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ARTICLE I

TITLE, SHORT TITLE, AND PURPOSE

Section 101      Title

An ordinance establishing rules, regulations and standards governing the subdivision and development of land within the Township of Hereford, Berks County, Pennsylvania, pursuant to the authority set forth in Article V of the Pennsylvania Municipalities Planning Code, and setting forth procedures to be followed by the Township Planning Commission and the Township Supervisors in applying, administering, and amending these rules, regulations, and standards and prescribing penalties for the violation thereof.

Section 102      Short Title

This Ordinance shall be known, and may be cited as, "The Hereford Township Land Subdivision Regulations of 1971."

Section 103      Purpose

These regulations are adopted to protect, promote and create conditions favorable to the health, safety, morals, and general welfare of the citizens by:

- 103.1      Assuring sites suitable for building purposes and human habitation.
- 103.2      Providing for the harmonious, orderly and efficient development of the Township.
- 103.3      Providing for the coordination of existing streets and highways with proposed streets, parks, and other public facilities.
- 103.4      To provide for adequate open spaces for traffic, recreation, light and air.
- 103.5      Assuring equitable and just processing of subdivision plans by providing uniform

procedures and standards for the observance of both the subdivider and Township officials.

ARTICLE II

SUBMISSION AND REVIEW PROCEDURES

Section 201     General

Hereafter all plans for the subdivision or development of land within the corporate limits of the Township shall be reviewed by the Township Planning Commission and other Township, State or County officials as deemed necessary and shall be approved or disapproved by the Township Supervisors in accordance with procedures specified in these regulations. The provisions and requirements of these regulations shall apply to and control all land subdivisions which have not been recorded in the Office of the Recorder of Deeds in and for Berks County, Commonwealth of Pennsylvania, prior to the effective date of these regulations provided, however, that any change in a recorded plan, except as noted in Article II, Section 210, shall constitute a resubdivision and shall make said plan subject to any and all of these regulations. Any approval not processed as required hereafter, shall be null and void unless it was made prior to the adoption of this Ordinance.

Section 202     Submission of Sketch Plan

- 202.1     Plan to be Filed with Township - Copies of the Sketch Plan for all proposed subdivisions and all required supporting data shall be submitted to the Township Secretary by the subdivider or his representative authorized in writing to submit the plan.
- 202.2     Number of Copies - Five (5) legible black-line or blue-line paper prints of the Sketch Plan shall be required. Plans shall fully comply with requirements of Article III, Section 301 of these regulations.
- 202.3     Distribution of Sketch Plan - The Township Secretary (or his representative)

shall refer the Sketch Plans to the following:

- a. Two (2) copies to the County Planning Commission.
- b. One (1) copy to the Township Planning Commission.
- c. One (1) copy to the Township Supervisors.
- d. One (1) copy to the Township Engineer.

Section 203

Review of Sketch Plan

203.1

A Sketch Plan shall be considered as a submission for informal discussion between the subdivider and the Township. Submission of a Sketch Plan shall not constitute official submission of a plan to the Township.

203.2

Review by the Township Planning Commission

- a. After a Sketch Plan has been submitted, such plan shall be reviewed by the Township Planning Commission at the next scheduled meeting, provided that such submission has occurred no less than seven (7) calendar days prior to the scheduled meeting.
- b. No action shall be taken by the Township Planning Commission with respect to a Sketch Plan until the Township Planning Commission has received a written report of the County Planning Commission, provided, however, that if the County Planning Commission shall fail to report thereon within forty-five (45) days from the date the Sketch Plan was forwarded, then the Township Planning Commission may act without having received and consid-

ered such report. The Township Planning Commission shall render its decision on the Sketch Plan no later than seventy-five (75) days after the filing of the Sketch Plan with the Township.

- c. Within seven (7) calendar days after the meeting at which the Sketch Plan is approved or disapproved by the Township Planning Commission, the Township Planning Commission's Secretary shall send written notice of the Township Planning Commission's action, including changes or modifications, if any, required or recommended that it deems necessary or advisable, to the following:
1. The Township Supervisors.
  2. The County Planning Commission.
  3. The subdivider or his agent.
  4. The Township Engineer.

In addition the Township Planning Commission shall forward to the Township Supervisors a copy of all reports received from the County Planning Commission.

Section 204

Official Submission of Preliminary Plan

204.1

Plan to be filed with Township - Copies of the Preliminary Plan and all required supporting data shall be officially submitted to the Township Secretary by the subdivider or his representative authorized in writing to submit the plan.

204.2

Official Submission of Preliminary Plan shall comprise:

- a. Three (3) completed copies of the Application for Review of Preliminary Subdivision Plan.

- b. Ten (10) legible black-line or blue-line paper prints of the Preliminary Plan which shall fully comply with the requirements of Article III, Section 302 of these regulations. Eleven (11) copies are required if State road abuts or traverses subdivision.
- c. Five (5) completed copies of the Subdivision Sewage Disposal Report whenever soil percolation tests are required.
- d. Four (4) copies of all other required information.

204.3 Filing Fee - The Township Secretary (or his representative) shall collect a filing fee as established by the Township Supervisors for all subdivisions. Fees shall be charged in order to cover the costs of examining plans and other expenses incidental to the approval of subdivisions. The subdivider shall pay the fee at the time of application for approval of a preliminary plan.

204.4 Distribution of Preliminary Plan - The Township Secretary (or his representative) shall refer the Preliminary Plan, after all required fees have been collected, to the following:

- a. One (1) copy to the Township Planning Commission, including one (1) copy of the application form and other required reports.
- b. Five (5) copies of the plan to the County Planning Commission and two (2) copies of all required supporting documents.
- c. Two (2) copies to the Township Supervisors including one (1) copy of the application form and other required reports.



- d. One (1) copy to the Township Engineer.
- e. One (1) copy to the Township Zoning Officer.

Section 205

Review of Preliminary Plan

205.1

Review by the Township Engineer

The Township Engineer shall review the Preliminary Plan to determine its conformance to the Township Subdivision Regulations. The Township Engineer may recommend changes, alterations or modifications, as he may deem necessary. The report of the Township Engineer shall be in writing and shall be submitted to the Township Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Township Planning Commission. The report shall include an estimate of the cost of construction of all improvements as required by this Ordinance.

205.2

Review by the Township Zoning Officer

The Township Zoning Officer shall review the Preliminary Plan to determine its conformance to the Township Zoning Ordinance. The Zoning Officer shall check all zoning data as required to be shown under Article III, Section 302, to determine if information shown is in accordance with latest amendments to the Zoning Ordinance. The report from the Township Zoning Officer as to the accuracy of the information shown shall be submitted to the Township Planning Commission prior to the regularly scheduled or special meeting at which the Preliminary Plan is to be considered by the Planning Commission.

205.3 Review by the Pennsylvania Department of Transportation

If a proposed subdivision abuts or is traversed by a State road, the Township Secretary shall require one (1) additional copy of the Preliminary Plan and shall transmit these to the district office of the Pennsylvania Department of Transportation for its review and comments.

205.4 Review by the Township Planning Commission

- a. When a Preliminary Plan has been officially submitted, such plan shall be reviewed by the Township Planning Commission at its next regularly scheduled meeting, or in the discretion of the Planning Commission, at a special meeting.
- b. No official action shall be taken by the Township Planning Commission with respect to a Preliminary Plan until the Township has received the written report of the County Planning Commission provided, however, that if these reports are not received within forty-five (45) days after transmittal to these agencies, then the Township Planning Commission may officially act without having received and considered such report. In any event, the Township Planning Commission shall take official action not later than seventy-five (75) days after the filing of an application for the approval of the Preliminary Plan with the Township.
- c. During review of the Preliminary Plan, the Township Planning Commission shall consider the written reports of the Township Engineer and the Township Zoning Officer, before making its final decision.

d. If review by the Township Planning Commission is favorable, or unfavorable because the requirements of this Ordinance have not been met, or the Township Planning Commission deems changes or modifications of the plan submitted are advisable or necessary, such decision and the reasons therefore shall be given in written form by the Secretary of the Township Planning Commission within two (2) days after the meeting at which the Preliminary Plan is reviewed to the following:

1. The Township Supervisors.
2. The County Planning Commission.
3. The Subdivider or his Agent.
4. The Township Engineer.

In addition, the Township Planning Commission shall forward to the Township Supervisors copies of all reports received from County Planning Commission, Department of Transportation, Township Zoning Officer and Township Engineer.

205.5

Review by the Township Supervisors

- a. When a Preliminary Plan has been officially referred to the Township Supervisors by the Township Planning Commission together with its recommendation, such Plan shall be reviewed at the next regularly scheduled meeting or at the discretion of the Township Supervisors at a special meeting, which may be held prior thereto.
- b. The Township Supervisors shall review the Preliminary Plan and the written reports and recommendations thereon of the Township Planning

Commission, the County Planning Commission, (if same has been received), the Township Engineer, and by any other officials and official boards of the Township, to determine the Preliminary Plan conformance to the standards contained in these regulations. The Township Supervisors may require or recommend such changes and modifications as they shall deem necessary or advisable in the public interest.

- c. The action of the Township Supervisors either approving or disapproving the Preliminary Plan, shall be noted with the date of such action and the signature of the Chairman on two (2) sets of plans. The findings and reasons upon which the action is based and citing provisions of the statute or ordinance relied upon shall also be stated in the minutes and in writing. Subject to the requirements of subparagraph b., within five (5) days after the meeting at which the Preliminary Plan is reviewed, the Secretary of the Township shall send written notice of the findings, action taken, and reasons thereof to the following:

1. The County Planning Commission.
2. The Subdivider or his Agent.
3. The Township Planning Commission.

One (1) copy of the Plan shall be maintained for the permanent records of the Township, and one (1) copy shall be sent to the subdivider or his agent.

- d. In any event, the Township Supervisors shall render this decision and communicate it to the applicant no

later than ninety (90) days after such application if filed. Failure of the Supervisors to render a decision and communicate it to the applicant within the time and in the manner required, shall be deemed an approval unless the applicant has agreed, in writing, to an extension of time.

- e. Approval of Preliminary Plan shall not constitute acceptance of a subdivision for recording. Approval is only an expression of approval of a general plan to be used in preparing the Final Subdivision Plan for final approval and recording upon fulfillment of all requirements of these regulations.
- f. When a Preliminary Plan has been approved or approved subject to conditions acceptable to the applicant, 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 three (3) years from such approval.

Section 206      Submission of Final Plan

Within six (6) months of Township Supervisors' approval of the Preliminary Plan, a Final Plan shall be officially submitted to the Township. However, an extension of time may be granted by the Township Supervisors upon written request. Final Plans submitted after this expiration of time for which no time extension has been granted may be considered as a new Preliminary Plan. The Final Plan shall conform in all important respects to the Preliminary Plan as previously reviewed by the Township Planning Commission and the Township Supervisors and shall incorporate all modifications required by the Township in its review of the Pre-

liminary Plan.

The Township may permit submission of the Final Plan in sections, each covering a reasonable portion of the entire proposed subdivision as shown on the reviewed Preliminary Plan.

206.1 Plans to be filed with the Township -  
Copies of the Final Plan and all required supporting data shall be officially submitted to the Township Secretary by the subdivider or his representative authorized in writing to submit the plan.

206.2 Official submission of Final Plan shall comprise:

- a. Three (3) completed copies of the Application for Review of Final Subdivision Plan.
- b. Ten (10) legible black-line or blue-line paper prints and one (1) print on linen cloth of the Final Plan which shall fully comply with Article III, Section 303 of these regulations.
- c. Two (2) copies of all other required information including the following, if applicable:
  1. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space which shall bear the certificate of approval of the Township Solicitor as to their legal sufficiency.
  2. Such private deed restrictions, including building reserve lines, as may be imposed upon the property as a condition of sale together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.

Section 206.2 (b) waived  
May 11, 1989 as follows:  
Nine (9) legible blue-line  
paper prints and one (1)  
black-line paper print of  
the Final Plan which shall  
fully comply with Article  
III Section 303 of these  
regulations.

vided.

3. Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Township Planning Commission or Township Supervisors may require the subdivider to submit, and also to record with the plan, a copy of an agreement made with the Township on behalf of his heirs, successors and assigns and approved by the Township Solicitor and which shall establish the conditions under which the street may later be offered for dedication and shall stipulate, among other things, the following:
  - (a) The street shall conform to Township specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Township Engineer, to restore the street to conformance with the Township specifications.
  - (b) An offer to dedicate the street shall be made only for the street as a whole.
  - (c) The method of assessing repair costs be stipulated.
  - (d) Agreement by the owners of sixty percent (60%) of the front footage thereon shall be binding on the owners of the remaining lots.
4. Wherever approval by the Penn-

sylvania Department of Environmental Resources is required for the water supply or sanitary sewage disposal system(s) for a proposed subdivision, the Township Planning Commission shall require that two (2) copies of such certification of approval shall be submitted with the Final Plan.

206.3 Filing Fees - The subdivider shall pay any additional fees, if required. There shall be no refund or credit of any portion of the fee should the subdivider fail to apply for final approval within the required period of time or if the Final Plan covers only a section of the subdivision for which Preliminary Approval has been obtained.

206.4 Distribution of Final Plan - The Final Plan shall be distributed in accordance with the requirements of Article II, Section 204.4 for Preliminary Plan. In addition, the Secretary shall forward the linen print of the Final Plan to the Township Planning Commission.

Section 207 Review of Final Plan

207.1 Review by the Township Engineer

The Final Plan shall be reviewed and a written report submitted as required under Article II, Section 205.1 for Preliminary Plans.

207.2 Review by the Township Zoning Officer

The Final Plan shall be reviewed and a written report submitted by the Township Zoning Officer as required under Article II, Section 205.2 for Preliminary Plans.

207.3 Review by the Township Planning Commission

The Final Plan shall be reviewed, in



accordance with the procedure required under Article II, Section 205.4 of these regulations for Preliminary Plans. In addition:

- a. If all the requirements of this Ordinance are met and the review is favorable, the Planning Commission shall authorize its Chairman, with the secretary so attesting, to endorse the linen copy (Record Plan) "Reviewed and Approved by the Township Planning Commission", together with the date of such action.
- b. The Record Plan with Township Planning Commission's endorsement, shall be forwarded to the Township Supervisors.

207.4

Review by the Township Supervisors

The Final Plan shall be reviewed in accordance with the procedures as required under Article II, Section 205.5 of these regulations for Preliminary Plan. In addition:

- a. Before acting on a Final Plan, the Township Supervisors may, but shall not be required to, hold a public hearing. In the event that the Township Supervisors elect to hold a public hearing, said public hearing may be held by the Township Supervisors before or after the Final Plan has been submitted to the Township and before or after the review required by Section 207.1, 207.2 and 207.3. If a public hearing has been held upon a Preliminary Plan, no public hearing is required unless the Final Plan departs substantially from the Preliminary Plan.
- b. If the Township Supervisors approve the Final Plan, the linen copy shall be signed by the Chairman and the Secretary, together with the date of

action.

- c. A performance guarantee or a certificate of satisfactory installation, as required under Article II, Section 209, shall be required before plans are approved and released for recording.

Section 208      Recording of Final Plan

- 208.1      After approval by Township Supervisors and the Township Planning Commission, and with all endorsements indicated on linen copy, the subdivider shall record his plan. No subdivision plan may be legally recorded unless it bears the Township approval and seal, and an indication that County review has taken plan.
- 208.2      After the Final Plan has been approved by the appropriate Township authorities the County Planning Commission shall receive one (1) reproducible copy of the Final Plan, as approved, for their permanent files and two (2) blue-line prints.
- 208.3      The subdivider shall file the Record Plan with the County Recorder of Deeds within ninety (90) days of the date of final approval by the Township Supervisors. The Recorder's Certificate that the approved plan has been recorded with Deed Book and page numbers indicated shall be submitted to the Township. If the subdivider fails to record within such period, the action of the Township Supervisors and Township Planning Commission shall be null and void unless an extension of time is granted in writing by the Township Supervisors after written request to do so by the subdivider.

Section 209      Performance Guarantee

Prior to final approval of the Final Plan, the subdivider shall guarantee the installation of all required improvements by one of the following methods:

209.1 By installing the improvements required by Article V of these Subdivision Regulations to the satisfaction of the Township Engineer and the Township Supervisors and obtaining a certificate from the Township Engineer that all improvements have been installed in accordance with the standards and requirements contained in these regulations or other requirements of the Township.

209.2 In lieu of completing all of the improvements required, the subdivider may post a performance guarantee in the amount of one hundred twenty percent (120%) of the cost of all improvements required by this Ordinance and as estimated by the Township Engineer for that portion of the subdivision which the subdivider has submitted to the Township for Final Plan approval. The performance guarantee may be either a performance bond with corporate surety, or other security acceptable to the Township Supervisors. Performance guarantees shall be submitted in a form and with a surety approved by the Township Solicitor guaranteeing the construction and installation of all improvements within a stated period which shall not be longer than three (3) years from the date of final subdivision approval.

Upon written application signed by both the obligor and surety of a performance guarantee, in a form approved by the Township Solicitor, the Township Supervisors may, at their discretion, extend said period by not more than three (3) additional years.

The amount of the performance guarantee may be reduced by the Township Supervisors by resolution as and when portions of the required improvements have been installed. In the event of default, the obligor and surety shall be liable thereon to the Township for the cost of the

improvements or parts thereof not installed. Upon receipt of the proceeds thereof, the Township shall install the improvements. If cost of the improvements exceeds the amount of the performance guarantee, then the subdivider shall be liable for the amount in excess which the Township has actually expended for such improvements. In case the amount of the performance guarantee exceeds the actual cost of improvements made, the Township shall return the unused sum to the surety or the person who has paid or deposited the performance guarantee.

Performance guarantees shall not be released except by written permission from the Township Supervisors, and in accordance with the procedures of Section 210.

Section 210 Release of Performance Guarantee

When the Subdivider has completed all of the necessary and appropriate improvements, the developer shall notify the Township Supervisors, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Township Supervisors shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Township Supervisors, and shall promptly mail a copy of the same to the subdivider by certified or registered mail.

The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Township Supervisors; said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Township Supervisors shall notify the subdivider in writing by certified or registered mail of their action.

If the Township Supervisors or the Township Engineer fail to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the developer shall be released from all liability, pursuant to his performance guaranty.

If any portion of the said improvements shall not be approved or shall be rejected by the Township Supervisors, the subdivider shall proceed to complete the same and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

Section 211     Resubdivision Procedure

Any revision, replatting or resubdivision of land which includes changes to a recorded plan shall be considered a subdivision and shall comply with all regulations of this Ordinance, except that:

- 211.1     Lot lines may be changed from those shown on a recorded plan, provided that in making such changes:
- a.     No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by the Township Zoning Ordinance.
  - b.     Easements or rights-of-way reserved for drainage shall not be changed.
  - c.     Street locations and block sizes shall not be changed.
  - d.     No lot shall be created which does not abut an existing or a proposed street.
- 211.2     In every case wherein lot lines are changed as permitted by the above, the subdivider shall prepare a new Record Plan and shall submit the Record Plan to

the Township for the endorsements of the Township Planning Commission and Township Supervisors (the new Record Plan shall specifically identify the previous Record Plan superseded and shall also contain the record reference if the previous Record Plan has been recorded). The subdivider shall then record the new plan in accordance with Article II, Section 208, of this Ordinance.

Section 212      Dedication and Maintenance Guarantee

All streets, parks or other improvements shown on the subdivision plan, recorded or otherwise, shall be deemed to be private until such time as the same has been offered for dedication to the Township and accepted by resolution of Township Supervisors.

Before acceptance of any street, park, or other improvements, the Township Supervisors shall require the subdivider to file a maintenance guarantee in an amount of not less than five percent (5%) of the Township Engineer's estimate of the cost of all improvements required by this Ordinance. Such maintenance guarantee shall be in a form and with a surety approved by the Township Solicitor, guaranteeing that the subdivider shall maintain all improvements in good condition for a period of two (2) years after completion of construction or installation of all improvements.

Section 213      Plans Exempted from Standard Procedures

*Repealed*

In the case of a proposed subdivision where the intent of the subdivider so expressed in writing will create two (2) and only two (2) parcels, lots, or tracts of land of the original tract, and fronting on an existing, improved State or municipal road or street, the Planning Commission may require the subdivider to prepare a Sketch Plan for record, showing the simple subdivision accompanied by the required data set forth in Section 301 and the submission of the results of soil percolation tests as described in these Regulations. Further subdivision from a tract recorded under this Section will require a review of plans in accordance with the provisions of these Regulations.

Section 214 Approval of Sketch or Preliminary Plan  
as a Final Plan

*Repealed*

In case a Sketch Plan or a Preliminary Plan as submitted contains all of the data and information required under these regulations for a Final Plan and meets all of the requirements for a Final Plan, the Planning Commission may review and consider such Sketch Plan or Preliminary Plan as a Final Plan and approve the same as a Final Plan.

ARTICLE III

PLAN REQUIREMENTS

Section 301     Sketch Plan

- 301.1     The Sketch Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one (1) inch equals fifty (50) feet, except that:
- a.     If the average size of the proposed lots in the subdivision is five (5) acres or larger, the plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet.
  - b.     If the subdivision proposes lots with an average frontage of less than fifty (50) feet, the plan shall be drawn to a scale of one (1) inch equals twenty (20) feet.
  - c.     If the subdivision contains more than two hundred (200) acres, the plan shall be drawn to a scale of one (1) inch equals two hundred (200) feet.
- 301.2     Sketch Plan and all submitted prints thereof shall be made on sheets either:
- a.     Eighteen (18) inches by twenty-four (24) inches, or
  - b.     Twenty-four (24) inches by thirty-six (36) inches, or
  - c.     Thirty-six (36) inches by forty-eight (48) inches.
- 301.3     If the Sketch Plan requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.



- 301.4 The Sketch Plan shall contain at least the following information but not necessarily showing precise dimensions:
- a. Tract boundaries accurately labeled.
  - b. Name of the municipality in which the subdivision is located.
  - c. North point, scale (written and graphic) and date.
  - d. Name of proposed subdivision or other identifying title.
  - e. Significant topographical and physical features.
  - f. Proposed general street and lot layout.
  - g. A location map with sufficient information to enable the location of property.

Section 302

Preliminary Plan

302.1 The Preliminary Plan shall include all information as required for Sketch Plan under Article III, Section 301, in these regulations and shall be drawn to the same scales and presented on the same sheet sizes as required for the Sketch Plan. In addition, the following information shall be shown:

- a. Date, including the month, day, and year that the Preliminary Plan was completed and the month, day, and year that the Preliminary Plan was revised, for each revision.
- b. Name of recorded owner and subdivider.
- c. Name, address, license number, and seal of the registered engineer, architect, landscape architect or surveyor responsible for the subdivi-

vision plan.

- d. Names of all owners of all abutting unplatted land and the names of all abutting subdivisions, if any, with the book and page number where recorded.
- e. A key map for the purpose of locating the property being subdivided drawn at a scale not less than one (1) inch equals one hundred (100) feet or less and showing the relation of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries, zoning districts, water courses, and any areas subject to flooding, and recorded subdivision plans existing within one thousand (1,000) feet of any part of the property.
- f. Total tract boundaries of the property being subdivided showing bearings and distances and a statement of total acreage of the property.
- g. Zoning data including all of the following if applicable:
  - 1. Existing Township zoning regulations, including district designations, requirements for lot sizes and front yards, and any zoning district boundary lines traversing the proposed subdivision.
  - 2. Any changes in the existing zoning to be requested by the subdivider.
  - 3. Any Township regulations other than zoning governing lot size and/or front yard requirements.
- h. Contour lines at vertical intervals

of at least two (2) feet for land with average natural slope of four percent (4%) or less, and at intervals of at least five (5) feet for land with average natural slope exceeding four percent (4%).

- i. Locations and elevation of the data to which contour elevations refer shall be the closest USC & G established bench mark, or an established bench mark approved by the Township Engineer.
- j. All existing sewer lines, water lines, fire hydrants, electric and telephone utility lines, culverts, bridges, railroads, quarries, strip mines, water courses, flood plain areas, and other significant man-made or natural features within the proposed subdivision and fifty (50) feet beyond the boundaries of the proposed subdivision.
- k. All existing buildings or other structures and the approximate location of all existing tree masses, and all other trees over 1-1/2 inches in caliper, rock outcrops, water courses within the proposed subdivision or other significant features.
- l. All existing streets on the Official Plan or Plans of the Township (including unpaved streets), including streets of record (recorded but not constructed) easements and right-of-way, including names, right-of-way widths, cartway (pavement) widths and approximate grades within and adjoining the subdivision.
- m. The full plan of proposed development, including:
  1. Location and width of all

streets, easements, and rights-of-way, with a statement of any conditions governing their use, and suggested types, i.e. collector, major, minor, etc.

2. Suggested street names and utility easement locations.
  3. Building reserve (setback) lines along each street.
  4. Lot lines with approximate dimensions.
  5. Lot numbers and statement of number of lots and parcels.
  6. A statement of the intended use of all non-residential lots and parcels.
  7. Sanitary and/or storm sewers (and other drainage facilities) with the size and material of each indicated, and any proposed connections with existing facilities.
  8. Parks, playgrounds, and other areas proposed to be dedicated or reserved for public use with any conditions governing such use.
- n. Location of all required soil percolation test holes, if required.
- o. If the subdivision is located adjacent to, or in whole or in part in a flood hazard area, the subdivider shall submit with the Preliminary Plan the following:
1. Cross-sections showing the stream channel, the projected high water level of the 100 year storm, the elevation of

the land on either side of the stream, and the areas proposed for occupancy by structure, if any. One such cross-section shall be submitted for every one thousand feet (1,000') of stream profile, with not less than three such cross-sections being submitted for each subdivision.

2. Contours at two foot (2') intervals, soil types, land use, and vegetation upstream and downstream from the subdivision.
3. A profile showing the slope of the stream channel or flow line and extending one thousand feet (1,000') upstream and downstream from the subdivision site.

302.2 The Preliminary Plan shall be accompanied by the following supplementary data as applicable:

- a. Typical street cross-section drawing(s) for all proposed streets. Cross-section drawings may be shown on either the Preliminary Plan or on separate profile sheets.

Tentative profiles along the top of cartway (pavement) edge or along the top of curb for both sides of each proposed street shall be shown. Such profiles shall show existing and proposed grades at one of the following sets of scales:

1. One (1) inch equals ten (10) feet horizontal, and one (1) inch equals one (1) foot vertical.
2. One (1) inch equals twenty (20) feet horizontal, and one (1)

inch equals two (2) feet vertical.

3. One (1) inch equals forty (40) feet horizontal, and one (1) inch equals four (4) feet vertical.
  4. One (1) inch equals fifty (50) feet horizontal, and one (1) inch equals five (5) feet vertical.
- b. In lieu of the separate profile sheets, the tentative finished cartway (pavement) edge or top of curb grades for both sides of each street may be labeled on the Preliminary Plan.
  - c. Where deemed necessary by the Township Planning Commission or the Township Supervisors, a plan for the surface drainage of the tract to be subdivided shall be shown. Such plan shall include storm water run-off calculations for the entire property being subdivided and shall show the proposed method, subject to Township approval, of accommodating the anticipated run-off.
  - d. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Water and Power Resources Board and/or the Pennsylvania Department of Transportation. Calculations for water-way opening shall be included. All designs shall be subject to approval by the Township.
  - e. Where a Preliminary Plan shows the proposed subdivision of only a part of the subdivider's total property, a sketch shall be required showing the prospective street system in the remainder of the property so that

the street system in the submitted portion shall be considered in relation to future connections with the unsubmitted portion. To prevent undue hardship in the case of extremely large properties, the Township Planning Commission may, based on existing natural or man-made features, delimit the area for which a prospective street system shall be sketched.

Section 303

Final Plan

303.1

The Final Plan shall be of a size drawn to scale, and show all information as required for Preliminary Plans under Article III, Section 302 in these Regulations. In addition, the Final Plan shall show the following:

- a. Name of the recorded owner (and subdivider) of the tract, and the source(s) of title to the land being subdivided, as shown by the records of the County Recorder of Deeds.
- b. The total tract boundary lines of the area being subdivided with accurate distances to hundredths of a foot and bearings to one-quarter (1/4) of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one (1) foot in ten-thousand (10,000) feet; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location and elevation of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In

addition, the engineer or surveyor shall certify, using the form specified in the Appendix, to the accuracy of the survey, the drawn plan, and the placement of the monuments.

- c. The name (or number) and cartway width and lines of all existing public streets and the name and location of all other roads within the property.
- d. The following data shall be shown for the cartway edges and right-of-way lines and, if required, the ultimate right-of-way, for all existing, recorded (except those to be vacated), and/or proposed streets within or abutting the property to be subdivided: The length and width (in feet to the nearest hundredth of a foot) of all straight lines and of the radii and of the arc (or cord) of all curved lines. The length of all arcs (in feet, to the nearest hundredth of a foot) and the central angle in degrees, minutes and seconds.
- e. All straight lot lines shall be dimensioned (in feet, to the nearest hundredth of a foot) and all internal angles within lot lines shall be designated (in degrees, minutes and seconds). Curved lot lines shall show length of arc (in feet, to the nearest hundredth of a foot) and the central angle (in degrees, minutes and seconds).
- f. A statement of the intended use of all non-residential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if covenants are recorded, including the book and page number.



- g. The proposed building reserve (set-back) line for each lot, or the proposed placement of each building.
- h. The location (and elevation, if established) of all existing and proposed required street monuments.
- i. All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plan, and easements shall either be shown or specifically described on the plan. Easements should be located in cooperation with the appropriate public utilities.
- j. Locations, size and invert elevations of all sanitary and/or storm sewers and location of all manholes, inlets and culverts (this data may be submitted as a separate plan).
- k. If the subdivision proposes a new street intersection with a State Legislative Route, the intersection Occupancy Permit number(s) shall be indicated for all such intersections.
- l. A clear sight triangle shall be clearly shown for all street intersections.
- m. A Certification of Ownership, Acknowledgement of Plan and Offer of Dedication shall be lettered on the plan, using the form in the Appendix, and shall be duly acknowledged and signed by the owner(s) of the property, and notarized.
- n. A certificate for approval of the Plan by the Township Supervisors and by the Township Planning Commission

shall be lettered on the plan, using the form in the Appendix.

- o. A blank space measuring three and one-half (3-1/2) inches square shall be left, preferably adjacent to the Township certification, in which the endorsement stamp of the County Planning Commission may be applied.
- p. A blank space measuring three (3) inches square shall be left along the lower edge of the sheet, in order that the Recorder of Deeds may acknowledge receipt of the Plan when it is presented.

303.2

The Final Plan shall be accompanied by such applicable supplementary data as is required in Article III, Section 302.2 in addition to profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, properly labeled:

- a. Existing (natural) profiles along the centerline of each street and if slope within cartway area exceeds five (5) percent, along both cartway edges.
- b. Proposed finished grade of the centerline, and proposed finished grades at the top of both curbs, or proposed finished grade at both cartway pavement edges.
- c. The length of all vertical curves.
- d. Existing and proposed sanitary sewer mains and manholes, storm sewer mains, inlets, manholes, and culverts and existing or proposed water mains.

ARTICLE IV

DESIGN STANDARDS

Section 401      Application and General Standards

- 401.1      The standards and requirements contained in Article IV and V are intended as the minimum for the promotion of the public health, safety, and general welfare, and shall be applied as such by the Township Planning Commission and Township Supervisors in reviewing all subdivision plans.
- 401.2      Whenever other Township Ordinances and/or regulations impose more restrictive standards and requirements than those contained herein, such other ordinances and/or regulations shall be observed, otherwise, the standards and requirements of these regulations shall apply.
- 401.3      The standards and requirements of these regulations may be modified by the Township Supervisors in the case of complete communities, neighborhood units or other large scale developments which, upon the recommendation of the Township Planning Commission, where such modifications achieve substantially the objectives of these regulations and which are further protected by such covenants or other legal provisions as will assure conformity to and achievement of the subdivision plan.
- 401.4      Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, or other causes, shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plan shall show adequate safeguards against them, which shall be approved by the appropriate regulatory agencies.

401.5 Subdivision plans shall give due recognition to the "Official Plans" of the Township and of the County or to such parts thereof as may have been adopted pursuant to statute.

Section 402 Streets

402.1 General Standards

- a. The location and width of all streets shall conform to the "Official Plans" or to such parts thereof as may have been adopted by the Township Planning Commission and/or the Township Supervisors.
- b. The proposed street system shall extend existing or proposed streets on the "Official Plans" at the same width or larger but in no case at less than the required minimum width in Section 402.3.
- c. Where, in the opinion of the Township Planning Commission, it is desirable to provide for street access to adjoining property, street stubs shall be extended by dedication to the boundary of such property.
- d. New minor streets shall be so designed as to discourage through traffic, but the subdivider shall give adequate consideration to provision for the extension and continuation of major and collector streets into and from adjoining properties.
- e. Where a subdivision abuts or contains an existing street of improper width or alignment, the Township Planning Commission may require the dedication of land sufficient to widen the street or correct the alignment.

- f. Private streets (streets not to be offered for dedication) are prohibited unless they meet the design standards of these regulations.

402.2 Partial and Half Streets

New half or partial streets shall be prohibited except where essential to reasonable subdivision of a tract in conformance with the other requirements and standards of these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be obtained. Subdivider shall provide the entire required cartway width within his property.

402.3 Street Widths

Minimum street right-of-way and pavement widths shall be as shown on the "Official Plans" or if not shown on such plans, shall be as follows:

<u>Street Type</u>	<u>Required Widths (in feet)</u>
Minor Street	
Right-of-way	53
Cartway	33
Collector Street	
Right-of-way	60
Cartway	36
Major Street	
Right-of-way	See Note (a)
Cartway	See Note (a)
Permanent Cul-de-Sac Street	
Right-of-way	See Paragraph 402.10
Cartway	See Paragraph 402.10
Marginal Access Street	
Right-of-way	See Note (b)

Cartway	26
Service Street	
Right-of-way	24
Cartway	24

- Notes:
- (a) As specified in the "Official Plans", or as determined after consulting with the Township, the County Planning Commission and the Pennsylvania Department of Transportation.
  - (b) Variable, depending on the width of the adjacent right-of-way, but not less than thirty-three (33) feet.

Additional right-of-way and pavement widths may be required by the Township Planning Commission or Township Supervisors for the purpose of promoting the public safety and convenience or to provide parking in commercial and industrial areas and in areas of high density residential development.

402.4

Restriction of Access

- a. Whenever a subdivision abuts or contains an existing or proposed street with an ultimate right-of-way of eighty (80) feet or more, or contains or abuts the following existing or proposed collector streets: LR06140, LR06157, LR06014, LR06119, or T914, or streets, existing or proposed, which meet the requirements according to the Township Planning Commission to function as a collector street, or proposed collector streets as designated in the Comprehensive Plan of Hereford Township, the Township Planning Commission or Township Supervisors may require restriction of access to said unit by:
  - 1. Provision of reverse frontage lots.

2. Provision of service streets along the rear of the abutting lots, together with prohibition of private driveways intersecting the major streets.
  3. Provision of marginal access streets, provided that the reserve strips establishing such marginal access streets shall be definitely placed within the jurisdiction of the Township under an agreement meeting the approval of the Township.
- b. Except as specified under Paragraph 3 above, reserve strips shall be prohibited.

402.5 Street Grades

- a. There shall be a minimum centerline grade of three-quarters percent (3/4%).
- b. Centerline grades shall not exceed the following:
  1. Minor Street - eight percent (8%).
  2. Collector Street - six percent (6%).
  3. Major Street - five percent (5%).
  4. Street Intersection - three percent (3%).
- c. Grades up to twelve percent (12%) may be permitted on a through Minor Street where access to the street is possible over streets with grades of ten percent (10%) or less.

402.6 Horizontal Curves

- a. Whenever street lines are deflected in excess of five (5) degrees, connection shall be made by horizontal curves.
- b. To ensure adequate sight distance, minimum centerline radii for horizontal curves shall be as follows:
  1. Minor Streets - one hundred fifty (150) feet.
  2. Collector Streets - three hundred (300) feet.
  3. Major Streets - Five Hundred (500) feet.
- c. A tangent of at least one hundred (100) feet shall be introduced between all horizontal curves on collector and major streets.
- d. To the greatest extent possible, combinations of the minimum radius and maximum grade shall be avoided.

402.7 Vertical Curves

At all changes of street grades where the algebraic difference exceeds one percent (1%), vertical curves shall be provided to permit the following minimum sight distances:

- a. Minor Streets - two hundred (200) feet.
- b. Collector Streets - three hundred (300) feet.
- c. Major Streets - four hundred (400) feet.

402.8 Intersections

- a. Streets shall intersect as nearly as