weisenberg Township Subdivision and Land Development Ordinance of 2000 or when it is clear from the context the Township "SALDO".

103. PURPOSE.

The purpose of these regulations is to create conditions favorable to the health, safety, and general welfare of the citizens by:

Assisting in the orderly and efficient integration of subdivisions; ensuring conformance of subdivision plans with the public improvements plans of the Township; ensuring sites suitable for building purposes and human habitation; facilitating the efficient movement of traffic and avoiding traffic hazards and dangerous intersections and congestion; securing equitable handling of all subdivision plans by providing uniform procedures and standards; improving land records by establishing standards for surveys and plans; safeguarding the interests of the public, the homeowner, the subdivider and all municipalities; preserving natural and historic features; and carrying out the goals and objectives of the Comprehensive Plan and the MPC.

104. APPLICABILITY.

104.A. No subdivision or land development of any lot, tract, or parcel of land shall be made, and no street, sanitary sewer main, water main or other improvements required in connection with a proposed subdivision or land development shall be laid out, constructed, opened or dedicated for use of the public or the occupants of the proposed subdivision or land development, except in accordance with the Subdivision and Land Development Ordinance of 1971, as amended.

104.B. A lot or parcel that was not a legal lot of record prior to adoption of this Ordinance shall not be created, sold or transferred, and no land development may occur on a lot unless and until a) the subdivision of the lot and/or the approval of the land development, as applicable, has been granted Final Plan approval and recorded and b) either of the following occurs:

1. The Township has been assured by means of an Improvement Agreement and guarantees acceptable to the Board of Supervisors that the improvements will subsequently be installed, or
2. The required improvements in connection therewith have been entirely completed.

104.C. Landowner. No subdivision or land development shall be submitted to the Township for review except by the landowner of such land or his/her specifically authorized agent.

105. EXEMPTIONS.

105.A. Agriculture. The subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or residential dwelling shall be exempt from the provisions of this Ordinance.

105.B. Revisions to Township SALDO After Approval of A Development.

1. When an application for approval of a plan, 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 years from such approval.
2. Where final approval is preceded by preliminary approval, the aforesaid five-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.
3. Where the landowner has substantially completed the required improvements as depicted upon the final plan within the aforesaid five-year limit, or any extension thereof as may be granted by the governing body, no change of municipal ordinance or plan enacted subsequent to the date of filing of the preliminary plan shall modify or revoke any aspect of the approved final plan pertaining to zoning classification or density, lot, building, street, or utility location.
4. In the case of a preliminary plan calling for the installation of improvements beyond the five-year period, a schedule shall be filed by the landowner with the preliminary plan delineating all proposed sections as well as deadlines within which applications for the final plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the governing body in its discretion.
5. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25% of the total

number of dwelling units as depicted on the preliminary plan unless a lesser percentage is approved by the governing body in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plan approval, including compliance with landowner's aforesaid schedule of submission of final plans for various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plan within five years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five-year period, the aforesaid protections shall apply for an additional term or terms of three years from the date of final plan approval for each section.

6. Failure of landowner to adhere to the aforesaid schedule of submission of final plans for the various sections shall subject any such section to any and all changes in zoning, subdivision and other governing ordinance enacted by the municipality subsequent to the date of the initial preliminary plan submission.

106. INTERPRETATION.

106.A. Standards.

1. The provisions of this Ordinance shall be interpreted and applied as minimum requirements for the promotion of the public health, safety, and general welfare.
2. Where provisions, standards, and specifications of this Ordinance conflict with those of any State statute, other ordinance or regulations, the more restrictive requirement shall apply, regardless of its source, unless specified to the contrary.

107. MODIFICATIONS AND WAIVERS.

107.A. An applicant seeking a waiver or modification of the minimum standards required by this Ordinance shall submit to the Township staff along with the application for development a request in writing that states a) the specific Ordinance section(s) involved and b) the reasons for the request. The staff shall provide the request to the Planning Commission for a recommendation. After the Planning Commission has had an opportunity for review of the waivers or modification request(s), it shall make a written recommendation to the Board of Supervisors. The Board of Supervisors may in writing grant waivers or modifications of the specific requirements of this Ordinance.

107.B. The applicant must demonstrate to the satisfaction of the Board of Supervisors that with respect to each request for a waiver or modification that literal compliance with the mandatory provisions of this ordinance would be:

1. unreasonable, or
2. cause undue hardship because of peculiar conditions pertaining to the land in question, provided that such that the purpose and intent of the ordinances are still observed.
3. unnecessary because an alternative standard can be demonstrated to provide equal or better results.

108. FEES.

108.A. The Board of Supervisors has established by resolution a schedule of fees and a collection procedure for all applications and other matters pertaining to this Ordinance.

108.B. The applicant is also required to pay any review fees required by the LVPC and the County Conservation District, and any other applicable agencies.

108.C. Plans shall not be considered filed until all Township fees are paid, the applications are properly signed as required, and the reimbursement and escrow agreement is signed by all record owners and submitted.

108.D. If the expenses of the Township for reviews of a subdivision or land development exceed the total fees that have been paid or placed in escrow by an applicant, such excess expenses shall be paid by the applicant prior to releases of the Final Plans by the Township for recording.

108.E. If the applicant disputes the fees, the applicant can appeal in accordance with Section 503 of the MPC, as amended.

109. ALTERNATE PLANS, REVISIONS, AND RE-SUBDIVISIONS.

109.A. Alternate Plans. Only one plan concerning any one area of land shall be before the Township for review at one time, unless the Planning Commission specifically permits simultaneous reviews of alternative plans.

109.B. Revisions and Re-subdivisions.

1. Revised Plans:

a. Until a submission is approved or rejected by the Board of Supervisors, the Applicant may withdraw the submission entirely or submit a Revised Plan and then the following submission and review procedures will apply:

1. The Revised Plan shall be considered a new submittal, and the 90-day maximum time period for Township review shall re-start at the first regular Planning Commission meeting after such submittal of the Revised Plan or 30 days after the submission of the Revised Plan if no meeting of the Township Planning Commission has taken place by then.

b. A revision or re-subdivision of a recorded Final Plan shall be considered as a new subdivision and shall comply with all of the requirements of this Ordinance.

c. If the Township staff determines that a revision meets the Minor Subdivision Definition, the plan may be submitted under the provisions of Article VI.

110. TOWNSHIP RECORDS.

The Township shall maintain written records of the findings and/or action and recommendations of the Planning Commission and decisions, determinations and

conditions of approval or denial made or imposed by Board of Supervisors regarding all subdivision and/or land development plans. Such records shall be available to the public for review. The recommendations of the Planning Commission with respect to conditions of approval shall be provided to the Board of Supervisors prior to any meeting of the Board of Supervisors at which the proposed subdivision and/or land development is considered.

111. AMENDMENTS.

111.A. Ordinances. This Ordinance may, from time to time, be amended by the Board of Supervisors, following the procedures of the MPC as amended.

111.B. Commission Review. The Township staff shall submit each proposed amendment (other than an amendment prepared by or under the direction of the Planning Commission) to the Planning Commission for recommendations at least 30 days prior to the date set for the Supervisors' public hearing.

111.C. LVPC. The Board of Supervisors shall submit any proposed amendment to the LVPC at least 30 days before the public hearing on such amendments.

111.D. Public Notice. The Board of Supervisors shall publish the proposed amendment as defined in Article II, in accordance with the requirements of the MPC. Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary. If the full text is not included:

1. A copy thereof shall be supplied to the newspaper of general circulation in the Township in which the public notice is published.
2. An attested copy of the proposed amendment shall be filed in the County Law Library.

111.E. Changes. In the event substantial amendments are made in the proposed amendment, before voting upon enactment, the Board of Supervisors shall, at least 10 days prior to enactment, re-advertise, in one newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

111.F. Ordinance Book. Subdivision and Land Development amendments may be incorporated into the official ordinance book by reference with the same force and effect as if duly recorded therein.

112. APPEALS TO COURTS.

Decisions of the Board of Supervisors may be appealed in accordance with the MPC, as amended.

113. ENFORCEMENT:

113.A. Inspectors. The Board of Supervisors shall authorize one or more persons, which may include the Zoning Officer and the Township Engineer and his/her representatives, to enforce the provisions of this Ordinance and the accompanying design standards and improvement specifications.

113.B. Inspection. Any action under this Ordinance is subject to on-site inspection by the Township or its authorized representatives to ensure compliance with this Ordinance, other Township Ordinances, and the approved plans.

113.C. Remedies. Any action inconsistent with the provisions of this Ordinance shall be subject to a cease-and-desist order and other appropriate measures by the Board of Supervisors or their authorized representatives.

114. PENALTIES.

114.A. Any person, partnership, or corporation who or which has violated any provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Board of Supervisors or their authorized representative, pay a judgment of not more than \$500 plus all court costs, including reasonable attorneys' fees incurred by the municipality as a result thereof, unless a higher penalty is established under State law.

114.B. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.

114.C. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of determination of violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

114.D. All fines collected for such violations shall be paid to the Township.

115. LIABILITY.

Neither the approval nor the granting of any building permit, site plan review, subdivision approval, land development approval, zoning permit, erosion review, storm water runoff review, wetland delineation or high water table review, wetland review, flood plain review, steep slope review, or any other review or permit of this Ordinance, involving any land governed by the provisions of the Ordinance, by an officer, employee, consultant, or agency of the Township shall constitute a representation, guarantee or warranty of any kind by the Township or its employees, consultants, officials, or agencies of the practicality or safety of any structure, use, or subdivision and shall create no liability upon, nor a cause of action against, any Township body, consultant, official or employee for any personal injury or property personal injury or property damage that may result pursuant thereto.

116. SEVERABILITY.

It is hereby declared to be the legislative intent that:

116.A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

116.B. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof irrespective of the fact that any one or more sections or parts thereof be declared invalid.

117. REPEALER.

All other Township ordinances or parts thereof that were adopted prior to this Ordinance and are clearly in conflict with this Ordinance, including the preexisting Weisenberg Township Subdivision and Land Development Ordinance, as amended, except any provisions that are specifically referenced by this Ordinance, are hereby repealed. However, previously adopted storm water management ordinances adopted pursuant to Act 167 of 1978, 32 P.S. 680.1, et. seq., as amended are specifically not repealed and remain in effect.

118. MPC AMENDMENTS.

The provisions of the Ordinance that only repeat, summarize, or reference provisions of the MPC shall be deemed to be automatically superseded and replaced by any applicable amendments to such provisions of the MPC at the date such amendments become effective as State law.

119. LAND DEVELOPMENT REQUIREMENTS.

See Article IV regarding the requirements for a "Land Development".

120. ATTENDANCE.

The Applicant or his/her duly authorized representative shall attend the Commission and Board of Supervisors' meetings to discuss the filed plans. If the applicant fails to appear at a meeting where the plans will be considered, it may result in tabling or disapproval of the plan, if the Township determines that it lacks sufficient information to render a decision.

121. EFFECTIVE DATE.

This Ordinance shall become effective 5 days after adoption by the Board of Supervisors.

122. ENACTMENT.

Enacted and ordained into an Ordinance this 8th day of January 2001.

ARTICLE II

DEFINITIONS

201. GENERAL INTERPRETATION.

- 201.A. For the purposes of this Ordinance, words and terms used herein shall be interpreted as listed in Section 202 of this Ordinance.
- 201.B. If a word, term or phrase is not defined by this Ordinance, but is defined by the Zoning Ordinance as amended, the Zoning Ordinance definition shall apply.
- 201.C. The word "includes" shall mean to specifically include an item but not necessarily be limited to such items.
- 201.D. Any word, term, or phrase not defined in this Article or the Zoning Ordinance shall have a meaning of standard usage (as determined by the Designated Municipal Official) within the context of the word's use within the applicable section of this Ordinance.
- 201.E. For the purpose of this Ordinance, words used in the present tense include the future tense; the term "shall" is mandatory; other terms or words used herein shall be interpreted or defined as follows:

202. **DEFINITIONS.** When used in this Ordinance the following words, terms, and phrases shall have the following meanings unless expressly stated otherwise or unless the context clearly indicates otherwise:

Administrator. An individual designated by the Board of Supervisors to perform the administrative and/or supervisory duties required by the provisions of this Ordinance.

Alley. A public or private thoroughfare with a right-of-way of 20 feet or less which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

Applicant. A landowner or developer (with the written authorization of the landowner), as hereinafter defined, who has filed an application for subdivision and/or land development including his heirs, successors, and assigns.

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

Appointing Authority. The Board of Supervisors of Weisenberg Township.

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".

Block. A tract of land or a lot or group of lots bounded by streets, public parks, or parkways, railroad rights-of-way, watercourse or body of water, subdivided land, or a boundary line or lines of the Township.

Board of Supervisors. The Board of Supervisors of Weisenberg Township.

Boundary Line Adjustment. Shall have the same meaning as "lot line adjustment".

Building. A structure or object constructed on, erected on, placed on, located on, or affixed to the ground, with a roof supported by columns or walls. Structures divided by unpierced masonry division walls or a State-conforming fire wall extending from the ground through the roof shall be deemed to be separate buildings. A structure meeting the definition of a building shall be construed to be a building whether or not it has been affixed to the ground by heretofore existing conventional methods; specifically, the fact that an object or structure is located on or placed on the ground by the use of skids or similar means shall not exempt or exclude the structure or object from being considered a building.

Building Setback Line. A line which represents the minimum distance measured at right angles from a street right-of-way line or abutting property line to any building or structure erected or to be erected on the lot.

Capacity. Except in the case of free-flowing wells, "capacity" is construed to mean the daily capacity of the pumps installed and not the contemplated draft. **Cartway.** The traveled portion of a street or highway designed for vehicular traffic and areas intended for on-street parking.

Commission. The Planning Commission of Weisenberg Township.

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.

Comprehensive Plan. The Comprehensive Plan for Lowhill and Weisenberg Townships adopted by the Township Supervisors.

County. Lehigh County, Pennsylvania.

County Planning Agency. Lehigh Valley Planning Commission (LVPC).

Crosswalk. A strip of land including a right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.

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

Days. Calendar days.

Department of Protection. The Pennsylvania Department of Environmental Protection, and its successor agencies. (DEP)

Designated Municipal Official. The individual charged by the Board of Supervisors with the responsibility of administering the subdivision application submission procedure. Said Municipal Official shall be the Zoning Officer of Weisenberg Township to until the Board of Supervisors by resolution shall designate his successor.

Developer. Any landowner, authorized (in writing) agent of such landowner, or tenant with the written permission of such landowner, who makes or causes to be made or proposes a subdivision of land and/or a land development.

Development Plan. The provisions for development, including a planned residential development, a plan 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.

Drilling. All acts necessary to the construction of wells, such as drilling, boring, coring, washing, digging, driving, or jetting.

Driveway. The strip of land, including the driveway entrance, which is used to access a property from a State, Township or private street.

Driveway Entrance. The area between the street right-of-way line and the cartway used to access a property.

Easements. A liberty, privilege, or advantage which one has in the lands of another for precise and definite purpose, subordinate to but not inconsistent with the owner's general property rights.

Equivalent Dwelling Unit (EDU). When an on-lot sewage disposal system is utilized, a factor of 500 gallons of sewage per day per dwelling unit, as modified by the DEP, shall be applied for the purpose of calculating the equivalent number of dwelling units for a commercial or industrial use. When this calculation results in a fractional number, then that fraction shall be construed as a full dwelling unit.

Engineer. The Township Engineer designated by the Board of Supervisors to perform all supervisory duties required of a registered engineer by the provisions of this Ordinance.

Improved Street. A street which meets the minimum design requirements for a local road, or an existing State or Township paved, non-gravel road.

Improvement Agreement. An agreement in form and manner acceptable to the Township requiring a developer to install the improvements required by this Ordinance or which appear on the approved plans.

Land Development. Any of the following activities:

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

2. A subdivision of land.

3. But not including the activities excluded from the definition of land development at Section 503 (1.1) of the MPC.

Landowner. The legal record title owner or owners of land and the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, and other person having a proprietary interest in land.

Lot. A designated parcel, tract, or area of land established by a plan or otherwise as permitted by law and to be used, developed or built upon as a unit. This term includes the word "plot".

Lot, Flag Type. Lots which are designed with a corridor leading from the main portion of the lot to a public road.

Lot Line Adjustment. The revision or deletion of one or more lot lines in such a way that all of the following are true:

1. no new lots will be created beyond what was previously approved;
2. no additional non-conformities will be created, nor will any existing non-conformities be made less nonconforming under the Township Zoning Ordinance; and
3. no additional streets are proposed.

Lot Line, Front. The street line at the front of a lot. On a lot bounded on more than one side by a street, the owner shall specify the front lot line on the plot plan when the initial building permit application is submitted.

Lots, Through. A lot extending from one street to another.

Lot, Width. The straight line distance between the side lot lines, measured at the rear of the required front yard.

Maintenance Agreement. An agreement in a form and manner acceptable to the Board of Supervisors requiring the developer of required improvements to make any repairs or re-constructions and to maintain such improvements for a certain period.

Maintenance Guarantee. Financial security in an amount acceptable to the Township Engineer and the Board of Supervisors and in a form acceptable to and approved by the Township Solicitor to secure the promise made by a developer in the Maintenance Agreement that required improvements shall be maintained by the developer. (Note: These guarantees typically include acceptable letters of credit, performance bonds, escrow accounts and agreements, and other similar collateral or surety agreements.)

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, culminating in a written agreement which the parties themselves create and consider acceptable.

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

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. A mobile home lot may also be known as a Manufactured Home Lot.

Mobile Home Park. A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. Mobile Home Park may also be known as a Manufactured Home Park.

Municipalities Planning Code. The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988, and as may be further amended, or its successor legislation. (MPC)

Official Map. A map adopted by ordinance pursuant to Article IV of the MPC.

Open Space. The area of a lot unoccupied by principal or accessory structures, streets, driveways, parking areas; but may include areas occupied by walkways, picnic pavilions, play equipment and other areas occupied by noncommercial outdoor recreation facilities.

Parcel. A tract, lot, or area of land.

Parking. Outdoor areas or garages used for the storage of vehicles. Unless otherwise stated, shall mean off-street parking.

Pathway. An accessway which is not adjacent to a street or access drive and conforms with this Ordinance.

PennDOT. The Pennsylvania Department of Transportation.

Performance Guarantee. Financial security in an amount acceptable to the Township Engineer and the Board of Supervisors and in a form acceptable to and approved by the Township Solicitor to ensure that the developer will install required improvements. (Note: This typically includes; unconditional irrevocable standby, acceptable letters of credit, performance bonds, escrow agreements, and other similar collateral or surety agreements.)

Person. A corporation, partnership, municipal authority, or association, as well as a natural person.

Plan. A map of a subdivision or land development and accompanying notations, data and calculations.

1. Sketch Plan. An unofficial plan, identified with the title "Sketch Plan" on the map, indicating the general layout of the proposed subdivision or land development.

2. Preliminary Plan. An official plan identified with the title "Preliminary Plan" accurately showing proposed streets and lot layout and such other information as required by this Ordinance.
3. Final Plan. A complete and exact official plan identified with the title "Final Plan" including the record plan prepared for official recording as required by this Ordinance to define property lines and proposed streets and other improvements and all supporting non-record plans, data and calculations.

Planned Residential Development. An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.

Public Grounds. Includes:

1. Parks, playgrounds, trails, pathways, and other recreational areas and other public areas;
2. Sites for schools, sewage treatment, refuse disposal, and other publicly owned or operated facilities; and
3. Publicly owned or operated scenic and historic sites.

Public Hearing. A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment prior to taking action in accordance with the MPC.

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

Public Notice. Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. 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 30 days and the second publication shall not be less than seven days from the date of the hearing.

Regulatory Flood Elevation. The 100-year Flood elevation plus 1 ½ feet.

Reimbursement and Escrow Agreement. An agreement requiring the landowner to reimburse the Township for engineering services, legal fees, other professional services, recording costs and any other costs incurred in the processing of the subdivision.

Sewage Disposal System, Centralized. A sewage system, publicly or privately owned, in which sewage is collected from two or more lots or two or more dwelling units to a central treatment plant with a disposal other than renovation in a subsurface soil absorption area. The design shall be in compliance with DEP's rules and regulations or regulations of the Township, whichever is more stringent.

Sewage Disposal System, On-Lot. Any structure, publicly or privately owned, designed for the collection of sewage from one or more dwelling units with a disposal into a subsurface soil absorption area. The design shall be in accordance with the DEP's rules and regulations or regulations of the Township, whichever is more stringent.

Sewer Connection. The connection consisting of all pipes, fittings, and appurtenances from the drain outlet of a structure to the inlet of the corresponding sewer pipe of the sewerage system.

Sidewalk. A pedestrian accessway which is adjacent to a street or access drive and conforms to the regulations of this Ordinance.

Soil Conservation District. The Lehigh County Conservation District.

Soil Survey. The latest version of the official Soil Survey of Lehigh County, published by the U.S. Soil Conservation Service, or its successor reference.

State. The government of the Commonwealth of Pennsylvania and its relevant subparts.

Steep Slope. An unexcavated area of 15 percent or greater slope.

Street. Includes any 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. Streets are further classified according to the functions they perform.

1. Regional Highways - These are direct links between major metropolitan areas. They carry large volumes of traffic at relatively high speeds and are often limited-access highways. They are not designed or intended to provide access to adjacent properties.
2. Arterial Road - designed for large volumes and high speed traffic with access to abutting properties restricted.
3. Collector - Designed to carry a moderate volume of traffic to intercept local (residential) streets, to provide routes to arterial roads and to community facilities and to provide access to the abutting properties.
4. Local - designed to provide access to the abutting properties and a route to collector routes.
5. Cul-de-sac - A local street intersecting another street at one end, and terminating in a vehicular turn-around at the other.

Structure. Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. This term includes the word "building".

Subdivider. The owner, or authorized agent of the owner, including but not limited to an individual, partnership, or corporation, that undertakes a subdivision or land development or any of the activities covered by this Ordinance, particularly the preparation of a subdivision plan showing the layout of the land and the public improvements involved therein. The term "Subdivider" is intended to include the term "Developer" even though the personnel involved in successive stages of the project may vary.

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

Subdivision, Major. Any subdivision of land which does not qualify as a "minor subdivision".

Subdivision, Minor.

1. A lot line adjustment.
2. Any division or development of a parcel of land into not more than three lots, each lot being at least one acre in area and provided that no new street or easement of access is to be required. The enumerating of lots shall include as a lot that portion of the original tract or parcel within the last five (5) years, remaining after other lots have been subdivided therefrom and shall be assigned a lot number.
3. A correction plan, a revision of a recorded plan approved by the Board of Supervisors which is any plan that does not qualify under paragraphs 1 and 2.

Substantially Completed. Where, in the judgment of the municipal engineer, at least 90 percent (based on the cost of the required improvements for which financial security was posted pursuant to Section 509 of the MPC) 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.

Township. Weisenberg Township, Lehigh County, Pennsylvania.

Township Supervisors. The Board of Supervisors of Weisenberg Township, Lehigh County, Pennsylvania.

Tract. One or more abutting adjacent lots proposed to be subdivided or developed following an overall coordinated plan.

USGS. United States Geological Survey, or its successor agency.

Walkway. A strip of land including a right-of-way dedicated to public use in order to facilitate pedestrian access through or into a block.

Watercourse. Any natural or artificial waterway, stream, river, creek, ditch, channel, millrace, canal, conduit, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and which has a definite channel and bed and shall include any area adjacent thereto subject to inundation by reason of overflow of floodwaters.

Water Connection. The connection consisting of all pipes, fittings, and appurtenances from the water pipe to the water inlet pipe of the distribution system within the dwelling or nonresidential unit.

Water Supply System, Central. A system for supplying and distributing water from a common source to two or more lots or two or more dwelling units including accessory structures and operated by a governmental agency, governmental authority, public utility company, or a developer. The design shall be in compliance with DEP rules and regulations or regulations of the Township, whichever is more stringent.

Water Supply System, On-Lot. A system for supplying water to a single dwelling unit including an accessory structure from a source located on the same lot. The design shall be in accordance with DEP's rules and regulations or regulations of the Township, whichever is more stringent.

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

Well. Any excavation that is drilled, cored, washed, driven, dug, or otherwise constructed for the location, diversion, or acquisition of underground waters or charging of water into underground strata.

Well. Any excavation that is drilled, cored, washed, driven, dug, or otherwise constructed for the location, diversion, or acquisition of underground waters or charging of water into underground strata.

Well Driller. Any water well contractor, his employee, or representative in charge of drilling or otherwise constructing a well.

ARTICLE III

SKETCH PLAN

301. **PURPOSE.** A sketch Plan is an unofficial optional submission by the Applicant but strongly recommended by the Commission for proposed major subdivisions or land developments for conceptual discussion.

302. **SUBMISSION AND REVIEW PROCEDURE:**

302.A. Sketch Plan Submission. If submitted, a Sketch Plan meeting all the requirements of this Article and will be reviewed in accordance with the provisions of this Article.

1. The Sketch Plan shall be reviewed by the Commission with an overall evaluation of feasibility and any comments reported to the Board of Supervisors and applicant or his/her representative. Sketch plans will not generally be reviewed by the Board of Supervisors unless the plan or some elements thereof presents a unique question for which the Board of Supervisors should address.
2. No official action shall be taken on a Sketch Plan. The Township shall not be bound by comments made or not made as part of a Sketch Plan review.

302.B. Submission and Distribution.

1. The applicant shall file with the Township Administrator at least 21 days prior to a regular Commission meeting all of the required plans, information and fees listed in Section 303 of this Ordinance.
2. The Township Administrator shall distribute copies of the Sketch Plan to the Township Engineer, Township Solicitor and the relevant Township officials and the Commission members.

302.C. Review by Township Engineer and Township Solicitor.

1. The Township Engineer shall review the engineering aspects of the Sketch Plan for conformity with the Township SALDO and other Township land use ordinances and prepare a report to the Commission.
2. A copy of the findings, observations and comments of the Township Engineer shall be sent or handed in person to the Applicant or his/her representative prior to the Commission meeting at which the Plan will be received.
3. The Township Solicitor shall review and comment on legal issues and/or questions raised by the proposed plan.

302.D. Review by Commission. The Commission shall accomplish the following within the time limitations:

1. Review all applicable reports.
2. Determine generally whether the Sketch Plan meets the requirements of SALDO and other applicable ordinances.
3. State whether "feasibility" has been demonstrated and, if not, why not.

302.E. Review by the Board of Supervisors. The Board of Supervisors shall review the report from the Commission and all other applicable reports received, but will not review the plan(s) with the developer unless the Sketch Plan or some element thereof presents unique issues or questions the resolution of which would save the developer the engineering expense associated with the preparations of a detailed Preliminary Plan.

303. SKETCH PLAN REQUIREMENTS.

303.A. Drawing Requirements. The required information listed in this section may be combined or separated onto different sheets, provided that all the information is legible. The Sketch Plan shall be drafted to approximate scale and the following checklist shall serve as a guide for the Applicant and the Township when reviewing the submission.

SECTION 303 B
WEISENBERG TOWNSHIP
SKETCH PLAN CHECKLIST

SUBDIVISION: _____

DATE OF PLAN: _____

Place check marks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

SUBMITTED	NOT SUBMITTED	
_____	_____	A. GENERAL SUBMISSION ITEMS:
_____	_____	1. 4 copies of the signed application, see Appendix A.
_____	_____	2. 2 copies of the reimbursement and escrow form signed by all record owners, see Appendix A.
_____	_____	3. 7 copies of the Sketch Plan.
_____	_____	4. Review Fees.
_____	_____	5. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.
_____	_____	B. DRAFTING REQUIREMENTS: All information shall be legible.
_____	_____	1. Standard Engineering Scale adequate to show the proposed development.
_____	_____	2. Plans size: 18" x 24", 24" x 36", or a maximum size of 30" x 42".
_____	_____	3. Name and address of record owner.
_____	_____	4. Name and address of developer if different than owner.
_____	_____	5. Name of Subdivision or Land Development.
_____	_____	6. Name of Township and County.
_____	_____	7. Names of adjoining subdivisions and/or property owners.

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|-------|-------|-----|--|
| _____ | _____ | 8. | Name and address of individual responsible for the preparation of the plan and the date of preparation. |
| _____ | _____ | 9. | North arrow, graphic, and written scale. |
| _____ | _____ | 10. | Location map, scale 1" = 2000' or less. |
| _____ | _____ | 11. | Tract boundaries, showing bearings and distances. |
| _____ | _____ | 12. | Total tract acreage, lot numbers, and zoning districts. |
| _____ | _____ | 13. | Statement of the proposed uses of the land. |
| _____ | _____ | 14. | Tax Parcel ID. |
| _____ | _____ | 15. | Zoning District and location address. |
| _____ | _____ | 16. | Locations of existing improvements, such as buildings, septic system, well, and driveway. |
| _____ | _____ | 17. | Proposed and existing streets, rights-of-way, length of proposed streets and lot dimensions. |
| _____ | _____ | 18. | Proposed and existing utility rights-of-way. |
| _____ | _____ | 19. | Note stating the general methods of providing water and sewer service. |
| _____ | _____ | 20. | Location of existing water courses, streams, ponds, etc. on site. |
| _____ | _____ | 21. | Approximate locations of possible wetlands (may be "hydric soil" locations from the County Soil Survey). |
| _____ | _____ | 22. | For residential developments, whether the applicant proposes to dedicate common open space or fees in lieu of land. |
| _____ | _____ | 23. | Approximate locations of any proposed nonresidential buildings and statement of the types of any proposed nonresidential uses. |

ARTICLE IV

PRELIMINARY PLANS FOR MAJOR SUBDIVISIONS AND/OR LAND DEVELOPMENTS

401. **PURPOSE.** A Preliminary Plan is intended to establish the development requirement to minimize the need for revisions of the Final Plans.

402. **SUBMISSION AND REVIEW PROCEDURE.**

402.A. Preliminary Plan Submission Required.

1. A Preliminary Plan submission for a Major Subdivision or Land Development (except as provided in part A.2. below) meeting all the requirements of this Article shall be filed by the Applicant and reviewed in accordance with the provisions of this Article and the MPC.
2. A Preliminary Plan submission is not required for a Minor Subdivision (as defined in Article II).

402.B. Submission and Distribution.

1. The Applicant shall file with the Township Administrator at least 21 days prior to a regular Commission meeting all of the required plans, information, and fees listed in Section 403 of this Ordinance.
2. The Township Administrator shall forward applicable plans to the following to seek their comments:
 - a. Township Engineer, if fees and reimbursement and escrow form are received;
 - b. Township Solicitor, if fees and reimbursement and escrow form are received;
 - c. Municipal Sewer Authority or Sewage Enforcement Officer (if applicable);
 - d. Applicable Fire Chief (layout and utility plan, if deemed appropriate by the Commission); and
 - e. Any Township Park and Recreation Commission if common open space is proposed or if deemed appropriate by the Planning Commission.
 - f. If any portion of the major subdivision or land development extends into an adjacent municipality, the plan shall be submitted to them for their comments.
3. Applicant's Distribution. The applicant is fully responsible for the following, if applicable:
 - a. Contacting the appropriate utility companies;

- b. Encouraged to seek at least an informal review by PennDOT of any proposed access onto a State road and to provide PennDOT with sufficient information for such a review;
- c. Determining whether any permits or approvals are needed from any agency outside of the Township, including DEP and the Army Corps of Engineers;
- d. Providing a copy of the Erosion and Sedimentation Control plans to the County Conservation District, together with their required review fees;
- e. If any portion of a subdivision or land development could clearly have a impact upon an adjacent municipality as determined by the Commission, then the Applicant shall provide a copy of the layout plan to that municipality for an advisory review; and
- f. Providing a copy of the plans and drainage report (where required by Act 167 Storm water Management Plan) to the LVPC, together with their required review fees.

402.C. Determination of Completeness of the Submission.

- 1. Based upon the "General Submission Items" in 403.C, the Commission shall have authority, at its first regularly scheduled meeting after a submission is filed within the Township's required time period, to determine that a submission is incomplete and, do one of the following:
 - a. Recommend to the Board of Supervisors not to accept the submission and indicate to the applicant the list of deficiencies in writing; or
 - b. Table the acceptance of the submission until the Commission meeting after the applicant has met all the submittal requirements within the Township's required time period prior to the meeting. The 90-day time limit for action shall not begin until the plan is at 1st Planning Commission, same as MPC.
- 2. If the Commission determines that the submission is complete, as filed, the Commission shall accept the plans and begin its review.

402.D. Review by Township Engineer.

- 1. The Township Engineer shall review the engineering considerations of the Preliminary Plan and prepare a report to the Commission.

2. The Township Engineer may require the applicant or his/her plan preparer to meet with him/her to resolve technical engineering considerations outside of the Commission meetings.
3. A copy of the findings, observations and comments of the Township Engineer shall be sent or handed in person to the Applicant or his/her representative prior to the Commission meeting at which the Plan will be received.

402.E. Review by Commission. The Commission shall accomplish the following within the time limitations of the MPC (unless the applicant grants a written time extension which allows a sufficient number of days within this deadline for a decision by the Board of Supervisors):

1. Review all applicable reports received;
2. Determine whether the Preliminary Plan meets the requirements of this Ordinance and other applicable ordinances;
3. Recommend any revisions needed for the Plan to comply with this Ordinance, other ordinances, or that would improve the plan;
4. Recommend approval, conditional approval, or disapproval of the Preliminary Plan in a written report to the Board of Supervisors that a) specifies any recommended conditions for approval, b) identifies defects found, c) describes requirements which have not been met and cites the provisions of the statute or ordinance relied upon in each case.

402.F. Review and Decision by the Board of Supervisors. The Board of Supervisors shall:

1. Review the report from the Commission and all other applicable reports received;
2. Determine whether the Preliminary Plan meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve or disapprove the Preliminary Plan within the time limits required by the MPC.
 - a. The Board of Supervisors shall render its decision and communicate it in writing to the applicant personally or by mail to him at his last known address not later than 15 days following the decision but not later than 90 days following the date of the regular meeting of the Commission next following the date the application is filed, within the Township's required time period provided that should the said next regular meeting

occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the day the application has been filed.

4. Approval of the Preliminary Plan shall constitute conditional approval of the subdivision or land development as to the character and intensity, but shall not: a) constitute approval of the Final Plan or b) authorize the sale of lots.
5. If the Preliminary Plan is disapproved, the decision shall specify defects found in the plan, describe requirements which have not been met, and cite the provisions of the statute or ordinance relied upon in each case.

402.G. Expiration of Preliminary Plan Approval.

1. Failure to comply with the time requirement for the Final Plan submission shall render the Preliminary Plan null and void, and a new Preliminary Plan submission and approval shall be required.

403. PRELIMINARY PLAN REQUIREMENTS.

- 403.A. The information and materials listed in this section are required as part of all preliminary plans. This list of requirements shall also serve as a checklist for the applicant and the Township to ensure completeness of submissions.
- 403.B. The required information listed in this section may be combined or separated onto different sheets, provided that all the information is legible.

SECTION 403 C
WEISENBERG TOWNSHIP
PRELIMINARY PLAN FOR MAJOR SUBDIVISION AND/OR
LAND DEVELOPMENT
CHECKLIST

SUBDIVISION: _____

DATE OR REVISION DATE OF PLAN: _____

Place check marks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

SUBMITTED	NOT SUBMITTED	
_____	_____	A. GENERAL SUBMISSION ITEMS: The Township may require additional copies.
_____	_____	1. 4 copies of the signed application, see Appendix A.
_____	_____	2. 2 copies of the reimbursement and escrow form signed by all record owners if no sketch plan was presented, see Appendix A.
_____	_____	3. 7 copies of the preliminary plan.
_____	_____	4. Review Fees.
_____	_____	5. 3 copies of the Drainage Calculations.
_____	_____	6. 3 copies of the E&S Control Plan and Narrative, Application, Transmittal letter and a copy of the review fee check.
_____	_____	7. 3 copies of the NPDES Application, Transmittal letter and a copy of the review fee check.
_____	_____	8. 3 copies of any other state or federal permit application, Transmittal letter and a copy of any review fee check(s).
_____	_____	9. 4 copies of the LVPC Transmittal letter with the application form and a copy of the review fee check.
_____	_____	10. 3 copies of the DEP Planning Module.
_____	_____	11. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.

B. DRAFTING REQUIREMENTS. All information shall be legibly and accurately presented.

1. Standard Engineering Scale adequate to show the proposed Development.
2. Plan size: 18" x 24", 24" x 36", or a maximum size of 30" x 42".
3. Key diagram if plan requires more than 1 sheet.
4. Name and address of record owner.
5. Name and address of developer if different than owner.
6. Name of the proposed subdivision or land development.
7. Name of Township and County.
8. Names of all adjoining subdivisions/land developments and/or property owners.
9. Name, address, license number and seal of registered engineer and/or surveyor.
10. North arrow, graphic and written scale.
11. Original date drawing was completed and all revision dates.
12. Location map, scale 1" = 2000' or less.
13. Total tract acreage and boundaries showing bearings and distances.
14. All dimensions shown in feet and hundredths of a foot.
15. All bearings shall be to the nearest second of arc.
16. Lot line dimensions showing bearings and distances.
17. Lot areas, lot numbers, and a statement of total number of lots.
18. A statement of all proposed uses.

- | | | | |
|-------|-------|-----|--|
| _____ | _____ | 19. | Tax
Parcel ID. |
| _____ | _____ | 20. | Zoning districts and tract location
address. |
| _____ | _____ | 21. | Building setback lines along each
street and along lot lines, including
dimensions. |
| _____ | _____ | 22. | All existing buildings within
subdivision. |
| _____ | _____ | 23. | All existing streets, type of surface
and rights-of- way including
dimensions. |
| _____ | _____ | 24. | A sketch map of the proposed road
system for the remainder of the area
not included in the Preliminary Plan. |
| _____ | _____ | 25. | Location, width, and purpose of
proposed easements and utility rights-
of-way. |
| _____ | _____ | 26. | All proposed streets and rights-of-
way, including dimensions. |
| _____ | _____ | 27. | Suggested street names. |
| _____ | _____ | 28. | All existing underground utilities,
bridges, culverts or railroads within
the project area. |
| _____ | _____ | 29. | Location, width and purpose of all
existing easements or rights-of-way
within the project area. |
| _____ | _____ | 30. | Existing and proposed water line with
size, type of material and point of
connection. |
| _____ | _____ | 31. | Existing and proposed storm sewer
lines with sizes, types of materials
and points of discharge. |
| _____ | _____ | 32. | Preliminary design of bridges. |
| _____ | _____ | 33. | Location of natural drainage patterns,
streams, ponds, flood plains, etc. |
| _____ | _____ | 34. | Location and description of soil types
present within the proposed
subdivision including wetlands. |
| _____ | _____ | 35. | Location of wooded area, rock
outcropping, etc. |

36. A topography of the tract delineating slope areas 15% and over.
37. Contour lines 2 ft. or 5 ft. maximum intervals.
38. Bench mark elevation and location based on USGS datum, where available.
39. A phasing map illustrating the entire contiguous holdings of the landowner, showing the ultimate subdivision, and delineating the area which the preliminary plan encompasses.
40. Parks, playground, etc. reserved for public or common use.
41. Preliminary profiles, cross sections and specification for all proposed streets showing all vertical and horizontal geometry.
42. Preliminary profiles and details for all proposed sanitary sewers including invert and top elevations of manholes.
43. Preliminary profiles and details for all proposed storm sewers including invert and top elevations of all structures.
44. Preliminary profiles and details for all proposed water lines including all other utility crossings.
45. A grading plan showing storm water runoff swales and first floor elevations.
46. Storm drainage calculations.
47. Erosion and Sedimentation Control plans.
48. Landscape plan.
49. Location of primary and secondary drainage fields for on-lot sewage disposal systems, where applicable.
50. PennDOT Highway Occupancy Permit or the following note on the plan:

NOTE:

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

51. Certification of central water supply.

52. Certification of central sewage disposal system.

*53. Health, safety and recreation donation, per dwelling unit.

*54. Unimproved road fee.

* To be discussed with the Board of Supervisors.

ARTICLE V

FINAL PLAN

501. PURPOSE. The Final Plan is the official plan prepared for recordation of a Major Subdivision or Land Development. See the requirements of Article VI for a project that only involves a minor subdivision.

502. SUBMISSION AND REVIEW PROCEDURE.

502.A. Final Plan Submission Required.

1. A Final Plan submission for a Major Subdivision or Land Development meeting all the requirements of this Article shall be filed by the Applicant and reviewed in accordance with the provisions of this Article.
2. A Final Plan shall only be submitted after a Preliminary Plan has been approved by the Board of Supervisors.

502.B. Final Plan Submission Deadline.

1. An Applicant shall file a Final Plan submission within 5 years from the date of the approval of the Preliminary Plan by the Board of Supervisors.

502.C. Submission and Distribution.

1. The Applicant shall file with the Township Administrator at least 21 days prior to the regular Commission meeting all of the required plans, information, and fees listed in Section 503 of this Ordinance.
2. The Township Administrator shall forward applicable plans to the following to seek their comments:
 - a. Township Engineer, if application fees are received;
 - b. Township Solicitor, if fees and reimbursement and escrow form are received;
 - c. Municipal Sewer Authority or Sewage Enforcement Officer (if applicable); and
 - d. Applicable Fire Chief (layout and utility plan, if not reviewed at the preliminary plan level and if deemed appropriate by the Commission).
3. Applicant's Distribution. The applicant is fully responsible for the following, if applicable:
 - a. Making agreements with the appropriate utility companies;

- b. Providing information to PennDOT that is required for any needed permit for access to or work within a State road right-of-way;
 - c. Providing information to DEP or other agencies for any permits that might be required;
 - d. Submitting a copy of the Erosion and Sedimentation Control plans to the County Conservation District, together with their required review fees, if any former approval has expired.
4. The filing of the Final Plan shall conform with the approved Preliminary Plan and any conditions and changes recommended by the Township during Preliminary Plan review.

502.D. Determination of Completeness of the Submission.

- 1. Based upon the "General Submission Items" in Section 503.C., the Commission shall have authority, at its first regularly scheduled meeting after a submission is filed within the Township required time period, to determine that a submission is incomplete and do one or more of the following:
 - a. Recommend to the Board of Supervisors not to accept the submission and indicate to the applicant the list of deficiencies in writing; or
 - b. Table the acceptance of the submission until the next Commission meeting where the applicant has met all of the submittal requirements, and has filed such materials within the required time period prior to the meeting. The 90-day time limit for action shall not begin until the plan is accepted as complete.
- 2. If the Commission determines that the submission is complete, as filed, the Commission shall accept the plans and begin its review.
- 3. If the Commission determines that a Final Plan submission, as filed, departs substantially from the approved Preliminary Plan, the Commission may classify the submitted Final Plan as a Revised Preliminary Plan (with the applicable review fees required) and process the application as such.

502.E. Review by Township Engineer.

- 1. The Township Engineer shall review the engineering considerations of the Final Plan and prepare a report to the Commission.
- 2. The Township Engineer may require the Applicant or his/her plan preparer to meet with the Township Engineer

to resolve technical engineering considerations outside of the Commission meetings.

3. A copy of the findings, observations and comments of the Township Engineer shall be sent or handed in person to the Applicant or his/her representative prior to the Commission meeting at which the Plan will be received.

502.F. Review by Commission. The Commission shall accomplish the following within the time limitations of the MPC (unless the Applicant grants a written time extension, which allows a sufficient number of days within this deadline for a decision by the Board of Supervisors).

1. Review all applicable reports received;
2. Determine whether the Final Plan meets the requirements of this Ordinance and other applicable ordinances;
3. Recommend some/all of any needed revisions needed for the Final Plan to comply with this Ordinance, and other ordinances;
4. That no final plan for a subdivision or land development shall be recommended for approval, conditional approval, or disapproval until a report is received from the LVPC or until the expiration of 30 days from the date the application was accepted by the LVPC.
5. Recommend approval, conditional approval, or disapproval of the Final Plan in a written report to the Board of Supervisors that a) specifies any recommended conditions for approval, b) identifies defects found, c) describes requirements which have not been met and cites the provisions of the statute or ordinance relied upon in each case.

502.G. Review and Decision by the Board of Supervisors. The Board of Supervisors shall:

1. Review the report from the Commission and all other applicable reports received; however no subdivision or land development shall be granted final approval until a report is received from the LVPC or until the expiration of 30 days from the date the application was accepted by the LVPC.
2. Determine whether the Final Plan meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve, or disapprove the Final Plan within the time limits required by the MPC.
 - a. The Board of Supervisors shall render its decision and communicate it in writing to the applicant personally or by mail at his last known address not later than 15 days following the decision, but

not later than 90 days following the date of the regular meeting of the Commission next following the date the application is filed within the Township's required time period, provided that should the said next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the day the application has been filed.

4. The Board of Supervisors may attach reasonable conditions to an approval to ensure the carrying out of this Ordinance and other applicable ordinances and statutes.
5. If a Final Plan Submission is disapproved, the decision shall specify defects found in the Submission, shall describe requirements which have not been met, and shall cite the provisions of the statute or ordinance relied upon in each case.

502.H. Dedications.

1. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street or other proposed public way, space, or area, unless that such acceptance is specified at such time.
2. Any such acceptance of dedication shall only occur after formal action of the Township at such time.
3. As part of an improvements agreement, if the Board of Supervisors elects to accept lands offered for dedication, the submission shall be accompanied by duly executed instruments of conveyance to the Township. Such instruments shall state that the title thereof is free and unencumbered.

503. FINAL PLAN REQUIREMENTS.

- 503.A. The information and materials listed in this section are required as part of all final plans. This list of requirements shall also serve a checklist for the Applicant and the Township to use to ensure completeness submission.
- 503.B. The required information listed in this section may be combined or separated onto different sheets, provided that all the information is legible.

SECTION 503 C
WEISENBERG TOWNSHIP
FINAL PLAN FOR MAJOR SUBDIVISION
AND/OR
LAND DEVELOPMENT CHECKLIST

SUBDIVISION: _____

DATE OR REVISION DATE OF PLAN: _____

Place check marks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

SUBMITTED	NOT SUBMITTED	
_____	_____	A. GENERAL SUBMISSION ITEMS: The Township may require additional copies
_____	_____	1. 4 copies of the signed application, see Appendix A.
_____	_____	2. 7 copies of the final plan.
_____	_____	3. Review Fees.
_____	_____	4. 3 copies of the revised Drainage Calculations.
_____	_____	5. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.
_____	_____	B. DRAFTING REQUIREMENTS. All information shall be legibly and accurately presented.
_____	_____	1. Final plan shall conform to requirements set forth for Preliminary Plan. (Section 403)
_____	_____	2. Latest source of title to the land (grantor and grantee) as found on the deed, book and page number of the County Recorder.
_____	_____	3. Engineer or Surveyor seal and certification of accuracy of survey, (see Appendix A) the drawn plan, and the placement of the monuments and perimeter iron pins.
_____	_____	4. Calculations showing that each lot in the final lot configuration has an error of closure not exceeding 1 foot in 10,000 feet.

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| _____ | _____ | 5. Original date drawing was completed and all revision dates. |
| _____ | _____ | 6. Proposed street names. |
| _____ | _____ | 7. Proposed cartway widths and shoulders properly labeled and dimensions. |
| _____ | _____ | 8. Right-of-way width and right-of-way lines of the street properly labeled and dimensions. |
| _____ | _____ | 9. All proposed easements or rights-of-way properly labeled and dimensions. |
| _____ | _____ | 10. Copies of deed restrictions. |
| _____ | _____ | 11. Lot addresses, provided by Township. |
| _____ | _____ | 12. Location of all existing and proposed permanent monuments and markers. |
| _____ | _____ | 13. Final design of bridges. |
| _____ | _____ | 14. Final profiles, cross-sections and specification for all proposed streets showing all vertical and horizontal geometry. |
| _____ | _____ | 15. Final profiles and details for all proposed sanitary sewer including invert and top of structure elevations. |
| _____ | _____ | 16. Final profiles and details for all proposed storm sewer including invert and top of structure elevations. |
| _____ | _____ | 17. Final profiles and detail for all proposed water lines including all other utility crossings. |
| _____ | _____ | 18. Final grading plan showing storm water runoff flow. |
| _____ | _____ | 19. Final storm drainage calculations, with revision dates. |
| _____ | _____ | 20. Final landscape plan. |
| _____ | _____ | 21. A legal description of all areas to be dedicated to the municipality. |

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| _____ | _____ | 22. Calculations showing that all areas to be dedicated to the municipality have an error of closure not exceeding 1 foot in 10,000 feet. |
| _____ | _____ | 23. Offer of dedication and acceptance of street rights-of-way, and certification of ownership with notarization. (See Appendix A) |
| _____ | _____ | 24. Certification for Township Planning Commission. (See Appendix A) |
| _____ | _____ | 25. Certification for Township Board of Supervisors. (See Appendix A) |
| _____ | _____ | 26. Space for Lehigh Valley Planning Commission review stamp. (See Appendix A) |
| _____ | _____ | 27. Space for Lehigh County Recorder of Deeds acknowledgment stamp. (See Appendix A) |
| _____ | _____ | 28. DEP permit for a private centralized water system, if applicable. |
| _____ | _____ | 29. Public water supply agreement, if any. |
| _____ | _____ | 30. DEP permit for a private centralized sanitary sewer system, if any. |
| _____ | _____ | 31. Completed and executed copy of a subdivision improvement agreement. |
| _____ | _____ | 32. Performance guarantee. |
| _____ | _____ | 33. Maintenance guarantee. |
| _____ | _____ | 34. L.C.C.D. approval letter. |
| _____ | _____ | 35. NPDES approval letter. |
| _____ | _____ | 36. Lehigh Valley Planning Commission review letter. |
| _____ | _____ | 37. State and Federal permits, approval letter. |
| _____ | _____ | *38. Health, safety and recreation donation. |
| _____ | _____ | *39. Unimproved road fee. |

* Determined by the Board of Supervisors.

ARTICLE VI

MINOR SUBDIVISIONS

601. **PURPOSE.** This Article provides simplified procedures for submitting and reviewing minor subdivisions.

602. **SUBMISSION AND REVIEW PROCEDURE.**

602.A. Final Plan Submission Required.

1. A Final Plan submission for each minor subdivision must be filed by the Applicant and reviewed in accordance with the provisions of this Article.
2. A Preliminary Plan is not required for a minor subdivision.

602.B. Submission and Distribution.

1. The Applicant shall file with the Township Administrator at least 14 days prior to the regular Planning Commission meeting all of the required plans, information, and fees listed in Section 603 of this Ordinance.
2. The Township Administrator shall forward applicable plans to the following to seek their comments:
 - a. Township Engineer, if application fees and escrow form are received,
 - b. Municipal Sewer Authority or Sewage Enforcement Officer (if applicable),
3. Applicant's Distribution. The applicant is fully responsible for the following, if applicable:
 - a. Making agreements with the appropriate utility companies;
 - b. Providing information to PennDOT that is required for any needed permit for access to or work within a State road right-of-way;
 - c. Providing information to DEP or other agencies for any permits that might be required;
 - d. Submitting a copy of the Erosion and Sedimentation Control plans to the County Conservation District if the area of disturbance is 1 acre or greater, or to the Township if the area of disturbance is less than 1 acre, together with any required review fees;

- e. Providing a copy of the plans and drainage report (where required by Act 167 Stormwater Management Plan) to the LVPC, together with their required review fees.

602.C. Determination of Completeness of the Submission.

1. Based upon the "General Submission Items" in Section 603.C., the Commission shall have authority, at its first regularly scheduled meeting after a submission is filed within the Township's required time period, to determine that a submission is incomplete and do one of the following:
 - a. Recommend to the Board of Supervisors not to accept the submission and indicate to the applicant the list of deficiencies in writing, or
 - b. Table the acceptance of the submission until the Planning Commission meeting after the applicant has met all the submittal requirements within the Township's required time period prior to the meeting. The 90-day time limit for action shall not begin until the plan is accepted as complete.
2. If the Commission determines that the submission is complete, as filed, the Commission shall accept the plans and begin its review.

602.D. Review by Township Engineer.

1. The Township Engineer shall review the engineering considerations of the Final Plan and prepare a report to the Commission.
2. The Township Engineer may require the applicant or his/her plan preparer to meet with him/her to resolve technical engineering considerations outside of the Commission meetings.
3. A copy of the findings, observations and comments of the Township Engineer shall be sent or handed in person to the Applicant or his/her representative prior to the Commission meeting at which the Plan will be received.

602.E. Review by Commission. The Commission shall accomplish the following within the time limitations of the MPC (unless the applicant grants a written time extension which allows a sufficient number of days within this deadline for a decision by the Board of Supervisors):

1. Review all applicable reports received;

2. Determine whether the Final Plan meets the requirements of this Ordinance and other applicable ordinances;
3. Recommend any revisions needed for the Final Plan to comply with this Ordinance and other ordinances; and
4. Recommend approval, conditional approval, or disapproval of the Final Plan in a written report to the Board of Supervisors that: a) specifies any recommended conditions for approval, b) identifies defects found, c) describes requirements which have not been met and cites the provisions of the statute or ordinance relied upon in each case.

602.F. Review and Decision by the Board of Supervisors. The Board of Supervisors shall:

1. Review the report from the Commission and all other applicable reports received; however no subdivision or land development shall be granted final approval until a report is received from the LVPC or until the expiration of 30 days from the date the application was accepted to the LVPC;
2. Determine whether the Final Plan meets the requirements of this Ordinance and other applicable ordinances; and
3. Approve, conditionally approve, or disapprove the Final Plan within the time limits required by the MPC.
 - a. The Board of Supervisors shall render its decision and communicate it in writing to the applicant personally or by mail at his last known address not later than 15 days following the decision, but not later than 90 days following the date of the regular meeting of the Commission next following the date the application is filed within the Township's required time period, provided that should the said next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
 - b. If a Final Plan is disapproved, the decision shall specify defects found in the plan, shall describe requirements which have not been met, and shall cite the provision of the statute or ordinance relied upon in each case.

602.G. Dedications.

1. The approval of the Final Plan by the Board of Supervisors shall not by itself constitute an acceptance of the dedication of any street, proposed public way, space or area, unless such acceptance is specified at such time.

2. Any acceptance of dedication shall only occur after formal action of the Township at such time.

603. FINAL PLAN REQUIREMENTS.

- 603.A. The information and materials listed in this section are required as part of all final plans. This list of requirements shall also serve as a checklist for the Applicant and the Township to use to ensure completeness of submissions.
- 603.B. The required information listed in this section may be combined or separated onto different sheets, provided that all the information is legible.

SECTION 603 C
WEISENBERG TOWNSHIP
FINAL PLAN FOR MINOR SUBDIVISION
CHECKLIST

SUBDIVISION: _____

DATE OR REVISION DATE OF PLANS: _____

Place checkmarks in the appropriate columns below, except: 1) insert "NA" in the "Not Submitted" column if not applicable and 2) insert "W" in the "Not Submitted" column if a waiver is requested from the requirement.

SUBMITTED	NOT SUBMITTED
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_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- A. GENERAL SUBMISSION ITEMS: The Township may require additional copies.
1. 4 copies of the signed application, see Appendix A.
 2. 2 copies of the reimbursement and escrow form signed by all record owners, if no Sketch Plan was presented, see Appendix A.
 3. 7 copies of the final plan.
 4. Review Fees.
 5. 3 copies of the Drainage Calculations.
 6. 3 copies of the E&S Control Plan and Narrative, Application, Transmittal letter and a copy of the review fee check.
 7. 3 copies of the NPDES Application, Transmittal letter and a copy of the review fee check.
 8. 3 copies of any other state or federal permit application, Transmittal letter and a copy of any review fee check(s).

9. 2 copies of the LVPC transmittal letter with the application form and a copy of the review fee check.
10. 3 copies of the DEP Planning Module.
11. An electronic (PDF) copy of all plans, reports, applications, and other submitted material.

B. DRAFTING REQUIREMENTS. All information shall be legibly and accurately presented.

1. Standard engineering scale adequate to show the proposed configuration of lots. For large tracts, the the parent lot may be at a smaller scale, provided that proposed new lots are shown at a maximum scale of 1 inch equals 60 feet.
2. Plan size: 18" x 24", 24" x 36", or a maximum size of 30" x 42".
3. Key diagram if plan requires more than 1 sheet.
4. Name and address of record owner.
5. Name and address of developer if different than owner.
6. Name of the proposed subdivision or land development.
7. Name of Township and County.
8. Names of all adjoining subdivisions/land developments and/or property owners.
9. Engineer's or Surveyor's seal, name, address, license number and certification of accuracy of the survey, the drawn plan and the placement of the monuments and perimeter iron pins. (See Appendix A)

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| _____ | _____ | 10. Calculations showing that each lot in the final lot configuration has an error of closure not exceeding 1 foot in 10,000 feet. (Remaining lots greater than 10 acres may be shown by deed bearings/dimensions.) |
| _____ | _____ | 11. North arrow graphic and written scale. |
| _____ | _____ | 12. Original date drawing was completed and all revision dates. |
| _____ | _____ | 13. Location map, scale 1" = 2000' or less. |
| _____ | _____ | 14. Total tract acreage and boundaries showing bearings and distances. |
| _____ | _____ | 15. All dimensions shown in feet and hundredths of a foot. |
| _____ | _____ | 16. All bearings shall be to the nearest second of arc. |
| _____ | _____ | 17. Lot line dimensions, showing bearings and distances. |
| _____ | _____ | 18. Lot areas, lot numbers, and a statement of total number of lots. |
| _____ | _____ | 19. A statement of all proposed uses. |
| _____ | _____ | 20. Tax parcel ID. |
| _____ | _____ | 21. Zoning districts and tract location address. |
| _____ | _____ | 22. Building setback lines along each street and along lot lines, including dimensions. |
| _____ | _____ | 23. All existing buildings within subdivisions. |
| _____ | _____ | 24. All existing street rights-of-way, including dimensions. |
| _____ | _____ | 25. Location, width, and purpose of proposed easements and utility rights-of-way. |
| _____ | _____ | 26. Location and width of all proposed rights-of-way, including dimensions. |

27. Calculations showing that all areas to be dedicated to the municipality have an error of closure not exceeding 1 foot in 10,000 feet.

28. All existing underground utilities, bridges, culverts or railroads within the project area, if required by the Township Engineer or Sewage Enforcement Officer.

29. Location, width and purpose of all existing easements or rights-of-way within the project area.

30. Location of natural drainage patterns, streams, ponds, flood plains, etc. , if required by the Township Engineer or Sewage Enforcement Officer.

31. Location and description of soil types present within the proposed subdivision, including wetlands, if required by the Township Engineer or Sewage Enforcement Officer.

32. Location of wooded area, rock outcropping, etc. , if required by The Township Engineer or Sewage Enforcement Officer.

33. A topography of the tract delineating slope areas 15% and over, if required by the Township Engineer or Sewage Enforcement Officer.

34. Contour lines 2 ft. or 5 ft. maximum intervals, if required by The Township Engineer or Sewage Enforcement Officer.

35. Benchmark elevation and location based on USGS datum, where available, if required by the Township Engineer or Sewage Enforcement Officer.

36. Parks, playground, etc. reserved for public or common use.

37. Storm Drainage Calculations.

38. Erosion and Sedimentation Control plans or note on plan.

39. PennDOT Highway Occupancy Permit or the following note on the plan:

NOTE:

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

40. DEP Planning Module approval letter.

41. Latest source of title to the land (grantor and grantee) as found on the deed, book and page number of the County Recorder.

42. Copies of deed restrictions.

43. Offer of dedication and acceptance of street rights-of-way, and certification of ownership with notarization. (See Appendix A)

44. Certification for Township Planning Commission. (See Appendix A)

45. Certification for Township Board Of Supervisors. (See Appendix A)

46. Space for Lehigh Valley Planning Commission review stamp. (See Appendix A)

47. Space for Lehigh County Recorder Of Deeds acknowledgment stamp. (See Appendix A)

48. Lehigh Valley Planning Commission review letter.

49. Lot addresses, provided by Township.

50. Two mylars for recordation purposes.

51. LCCD approval letter.

52. NPDES approval letter.

53. State and Federal permits, approval letter.

*54. Health, safety and recreation
donation.

*55. Unimproved road fee.

* To be discussed with the Board of Supervisors.

ARTICLE VII

IMPROVEMENTS SPECIFICATIONS

701. GENERAL REQUIREMENTS

1. All rights-of-way of existing or new streets within the boundaries of a subdivision or land development shall be conveyed to the Township free and clear of all liens and encumbrances, with good and marketable title which is insurable by a reputable title company doing business in Pennsylvania.
2. Physical improvements to the proposed subdivision or land development tract shall be provided, constructed, and installed as shown on the Final Plan and in accordance with the requirements of this Ordinance.
3. As a condition for the approval of the Final Plan, the developer shall execute an agreement with the Board of Supervisors as to the installation of all improvements shown on the plan and required by this Ordinance. Before the final plan is endorsed by the Board of Supervisors, the Subdivision Improvements Agreement shall be executed by the developer and the Board of Supervisors.
4. All improvements installed by the developer shall be constructed in accordance with the design specifications as may be referenced in Article 9 of this Ordinance or as may be otherwise approved by the Board of Supervisors, subject to the recommendations of the Township Engineer.
5. The supervision of the installation of the improvements as required by this Ordinance shall be the responsibility of the Township Engineer, except that the installation of those improvements which are to be dedicated to governmental entities other than the Township shall be supervised by engineers representing those entities.
6. No streets shall be accepted by the Township until ninety (90) percent of the building and structures abutting such street have been completed unless the developer shall have provided an alternative means of access for construction vehicles found acceptable to the Township, which does not utilize the streets to be dedicated.

702. SPECIAL REFERENCES

The following improvements shall be provided, constructed, and installed by the developer as shown on the final plan and in accordance with the "Weisenberg Township Standards for Improvements Construction," hereinafter to be known as the "Township Standards," adopted and amended from time to time by Resolution of the Board of Supervisors, which are incorporated herein by reference.

1. Streets, curbs, bikeways, and sidewalks shall be constructed In accord with the Township Standards.

2. Sanitary sewers and all related appurtenances shall be constructed in accord with the specifications as may be adopted from time to time by the Weisenberg Township Board of Supervisors or successors, which are made part of the Township Standards by reference.
3. Water supply and distribution related improvements including fire hydrants, shall be constructed in accord with the specifications as may be adopted from time to time by the Lehigh County Authority or successors, which are made part of the Township Standards by reference.
4. Storm water management plan related improvements shall be constructed in accord with the Township Standards.
5. Monuments and markers shall be placed in accord with the Township Standards.
6. Street lights shall be installed in accord with the Township Standards.
7. Street signs shall be installed in accord with the Township Standards.
8. Tree planting and landscaping shall be accomplished in accord with the Township Standards.
9. Open space and recreation areas.

703. CONTRACTS

Before the Board of Supervisors shall endorse its approval on the final plan of any subdivision or land development involving improvements as may be required by this Ordinance, the developer shall enter into a written agreement with the Board of Supervisors in the manner and form set by the Township Solicitor, where the developer agrees as follows:

1. To construct or cause to be constructed at his or her own expense, all streets, curbs, sidewalks, bike paths, sanitary sewers, water supply and distribution systems, fire hydrants, storm water management facilities, monuments and markers, street lights, street signs, tree planting and landscaping, recreation and open space facilities, and other improvements shown on the final plan as otherwise approved, and in accordance with the requirements of this Ordinance.

2. To maintain at his or her own cost, the said streets, curbs, sidewalks, bike paths, sanitary sewers, water supply and distribution systems, fire hydrants, storm water management facilities, monuments and markers, street signs, tree planting and landscaping, recreation and open space facilities, and any other improvements shown on the final plan until the same are accepted by Resolution of the township Board of Supervisors and/or public authorities and for a period of eighteen (18) months thereafter and to repair the same as directed by the Board of Supervisors, and/or public authority for reason of lack of structural integrity or failure to properly function.
3. To pay all costs, charges, or rates of the utility furnishing electric service for the street lights installed as required by this Ordinance, until such time as the streets are accepted by the Township.
4. To pay the Township's inspection, other engineering and legal fees as related to the creation and enforcement of said agreement.
5. To obtain any easements or releases from all damages which may be necessary for the construction of any improvement which traverses lands of persons other than the developer. Said releases shall endure to the benefit of the Township and/or public authority as well as to the developer.

704. IMPROVEMENTS GUARANTEE PROCEDURE

1. Before the Board of Supervisors approves any Final Plan and as a prerequisite for approval, the developer shall deliver to the Board of Supervisors, public utility, and/or municipal authority, a performance guarantee in the amount of one hundred ten (110) percent of the cost of all improvements required by this Ordinance, as determined in accordance with the procedures set forth in the Pennsylvania Municipalities Planning Code (53PS10509 and following) as amended, and as is in effect at the time of the filing, in a form and with a surety as determined in accordance with the procedures as set forth in Pennsylvania Municipalities Planning Code as amended, guaranteeing the construction and installation of all such improvements on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements. The terms of the agreement may be extended as provided for in the Pennsylvania Municipalities Planning Code as amended. 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 as provided for in the Pennsylvania Municipalities Planning Code as amended. In the event of default under a performance guarantee, the proceeds of the performance guarantee received by the Townships, public utility, or municipal authority shall be used to construct and install the improvements.

2. Before the Board of Supervisors approves any Final Plan, and as a prerequisite for approval, the developer shall deliver to the Board of Supervisors, public utility, and/or municipal authority a maintenance guarantee in an amount of not less than fifteen (15) percent of the actual cost of the installation of all improvements required by this Ordinance, guaranteeing acceptance of all such improvements by the Board of Supervisors, public utility, and/or municipal authority.

705. APPROVAL OF IMPROVEMENTS AND RELEASE OF PERFORMANCE GUARANTEE BY THE
TOWNSHIP BOARD OF SUPERVISORS

1. The procedure for inspecting and approving the improvements and for the release of the performance guarantee by the Board of Supervisors shall be in accord with the Pennsylvania Municipalities Planning Code (53PS10509 and following) as amended.
2. In the event that any improvements which may be required have not been installed as provided in the Ordinance or in accord with the approved Final Plan, the Board of Supervisors in hereby granted the power to enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the Supervisors may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the monies necessary to complete the remainder of the improvements. All of the proceeds whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

ARTICLE VIII

RECORDING OF FINAL PLAN

801. RECORDING OF FINAL PLAN.

801.A. Deadline.

1. The applicant is responsible to ensure that the Final Plan, as approved by the Board of Supervisors, is recorded in the Office of the Recorder of Deeds of the County within 90 days of such final approval.
2. If the Final Plan approval included official conditions that must be met prior to recording, then the plan shall be recorded within 90 days following the compliance with such conditions.

801.B. The Final Plan shall not be recorded unless the Applicant proves that all the required conditions of Final Plan approval have been met.

801.C. After the plan is recorded, proof of the recording shall be mailed or delivered to the Township office. Lots may then be sold and building development may then take place.

ARTICLE IX

DESIGN STANDARDS

901. APPLICATION.

- 901.A. The standards and requirements contained in this Article are intended as the minimum for the promotion of the public health, safety, and general welfare, and shall be applied as such by the Commission and Board of Supervisors in reviewing all subdivision and land development plans.
- 901.B. Whenever other Municipal Ordinances and/or regulations impose more restrictive standards or requirements than those contained herein, such other ordinances and/or regulations shall be observed; otherwise, the standards and requirements of this Ordinance shall apply.
- 901.C. The standards and requirements of this Ordinance may be modified by the Board of Supervisors in accordance with the provisions of Section 107 of this Ordinance and Section 512.1 of the Municipal Planning Code, where such modifications achieve substantially the objectives of this Ordinance.
- 901.D. Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, closed depressions, sinkholes, ground faults and fractures, fracture traces and lineaments or other causes, shall not be subdivided or developed for building purposes unless such hazards have been eliminated or unless the subdivision or land development plan incorporates measures designed to mitigate or substantially eliminate the hazard or the risks associated therewith to the satisfaction of the Township Engineer.
- 901.E. Land proposed for subdivision shall not be developed or changed by grading, excavating, or by the removal or destruction of the natural topsoil, trees, or other vegetative cover unless adequate provisions for minimizing soil erosion and sedimentation are provided under Title 25, Chapter 102, Rules and Regulations, PADEP.
- 901.F. Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should it create hazards for adjacent residential areas.

901.G. The design of streets, service drives and pedestrian ways should provide for safe and hazard free internal circulation.

902. STREETS.

902.A. General Standards.

1. The proposed street layout shall provide access to all lots and parcels of land within the subdivision or land development.
2. Where possible the street layout shall utilize the existing topography in order to minimize excavation, produce usable lots and centerline grades conforming to this Ordinance.
3. Where recommended by the Commission, the proposed streets shall extend to the boundary line of the tract being subdivided so as to eventually provide for normal circulation of traffic within the vicinity. Wherever there exists a dedicated portion of a street along a boundary of the tract being subdivided or developed the remainder of said street to the prescribed width shall extend within the development, where this would not adversely affect the proposed subdivision or development.
4. Arterial street frontage where a subdivision abuts an existing or proposed arterial traffic street, the Commission and the Board of Supervisors, may require marginal access streets, reverse frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.
5. New half or partial streets shall be prohibited. Subdivider shall provide the entirety of the required cartway width within his property.

902.B. Street Design Standards

1. Street Types - streets/roadways listed below shall be generally classified as follows:
 - (a) Freeway: Interstate I-78 (S.R. 0078)
 - (b) Arterial/Regional Corridor:
 - i. Old 22
 - ii. Mill Creek Road

- (c) Collector/Community or Critical Local or Local Connector:
- i. Independent Road
 - ii. Golden Key Road
 - iii. Werley's Corner Road
 - iv. Seipstown Road
 - v. Ziegels Church Road
 - vi. Kecks Road (from Ziegels Church Road to Seipstown Road)
 - vii. Claussville Road
 - viii. Holbens Valley Road

(d) All other roads are considered Local Streets.

2. Interstate I-78 is a limited-access highway and shall meet all PennDOT criteria.

3. The following table shall be the minimum street design standards, unless PennDOT establishes a more restrictive requirement. All dimensions in feet unless specified.

<u>DESIGN SPECIFICATION</u>	<u>TYPE OF STREET</u>		
	<u>Arteria</u> <u>1</u>	<u>Collect</u> <u>or</u>	<u>Local</u>
Right-of-way Width	80'	60'	50'
Cartway Width			
Commercial/Industrial	32'	28'	26'
Residential	28'	24'	20'
Shoulder Width (each side)			
Paved	8' each	6' each	2' each
On street parking	NO	NO	NO

902.C. Street Alignment

1. Whenever street centerlines are deflected in excess of five degrees, connection shall be made by horizontal curves.

2. The tangent length between reversed curves shall be not less than:

Arterial Street	200 feet
Collector Street	150 feet
Local Street	100 feet

902.D. Sight Distance

Stopping sight distance represents the minimum length required for a vehicle traveling at a given speed to stop. Stopping sight distance is measured along the centerline of the through road from the intersection of the centerlines of the through road and the approach road. The minimum stopping distances for the various design speeds, including corrections for grade of the through road, are based on wet pavement conditions and are indicated in the Appendix B. The design speed shall be used to calculate downgrade conditions while the assumed speed governs correction upgrade calculations.

902.E. Clear Sight Triangle

At any intersection with a street or another street(s) or driveway serving two or more non-residential uses, or serving two or more residential uses, a clear sight triangle shall be provided. Such triangle shall be graded, cleared and kept clear of sight obstructions other than official signposts or utility poles for a height between 2 and 10 feet above the ground level.

Such clear sight triangle shall be protected by a deed restriction, covenant stated on the record plan, or other legally binding method acceptable to the Township.

Such triangular area shall be determined by the intersecting street centerlines and a diagonal connecting two points, one point on each street centerline. The distance along the through street centerline shall be the stopping sight distance described in this Ordinance and the distance along the centerline of the approach street shall be ten (10) feet plus the lane width of the through street.

902.F. Intersections

1. Streets shall intersect at right angles.
2. No more than two streets shall intersect at the same point.
3. A street intersection shall be designed to occur either directly opposite an existing street or there shall be at least 150 feet between centerline intersections for local roads, 400 feet for collector roads, and 1000 feet for arterial roads measured along the centerline of the street being intersected.
4. Intersections shall be approached by a straight leveling area, the grade of which shall not exceed 4

percent within 50 feet of the intersection of the nearest right-of-way lines.

5. Street or edge of pavement intersections shall be rounded by a tangential arc with a minimum radius of:
 - a. 25 feet for intersections involving only local streets.
 - b. 35 feet for all intersections involving a collector street.
 - c. 50 feet for all intersections involving an arterial street.
6. Street right-of-way lines shall be parallel to (concentric with) curb arcs or edge of pavement at intersections.

902.G. Street Grades

1. There shall be a minimum centerline grade of one (1) percent.
2. Centerline grades shall not exceed the following:

Local Street	11 percent.
Collector Street	8 percent.
Arterial Street	4 percent.

902.H. Horizontal Curves

1. For the design of a horizontal curve, the applicable stopping sight distance is measured along the centerline of the inside lane around the curve. The sight stopping distance values are shown in the Appendix B. Use the height criteria for sight stopping distance of 3.50 feet for height of eye and 6 inches for the height of object.

The minimum centerline radii for horizontal curves shall be as follows:

Local Street	150 feet
Collector Street	300 feet
Arterial Street	500 feet

2. A straight section of road, at least 100 feet in length, shall be introduced between horizontal curves on all collector and arterial streets.
3. To the greatest extent possible, combinations of the minimum radius and maximum grade shall be avoided.

902.I. Vertical Curves

At all changes of street grades where the algebraic difference in grade exceeds 1 percent, vertical curves shall provide the minimum sight stopping distances required for the design speed as shown in the Appendix B. Use the height criteria for sight stopping distance of 3.50 feet for height of eye and 6 inches for the height of object.

The minimum length for a vertical curve shall be as follows:

Local Street	200 feet
Collector Street	300 feet
Arterial Street	400 feet

902.J. Cul-de-Sac Streets

1. Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.
2. A temporary cul-de-sac shall be defined as a street for which plans exist for extension within a period of time satisfactory to the Board of Supervisors. All other cul-de-sac streets shall be considered permanent.
3. A permanent cul-de-sac street shall not exceed 500 feet in length from the centerline of the intersected street (either proposed or existing) to the center of the turnaround.
4. All cul-de-sac streets shall provide a paved turnaround with a minimum paved radius of 40 feet and a minimum radius of 50 feet to the right-of-way.
5. The circular right-of-way of the cul-de-sac shall maintain a minimum 10 feet width between the edge of the paving and the edge of the right-of-way. The circular paving of the cul-de-sac shall be connected to the approach paving by an arc having a radius of not less than 50 feet.
6. The centerline grade on a cul-de-sac street shall not exceed 11 percent, and the grade of the diameter of the turnaround shall not exceed 5 percent.

902.K. Private Streets

1. A pre-existing lawful lot of record that abuts an existing private street that does not meet Township standards may have access for a single principal use onto such private street, but no new lot shall be created with access onto such streets.

2. An existing private street may be upgraded to allow the creation of one or two new lots, if approved by the Board of Supervisors and if the following conditions are met:

a. The applicant shall grant a sufficient width of easement to affected property-owners to result in a total 50 feet minimum width along all street frontage that is owned by the applicant.

b. The applicant shall agree to ensure that the private street *will be* upgraded prior to occupancy of the new lot(s) with appropriate gravel or bituminous paving to result in a minimum cartway width of 20 feet, plus 2 feet shoulders on each side from the driveways of the new lots to a public street.

c. The owners of the parent lot and any new lots shall be bound to annually contribute towards the maintenance of the street.

d. The Board of Supervisors shall determine that the street will be suitable for access by emergency vehicles, after any improvements that the applicant may agree to make.

e. The Board of Supervisors shall determine that the private street is the only reasonable method of providing access to the property.

3. If individual units of an office park, townhouse, garden apartment or mobile home park development have vehicular access onto a private parking court, that parking court is not required to meet Township construction standards for streets, provided that:

a. the parking court and related access ways have vehicular access onto a public street, and

b. (except for a rental development) that there be a system to ensure maintenance of the parking court that is acceptable to the Board of Supervisors.

902.L. Street Construction Standards

1. Streets shall be graded, improved and surfaced to the grades and dimensions as identified in the Weisenberg Township Standards for Improvements Construction (Township Standards), as referenced in Section 702.

2. Right-of-Way Grading.

- a. The entire right-of-way shall be graded to the approved cross-section. All trees, stumps and other material deemed unsuitable by the Township Engineer shall be removed. The excavation shall be backfilled and suitably compacted per the Township Standards.
 - b. The finished street surface shall be crowned in conformance with the Township Standards.
 - c. A proper super-elevation (banked curves) shall be approved on arterial and collector streets when required by the Township Engineer.
3. Grading Beyond Right-of-Way.
 - a. The subdivider or developer may be required to grade beyond the right-of-way line in order to provide continuous slope from the right-of-way line to the proposed elevation of the abutting property.
 - b. Such grading beyond the right-of-way shall generally maintain the original directions of slope except where stormwater runoff designs dictate changes.
 - c. Approved plans, either preliminary or final, showing proposed grading, shall be a covenant running with the land, unless altered by written permission from the Board of Supervisors.
 - d. In areas of earth excavation or earth fill, such grading shall be done to a maximum slope of 3 feet horizontal to 1 foot vertical. In areas of rock excavation, such grading shall be done to a maximum slope of one foot horizontal to 2 feet vertical.
 - e. In no case shall the required street grading extend onto an adjoining property with a different landowner, unless the other adjoining property owner gives a written agreement to the developer to accomplish such work.
4. All trenches excavated within the cartway of an existing or proposed public street or right-of-way shall be mechanically compacted with backfill per the Township Standards and acceptable to the Township Engineer or be stone backfilled if the cartway is to be paved in the same construction season.
5. All street pavements, including shoulder, shall consist of the appropriate paving cross-section shown in the Township Standards.

6. All streets shall be constructed upon a properly rolled and crowned sub-grade.
7. An applicant may, if recommended by the Township Engineer and approved by the Board of Supervisors, use an alternative roadbed design that is specifically recommended for that type of street by a current official publication of PennDOT. The alternate design must provide load capabilities equivalent to or higher than the capabilities of the designs set forth above.

902.M.

Required Traffic Improvements

1. In recognition of the provisions of the State Traffic Impact Fee and the PA Municipalities Planning Code, this Section is primarily intended to ensure that streets bordering a subdivision or land development are coordinated and of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and to facilitate fire protection and to ensure that the access into and out of subdivisions and land developments is sufficiently safe.
2. The sub-section shall be carried out through determinations of the Board of Supervisors, after considering any recommendations of the Planning Commission, the township Engineer, the applicant, the applicant's professional representatives, any comments from PennDOT that may be provided regarding a state road and any professional traffic studies that have been submitted.
3. If, in the determination of the Board of Supervisors, there is a reasonable relationship between the need for an "on-site improvement" of a street and the traffic created by a proposed subdivision or land development, the applicant for such subdivision or land development shall be required to complete the needed improvement or fund his/her fair share of the cost of such traffic and to dedicate sufficient street right-of-way for needed improvements.
 - a. An applicant for any land development or major subdivision shall be required to pave any existing unpaved street and widen the cartway and any shoulders of abutting streets to Township standards to result in a minimum paved cartway width of 20 feet, plus 2 feet wide minimum shoulders on each side for total paved width of 24 feet, that are improved to specifications .as provided elsewhere herein.

- 1) Where the Board of Supervisors determine that land owned by another entity on the other side of the street is likely to be developed in the near future, the Board of Supervisors may permit an applicant to only improve the street from the centerline of the street right-of-way inward towards the project's lot lines, provided that sufficient improvements would still be completed for public safety.
 - 2) A lesser width may be permitted where the Supervisors determine that such would be appropriate and/or would save mature trees.
 - 3) A wider width may be required by the Board of Supervisors where needed along a collector or arterial street.
- b. Such improvements and right-of-way shall be required unless the Board of Supervisors determine:
- 1) that there is not a reasonable relationship between the improvements and the traffic created by the proposed development, or
 - 2) that widening or right-of-way or other improvements are not needed or that a lesser improvement is sufficient or
 - 3) that PennDOT specifically refuses in writing to allow such improvement to a State road in the foreseeable future, in which case the Township may still require that abutting right-of-way be dedicated to the Township or reserved for future dedication if needed in the future.
- c. Any improvement to a State street shall meet all PennDOT standards.

4. Types of required traffic improvements.

- a. The following shall be definition of "on-site improvement," (unless this definition is amended by State law): "all street improvements constructed on the applicant's property, or the improvements constructed on the property abutting the applicant's property necessary for the ingress or egress to the applicant's property.
- b. On-site improvements may include, but are not limited to, a new or upgraded traffic signal, land dedication to improvement that is an "off-site

improvement", unless the Board of Supervisors determine that such improvement is clearly essential for the physical safety of the occupants/residents of the proposed development (such as for emergency vehicle access).

5. Funding. In place of completing a required street improvement as a condition of final approval, an applicant may enter into a legally binding development agreement with the Township for the applicant to fund the improvement, or his/her fair share of such improvement, as determined by the Board of Supervisors.
6. Accounting. Any such funds may be placed in escrow until such time as sufficient funds are available for a more comprehensive improvements, with interest being used towards the cost of the improvement. Any such funds received under this sub-section shall be accounted for separately.
7. Staging. Any completion or funding of a required road improvement may occur in stages in relationship to the stages of the development, if so stated in a legally binding development agreement and/or as a condition of final plan approval.

902.N. Street Names

1. Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of the existing streets.
2. In no case shall the name of a proposed street be the same as, or similar to, an existing street name in either the Municipality, the same postal district or the same fire district.
3. All street names shall be subject to the approval of the Board of Supervisors

902.O. Regulatory Signs The developer shall reimburse the Township for the costs of supplying and installing needed traffic regulatory signs and street name identification signs on public streets. The developer shall be responsible to provide and install signs on private streets. All traffic regulatory signs shall meet current standards of PennDOT.

902.P. Off-Street Parking

1. Off-street parking spaces shall be provided behind the street right-of-way line and shall not be located within 10 feet of a septic system absorption area or property

line but, may be provided in an attached or detached garage, carport, or driveway. In the case of multi-family buildings, such off-street parking spaces shall be provided in parking facilities located adjacent to, within, or near the multi-family buildings. Each off-street parking space and parking area shall meet the off-street parking requirement of the Township Zoning Ordinance. The grade of such parking areas shall not exceed 5 percent.

2. Commercial and industrial developments shall meet the off-street parking requirements of the Township Zoning Ordinance.

903. DRIVEWAYS:

903.A All driveways shall be graded to and meet the requirements of the Driveway Ordinance. Subdivision plans shall identify that proposed driveway locations meets the requirements of the Driveway Ordinance.

904. RESIDENTIAL STANDARDS

904.A. Blocks

1. Residential blocks shall not exceed 2,000 feet in length in subdivisions using an average lot size of 1 acre or larger and shall not exceed 1,500 feet in length in subdivisions having an average lot size less than 1 acre, unless permitted by the Board of Supervisors.
 - a. Future Street. Blocks shall be considered to be separated by the reservation as part of an approved subdivision plan of a 50 feet minimum right-of-way reserved for a future cross-street, such as a street is intended to serve future interior lots. Such future street is not required to be constructed until such time as the lots fronting on it are subdivided. Such right-of-way shall be retained in the same ownership as the abutting interior lot(s) until a street may be developed.
2. Residential blocks shall have a minimum length of 500 feet, unless otherwise approved by the Board of Supervisors.
3. Blocks shall be of sufficient width to permit 2 tiers of lots, except where access is limited by virtue of an adjoining arterial street or by virtue of topographic limitations, unless permitted by the Board of Supervisors.

904.B. Lots

1. The natural terrain shall be retained wherever possible with cut and fill operations being kept to a minimum. Areas with natural slopes greater than 25 percent shall not be planned for developed uses.
2. The depth-to-width ratio of the lot shall not be greater than 3 to 1.
3. All lots shall abut on a street in conformance with the standards of this Ordinance. Lots for sale shall abut on a dedicated public street or a proposed public street, the dedication of which has not yet been accepted.
4. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets.
5. Double frontage lots shall ordinarily not be plotted, except as specifically provided herein. In that event, a planting strip for a screen, at least twenty feet in width, shall be provided along the back of the lot.
6. Corner residential lots shall be wider than interior lots to permit front yard equal set backs from both streets to a distance as may be required by the Zoning Ordinance.

904.C. Flag Lots

All lots must front upon existing roadways. No new flag lots shall be permitted.

- 904.D. Emergency Access Driveways shall be designed to be accessible to emergency vehicles. Driveways shall have a 10 feet minimum horizontal clearance, a 12 feet minimum vertical clearance and be designed to support the weight of a loaded fire engine pumper truck. The property address shall be displayed at the driveway entrance.

905. COMMON OPEN SPACE AND RECREATION AREAS

905.A. Amount of Common Open Space

1. Within proposed subdivisions and/or land developments which are intended to provide housing for more than five (5) families, the developer shall be required to dedicate land for common open space and/or recreation in accordance with the following guidelines:

<u>EDU's to be served</u>	<u>Minimum Common Open Space and/or Recreation</u>
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6-10	.5 Acres
11-25	1.0 Acres
26-50	3.0 Acres
51-100	6.0 Acres
101-150	9.0 Acres

For each additional

50 EDU's	2.0 Acres
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2. In circumstances where the developer establishes to the satisfaction of the Commission and the Board of Supervisors that the recreation needs of a development could better be met through the use of off-site facilities, cash to be used for these facilities may be accepted by the Board of Supervisors in lieu of common open space being provided within the subdivision and/or land development. The contribution shall be made according to the schedule adopted from time to time by the Board of Supervisors based upon land values in the Township as established by a qualified real estate appraiser.

905.B. Common Open Space Suitability Common open space shall be suitable for its intended purpose, in the determination of the Board of Supervisors. The applicant shall state in plan notes what improvements, if any, he/she intends to make to the land to make it suitable for its intended purpose, such as grading, landscaping, or development of trails, backstops, goals, lighting, etc.

905.C. Ownership Areas for common open space shall be clearly identified on subdivision and/or land development plans and may be dedicated to the Township if the dedication is acceptable to the Township. The Township shall have the final option to accept or reject dedication. If the areas for common open space are not dedicated to the Township, assurance of adequate provision for perpetual maintenance of said common open space by inclusion of covenants running with the land in the deeds or other instrument of conveyance, delineating such common open space.

906. COMMERCIAL AND INDUSTRIAL SUBDIVISION DESIGN STANDARDS

906.A. General All commercial and industrial subdivisions shall conform with the provisions of this Section and the provisions of the Township Zoning Ordinance.

906.B. Block Layout Block layout shall conform with due consideration of site conditions, the best possible service to customers, traffic and parking circulation and pick-up and delivery services.

906.C. Off-Street Parking

1. Commercial subdivision shall provide not less than three square feet of paved parking area inclusive of access lanes, for every one square foot of interior floor area, exclusive of storage areas. In addition, paved truck loading areas shall be provided such that all truck loading, unloading, and maneuvering can be accommodated within the property lines.

2. Industrial subdivisions shall provide not less than two parking spaces for each three employees (on any one shift) to be normally employed. In addition, paved truck loading area shall be provided such that all truck loading, unloading and maneuvering can be accommodated within the property lines.

907. STORMWATER MANAGEMENT

907.A. All subdivisions and land developments shall meet the requirements of the Township's Stormwater Management Ordinance.

908. WATER SUPPLY AND SEWAGE DISPOSAL

908.A. General All subdivisions and land developments shall be served with an adequate water supply and sewage system, either on-lot, public or private central systems acceptable to the Pennsylvania Department of Environmental Protection and in conformity with the Weisenberg Township Official Sewage Facilities Plan (Act 537 Plan).

908.B. On-Lot Water System (Wells)

1. When a on-lot water or wells is proposed the locations of the wells must be shown on the plan. Wells shall be located no closer than 25 feet from any future street right-of-way line. All construction shall be in accordance with DEP Standards.

2. Standards for quantity of test wells and water quality.

Where individual on-lot water supply systems (private wells) are proposed to service a residential, commercial, industrial, or institutional subdivision and/or land development project requiring water usage equivalent to four (4) EDU's or less, the owner/ subdivider/ developer shall

provide for a minimum of one (1) test well for the project. If the subdivision or land development project is proposed to be greater than four (4) lots or require more than four (4) EDU's, or if the subdivision or land development project is proposed to be expanded at some point after final plan approval, the number of test wells required shall equal the total number of lots or EDU's (whichever is greater) for the entire subdivision and/ or land development project (including all previously approved and all newly proposed lots) divided by five (5). Any fractional number shall be rounded upward to the next higher number. For any tract previously subdivided after the effective date of this Ordinance, the number of previously drilled test wells shall be deducted as a credit toward the aforementioned requirement.

Such wells shall be drilled, cased and grout-sealed at least ten (10) feet into bedrock and shall have a production capacity in excess of five (5) gallons per minute for a period of not less than twenty-four (24) hours. In addition, the quality of the water produced by the test well shall be tested by a water quality laboratory certified by the Department of Environmental Protection of the Commonwealth of Pennsylvania to determine compliance with the current standards set forth by said Department for maximum containment limits.

In general, the test wells should be located up slope from containment sources and shall be a reasonably safe distance from said sources. Further, all well casings shall be extended at least eight (8) inches above ground and well heads should be designated to prevent flooding from surface water runoff.

Should any of the test wells be abandoned, said well shall be sealed in accordance with accepted standards so as to prevent future contamination of the groundwater source.

Each test well should be located in such an area so as to be usable by one of the lots proposed for said subdivision.

908.C. Private Central Water System When a private central water system is proposed the location of the wells, water mains and fire hydrants shall be shown on the plan, including a profile view. All construction and testing of the water mains shall be in accordance with DEP Standards. Documentation shall be required that there is sufficient water capacity within the water table. A dynamic water recovery rate and draw down test, as described in Appendix D shall be performed and a report submitted to the Township for review. Fire hydrants shall be provided by the

developer so that no structure is more than 500 feet from a hydrant.

908.D. Public Central Water System Subdividers and land developers shall provide connection to a public water system where that area to be served is identified by the Act 537 Plan for public central sewer. Whenever public water systems are used, fire hydrants shall be provided by the developer so that no structure is more than 500 feet from a hydrant.

908.E. Central Sewers Subdividers or land developers shall provide sewer connections to a public sewer system if that area to be served is identified by Act 537 Plan for public sewer. If the Township's Act 537 plan, a county or regional plan, or subdivision requirement indicates that construction of sanitary sewer may serve the site within five (5) years then capped sewers shall be required. When public sanitary sewer systems are not available, but the area to be served is identified by the Act 537 Plan for central sewer, then a central sewage, treatment and disposal system (commonly called a Package Treatment Plant) may be installed by the developer as required by and in accordance with Pennsylvania Department of Environment Protection regulations and the following Township regulations:

1. All package treatment plans shall be constructed so as to comply with those design and equipment specifications adopted by the Township or recommended by the Township Engineer.
2. The Developer shall agree to contract with the Township or its designated agent for operating and maintaining the Package Treatment Plant system until 90% of the proposed units have been completed and occupied or on such earlier date as the Township, at its option, may choose. At that time, the system shall be offered for dedication to the Township at no cost. The Township may accept or reject the offer of dedication at that time.
3. Prior to the occupancy of 90% of the units or the assumption of ownership by the Township, the user fees shall be limited to a per unit charge to be determined by the Township. The Township reserves the right to establish within the rate base a portion to be allocated to system maintenance to be incurred by the Township upon accepting ownership of the system and the expiration of the Developer's maintenance. Any and all expenses of the system in excess of sums received from the users shall be paid by the Developer. A performance bond or similar security shall be posted by the Developer in an amount necessary to insure that all excess invoices are paid by

the Developer within thirty days of billing by the Township. Said security amount shall be set by the Township upon recommendation of the Township Engineer.

4. Prior to such time as the Township accepts ownership of the Package Treatment Plant system, the Developer shall provide a maintenance security for a period of eighteen (18) months following acceptance of dedication.

909. WASTE DUMPSTERS, UTILITIES AND UTILITY EASEMENTS

909.A. Utilities All electric power, telephone, cable television (where available) and natural gas service lines within a new subdivision or land development shall: 1) be placed underground except where the Board of Supervisors determines it is not feasible, and 2) be installed in accordance with the current standards of the utility serving the subdivision or land development.

909.B. Dumpsters All apartment developments shall include conveniently located refuse collection facilities for the residents. All uses within non-residential land developments and subdivisions shall include appropriate refuse collection facilities. All bulk refuse collection dumpsters shall be screened on 3 of 4 sides by walls or evergreen landscaping from view of existing dwellings, adjacent undeveloped residentially zoned lots and public streets.

909.C. Easements Easements shall be provided as follows:

1. Drainage, sanitary sewage, central water, emergency access and other types of easements shall be provided as determined to be needed by the Township and as indicated on the plans.
2. Locations. Unless waived or modified by the Township Engineer or the Board of Supervisors, all lots shall include a drainage and utility easement around the perimeter of each lot, including adjacent to the street right-of-way. However, such easements shall not be required where buildings (such as townhouses) are to be attached at a lotline.
3. Width. The standard minimum width of an easement shall be 20 feet, which may be reduced to 10 feet for each lot if a 10 feet minimum easement exist on the abutting side of the abutting lot. A 10 feet minimum easement shall be provided adjacent to the street right-of-way.

4. Additional width of easement shall be provided for additional utilities if required by the water or sanitary sewage supplier or the Board of Supervisors, based upon advice of the Township Engineer.
5. Minimum separation distances between utility lines shall be as required by the applicable utility or as deemed necessary by the Board of Supervisors based upon advice of the Township Engineer.
6. If any activity is proposed within the right-of-way of an underground fuel or gas pipeline, the applicant shall provide written evidence from the operator of such pipeline that such activity is acceptable under their safety standards and the terms of that right-of-way.
7. Easements shall be placed along lot lines or street rights-of-ways, to the maximum extent possible, as opposed to the center of a lot.
8. The owner of the lot shall properly maintain an easement or right-of-way in such a condition that does not inhibit its intended purpose(s). Fill or structures shall not be placed in an easement or right-of-way in a way that inhibits its intended purpose(s). Specifically, structures or grading that could alter or obstruct stormwater flows in violation of the approved Final Plan shall be prohibited within stormwater easements.
9. The Township at its option shall have the right to enter a stormwater easement or any municipal easement or right-of-way to maintain it or improve it for its intended purpose(s), although the Township does not accept the responsibility to complete such work.

910. STREET TREES, PRESERVATION OF TREES AND HISTORIC BUILDINGS

- 910.A. Street Trees New trees shall be planted outside the right-of-way of a public street but a minimum of 2 feet from the right of way line.
- 910.B. Type of Trees Trees shall be of nursery stock quality of a species approved by the Township and grown under the same climatic conditions as the location of the development. Site locations, land use, topography, natural and historical features shall be considered by the subdivider and the Township in selecting and approving species. Trees shall be a deciduous hardwood type non-susceptible to vehicular and other air pollutants.

910.C. Quality of Trees Trees permitted shall be of symmetrical growth, free of insect pests and disease, and durable under the maintenance contemplated. Trees which have died, or have become diseased or pest ridden within 18 months from the time of planting shall be replaced by the subdivider.

910.D. Size of Trees The trunk diameter measured at a height of four feet above the finished grade level shall be a minimum of two inches.

Depending on good planting practice with reference to the particular species to be planted, the Township, if applicable, may modify the size requirements of trees.

910.E. Quantity of Trees In all subdivisions, trees shall be planted at intervals between 50 feet and 100 feet. The location of shade trees will be subject to the approval of the Township.

910.F. Planting Besides conforming to all parts of this Section, all planting shall be done in conformance with good nursery and landscape practice, and to the standards established by the Township.

910.G. Protection of Trees During Construction

1. Reasonable efforts shall be taken during any construction to ensure the protection of trees protected by this Section to ensure that the trees are not accidentally injured or killed. These efforts shall ensure that equipment does not damage tree trunks, that roots are not compacted by vehicles and that the grade level around trees is not changed by more than 1 foot. Temporary wooden barricades should be placed around the root systems of trees.

2. If an approved subdivision or land development plan states that certain trees are to be preserved, and if those trees are killed, then the developer shall be required to replace those trees with new mature trees, in addition to any other penalties provided in this Ordinance.

910.H. Natural and Historic Feature Preservation
Substantial and sensitive natural features and historic structures and important archaeological sites worthy of protection, as determined by the Board of Supervisors upon the advice of the Planning Commission, shall be respected, incorporated into the design of the reasonably protected in any subdivision or land development.

910.I. Buffer Yards See the requirements for buffer yards in the Township Zoning Ordinance.

910.J. Preservation of Existing Trees

1. The purposes are to protect wildlife and bird habitats, encourage groundwater recharge, reduce air pollution, avoid pollution of creeks by high temperature runoff, maintain the attractive character of residential areas and conserve energy.

2. Tree cutting:

a. The number of trees with a trunk diameter of 6 inches or more measured at a height of 4.5 feet above the average surrounding ground height that are cut down or effectively killed as part of a subdivision or land development (or in preparation to or as a result of such activity) shall be held to an absolute minimum.

b. This section shall not prevent the cutting down or killing of trees meeting any of the following criteria, based upon approved development plans or zoning permits:

1) will be within 10 feet of an approved or existing street cartway, shoulder, driveway or sidewalk or will obstruct required sight distance,

2) will be within 25 feet of the walls of an approved or existing building or an approved on-lot septic system,

3) is within an area that needs to be graded for an approved stormwater basin,

4) is clearly of old age and unhealthy and cannot be expected to live for more than an additional 5 years,

5) needs to be removed for an approved utility corridor,

6) is diseased, dead or poses a clear danger to a structure, utility, sidewalk or other public improvement,

7) clearly needs to be removed to allow the construction of a Township-approved principal or accessory use,

8) is part of Christmas Tree farm,

9) is to be removed solely to allow longer rows for crop farming or replacement by a plant nursery or

10) has a trunk diameter of less than 6 inches measured at a height of 4.5 feet.

911. MONUMENTS AND LOT PINS

911.A. Monuments

1. Permanent concrete monuments shall be accurately placed at the intersections, change in directions of all lines forming the boundary of the property subdivided, along all interior street lines at the change in direction, at beginning and ends of curves and at intermediate points where topographical consideration make it impossible to sight between two (2) adjacent monuments.
2. Monuments shall be constructed of reinforced concrete with a rebar located vertically in the center having a minimum size of 4" x 4" at the ground level and 30" long. The top of the monument shall be set flush with adjacent grade and marked with a indented cross on a metal plate one-half inch round. All monuments shall be set by or under the direct supervision of a Registered Professional Surveyor in the Commonwealth of Pennsylvania.

911.B. Lot Pins

1. Lot pins shall be accurately placed at the beginning and ending of all curves, intersections, changes in direction of all lot lines and at all lot corners. Where concrete monuments are required at such location, no lot pins shall be set.
2. Lot pins shall be ¾" diameter pipe or reinforcing rod at least 30" long. The top of the pin shall be flush with the adjacent grade. All lot pins shall be set by or under the direct supervision of a Registered Professional Surveyor in the Commonwealth of Pennsylvania.

912. EROSION CONTROL AND GRADING

- 912.A. Ground Cover and Top Soil After completion of construction on a lot, all exposed ground surfaces that are not paved and that are not covered by approved gravel areas or decorative stones or similar material shall be covered by a minimum of 4 inches of topsoil and an attractive non-poisonous vegetative ground cover that will prevent soil erosion and the raising of dust.

912.B. Erosion Control

1. Any earth disturbance should be controlled by proper measures to prevent soil erosion and sedimentation, must comply with DEP regulations and standards of the County Conservation District.
 - a. If a soil erosion and sedimentation control plan is required it shall be submitted to the County Conservation District office for review.
 - b. Compliance with such plan shall be an automatic condition of any approval or permit under this Ordinance.
 - c. Township permits may be suspended if earth disturbance does not comply with such approved plan.
2. Both the owner of the property at the time of any earth disturbance and the person(s)/company accomplishing the work shall be responsible for preparing an erosion control plan and submitting same to the County Conservation District and to ensure that adequate erosion control measures are used. This should be noted on the plan.

912.C. Grading Plans for Individual Lots

1. The ground adjacent to building shall be graded so that surface water will be drained away from such building. No grading shall be completed in such a way that soils, rocks or other debris are left in an unsightly fashion nor in a fashion that interferes with drainage, streets or utilities.
2. Materials used for fill as a future base for construction shall be nonbiodegradable, well compacted and provide a suitable and secure base. The Township may require that an applicant fund appropriate underground testing of a proposed building site if there is reasonable doubt in the opinion of the township Engineer that the subsurface is suitable and secure for the proposed use.
3. A grading plan shall be submitted to the Township for all earthmoving activities for building sites which include grading, filling and/or excavation that involves any of the following:
 - a. lots less than one (1) acre in any new subdivision;

- b. disturbance of slopes over 15 percent (15%).
- c. lots less than two (2) acres and in a subdivision of five (5) or more lots;

An applicant may reference any grading plans previously approved by the Township under the Subdivision and Land Development Ordinance. All grading plans submitted shall be reviewed by the Township or the Township Representative in accordance with grading plan procedures and/or checklists that the Board of Supervisors may adopt from time to time by resolution. The Board of Supervisors is also authorized to establish and impose fees in connection with the submission and review of grading plans by resolution.

- 4. These plans may be subject to reviews by the Township Engineer and the County Conservation District.
- 5. An earth disturbance permit or grading plan is not required for routine crop farming practices, routine minor finish grading, and the installation or repair of an on-lot system.

912.D. Steep Slope If an area of a lot including slopes of 15 percent or greater is proposed for construction of buildings, streets or driveways or non-agricultural grading, then the applicant shall submit a steep slope site plan to the Township. These submittal requirements may be met by including the required information on subdivision/land development plans or grading/plot plans.

- 1. A steep slope site plan shall meet the following requirements:
 - a. show detailed slope contours for all areas that potentially may be disturbed and/or constructed upon,
 - b. identify all areas of 15 percent to 25 percent and greater than 25 percent slope,
 - c. be to scale (such as 1 inch = 50 feet),
 - d. show substantial areas of trees and dense vegetation proposed to be removed or preserved prior to or during the development of the use,
 - e. be stamped by a professional surveyor, professional engineer, registered landscape architect or registered architect,

- f. show proposed locations of principal buildings, streets, driveways, on-lot septic fields, required alternate septic field locations and other areas of proposed soil disturbance,
- g. state the maximum slope of proposed,
- h. show an area of 25 feet around the proposed principal building locations.

ARTICLE X - MOBILE HOME PARKS

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10.1 For the purposes of this Article the following definitions shall apply:

DEFINITIONS

BOS:

The Board of Supervisors of Weisenberg Township.

Common Open Space:

A parcel or parcels of land or an area of water, or a combination of land and water within a mobile home park designed and intended for the use or enjoyment of residents of the mobile home park, not including streets, off-street parking areas, and areas set aside or used by public or private utilities or facilities such as a Service or Recreational Building. Common open space shall be free of structures except it may contain such structures as are in the development plan as finally approved and as are appropriate for active outdoor recreational use.

Internal Street:

A street in a mobile home park privately owned, constructed and maintained, which functions primarily to provide direct access to individual mobile home lots and does not connect directly to a public street and provide direct access from that public street to another public street.

Mobile Home:

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

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. A mobile home lot may also be known as a manufactured home lot.

Mobile Home Park:

A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. A mobile home park may also be known as a manufactured home park.

Mobile Home Stand:

That part of an individual Mobile Home Lot which has been reserved for the placement of the mobile home, appurtenant structures and utility service line connections. A mobile home stand may also be known as a manufactured home stand.

MPC:

The Pennsylvania Municipalities Planning Code, 53 P.S. 10101 et seq.

Person:

Any individual, firm, trust, partnership, public or private association or corporation, or other legal entity.

Planning Commission:

The Planning Commission of Weisenberg Township.

SALDO:

The Subdivision and Land Development Ordinance of Weisenberg Township.

Service or Recreational Building:

A structure housing administration, operational, office, recreational, park maintenance and other facilities built to conform to required local standards.

Sewer Connection:

The connection consisting of all pipes, fittings and appurtenances from the drain outlet of the mobile home to the inlet of the corresponding sewer riser pipe of the sewage system.

Sewer Riser Pipes:

The sewer riser pipe is that portion of the sewer lateral which extends vertically to the ground elevation and terminates at each mobile home connection.

Usable Site Area:

The usable site area is that portion of a mobile home park which is free of water surfaces, flood plains, high water table areas, quarries, and slopes in excess of twenty-five (25) percent.

Water Connection:

The water connection consists of all pipes, fittings, and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within the mobile home.

Water Riser Pipe:

The water riser pipe is that portion of the water service pipe which extends vertically to the ground elevation and terminates at a designated point at each mobile home lot.

Water Service Pipe:

The water service pipe consists of all pipes, fittings, valves and appurtenances from the water main of the park distributing system to the water outlet of the distribution system within the mobile home.

SECTION 10.2: PERMITS

10.2.1 Permits Required.

It shall be unlawful for any person to establish, construct, maintain, alter, expand or extend any mobile home park or any of the facilities thereof within the limits of Weisenberg Township unless he is the owner of the land and holds a valid permit issued in his name for such purpose or purposes by Weisenberg Township under this and any other applicable ordinances of Weisenberg Township.

10.2.2 Prior Eligibility for Permit.

No permit shall be issued hereunder unless the person making application therefore shall have received approval of a Mobile Home Park land development plan for such purpose(s) by the Township Board of Supervisors.

10.2.3 Application to Weisenberg Township.

Concurrently, an Application for a Mobile Home Park permit and a Mobile home Park Land Development Plan, prepared in accordance with the applicable requirements of the Weisenberg Township SALDO by an engineer or land surveyor registered in the Commonwealth of Pennsylvania, shall be submitted to the Township for referral to and review by the Township and Lehigh Valley Planning Commissions for the recommendations of each such agency to the Weisenberg Township Board of Supervisors. The Mobile home Park Land Development Plan shall comply with all of the provisions of the Township SALDO applicable to land development and land development plans, including the submission, approval and improvements provisions, other than as such provisions are specifically modified by this Article.

10.2.4 Issuance of Permit.

Upon approval of such Application and Mobile home Park Land Development Plan by the Board of Supervisors, and after payment

by the applicant of all required fees the Township shall issue a Mobile home Park permit to the applicant which shall be valid for a period of one (1) year from the date of issuance.

10.2.5 Renewal Permits.

Application for renewal of a Mobile home Park permit in form as required by Weisenberg Township shall be made at least thirty (30) days prior to the expiration date of a permit. The renewal of a Mobile home Park permit shall be issued upon proof by applicant that his park continues to meet the standards and requirements of this Article and all other applicable statutes, ordinances, and regulations of state and/or federal agencies having jurisdiction.

10.2.6 Fees.

A fee shall be paid by the applicant for the review of the Mobile Home Park Land Development Plans by the Planning Commission and Weisenberg Township Board of Supervisors in accordance with a fee schedule adopted by the municipality for the review of such land development plans.

Thereafter, a fee shall be paid by the applicant for the issuance of an original permit or of a renewal permit, as the case may be, in accordance with a fee schedule adopted by the municipality for the review of such renewal applications and the issuance of such renewal permits.

The Mobile Home Park Land Development Plan review fee and the permit application and renewal fees shall be as set from time-to-time by Resolution of the Board of Supervisors.

10.2.7 Limited Applicability to Existing Parks.

Within ninety (90) days after the effective date of this Ordinance, owners of existing mobile home parks must make application to the municipality for a Mobile Home Park permit. Said application shall show evidence that the park for which a permit is sought was in existence prior to the date of the adoption of this ordinance and shall catalogue/list all ways in which said pre-existing Mobile Home Park does not comply with this ordinance; it being understood that said list shall constitute documentation of the nature and extent of the nonconformities of the pre-existing Mobile Home Park. The minimum standards prescribed herein shall be applicable only to those parks which are constructed or expanded after the effective date hereof.

10.2.8 Approval of Applications.

All applications for approval of a Mobile home Park Land Development Plan shall be acted upon by the Board of Supervisors which shall render its decision and convey it to the applicant within the time frames established by the MPC for the review and approval of land development plans. At the time the Board of Supervisors takes final action with respect to approval or disapproval of a Mobile home Park Plan, it shall also approve or disapprove the Mobile home Park permit Application.

10.2.9 Appeals to Court from Application Decisions.

The decision of the Board of Supervisors with respect to the approval or disapproval of a permit may be appealed directly to court not later than thirty (30) days after issuance of notice of the decision or report of the Board of Supervisors.

SECTION 10.3: REGISTRATION

10.3.1 Permit.

It shall be unlawful for any person to operate a mobile home park within the limits of Weisenberg Township unless he holds a currently valid permit issued by Weisenberg Township in the name of such person for the specific mobile home park.

10.3.2 Transfer of Ownership.

A permit issued hereunder shall not be transferable without prior approval of the Board of Supervisors of transfer thereof. Every person holding a permit shall obtain approval of transfer thereof by the Board of Supervisors prior to transferring ownership of any mobile home park.

SECTION 10.4: INSPECTION OF MOBILE HOME PARK

The Board of Supervisors, acting through its designated representative or representatives, may inspect a mobile home park at reasonable intervals, and at reasonable times, to determine compliance with this Ordinance.

SECTION 10.5: ENVIRONMENTAL, OPEN SPACE AND ACCESS REQUIREMENTS

10.5.1 Site Location.

The location of all Mobile Home Parks shall comply with the following minimum requirements.

- (a) Parks shall have a minimum of twenty-five (25) contiguous acres of "usable site area" as defined in Section 1 and shall be under single ownership.
- (b) Parks shall not be located in close proximity to garbage or rubbish disposal areas, potential breeding places for insects or rodents, any hazard or nuisance such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare, or any other condition or activity harmful to the health, welfare and safety of the residents.

10.5.2 Site Drainage Requirements

- (a) The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner. Design of storm water management facilities shall comply with the state Storm Water Management Act and the Weisenberg Township SALDO and Weisenberg Township Act 167 implementation Ordinance as well as sound engineering practice.
- (b) Surface water collectors and other bodies of standing water capable of breeding mosquitoes and other insects shall be

eliminated or controlled in a manner approved by the Pennsylvania Department of Environmental Protection.

- (c) Waste water from any plumbing fixture or sanitary sewer line shall not be deposited upon the ground surface in any part of a mobile home park.

10.5.3 Soil and Ground Cover Requirements

- (a) Exposed ground surface in all parts of every park shall be paved, or covered with stone screenings, or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.
- (b) Park grounds shall be maintained free of vegetation growth which is poisonous or which may harbor rodents, insects, or other pests harmful to man.

10.5.4 Park Areas for Non-Residential Uses. No part of any park shall be used for non-residential purposes, except such uses that are required for the direct servicing and well being and recreation of park residents and for the management and maintenance of the park.

10.5.5 Required Setbacks, Buffer Strips and Screening

- (a) All mobile homes shall be located at least seventy-five (75) feet from any park property boundary line abutting upon a public street or highway or another mobile home park and at least one hundred (100) feet from an adjacent property boundary line, if that boundary line includes an existing single family detached dwelling.
- (b) There shall be a minimum distance of twenty-five (25) feet between an individual mobile home, including accessory structures attached thereto, and adjoining pavement of a common parking area or other common areas and structures. There shall be a minimum distance of thirty-five (35) feet between an individual mobile home, including accessory structures attached thereto and the adjoining pavement of a internal street and a minimum distance of twenty-five (25) feet between an individual mobile home and a internal street serving less than ten (10) mobile homes.
- (c) All mobile home parks shall provide vegetative screening such as natural growth or a formal planting screen along the property boundary line separating park and adjacent property.

The screening shall be at least ten (10) feet wide and six (6) feet high or as required by the topography. A landscaping plan shall be submitted, with the preliminary land development plans, showing the location, size and other species of all trees and shrubs to be preserved or planted.

10.5.6 Mobile Home Lots and Required Separation between Mobile Homes

- (a) Mobile homes shall be separated from each other and from other buildings and accessory structures by at least twenty (20) feet.
- (b) An accessory structure which has a horizontal area comprised of more than twenty-five (25) square feet or is attached to a mobile home and/or located within ten (10) feet of any window in the mobile home, or has a top or roof that is higher than such window shall, for purposes of this separation requirement, be considered to be part of the mobile home.
- (c) Not more than one mobile home may be placed on a mobile home lot. All mobile home lots shall have the following minimum area and width and yard requirements.

Unit Type	<u>Min. Lot Area</u>	<u>Min. Lot Width</u>		<u>Min. Yards</u>		
	<u>sq.ft.</u>	at street <u>ft.</u>	at setback <u>ft.</u>	front <u>ft.</u>	side <u>ft.</u>	rear <u>ft.</u>
single-wide less than 61 ft.	5,000	45	50	20	5	10
single-wide 61 ft. or longer	5,000	45	50	25	5	10
double-wide	6,000	60	65	25	5	10

10.5.7 Park Street System

- (a) General Requirements: A safe and convenient vehicular access shall be provided from abutting public streets or roads.
- (b) Access and Internal Streets: Access to internal streets of mobile home parks shall be designed to minimize congestion and hazards at the entrance and exit and allow free movement of traffic on adjacent streets. Streets shall have a minimum road pavement width of thirty (30) feet with parking permitted on one side but streets shall have a minimum road pavement width of thirty-six (36) feet where parking is permitted on both sides. Where the primary entrance road is more than one hundred (100) feet long and does not provide access to abutting mobile home lots within such distance, the minimum road pavement width may be twenty-four (24) feet, provided parking is prohibited on both sides.
- (c) Intersections: Within one hundred (100) feet of an intersection, streets shall be at approximately right angles. A distance of at least one hundred fifty (150) feet shall be maintained between center lines of offset

intersecting streets. Intersections of more than two (2) streets at one point shall be prohibited.

- (d) All internal streets in the Mobile home Park shall be constructed in conformance with the standards adopted by Weisenberg Township for materials and thicknesses. Curbs may not be required if they are not needed as part of a storm water management scheme and are unnecessary for safe pedestrian circulation within the Park.

10.5.8 Off-Street Parking Areas

- (a) Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. A minimum of three (3) off-street parking spaces for each mobile home unit or integral unit shall be required. No more than six (6) off-street parking spaces shall be installed along any road without a twenty (20) foot wide minimum lawn/planting island.
- (b) A minimum of two (2) such spaces shall be provided adjacent to the dwelling they serve. The remaining required spaces (the 3rd space per dwelling) shall be located within 150 feet of the dwellings they serve-primarily for guest parking.
- (c) The required parking spaces shall not be used for the parking of recreational vehicles and boats of residents, except for loading and preparation of immediate use.

10.5.9 Walks

- (a) General Requirements: All parks should provide safe, convenient, all-season pedestrian access of adequate width for intended use, durable and convenient to maintain, between individual mobile homes, the park streets, and all community facilities provided for park residents. Sudden changes in alignment and gradient shall be avoided.
- (b) Common Walk System: Where a common walk system is provided and maintained between locations, and where pedestrian traffic is concentrated, such common walks shall have a minimum width of three and one-half (3-1/2) feet.
- (c) Individual Walks: All mobile home stands shall be connected to common walks, or to streets, or to driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of three (3) feet.

10.5.10 Mobile Home Stands - Construction

- (a) The area of the mobile home stand shall be improved to provide a Mobile Home Stand for the placement and leveling of the mobile home.

- (b) Each mobile home shall be placed on a Mobile Home Stand constituting a permanent foundation consisting of at least 8 poured or masonry pillars or set on a concrete base at least 8 inches thick. The pillars shall be spaced not more than 10 feet apart with the end pillars being no farther than 5 feet from the ends of the unit. The pillars shall be at least 2 feet by 2 feet and at least 36 inches below grade. Each pillar shall have installed a tie-down ring to which the mobile home shall be secured. Said tie-down rings shall have sufficient tensile strength to bear the loads/stresses to which they may be exposed.

10.5.11 Mobile Home Density.

The gross density shall not exceed four (4) mobile homes per acre of usable site area.

10.5.12 Common Open Space

- (a) At least twenty (20) percent of the usable site area of the mobile home park must be in common open space.
- (b) Whenever possible the common open space shall be designed as a contiguous area with pedestrian and visual accessibility to all lots of the mobile home park.
- (c) Recreation areas and active outdoor recreation facilities shall be provided to meet the anticipated needs of the residents of the park. Not less than ten (10) percent of the usable site area, exclusive of lands within the required setback area, shall be devoted to recreation areas which should be of a size and shape (and include equipment/facilities) that is conducive to active recreation.

SECTION 10.6: WATER SUPPLY

10.6.1 General Requirements.

An adequate supply of water shall be provided for mobile homes, service buildings, and other accessory facilities as required by this Ordinance. Where a public water supply system of satisfactory quantity, quality and pressure is available, or can feasibly be extended, connection shall be made thereto and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the development of a private central water supply system approved by the Pennsylvania Department of Environmental Protection and by any other authorities having jurisdiction. Individual on-lot water sources are prohibited.

10.6.2 Source of Supply

- (a) The water supply shall be capable of supplying a minimum of two hundred fifty (250) gallons per day per mobile home.

- (b) The source of supply and distribution system shall also be adequate for fire protection, both quantity and pressure, and shall comply with the National Fire Protection Association Standard NFPA No. 501A as amended from time-to-time.

10.6.3 Water Storage Facilities.

All water storage reservoirs shall be covered, watertight and constructed of impervious material. Overflows and vents of such reservoirs shall be effectively screened. Manholes shall be constructed with overlapping covers, so as to prevent the entrance of contaminated material. Reservoir overflow pipes shall discharge through an acceptable air gap.

10.6.4 Water Distribution System

- (a) All water piping, fixtures and other equipment shall be constructed and maintained in accordance with state statutes and municipal ordinances and regulations.
- (b) The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow or back siphonage.
- (c) The system shall be so designed and maintained as to provide a pressure of not less than twenty (20) pounds per square inch, under normal operation conditions, at service buildings and other locations requiring potable water supply.

10.6.5 Individual Water-Riser Pipes and Connections

- (a) Individual water-riser pipes shall be located within the confined area of the mobile home stand at a point where the water connection will approximate a vertical position, thereby ensuring the shortest water connection possible and decreasing susceptibility to water pipe freezing.
- (b) The water-riser pipe shall have a minimum inside diameter of three-quarter (3/4) inches and terminate at least four (4) inches above the ground surface. The water outlet shall be provided with a cap when a mobile home does not occupy the lot.
- (c) Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipe and to protect risers from heaving and thawing actions of ground during freezing weather. Surface drainage shall be diverted from the location of the riser pipe.
- (d) A shut-off valve below the frost line shall be provided near the water-riser pipe on each mobile home lot. Underground stop-and-waste valves are prohibited unless their type of manufacture and their method of installation are approved by Weisenberg Township.

SECTION 10.7: SEWAGE DISPOSAL

10.7.1 General Requirements.

An adequate and safe sanitary sewerage system shall be provided for conveying and disposing of sewage from all mobile homes, service buildings and accessory facilities. Where a public sanitary sewerage system is available, connection shall be made thereto, and it shall be used exclusively. Where a public system is not available, a private central sewage collection system and sewage treatment plant shall be installed, after approval by the Pennsylvania Department of Environmental Protection and the Board of Supervisors. Individual on-lot sewage disposal systems are prohibited.

10.7.2 Individual Sewer Connections

- (a) Each mobile home stand shall be provided with at least a four (4) inch diameter sewer riser pipe. The sewer riser pipe shall be so located on each stand that the sewer connection to the mobile home drain outlet will approximate a vertical position.
- (b) The sewer connection (see definition) shall have a nominal inside diameter of not less than four (4) inches, and the slope of any portion thereof shall be at least one-fourth (1/4) inch per foot. All joints shall be watertight.
- (c) All materials used for sewer connections shall be semi-rigid, corrosive resistant, non-absorbent, and durable. The inner surface shall be smooth.
- (d) Provision shall be made for plugging the sewer riser pipe when a mobile home does not occupy the site. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least one-half (1/2) inch above ground elevation.

10.7.3 Sewer Lines.

All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic or other movements and shall be separated from the park water supply system. All sewer lines shall be constructed of material approved by the Pennsylvania Department of Environmental Protection and by the Board of Supervisors.

10.7.4 Protective Fence and Screening

- (a) Private central sewage treatment plants shall be surrounded by a protective fence at least six (6) feet in height.
- (b) All mobile home parks shall provide screening such as natural growth around any private central sewage treatment plant. The screening shall be at least five (5) feet wide and six (6) feet high or as required by the topography.

SECTION 10.8: ELECTRICAL DISTRIBUTION SYSTEM

10.8.1 General Requirements.

Every mobile home park shall contain an electric distribution system, consisting of wiring, fixtures, equipment, and appurtenances which shall be installed and maintained in accordance with the specifications of the public utility supplying the service and the National Electrical Safety Code.

10.8.2 Power Distribution Lines

- (a) All power lines shall be located underground.
- (b) All direct burial conductors or cable shall be buried at least eighteen (18) inches below the ground surface and shall be insulated and specially designed for that purpose. Such conductors shall be located not less than one (1) foot radial distance from water, sewer, gas or communications lines.

10.8.3 Individual Electric Connections

- (a) Each mobile home lot shall be provided with an approved disconnecting device and overcurrent protective equipment. The minimum service per outlet shall be 120/240 volts AC, 100 amperes.
- (b) The mobile home shall be connected to the outlet receptacle by an approved type of flexible cable with connectors and a male attachment plug.
- (c) Where the calculated load of the mobile home is more than 100 amperes either a second outlet receptacle shall be installed, or electrical service shall be provided by means of permanently installed conductors.

10.8.4 Required Grounding.

All exposed non-current-carrying metal parts of mobile homes and all other equipment shall be grounded by means of an approved grounding conductor run with branch circuit conductors and other approved methods of grounded metallic wiring. The neutral conductor shall not be used as an equipment ground for mobile homes or other equipment.

SECTION 10.9: SERVICE BUILDING AND OTHER COMMUNITY SERVICE FACILITIES

10.9.1 Applicability.

The requirements of this Section shall apply to service buildings, recreation buildings and other community service facilities when constructed such as:

- (a) Management offices, repair shops and storage areas;
- (b) Community Laundry facilities;
- (c) Indoor recreation areas;
- (d) Commercial uses supplying essential goods or services for the exclusive use of park occupants.

10.9.2 Structural Requirements for Buildings

- (a) All rooms containing sanitary, or laundry facilities shall:
 - 1. Have sound resistant walls extending to the ceiling between male and female sanitary facilities.
 - 2. Have at least one window or skylight facing directly to the outdoors.
 - 3. Have at least one window which can be easily opened, or a mechanical device which will adequately ventilate the room.
- (b) Toilets shall be located in separate compartments equipped with self-closing doors. Shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.
- (c) Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower and laundry fixture, and cold water shall be furnished to every water closet and urinal.

SECTION 10.10: REFUSE HAULING

- 10.10.1 The storage, collection, and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards or air pollution and shall comply with any State or local law or administrative rules and regulations promulgated thereunder.

SECTION 10.11: INSECT AND RODENT CONTROL

- 10.11.1 Grounds, buildings and structures shall be maintained free of insect rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the Pennsylvania Department of Environmental Protection and Weisenberg Township regulations.

SECTION 10.12: FUEL SUPPLY AND STORAGE

10.12.1 Natural Gas Systems

- (a) Natural gas piping systems when installed in mobile home parks shall conform to the rules and regulations of the American Gas Association.

- (b) Each mobile home lot provided with piped gas shall have an approved shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with a cap to prevent accidental discharge of gas when the outlet is not in use.

10.12.2 Liquefied Petroleum Gas Systems.

Liquefied petroleum gas systems provided for mobile homes, service buildings or other structures when installed shall be maintained in conformity with the rules and regulations of the National Fire Prevention Association Standard NFPA No. 57 and No. 58 as amended.

1. Systems shall be provided with safety devices to relieve excessive pressures and shall be arranged so that the discharge terminates at a safe location.
2. Systems shall have at least one accessible means for shutting off gas. Such means shall be located outside the mobile home and shall be maintained in effective operating condition.
3. All liquefied petroleum gas piping outside of the mobile homes shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas in liquid form shall not be conveyed through piping equipment and systems in mobile homes.
4. Vessels of more than twelve (12) and less than sixty (60) U.S. gallons gross capacity may be installed on a mobile home lot and shall be securely but not permanently fastened to prevent accidental overturning.
5. No liquefied petroleum gas vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure.

10.12.3 Fuel Oil Supply Systems

- (a) All fuel oil supply systems for mobile homes, service buildings and other structures shall be installed and maintained in conformity with the rules and regulations of the National Fire Protection Association Standard NFPA No. 31, as amended.
- (b) All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely, but not permanently, fastened in place.
- (c) All fuel oil supply systems provided for mobile homes, service buildings and other structures shall have shutoff valves located within five (5) inches of storage tanks.

- (d) All fuel storage tanks or cylinders shall be securely placed and shall be not less than five (5) feet from any mobile home exit.
- (e) Storage tanks located in areas subject to traffic shall be protected against physical damage.

SECTION 10.13: FIRE PROTECTION

10.13.1 Litter Control.

Mobile home park areas shall be kept free of litter, rubbish and other flammable materials.

10.13.2 Fire Extinguishers.

Portable fire extinguishers meeting legal requirements shall be kept in public service buildings under park control.

10.13.3 Fire Hydrants

- (a) Fire hydrants shall be installed on the public water distribution system. All fire hydrant thread connections must utilize local fire company standards.
 - 1. The water supply source shall permit the operation of a minimum of two (2) one and one-half (1-1/2) inch hose streams.
 - 2. Each of two nozzles, held four (4) feet above the ground, shall deliver at least seventy-five (75) gallons of water per minute at a flowing pressure of at least thirty (30) pounds per square inch at the highest point of the park, for a period of at least twenty (20) minutes.
- (b) Fire hydrants shall be located within five hundred (500) feet of any mobile home, service building or other structure in the park.

SECTION 10.14: MISCELLANEOUS REQUIREMENTS

10.14.1 Television Antennas.

No exterior television antennas shall be permitted to be constructed or installed or erected on any mobile home within the park.

10.14.2 Mobile Home Hitch and Decorative Skirt.

After a mobile home has been anchored to the mobile home stand, the hitch which is employed for the usual and normal movement of the unit shall be removed, and there shall be placed around the base of the unit a decorative skirt.

10.14.3 Responsibilities of the Park Management

- (a) The person to whom a license for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.
- (b) The park management shall supervise the placement of each mobile home on its mobile home stand which includes securing its stability and installing all utility connections.
- (c) The park management shall give the Board of Supervisors and/or its designee(s) free access to all mobile home lots, service buildings and other community service facilities for the purpose of inspection.
- (d) The management shall maintain a register containing the names of all park occupants and the date of arrival of each mobile home. Such register shall be available to any authorized person inspecting the park.
- (e) The management shall report new park arrivals and departures to the Tax Collector. This report shall be made no less than monthly and on a report form which includes the full names and former and current address of the new arrivals or departures. The management shall report the intended departure of all park residents not less than thirty (30) days prior to such departure date.
- (f) The management shall notify the Pennsylvania Department of Environmental Protection and the Board of Supervisors immediately of any suspected communicable or contagious disease within the park.
- (g) A building permit must be obtained from the Township prior to the installation/placement of any mobile home in a Mobile Home Park.
- (h) The Mobile Home Park management shall advise all residents and proposed residents that a moving permit is required before moving into or out of the Township.
- (i) Before any mobile home is removed from a Mobile Home Park, a permit for such removal must be obtained from the tax collector.

SECTION 10.15: ENFORCEMENT AND REVOCATION

10.15.1 Notice of Violation and Compliance Order.

Whenever the Zoning Officer determines that there has been a violation of any provision of this Article, he shall give notice of such alleged violation to the person to whom the permit or certificate was issued, as provided for in the SALDO and/or MPC and may revoke such certificate or permit and thereafter the

procedure to be followed shall be as established for appeals in the MPC.

10.15.2 Appeal.

The holder of a permit, revoked hereunder, may appeal the revocation as provided in the MPC or as a local agency appeal to the Board of Supervisors and thereafter to a court of competent jurisdiction, as in similar cases, provided the local agency appeal is filed within thirty (30) days after the date of issuance of the order of revocation of the Park permit.

10.15.3 Other Remedies.

In addition to the other enforcement procedures herein provided, the Board of Supervisors may institute in the name of the municipality any appropriate action or proceeding to enforce provisions of this Article or to prevent the violation thereof.

SECTION 10.16: ADMINISTRATION

10.16.1 Administration.

The provisions of this Article shall be administered by the Township Zoning Officer.

10.16.2 Duties

- (a) To review and process applications for mobile home park permits and renewal permits and to collect fees for said applications.
- (b) To issue mobile home park permits and renewal permits, and to collect fees for said permits.
- (c) To keep records of the findings, discussions, recommendations, and actions taken upon or in respect to all mobile home parks.
- (d) To enforce the provisions thereof.

SECTION 10.17: PENALTIES

10.17.1 Enforcement Penalties.

Any person, partnership or corporation, who or which violates the provisions of this Article shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not less than One Hundred (\$100.00) Dollars nor more than Six Hundred (\$600.00) Dollars. In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than thirty (30) days. Each day that a violation is continued shall constitute a separate offense. All fines collected for the violation of this Article of this Ordinance shall be paid over to Weisenberg Township.

SECTION 10.18: PARTIAL INVALIDITY

If any section, subsection, paragraph, sentence, clause or phrase of this Article of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Article of this Ordinance which shall remain in full force and effect; and to this end the provisions of this Article of this Ordinance are hereby declared to be severable.

SECTION 10.19: REPEALER

10.19.1 Section 4.500 of the existing Weisenberg Township SALDO is hereby repealed and all other ordinances or parts of ordinances that are inconsistent herewith, and specifically Weisenberg Township Ordinance No. T1-70 and 72-3, are hereby repealed.

10.19.2 The definition of "MOBILE HOME PARK", "MOBILE HOME LOT" and "MOBILE HOME" as set forth at Section 202 of the Weisenberg Township SALDO are hereby amended so as to be identical to the definition of those terms as set forth as Section 10.1 hereof.

APPENDIX A

SURVEYOR CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN COMPILED FROM A SURVEY ACTUALLY MADE ON THE GROUND, AND THAT TO THE BEST OF MY KNOWLEDGE, IS CORRECT IN ALL ITS DETAIL, THAT MONUMENTS INDICATED HAVE BEEN SET, AND THAT AT THE TIME THE SURVEY WAS MADE THERE WERE NO ENCROACHMENTS ACROSS PROPERTY LINES, OTHER THAN THOSE SHOWN.

(legible impression)
(or seal)

Signature and Date

Address

ENGINEER CERTIFICATION

I, _____ HEREBY CERTIFY THAT THE ACCOMPANYING APPLICATION, PLANS AND SUPPORTING DOCUMENTATION ARE TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE.

(legible impression)
(or seal)

Signature and Date

Address

OWNER'S STATEMENT

I, THE UNDERSIGNED, BEING THE OWNER IN PEACEFUL POSSESSION OF THE LAND HEREIN PLATTED AND BEING THAT THERE ARE NO SUITS PENDING AFFECTING THE TITLE OF THE SAME, DO HEREBY ACKNOWLEDGE AND ENDORSE THE ACCOMPANYING PLANS AND WILL RECORD THIS PLAN IN THE RECORDER OF DEEDS OFFICE OF LEHIGH COUNTY, PENNSYLVANIA, WITHIN NINETY (90) DAYS OF THE SAID APPROVAL.

SIGNATURE OF OWNER

SWORN AND SUBSCRIBED BEFORE ME THIS ____ DAY
OF _____.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

LEHIGH VALLEY PLANNING COMMISSION

REVIEWED BY THE LEHIGH VALLEY PLANNING
COMMISSION.

PLANNER

DATE

PROOF OF RECORDING

PLAN RECORDED IN THE OFFICE OF THE RECORDER OF
DEEDS OF LEHIGH COUNTY, PENNSYLVANIA, IN MAP
BOOK _____, PAGE _____, ON THE _____ DAY OF
_____.

WITNESS: _____
RECORDER OF DEEDS

TOWNSHIP APPROVALS

ON THIS _____ DAY OF _____, THE
WITHIN PLOT OR PLAN OF LAND LOCATED IN
WEISENBERG TOWNSHIP, COUNTY OF LEHIGH, STATE
OF PENNSYLVANIA, WAS REVIEWED BY THE PLANNING
COMMISSION OF WEISENBERG TOWNSHIP.

CHAIRMAN

SECRETARY

ON THIS _____ DAY OF _____, THE
WITHIN PLOT OR PLAN OF LAND LOCATED IN
WEISENBERG TOWNSHIP, COUNTY OF LEHIGH, STATE
OF PENNSYLVANIA, WAS APPROVED BY THE BOARD OF
SUPERVISORS OF WEISENBERG TOWNSHIP.

CHAIRMAN

SECRETARY

OFFER OF DEDICATION

The undersigned owner(s) offer to dedicate to the Township of Weisenberg for public use of ownership all street rights-of-way and all public improvements to be constructed within their limits and within any proposed public open spaces, as shown and/or noted on the official approved final plans. To the extent this offer is accepted, we shall maintain the surface area until the Township shall have constructed or enlarged a public cartway thereupon, at which time said maintenance obligation shall forever cease and terminate as to those specific surface areas over which the cartway had been so constructed or so enlarged.

Date

Signature of Owner

ACCEPTANCE OF DEDICATION PLAN NOTATION

The Board of Supervisors of Weisenberg Township hereby accept the street rights-of-way, and the improvements found within same, indicated hereon for public use.

Chair., Bd. Of Supervisors

Township Secretary

Date

WEISENBERG TOWNSHIP

APPLICATION FOR SUBDIVISION OR LAND DEVELOPMENT

2175 Seipstown Road Fogelsville, PA 18051
(610) 285-6660

FILE # _____

DATE RECEIVED BY TOWNSHIP _____

☐ Minor Subdivision

☐ Sketch Plan

☐ Lot Line Adjustment

☐ Preliminary Plan

Fee's collected _____

☐ Major Subdivision

☐ Preliminary/Final Plan

Meeting Date _____

☐ Land Development

☐ Final Plan

Name of Subdivision or Development: _____

Address(s) of Development: _____

Owner(s) Address
of the Development: _____

Email: _____ Email: _____
Telephone #: () _____ Telephone#: () _____

Engineer or
Surveyor: _____

Email: _____
Telephone #: () _____

Zoning District: _____

Number of Lots: _____

Minimum Lot Size: _____

Water Supply: (Public) _____ (On Lot Well) _____

Sewerage System: (Public) _____ (On Lot Septic) _____

Proposed Use of New Lot(s) _____

Additional Comments: _____

Revised plans submitted prior to the scheduled Planning Commission Meeting will be 50% of submission fee.

NOTE: The record owner shall agree to establish and place sufficient funds in an escrow account to cover any engineering or legal review fees and when said escrow account is reduced to 20% of the original amount to re-establish the escrow account to 110% of the amount of the remaining work within 15 days of notification by the Township.

All Minor Subdivisions and Lot Line Adjustments require a \$2,500.00 escrow account to be established at the time of submission.

All Major Subdivisions 10 lots or less require a \$5,000.00 escrow account to be established at the time of submission.

All Major Subdivisions 11-25 Lots and Land Developments require a \$10,000.00 escrow account to be established at the time of submission. All Major Subdivisions 26-49 Lots require a \$15,000.00 escrow account to be established at the time of submission.

All Major Subdivisions 50 lots and over require a \$25,000.00 escrow account to be established at the time of submission.

Signature of Owner(s) or Applicant _____

REIMBURSEMENT AND ESCROW AGREEMENT
PURSUANT TO SUBDIVISION ORDINANCE,
SECTION 108

In consideration of the Township of Weisenberg processing the attached Subdivision or Land Development application, the record owner(s), expressly consent and agree to pay the fees customarily charged by the Township according to the Township's review fee schedule, currently in effect, and also as a condition to final plan approval, to reimburse the Township for engineering services, and legal fees and other professional services, incurred in the process of the plan, improvements and maintenance agreement and recording costs as well as any other incidental expenses reasonably incurred by the Township respecting this plan.

At the time of application seeking review of any plan submitted, the Applicant shall deposit with the Township funds sufficient to pay legal and engineering review fees. The amount of the deposit shall be determined based upon a schedule of fees on file with the Township and approved by resolution of the Supervisors. The funds shall be placed in an Escrow Account.

At such time as the Escrow Account is reduced to 20% of the initial deposit, the Applicant shall deposit a sufficient sum so that the account is equal to 110% of the estimated remaining review fees as determined by the Engineer and Solicitor.

Any amounts which have been placed in escrow in excess of the amounts hereinabove referred to shall be returned to the individual or entity from which the funds were received within 90 days after final plan approval.

IN WITNESS WHEREOF, the recorded owner(s), intending to be legally bound, hereby set our hands and seal this _____ day of _____, 20____.

If applicant is (are) individual(s)

Witness

Applicant

Witness

Applicant

If applicant is a business entity

ATTEST:

Name of Entity:

Secretary

President / Owner or Authorized Officer

The Township does not issue refunds on application fees for Land Development or Subdivision. Thank you.

APPENDIX B

EFFECT OF GRADE ON STOPPING SIGHT DISTANCE (Wet Conditions)

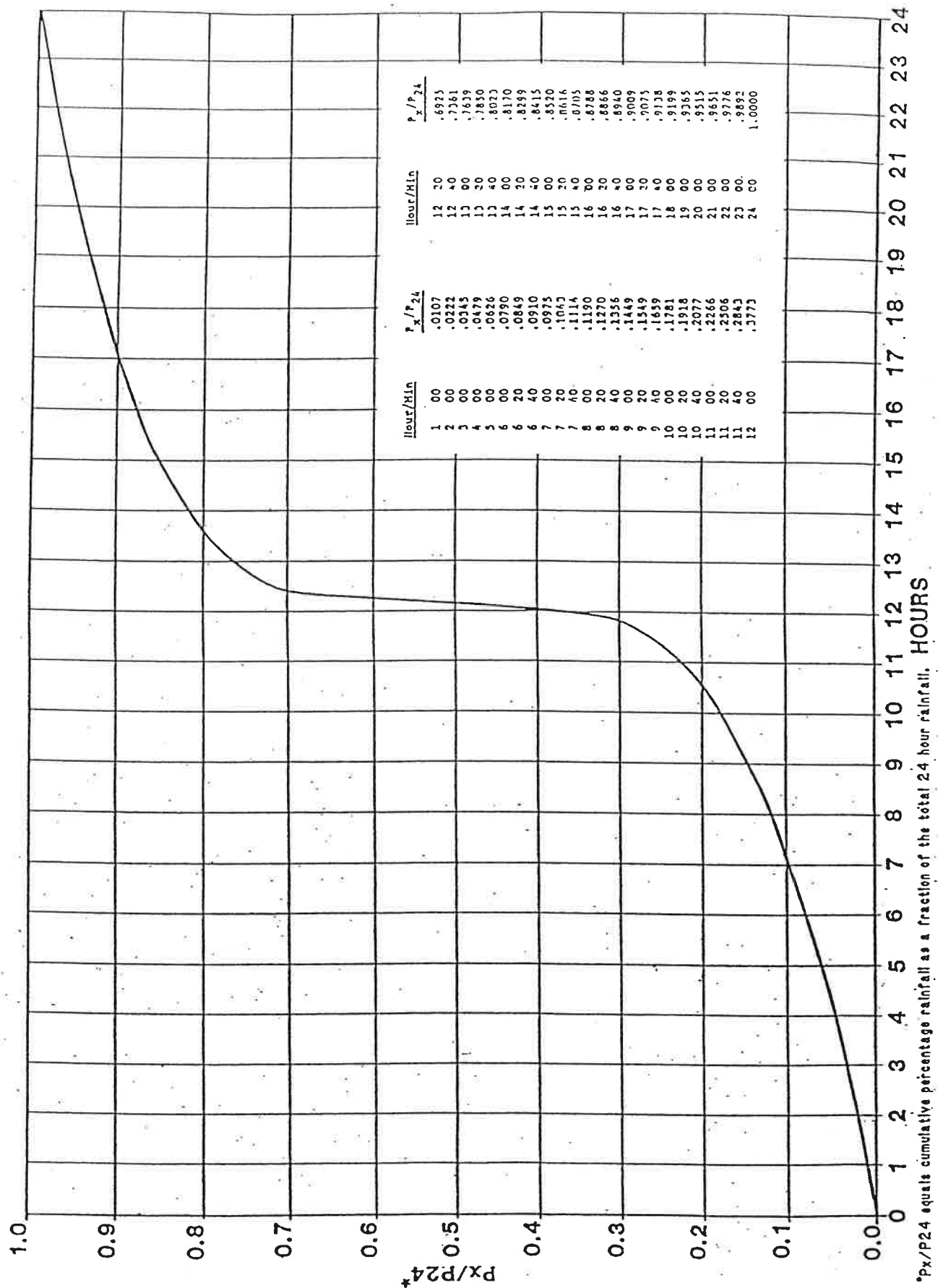
INCREASE FOR DOWNGRADES		DECREASE FOR UPGRADES		
DESIGN SPEED (MPH)	CORRECTIONS IN STOPPING DISTANCE (FT)		ASSUMED SPEED FOR CONDITION (MPH)	CORRECTIONS IN STOPPING DISTANCE (FT)
	3%	6%	9%	
30	10	20	30	28
40	20	40	70	36
50	30	70	—	44
60	50	110	—	52
65	60	130	—	55
70	70	160	—	58

STOPPING SIGHT DISTANCE (Wet Pavements)

DESIGN SPEED (MPH)	ASSUMED SPEED FOR CONDITION (MPH)	BRAKE REACTION		COEFFICIENT OF FRICTION (f)	BRAKING DISTANCE ON LEVEL (FT)	STOPPING SIGHT DISTANCE	
		TIME (SEC)	DISTANCE (FT)			COMPUTED (FT)	ROUNDED FOR DESIGN (FT)
20	20 to 20	2.5	73.3 to 73.3	0.40	33.3 to 33.3	106.7 to 106.7	125 to 125
25	24 to 25	2.5	88.0 to 91.7	0.38	50.5 to 54.8	138.5 to 146.5	150 to 150
30	28 to 30	2.5	102.7 to 110.0	0.35	74.4 to 85.7	177.3 to 195.7	200 to 200
35	32 to 35	2.5	117.3 to 128.3	0.34	100.4 to 120.1	217.7 to 248.4	225 to 250
40	36 to 40	2.5	132.0 to 146.7	0.32	135.0 to 166.7	267.0 to 313.3	275 to 325
45	40 to 45	2.5	146.7 to 165.0	0.31	172.0 to 217.7	318.7 to 382.7	325 to 400
50	44 to 50	2.5	161.3 to 183.3	0.30	215.1 to 277.8	376.4 to 461.1	400 to 475
55	48 to 55	2.5	176.0 to 201.7	0.30	256.0 to 336.1	432.0 to 537.8	450 to 550
60	52 to 60	2.5	190.7 to 220.0	0.29	310.8 to 413.8	501.5 to 633.8	525 to 650
65	55 to 65	2.5	201.7 to 238.3	0.29	347.7 to 485.6	549.4 to 724.0	550 to 725
70	58 to 70	2.5	212.7 to 256.7	0.28	400.5 to 583.3	613.1 to 840.0	625 to 850

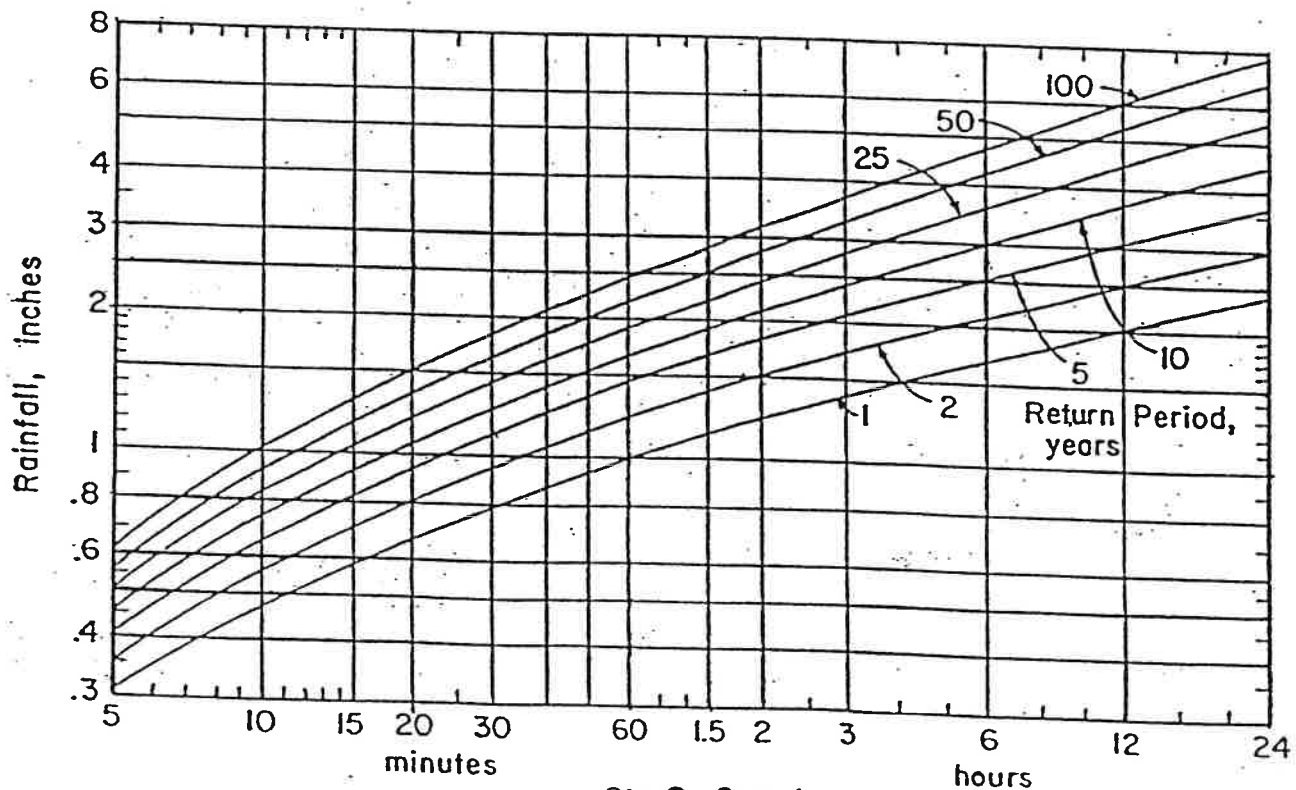
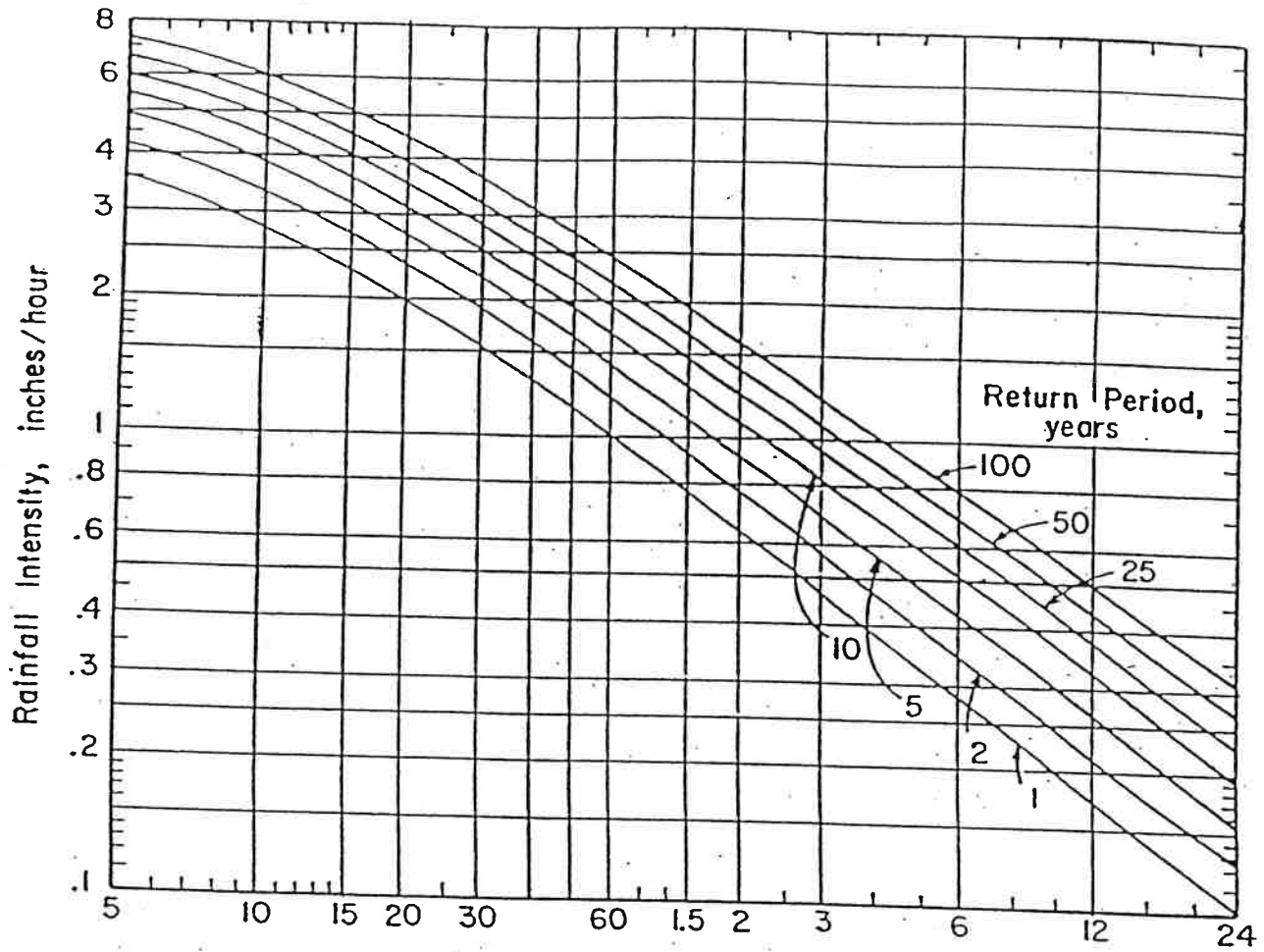
APPENDIX C

NRCS TYPE II RAINFALL DISTRIBUTION



* P_x/P_{24} equals cumulative percentage rainfall as a fraction of the total 24 hour rainfall. HOURS

INTENSITY-DURATION-FREQUENCY CURVES*



Source - Duration

*Source: Pennsylvania Dept. of Transp. Design Rainfall Curves (1986).

RUNOFF CURVE NUMBERS AND PERCENT IMPERVIOUSNESS VALUES*

Cover Description		Curve numbers for hydrologic soil group**			
Land Use/Cover Type	Average percent impervious area	A	B	C	D
Open space (lawns, parks, golf courses, cemeteries, etc.): Good condition (grass cover greater than 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (townhouses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
Woods		30	55	70	77
Agriculture		Refer to Table 2-2b in source document (TR55) by crop type and treatment.			

*Source: Natural Resources Conservation Service Technical Release No. 55, Second Edition, June 1986.

**Hydrologic Soil Group based on the County Soil Survey latest edition.

RUNOFF COEFFICIENTS FOR THE RATIONAL METHOD*

HYDROLOGIC SOIL GROUP AND SLOPE RANGE**

LAND USE	A			B			C			D		
	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+	0-2%	2-6%	6%+
Cultivated ^a	0.18 0.23	0.23 0.29	0.28 0.34	0.24 0.30	0.29 0.36	0.33 0.40	0.30 0.36	0.34 0.41	0.38 0.45	0.33 0.39	0.37 0.44	0.41 0.48
Pasture ^b	0.09 0.12	0.13 0.17	0.17 0.23	0.19 0.24	0.24 0.30	0.29 0.36	0.27 0.33	0.31 0.38	0.36 0.43	0.31 0.37	0.35 0.42	0.39 0.46
Meadow, Lawn ^c	0.05 0.07	0.08 0.12	0.12 0.17	0.15 0.19	0.20 0.25	0.24 0.30	0.23 0.28	0.28 0.34	0.32 0.39	0.28 0.33	0.32 0.39	0.36 0.43
Forest, Woods	0.03 0.04	0.05 0.08	0.08 0.12	0.11 0.15	0.16 0.21	0.20 0.26	0.20 0.25	0.25 0.31	0.29 0.36	0.25 0.31	0.30 0.37	0.34 0.41
Gravel	0.24 0.30	0.29 0.36	0.33 0.40	0.32 0.38	0.36 0.43	0.40 0.47	0.35 0.42	0.39 0.46	0.43 0.50	0.37 0.44	0.41 0.48	0.44 0.51
Parking, Other Impervious	0.72 0.84	0.76 0.88	0.80 0.92	0.72 0.84	0.76 0.88	0.80 0.92	0.72 0.84	0.76 0.88	0.80 0.92	0.72 0.84	0.76 0.88	0.80 0.92
Residential, Commercial, Industrial And Other "Developed"	Runoff coefficients should be calculated based upon weighted average of impervious area coefficients and pervious area coefficients from above based upon soil type, slope and the particular development proposal.											

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

**Hydrologic Soil Group based on the county soil survey latest edition.

a—Runoff coefficients for storm recurrence intervals less than 25 years.

b—Runoff coefficients for storm recurrence intervals of 25 years or more.

^aRepresents average of cultivated land with and without conservation treatment from TR-55, January 1975. These values are consistent with several categories of cultivated lands from TR-55, June 1986.

^bRepresents grasslands in fair condition with 50% to 75% grass cover.

^cRepresents grasslands in good condition with greater than 75% grass cover.

MANNING 'n' VALUES BY TYPICAL REACH DESCRIPTION

<u>Reach Description</u>	<u>Manning 'n'</u>
Natural stream, clean, straight, no rifts or pools	0.030
Natural stream, clean, winding, some pools and shoals	0.040
Natural stream, winding, pools, shoals, stony with some weeds	0.050
Natural stream, sluggish with deep pools and weeds	0.070
Natural stream or swale, very weedy or with timber under brush	0.100
<hr style="border-top: 1px dashed black;"/>	
Concrete pipe, culvert or channel	0.012
Corrugated metal pipe	0.012-0.027*

* Depending upon type and diameter.

ROUGHNESS COEFFICIENTS (MANNING 'n') FOR SHEET FLOW

<u>Surface Description</u>	<u>Manning 'n'¹</u>
Smooth surfaces (concrete, asphalt, gravel, or bare soil)	0.011
Fallow (no residue)	0.050
Cultivated soils:	
Residue cover \leq 20%	0.060
Residue cover $>$ 20%	0.170
Grass:	
Short grass prairie	0.150
Dense grasses ²	0.240
Bermuda grass	0.410
Range (natural)	0.130
Woods: ³	
Light underbrush	0.400
Dense underbrush	0.800

¹The n values are a composite of information compiled by Engman (1986).

²Includes species such as weeping lovegrass, bluegrass, buffalo grass, blue grama grass and native grass mixtures.

³When selecting n, consider cover to a height of about 0.1 ft. this is the only part of the plant cover that will obstruct sheet flow.

PERMISSIBLE VELOCITIES FOR SELECTED CHANNELS

CHANNEL LINING	PERMISSIBLE CHANNEL VELOCITY (FEET PER SECOND)
----------------	---

Vegetation¹

Grass Mixture	4.0	-	5.0
Kentucky Bluegrass	5.0	-	7.0
Kentucky 31 Tall Fescue	3.0	-	6.0
Red Clover or Red Fescue	2.5	-	3.5
Red Top	2.5	-	3.5
Red Canarygrass	3.0	-	4.0
Sericea Lespedeza	2.5	-	3.5
Sudan Grass	2.5	-	3.5
Weeping Lovegrass	2.5	-	3.5

Bare Earth, Easily Eroded²

Fine Sand	1.5
Sand Loam	1.75
Silt Loam or Alluvial Silts, Loose	2.0
Firm Loam	2.50

Bare Earth, Erosion Resistant²

Fine Gravel	2.5
Stiff Clay or Alluvial Silts, Firm	3.75
Loam to Cobbles (Graded)	3.75
Silt to Cobbles (Graded or Course Gravel)	4.0
Cobbles and Stones or Shales and Hardpans	6.0

Rock Lined

6" Rip Rap	9.0
9" Rip Rap	11.5
12" Rip Rap	13.0

¹ Maximum permissible velocities dependent on soil erodibility and slope.

² Maximum permissible velocities in bare earth channels - for straight channels where slopes <0.02 ft./ft.

Source: Department of Environmental Protection, *Erosion and Sediment Pollution Control Program Manual*, April 1990.

APPENDIX D

DYNAMIC WATER RECOVERY RATE AND DRAW DOWN TEST

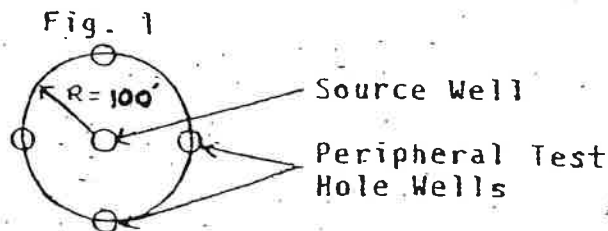
a. Test Required

- (1) Deep well water sources shall be tested to determine the Dynamic Recovery Rate and draw-down. The time duration of said test shall encompass a continuous 72 hour period minimum.
- (2) The proposed new utility or developer shall notify the Township Engineer and the Department of Environmental Resources of the date and time said test is scheduled to start and end by registered or certified mail. Such notification must be received at least seven (7) days prior to starting the test.
- (3) The test results shall be recorded (in triplicate) on the appropriate forms furnished by the Township Engineer and certified as to accuracy of test performance by a registered professional engineer duly licensed in the Commonwealth of Pennsylvania. Such test results shall bear the engineers seal and full signature.

b. Test Procedure

The Dynamic Recovery Rate and drawn-down test shall be conducted as follows:

- (1) a) Requirement For Wells Situated in Water Bearing Slate - Four test hole wells drilled to the same depth as the source well and having a minimum diameter of two (2) inches shall be placed in each of the four quadrants at a distance of 100 feet from said source well in order to determine the area of influence and specific capacity of the source well. (See Fig. 1)



- b) A submersible water pump, capable of variable output, having sufficient capacity to exceed the Dynamic Recovery Rate of the water source shall be employed for said test. It is recommended that the capacity of the source pump be such that draw-down to within 20 feet of the source pump be achieved in a maximum of three (3) hours.
- c) A suitable calibrated water meter capable of measuring the water output in units of gallons or cubic feet shall be connected to the water source pump outlet.
- d) The exact location of the water source pump with respect to the bottom of the well shall be recorded and maintained constant for the duration of the test.
- e) The water source pump shall be operated at maximum capacity and output for the first six (6) hours of the test or until the water level in the source well reaches a point 20 feet above the water source pump. The elapsed time and rate of pumping shall be recorded at 60 minute intervals on the log data sheet form supplied.
- f) Draw-down of the source well in feet shall be recorded at 60 minute intervals as well as the water draw-down of any required peripheral test hole wells on the log data form.

- (2) Reduce the maximum rate of pumping by 10 gallons per minute (GPM) and continue pumping for the next two (2) hours of test or until the water level reaches a point 20 feet above the water source pump. The elapsed time, rate of pumping and draw-down of the source well and, where required, the peripheral test hole wells shall be recorded on the log data forms at 60 minute intervals.
- (3) Continue the above procedure using the two (2) hour time periods or the criteria of water level above the source pump until the conditions are such that the Dynamic Recovery Rate of the water source equals the pumping rate (dynamic equilibrium). The Township Engineer may increase the increment of GPM reduction where on site review of the data warrants such action. Note, as the Dynamic Recovery Rate is approached, the increment of GPM reduction will need to be reduced from 10 GPM to 8 GPM to 5 GPM—to n GPM — 0. At this point, no detectable change in draw-down will occur. If any change in draw-down is detected, either plus or minus, dynamic equilibrium has not been achieved.
- (4) When said Dynamic Recovery Rate is reached, record elapsed time, pumping rate and draw-down on log data sheet and continue pumping at this rate for the remainder of the 72 hour test time or a minimum of 24 hours, whichever is the greater time. Elapsed time, pumping rate and draw-down of the source well, and where required, the peripheral test wells, shall be recorded hourly.
- (5) Measurements of static water level recovery shall be made on the source well and peripheral test hole wells where required on an hourly basis and the data recorded for a minimum time period of 24 hours upon cessation of the Dynamic Recovery Rate test.
- (6) Calculations of Specific Capacity and safe daily yield of the source well shall be submitted to the Township Engineer and appropriate State Agency by the registered professional engineer employed by the Utility or developer for review and analysis.
- (7) Where peripheral test hole wells were required for determining specific capacity of the source well aquifer, such test hole wells shall be abandoned by filling with sand to the level twenty feet into bedrock and filling the remaining distance to the surface with a quick setting grout.

APPENDIX E

**TOWNSHIP OF WEISENBERG
RESOLUTION NO. 11-2**

WHEREAS, the Board of Supervisors adopted a Park, Recreation and Open Space Plan for Weisenberg Township as Resolution 02-08 adopted at a meeting of December 9, 2002; and

WHEREAS, the Plan imposes park and recreation fees upon developers of residential and nonresidential properties; and

WHEREAS, the Supervisors wish to modify the fees;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

Paragraph G is deleted and restated as follows:

**G. OPEN SPACE DEDICATION, PARK AND RECREATION AREAS AND FEES
IN LIEU OF LAND DEDICATION FOR NONRESIDENTIAL
SUBDIVISION/LAND DEVELOPMENT**

Weisenberg Township acknowledges that, while primarily a residential municipality, nonresidential (e.g. commercial, industrial) land uses are also an integral component of the Township Community. It is recognized, however, that industrial and commercial land uses make for intense demands upon the land to have a greater impact upon their surrounding environment than do residential land uses. To offset these effects, this Plan recommends that developers of nonresidential land developments be required to dedicate land to the Township for parks, recreation, open space and/or pay a fee to provide facilities in lieu thereof.

Land to be Dedicated. The land to be dedicated shall be determined by the "Area of Building" on the Subdivision Plan or Land Development Plan. The "Area of Building" is defined as the horizontal area measured around the outside of the foundation walls and of the floor or roof porches and roof terrace inclusive and including the area of accessory buildings, if any. The land to be dedicated shall be equivalent to the "Area of Building".

Fees in Lieu of Land Dedication

The fees in lieu of Land Dedication shall be determined by the Area of the Building. The minimum fee for each dwelling unit shall be \$2,500.00. The amount due shall be calculated as follows:

0-50,000 square feet \$2,500.00 minimum fee, plus if
50,000-200,000 square feet \$.10 (10 cents) per square foot, plus if
over 200,000 square feet \$.05 (5 cents) per square foot

The fee for such nonresidential development shall be paid in full prior to the release of the Subdivision Plan or Land Development Plan for recording.

In all other respects, the Park, Recreation and Open Space Plan for Weisenberg Township is ratified and reaffirmed.

DULY ADOPTED on this 14th day of February, 2011, by the
Board of Supervisors at a public meeting, convened after public notice was given.

Robert G. Mills

Steve Bagnall
Thomas W. W.

Donald O. Brüniger
Secretary