MILLER TOWNSHIP
SUBDIVISION
AND
LAND DEVELOPMENT
ORDINANCE

Recommended by the Miller Township Planning Commission: _____

Adopted by the Miller Township Board of Supervisors: _____

INTRODUCTION

These regulations have been adopted by the Miller Township Board of Supervisors for the primary purpose of encouraging the best development of the Township. This ordinance, and regulations contained herein, have been enacted in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" of 1968, Act No. 247, as reenacted and amended.

In adopting this ordinance, the Miller Township Board of Supervisors has designated the Miller Township Planning Commission as the local reviewing entity. The Commission has been authorized to review plans and make recommendations to the Board of Supervisors for the administration of the regulations established.

Prior to the enactment of this ordinance, the Miller Township Board of Supervisors had administered subdivision and land development regulations under the preceding ordinance. The original date of these regulations was March 27, 2002.

The Miller Township Board of Supervisors believes the ideal way to encourage the best development of the Township is to cooperate to the utmost with municipal officials from each of the six surrounding municipalities.

The Miller Township Board of Supervisors and the Miller Township Planning Commission are committed to working as closely and cooperatively as possible with landowners, developers and subdividers of land within the county. This extends to include whoever owns or controls land intended for subdivision or land development.

Owners or developers who anticipate land development or subdividing land into two or more lots, tracts, or parcels in Perry County should become familiar with these regulations. They were prepared in order to provide clear-cut procedures for the preparation, submission, and/or approval of subdivision and land development plans. These regulations include a description of (1) a pre-application (sketch) plan, (2) the preliminary plan, and (3) the final plan, together with design and improvement requirements.

Applicants may come to the Perry County Planning Commission's office with a pre-application plan (sketch plan) of the land they propose to subdivide or develop before preparing and submitting preliminary plans. Thus, the applicant could secure advice at the time it would be most valuable.

Lot size in a subdivision is one of the first decisions to be made. It influences street design, community facilities required, and so forth. In those subdivisions and land development plans that will have on-lot sewage disposal systems, percolation tests, and soil analysis of the tract should be the first step, before preparing the preliminary plan. Lot size should be determined on the basis of percolation tests as required by the regulations.

The preliminary plan is the stage when ideas and plans are developed. It requires the coordinated efforts of many agencies, utility companies, and public officials.

The final plan is the detailed official document, to be recorded in the County Recorder of Deeds Office, and is the basis for the construction and improvements placed on the tract.

Construction is the object of the plans and it is here that the benefits of planning and subdivision and land development regulations are judged. It is important that all required improvements be either installed or guaranteed. These improvements should not be a burden on the citizens of Miller Township, and the purchasers are entitled to the improvements for which they are paying. Good planning and good construction results in a safer and more healthful community, one which is not a liability but an asset.

While these subdivision and land development regulations are minimums, we believe that they will eliminate undesirable practices now used to the disadvantage of the average homebuyer and of many reputable developers as well.

On and after the effective date of this ordinance, plans in Miller Township cannot be recorded in the Perry County Recorder of Deeds office unless they have been approved by the Miller Township Board of Supervisors.

In the future, amendments to this ordinance will be necessary, and when such amendments are made, the Miller Township Board of Supervisors will send copies to each of the Township's surrounding municipalities and the County Planning Commission. Copies of such amendments will also be available at the Township's office and the Perry County Law Library.

MILLER TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE

For additional information either write or call the Perry County Planning Commission

Address: 554 Old Limekiln Lane, Newport, PA 17074

Telephone Number: (717) 567-9730

CERTIFICATION:

I certify this ordinance is a true and correct copy of the Miller Township Subdivision and Land Development Ordinance enacted by the Miller Township Board of Supervisors on _____.

_____
Joyce Stultz
Secretary

MILLER TOWNSHIP

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

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ORDINANCE NO. ____

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND AND LAND DEVELOPMENT WITHIN MILLER TOWNSHIP, PERRY COUNTY, PENNSYLVANIA; PROVIDING FOR THE PREPARATION AND PROCESSING OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSES; REQUIRING CERTAIN IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE APPLICANT; REGULATING THE LAYOUT AND SALE OF LOTS; ERECTION OF BUILDINGS, LAYING OUT, CONSTRUCTION, OPENING AND DEDICATION OF STREETS, STORM AND SANITARY SEWERS, AND OTHER PUBLIC IMPROVEMENTS IN CONNECTION WITH SUBDIVISION AND LAND DEVELOPMENT; AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

THE TOWNSHIP BOARD OF SUPERVISORS OF MILLER TOWNSHIP, PERRY COUNTY, PENNSYLVANIA, PURSUANT TO THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247, ARTICLE V, AS REENACTED AND AMENDED, DOES ENACT AND ORDAIN:

PART 1

SHORT TITLE

Section 101. SHORT TITLE

This Ordinance shall be known and may be cited as "The Miller Township Subdivision and Land Development Ordinance."

PART 2

PURPOSE, AUTHORITY, APPLICATION, AND INTERPRETATION

Section 201. PURPOSE

This Ordinance has been designed and adopted to provide uniform standards and procedures for the regulation of subdivision and land development within Miller Township, Perry County, Pennsylvania. The purpose of such regulations is to provide for:

1. Harmonious development of the Township.

2. The orderly and efficient integration of subdivisions within Miller Township.

3. Conformance of subdivision and land development plans with public improvements plans.

4. The protection of water resources and drainageways.

5. Sites suitable for building purposes and human habitation.

6. Proposed streets and other proposed public improvements.

7. Adequate easements and rights-of-way are provided for drainage facilities, public utilities, streets, and other public improvements.

8. Coordination of intra, and inter-municipal public improvement plans and programs.

9. The efficient and orderly extension of community facilities and services at minimum cost and maximum convenience.

10. The subdivision and land development of land within any flood hazard area or floodplain district in order to promote the health, safety and welfare of the citizens of the Township.

11. Each lot in flood prone areas includes a safe building site with adequate access, and that public facilities which serve such uses be designed and installed to minimize flood damage.

12. Assuring that reservations, if any, by the developer of any area designated for use as public grounds shall be suitable in size and location for their designated uses.

13. The future growth and development of Miller Township in accordance with the adopted comprehensive plan.

14. Documents prepared as part of a land ownership transfer fully and accurately describe the parcel of land being subdivided and the new parcel(s) thus created.

15. The greater health, safety, convenience, and welfare to the citizens of Miller Township.

16. The efficient movement of traffic.

17. The equitable handling of all subdivision and land development plans by providing uniform standards and procedures.

18. Ensuring coordination of inter-municipal public improvement plans.

Section 202. AUTHORITY

1. AUTHORITY AND JURISDICTION OF THE BOARD OF SUPERVISORS

   a. The Miller Township Subdivision and Land Development Ordinance has been enacted by the Miller Township Board of Supervisors in accordance with the provisions of the "Pennsylvania Municipalities Planning Code" Act 247 of 1968, as reenacted and amended.

   b. Preliminary and final subdivision and land development plat applications within Miller Township shall also be forwarded to the Perry County Planning Commission with the appropriate application, and review fee. The Miller Township Board of Supervisors shall not approve such applications until the municipal review report is received, or until the expiration of thirty (30) days from the date the application was forwarded to the County Planning Commission, whichever shall first occur. As evidence of the Board's approval, the Board's Chairman and Secretary will sign preliminary and final plats, which have been formally approved by the Board before such plats are presented for recording.

   c. The Chairman and Secretary of the Miller Township Board of Supervisors will sign the final plats prepared for recording, indicating the plat was approved.

2. AUTHORITY AND JURISDICTION OF THE MILLER TOWNSHIP PLANNING COMMISSION

   a. The Board of Supervisors hereby designates the Miller Township Planning Commission as the agency to which all subdivision and land development plans must be submitted for review and recommendations as required by this ordinance.

   b. The Miller Township Planning Commission shall have the authority to review all preliminary and final subdivision or land development plat applications as required herein.

c. The Miller Township Planning Commission Chairman and Secretary will sign the final plats prepared for recording, indicating the plat was reviewed.

Section 203. APPLICATION OF REGULATIONS

1. No subdivision or land development of any lot, tract, or parcel of land located in Miller Township, Perry County, Pennsylvania under the jurisdiction of this Ordinance shall be effected; no street, sanitary sewer, storm sewer, water main, or other facilities in connection therewith shall be laid out, constructed, opened or dedicated for public use or travel, or for the common use of occupants of buildings thereon unless and until a final subdivision or land development plat has been approved by the appropriate governing body and publicly recorded in the manner prescribed herein; nor otherwise in strict accordance with the provisions of this Ordinance.

2. No lot in a subdivision may be sold; no permit to erect or alter any building upon land in a subdivision or land development may be issued; and no building may be erected or altered in a subdivision or land development, unless and until a final subdivision or land development plat has been approved by the appropriate governing body and recorded, and until the improvements required in connection therewith have been either constructed or guaranteed in a manner prescribed herein.

3. Unit or condominium subdivision of real property is included within the meaning of subdivision and land development as defined herein, and must comply with these regulations. Such compliance shall include, but not be limited to, the filing of preliminary and final plats, payment of established fees and charges, location of each structure and clear definition of each unit, public easements, common areas, improvements, and all easements appurtenant to each unit.

4. All subdivision and land development plats are subject to all applicable zoning regulations, where the municipal zoning provisions will be given precedence if contradictory to provisions in this Ordinance.

Section 204. INTERPRETATION

When interpreting and applying the provisions of this Ordinance, said provisions shall be held to the minimum requirements for the promotion of public health, safety, comfort, convenience, and greater welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, restriction, or regulation (ex. state enabling statutes, local zoning, or building codes, etc.), the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance, or regulation adopted by the Miller Township Board of Supervisors impose greater restrictions than those of this ordinance, the provisions of such statute, ordinance, or regulation shall prevail.

PART 3

DEFINITIONS

Section 301. LANGUAGE INTERPRETATION

Unless otherwise expressly stated, the following words shall for the purposes of this Ordinance have the meaning herein indicated. Words expressed in the plural include their singular meanings; the present tense shall include the future; words used in the masculine gender shall include the feminine and the neuter; the words "shall", "must", and "will" are mandatory; the words "should" and "may" are permissive. For those words utilized in this Ordinance not defined herein the definitions found in the most recent edition of Webster's Unabridged Dictionary apply.

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

ABUT OR ABBUTTING: A building(s) which physically touch; Areas of contiguous lots that share a common lot line, not including lots entirely separated by a street, public alley open to traffic or a perennial waterway.

ACCESS DRIVE: A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

ACCESSORY BUILDING: A building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use or the main building and located on the same lot with such principal use or main building.

ACCELERATED EROSION: The removal of the surface of the land through the combined action of human activity and the natural processes at a rate greater than would occur because of the natural process alone.

ACRE: A measure of land area containing 43,560 square feet.

ADDITION: Any construction which increases the size of a building, such as a porch, attached garage or carport, or a new room or wing.

ADJOINING LOT OR LAND: A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land. (See Abut)

AGENT: Any person other than the applicant who, acting on the landowner(s) authorized behalf, submits a subdivision or land development application.

AGRICULTURE: The use of land which shall include, but not be limited to, the tilling of the soil, the raising of crops, horticulture, apiculture, floriculture, vitaculture and gardening. The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products: livestock, including beef cattle, sheep, swine horses ponies, mules, or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals: bees and apiary products; fur animals; trees and forest products: fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program. (See Horticulture)

AGRICULTURAL OPERATION: An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquaculture crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products, or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

ALLEY: A public or private right-of-way other than a side street which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

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

ALTERATIONS, STRUCTURAL: Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

AMENDMENT: An official change to this ordinance in accordance with Section 505 of the PA MPC.

APARTMENT: A structure containing three or more dwelling units.

APPLICANT (Also see DEVELOPER and SUBDIVIDER): A landowner or developer, as hereinafter defined, who has filed an application for the subdivision or development of a tract of land, 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 a building permit, for the approval of a subdivision plat, or for approval of a land development plan.

AREA, BUFFER: See BUFFER AREA.

AREA, BUILDING: The total of area, in square feet, of all floors, excluding basement, of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

AREA, GROSS: The total lot area, including public right-of-way.

AREA, NET: The total lot area, less public right-of-way.

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

AWNING: A roof-like cover that is temporary or permanent in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements, and can be periodically retracted onto the face of a building.

AZIMUTH: The horizontal angle of an observer's bearing in surveying, measured clockwise from a referenced direction.

BASE FLOOD ELEVATION: The elevation above sea level, based on the vertical datum in the current flood Insurance Rate Maps for (municipality) of the 100-year flood.

BEST MANAGEMENT PRACTICES (BMPs): State-of-the-art technology as applied to a specific problem. The BMP presents physical, institutional, or strategic approaches to environmental problems, particularly with respect to nonpoint source pollution control.

BLOCK: An area bounded by streets, railroad rights-of-way, waterways and other definite barriers.

BOARD OF SUPERVISORS: The Miller Township Board of Supervisors, Perry County, Pennsylvania.

BUFFER AREA: A strip of land which is planted and maintained in shrubs, bushes, trees, grass or other landscaping material and within which no structure is permitted except a wall or fence.

BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind.

BUILDING, ACCESSORY: A building incidental and subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the principal building.

BUILDING, ADDITION: A structure added to the original structure at some time.

BUILDING AREA: See AREA, BUILDING.

BUILDING COVERAGE: The ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total gross lot area.

BUILDING INSPECTOR: An individual designated by the appointing authority to enforce the provisions of the building code. Includes code enforcement officer.

BUILDING LINE: A line parallel to the front, side or rear lot line set so as to provide the required yard.

BUILDING PERMIT: Written permission issued by the proper municipal authority for the construction, repair, alteration, or addition to a structure.

BUILDING, PRINCIPAL: A building in which is conducted the primary use of the lot on which it is located, and is not an accessory building.

BUILDING SETBACK LINE: The line within a property defining the required minimum distance between any enclosed structure and the adjacent right-of-way, and the line defining side and rear yards, where required.

CALIPER: The diameter of a tree trunk measured in inches six inches above ground level for trees up to four inches in diameter and 12 inches above ground level for trees over four inches in diameter.

CAMP OR CAMPGROUND: A state-permitted facility, through the Pennsylvania Department of Health, in which a portion of land is used for the purpose of providing a space for trailers or tents for camping purposes, regardless of whether a fee has been charged for the leasing, renting or occupancy of the space, in accordance with the Pennsylvania Code, Title 28, Chapter 19. The campground may be an organized camp which includes a combination of programs and facilities established for the primary purpose of providing an outdoor group living experience for children, youth and adults with social, recreational, and educational objectives and operated and used for five or more consecutive days during one or more seasons a year.

CAMPING SITE: A parcel of land in an organized camp or campground for the placement of a single trailer and/or tent and the exclusive use of its occupants.

CARPORT: A roofed structure providing space for the parking of motor vehicles and enclosed on not more than three sides, and accessory to a main or accessory building.

CARTWAY OR ROADWAY: That portion of a street or alley which is improved, designed, or intended for vehicular use.

CENTERLINE: A line located exactly in the center width of a road or street cartway, right-of-way, easement, or access.

CLEAR-SIGHT TRIANGLE: A triangular-shaped portion of land established by a street or driveway intersection, in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the site distance of motorists entering or leaving the intersection.

CLUSTER: A development technique utilized for the purpose of concentrating building construction in specific areas of a site while allowing the remaining land area to remain open space for the preservation of environmentally sensitive features, recreation, or other.

CLUSTER SUBDIVISION (DEVELOPMENT): A form of development that permits a reduction in lot area and bulk requirements, provided that unless otherwise authorized, there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active or passive recreation, preservation of environmentally sensitive areas, or agriculture.

COMMISSION: The Miller Township Planning Commission.

COMMON AREA: The area in a subdivision or planned residential development, including common open space, owned or leased and maintained by an association or other combination of persons for the benefit of the residents of the residential development and, if owned under the Pennsylvania Unit Property Act, including all common elements designated for the use of all dwelling unit owners.

COMMON (JOINT-USE, SHARED) DRIVEWAY: A driveway serving two lots.

COMMON OPEN SPACE: A parcel or parcels of land or an area of water, or a combination of land and water, within a development plan, designed and intended for the use or enjoyment of residents of the development plan and, where designed, the community at large. Common open space does not include rights-of-way, off-street parking areas, and areas set aside for public facilities. Common open space shall be substantially free of structures, but may contain such improvements as approved in the development plan that are appropriate to recreational and other open space areas of any schools or churches to be included within the proposed development.

COMPREHENSIVE PLAN: The official public document prepared in accordance with the "Pennsylvania Municipalities Planning Code", Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted, consisting of maps, charts and textual material, that

constitutes decisions about the physical and social development of the County or municipality, as amended from time to time.

CONDOMINIUM: A building, or group of buildings, in which dwelling units, offices, or floor area owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. It is a legal form of ownership of real estate and not a building style. The purchaser has title to his or her interior space in the building and an undivided interest in parts of the interior, the exterior, and other common elements.

CONDOMINIUM ASSOCIATION: The community association that owns, administers, and maintains the common property and common elements of a condominium.

CONSERVATION DISTRICT: The Perry County Conservation District.

CONSISTENCY: An agreement or correspondence between matters being compared which denotes a reasonable rational, similar, connection or relationship.

CONSTRUCTION: The erection, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

CONTRACTOR: The party, person, firm, partnership and/ or corporation who or which performs construction work on a building, structure, driveway or any roadway, including all agents, officers or employees of said party, person, firm, partnership and/ or corporation.

CONTIGUOUS: Next to, abutting, or touching and having a boundary, or portion thereof, that is coterminous. To physically touch or border upon, or to share a common property line, but not overlap.

COOPERATIVE: Ownership in common with others of a parcel of land and of a building or buildings thereon which would normally be used by all the occupants, together with individual rights of occupancy of a particular unit or apartment in such building or buildings or on such parcel of land and may include dwellings, offices and other types of space in commercial buildings or on property and where the lease, sale or exchange of a unit is subject to the agreement of the group of persons having common ownership.

COUNTY: Perry County, Pennsylvania.

COURT: An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

COURT, INNER: A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable, and that the court does not extend to a street, alley, yard or other outer court.

COURT, OUTER: A court enclosed on not more than three sides by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.

COVERAGE: That portion or percentage of the plot or lot area covered by the building and other impervious areas as appropriate.

CROSS-WALK: A right-of-way, publicly or privately owned, intended to furnish access for pedestrians.

CUL-DE-SAC: See STREET, MINOR / CUL-DE-SAC.

CULTURAL FEATURE: An establishment that document the social and religious structures and intellectual and artistic manifestations that characterize a society and include museums, art galleries, and botanical and zoological of a natural, historic, educational, or cultural interest.

CURB: A stone, concrete, or other improved boundary usually marking the edge of the roadway or paved area.

CURB CUT: The opening along the curb line at which point vehicles may enter or leave the roadway.

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

DECIDUOUS: Plants that drop their leaves before becoming dormant in winter.

DEDICATION: The deliberate appropriation or donation of land or property by its owner for any general or public uses, reserving no other rights. Acceptance of any such dedication is at the discretion of the municipality.

DEED: A legal document conveying ownership of real property.

DEED COVENANT OR RESTRICTION: A restriction on the use of the land set forth in the deed or instrument of conveyance. Such restriction(s) usually runs with the title of the land and is binding upon subsequent owners of the property. The municipality is not responsible for enforcing such deed restrictions, unless the restriction(s) resulted from a condition or stipulation of the subdivision or land development approval process.

DENSITY: The number of families, individuals, dwelling units, or housing structures per gross acre of land.

DEP: Pennsylvania Department of Environmental Protection. (See also PADEP)

DETENTION BASIN: A structure designed to detain and release runoff in excess of volumes allowed at a controlled rate.

DETERMINATION: Final action by an officer, body, board, or agency charged with the administration of any land use ordinance or applications there under. Determinations shall be appealed only to the boards designated as having jurisdiction for such appeal.

DEVELOPER: Any landowner, agent of such landowner or tenant with permission of such landowner, who makes or causes to be made a subdivision of land or a land development or submit a development plan under the terms of this Article.

DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placements or removal of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining, dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

DEVELOPMENT PLAN: The provisions for a planned development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open-space and public facilities.

DEVELOPMENT OF REGIONAL SIGNIFICANCE AND IMPACT: Any land development that, because of its character, magnitude, or location will have a substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

DRAINAGE: (1) Surface water runoff; (2) The removal of surface water or ground water from lands by drains, grading or other means which include runoff controls to minimize erosion and sedimentation during and after construction of development, the means for preserving the water supply and the prevention or alleviation of flooding.

DRAINAGE EASEMENT: An easement required for the installation of storm water sewers or drainage ditches, and/or required for the preservation or maintenance of a natural stream or water course or other drainage facility.

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

DRAINAGE PLAN: A plan showing all proposed and existing facilities to collect and convey surface drainage, described by grades, contours, and topography.

DRAINAGE SYSTEM: Pipes, swales, natural features and other improvements designed to hold or convey drainage.

DRIVEWAY (PRIVATE): A private access for vehicles to park in a parking space, garage, dwelling or other structure.

DUPLEX: See DWELLING, SINGLE FAMILY, SEMI-DETACHED.

DWELLING: A single unit providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DWELLING, EARTHEN SHELTERED: Any completed building or structure that was designed to be built partially or wholly underground. A completed building or structure, which was not intended to serve as a substructure or foundation for a building.

DWELLING, MOBILEHOME: A transportable, single-family dwelling intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, 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.

DWELLING, MANUFACTURED HOUSING: Any structure designed primarily for residential occupancy, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation of assembly and installation on the building site in such a manner that all concealed parts or processes of manufacture cannot be inspected at the site without disassembly, damage or destruction.

DWELLING, MULTI-FAMILY: A building designed, occupied or used by three (3) or more families living independently of each other, wherein each dwelling unit or apartment shall contain private bath and kitchen facilities; including apartment houses.

DWELLING, SINGLE FAMILY ATTACHED (ROW/TOWNHOUSE): A building used by one (1) family and having two (2) party walls in common with other buildings, except that end units have only one party wall.

DWELLING, SINGLE FAMILY, DETACHED: A building used by one (1) family, having only one (1) dwelling unit and having two (2) side yards.

DWELLING, SINGLE FAMILY, SEMI-DETACHED: A building used by one (1) family, having one (1) side yard, and one (1) party wall in common with another building.

DWELLING, TWO FAMILY DETACHED: A building used by two (2) families, with one dwelling unit arranged over the other and having two (2) side yards.

DWELLING, TWO FAMILY SEMI-DETACHED: A building used by two (2) families with one dwelling unit arranged over the other, having one (1) side yard, and having one (1) party wall in common with another building.

DWELLING UNIT: One (1) or more rooms used for living and sleeping purposes and having a kitchen(s) with fixed cooking facilities, toilet and bathroom facilities and arranged for occupancy by not more than one (1) family.

EARTHMOVING ACTIVITY: Activity resulting in movement of earth or stripping of vegetative cover from the earth.

EASEMENT: A grant of one (1) or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

EASEMENT, DRAINAGE: See DRAINAGE EASEMENT.

EASEMENT, UTILITY: A right-of-way granted for the limited use of land for public or quasi-public purposes.

ENGINEER: A registered professional engineer in Pennsylvania to perform the duties of engineer as herein specified.

ENGINEER, MUNICIPAL: A registered professional engineer in Pennsylvania designated by the municipality.

ENGINEER, PROFESSIONAL: An individual licensed and registered under the laws of the Commonwealth to engage in the practice of engineering. A professional engineer may not practice land surveying unless licensed as set forth in P.L. 534, No. 230; however, a professional engineer may perform engineering land surveys.

ENGINEERING LAND SURVEYS: Surveys for (1) the development of any tract of land including the incidental design of related improvements, such as line and grade extension of roads, sewers and grading but not requiring independent engineering judgment: provided, however, that tract perimeter surveys shall be the functions of the Professional Land Surveyor; (2) the determination of the configuration or contour of the earth's surface, or the position of fixed objects thereon or related thereto by means of measuring lines and angles and applying the principles of mathematics, photogrammetry or other measurement methods; (3) geodetic or cadastral survey, underground survey and hydrographic survey; (4) sedimentation and erosion control surveys; (5) the determination of the quantities of materials; (6) tests for water percolation in soils; and (7) the preparation of plans and specifications and estimates of proposed work as described in this subsection.

ENGINEERING, PRACTICE OF: (1) Shall mean the application of the mathematical and physical sciences for the design of public or private buildings, structures, machines,

equipment, processes, works or engineering systems, and the consultation, investigation, evaluation, engineering surveys, planning and inspection in connection therewith, the performance of the foregoing acts and services being prohibited to persons who are not licensed under the laws of the Commonwealth as professional engineers unless exempt under other provisions of the laws of the Commonwealth. (2) The term "Practice of Engineering" shall also mean and include related acts and services that may be performed by other qualified persons, including but not limited to, municipal planning, incidental landscape architecture, teaching, construction, maintenance and research but licensure under the laws of the Commonwealth to engage in or perform any such related acts and services shall not be required.

ENGINEERING SPECIFICATIONS: The engineering specifications of the municipality regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

ENVIRONMENTAL CONSTRAINTS: Natural and cultural features, natural resources or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.

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

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

EXISTING GRADE: The vertical location of the ground surface prior to excavation or filling.

FARM: An area of land used for agricultural purposes, as defined in “agricultural operation”.

FENCE: Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry, singly or in combination, erected for the purpose of screening or dividing one property from another to assure privacy, or to protect the property so screened or divided, or to define and mark the property line. For the purpose of this ordinance a freestanding masonry wall when so located is considered to be a fence; also for the purpose of this ordinance when the term “lot line” is used in relation to fences it shall be synonymous with “rear yard lot lines”, “side yard lot lines”, or “front yard lot lines”.

FILL: Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported or moved to a new location above the natural surface of the ground or on top of the stripped surface. It shall include the conditions resulting there

from. The difference in elevation between a point on the original ground and a designated point of higher elevation of the final grade.

FINISHED GRADE: The proposed elevation of the land surface of a site after completion of all site preparation work.

FLOOD: A temporary inundation of normally dry land areas.

FLOOD BOUNDARY, FIVE-HUNDRED-YEAR: The outer boundary of an area of land that is likely to be flooded once every 500 years (i.e., that has 1/5 of 1% chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, and the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study as necessary to define this boundary.

FLOOD BOUNDARY, ONE-HUNDRED-YEAR: The outer boundary of an area of land that is likely to be flooded once every 100 years (i.e., that has a 1% chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study as necessary to define its boundary.

FLOOD INSURANCE RATE MAP (FIRM): See FLOOD HAZARD BOUNDARY MAP.

FLOOD, FIVE-HUNDRED-YEAR: A flood which is likely to be equaled or exceeded once every 500 years (i.e. that has a 1/5 of 1% chance of being equaled or exceeded in any given year. A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this flood.

FLOOD, ONE-HUNDRED-YEAR (BASE FLOOD): A flood, which is likely to be equaled or exceeded once every 100 years (i.e. that has a 1% chance of being equaled or exceeded in any given year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, the Department of Environmental Protection, or a licensed professional registered by the Commonwealth of Pennsylvania to perform such a study is necessary to define this flood.

FLOOD FRINGE: That portion of the floodplain outside the floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM): An official floodplain map of a community, issued by the Federal Insurance Administration.

FLOOD HAZARD, AREAS OF SPECIAL: The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

FLOODPLAIN: Either (1) a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse, during a one-hundred-year-design-frequency storm; or (2) any area subject to the unusual and rapid accumulation of runoff or surface waters from any source.

FLOODPROOFING: Any combination of structural and non-structural additions, changes or adjustments to proposed and structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. With regard to nonresidential structures, the term "flood proofing" shall also mean that the structure, together with attendant utility and sanitary facilities, be designed so that any space below the regulatory flood elevation is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydromatic loads and effects of buoyancy.

FLOODWAY: The areas identified as floodway in the Flood Insurance Study prepared by the FEMA. The term shall also include floodway areas which have been identified in the other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.

FLOODWAY FRINGE: Those portions of land within the FP-Floodplain District subject to inundations by the one-hundred-year flood, beyond the floodway in areas where detailed study and profiles are available.

FORESTRY (TIMBER HARVESTING): The management of forests and timberlands, when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

FREEBOARD: The vertical difference between the crest of an embankment or drainage structure and the design water surface.

FUTURE RIGHT-OF-WAY: (1) right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads: (2) a right-of-way established to provide future access to or through undeveloped land.

GOVERNING BODY: The Miller Township Board of Supervisors of Perry County, Pennsylvania.

GREENWAY: A greenway may be any one or combination of the following: (1) a linear open space established along either a natural corridor, such as a riverfront, stream valley or ridgeline, or over land along a railroad right-of-way converted to recreational use, a canal, a scenic road, or other route; (2) a natural or landscaped course for pedestrian or bicycle passage; (3) an open space connector linking parks, natural reserves, cultural features or historic sites with each other and with populated areas; and (4) strip or linear parks designated as a parkway or greenbelt.

GROSS BUILDING AREA: The total area of a building available for construction or use, as measured from the exterior walls or the building. The gross building area should be used in computing all square footage measurements for buildings as well as dimension requirements.

GUARANTEE, MAINTENANCE: Any financial security that may be required of a developer by a municipality after final acceptance by the municipality of improvements installed by the developer. Such security may include, but not limited to, irrevocable letters of credit, bonds, restrictive accounts, or escrow accounts from approved Federal, State, or Commonwealth lending institutions.

GUARANTEE, PERFORMANCE: Any financial security that may be required of a developer by the municipality in lieu of a requirement that certain improvements be made prior to final approval of the subdivision or land development plan. Such security may include, but is not limited to, those instruments cited above as acceptable as maintenance guarantees.

HALF OR PARTIAL STREET: A street, generally parallel with and adjacent to a property line, having a lesser right-of-way width than required for improvement and used as a street in accordance with the Ordinance.

HISTORIC STRUCTURE: Any structure that has received preliminary determination or received National designation by the Secretary of the Department of the Interior and

1. Meets the requirements for individual listing on the National Register;
2. Determined as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as a registered historic district;
3. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by an approved state program or directly by the Department in states without approved programs.

HOMEOWNERS ASSOCIATION: A community association, which is, organized in a development in which individual owners share common interests in open space or facilities.

IMPERVIOUS MATERIAL (SURFACE): Any substance placed on a lot which covers the surface in such fashion as to prevent natural absorption of surface water by the earth

so covered. The following items shall be deemed to consist of impervious material: Buildings, sidewalks, driveways, parking lots, swimming pools.

IMPOUNDMENT: A body of water, such as a pond, confined by a dam, dike, floodgate, or other barrier.

IMPROVED PUBLIC STREET: Any street for which a municipality or the Commonwealth has maintenance responsibility, and which is paved with an approved hardtop surface.

IMPROVEMENTS: Those physical additions, installations, and changes required to render land suitable for the use intended, including but not limited to grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, crosswalks, driveways, culverts, and other public utilities, and street shade trees, and improvements to existing water courses.

INTERIOR WALK: A right-of-way for pedestrian use extending from a street into a block or across a block to another street.

LAND DEVELOPMENT (See SUBDIVISION):

(1) The improvement of one 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 non residential building on a lot or lots regardless of the number of occupants or tenure; or

(b) The division or allocation of land or space 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) The following are exempted from the definition of Land Development:

(a) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;

(b) The addition of an accessory building, including farm building, on a lot or lots subordinate to an existing principal building; or

(c) The addition or conversion of buildings or rides within the confines of an enterprise, which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally

as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by the proper authorities.

LANDOWNER: The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any conditions), a lessee having a remaining term of not less than forty years, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this Ordinance.

LANDSCAPE PLAN: A component of a development plan, if required, on which is shown proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features, grade changes, buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the governing body.

LIGHTING, DIFUSED: That form of lighting wherein the light passes from the source through a translucent cover or shade.

LIGHTING, DIRECT OR FLOOD: That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.

LIGHTING, INDIRECT: That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated.

LOADING SPACE: An off-street space on the same lot with a building or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts in or has access to a street.

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

LOT AREA: The area contained within the property lines of a lot as shown on a subdivision plan excluding space within any public street right-of-way, but including the area of any easement. The calculation of minimum lot area must reflect contiguous acreage and not separated by a street.

LOT, CORNER: A lot at the junction of and abutting on two or more intersecting streets or private roads.

LOT, IMPERVIOUS COVERAGE: A lot which has a surface of any material that prevents the absorption of stormwater into the ground. The total of impervious area

includes the building area inclusive of rooftop, parking lot, sidewalks, and access drive, divided by lot total gross area.

LOT, DEPTH: The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite property line.

LOT, DOUBLE FRONTAGE: See LOT, REVERSE FRONTAGE.

LOT, FLAG (PAN HANDLE): A lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway.

LOT, INTERIOR: A lot other than a corner lot.

LOT LINES: The boundary lines of a lot as defined herein.

(1) FRONT LOT LINE: The lot line separating a lot from a street right-of-way. In the case of a corner lot or a lot abutting a street right-of-way on more than one (1) side, there shall be two front lot lines.

(2) REAR LOT LINE: The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. A corner lot shall have two (2) front lines, and two (2) side lot lines.

(3) SIDE LOT LINE: Any lot line other than a front or rear lot line. A corner lot shall have two (2) front lines, and two (2) side lot lines.

LOT, MINIMUM WIDTH: The horizontal distance between the side lines of a lot measured at the front building setback line.

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

LOT, NONCONFORMING: The area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

LOT, REVERSE FRONTAGE (DOUBLE FRONTAGE, THROUGH): A through lot that is not accessible from one of the parallel or nonintersecting streets upon which it fronts. In the case of a lot fronting on streets of different classification, access to the lot shall be from the lower classified roadway.

LOT, THROUGH (DOUBLE OR REVERSE FRONTAGE): See LOT, REVERSE FRONTAGE.

MAJOR SUBDIVISION: See SUBDIVISION, MAJOR

MANUFACTURED HOME: Factory-built single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S. c. Sec. 5401) commonly known as HUD (U.S. Department of Housing and Urban Development) code. Also see "DWELLING, MANUFACTURED HOUSING".

MANUFACTURED HOME LOT: A parcel of land in a manufactured home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single manufactured home. (See also "MOBILE HOME LOT")

MINOR SUBDIVISION: See SUBDIVISION, MINOR.

MOBILEHOME: See DWELLING, MOBILEHOME:

MOBILEHOME LOT: See LOT, MOBILEHOME.

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

MODIFICATION: Relief from this ordinance's provisions granted by the Miller Township Board of Supervisors for relief from the strict application of a specific requirement or provision of this ordinance, which if literally enforced would exact undue hardship on the applicant. Modification/waiver decisions are required to be based on unique or peculiar conditions pertaining to the land. All modification/waiver requests are required to be submitted in writing and constitute the least possible relief necessary. (Additional considerations for modification(s)/waiver(s) are in Article IX.)

MODULAR HOME: A type of dwelling that is in a substantial part but not wholly produced in sections off the site and then is assembled and completed on the site. This shall not include any dwelling that meets the definition of mobile home, nor shall it include any dwelling that does not rest on a permanent foundation, nor any dwelling intended to be able to be moved to a different site once assembled, nor any dwelling that would not fully comply with any and all applicable building codes. A modular home also shall not include a building that includes only one substantial piece prior to delivery on the site.

MONUMENT: A tapered, permanent survey reference point of stone or cement having a round top four inches (4") on each side with a length of twenty-four (24") inches.

MUNICIPALITY: A borough, township, or county, including Miller Township, Perry County.

NATURAL FEATURE: A component of a landscape existing or maintained as part of the natural environment and having ecologic value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, growth of wildlife, human recreation, reduction of climatic stress or energy costs. Such features include those, which, if disturbed, may cause hazards or stress to natural habitats, property or the natural environment.

NONCONFORMING LOT: See LOT, NONCONFORMING.

NONCONFORMING STRUCTURE OR BUILDING: A structure or part of a structure manifestly not designed to comply with building setback provisions in this subdivision and land development ordinance or amendment theretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

NPDES: The National Pollutant Discharge Elimination System.

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

OFF-STREET PARKING: A temporary storage (surface or structure) for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedication right-of-way, and is located upon the same lot as a principal use or, in the case of joint parking, within close proximity.

ON-LOT SEPTIC SYSTEM: See SEPTIC SYSTEM.

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designed, or reserved for public use or enjoyment or for the use and enjoyment of owners, occupants, and their guests.

OPEN SPACE, COMMON: See COMMON OPEN SPACE.

OPEN SPACE, PRIVATE: Common open space held in private ownership, the use of which is normally limited to the occupants of a single dwelling or building.

OPEN SPACE, PUBLIC: Open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

OUTDOOR LIGHTING: An illumination source outside any building, including but not limited to an incandescent bulb, mercury, sodium or neon-filled bulb, and the hardware containing the illumination source and supporting it. Lighting fixtures underneath a roof of an open-sided building, including but not limited to storage sheds, canopies and gas station marquees over gas pumps, are deemed to be "outdoor lighting."

OWNER: See LANDOWNER.

PADEP: The Pennsylvania Department of Environmental Protection.

PARCEL: Any lot, plot or tract of land designated by any legally recorded or approved means as a single unit. The term includes, but is not limited to, tax parcels, lots or deeded areas.

PARK: A tract of land, designated and used by the public for active and passive recreation.

PARKING AREA: See PARKING LOT.

PARKING GARAGE: A building where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

PARKING LOT: Any lot, municipally or privately owned for off street parking facilities, providing for the transient storage of automobiles or motor-driven vehicles. Such parking services may be provided as a free service or may be provided for a fee.

PARKING SPACE: The space within a building, or on a lot or parking lot, for the parking or storage of one (1) automobile.

PEDESTRIAN WALKWAY: A specified easement, walkway, path, sidewalk or other reservation which is designed and used exclusively by pedestrians.

PENNDOT: The Pennsylvania Department of Transportation.

PENNSYLVANIA MUNICIPALITIES PLANNING CODE (PAMPC): Act 247 of 1968, as reenacted and amended.

PERSON: A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, a state, and all political subdivisions of a state or any agency or instrumentality thereof, or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

PERVIOUS SURFACE: Any material that permits full or partial absorption of stormwater.

PLAN: See PLAT.

PLAN, CONSTRUCTION IMPROVEMENT: A plan prepared by a registered engineer or surveyor showing the construction details of streets drains, sewers, bridges, culverts, and other improvements as required by this Ordinance.

PLAN, COMPREHENSIVE: See COMPREHENSIVE PLAN.

PLAN OR PLAT, FINAL: A complete and exact subdivision or land development plan, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.

PLAN OR PLAT, PRELIMINARY: A tentative subdivision or land development plan, in lesser detail than a final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.

PLAN OR PLAT, PRE-APPLICATION (SKETCH): An informal plan indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development. The pre-application (sketch) plat or plan does not constitute a formal submission of a preliminary or final plat and is voluntarily offered to all applicants for guidance.

PLANNING AGENCY: A planning commission, planning department, planning office, or a planning committee of the governing body.

PLANNING COMMISSION: The Miller Township Planning Commission, Perry County, Pennsylvania.

PLAT: The map or plan of a subdivision or land development whether preliminary or final. (For the purpose of this ordinance, the terms “plat” and “plan” have the same meaning.)

PRE-APPLICATION CONFERENCE: An initial meeting between developers and the zoning officer and/or codes enforcement officer and/or municipal Engineer which affords applicants and/or developers the opportunity to present their proposals informally.

PRIME AGRICULTURAL LAND: Land consisting of those soils designated by the USDA Natural Resource Conservation Service as prime soils.

PRINCIPAL BUILDING: See BUILDING, PRINCIPAL.

PRIVATE: Not publicly owned, operated, or controlled.

PRIVATE RIGHT-OF-WAY: A legally established right-of-way, no less than fifty (50) feet wide, which provides the primary pedestrian and vehicular access to no more then 3 lots and constructed to the minor street design standards except for the top coat of materials.

PRIVATE STREET/ROAD: See STREET, PRIVATE:

PROFILE LINE: Means the profile of the centerline of the finished surface of the street, which shall be midway between the sidelines of the street.

PUBLIC GROUNDS: Includes:

(1) Parks, playgrounds, trails, paths, and other recreational areas and other public areas;

(2) Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities;

(3) Publicly owned or operated scenic and historic sites.

PUBLIC LAND: Owned, operated or controlled by a government agency, whether federal, state, or local, and including any corporation created by law for the performance of certain specialized governmental functions, or any public school district.

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 "Pennsylvania Municipalities Planning Code".

PUBLIC MEETING: A forum held pursuant to notice under 65 PA. C.S., CH 7 (Relating to open meetings).

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

PUBLIC PARKS AND RECREATION AREAS: Locations for leisure-time activities, including but not limited to sports and entertainment that are open to anyone without restriction, except for the rules and standards of conduct and use.

PUBLIC STREET/ROAD: A street ordained or maintained or dedicated and accepted by the municipality, county, state or federal governments and open to public use.

RECREATION, ACTIVE: Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.

RECREATION, PASSIVE: Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, checkers, and similar table games. It can also mean open space for nature walks and observation.

RECREATIONAL VEHICLE: A vehicular type unit, portable and without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

RECREATIONAL VEHICLE PARK OR CAMPGROUND: A parcel of land which has been planned and improved for the placement of recreational vehicles or camping equipment for temporary living quarters, for recreational, camping or travel use, on recreational vehicle or camp ground lots rented for such use, thereby constituting a land development.

RECREATIONAL VEHICLE PARK OR CAMPGROUND LOT: A parcel of land abutting a street or private road occupied by one recreational vehicle or camping equipment for temporary living quarters, for recreational, camping, or travel use on recreational vehicle or campground lots rented for such use, together with such open space as is required under the provisions of this ordinance having not less than the minimum area and width required by this ordinance for a recreational vehicle park or campground lot.

REGULATORY FLOOD ELEVATION: The 100-year flood elevation plus a freeboard safety factor or one and one half (1½) feet.

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

RESERVE STRIP: A narrow parcel of ground separating a street from other adjacent properties.

RETENTION BASIN: A reservoir, formed from soil or other material, which is designed to detain temporarily, a certain amount of storm water from a catchment area and which may also be designed to permanently retain additional storm water runoff from the

catchment area. Retention basins may also receive freshwater from year-round streams. Unlike detention basins, retention basins always contain water, and thus may be considered man-made lakes or ponds.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary sewer, storm sewer and other similar uses.

RIGHT-OF-WAY, STREET: A public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, lane, alley, or however designated.

RIPARIAN BUFFER AREA: An area of land adjacent to a perennial or intermittent stream, subject to the regulations of the municipal zoning ordinance.

RIPARIAN LAND: Land that is traversed or bounded by natural watercourse or adjoining tidal lands.

RIPARIAN RIGHTS: Rights of a landowner to the water on or bordering his or her property, including the right to make use of such waters and to prevent diversion or misuse of upstream water.

ROAD: See STREET.

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

SANITARY SEWAGE: Any liquid waste containing animal or vegetable matter in suspension or solution or the water-carried waste resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.

SANITARY SEWER: Pipes that carry domestic or commercial sanitary sewage and into which storm, surface, and ground waters are not intentionally admitted.

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

SEPTIC SYSTEM: An individual underground system designed for sewage disposal, which includes system of piping, tanks, or other facilities for collecting, treating and disposing of sewage into a subsurface absorption area or a septic retaining or holding tank. Also, see on-lot sewage disposal system.

SCREENING: The provision of a barrier to visibility, airborne particles, glare and noise between adjacent properties, uses and/or districts, composed entirely of trees, berm, shrubs, hedges, sight-tight fences and/or other similar-type materials.

SCREEN PLANTING: A vegetative material of sufficient height and density to conceal from the view of property owners on adjoining properties. The structures and uses on the premises on which the screen planting is located.

SETBACK LINE: See BUILDING SETBACK LINE.

SEWAGE DISPOSAL SYSTEM (ON-LOT): Any system designed to eliminate sanitary sewage within the boundaries of the lot the system serves.

SEWAGE DISPOSAL SYSTEM (OFF-LOT): Any system designed to eliminate sanitary sewage outside the boundaries of the lot the system serves.

SEWAGE DISPOSAL AND TREATMENT SYSTEM (PUBLIC OR COMMUNITY): A sanitary sewage collection method in which sewage is carried from the site by a system of pipes to a central treatment and disposal plant.

SHOULDERS: See STREET SHOULDERS.

SIDEWALK: A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

SIDEWALK AREA: That portion of the right-of-way that lies between the right-of-way line and curb line, regardless of whether the sidewalk exists.

SIGHT DISTANCE: The length of roadway visible to the driver of a passenger vehicle at any given point on the roadway when the view is unobstructed by traffic.

SIGHT TRIANGLE: See CLEAR-SIGHT TRIANGLE.

SITE: A parcel of land located in a municipality, established by a plat or otherwise as permitted by law, which is the subject of an application for development. A site may include more than one lot.

SITE PLAN: An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development.

SKETCH PLAN: See PLAN OR PLAT, PRE-APPLICATION (SKETCH).

SLOPE: The face of an embankment or cut section; any ground whose surface makes an angle with the plane of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance. For severe slope see: STEEP SLOPE.

SOIL STABILIZATION: Chemical or structural treatment designed to increase or maintain the stability of a mass of soil or otherwise to improve its engineering properties.

SQUARE FOOTAGE: The unit of measure used to express the area of a lot, tract, or parcel involved in a subdivision or land development; the length of a lot in feet multiplied by the width of the lot in feet.

STAFF: The technical staff of Miller Township as designated by the Miller Township Board of Supervisors.

STEEP SLOPE: Land with a 15 feet or greater change in elevation 100 feet or less in horizontal distance or, in other terms, 15% or greater on the average. The following formula is the acceptable method of determining average slope:

$$S = \frac{0.0023\ I \times L}{A}$$

S = Average percent slope of site
I = Contour interval in feet
L = Sum of the length of contours in feet
A = Land area in areas of parcel being considered

STOPPING SIGHT DISTANCE: A line of unobstructed vision from the height of a driver's eye three and one-half (3.5) feet above the surface of a road-way to see an object on the roadway at a height of one-half (0.5) feet high.

STORMWATER: Water that surfaces, flows or collects during and subsequent to rain or snowfall.

STORMWATER DETENTION: Any storm drainage technique that retards or detains runoff, such as detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells or any combination thereof.

STORMWATER MANAGEMENT PLAN: A plan for managing the storm water runoff from a proposed subdivision or land development, including data and calculations, prepared by the developer in accordance with the standards of this ordinance, or any applicable municipal or watershed stormwater management ordinance.

STREAM: A watercourse having a source and terminus, banks and channel through which waters flow at least periodically.

STREET: A public or private right-of-way which affords primary vehicular or pedestrian access to abutting properties, including street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways however designated.

STREET CENTERLINE: See CENTERLINE, STREET.

STREET GRADE: The officially established grade of the street upon which a lot fronts or in its absence the established grade of the other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

STREET LINE: The dividing line between the street or road and the lot, also known as the right-of-way line.

STREET, MAJOR:

1. PRINCIPAL ARTERIAL HIGHWAY: A principal arterial provides land access while retaining a high degree of through traffic mobility and serves major centers of urban activity and traffic generation. These highways provide a high-speed, high-volume network for travel between major destinations in both rural and urban areas.

2. MINOR ARTERIAL HIGHWAY: A minor arterial gives greater emphasis to land access with a lower level of through traffic mobility than a principal arterial and serves larger schools, industries, hospitals and small commercial areas not incidentally served by principal arterials.

3. COLLECTOR HIGHWAY: A collector road serves dual functions, collecting traffic between local roads and arterial streets and providing access to abutting properties. It serves minor traffic generators, such as local elementary schools, small individual industrial plants, offices, commercial facilities and warehouses not served by principal and minor arterials.

4. STREET, ARTERIAL: A major street or highway with fast or heavy traffic of considerable continuity and used primarily as a traffic artery for intercommunications among large areas.

5. STREET, COLLECTOR: A major street or highway which carries traffic from minor streets to arterial streets including the principle entrance streets of a residential development and streets for circulation within such a development.

6. LIMITED ACCESS HIGHWAY: A major street or highway which carries large volumes of traffic at comparatively high speed with access at designated points and not from abutting properties.

STREET, MARGINAL ACCESS: A minor street which is parallel and adjacent to a limited access highway or arterial street, which provides access to abutting properties and protection from through traffic.

STREET, MINOR: A street used primarily for access to abutting properties. Minor streets include the following:

1. STREET, CUL-DE-SAC: A street intersecting another street at one end terminating at the other in a vehicular turn-around.

2. STREET, DEAD END: A street or portion of a street with only one vehicular outlet, but which has a temporary turnaround and which is designed to be continued when adjacent open land is subdivided.

3. STREET, LOCAL: Streets which are used primarily for access to abutting properties, including streets with subdivisions or development s, usually characterized by low operating speeds and dedicated or accepted for municipal ownership and maintenance.

4. STREET, PRIVATE: A legally established right-of-way other than a public street not offered for dedication or accepted for municipal ownership and maintenance.

5. STREET, PUBLIC: All streets open to the public and maintained by, or dedicated to and accepted by the municipality, the County, the State or the Federal Government.

STREET, PAPER: A street that has never been built shown on an approved plan, subdivision plat, tax maps, or official map.

STREET, SHOULDERS: The portion of the street, contiguous to the cartway, for the accommodation of stopped vehicles, for emergency parking, and for lateral support of base and surface courses of the pavement.

STREET, WIDTH: The distance between street lines measured at right angles to the center line of the street.

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

STRUCTURE, ACCESSORY: A structure detached from a principle structure, but located on the same lot, which is customarily incidental and subordinate to the principle building, structure or use.

STRUCTURE, PRINCIPAL: The main or primary structure on a given lot, tract or parcel.

STRUCTURE, TEMPORARY: A structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

SUBDIVIDER: The owner or authorized agent of the owner of a lot, tract, or parcel of land to be subdivided for sale or land development under the terms of this Ordinance.

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

SUBSTANTIALLY COMPLETED: Where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to PAMPC, Section 509) of those improvements required as a condition for the final approval have been completed in accordance with the approved plan, so that the project will be able to be used and operated for its intended use.

SURFACE DRAINAGE PLAN: A plan showing all present and proposed grades and facilities for stormwater drainage.

SURVEYING, PRACTICE OF LAND: Shall mean the practice of that branch of the profession of engineering which involves the location, relocation, establishment, reestablishment or retracement of any property line or boundary of any parcel of land or any road right-of-way, easement or alignment; the use of principles of land surveying, determination of the position of any monument or reference point which marks a property line boundary, or corner setting, resetting or replacing any such monument or individual point including the writing of deed descriptions; procuring or offering to procure land surveying work for himself or others; managing or conducting as managers, proprietors or agents any place of business from which land surveying work is solicited, performed, or practiced; the performance of the foregoing acts and services being prohibited to persons who are not granted certificates of registration under the laws of the Commonwealth as a professional land surveyor unless exempt under other provisions of the laws of the Commonwealth.

SURVEYOR, PROFESSIONAL LAND: An individual licensed and registered under the laws of this Commonwealth to engage in the practice of land surveying. A professional land surveyor may perform engineering land surveys but may not practice any other branch of engineering.

SWALE: A low-lying stretch of land characterized as a depression used to carry surface water runoff.

TENT: a portable lodging unit usually made synesthetic, plastic, canvas, or cloth stretched and usually sustained by poles, and is dependent upon separate toilet and lavatory facilities.

TOPOGRAPHIC MAP: A map showing the elevations of the ground by contours or elevations.

TOPOGRAPHY: The configuration of a surface area showing relative elevations.

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

TOWNSHIP: Miller Township, Perry County, Pennsylvania.

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

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

UNIT: See DWELLING UNIT.

USCOE: United States Army Corps of Engineers

USE: The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

1. USE, ACCESSARY: A use customarily incidental and subordinate to the principal use, building or structure located on the same lot with this principal building or structure.

2. USE, PRINCIPAL: The main or primary use of property, buildings or structures.

UTILITY, PUBLIC OR PRIVATE: (1) Any agency which under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other similar service, (2) a closely regulated private enterprise with an exclusive franchise for providing a public service.

VIEWSHED: That portion of the landscape which can be readily viewed by the observer from one or more vantage points. The extent of area that can be viewed is commonly delineated by landform, vegetation and/or distance.

VILLAGE: An unincorporated settlement that is part of a township where residential and mixed use densities of one unit to the acre or more exist or are permitted and commercial, industrial or institutional uses exist or are permitted.

WAIVER: See MODIFICATION.

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

WATERCOURSE: A stream of water, river, brook, creek, or a channel or ditch for water whether natural or man-made. Such features may also provide intermittent flows.

WATERSHED, STORM WATER MANAGEMENT PLAN: A plan for managing storm water runoff from and from within a particular watershed area.

WATER SYSTEM: A water facility providing potable water to individual lots or to the public for human consumption.

WATER SYSTEM, NONPUBLIC: All water systems which are not public water systems.

WATER SYSTEM, OFF-LOT: An approved water system in which potable water is supplied to a dwelling or other building from a central water source which is not located on the same lot as the dwelling or building.

WATER SYSTEM, ON-LOT: A well or other approved system designed to provide potable water to a dwelling or building located on the same lot as the source.

WATER SYSTEM, PUBLIC: A water system, as defined by the Pennsylvania Department of Environmental Protection, which has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least 60-days out of the year.

WATER SURVEY: An inventory of the source, quantity, yield, and use of groundwater, creek, channel, ditch, whether natural or man-made.

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

For the purposes of this ordinance, the term includes but is not limited to, wetland areas listed in the State Water Plan, the US Forest Service Wetland Inventory of Pennsylvania, the US Fish and Wildlife National Wetlands Inventory, and wetlands designated by the Susquehanna River Basin Commission.

YARD, BUFFER: See BUFFER YARD.

YARD, REQUIRED: An open space located on the same lot with a building unoccupied and unobstructed from the ground up, except for permitted accessory buildings or such

projections as are expressly permitted. The minimum depth or width of a required yard shall consist of the horizontal distance between the lot line and the required building setback line.

ZERO LOT LINE: The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

PART 4

PLAN PROCESSING PROCEDURES AND REQUIREMENTS

SECTION 401. OVERALL PLAN PROCESSING PROCEDURES

1. Whenever a subdivision or land development is proposed, a plan of the layout of such subdivision or land development shall be prepared, filed, and processed according to the requirements of this Ordinance. The Board of Supervisors may hold a public hearing, properly advertised, prior to action on the plan. No lots will be sold or structures erected prior to the final approval of the plans.

2. Innovative design including Traditional Neighborhood Development, Planned Residential Development, and Open Space Cluster Development is encouraged.

3. The applicant shall complete the Miller Township Subdivision and Land Development Plan Application (See Appendix 1 in the Appendix) for all preliminary and final plans.

4. The Board of Supervisors and/ or its staff shall have the right not to accept a plan, if the plan is administratively incomplete due to the omissions of any criteria required in Section 403 or Section 410. Any such non-acceptance of a plan shall not be considered to have been filed.

5. Prior to the preparation of any plan, the applicant shall review the rights and restrictions associated with prior recorded plan(s) and is advised to consult with all appropriate agencies with respect to, but not limited to as more fully described in this Ordinance;

    A. Sanitary and water services
    B. On-lot sewage disposal
    C. Public utilities
    D. Stormwater control measures
    E. Floodplain development measures
    F. Erosion and sedimentation control measures
    G. Historic preservation
    H. Important natural habitats
    I. Archaeological resources

6. A pre-application submission meeting with the Miller Township Planning Commission is recommended, but not required. Due to the informal nature of the meeting, neither the applicant nor the Township shall be bound by the determination of the pre-application meeting.

7. Plan submission, official filing date, and approval of the plan.

    A. The application for submission of subdivision and land development plans shall be submitted fifteen (15) working days prior to the regularly scheduled Planning Commission meeting

date. Upon receipt of an application, the Township staff shall affix to the application both the date of submittal and the official filing date.

B. The official filing date shall be the date of the next regularly scheduled meeting of the Board of Supervisors following the submittal date. Should the regular meeting occur more than thirty (30) days following the submission of the application, than the official filing date shall be the 30th day following the day the application has been submitted.

8. Approval of Plans

The application for approval of the plans whether preliminary or final shall be acted upon and decision rendered by the Board of Supervisors and communicated to the applicant no later than ninety (90) days following the official filing date.

SECTION 402. PRE-APPLICATION/ SKETCH PLAN (OPTIONAL)

A pre-application/ sketch plan meeting is recommended for the applicant to receive advice and comments from the Miller Township Planning Commission.

1. Prior to the filing of a subdivision or land development plan, the applicant is encouraged to submit a pre-application/ sketch plan to the Planning Commission for advice and assistance on the requirements necessary to achieve conformity with the standards of this and other applicable municipal ordinances. The submission of a pre-application/ sketch plan does not constitute an official subdivision and land development application.

2. The plan shall be labeled "PRE-APPLICATION/ SKETCH PLAN" and shall include sufficient data such as listed below.

A. The proposed name of the subdivision or land development.

B. Name and address of the legal registered owner, the equitable owner, and/or applicant, and the person responsible for preparing the sketch plan.

C. North arrow/ point, scale, and date of preparation.

D. Name of the qualified person responsible for the map.

E. Location map, tract boundaries, bearings and distances, and elevation contour lines.

F. Existing and proposed streets and layout of lots, and open space easements.

G. Topographic features such as tree masses, fields, watercourses, rock outcropping, existing and proposed buildings, steep slopes, wetlands, vegetation, and floodplain areas.

H. Existing and proposed water mains, sewage disposal mains, and stormwater management facilities.

3. One (1) copy of the pre-application/ sketch plan shall be submitted to the Township fifteen (15) working days prior to the Commission's regularly schedule monthly meeting date.

4. Individuals are permitted to discuss proposals with the Planning Commission without a sketch plan; however, the benefit will be limited.

SECTION 403. PRELIMINARY PLAN: PROCEDURE

The Preliminary Plan and all related information shall be submitted to the Township as provided below:

1. Preliminary Plans shall be submitted to the Township fifteen (15) working days prior to the Commission's regularly scheduled monthly meeting date.

2. A Preliminary Plan application package shall consist of the following.

   A. Nine (9) copies of the Preliminary Plan and (1) electronic media formatted copy.
   B. One copy of the application form including description and purpose of the plan and checklist duly completed.
   C. When a sewage module is required, the applicant shall also submit concurrently two (2) copies of the completed Sewage Facilities Planning Module, or other applicable form, as required by the Pennsylvania Department of Environmental Protection in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Chapter 71 of Title 25 of the Pennsylvania Code, as amended.
   D. Two (2) copies of the Stormwater Management Report. (As required by the Miller Township Engineer)
   E. A non-refundable filing fee payable to the Miller Township Board of Supervisors as set by the Miller Township Board of Supervisors by fee schedule.

3. The Township Secretary will distribute within seven (7) days of the office's receipt of the Preliminary Plan, copies of the Preliminary Plan to the following, as applicable.

   A. The Perry County Planning Commission.
   B. The Miller Township Planning Commission.
   C. Township Engineer (as directed by policy).
   D. Any applicable Municipal Authority and/ or Public Utility Company.
   E. The applicable School District (When twenty-five (25) or more dwelling units are proposed, the applicant is required to provide written evidence that the school district in which the project is located, has been informed of the proposal).
   F. The applicable Fire Department (as directed by policy).
   G. Perry County Conservation District (When one or more acres are proposed to be disturbed).

H. Any other appropriate public agency deemed beneficial to review the plan as directed by the Board of Supervisors.

4. The Township shall forward two (2) copies of the Preliminary Plan the County's completed applicationand appropriate review fee to the Perry County Planning Commission.

5. The County Planning Commission shall review the Preliminary Plan and data and provide a written review report to the Board of Supervisors within thirty (30) days of its receipt of the same or forfeit the County's right to review. The Board of Supervisors shall not approve the application until the County's review report is received or until the expiration of thirty (30) days from the date the application was accepted by the Township.

6. The Board of Supervisors shall review the Preliminary Plan to determine if it meets the requirement and standards set forth in this Ordinance. The Board shall determine whether the Preliminary Plan should be approved, disapproved, approved with conditions, or tabled to make revisions to the plan.

7. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements, which have not been met and shall, in each case, cite the provisions of the Ordinance.

8. When a plan is tabled by the Board of Supervisors to comply with the review comments generated by the County and/ or Township Planning Commissions, Township Engineer, or other review entity(s), the applicant shall provide nine (9) revised Preliminary Plans and a written response to all the comments before the next regularly scheduled Board meeting.

9. The Board of Supervisors shall act on the Preliminary Plan within ninety- (90) days, or extension thereof, of the official filing date. Failure to do so shall be deemed an approval. By accepting an application at its meeting, the ninety- (90) day time-period begins following the regularly scheduled Board meeting.

10. The Board of Supervisors may request an extension of the review period for up to ninety-five (95) additional days. If the Board and the applicant are agreeable to an extension of time for an application, the applicant will be required to grant the Board the extension in writing.

11. The Board of Supervisors shall act on a Final Plan at a regularly scheduled monthly meeting and within ninety- (90) days, or extension thereof of the official filing date.

12. Before acting on the plan, the Board of Supervisors may hold a public hearing after proper public notice.

13. The Board of Supervisors shall notify the applicant, in writing, of the Board's decision to approve, approve with conditions or disapprove the Preliminary Plan. Such notice shall be given to the applicant in person or mailed to him/ her at the last known address not later than fifteen (15) calendar days following the decision. If the Preliminary Plan is approved with conditions or disapproved, the governing body shall specify in their notice the conditions

which must be met and/ or the defects found in the plan and the requirement which have not been met, including specific reference to provisions of any statue or ordinance which have not been fulfilled.

14. The Board of Supervisors may grant conditional approval subject to conditions acceptable to the applicant. If the conditions are not accepted within forty-five (45) days, the approval will be automatically rescinded. Acceptance of the conditions must be supplied to the Board in writing.

15. If the Preliminary Plan is approved subject to conditions, the Board of Supervisors shall not sign the plan until all the conditions have been met. All conditions of approval must be fulfilled within One hundred and twenty (120) days of the date of conditional approval, or the approval shall automatically become null and void, unless the applicant grants an extension in writing and extended by the governing body. The official date of approval of the Preliminary Plan shall be the date of conditional approval.

16. Approval of the Preliminary Plan shall constitute a subdivision or land development plan with respect to general design, the arrangements, and approximate dimension of lots, street and other planned features. The approval binds the developer to the general scheme of the plan as approved. Approval of the Preliminary Plan does not authorize the recording, sale, or transfer of lots. Construction of improvements is allowed to commence after the approval of the Preliminary Plan.

17. The Preliminary Plan approval will be effective for a five-year period from the date of approval of the Preliminary Plan. The Final Plan for the entire project must be made within five (5) years of the Preliminary Plan approval unless the Board of Supervisors grants a waiver by extending the effective time period of the approval. An extension of time may be requested by the applicant in writing and approved by the Board in accordance with Section 508(4) of the Pennsylvania Municipalities Planning Code, Act 247 as amended. Request for such an extension shall be submitted to the Township no less than fifteen (15) working days prior to a regularly scheduled monthly Board meeting prior to the prevailing expiration date. Extensions may be granted for no more than three (3) one-year periods.

18. In the cases of a Preliminary Plan calling for installation of improvements beyond the five (5) year period, a schedule shall be filed by the applicant with the Preliminary Plan delineating all proposed sections as well as deadlines within which application for Final Plan approval of each section are intended to be filed. Such schedule shall be updated annually by the applicant on or before the anniversary of the Preliminary Plan approval, until Final Plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors at its discretion.

19. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five percent (25%) of the total number of dwelling units as shown on the Preliminary Plan, unless a lesser percentage is approved by the Board of Supervisors at its discretion. Provided the applicant has not defaulted with regards to or violated any of the conditions of the Preliminary Plan approval, including compliance with

applicant's aforesaid schedule of submission of Final Plans for the various sections, then the aforesaid protection afforded by substantially completing the improvements shown on the Final Plan within five (5) years shall apply and for any section or sections, beyond the initial section, in which the required improvements have not been substantially completed within said five (5) year period the aforesaid protection shall apply for an additional term or terms of three (3) years from the date of Final Plan approval for each sections.

Failure of applicant to adhere to the aforesaid schedule of submission of Final Plan for the various sections shall subject any such section to any and all changes in this Ordinance, zoning and other governing ordinance enacted by the governing body subsequent to the date of the initial Preliminary Plan submission.

20. The approval of a Preliminary Plan does not constitute the approval of a Final Plan.

SECTION 404. FINAL PLAN: PROCEDURE

The Final Plan and all related information shall be submitted to the Township as provided below:

1. After the applicant has received an approval of the Preliminary Plan from the Board of Supervisors the official notification of the approval of the Preliminary Plan with or without conditions, and the applicant has successfully fulfilled any conditions of approval, the applicant may submit a Final Plan in accordance with this Ordinance and the provisions of the Municipalities Planning Code. The Board will not accept a concurrent plan unless all previous conditions are met.

2. The applicant shall submit a Final Plan to the Board of Supervisors within five (5) years after the date of the approval of the Preliminary Plan for the portion intended to be developed. Filing of the Final Plan shall include all the material and other data required under the Final Plan specifications and appropriate review fees. Failure to comply with time limitation herein provided shall make the approval of the Preliminary Plan null and void.

3. A Final Plan application package shall consist of the following.
    A. Nine (9) copies of the Final Plan and (1) electronic media formatted copy.
    B. Two (2) copies of construction plans. (As required by the Municipal Engineer)
    C. Two (2) copies of Stormwater Management Report. (As required by the Municipal Engineer)
    D. Two (2) copies of all other supporting information required for the Final Plan specifications.
    E. A non-refundable filing fee payable to the Miller Township Board of Supervisors as set by the Board by fee schedule.

4. The Township staff will distribute within seven (7) days of the office's receipt of the Final Plan, copies of the Final Plan to the following, as applicable.

    A. The Perry County Planning Commission.

B. The Miller Township Planning Commission.
C. Municipal Engineer and/ or the Board of Supervisors assigned Engineer (as directed by policy).
D. Any applicable Municipal Authority and/ or Public Utility Company.
E. The applicable School District (When twenty-five (25) or more dwelling units are proposed, the applicant is required to provide written evidence that the school district in which the project is located, has been informed of the proposal).
F. The applicable Fire Department (as directed by policy).
G. Perry County Conservation District (When one or more acres are proposed to be disturbed).
H. Any other appropriate public agency deemed beneficial to review the plan as directed by the Board.

5. The Commission staff shall forward within seven (7) days following its initial meeting to review a Final Plan, one copy of the Final Plan, to the applicable municipality. The Commission may direct the Township Secretary to send plans to other agencies as needed. Copies of the plan and required report(s) will also be provided to the Commission.

6. The final plans shall be reviewed by the Township Engineer and Codes enforcement staff to provide review comments to the Board of Supervisors and the applicant.

7. The County Planning Commission shall review the plans and provide review comments to the Board of Supervisors within thirty- (30) days. The Board shall not approve the Final Plan until the affected municipality's review report is received or until the expiration of thirty (30) days from the date the application was accepted by the Commission.

8. The Board of Supervisors will review the Final Plan and required report(s) at its regularly scheduled meeting date, for compliance with the approved Preliminary Plan and this Ordinance. The Board shall act on the Final Plan within 90 days from the official filling date.

9. The Final Plan shall incorporate all the changes and modifications approved by the Board of Supervisors with the Preliminary Plan, and shall conform to the approved Preliminary Plan, and it may constitute only that portion of the approved Preliminary Plan which the applicant proposes to record and develop at the time, provided that such portion conforms with all the requirements of this Ordinance.

10. The phasing of a plan must be mutually agreed to by the applicant and the Board of Supervisors and conform to the phasing requirements found in the Pennsylvania Municipalities Planning Code, Act 247, as amended.

11. When a Final Plan is tabled by the Board of Supervisors to comply with review comments generated by the County and Township Planning Commissions, Township Engineer, or other review entity(s), the applicant shall provide a written response to all the comments and supply a revised Final Plan fifteen (15) days prior to the next Board meeting date.

12. The Board of Supervisors will not take the official action on the Final Plan until the applicant and the Board agrees to the terms for completion of all public improvements or guarantee thereof. The agreements and improvement and/ or maintenance guarantee shall be a prerequisite to Final Plan approval and shall be in accordance to improvement and maintenance guarantees.

13. The Board of Supervisors may request an extension of the review period for up to ninety-five (95) additional days. If the Board and the applicant are agreeable to an extension of time for an application, the applicant will be required to grant the Board the extension in writing.

14. The Board of Supervisors shall act on a Final Plan at a regularly scheduled monthly meeting and within ninety- (90) days, or extension thereof of the official filing date.

15. In the event that any modification/ waiver of requirement from this Ordinance is requested by the applicant, or is deemed necessary for approval, the details of the modification request and the reasons for its necessity shall be submitted to the Board of Supervisors in writing as provided in PART 9.

16. The applicant during the Final Plan review process may grant an extension of time for the Board of Supervisors to act on the Final Plan in writing.

17. The Board of Supervisors shall notify the applicant, in writing, of its decision to approve, approve with conditions, or disapprove the plan. Such notice shall be given to the applicant in persons or mailed to the applicant's last known address not later than fifteen (15) calendar days following the decision. If the Final Plan is approved with conditions or disapproved, the Board shall specify in their notice the conditions which must be met and/ or the defects found in the Final Plan and the requirements which have not been met, including specific reference to the provision of any statute or ordinance which have not been fulfilled.

18. If the Final Plan is approved with conditions, the applicant shall respond to the Board of Supervisors by indicating acceptance or rejection of such conditions. Such response shall be in writing, signed by the applicant, and received by the Township within ten (10) calendar days of receipt by the applicant of the Board's decision to approve the Final Plan with conditions. Approval of the Final Plan shall be rescinded automatically upon the applicant's failure to accept or reject such conditions in the manner and within the time frame noted above.

19. No changes, erasures, modifications, or revisions shall be made on any Final Plan after approval has been given by the Board of Supervisors, and endorsed in writing on the Final Plan, unless the plan is first resubmitted to the Board.

20. The applicant shall place a notation on the Final Plan if there is no offer of dedication to the public of streets and certain designated public areas, in which event the title to such areas shall remain with the owner and the municipality shall assume no responsibility for improvement or maintenance thereof, which fact shall be noted on the Final Plan.

21. Within ninety- (90) days after the approval of the Final Plan by the Board of Supervisors and upon all condition being met, the applicant shall provide one Mylar and no less than six (6) copies of the plan to the Board for signatures. Then the applicant shall obtain the signatures of the Township and County Planning Commissions for review of the Final Plan and two copies of the final signed plan shall be recorded in the Perry County Register and Recorder of Deeds Office. The applicant shall provide the Board with one recorded copy signed for municipal records with instrument number/ plan book number and appropriate page numbers indicated on the Final Plan.

22. Recording of the Final Plan shall be an irrevocable offer to dedicate all streets and other public ways to public use and to dedicate or reserve all park reservation and other public areas to public use unless reserved by the applicant as hereinafter provided. The approval of the Final Plan shall not impose any duty upon the Township or the Board of Supervisors concerning maintenance or improvements of any such dedicated street, or public use, until the Board shall have accepted the same by the prevailing procedure of the Township.

SECTION 405. FINAL MINOR PLAN: PROCEDURE

Where 3 or fewer lots are proposed to be subdivided or developed from a tract of land and the amount of land proposed to be disturbed is less than 1 acre, the Board of Supervisors may waive the Preliminary Plan requirements (Sections 403 and 407) in response to a written request submitted by the applicant and a recommendation from the Township Planning Commission. Such a plan can be submitted as a "FINAL PLAN" when meeting the following criteria;

- The applicant accepts all responsibility for mitigating stormwater and sufficient design.
- Drainage easements or rights-of-way are not altered.
- Access to the affected parcel remains unchanged.
- Street alignments are not changed.

A Final Minor Plan shall be prepared in conformance with the provisions of Section 409 of this Ordinance and any other applicable requirement of the law.

1. Final Minor Plans shall be submitted to the Board of Supervisors fifteen (15) working days prior to the Board's regularly scheduled monthly meeting date.

2. A Final Minor Plans application package shall consist of the following.

    A. Eight (8) copies of the Final Minor Plan and (1) electronic media formatted copy.
    B. One copy of the application form including description and purpose of the plan and checklist duly completed.
    C. When a sewage module is required, the applicant shall also submit concurrently two (2) copies of the completed Sewage Facilities Planning Module, or other applicable form, as required by the Pennsylvania Department of Environmental Protection in compliance with the requirements of the Pennsylvania Sewage Facilities Act and Chapter 71 of Title 25 of the Pennsylvania Code, as amended.

D. A non-refundable filing fee for the Commission as set by the Perry County Board of Commissioners by fee schedule.

3. The Commission staff will distribute within seven (7) days of the office's receipt of the Final Minor Plan, or seven days of the Planning Commission's recommendation to seek input, copies of the Final Minor Plans to the following, as applicable.

   A. The affected municipality for the municipal governing body's review.
   B. Township Engineer
   C. Any applicable Municipal Authority and/or Public Utility Company (As directed by the Planning Commission).
   D. The applicable Fire Department (As directed by the Planning Commission).
   E. Perry County Conservation District (When one or more acres are proposed to be disturbed).
   F. Any other appropriate public agency deemed beneficial to review the plan (As directed by the Planning Commission).

4. The Township Planning Commission and if necessary the Township Engineer shall review the Final Minor Plan and data and provide a written review report to the Board of Supervisors within thirty (30) days of its receipt of the same or forfeit the municipality's right to review. The Board shall not approve the application until the plan-affected municipality's review report is received or until the expiration of thirty (30) days from the date the application was accepted by the Board.

5. The Board of Supervisors shall review the Final Minor Plan to determine if it meets the requirement and standards set forth in this Ordinance. The Board shall determine whether the Final Minor Plan should be approved, disapproved, approved with conditions, or tabled to make revisions to the plan.

6. When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements, which have not been met and shall, in each case, cite the provisions of the Ordinance.

7. When a plan is tabled by the Board of Supervisors to comply with the review comments generated by the County Planning Commission, the Township Engineer, or other review entity(s), the applicant shall provide eight (8) revised Final Minor Plans and a written response to all the comments before the next regularly scheduled Board meeting.

8. The Board of Supervisors shall act on the Final Minor Plan within ninety (90) days, or extension thereof, of the official filing date. Failure to do so shall be deemed an approval. By accepting an application at its meeting, the ninety- (90) day time-period begins following the regularly scheduled Board meeting.

9. The Board of Supervisors may request an extension of the review period for up to ninety-five (95) additional days. If the Board and the applicant are agreeable to an extension of time for

an application; the applicant will need to provide such a time extension for the Board in writing.

10. Before acting on the Final Minor Plan, the Board of Supervisors may hold a public hearing after proper public notice.

11. The Board of Supervisors shall notify the applicant, in writing, of the Board's decision to approve, approve with conditions or disapprove the Preliminary Plan. Such notice shall be given to the applicant or applicant's agent not later than fifteen (15) calendar days following the decision. If the Final Minor Plan is approved with conditions or disapproved, the Board shall specify in their notice the conditions which must be met and/or the defects found in the plan and the requirement which have not been met, including specific reference to provisions of any statue or ordinance which have not been fulfilled.

12. The Board of Supervisors may grant conditional approval subject to conditions acceptable to the applicant. If the conditions are not accepted within forty-five (45) days, the approval will be automatically rescinded. Acceptance of the conditions must be supplied to the Board in writing.

13. If the Final Minor Plan is approved subject to conditions, the Board of Supervisors shall not sign the plan until all the conditions have been met. All conditions of approval must be fulfilled within One hundred and twenty (120) days of the date of conditional approval, or the approval shall automatically become null and void, unless the applicant grants an extension in writing and extended by the governing body. The official date of approval of the Final Minor Plan shall be the date all of the conditions are finally met.

SECTION 406. FINAL LOT ADDITION PLAN: PROCEDURE

A plan which proposes to alter the location of lot lines between existing lots of separate ownership for the sole purpose of increasing lot size can be submitted as a "FINAL LOT ADDITION PLAN" to the municipality when meeting the following criteria;

- No lot of land may be added to another lot when the resulting lot area is smaller than the minimum allowable lot size, nor larger than the maximum lot size.
- Drainage easements or rights-of-way are not altered.
- Access to the affected parcel remains unchanged.
- Street alignments are not changed.
- No new land disturbance or development is proposed.
- No new building lots are created.

The Final Lot Addition Plan shall be prepared in conformance with the provisions of Section 410 of this Ordinance and any other applicable requirement of the law.

SECTION 407. PRELIMINARY PLAN: SPECIFICATIONS

A Preliminary Plan which meets the requirements of Section 403 shall be prepared for submission to the Township and comply with the following requirements.

1. Preliminary Plans shall be prepared by land surveyor, an engineer or landscape architect registered in the Commonwealth of Pennsylvania.

   A land surveyor shall prepare the bearings and distances for the tract and lots.

   The Commission shall have the right to require a survey of the entire tract, which may be in excess of the property proposed to be developed, where the remaining balance of the property is two (2) acres or less in size, a survey of the entire tract will be required.

   i) Nine (9) copies of the Preliminary Plan will be submitted on a minimum sheet size of 17 inches by 22 inches and no larger than 24 inches by 36 inches.
   ii) In the case where the numbers of plan sheets exceed three pages an index table shall be provided to identify each sheet. For plans with 2 or 3 plan sheets, sheet numbering shall apply.
   iii) A legend describing various symbols and shading displayed on the plan.
   iv) The Preliminary Plan shall include the following information:

A. Title block consisting of the following.

   1). Name of proposed subdivision or land development, the municipality, and the county, Pennsylvania, and plan labeled “PRELIMINARY PLAN”.

   2). Name, address, and telephone number of the record owner of the tract, the equitable owner if one exists, and the subdivider/ developer.

   3). Date of plan preparation and revision date(s).

   4). Name, address and telephone number of professional engineer, landscape architect and professional land surveyor.

   5). A listing of all plan revision dates.

B. The Location Map consisting of the following.

   1). A location map drawn to a scale of a minimum of one inch to two thousand feet (1”= 2000’) and north arrow or point.

   2). North arrow, graphic and written scale.

   3). Street names.

   4). Municipal boundaries

C. The Original Tract Map consisting of the following.

1). Reference to instrument number/deed book volume and page number, and tax parcel number.

2). A north arrow/point.

3). A graphic and written scale.

4). Tract/lot boundary with bearing and distances, existing lot area, and existing lot numbers. For undeveloped area in excess of ten (10) acres, deed plat information may be used.

5). Location of existing building or structure(s) on the tract.

6). Location of existing wells.

7). The location of existing on-lot sewage systems and/or soils test sites.

8). Name and instrument/deed reference of all adjoining landowners with abutting lot lines.

9). Primary control point, which shall be referenced to the PA plane (South) coordinate system.

D. Preliminary Plat Area Map for the area where new lots are proposed, or the portion of the property where subdivision and/or land development activity is proposed. The plan is required to be drawn to a minimum scale of one inch equaling one hundred feet (1" = 100') or less. Where a smaller scale is proposed, such scale shall be subject to acceptance by the Planning Commission.

1). Existing elevation contour lines at vertical intervals of five (5) feet or less, as required by the Commission, for the entire tract or parcel.

2). A north arrow/point.

3). A graphic and written scale.

4). Existing natural features such as wetlands delineated in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (January 1989), 100 years flood elevation, flood fringe and floodway, tree masses, watercourses, soil types, steep slopes, rock outcrops, contours and other features.

5). The layout, names and widths of right-of-way, cartway and paving of proposed streets, alleys and location and width of existing and proposed easements with bearings and distances.

6). Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.

7). Minimum building setback lines for each lot.

8). Proposed buildings and their first floor elevations.

9). Existing and proposed concrete monuments and iron pin markers.

10). Areas of steep slope delineated and shaded.

11). Clear sight triangle and sight distance at proposed street intersections and driveways.

12). Name of existing and proposed public or private streets and driveways on or adjacent to the tract, right-of-way and cartway width, curb and sidewalks.

13). For on-lot sewerage facilities provide location of the percolation and probe soils testing for primary and secondary sites and distance to well.

14). For on-lot water supply provide location of a proposed well.

15). Location of existing sanitary sewer main water supply main, fire hydrant, gas line, power line, stormwater management facilities and other significant manmade features on or adjacent to the tract or developed/disturbed area within 200 feet.

16). Location of any proposed site improvements such as curbs, sidewalks, street trees, traffic regulatory signs, fire hydrants, snow dump areas, community mail box(s), trash dumpster(s) handicap ramps and parking facilities.

17). Zoning district boundary line(s) (As applicable).

18). Name and deed reference of all adjoining landowners with abutting lot lines of all lots.

19). Proposed lot numbers.

20). Proposed gross and net lot area figures for all lot numbers.

21). Primary control point (Point of beginning) referenced to the PA State Plane South coordinate system.

E. Signature Blocks consisting of the following.

1). Signature block for approval of the plan by the Board of Supervisors. Sufficient space is required for listing the date of the Commission's approval and applying the Chairman's and Secretary's signatures.

2). Signature block for review of the plan by the Township Planning Commission. Sufficient space is required for listing the date of the review and applying each of the Chairman's and Secretary's signatures.

3). Signature block for the Township Engineer for the review of the engineering aspects of the plan.

F. A list of Plan Certifications/ Statements consisting of the following.

1). Certification of ownership and statement of dedication of roads or streets and right-of-ways signed by owner and duly notarized.

2). Certification of professional land surveyor with seal and signature for the accuracy of the plan survey.

3). When applicable, certification of professional engineer or landscape architect with seal and signature that prepared the plan, that all information shown is correct.

4). When applicable, certification by a biologist or a person with training in wetland who has evaluated the site and determined by the 1987 Army Corp of Engineer's manual on wetland delineation and determination that there are/or there are no wetlands on the site.

5). A statement that the municipality shall be notified at least 48 hours prior to any blasting activities taking place.

6). Where applicable, a statement regarding the date and ordinance number of the municipal Zoning Ordinance in effect at the time of submission.

7). A statement listing any approved modifications of requirements, waivers, variances, special exceptions, conditional uses and/ or any non-conforming structures.

8). Statement regarding the presence or absence of floodplain.

9). An inventory of all permits/ approvals required by other agencies along with date submitted and approval dates.

10). A statement regarding presence or absence of archaeological resources, historical features and important natural habitat.

G. A Site Data Table to include.

1). Total area of tract, proposed use, proposed number of lots/number of units, floor area for non-residential uses, lot and building coverage, density, building height, number of floors, floor area ratio, open space area, developable area, area of public right-of-way, public or private water supply and sanitary sewer, total length of proposed and/ or improved street(s) in feet and parking calculations including handicap parking.

H. A Plan Notes list consisting but not exclusive to the following.

1). Existing and proposed protective covenants associated with the land, if any or a note stating none exist.

2). A statement that a Highway Occupancy Permit (HOP) is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law," as amended by Act No. 1986-43 of May, 1986,before access to State Highway is permitted.

3). Where applicable, a statement regarding municipal highway occupancy permit. That: "No building permit will be issued until a Municipal Occupancy Permit has been issued".

4). The zoning classification of adjoining lots and land.

5). A list of all utilities with addresses and telephone number.

6). Statement regarding all parcel(s) of land and/ or improvements to be dedicated.

I. When applicable, a Zoning Data Table to include:

1). The Zoning district, minimum lot area, building setbacks, and lot width, density, building height, number of floors, floor area ratio, existing and proposed lot and building and impervious coverage, the number of parking spaces required and proposed, open space, landscape buffer and screening, public or private water and sewer.

2). Any variance decisions affecting the plan are required to be noted with the date of the decision and application number with the municipality (Where applicable).

J. The following Supplemental Plan sheets as required by PART 5 (Design and Improvement Standards).

1). A preliminary Grading and Earth Moving Plan.

2). A preliminary Erosion and Sedimentation Control Plan shall be prepared as required by the "Pennsylvania Clean Streams Law", and the Pennsylvania Department of Environmental Resources "Erosion and Sediment Pollution Control Program Manual" (April 2000): (Title 25, part I, Subpart C, Article II, Chapter 102-Erosion Control).

3). A preliminary Facilities Design Plan.

a). The preliminary street centerline profile for each proposed street.

b). The preliminary street cross-section for proposed streets.

c). The preliminary design of water, sanitary, and storm sewer mains.

d). The preliminary street signage and traffic regulatory signs and details.

4). A preliminary Lighting Plan for outdoor and street lighting, as applicable.

5). A preliminary Landscaping, Buffering, and Screening Plan, if required, prepared by landscape architect, arborist or other qualified professional.

6). A preliminary Stormwater Management Plan.

7) A preliminary Phasing Plan will be required when the applicant intends to undertake a phased project. This plan sheet must also provide the number of lots and time schedule for development in a table form.

2. Other Information required to accompany the Preliminary Plan.

A. Traffic Impact Study, as required by this Ordinance.

B. All supporting calculations for the mitigating stormwater management.

C. A hydrogeologic/ water supply study, as requested by the Pennsylvania Department of Environmental Protection.

D. A completed Pennsylvania Department of Environmental Protection Sewage Facilities Planning Revision Module, Exemption, or Non-building Waiver Request form.

E. Such other data as may be required by the Board of Supervisors, and municipal engineer in the administration and enforcement of this Ordinance.

F. A Phasing Schedule when the applicant intends to undertake a phased project.

SECTION 408. FINAL PLAN: SPECIFICATIONS

A Final Plan which meets the requirements of Section 405 and contain all the specifications required by the Preliminary Plan in Section 407, shall be prepared for submission to the Township and comply with the following requirements.

1. Final plans shall be prepared by land surveyor, an engineer or landscape architect registered in the Commonwealth of Pennsylvania.

   A land surveyor shall prepare the bearings and distances for the tract and lots.

   The Commission shall have the right to require a survey of the entire tract, which may be in excess of the property proposed to be developed, where the remaining balance of the property is two (2) acres or less in size, a survey of the entire tract will be required.

2. Nine (9) copies of the Final Plan will be submitted on a minimum sheet size of 17 inches by 22 inches and no larger than 24 inches by 36 inches.

3. In the case where the numbers of plan sheets exceed three pages an index table shall be provided to identify each sheet. For plans with 2 or 3 plan sheets, sheet numbering shall apply.

4. A legend describing various symbols and shading displayed on the plan.

5. The Final Plan shall include the following information:

   A. Title block consisting of the following.

      1). Name of proposed subdivision or land development, the municipality, and the county, Pennsylvania, and plan labeled “FINAL PLAN”.

      2). Name, address, and telephone number of the record owner of the tract, the equitable owner if one exists, and the subdivider/ developer.

      3). Date of plan preparation and revision date(s).

      4). Name, address and telephone number of professional engineer, landscape architect and professional land surveyor.

      5). A listing of all plan revision dates.

   B. The Location Map consisting of the following.

      1). A location map drawn to a scale of a minimum of one inch to two thousand feet (1”= 2000’) and north arrow or point.

2). North arrow, graphic and written scale.

3). Street names.

4). Municipal boundaries

C. The Original Tract Map consisting of the following.

1). Reference to instrument number/ deed book volume and page number, and tax parcel number.

2). A north arrow/point.

3). A graphic and written scale.

4). Tract/ lot boundary with bearing and distances, existing lot area, and existing lot numbers. For undeveloped area in access of ten (10) acres, deed plat information may be used.

5). Location of existing building or structure(s) on the tract.

6). Location of existing wells.

7). The location of existing on-lot sewage systems and/or soils test sites.

8). Name and instrument/deed reference of all adjoining landowners with abutting lot lines.

9). Primary control point, which shall be referenced to the PA plane (South) coordinate system.

D. The Final Plat Area Map for the area where new lots are proposed, or the portion of the property where subdivision and/or land development activity is proposed. The plan is required to be drawn to a minimum scale of one inch equaling one hundred feet (1" = 100') or less. Where a smaller scale is proposed, such scale shall be subject to the prior acceptance of the Commission.

1). Existing elevation contour lines at vertical intervals of five (5) feet or less, as required by the Commission, for the entire tract or parcel.

2). A north arrow/point.

3). A graphic and written scale.

4). Existing natural features such as wetlands delineated in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (January

1989), 100-years flood elevation, flood fringe and floodway, tree masses, watercourses, soil types, steep slopes, rock outcrops, contours and other features.

5). The layout, names and widths of right-of-way, cartway and paving of proposed streets, alleys and location and width of existing and proposed easements with bearings and distances.

6). Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.

7). Minimum building setback lines for each lot.

8). Proposed buildings and their first floor elevations.

9). Existing and proposed concrete monuments and iron pin markers.

10). Areas of steep slope delineated and shaded.

11). Clear sight triangle and sight distance at proposed street intersections and driveways.

12). Name of existing and proposed public or private streets and driveways on or adjacent to the tract, right-of-way and cartway width, curb and sidewalks.

13). For on-lot sewerage facilities provide location of perc and probe for primary and secondary sites and distance to well.

14). For on-lot water supply provide location of a proposed well.

15). Location of existing sanitary sewer main water supply main, fire hydrant, gas line, power line, stormwater management facilities and other significant manmade features on or adjacent to the tract or developed/disturbed area within 200 feet.

16). Location of any proposed site improvements such as curbs, sidewalks, street trees, traffic regulatory signs, fire hydrants, snow dump areas, community mail box(s), trash dumpster(s) handicap ramps and parking facilities.

17). The approval date of State Highway Occupancy Permit and number where a proposed subdivision and land development proposes access to a state road.

18). When applicable, the approval date and number of the municipal road occupancy permit where a proposed subdivision and land development proposes access from a municipal street.

19). Description of all lot lines, with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, cord, bearing and distance. Along existing street right-of-way, the description shall be prepared to the right-of-way lines. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

20). Description of the centerline and right-of-way for all new and existing streets, to include distances and bearings with curve segments comprised of radius, tangent, arc, and cord. The description shall not have an error of closure and greater than one (1) foot in ten thousand (10,000) feet.

21). Zoning district boundary line(s) (As applicable).

22). Name and deed reference of all adjoining landowners with abutting lot lines of all lots.

23). Proposed lot numbers.

24). Proposed gross and net lot area figures for all lot numbers.

25). Primary control point (Point of beginning) referenced to the PA State Plane South coordinate system.

E. Signature Blocks consisting of the following.

1). Signature block for approval of the plan by the Commission. Sufficient space is required for listing the date of the Commission's approval and applying the Chairman's and Secretary's signatures.

2). Signature block for review of the plan by the municipal governing body. Sufficient space is required for listing the date of the municipal governing body's review and applying each of the supervisors' or council members' signatures.

3). When applicable, signature block for the Municipal Engineer or County appointed engineer for the review of the engineering aspects of the plan.

F. A list of Plan Certifications/ Statements consisting of the following.

1). Certification of ownership and statement of dedication of roads or streets and right-of-ways signed by owner and duly notarized.

2). Certification of professional land surveyor with seal and signature for the accuracy of the plan survey.

3). When applicable, certification of professional engineer or landscape architect with seal and signature that prepared the plan, that all information shown is correct.

4). When applicable, certification by a biologist or a person with training in wetland who has evaluated the site and determined by the 1987 Army Corp of Engineer's manual on wetland delineation and determination that there are/or there are no wetlands on the site.

5). A statement that the municipality shall be notified at least 48 hours prior to any blasting activities taking place.

6). Where applicable, a statement regarding the date and ordinance number of the municipal Zoning Ordinance in effect at the time of submission.

7). A statement listing any approved modifications of requirements, waivers, variances, special exceptions, conditional uses and/ or any non-conforming structures.

8). Statement regarding the presence or absence of floodplain.

9). An inventory of all permits/ approvals required by other agencies along with date submitted and approval dates.

10). A statement regarding presence or absence of archaeological resources, historical features and important natural habitat.

G. A Site Data Table to include.

1). Total area of tract, proposed use, proposed number of lots/number of units, floor area for non-residential uses, lot and building coverage, density, building height, number of floors, floor area ratio, open space area, developable area, area of public right-of-way, public or private water supply and sanitary sewer, total length of proposed and/ or improved street(s) in feet and parking calculations including handicap parking.

H. A Plan Notes list consisting but not exclusive to the following.

1). Existing and proposed protective covenants associated with the land, if any or a note stating none exist.

2). A statement that a Highway Occupancy Permit (HOP) is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law," as amended by Act No. 1986-43 of May, 1986, before access to State Highway is permitted.

3). Where applicable, a statement regarding municipal highway occupancy permit. That: "No building permit will be issued until a Township road or street occupancy permit has been issued".

4). The zoning classification of adjoining lots and land.

5). A list of all utilities with addresses and telephone number.

6). Date of Preliminary Plan approval.

8). List of Modifications granted.

9). Statement regarding all parcel(s) of land and/or improvements to be dedicated.

I. When applicable, a Zoning Data Table to include:

1). The Zoning district, minimum lot area, building setbacks, and lot width, density, building height, number of floors, floor area ratio, existing and proposed lot and building and impervious coverage, the number of parking spaces required and proposed, open space, landscape buffer and screening, public or private water and sewer.

2). Any variance decisions affecting the plan are required to be noted with the date of the decision and application number with the municipality (Where applicable).

J. The following Supplemental Plan sheets as required by PART 5 (Design and Improvement Standards).

1). Depending upon the amount of earth disturbance, A final Grading and Earth Moving Plan may be required.

2). The final Erosion and Sedimentation Control Plan shall be prepared as required by the "Pennsylvania Clean Streams Law", and the Pennsylvania Department of Environmental Resources "Erosion and Sediment Pollution Control Program Manual" (April 2000): (Title 25, part I, Subpart C, Article II, Chapter 102-Erosion Control).

a). Approval date of Erosion and Sedimentation Control Plan by Perry County Conservation District.

3). A final Facilities Design Plan to include.

a). The final Street centerline profile for each proposed street.

b). The final Street cross-section for proposed streets.

c). The final design of water, sanitary, and storm sewer mains.

d). The final street signage and traffic regulatory signs and details.

4). A final Lighting Plan for outdoor and street lighting, as applicable.

5). A final Landscaping, Buffering, and Screening Plan, if required, prepared by landscape architect, arborist or other qualified professional.

6). A final Stormwater Management Plan approved by the municipal or designated Perry County review engineer.

a). Approval date of final Stormwater Management Plan by the municipal or designated Perry County review engineer.

b). Details of stormwater management facilities along with maintenance and inspection requirements.

c). Drainage and grading plan showing existing and proposed final contours, including swales and any stormwater facilities.

7) A final Phasing Plan will be required when the applicant intends to undertake a phased project. This plan sheet must also provide the number of lots and time schedule for development in a table form.

6. Other Information required to accompany the Final Plan.

A. Traffic Impact Study, as required by this Ordinance.

B. All supporting calculations for the mitigating stormwater management as required by this Ordinance.

C. A copy of the final hydrogeologic/ water supply study, as requested by the Pennsylvania Department of Environmental Protection.

D. An approval letter from the Pennsylvania Department of Environmental Protection for the Sewage Facilities Planning Revision Module, Exemption, or Non-building Waiver Request form.

E. A Phasing Schedule when the applicant intends to undertake a phased project.

G. Financial security for all required improvements directed to be undertaken by Article 5. This includes both performance and maintenance guarantees.

H. Copy of all the permits/approvals from utilities and government agencies.

I. A copy of all final deed restrictions or protective covenants.

J. When applicable, copy of the condominium/ homeowner's association package.

K. If water supply is to be provided by means other than private wells owned and maintained by individual lot owners within the subdivision or development, the applicant shall present evidence that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or commitment or agreement to serve the area in question, whichever is appropriate is acceptable.

L. Signed Municipal Comment form.

M. Comment from the fire department (When applicable).

N. Comment from the School District (When applicable).

O. Such other data which may be required by the Commission for the administration and enforcement of this Ordinance.

P. Plans and profiles of proposed streets, sanitary and stormwater sewers with grade and pipe size indicated and a plan of proposed water distribution system showing pipe size and location of valves and fire hydrant and specification for construction and materials.

Q. Parcels of land intended to be dedicated or reserved for parks, playgrounds, parking areas, common open space, or other public, semi-public, or community purpose.

R. Wetland Study, as required.

S. Traffic studies required by state laws to warrant traffic control devices such as stop signs, traffic signals, speed limits, turning lanes, etc.

SECTION 409. FINAL MINOR PLAN: SPECIFICATIONS

A Final Plan which meets the requirements of Section 405 and contain all the specifications required by the Preliminary Plan in Section 407, shall be prepared for submission to the Township and comply with the following requirements.

1. Final plans shall be prepared by land surveyor, an engineer or landscape architect registered in the Commonwealth of Pennsylvania.

   A land surveyor shall prepare the bearings and distances for the tract and lots.

   The Commission shall have the right to require a survey of the entire tract, which may be in excess of the property proposed to be developed, where the remaining balance of the property is two acres or less in size, a survey of the entire tract will be required.

2. Nine (9) copies of the Final Plan will be submitted on a minimum sheet size of 17 inches by 22 inches and no larger than 24 inches by 36 inches.

3. In the case where the numbers of plan sheets exceed three pages an index table shall be provided to identify each sheet. For plans with 2 or 3 plan sheets, sheet numbering shall apply.

4. A legend describing various symbols and shading displayed on the plan.

5. The Final Plan shall include the following information:

    A. Title block consisting of the following.

        1). Name of proposed subdivision or land development, the municipality, and the county, Pennsylvania, and plan labeled "FINAL PLAN".

        2). Name, address, and telephone number of the record owner of the tract, the equitable owner if one exists, and the subdivider/ developer.

        3). Date of plan preparation and revision date(s).

        4). Name, address and telephone number of professional engineer, landscape architect and professional land surveyor.

    B. The Location Map consisting of the following.

        1). A location map drawn to a scale of a minimum of one inch to two thousand feet (1"= 2000') and north arrow or point.

        2). North arrow, graphic and written scale.

        3). Street centerlines and names.

        4). Municipal boundaries.

        5). Map frame.

        6). Perimeter outline of the property proposed to be subdivided and/ or developed.

        7). Darkened area of lots proposed to be subdivided and/ or developed.

    C. The Original Tract Map consisting of the following.

        1). Reference to instrument number/ deed book volume and page number, and tax parcel number.

2). A north arrow/ point.

3). A graphic and written scale.

4). Tract/ lot boundary with bearing and distances, existing lot area, and existing lot numbers. For undeveloped area in access of ten (10) acres, deed plat information may be used.

5). Location of existing building(s) or structure(s) on the tract.

6). Location of existing wells.

7). The location of existing on-lot sewage systems and/ or soils test sites.

8). Name and instrument/deed reference of all adjoining landowners with abutting lot lines.

9). Primary control point, which shall be referenced to the PA plane (South) coordinate system.

10). Map frame.

11). Zoning district boundary line(s) (As applicable).

D. The Final Plat Area Map for the area where new lots are proposed, or the portion of the property where subdivision and/or land development activity is proposed. The plan is required to be drawn to a minimum scale of one inch equaling one hundred feet (1" = 100') or less. Where a smaller scale is proposed, such scale shall be subject to the prior acceptance by the Commission.

1). Existing elevation contour lines at vertical intervals of five (5) feet or less, as required by the Commission, for the entire tract or parcel.

2). A north arrow/point.

3). A graphic and written scale.

4). Existing natural features such as wetlands delineated in accordance with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (January 1989), 100 year base flood elevation, flood fringe, and floodway, tree masses, watercourses, soil types, steep slopes, rock outcrops, contours and other features.

5). The layout, names and widths of right-of-way, cartway, and paving of proposed streets, alleys and location and width of existing and proposed easements with bearings and distances.

6). Parcels of land intended to be dedicated or reserved for schools, parks, playgrounds, parking areas, common open space, or other public, semi-public or community purposes.

7). Minimum building setback lines for each lot.

8). Existing and proposed buildings with the first floor elevations of proposed buildings. (For properties with floodplain information)

9). Existing and proposed concrete monuments and iron pin markers.

10). Areas of steep slope delineated and shaded.

11). Clear sight triangle and sight distance at proposed street intersections and driveways.

12). Name of existing and proposed public or private streets and driveways on or adjacent to the tract, right-of-way and cartway width, curb and sidewalks.

13). For on-lot sewerage facilities provide location of the percolation and probe soil tests for primary and secondary sites, and distance to well.

14). Existing or proposed well locations and required PADEP isolation distances from existing and proposed on-lot sewage systems.

15). Location of existing sanitary sewer main water supply main, fire hydrant, gas line, power line, stormwater management facilities and other significant manmade features on or adjacent to the tract or developed/disturbed area within 200 feet.

16). Location of any proposed site improvements such as curbs, sidewalks, street trees, traffic regulatory signs, fire hydrants, snow dump areas, community mail box(s), trash dumpster(s) handicap ramps and parking facilities.

17). The approval date of State Highway Occupancy Permit and number where a proposed subdivision and land development proposes access to a state road.

18). When applicable, the approval date and number of the municipal road occupancy permit where a proposed subdivision and land development proposes access from a municipal street.

19). Description of all lot lines, with accurate bearings and distances, and lot areas for all parcels. Curve segments shall be comprised of arc, cord, bearing and distance. The description shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.

20). Description of the centerline and right-of-way for all new and existing streets, to include distances and bearings with curve segments comprised of radius, tangent, arc, and cord. The description shall not have an error of closure and greater than one (1) foot in ten thousand (10,000) feet.

21). Zoning district boundary line(s) (As applicable).

22). Name and deed reference of all adjoining landowners with abutting lot lines of all lots.

23). Proposed lot numbers.

24). Proposed gross and net lot area figures for all lot numbers.

25). Primary control point (Point of beginning) referenced to the PA State Plane South coordinate system.

E. Signature Blocks consisting of the following.

1). Signature block for approval of the plan by the Board of Supervisors. Sufficient space is required for listing the date of the approval and applying the Chairman's and Secretary's signatures.

2). Signature block for review of the plan by the Township Planning Commission. Sufficient space is required for listing the date of the review and applying the Chairman's and Secretary's signatures.

3). Signature block for the Township Engineer for the review of the engineering aspects of the plan.

4). Signature block for review of plans by the County Planning Commission. (Chairman and Secretary)

F. A list of Plan Certifications/ Statements consisting of the following.

1). Certification of ownership and statement of dedication of roads or streets and right-of-ways signed by owner and duly notarized.

2). Certification of professional land surveyor with seal and signature for the accuracy of the plan survey.

3). When applicable, certification of professional engineer or landscape architect with seal and signature that prepared the plan, that all information shown is correct.

4). When applicable, certification by a biologist or a person with training in wetland who has evaluated the site and determined by the 1987 Army Corp of Engineer's

manual on wetland delineation and determination that there are/ or there are no wetlands on the site.

5). Where applicable, a statement regarding the date and ordinance number of the municipal Zoning Ordinance in effect at the time of submission.

6). A statement listing any approved modifications of requirements, waivers, variances, special exceptions, conditional uses and/or any non-conforming structures.

7). Statement regarding the presence or absence of floodplain.

8). An inventory of all permits/approvals required by other agencies along with date submitted and approval dates.

9). A statement regarding presence or absence of archaeological resources, historical features and important natural habitat.

10). A statement regarding the landowners responsibility for implementing the erosion and sedimentation control plan.

11). Statement regarding the presence or absence of wetlands.

G. A Site Data Table to include.

1). Total area of tract, proposed lot uses, proposed number of lots/ number of existing and proposed dwelling units, floor area for non-residential uses, minimum building setbacks, open space area, area of proposed land disturbance, area of public right-of-way, total length of proposed and/ or improved street(s) in feet, remaining acreage balance, and acreage assigned to new lots.

H. A Plan Notes list consisting but not exclusive to the following.

1). Existing and proposed protective covenants associated with the land, if any or a note stating none exist.

2). A statement that a Highway Occupancy Permit (HOP) is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law," as amended by Act No. 1986-43 of May, 1986, before access to State Highway is permitted.

3). Where applicable, a statement regarding municipal highway occupancy permit. That: "No building permit will be issued until a Municipal Occupancy Permit has been issued".

4). The zoning classification of adjoining lots and land.

5). Date of Preliminary Plan approval.

6). List of Modifications granted.

7). Declaration of public or private water supply and sanitary sewer and service to each lot.

8). Reference to instrument number/deed book volume and page number, and tax parcel number.

9). PA One Call note (See Appendix 6)

10). Statement regarding all parcel(s) of land and/or improvements to be dedicated.

I. When applicable, a Zoning Data Table to include:

1). The zoning district, minimum lot area, minimum building setbacks, minimum lot width, density, maximum and proposed building height, number of floors, floor area ratio, maximum building coverage, existing and proposed lot and building and impervious coverage, and the number of parking spaces required and proposed.

2). Any variance decisions affecting the plan are required to be noted with the date of the decision and application number with the municipality (Where applicable).

J. The following Supplemental Plan sheets as required by PART 5 (Design and Improvement Standards).

1). A final Grading and Earth Moving Plan.

2). The final Erosion and Sedimentation Control Plan shall be prepared as required by the "Pennsylvania Clean Streams Law", and the Pennsylvania Department of Environmental Resources "Erosion and Sediment Pollution Control Program Manual" (April 2000): (Title 25, part I, Subpart C, Article II, Chapter 102-Erosion Control).

a). Approval date of Erosion and Sedimentation Control Plan by Perry County Conservation District.

3). A final Facilities Design Plan to include.

a). The final Street centerline profile for each proposed street.

b). The final Street cross-section for proposed streets.

c). The final design of water, sanitary, and storm sewer mains.

d). The final street signage and traffic regulatory signs and details.

4). A final Lighting Plan for outdoor and street lighting, as applicable. (Non-residential)

5). A final Landscaping, Buffering, and Screening Plan, if required, prepared by landscape architect, arborist or other qualified professional. (Non-residential)

6). A final Stormwater Management Plan approved by the municipal or designated Perry County review engineer.

a). Approval date of final Stormwater Management Plan by the municipal or designated Perry County review engineer.

b). Details of stormwater management facilities along with maintenance and inspection requirements.

c). Drainage and grading plan showing existing and proposed final contours, including swales and any stormwater facilities.

6. Other Information required to accompany the Final Plan.

A. All supporting calculations for the mitigating stormwater management as required by this Ordinance.

B. A copy of the final hydrogeologic/ water supply study, as requested by the Pennsylvania Department of Environmental Protection.

C. An approval letter from the Pennsylvania Department of Environmental Protection for the Sewage Facilities Planning Revision Module, Exemption, or Non-building Waiver Request form.

D. Financial security for all required improvements directed to be undertaken by PART 5. This includes both performance and maintenance guarantees.

E. Copy of all the permits/approvals from utilities and government agencies.

F. A copy of all final deed restrictions or protective covenants.

G. If water supply is to be provided by means other than private wells owned and maintained by individual lot owners within the subdivision or development, the applicant shall present evidence that the subdivision or development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners, or by a

municipal corporation, authority or utility. A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or commitment or agreement to serve the area in question, whichever is appropriate is acceptable.

H. Signed Municipal Comment form.

I. Comment from the fire department (When applicable).

J. Comment from the School District (When applicable).

K. Such other data which may be required by the Board of Supervisors for the administration and enforcement of this Ordinance.

L. Plans and profiles of proposed streets, sanitary and stormwater sewers with grade and pipe size indicated and a plan of proposed water distribution system showing pipe size and location of valves and fire hydrant and specification for construction and materials.

M. Parcels of land intended to be dedicated or reserved for parks, playgrounds, parking areas, common open space, or other public, semi-public, or community purpose.

N. Wetland Studies are required when hydric soils are present on the property

O. Traffic studies required by state laws to warrant traffic control devices such as stop signs, traffic signals, speed limits, turning lanes, etc.

SECTION 410. FINAL LOT ADDITION PLAN: SPECIFICATIONS

A subdivision plan which meets the criteria of Section 405 for Final Lot Addition Plan may be prepare for submission to the Township and shall comply with the following requirements.

1. The Final Lot Addition Plan shall be prepared by a land surveyor registered in Commonwealth of Pennsylvania.

2. Six (6) copies of the plan will be submitted on a minimum sheet size of 17 inches by 22 inches and no larger than 24 inches by 36 inches.

3. Dimensions shall be in feet and degrees, minutes and seconds with an error of closure no greater than one foot in ten thousand feet.

4. The plan shall contain the following information.

   A. Cover Sheet

1). Title block

2). Name of proposed plan, municipality, county, Pennsylvania and plan labeled "FINAL LOT ADDITION PLAN".

3). Name, address, and telephone number of the recorded owner and any equitable owner of the two effected lots.

4). Name, address and telephone number of professional land surveyor.

5). Reference to Instrument Number/ Deed Book, Volume and Page Number and tax parcel number.

6). A location map drawn to a scale of a minimum of one inch to two thousand feet (1" = 2000') and north arrow.

7). Date of plan preparation and revision date(s).

8). When applicable, a Zoning Data Table is required to list: Zoning district, minimum lot area, building setbacks, and lot width, density, floor area ratio, lot and building coverage, parking, open space, landscape buffer and screening.

9). Site data in a table form to include: Area of the lots, proposed use, proposed lot numbers, lot and building coverage, density, open space area, area of public right-of-way, public or private water supply and sanitary sewer.

10). Existing and proposed protective covenants associated with the lands, if any or a note stating that none exist.

11). A statement listing any approved modification of requirements, waivers, variances, special exceptions, conditional uses and/or any non-conforming structures.

12). Statement for recordation of the plan with date, Instrument number/Deed book, volume and page number and tax parcel numbers.

13). Certification of Professional Land Surveyor with seal and signature for the accuracy of the plan survey.

14). Certification regarding presence or absence of wetland and floodplain.

15). Signature block for review of plans by the Township Planning Commission or assigned official(s).

16). Signature block for approval of plan by the Miller Township Board of Supervisors.

17). A statement is required to be placed upon all Final Lot Addition Plans stating "Lot # ___ has been proposed as a lot addition to the adjoining lands of _____ to form a single lot consisting of _____ acres. Lot #____ may not be sold or retained as a stand-alone lot."

18). A statement indicating that a Non-Building Waiver Form B has been approved by the Pennsylvania Department of Environmental Protection.

19). A statement specifying the resulting acreage total of the affected property receiving the lot addition acreage.

20). Signature block for review of plans by the County Planning Commission. (Chairman and Secretary)

B. Plan Information

1). The plan shall be drawn no smaller than 100 feet to an inch. All dimensions shall be in feet and hundredth of a foot.

2). Property plan showing the entire lot, tract or parcel to be effected by the lot addition plan subdivision.

3). Lot area, bearings and distances and lot numbers. If the remaining acreage is in excess of ten (10) acres, its boundary and the boundary of the remaining tract shall be described by deed plotting drawn at a legible scale.

4). North arrow, graphic and written scale.

5). Name and deed reference of all adjoining landowners with abutting lot lines of both conveying and receiving lots.

6). Primary control points, which shall be referenced to the PA Plane Coordinate System.

7). Existing and proposed concrete monuments and iron pin markers.

8). Name of existing public or private streets, and driveways on or adjacent to the lot, right-of-way and cartway width, curb and sidewalk.

9). Location of easements with bearing and distances and utilities on and/or adjacent to both the conveying and receiving lot.

10. Zoning district boundary line(s) (As applicable).

PART 5

DESIGN AND IMPROVEMENT STANDARDS

SECTION 501. PURPOSE

The purpose of this Part is to provide reasonable design and improvement standards for public improvements related to subdivision and land development. This Part combines design and improvement specifications which comply with sound engineering and design with suitable improvement standards.

SECTION 502. GENERAL

The applicant shall provide all improvements required by this Ordinance and any other applicable State or Federal regulation. The following design principles, standards, specifications and requirements will be applied by the Miller Township Board of Supervisors, the Township and County Planning Commissions, and the Township Engineer in their review and evaluation of all subdivision and land development plan applications. The standards and requirements contained herein shall be considered the minimum for the promotion of the public health, safety, convenience, and general welfare.

1. Where literal compliance with the standards and requirements contained herein is clearly impractical, the Miller Township Board of Supervisors following recommendations from the Township and County Planning Commissions, and the Township Engineer may modify the requirements in accordance with the process set forth in PART 9 of this Ordinance.

2. Subdivision and Land development plans shall give due consideration to any "Official Plans" of the Township or to such parts thereof as may be approved.

SECTION 503. SITE DESIGN

The purpose of good Subdivision and Land Development design is to assist in (1) creating functional and attractive developments, (2) minimizing adverse effects and impacts of development, and (3) ensuring that the project will become an asset of the community. To promote this overall purpose, Subdivision and Land Development plans in the Township should conform to the following site design guidelines which will result in a well-planned and constructed community. These guidelines and standards are intended to encourage improved site design without adding unnecessarily to development costs.

1. Land which is unsuitable for development due to hazards to life, safety, health or property shall not be subdivided or developed until such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the subdivision or land development plan. Unsuitable characteristics for subdivision and land development include, but may not be limited to:

A. Land subject to flooding;

B. Land, which if developed, will aggravate a flooding condition upon other land;

C. Land subject to subsidence;

D. Land containing significant slope;

E. Land subject to ground and water pollution; and,

F. Land containing wetlands.

2. Before laying out lots and structures on a site, developers should make an analysis of the site that addresses issues such as site surrounding, geology and soil, topography, climate, existing vegetation, structures, road networks, visual features, and past and present use of the site.

3. The design of the development should take into consideration existing local, county and regional plans for the community.

4. Development of the site shall be based on the site analysis. To the maximum extent practicable, development shall be located to preserve natural features of the site; to avoid areas of environmental sensitivity; to minimize negative impacts and alteration of natural features; and to avoid areas unsuitable for development.

5. Development and improvements shall be designed to avoid adversely affecting ground water and water recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; and to provide adequate access to lots and sites.

6. Lot and block layout should be designed to permit the safe, efficient, and orderly movement of vehicular and pedestrian traffic into, out of, through and within the site.

SECTION 504. BLOCKS

The length, width, shape, and design of blocks shall be based on the site analysis and the intended use proposed for the site.

1. DIMENSIONS. Blocks shall not exceed one thousand six hundred (1,600) feet in length and shall be of sufficient depth to permit two (2) tiers of lots, except as otherwise provided herein. Blocks shall not be less than five hundred (500) feet in length.

SECTION 505. LOTS

1. GENERAL STANDARDS

A. The size, shape, and orientation of lots shall be appropriate to the type of development,

topography, natural features, setbacks, and land use contemplated.

B. Every lot shall abut a street or private right-of-way or be added to a lot with street frontage, or access to a private right-of-way as a means of access.

C. Side lot lines should be substantially at right angles or radial to street lines.

D. Where feasible, lot lines should follow municipal boundaries rather than cross them, in order to avoid jurisdictional problems.

E. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.

F. Lot size and density shall conform to the prevailing municipal zoning ordinance where one exists.

2. ENVIRONMENTAL SELF SUFFICIENCY

Each new lot created in Perry County shall be designed in such a manner to be individually self sufficient for both water supply and sewage disposal or be connected to available public or private water and sewer facilities.

3. LOT FRONTAGE

A. All lots shall abut an existing or proposed public street except where:

1). Private streets are permitted in developments where the ownership arrangements are set up as a condominium or homeowners association.

2). A private access drive is permitted to provide an access to not more than three (3) lots or dwelling units. The width of the private minor street/easement/right-of-way shall be not less than fifty (50) feet. If any additional lot(s) beyond the three (3) are proposed on the access drive, the drive shall be required to be designed and constructed to become a public street.

4. DIMENSIONS AND AREAS OF LOTS. The dimensions and areas of lots, unless regulated by a local zoning ordinance, shall conform to the following standards and requirements:

A. Lots not serviced by either public sewer or public water supply are required to be two hundred (200) feet wide at the front building setback line and a minimum of two (2) acres of net lot area.

B. Lots serviced by private sewer and public water supply are required to be one hundred (100) feet wide at the front building setback line and a minimum of one (1) acre of net lot area.

C. Lots serviced by public sewer and private water supply are required to be eighty five (100) feet wide at the front building setback line and a minimum of ten thousand (10,000) square feet of net lot area.

D. Lots serviced by both a public sewer system and a public water supply shall conform to the following requirements:

Table 5.1 - Lot Requirements (Public Sewer System and a Public Water Supply)

	Minimum Lot Width Required at the Front Building Setback Line	**Minimum Net Lot Area Required per Dwelling Unit.**
Single Family Detached Dwelling	75 Feet	7,500 Square Feet
Single Family Semi-detached Dwelling	50 Feet	5,000 Square Feet
Single Family Attached Dwelling	18 Feet (Interior) 33 Feet (Each end)	2,400 Square Feet
Two Family Detached Dwelling	75 Feet	7,500 Square Feet
Two Family Semi-detached Dwelling	60 Feet	3,000 Square Feet
Multi-family Dwelling	100 Feet	2,400 Square Feet

5. SETBACK LINES

Building setback lines must conform to the applicable municipal zoning ordinance. Where no such ordinance exists, the minimum setback from the right-of-way line is as follows:

A. Front Yard Building Setback Lines

1). Where the street right-of-way width meets the requirements of this ordinance.

Table 5.2 - Front Yard Building Setback Requirements

Street Type	Minimum setback distance from the required street right-of-way line
Arterial (None presently)	Forty (40) feet
Collector (SR 0849)	Thirty (30) feet

Minor/ Local (All other streets, roads and private right-of-ways)	Twenty-five (25) feet

2). Front yard building setback lines for subdivisions or land developments fronting on streets which do not meet the right-of-way requirements of the ordinance for arterial, collector, or minor streets, shall be measured from the centerline of the existing street based on the designation of the commission as to the type of street, and the minimum setback shall be as follows:

Table 5.3 - Front Yard Building Setback Requirements

(For streets not meeting the minimum required right-of-way widths)

Street Type	Minimum building setback distance from the required street centerline
Arterial Highway (None presently)	As required by the Commission
Collector Street (SR 0849)	Sixty (60) feet
Minor Street (All other streets, roads and private right-of-ways)	Fifty (50) feet

B. Side and Rear Building Setback Lines

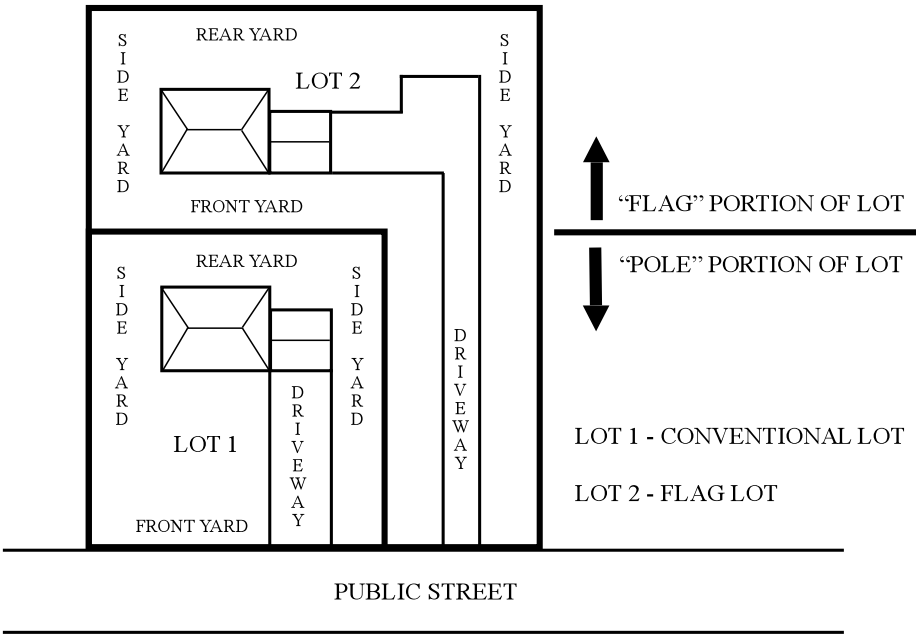
1). Building setback lines shall not be less than fifteen (15) feet from the side lot lines and twenty-five (25) feet from the rear lot line.

2). In a recreational vehicle park or campground side and rear building setback lines shall not be less than ten (10) feet from the lot line on each side and from the rear lot line of each recreational vehicle or campground lot and not less than twenty-five (25) feet from the recreational vehicle park or campground property line on the sides and rear not adjacent to a dedicated public street right-of-way.

6. FLAG-LOTS

Flag-lots shall only be permitted where specifically provided for in accordance with this Ordinance, and in compliance with the following:

Figure 5.1 - Flag-Lot Illustration



A. For the purposes of this Section a flag-lot shall be described as containing two parts: (1) The "flag" shall include that portion of the lot that is the location of the principal and accessory buildings. (2) The "pole" shall be considered that portion of the site that is used for vehicular access between the site and its adjoining road.

B. Requirements for the Flag

1). The minimum lot area and lot width requirements of the Municipal Zoning Ordinance shall be measured exclusively upon the flag.

2). For purposes of determining required yards and setbacks, the following shall apply:

Front yard - The area between the principal structure and that lot line of the flag which is most parallel to the street providing vehicular access to the site. Additionally, all areas of the pole shall be considered to be within the front yard;

Rear yard - The area between the principal structure and that lot line of the flag that is directly opposite the front yard, as described above; and,

Side yard - The area between the principal structure and that one (1) outermost lot line which forms the flag and pole, plus the area on the opposite side of the principal structure. (See the preceding Flag-Lot Figure 5.1. for a graphic depiction of the yard locations);

3). The flag-lot shall contain adequate driveway dimension for vehicular backup so that ingress to, and egress from, the lot is in the forward direction.

C. Requirements for the Pole

1). The pole shall maintain a minimum width of fifty (50) feet.

2) The pole shall not exceed six hundred (600) feet in length, unless additional length is needed to avoid the disturbance of productive farmlands or some other significant natural or cultural feature.

3). No part of the pole shall be used for any portion of an on- lot sewage disposal system, well, nor any other improvement except a driveway and other permitted improvements such as landscaping, fencing, utility connections to off- site facilities, mailboxes, and signs.

4). The driveway contained within the pole shall be located at least five (5) feet from any adjoining property line, and twenty (20) feet from any existing structures on the site or any adjoining property.

SECTION 506. DRIVEWAYS AND SERVICE DRIVES

The following standards shall apply to driveway construction within the public right-of-way in any subdivision and land development:

1. Private driveways on corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines. Private driveways shall be setback a minimum of five (5) feet from side property lines unless a joint use driveway is proposed.

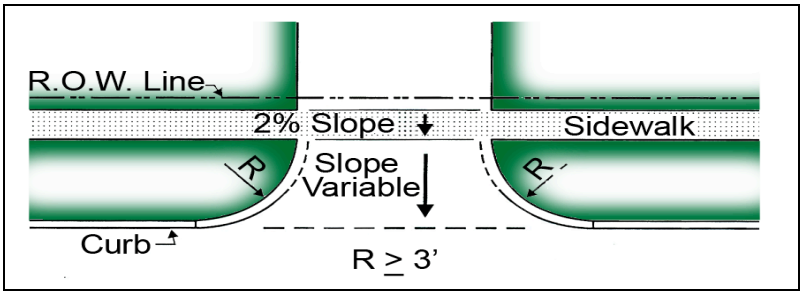
2. All driveways on a State Highway must have a valid highway occupancy permit from the PA Department of Transportation.

3. JOINT DRIVEWAYS. Joint or common driveways serving no more than three (3) lots or three single-family dwelling units are permitted and shall be designed in accordance with the standards of this section.

4. CURB CUTS. The minimum curb cut or driveway width at the cartway edge shall be ten (10) feet. The maximum curb cut or driveway width at the cartway edge shall be twenty five (25) feet.

5. CURB ENTRANCES. A curb return entrance is illustrated in Figure 5.2. When curb return entrances are used, the curb shall have a minimum radius of three (3) feet. However, any driveway entering into PennDOT right-of way shall be designed in accordance with PA Code Title 67, Chapter 441.

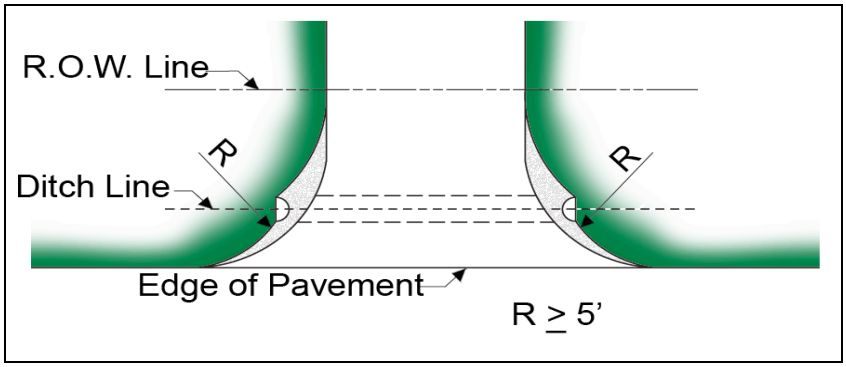
Figure 5.2 - Typical Curb Return Entrance
Modified from Source: AASHTO



(Source: Pennsylvania Standards for Residential Site Development, 2007)

6. NON-CURBED ENTRANCES: Non-curbed driveway entrances shall have a minimum edge-of-pavement radius of five (5) feet as illustrated in Figure 5.3

Figure 5.3 - Typical Non-curbed Driveway Entrance
Modified from Source: AASHTO



(Source: Pennsylvania Standards for Residential Site Development, 2007)

7. DRIVEWAY GRADES.

The grades on service drives or driveways shall not be less than one half (1/2) percent and shall not exceed the following:

A. Eight (8) percent when access is to a Collector Street;

B. Ten (10) percent when access is to a Local Street.

C. Where a proposed driveway or service drive passes through areas exceeding fifteen (15) percent slope, a centerline profile of the driveway or service drive will be required to be displayed on the plan, and the applicant will need to submit a stormwater management plan.

8. DRIVEWAY ENTRANCES.

A. Driveway entrances onto a municipal street shall be constructed according to the municipal construction standards for such access within the street right-of-way.

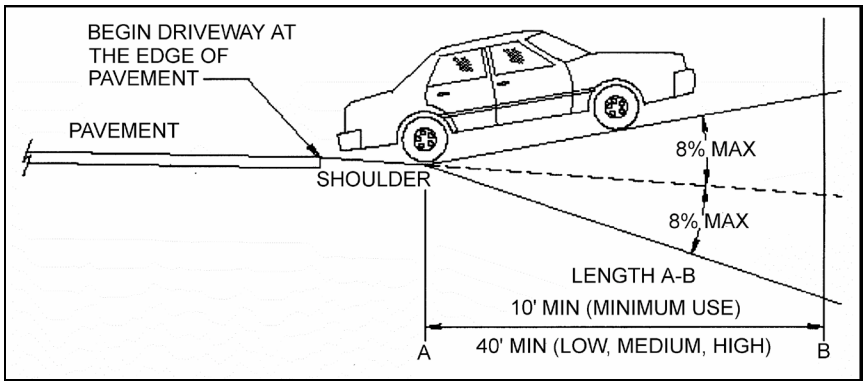
B. Driveway entrances onto a state street within the street right-of-way shall be surfaced to their full width. The type of surface may be either concrete or asphalt, constructed following the specifications in Penn DOT Publication RC-25M Type 6 Shoulder (asphalt) or Type 2 Shoulder (concrete).

C. Driveway entrances along streets, where curbs are not required, shall be constructed to provide proper drainage along the streets and from the streets by the continuation of gutters, swales, or ditches. Such continuation may be provided by having an approved pipe of not less than eighteen (18) inches in diameter across such driveway entrances.

D. Driveway entrances along streets, where curbs are not required, shall be constructed so that the driveway meets the edge of the cartway as a continuation of at least the slope from the crown of the street for not less than five (5) feet.

E. Driveways serving single-family residences shall intersect streets at angles of no less than seventy-five (75) degrees. All other driveways or service drives shall intersect streets at right angles.

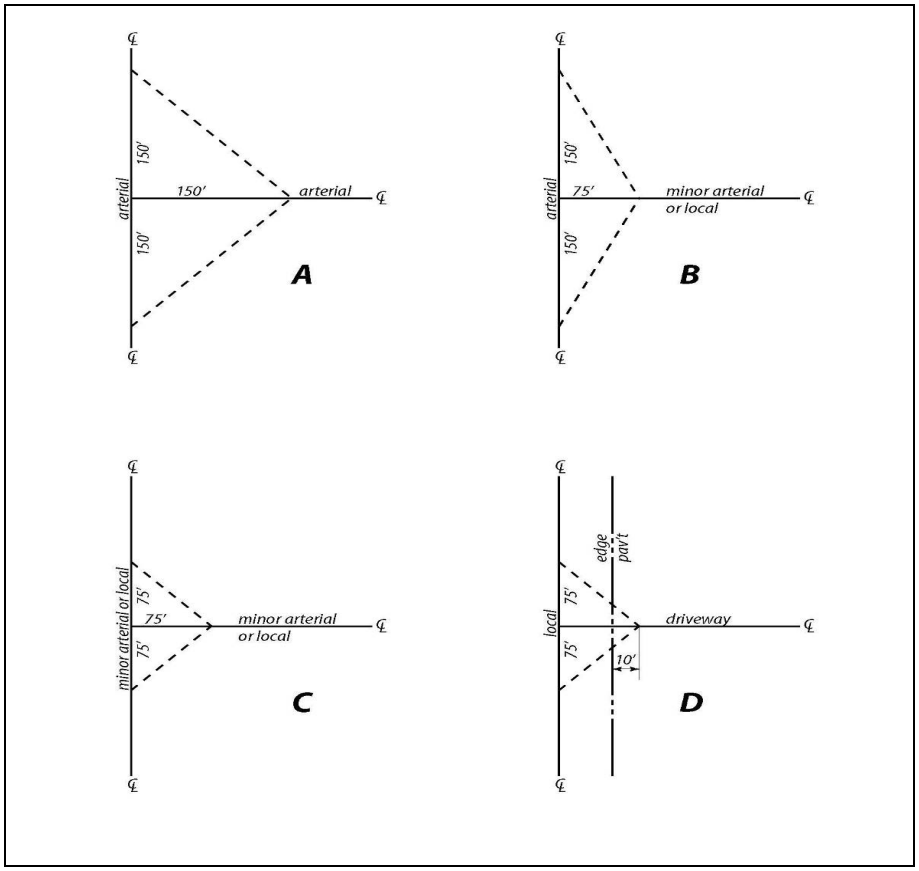
Figure 5.4 – Typical Driveway Profile



9. SIGHT DISTANCE

A. The clear-sight distance for driveways shall be in accordance with Diagram D in Figure 5.5.

Figure 5.5 – Typical Clear-Sight Triangles



10. DRIVEWAY PROFILE

Driveway profiles shall provide efficient access to the abutting residential street, allow for low-speed ninety- (90) degree turns into the driveway, and provide safe access to the residential garage or parking area. The following standards shall apply:

A. Driveway grades shall not exceed ten (10) percent for the first 18 feet from the street edge of pavement.

B. Driveways serving residential dwellings shall not exceed twenty (20) percent.

C. If not jointly used, a driveway may not be placed closer than five (5) feet of an adjoining property line.

D. New driveways may not be placed closer than fifty (50) feet of another driveway.

11. JOINT-USE DRIVEWAYS, ACCESS EASEMENTS, AND PRIVATE STREET/RIGHT-OF-WAY

A. All joint-use driveways shall have a minimum cartway width of ten (10) feet, and a minimum right-of-way/easement width of fifty (50) feet.

B. Access easements/right-of-way shall be required to ensure common use of, access to, and maintenance of, joint-use driveways; such easements shall be recorded in language acceptable to the Perry County Planning Commission, and depicted on the subdivision plan. The area of shared use between parties shall be displayed by a perimeter metes and bounds description.

C. Any additional lots created after three (3) lots on the access driveway shall require construction of a public street.

SECTION 507. SIDEWALKS

1. Sidewalks shall be provided where lot sizes are less than or equal to 22,000 square feet, or where any subdivision is immediately adjacent to or within one thousand (1,000) feet of any existing or recorded subdivision or land development having sidewalks, sidewalks shall be required in all subdivision or land developments on each side of the proposed street. Where there is an existing street, sidewalks will only be required on the side of the street where subdivision or land development is proposed.

   The Perry County Planning Commission may require installation of sidewalks in any subdivision where the evidence indicates sidewalks are necessary for public safety.

2. The sidewalks shall be designed and constructed in accordance with the following requirements:

   A. Sidewalks shall be located within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.

   B. Sidewalks must be at least four (4) feet wide. In the vicinity of shopping centers, schools, recreation areas and other high pedestrian traffic areas, sidewalks must be at least five (5) feet wide and still located within the street right-of-way.

   C. Sidewalks shall be constructed in accordance with cement concrete sidewalks in the PennDOT Publications 408 and 72 Standards.

   D. In order to provide for the drainage of surface water, sidewalks shall slope from the right-of-way line toward the curb. Such slope shall be one fourth (1/4) inch per foot.

   E. Sidewalks shall be boxed out around light standards, fire hydrants, signs, etc., with a pre-molded expansion joint, one quarter (1/4) inch in thickness.

SECTION 508. STREET SYSTEM DESIGN AND CONSTRUCTION

1. GENERAL DESIGN GUIDELINES

   A. The general arrangement, character, extent, width, grade, and location of all streets proposed shall conform to the Official Map, if one exists, and to the Community Comprehensive Plan, if one has been adopted, and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety, and the appropriate relation to the proposed uses of the land to be served by such streets. The arrangement, width, grade, and other design standards of streets shall conform to the provisions found herein. Further, proposed streets shall be properly related to County, Regional or State transportation plans, as have been prepared and adopted.

   B. Proposed street arrangements shall make provisions for the continuation of existing streets in adjoining areas; the proper projection of streets into adjoining undeveloped or unplanned areas; and the continuation of proposed streets to the boundaries of the tract being subdivided. This requirement applies to all streets and right-of-way.

   C. When a new subdivision adjoins unsubdivided land appropriate for subdivision, the new streets shall be carried to the boundaries of the tract to be subdivided where deemed appropriate by the Commission.

   D. Private rights-of-way fifty (50) feet in width may be approved for subdivision or land development of three (3) lots or dwelling units or less while still complying with the other driveway requirements found in section 506. Further subdivision or land development in excess of the initial three (3) lots or dwelling units using private street(s) or private right-of-way(s) shall not be permitted except if the initial private street(s) or private right-of-way(s) and any extensions thereof are dedicated, designed and improved in accordance with all applicable construction standards.

   E. Private streets for campgrounds or transient recreational vehicle parks are permitted with no less than a forty (40) foot right-of-way and an eighteen (18) foot cartway. Cartways may be of porous surface such as shale or small compacted gravel. For permanent placement of RV's, minor street improvements are required to be designed by a Pennsylvania Licensed Engineer.

   F. Streets shall be laid out to facilitate the use for which they are intended. Local access streets shall be laid out to discourage their use by through traffic and, where possible, collector and arterial streets shall be designed for use by through traffic.

   G. Streets shall be related to the topography so as to establish usable lots and satisfactory street grades.

   H. In a residential subdivision/land development of twenty-five (25) or more dwelling units shall provide for at least two (2) street connections to existing public streets.

   I. ALLEYS: Alleys shall be prohibited except if the municipality has identified in their municipal comprehensive plan or official map the need for alleys or the extensions thereof.

2. ROAD/STREET CLASSIFICATION

Three (3) functional classifications of streets and roads, as classified by the Perry County Planning Commission as determined by the Perry County Comprehensive Plan are established as follows:

A. Arterial.

This classification includes highways which provide intra-county or inter-municipal traffic of substantial volumes. Generally, these highways should accommodate operating speeds of fifty five (55) miles per hour.

These include US Routes 11/15 and 22/322, and State Routes 0274 and 0850.

B. Collector.

This classification is intended to include those highways which connect minor streets to arterial highways and generally serve intra-county and intra-municipal traffic. They may serve as traffic corridors connecting residential areas with industrial, shopping and other services. They may penetrate residential areas. Generally, these highways should accommodate operating speeds of thirty five (35) to fifty five (55) miles per hour or less.

These include State Routes 0017 and 0233.

C. Minor (Local).

This classification is intended to include streets and roads that provide direct access to abutting land and connections to higher classes of roadways. Traffic volumes will be low and travel distances generally short. These streets and roads should be designed for operating speeds of twenty five (25) to thirty five (35) miles per hour or less. Minor streets also include private streets or roads providing access to four (4) or more dwelling units or lots.

These include all other streets not listed in sections 508.2.A and 508.2.B above.

3. STREET RIGHT-OF-WAY WIDTHS

A. Minimum street right-of-way and cartway widths shall be required as follows:

Table. 5.4 - Minimum Street Right-of-way, Shoulder, and Cartway Widths

Street Type	Right-of-way	Shoulder	Cartway
Arterial (None presently)	As determined by the Perry County Planning Commission after consultation with the County and/or municipal engineer and Penn DOT.		
Collector (SR 0849)	60 feet	16 feet	24 feet (w/shoulders)

		(8 feet each side)	36 feet (curbed)
Minor/ Local (All other streets, roads and private right-of-ways)	50 feet	10 feet (5 feet each side)	24 feet (w/shoulders) 36 feet (curbed)
Cul-de-sac	50 feet	10 feet (5 feet each side)	24 feet (w/shoulders) 34 feet (curbed)
Circular turnaround of Cul-de-sac without center islands and without parking*	55 feet radius 110 feet diameter	Not Applicable	45 feet radius 90 feet diameter
Joint-Use Driveway/ Access Easement	50 feet	6 feet (3 ft per side)	14 feet (w/shoulders)
Alley or Service Drive	20 feet		20 feet

* For circular turnaround with island the minimum radii for circular turnarounds with center islands are the same as for circular turnarounds without a center island as above. For centered island, the minimum allowed travel lane width shall be twenty four (24) feet. To minimize pavement within the circular turnaround, the travel lane can be offset

B. Where a proposed subdivision abuts or contains an existing public street or road having a right-of-way width which is less than would be required by this Ordinance, sufficient additional right-of-way width shall be provided and dedicated to meet the current standards.

C. In the case of a subdivision or land development plan fronting on an existing or proposed street, the applicant/developer may be required to improve the portion of the roadway on which the proposed development fronts to meet the minimum standard as specified in this Ordinance. Road improvements shall include pavement, shoulders, embankments, gutters, berms, sidewalks and/or curbing and turning lane(s).

D. Provision for increased street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Perry County Planning Commission in specific cases for:

1). Public safety and convenience;

2). Parking and/or travel in commercial and industrial areas and in areas of high density development;

3). Widening of existing streets (right-of-way) where the width does not meet with the

requirements of the preceding paragraphs;

4). Installation of utilities;

5). Ponding of stormwater runoff;

6). Storage of plowed snow;

7). Emergency parking;

8). Temporary roadway adjustments during maintenance or traffic accident situations;

9). Future improvements.

E. When a subdivision and land development is proposed which fronts on an existing municipal street, the required additional right-of-way shall be dedicated for only the proposed lots or those lots where land development is proposed. Right-of-way width dedication shall not be required for the remaining portion of the property, except (1) where the remaining road frontage is less than the required minimum lot width, or (2) where a traffic impact study warrants the need for additional right-of-way width due to the impacts of the development to that portion of the road system.

4. STREET INTERSECTION DESIGN

A. Horizontal Curves and Vertical Curves.

In order to provide adequate sight distance, facilitate traffic mobility and ensure proper alignment of streets, horizontal and vertical curve design shall be in accordance with the Pennsylvania Department of Transportation, Guidelines for Design of Local Roads and Streets - Publication No. 70M, as revised.

1). Vertical Curves shall be used at all changes of grade and shall be designed for maximum visibility. All intersections and streets shall be designed to provide adequate sight distance with regard to both horizontal and vertical alignment in accordance with A Policy on Geometric Design of Highways and Streets, AASHTO, current edition.

a). Where tangent street lines deflect from each other at any one point, lines must be connected with a true, circular curve. The minimum radius of the center line for the curve must be as follows:

Table 5.5 - Minimum Street Radius

Type of Street	Minimum Radius
Arterial (None presently)	500 feet

Collector (SR 0849)	300 feet
Minor/ Local (All other streets, roads and private right-of-ways)	150 feet

b). Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets, there must be a tangent of at least one hundred (100) feet between curves.

B. Extensions.

Short extensions of existing streets with lesser right-of-way and/or cartway widths than above may be permitted by the Perry County Planning Commission, provided that no section of the new right-of-way shall be permitted which is less than forty (40) feet in width.

C. Grades.

The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

Table 5.6 - Minimum and Maximum Street Grades

Type of Street	Minimum Grade	Maximum Grade
Arterial (None presently)	As determined by the Perry County Planning Commission after consultation with the Township/Borough Traffic Engineer and Pennsylvania Department of Transportation.	
Collector (SR 0849)	1%	7%
Minor/ Local (All other streets, roads and private right-of-ways)	1%	10%
Alleys	1%	12%

E. Intersection Design

1). Intersection Angle.

Intersections must be nearly right angles wherever possible. However, no street shall intersect another at an angle of less than seventy-five (75) degrees.

2). Intersection Leveling Area and Grades.

Intersections shall be approached on all sides by a straight leveling area. Such leveling area shall have a minimum of fifty (50) feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of four (4)

percent.

3). Intersection Separation Distance.

Any street terminating at an existing or proposed street will do so in one of the two following ways: (1) directly across from the pre-existing or other newly proposed street as to create a four-way intersection, or (2) at least one hundred fifty (150) feet from any other intersection, existing or proposed. Offset intersections shall not be created by new streets

Intersections with an Arterial street shall be located not less than six hundred (600) feet apart, measured from centerline to centerline, along the centerline of the street.

4). Multiple Intersections.

Intersections involving the junction of more than two (2) streets/driveways are prohibited.

5). Intersection Curb Radii.

At intersections of streets the curbs or edge of pavement radii shall not be less than the following:

Table 5.7 - Minimum Simple Curve Radii at Street Intersections

Street Intersection Type	Minimum Simple Curve Radius at the Edge of Curb or Edge of Pavement
Arterial with Collector	35 feet
Collector with Collector	35 feet
Collector with Minor (Local)	25 feet
Minor (Local) with Minor (Local)	15 feet
Radius corners or diagonal cutoffs must be provided on the property lines substantially concentric with, or parallel to, the chord of the curb radius corners.	

6). Intersection Sight Distance and Clear Sight Triangles.

a). Proper sight lines must be maintained at all street intersections. Adequate sight distances shall be provided at all intersections of streets, and for driveways intersecting a street. Sight distance must be provided with respect to both horizontal and vertical alignment. Sight distance shall be measured along the centerline three and one-half (3.5) feet above grade, and ten (10) feet back from the edge of the pavement for driveways in accordance with the following:

Table 5.8 - Minimum Clear-Sight Triangle Distances

Street Type	Clear Sight Triangle
Arterial (None presently)	150'
Collector (SR 0849)	75’
Minor/ Local (All other streets, roads and private right-of-ways including joint driveways)	75’
Individual Driveways	10’

Note: Also, see Figure 5.5 - Clear-Sight Triangles on page 5-10.

b). No building or obstruction higher than thirty (30) inches above the centerline grade of the street shall be permitted in the site triangle. No signs other than traffic control signs and devices shall be permitted in the clear sight triangle.

c). The Township Engineer reserves the right to use posted speed limits or actual speed, determined by traffic study, and road grades to modify the calculation of the required sight triangles.

5. STREET CONSTRUCTION

A. General Requirements.

All street materials, construction procedures and testing requirements shall conform to the current editions of PennDOT Publication 408/2003; Publication 213; Publication 72M, Standards for Roadway Construction, Series RC-1M to 100M Publication 111M, Standards for Traffic Control Signing, Series 7700 and 7800, current edition, including all supplemental specifications, circular letters and amendments. All streets and related features shall be constructed to the line, grade and dimension shown on the plans, profiles and cross sections and typical sections as approved on the final land development plan.

B. Slope of Embankments Adjacent to Streets

Slope of embankments along streets measured perpendicular to the street centerline shall be no steeper than the following:

1). One (1) foot of vertical measurement for three (3) feet of horizontal measurement for fills.

2). One (1) foot of vertical measurement for two (2) feet of horizontal measurement for cuts.

C. Street Cartway/ Pavement Construction Standards

Minor/ Local streets shall be designed in accordance with this Part and shall be surfaced to the grades and dimensions drawn on the plans, profiles, and cross-sections submitted by the Applicant and approved by the Miller Township Board of Supervisors . Before paving the street surface, the Applicant shall install the required utilities and provide adequate underdrains and stormwater drainage for the streets, as deemed acceptable to the Miller Township Board of Supervisors and the Township Engineer. The pavement base and wearing surface must be constructed according to the following specifications.

1). General

a). Streets must be constructed to the grades and dimensions depicted on the plans, profiles, and cross sections submitted by the applicant and approved by the Miller Township Board of Supervisors after being advised by the Township Engineer.

b). Before any street construction can begin, the applicant must install the required utilities and provide, where necessary, adequate stormwater drainage from the street.

c). Pipe underdrain and pavement base drain shall be installed according to the specifications set forth in Section 610 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408, at such locations and in such quantities as determined necessary by the Township Engineer. Field conditions may cause underdrain and pavement base drain to be installed at locations not depicted on approved drawings.

2). Inspections

a). All street construction shall be subject to inspection at anytime by the Miller Township Board of Supervisor's or any assigned agent.

3). Specifications

The subgrade, subbase, base course, binder course, and wearing course of new, reconstructed, or resurfaced streets shall be designed using the DARWin Pavement Design and Analysis System or an acceptable alternate procedure that meets the requirements of the 1993 American Association of State Highway and Transportation Officials (AASHTO) Pavement Design procedures or the minimum depths indicated for each classification of street, whichever is greater, and constructed according to the following specifications:

a). Arterial Streets

The subdivider/ developer shall consult with the Township Engineer and Planning Commission in following the construction standards of the Pennsylvania Department of Transportation. In the case of a municipal-owned arterial street, the street specification shall be governed by whichever entity owns or will own the street in conjunction with the Pennsylvania Department of Transportation.

b). Collector Streets

(1). Subgrade. Prior to the installation of the subbase, the subgrade shall be prepared according to the specifications set forth in Section 210 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

(2). Subbase

The subbase shall consist of eight (8) inches of compacted 2A aggregate constructed in accordance with the specifications set forth in Section 350 and Section 703 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

(3). Base Course

The base course shall consist of five (5) inches of compacted Hot Mix Asphalt Superpave Base Course, PG64-22, 25mm mix, 3.0 to 10.0 million ESALs, conforming to Section 309 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

(4). Wearing Course

The wearing course shall consist of one and one half (1 ½) inches of compacted Hot Mix Asphalt Superpave Wearing Course, PG64-22, 9.5 mm mix, 3.0 to 10.0 million ESALs, SRL-G, conforming to Section 409 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

c). Minor/ Local Streets

(1). Subgrade. Prior to the installation of the subbase, the subgrade shall be prepared according to the specifications set forth in Section 210 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

(2). Subbase

The subbase shall consist of eight (8) inches of compacted 2A aggregate constructed in accordance with the specifications set forth in Section 350 and Section 703 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

(3). Base course.

The base course shall consist of three (3) inches of compacted Hot Mix Asphalt Superpave Base Course, PG64-22, 25mm mix, .3 to 3.0 million ESALs, conforming to Section 309 of the current edition of the Pennsylvania Department of Transportation specifications, Publication 408.

(4). Wearing course.

The wearing course shall consist of one and one half (1 ½) inches of compacted Hot Mix Asphalt Superpave Wearing Course, PG64-22, 9.5 mm mix, .3 to 3.0 million ESALs, SRL-M, conforming to Section 409 of the current edition of the Pennsylvania Department of Transportation Specifications, Publication 408.

a). Street crown and curbs.

(1). A street must be designed to provide for the discharge of surface water from its cartway and right-of-way.

(2). The slope of the crown on a street shall be not less than one eighth (1/8) of an inch per foot and not more than three eighths (3/8) of an inch per foot measured perpendicularly from the centerline of the street, unless special designs, such as super elevation, required alternate slope designs which shall be reviewed on an individual basis by the Municipality.

4). Shoulders

Shoulders shall be provided where curbing is not required and shall conform to the Pennsylvania Department of Transportation Type 6 Shoulders as shown on PennDOT RC-25M.

5). Curbs

Whenever a proposed subdivision or land development shall average three to more dwelling units or lots per gross acre, or where the subdivision/land development is within one thousand (1,000) feet of an area with existing curbing; curbs shall be installed.

a). Curbs shall be installed in all subdivision and land developments in order to control stormwater runoff, prevent erosion, prevent the deterioration of public streets and provide a contained area for vehicular movements. In cases where curbs are not provided, stabilized/reinforced shoulders of six (6) to eight (8) feet in width shall be provided.

b). Curbs shall be constructed on both sides of the interior streets and on the side of any street that bounds the development.

c). Curbs shall be constructed of concrete and designed as vertical or slant type. The height of vertical curbs shall be eighteen (18) inches. The width of vertical curbs shall be eight (8) inches. The height of slant curbs shall be twelve (12) inches at the face and sixteen (16) inches at the back of the curb. The width of slant curbs shall not be less than fourteen (14) inches.

d). Curbs shall be inspected by the Township Engineer after the forms or grade

pins and string lines for slip forming have been placed, and after completion of all work.

e). Terminal concrete curb ends shall have an exposed face of two (2) inches and be tapered two (2) feet.

f). Backfill must be placed within forty-eight (48) hours after slip forming or removal of curb forms and the backfill shall be compacted in place along the rear face of the curb within six (6) of the top of the curb.

g). When curbing is to be removed to construct a driveway or access drive, the length of curbing to be removed shall be carried to the nearest expansion joint or saw cut if the joint is located less than five (5) feet from the end of the curb removal.

h). Vertical curb height at driveway entrances may be reduced to a minimum of one and one half (1 1/2) inches for driveway entrances along streets where curbs are required.

i). No partial breakout of the curb shall be permitted**.** No cutting of the curb shall be permitted without approval by the Township Engineer.

j). Curb ramps must be installed in accordance with ADA requirements.

7). Street Trees

a). Trees shall be permitted within the public right-of-way of streets.

b). Such trees shall be two (2) inch to two and one half (2 1/2) inch in diameter, measured at chest height, when planted, and shall be spaced at the intervals no greater than forty feet along both sides of each street or determined from the anticipated crown width of the tree at maturity. The planting strip area between the curb and sidewalk shall be seeded.

c). Species shall be selected according to the following criteria:

(1). Be able to survive two (2) years with no irrigation after establishment.

(2). Be of native origin.

SECTION 509. OTHER STREET DESIGNS AND STANDARDS

1. Dead End Streets and Temporary Cul-de-Sacs

Dead end streets shall be prohibited, except when the developer designs and constructs temporary cul-de-sac streets on the developer's own land in order to permit future street extensions into adjoining properties. Temporary cul-de-sacs, upon approval of the Township Engineer, may be constructed without asphalt base or wearing course. The developer may be

exempt from providing curbing at the terminus of temporary cul-de-sacs, unless curbs are required for drainage control. A temporary cul-de-sac shall be removed by the developer and replaced with the permanent street upon extension of the existing street.

2. Cul-de-Sacs and Self-Looping Single Access Streets

A. Permanent cul-de-sacs and self-looping single access streets shall not exceed 15 (fifteen) single-family dwellings. The length of cul-de-sac shall not exceed one thousand (1,000) feet in length. In developments with more than fifteen (15) dwellings only twenty (20) percent of the dwelling units in a development shall be served by streets terminating in cul-de-sacs.

B. The minimum cul-de-sac length shall be two hundred fifty (250) feet.

C. Cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided with a snow removal easement with a width of twenty (20) feet located at the terminus of the cul-de-sac street for plowed snow during the winter months.

D. Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end it shall be conducted away in an underground storm sewer.

E. Turnaround radius at the end of cul-de-sacs shall comply with Section 508.3.A of this Ordinance.

3. Snow Dump Areas in Turnaround of a Cul-de-sac

A. In permanent turnaround, a snow dump area shall be provided within the turnaround right-of-way and delineated on the subdivision and land development plan.

B. Snow dump area shall be a minimum of thirty (30) feet in width and shall extend to the full depth of the cul-de-sac right-of-way from the curb or edge of cartway.

C. Snow dump area shall not encroach on driveways, trees, fire hydrant, water or gas shutoff valves, mail box, street light, utility pole or similar encroachments.

4. PARTIAL AND HALF STREETS

A. New half or partial streets shall not be permitted, except where the Applicant justifies to the Miller Township Board of Supervisors that it is essential to the 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.

B. The dedication of half streets at the perimeter of new subdivisions is prohibited.

5. HAMMERHEAD STREETS

Streets less than two hundred fifty (250) feet and serving six (6) lots or fewer may be designed as symmetrical “hammerheads,’ in accordance with standards contained in

Residential Streets (latest edition), coauthored by the American Society of Civil Engineers, as amended. Such hammerheads shall be designed to facilitate three-point turns. The minimum dimensions of hammerheads shall be thirty (30) feet by eighty five (85) feet with curbing of thirty (30) feet by eighty five (85) feet which includes four-foot shoulders. The right-of-way diameter for the hammerhead shall be 10 feet greater than the edge of curb or shoulder.

SECTION 510. STREET NAMES

1. Names of new streets shall not duplicate or display similarities in sound or spelling with respect to existing or planned street names, or approximate such names by the use of suffixes such as "lane", "way", "drive", "court", "avenue".

2. In approving the names of streets, cognizance should be given to existing or planned street names within the postal delivery district served by the local post office and service areas of emergency service providers.

3. New streets shall bear the same name or number of any continuation of alignment with an existing or planned street.

SECTION 511. STREET SIGNS

1. Where signs are required in conjunction with a subdivision and or land development plan, it shall be the responsibility of the applicant/ developer to provide street name signs and traffic control signs for the development in accordance with the Township's minimum specifications for compliance with liquid fuels reimbursement and E 9-1-1 addressing and safety.

   A. The design and placement of traffic control and other street signs placed in a public right-of-way shall follow the requirements specified in the most current edition of the FHWA Manual of Uniform Traffic Control Devices for Streets and Highways. The manual shall also be used for traffic control signs on non-public streets.

   B. At least one (1) street-name sign pole shall be placed at each intersection identifying all crossing street names. Signs shall be placed so that they do not obstruct sight distances, and shall be under light standards if present. The design of street-name signs shall be consistent, of a style appropriate to the community, of a uniform size and color, and erected in accordance with any set Township standards.

   C. At signalized intersections, street signs shall be located on the overhead arm supporting the traffic signal, otherwise suitably suspended over the intersection. Street clearance shall be a minimum of sixteen (16) feet and six (6) inches from the bottom of any sign or supporting equipment and the top of the paved surface.

SECTION 512. MONUMENTS AND MARKERS

Monuments and markers must be placed by a Professional Land Surveyor so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented.

1. Location of Monuments

    A. At least two (2) corners of the boundary of the original tract of the development or subdivision shall be monumented.

    B. A minimum of two (2) monuments shall be set on the street right-of-way lines.

    C. At such intermediate points as may be recommended by the Miller Township Planning Commission.

2. Location of Markers

    A. At all lot corners except those monumented.

    B. By the time the property is offered for sale.

3. Construction of Monuments and Markers

    Monuments and markers shall be the following sizes and made of the following materials:

    A. Monuments shall be six (6) inches square or four (4) inches in diameter and shall be thirty- (30) inches long. Monuments shall be made of concrete, stone or by setting a four (4) inch cast iron or steel pipe filled with concrete.

    B. Markers shall be three quarters (3/4) of an inch square or three quarters (3/4) of an inch in diameter and twenty-four (24) inches long. Markers shall be made of iron pipes or iron or steel bars.

    C. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in concrete.

SECTION 513. LIGHTING

These lighting requirements provide appropriate standards to ensure adequate nighttime safety and security while minimizing the spillover of light and glare on operators of motor vehicles, pedestrians, and land uses near the light source. It is the safety, welfare, nuisance, and hazardous aspects of lighting that form the basis of these regulations.

1. Lighting shall be required in certain subdivisions and land developments along pedestrian walkways (Sidewalks, trails, paths, etc.), entryways, and parking areas.

2. Streetlights shall be provided with the construction of all new streets at all street intersections and all other locations considered necessary for safety reasons as approved by the Miller Township Board of Supervisors.

3. The height and shielding of all lighting facilities shall provide for proper lighting without being a hazard to drivers or a nuisance to surrounding landowners.

SECTION 514. WATER SUPPLY

Each new dwelling unit, or commercial operation, proposed in Miller Township shall be individually self-sufficient for water supply and the water supply system. The Applicant shall provide an adequate and potable water supply or distribution system to service the proposed subdivision or land development which shall consist of 1. An individual private well; 2. A proposed connection to a municipal water supply; or 3. The proposed creation of a private community water supply system maintained and operated in accordance with the PA Department of Environmental Protection (DEP). The purpose of these provisions are to ensure that each dwelling unit and each commercial and industrial building in all subdivisions hereafter granted approval shall have an adequate supply of potable water for domestic use and for fire protection.

1. ON-LOT WATER SUPPLY/ WELL

    A. Where there is no existing public water supply the Applicant shall provide an individual on-lot water supply system in accordance with the standards required by the Pennsylvania Department of Environmental Protection (DEP).

    B. Easements may be established in accordance with Section 518.2 to provide access to off-lot water service. Aside from the requirement to display such easement area on the plan, a plan note regarding construction and maintenance responsibility of facilities within the easement area is also required.

    C. The subdivision and/or land development plan must demonstrate compliance with the applicable well isolation distance established by the Pennsylvania Department of Environmental Protection (DEP) with respect to both proposed and existing on-lot sewage systems.

2. PUBLIC WATER SUPPLY

    Where there is an existing public water supply system within one-thousand (1,000) feet from a proposed subdivision and/or land development site and such public water system has adequate planned capacity and is willing to serve that subdivision or land development, the Applicant shall provide plans demonstrating how the proposed subdivision and/or land development will connect to the existing public water supply system in accordance with the municipality(s) specifications for the connection.

A. Where connection to a public water supply is possible or feasible, the plan for the installation of such water supply system must be prepared for the development with cooperation of the appropriate water utility company and reviewed by the Municipal Engineer.

B. Where a public water supply system is not feasible for the proposed development, as evidenced in the Hydrogeology/Water Facilities Study, developer shall provide information related to the construction and installation of a centralized community water supply system.

3. CENTRALIZED COMMUNITY (PRIVATE) WATER SUPPLY SYSTEM

The design and installation of a central community water supply system shall be subject to the approval of the Miller Township Board of Supervisors and the Pennsylvania Department of Environmental Protection (PADEP).

A. Standards and materials for the construction of any central community water supply system shall meet or exceed those requirements described in the Public Water Supply Manual of the PADEP and shall be subject to approval by the Township Engineer. Where a permit is required by the PADEP, it shall be presented as evidence of such review and approval before construction of the system will commence.

B. Where the central community water supply system is proposed under the jurisdiction of the Pennsylvania Public Utilities Commission (PUC), the water supply study shall also incorporate those items of information required by the PUC.

C. The central community water system shall be designed to furnish an adequate supply of water to each lot, with adequate water main sizes and fire hydrant locations to meet the specifications of the Middle States Department Association of Fire Underwriters. A technical study shall be submitted to the Miller Township Planning Commission for review by the Township Engineer and Local Fire Department.

D. All suitable agreements, including financial guarantees shall be established for the ownership and maintenance of the system. Ownership and maintenance of the central community water system shall be the responsibility of an organization formed and operated in accordance with Section 518 of this Ordinance. Such a system shall be designed and constructed in a manner that would permit adequate connection to a public water supply system in the future.

E. Ground water for community water systems must conform to the PADEP requirements and standards. A minimum of two (2) sources of ground water must be provided for each community water system. Each groundwater source shall be capable of supplying the average daily demand of the proposed dwelling units.

SECTION 515. SEWAGE SERVICE FACILITIES

1. Each new lot created shall be self-sufficient for sewage disposal and the sewage disposal system shall be public, community or individually owned, maintained and operated.

2. As specified in Article 4, all plan submissions must be accompanied by the appropriate Sewage Facilities Planning Module for subdivision land development provided by the PADEP. All planning module reviews shall conform to the Pennsylvania Sewage Facilities Act of 1965, P.L. 1535, No. 537, as amended; DEP's Chapter 71 regulations, Administration of Sewage Facilities; the Municipality's Act 537 Plan; and this and any other Municipal Ordinances.

3. INDIVIDUAL (ON-LOT) SEWAGE DISPOSAL

    A. Where the installation of public sanitary sewer system is not feasible, the Applicant shall provide evidence each lot could be adequately supported by an individual on-lot sewage disposal system. All such individual on-lot sewage systems shall be designed and constructed in accordance with the "Rules and Regulations of the PADEP.

    B. Easements for individual on-lot sewage systems may be established in accordance with Section 518.2 to provide access to off-lot sewer systems. Aside from the requirement to display such easement area on the plan, a plan note regarding construction and maintenance responsibility of facilities within the easement area is also required.

4. PUBLIC SEWAGE SYSTEMS

    A. Where a public sanitary sewage system exists within one thousand (1,000) feet of the subdivision and/ or land development site, the Applicant shall provide plans demonstrating how the proposed subdivision and/or land development will connect to the existing public sewer system in accordance with the municipality(s) specifications for the connection.

    B. The system shall be designed by a Registered Professional Engineer and approved by the Township Engineer.

    C. Sanitary sewer systems shall not receive stormwater contribution.

5. CENTRALIZED COMMUNITY SANITARY SEWAGE SYSTEMS

    A. A central community sanitary sewage facility shall be permitted if it can be shown that such an approach would provide more reliable and effective treatment of waste than individual on-lot systems, or if a central community system is required as part of cluster or open space development.

    B The design and installation of a central community sanitary sewage facility shall be subject to the approval of the PADEP.

C. The system shall be designed by a Registered Professional Engineer and approved by the Township Engineer.

D. Central community sanitary sewage facilities shall be located on a separate lot under the ownership of an organization in accordance with Section 518 of this Ordinance. The lot shall be used solely for the central community sanitary sewage facility. The area of the lot shall be of sufficient size to accommodate the system, the required area for a complete alternate or replacement system, and all required setbacks.

SECTION 516. FIRE HYDRANTS

1. Where the Applicant is required to provide a public or centralized community water system for the subdivision and land development, the Applicant shall also provide fire hydrants suitable for coupling with fire equipment serving the Municipality shall be installed as specified by the Insurance Services Offices of Pennsylvania.

2. The fire protection system shall be designed by a Registered Professional Engineer and approved by the Township Engineer, if applicable.

3. The location performance standards for fire hydrants shall meet the following standards and shall be approved by the Miller Township Board of Supervisors following review and recommendation by the assigned Municipal Engineer if applicable and local fire department.

   A. All fire hydrants will be located on an eight (8) inch line or a looped six (6) inch line. Where a dead end line is required to contain a fire hydrant, the portion of the line between the main loop and the hydrant shall have a minimum diameter of eight (8) inches.

   B. Fire hydrants shall be spaced in a development so that all proposed buildings will be no more than four hundred (400) feet from the hydrant measured along traveled ways.

   C. All central community water systems must provide a minimum of 500 GPM at a residential pressure of 20psi for a two (2) hour period.

SECTION 517. COMMON FACILITIES

1. OWNERSHIP STANDARDS

   Facilities to be held in common, such as central community water supply, stormwater management facilities, or community sewage service systems shall be held using one of the following methods of ownership, subject to the approval of the Miller Township Board of Supervisors.

A. Homeowners Association. The facilities may be held in common ownership by a Homeowners Association which is formed and operated in accordance with the provisions of Section 517.2 of this Ordinance.

B. Condominium. The facilities may be held as common element under a condominium agreement. Such agreement shall be in conformance with the Pennsylvania Uniform Condominium Act as amended.

2. HOMEOWNERS ASSOCIATION

Homeowners associations will be governed in accordance with any applicable laws of the Commonwealth of Pennsylvania. Where required, the organizational framework of the homeowners association shall be described in a report forwarded to the Miller Township Board of Supervisors and the Township Solicitor. At a minimum, the following information and standards shall be met prior to final approval of the subdivision or land development:

A. By-laws describing the formation and duties of the association, including the responsibilities for maintenance of common open space areas, shall be defined and presented to the Miller Township Planning Commission for review and approval as part of the final plan submission.

B. Association membership shall be mandatory by all residents served by the common facilities. Membership and voting rights shall be defined.

C. The rights and duties of Miller Township and members of the association, in the event of a breach of covenants and restrictions, shall be defined.

D. The by-laws shall include a statement, which grants to the association the legal authority to place liens on the properties of members who are delinquent in the payment of their dues. The by-laws shall also grant the Miller Township Board of Supervisors such power, but not the duty, to maintain the common facilities, and to assess the cost of the same as provided in the PA Municipalities Planning Code, Act 247.

3. MAINTENANCE STANDARDS

A. The common facility (Ex. sanitary and storm sewage system, detention pond, community water systems, swimming pools, ponds, common ground, playgrounds, etc.) shall be operated and maintained by a professional organization specializing in the required services and approved by the PCPC. The agreement between the association or condominium and the professional organization shall be subject to review by the Township Solicitor and approved by the Board of Supervisors.

SECTION 518. EASEMENTS

1. UTILITY

Easements shall be provided for poles, wires, conduits, storm, and sanitary sewer lines, gas, water and heat mains, and other utilities intended to serve the abutting lots and for access to facilities. The minimum width of utility easements shall be thirty (30) feet. Wherever possible such easements shall be centered on the side or rear lot lines, or along the front lot lines.

2. STORMWATER, SANITARY SEWER, AND CLEAR WATER COLLECTION SYSTEMS

Where a subdivision and/ or land development is traversed by storm water, sanitary sewage or clear water collection system facilities, a utility easement shall be provided. In no case shall the easement be less than thirty (30) feet in width. Additional width may be required by the Board of Supervisors depending on the purpose and use of the easements. All stormwater easements are to be dedicated to private property owners unless the easement is designed to carry stormwater away from stormwater infrastructure already owned by the Township.

3. RIPARIAN, STREAM, WATERCOURSE, DRAINAGE CHANNEL, POND, OR LAKE

This easement is intended to protect areas where the presence of wetlands adjacent to other waters of the US is likely to occur. (For this section the term "adjacent" means bordering, contiguous, or neighboring. per 33 CFR, part 328.3(a) as “waters of the United States”)

Where a subdivision and/or land development is traversed by a stream, watercourse, drainage channel, or has a pond or lake situated on the property, there shall be provided a minimum drainage easement fifty (50) feet in width (twenty-five (25) feet to each side of the stream, watercourse, and drainage channel) conforming substantially with its location for the purpose of protecting the stability of such watercourses. Any proposed land disturbance within these areas may require the necessary encroachment permits.

4. CONSERVATION (WETLANDS)

In all subdivision and land developments, a fifty (50) foot conservation easement shall be provided around all delineated wetland areas including ponds and lakes to ensure minimal disturbance and encroachment in these areas. Any proposed land disturbance within these areas may require the necessary encroachment permits.

5. PEDESTRIAN

Where necessary for access to private, public or common lands, a pedestrian easement shall be provided with a width of no less than ten (10) feet.

SECTION 519. DESIGN STANDARDS IN FLOODPLAIN

1. All subdivision and land development plans must adhere to the plating requirements found in Subsections 503.1.A and B and comply with the Miller Township Floodplain Management Ordinance prior to approval.

SECTION 520. UTILITIES

1. Telephone, electric, gas, TV cable and such other utilities shall be installed underground and shall be provided with easements to be dedicated for such utilities and in accordance with plans approved by the Miller Township Board of Supervisors and the applicable utility company.

2. Lots which abut existing easements or public rights-of-way where above ground utility lines have been previously installed may be supplied with electric and telephone service from those overhead lines, but service connections from the utilities' overhead lines shall be installed underground.

3. Where road widening and other conditions resulting from subdivision and land development necessitate replacement or relocation of overhead utility lines, new facilities shall be installed underground. Costs of any relocation of public utilities shall be the responsibility of the developer.

4. Underground installation of the utility distribution and service lines shall meet the prevailing standards and practices of the company providing the service and shall be completed prior to street paving and gutter, curbing and sidewalk installation

5. Where overhead lines are permitted as the exception, the placement and alignment of poles shall be designed to lessen their visual impact.

6. Underground Utility Notifications

   In accordance with the provisions of PA Act 38, as amended, the applicant shall contact all applicable utilities and accurately determine and show the location and depths of all underground utilities within the boundaries of the tract proposed for development and in the vicinity of any proposed off-site improvement, prior to excavation.

SECTION 521. STEEP SLOPE

1. The purpose of this steep slope section is to:

   - To promote the protection of public health, safety and welfare through the protection of steep sloped areas, which are subject to erosion when disturbed and which exacerbate stormwater run-off problems during and following construction.

   - To limit soil erosion, siltation of streams, and damage to private and public property.

   - To protect low-lying areas from flooding by mitigating impacts caused by grading of sloped areas, changes of ground cover, or erection of structures.

   - To maintain the ecological integrity of steeply sloped areas that could be adversely

affected by disturbances.

- To foster the continuing replenishment of groundwater resources and the maintenance of springs.

2. Areas of steep slope. For the purpose of this ordinance, areas of steep slope include all areas equal to or greater than fifteen (15) percent from the current slope data generated by the Perry County GIS Office.

3. If a subdivision or land development plan displays an impact to an area with steep slope, a stormwater management plan shall be required. This may extend to include Final Minor Plans.

4. If a subdivision or land development plan is proposed in an area with steep slope, a minimum ¼-acre of square area must be located on the property for the building site.

5. The steep slope areas are not required to be displayed on Final Lot Addition Plans.

SECTION 522. WETLANDS

1. Wetland areas are not limited to those areas delineated on wetland maps prepared by the U.S. Department of Interior, Fish and Wildlife Service. Any proposed encroachment (as identified in §518.4into the wetland shall include a copy of the permit or approval from the applicable State and Federal agencies.

2. If wetlands identified by the U.S. Department of Interior, Fish and Wildlife Service are present on the subject property, the applicant must determine if wetlands on the property will be impacted by proposed subdivision or land development activity. The applicant must also determine if any such wetland will be impacted off-site from the property. This determination shall be made in accordance with the current requirements of the Department of Environmental Protection (DEP) and the United States Army Corps of Engineers (USACOE).

3. Where hydric soils exist on a property in a location where proposed development activity may have an impact to such an area if wetlands were present, the applicant will need to have a wetlands trained biologist undertake a wetlands investigation for the purpose of delineating any wetland found within the area of the identified hydric soil.

4. All plans shall bear a note regarding the presence or non-existence of wetlands on the subject property and display these features.

SECTION 523. IMPORTANT NATURAL HABITATS

All applications for subdivision and land development where earth moving activity is proposed must be accompanied by a Pennsylvania Natural Diversity Inventory (PNDI) based on the limits

of the entire area where such activity will take place.

This section does not apply to lot additions or lots created as stand-alone non-building lots.

SECTION 524. TRAFFIC IMPACT STUDY

1. THRESHOLDS FOR REQUIRING A TRAFFIC IMPACT STUDY

   At the time of any required plan submittal a traffic impact study is required for any of the following activities. The Applicant shall submit a traffic study and a written report, when:

   A. Fifty (50) or more dwelling units are proposed.

   B. More than twenty thousand (20, 000) square feet of total floor area of commercial space.

   C. More than thirty thousand (30, 000) square feet of total floor area of office space.

   D. Any truck terminal, or sixty thousand (60,000) square feet of total floor area of industrial space.

   E. More than thirty thousand (30,000) square feet of total floor area of industrial space.

   F. Any use or combination of uses that would generate results greater than fifteen hundred (1,500) trips per day.

2. In addition to the above, the Miller Township Board of Supervisors may require a Traffic Impact Study when, in their opinion, the following conditions exist:

   A. Current traffic problems exist in the local area (E.g., high accident location, confusing intersection, congested intersection), or

   B. The capability of the existing road system to handle increased traffic is questionable.

3. SCOPE OF TRAFFIC IMPACT STUDY

   All Traffic Impact Studies shall meet the following requirements.

   A. Costs. The full costs of completing the Traffic Impact Study and the review(s) by the Township Engineer shall be borne by the Applicant.

   B. Study Area. Prior to initiation of the traffic study, the applicant's traffic engineer, or transportation planner shall meet with municipal officials, to establish the work area to be studied. This area is limited to streets and intersections within a maximum of one mile of the proposed project boundaries.

If no arterial or collector road as classified in the 2007 Perry County Comprehensive Plan exists within mile of the of the project boundaries, the study area shall be expanded to include those areas between the proposed project boundaries and the nearest collector or arterial road.

C. Joint Studies. Joint traffic studies between different Applicants are strongly encouraged. If a recent and relevant study is available, that information may be used if applicable as a basis for this required study.

D. Fees. In place of individual traffic studies, the Township Board of Supervisors may require that an Applicant provide a fee in lieu of a study. This fee shall only be used towards the costs of traffic studied conducted by the Township. Any such fee shall be established by resolution or ordinance of the Township Board of Supervisors.

E. Project Description. Any study shall include a description of the proposed development, its proposed access, and the surrounding street system. If a development is proposed to occur in phases, each phase shall be described and taken into account in the study. If the Applicant owns other lands within the study area, reasonable assumptions shall be made about how the land can be expected to be developed, and shall be taken into account.

F. Existing Traffic Conditions. The traffic volumes and service levels during the AM and PM peak hours shall be presented for all streets and traffic intersections in the study area that can be expected to be significantly impacted. Traffic volumes shall be based upon actual counts that occurred within the prior two years and not upon State estimates. The locations of all accidents reportable to the State Police within the study area during a recent two year period shall be noted.

G. Expected Traffic Generation. The study shall include an estimate of the number of trips expected to be generated by the use and any future stages during the AM and PM peak hours. Such estimates shall be based upon the latest published estimates of the Institute of Transportation Engineers, or its successor entity.

H. Projected Effects. The study shall take into account not only the land use(s) proposed by the applicant, but also other land uses and developments that have received building permits or preliminary subdivision approval. The study shall project AM. And PM. Peak hour traffic volumes and levels of service on impacted intersections and streets. If the traffic generation by the development would be more than thirty (30) percent greater during any hour other than the AM or PM peak hours on adjacent streets, the study shall analyze both the peak hours for the development and for adjacent streets. The study shall project what directions the traffic generated will head towards.

I. Levels of Service. The study shall use the description of the levels of service (A, B, C, D, and F) for streets and highways established by the U.S. Department of Transportation.

J. Signal Warrants. Heavily traveled intersections at entrances to the development and other major unsignalized intersections in the study area shall be studied to determine whether a traffic signal is warranted by Penn DOT criteria.

K. Clear Sight Triangle. Clear sight distances shall be provided for each point of ingress and egress. Said sight distance shall be in accordance with prevailing Penn DOT requirements for the desirable or safe sight distance as published in Chapter 441 of 67 Pa. Code. Safe stopping distance values shall be acceptable only when it is demonstrated to the satisfaction of the Township Engineer, it is impossible to achieve the desirable value by locating the access at any point within the property frontage boundary.

L. Needed Improvements. The study may take into account traffic improvements, which are clearly funded and will occur within the next two (2) years. The study shall include suggestions for how each congested or hazardous intersection in the study area should be improved to reduce the hazard or congestion, along with a rough estimate of the cost of the improvements.

M. Applicant's Response. The Applicant shall respond to the traffic study with proposals on what traffic improvements, right-of-way dedications, or commitments of financing for specific projects the Applicant proposes to commit to resolve the negative traffic impacts of the proposed development. Such improvements or financing may be staged relative to the stages of the development. The Applicant may also agree to commit towards the long-term support of a program to reduce peak hour traffic by private vehicles, through programs such as van pooling, support of mass transit, or staggered work hours, in place of certain structural improvements.

SECTION 525. SPACE BETWEEN BUILDINGS FOR LAND DEVELOPMENT

1. The spacing between buildings where land development is proposed shall be provided in accordance with the following schedule:

Table 5.10 Building Spacing Requirements

Positioning of Buildings	Minimum Allowable Distance Between Buildings Based Upon Building Orientation
Front to Front	70 feet
Front to Side	50 feet
Front to Rear	70 feet
Side to Rear	30 feet
Side to Side	30 feet
Rear to Rear	50 feet
Corner to Corner	20 feet

SECTION 526. EROSION AND SEDEMENTATION AND STORMWATER MANAGEMENT

Special precautions must be made with regards to erosion/sedimentation control and stormwater management which are related to subdivision and land development and construction activities. This Section outlines reasonable standards for erosion and sedimentation control and stormwater management in order to: (1) promote the general health, welfare and safety of residents in Township; (2) regulate the modification of the natural terrain and alteration of existing drainage from new subdivision and land developments in order to control erosion and sedimentation from soils, minimize the effect of pollution**,** and preserve stream channels; (3) provide design, construction and maintenance criteria for permanent on-site stormwater management facilities for the purpose of controlling stormwater, erosion and sedimentation pollution; (4) encourage recharge of groundwater and the preservation and restoration of the flood carrying capacity of streams; (5) and provide for the proper installation and maintenance of stormwater management facilities. This article does not imply that areas within or outside any identified flood-prone areas shall be free from flooding or flood damage.

1. EROSION AND SEDIMENTATION CONTROL PLAN

   A. General Requirements and Standards.

      1). In conjunction with the submission of a subdivision or land development plan and for any activities involving earth disturbance an Erosion and Sedimentation. Control (E&S) Plan must be prepared. For plans with less than 1 acre of earth disturbance, the County Conservation District will determine whether a review of the plan is necessary.

      2). If the earth disturbance is equal to or greater than 1 acre, the plan must be submitted to the County Conservation District for their approval in accordance with the requirements of the "Rules and Regulations", Chapter 102, EROSION CONTROL authorized under P. L. 1987, June 22, 1987. A copy of the E&S Plan must be provided as part of the plan set provided to the PCPC at the time of application.

      3). If the earth disturbance is equal to or greater than 1 acre will require a NPDES permit. A copy of the approval letter from the PADEP is required before final approval of the subdivision or land development plan.

      4). All associated PADEP Chapter 105 permits are required for approval final subdivision or land development plans.

2. STORMWATER MANAGEMENT PLAN

   In accordance with the intent and requirements of the Pennsylvania “Stormwater Management Act” (Act 167 of 1978, as amended) the stormwater management provisions contained in this section are intended to provide protection against uncontrolled stormwater runoff, and to insure that downstream property owners and watercourses are not adversely affected by increases in stormwater runoff resulting from subdivision and land development.

   Stormwater management plans are not required for subdivisions meant only for the

sale of lots. This includes properties for lot addition, non-building lots (agricultural/forest), or minor subdivisions with lots only displaying soil test sites. Such plans do not display any proposed features that would suggest construction activity will be immediately undertaken.

A. Municipal Stormwater Management Authority and Applicability

All subdivision and land development proposals shall meet the requirements of post construction stormwater management regulations in effect in the concerned municipality. In the absence of such regulations, the applicant shall have a stormwater management plan prepared in accordance with Section 527.2.B. below after it has been determined one of the following apply:

1). Land disturbance equal to or greater than 1 acre.

2). Installation of stormwater systems or appurtenances thereto;

3). Movement or alteration to an existing stormwater management system, included but not limited to, pipes, swales, basins, infiltration trenches, etc;

4.) Placement of fill, structures or pipes in the floodplain as designated on the official floodplain map, and as may be documented by other pertinent sources of floodplain information used by the Township. Proof of obtainment of required permit(s) will have to be submitted the final plan submission.

B. Content of the Stormwater Management Plan

The stormwater management plan shall be submitted in mapped tabular and digital form in accordance with the standards contained in Exhibits 5-3 through 5-6 and shall identify all proposed stormwater management facilities and supportive information outlined in this Section. In addition enacted Act 167 Stormwater Management Plans for watersheds provide standards in these plans.

Stormwater management data shall be prepared by a professional engineer or landscape architect registered in the Commonwealth of Pennsylvania to perform such duties. A certificate of accuracy must accompany stormwater management plans, and a signature and seal of the engineer or landscape architect responsible must appear on the plan. For subdivision and land development activities, the Stormwater Management Plan shall be included as part of the subdivision and land development plan submission(s) to the Municipality and shall include the following items:

1). A general statement describing the project, the date the project is expected to begin and end, a description of existing and proposed conditions; ownership and maintenance of facilities, and conclusions. Conclusions shall include a comparison of existing and proposed peak rates of runoff at all points where runoff leaves the applicant's property;

2). A 7 1/2 minute USGS topographic map, or equivalent, illustrating the project location and its total watershed(s), and additional maps as necessary, to clearly indicate the delineation of all drainage areas, both on site and off site, used in all computations for all drainage and stormwater management facilities;

3). Existing and finished contours, two (2) foot intervals, except in areas where slope is greater than twenty (20) percent, in which case the contour interval shall be five (5) feet;

4). Aerial extent of the project soils from Perry/ Cumberland Soil Survey with annotations for erodeable soils**,** hydric soils, and soils with hydric inclusions**;**

5). Boundary lines of the project area;

6). Existing drainage on project and adjoining properties such as floodplain, wetlands, streams, lakes, ponds and easements;

7). All calculations, assumptions, criteria, and references used in the design of the stormwater management facilities, the establishment of existing facilities capacities, and the pre- and post-development discharges;

8). All plans and profiles of the proposed stormwater management facilities, including horizontal and vertical location, size and type of material;

9). For all basins, a plotting or tabulation of the storage volumes and discharge curves with corresponding water surface elevations, inflow hydrographs, and outflow hydrographs, including all assumptions and calculation methodologies;

10). The guidelines for lot grading within the subdivision. This information shall identify the direction of stormwater runoff flow within each lot and the areas where stormwater runoff flows will be concentrated. This information shall be shown by topographical data including contours and spot elevations. Plans which assume future transfer of lot ownership shall show individual lot grading which maintains the proposed stormwater management plan, or a phasing plan shall be submitted with separate calculations which address interim stormwater management.

11). When stormwater management plans are for a portion of a larger project or include offsite flows through the subject property, a generalized stormwater management plan for the entire project shall be included in the Plan. This generalized plan shall demonstrate how the stormwater for the proposed section will relate to the entire development. If temporary facilities are required for construction of a section, such facilities shall be included in the submitted plans. In the event temporary measures cannot adequately handle the stormwater runoff, the main outfall shall be included as part of the construction of the proposed sections and detailed information regarding these facilities shall be included with the plan.

C. General Design Guidelines for Stormwater Management Facilities

1). The following design guidelines are presented as the minimum acceptable standards available at the time this Ordinance was adopted. New and innovative procedures are encouraged and shall be permitted on a case by case basis as approved by the Municipal Engineer or as outlined in local stormwater ordinance. Future stormwater ordinances, whether stand-alone or amended to the SALDO, shall be consistent with the applicable county, state and/or federal watershed management plan(s).

a). In the interest of (1) reducing the total area of impervious surface; (2) preserving existing features which are critical to stormwater management; and (3) reducing the concentration of stormwater flow, the designer should consider the best utilization of land for the least disturbance of natural features, resources and terrain.

b). Existing on-site natural and manmade stormwater management facilities shall be utilized when and where possible.

c). Stormwater shall not be transferred from one watershed to another, unless (1) the watersheds are sub-watersheds of a common watershed which join together within the perimeter of the property; (2) the effect of the transfer does not alter the peak discharge onto adjacent lands; or (3) easements from the affected landowner are provided.

d). Consideration shall be given to the relationship of the subject property to the drainage pattern of the watershed. A concentrated discharge of stormwater to an adjacent property shall be within an existing watercourse or enclosed in an easement or returned to a pre-development condition.

e). Innovative stormwater best management practices (BMPs) and recharge facilities may be proposed (e.g., rooftop storage, drywells, cisterns, recreation area ponding, diversion structures, porous pavements, holding tanks, infiltration systems, stream channel storage, in-line storage in storm sewers, and grading patterns). They shall be located, designed, and constructed in accordance with the latest technical guidance published by the Pennsylvania Department of Environmental Protection provided they are accompanied by detailed engineering plans and performance capabilities and supporting site specific soils, geology, runoff and groundwater and infiltration rate data to verify proposed designs. Additional guidance from other sources may be accepted at the discretion of the Municipal Engineer (a pre-application meeting is suggested).

D. Drainage Design and Construction Standards

1). Peak Flow

Permanent stormwater management facilities shall be designed and constructed to equal or reduce post construction runoff rates to preconstruction rates for the 2, 5, 10, 25, 50 and 100 year frequency runoff events.

In these cases, the Municipality may require the comparison, design, and storage of a greater storm event and/or the comparison of a greater post development storm event with a smaller pre-development storm event. In all cases undeveloped land within the project shall be considered good sod surface or natural forest, whichever best describes the pre-development condition.

Runoff coefficient for post development condition shall be based on the land uses listed in Exhibit 5-3. Where impervious cover exists, the Township Engineer, at the request of the Board of Supervisors, will determine the characteristics of the pre-developed site for appraising stormwater management requirements.

2). Additional Design Standards

a.). The design of stormwater management facilities (i.e. grass waterways, open channels, swales, ditches, etc.) and all other water carrying facilities shall be based upon a post twenty-five (25) year frequency storm event.

b) Stormwater management facilities that convey off-site stormwater through the site shall be designed to convey a post development fifty (50) year frequency storm event.

3). Rain Fall

Runoff calculations for the purposes of developing hydrographs shall be based on the Natural Resources Conservation Service Soil-Cover-Complex Method. The Rational Formula of Q=CIA shall be used for all conveyance calculations.

When the Soil-Cover-Complex Method is used, stormwater runoff calculations shall be based on the following 24-hour events:

Table 5.11 – 24 Hour Storm events and Rainfall Yield

Storm Event	Inches of Rainfall
2 years	2.69
5 years	3.58
10 years	4.27
25 years	5.33
50 years	6.28
100 years	7.38

SOURCE: National Oceanic Atmosphere Administration (NOAA), Atlas 14, Volume 2, (NOAA June 2004), Station 36-3704 (Harrisburg North).

When the Rational Method is used, appropriate values of rainfall intensity shall be from the latest edition of the Commonwealth of Pennsylvania, Department of Transportation Design Manual, Part 2, Highway Design, and Chapter 10 (Exhibit 5-4).

4). Time of Concentration

Times of concentration shall be based on NRCS Segmental Methodology utilizing the following design parameters:

a). Overland Flow

The maximum length for each reach of overland flow before concentrated swale flow develops is three hundred (300) feet, one hundred (100) feet for sheet flow and two hundred (200) feet for shallow concentrated flow. The appropriate value of Manning's "n" factor for the given conditions shall be used for determining the times of concentration.

b). Concentrated Flows

At points where overland flows concentrate in field depressions, swales, gutters, curbs, or pipe collection systems, the time of concentration between these design points shall be based on the Manning Equation and/ or acceptable engineering design standards as approved by the Municipal Engineer.

5). Any proposed direct stormwater discharge at the perimeter of the site shall not be beyond the capacity of any existing, immediately contiguous, stormwater management facility into which the discharge flows, regardless of pre-existing conditions.

6). Natural drainage ways shall be utilized to the maximum extent possible in carrying stormwater runoff, provided such use remains consistent with the purpose of this Article.

7). Detention and Retention Basins

a). Basins shall be designed to safely pass the peak discharge of a post-development one-hundred (100) year frequency storm event through an emergency spillway with one foot of freeboard between the maximum pool elevation and the top of the facility assuming that the outlet structure is 100% clogged. The spillway shall be no more than fifty (50) feet wide All outlets shall be combined in a manner which will not damage the integrity of the basin or the downstream drainage area.

b). Retention basins and/or detention basins, and water carrying facilities shall be stabilized promptly in accordance with current soil conservation

practices.

c). Retention basins and/or detention basins shall be designed and maintained to insure the design capacity.

d). Retention basins and/ or detention basins which are designed with earth fill dams shall incorporate the following minimum standards:

(1). Some dams for retention/detention may require a PADEP Dam Safety permit. (See PADEP Chapter 105 permit criteria)

(2). The maximum water depth shall not exceed six (6) feet in depth unless otherwise approved by the Board of Supervisors:

(3). The minimum top width of a dam breast shall be five (5) feet unless otherwise approved by the Board of Supervisors after consultation with the Township Engineer.

(4). The height of the dam shall not exceed eight (8) feet from the inside toe of slope, unless otherwise approved by the Board of Supervisors after consultation with the Township Engineer.

(5). The side slopes of the compacted earth fill shall not be steeper than three (3) horizontal to one (1) vertical (3:1).

(6). Basins without restricted access shall have impoundment areas with side slopes no steeper than five (5) horizontal to one (1) vertical. Basins with steeper side slopes shall be protected by fencing that will restrict access. Fencing at an adequate height to protect the public from entering any retention or detention basin shall be provided.

(7). A cutoff trench of impervious material shall be provided under all dams, with side slopes of three (3) horizontal to one (1) vertical or flatter. A dam with steeper sides shall be provided with a key trench.

(8). All pipes and culverts through dams shall be fitted with watertight joints and shall have properly spaced concrete cutoff collars or factory welded anti-seep collars.

(9). Minimum floor elevations for all structures that would be affected by a basin, other temporary impoundments, or open conveyance systems where ponding may occur shall be two (2) feet above the 100 year stormwater surface, if basement or underground facilities are proposed, detailed calculations addressing the effects of stormwater ponding on the structure and water-proofing and/or flood-proofing design information shall be submitted for approval.

(10). Trash racks are to be placed on detention basin structures and/or pipe inlets/outlets

8). Piping

a). The capacities of pipes shall be calculated by the Manning Equation or any other method of equal caliber which is acceptable to the Municipal Engineer.

b). Curved pipes, tee joints, elbows, and wyes are prohibited except for pipes with at least a 36-inch diameter or height. Minor horizontal deviations for smaller pipe shall be reviewed on a case by case basis.

c). All piping used in the storm drainage system shall be in accordance with PennDOT 408 specifications. A minimum pipe size of eighteen (18) inches in diameter shall be used in all roadway systems (public or private) proposed for construction in the Municipality. A minimum pipe size of fifteen (15) inches in diameter for on-site surface drainage requirements is permitted on private facilities which receive no off-site drainage. Pipes shall be designed so as to provide a minimum velocity of two and one-half (2 1/2) feet per second when flowing full. Arch pipe of equivalent cross-section area may be used in lieu of round pipe where cover or utility conflict conditions exist.

d). All storm drainage piping discharging to the ground surface shall be provided with either reinforced concrete headwalls and end sections or plastic and metal pipe end sections compatible with the pipe size involved in accordance with PADOT 408 and RC standards. A stabilized apron of adequate length shall be provided at all surface discharge points in order to minimize erosion. The apron shall extend to the crown of the pipe.

e). The following chart shall be used to determine the "n" factors for corrugated pipe:

Table 5.12 - N Factors for Corrugated Pipe

Pipe Diameter (Inches)	**Helical**		**Annular**	
	Capacity	Velocity	Capacity	Velocity
15 and 18	.017	.014	.025	.024
21 through 30	.021	.017	.026	.021
Larger	.026	.019	.026	.019

than 30				

f). The "n" factor for concrete or any other smooth pipe shall be .010 for velocity and .013 for capacity.

9). Swales and Channels

The capacities of swales and roadside gutters shall consider all possible hydraulic conditions. Swales shall meet the following requirements:

a). For grass swales and roadside gutters, two design considerations shall be met:

(1). The channel velocity and stability of the swale or gutter shall be based upon a low degree of retardance ("n" of 0.03);

(2). The channel capacity shall be based on a high degree of retardance (0.050).

b). The "n" factor to be used for paved or rip-rap swales or gutters shall be in accordance with the "Erosion and Sediment Pollution Control Program Manual," prepared by the PA DEP

c). Grass lined or planted channels shall have a minimum slope of seven-tenths (0.7) percent.

10). Inlets and Culverts

a). Inlets and culverts as street facilities shall be constructed in accordance with specifications set forth in the latest PennDOT Standards for Roadway Design and Construction or other details approved by the Township Engineer.

b). All inlets shall have weep holes covered with geotextile fabric placed at the appropriate elevations to completely drain the subgrade prior to placing the base course and surface course.

c). The maximum allowable spread of water on streets in a 25 year storm event is one-half (1/2) of a travel lane.

d). Stormwater management calculations shall include an inlet capacity analysis in order to verify spacing and to compute by-pass flow.

e). All inlets in paved areas shall have heavy duty bicycle safe grating. A note to this effect shall be added to the subdivision and land development plan.

f). All pipes entering or exiting inlets shall be cut flush with the inlet wall.

g). Inlets deeper than five (5) feet shall be provided with man hole type steps for access. A note to this effect shall be added to the subdivision and land development plan.

h). At the bottom of any inlet, additional concrete shall be added and adequately formed to provide for a smooth and efficient flow of water within the inlet. (Refer to the latest PennDOT Standards for Roadway Design and Construction.)

11). Manholes

a). Manholes, when proposed, shall be spaced not more than four hundred (400) feet apart. Additionally, manholes shall be placed at points of abrupt changes in the horizontal or vertical direction of storm sewers. Inlets may be substituted for manholes where they will serve a useful purpose.

b). Manholes shall be constructed in accordance with specifications set forth in the latest PennDOT, PennDOT Standards for Roadway Construction and Design.

12). Runoff Velocity

a). The maximum velocity of stormwater runoff shall be maintained at levels which result in a stable channel both during and after channel construction. The following are characteristics of a stable channel:

(1). It neither aggrades nor degrades beyond tolerable limits;

(2). The channel banks do not erode to the extent that the channel cross-section is changed appreciably;

(3). Excessive sediment bars do not develop;

(4). Excessive erosion does not occur around culverts and bridges or elsewhere;

(5). Gullies do not form or enlarge due to the entry of uncontrolled stormwater runoff.

(6). Where channel or swale bends occur, the computed velocities shall be multiplied by the following factor for the purpose of designing channel erosion protection:

1.5 When swale bend is 0 to 30 degrees;
1.75 When swale bend is 30 to 60 degrees;
2.00 When swale bend is 60 to 90 degrees;
2.50 When swale bend is 90 degrees or greater

Where the velocity of stormwater runoff exceeds the allowable velocity for soils, erosion protection must be provided. The methods of erosion protection proposed must be supported by the appropriate design information and references.

b). Grass lined or planted channels shall be considered stable if the calculated velocity does not exceed the allowable velocities shown below:

(1). Three (3) feet per second where only sparse vegetation can be established and maintained because of shade or soil conditions, and for all roadside swales.

(2). Four (4) feet per second where normal growing conditions exist and vegetation is to be established by seeding.

(3). Five (5) feet per second where a dense, vigorous sod can be quickly established or where water can be temporarily diverted during establishment of vegetation. Netting and mulch or other equivalent methods for establishing vegetation shall be used.

(4). Six (6) feet per second where there exists a well established sod or vegetation of good quality. These calculated grass-lined, or planted channel flows may be exceeded, if the designer can provide supportive design criteria as proof of erosion prevention.

(5). Calculated grass lined or planted channel flows may be exceeded if the designer can provide acceptable supportive design criteria as proof of erosion prevention. Where the velocity of stormwater runoff exceeds the allowable velocity, erosion protection must be provided. The method of erosion protection proposed must be supported by the appropriate design information and/ or references.

13). Compliance with PA Department of Environmental Protection (PA DEP) Chapter 105 Regulations

A PA DEP permit in accordance with Chapter 105 shall be required for any dams or obstructions or encroachment of regulated waters and wetlands of the Commonwealth, prior to the approval of the final plan. All areas of the Municipality shall be classified as suburban or urban (See PA DEP Section 105.141) for bridge and culvert designs. In the event any question or conflict arises between this article and the PA DEP Chapter 105 Regulations, the design criteria contained in the PA DEP regulations shall govern.

14). Compliance with Pennsylvania Department of Transportation (Penn DOT) Section 408 Specifications.

All materials, workmanship and methods of work shall comply with the Penn

DOT Form 408 specifications and/or the Municipal Standard Materials and Construction Specifications for Public Improvements, as accepted and commonly used by the Township.

E. Emergency Spillways

An emergency spillway shall be provided to safely pass the proposed peak 100-year storm with one foot of freeboard between the maximum pool elevation and the top of the facility assuming that the spillway is 100% clogged and there is no storage available.

3. Ownership and Maintenance of Erosion and Sedimentation Control and Stormwater Management Facilities

A. In cases where permanent erosion and/or stormwater management facilities are held as common facilities and/or owned by a home owners association, land owner, corporation, partnership, etc., it shall be the responsibility of that entity to maintain the facilities. In such cases, a legally binding agreement between the owner and the Municipality shall be prepared by the applicant describing the ownership arrangement and the provisions for maintaining all permanent stormwater management facilities. The agreement shall include provisions providing for the inspection of all facilities by the Municipality on a regular basis and after each major flood event, where facilities are critical to the public welfare. In addition, the applicant shall present to the Municipality a copy of restrictions and agreements with an affidavit stating that such restrictions and agreements shall be added to the deed of conveyance to each grantee to whom property of the development is to be conveyed. Agreements shall conform to the BMP Maintenance and Monitoring Agreement contained in Exhibit 5-10 and Appendix- 4.

B. Delinquency

In the event that the owner of stormwater management facilities shall, at any time after the construction or establishment of the facility, fail to adhere to the ownership and maintenance agreement and keep any said facility or facilities in reasonable working order and condition in accordance with established standards, guidelines and agreements, the Board of Supervisors may serve written notice upon the owner, Association, Condominium, Corporation, Partnership, etc. in accordance with the procedures set forth in Article 5, Section 517 of this Ordinance.

C. In cases where permanent erosion and stormwater management facilities, rights-of-way, and access easements to these facilities are dedicated to the Municipality and accepted by the Board of Supervisors, it shall be the Township's responsibility to maintain these facilities.

4. Municipal Liability

The degree of stormwater management sought by the provisions of this Section is considered reasonable for regulatory purposes. This Section shall not create liability on the part of the Township, any appointed or elected official of the Township, the County

Conservation District, or any officer, engineer or employee thereof for any erosion, sedimentation pollution or flood damages that may result from reliance on this article or any administrative decision lawfully made thereunder.

Exhibit 5.1 - Rainfall Coefficient "C" for Rational Formula and "CN" Range

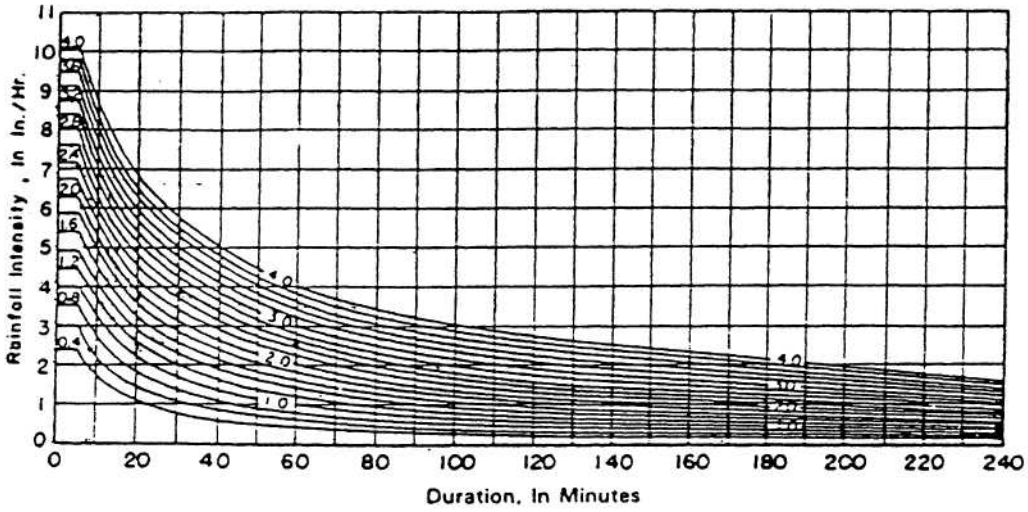
Land Use	C Min.	C Max.	Approx. CN Range	Percent Impervious
Construction Sites <30% slope				
Bare packed soil, smooth	.30	.60	60-90	0
Bare packed soil, rough	.20	.50	66-77	0
Wooded Areas				
Heavy Ground Litter	.10	.20	55-70	0
Light Ground Litter	.15	.30	60-73	0
Steep Rocky Slopes	.20	.50	66-77	0
Reverting Farmland/Meadow				
100% Vegetative Cover	.10	.20	48-65	0
80% Vegetative Cover	.15	.30	56-70	0
50% Vegetative Cover	.25	.60	60-80	0
Open Grass-Covered Areas				
80%+ Covering	.10	.20	61-74	1
50-80% Covering	.20	.50	69-79	1
Rural Areas				
1 home per 10 acres	.15	.30	74-82	5
Residential				
1 Acre Lots	.15	.40	68-79	20
½ Acre Lots	.25	.50	70-80	25
¼ Acre Lots	.40	.60	75-83	36
Multiunits (attached)	.60	.75	85-90	65
City Business Area				
75% Area Covered	.50	.70	88-91	72
Dense Development	.70	.95	92-94	85
Industrial Area				
Light to Medium Density	.50	.80	88-91	70
High Density	.60	.95	92-94	70
Streets and Parking Lots				
Asphalt	.70	.95	98	95
Concrete	.80	.95	98	95

NOTE: The C values provided in Table 4.2 have been equated to approximate CN values (Hydrologic soil groups B & C) and percent imperviousness through use of the Rossmiller C factor nomograph. If required, a specific C value may be developed by use of Rossmiller's nomograph. In most cases, however, use of Exhibit 5.1 will provide a sufficiently accurate "C" value. This table should not be used to determine CN numbers for the TR – 55 Method.

Exhibit 5.2 - Rainfall Intensity Computation

The following figure contains generalized rainfall intensity-duration curves to be used especially for storm durations less than 60 minutes. A one-hour storm must be supplied from the previously described rainfall estimating procedure, and entered at duration 60 minutes in the following Figure. From the intersection of the 1 -hour storm intensity and the 60-minute ordinate the user follows the path of the nearest curve to the duration of the design storm, then moves horizontally to the y-axis to read the corresponding storm intensity in inches/hour.

Example: Given a 1 -hour storm of 2.5 in./hr., find the 30-minute intensity for the same storm recurrence frequency. Start at 60-minute duration and 2.5 in./hr. intensity, move along curves to 30 minutes, and read the 30-minute intensity as 3.9 in./hr.



Standard rainfall intensity-duration curves or standard curves.

NOTES: Curve numbers correspond to 1 *-h (.* values of rainfall or supply indicated by respective curves; all points on the same curve are assumed to have the same average frequency of occurrence. From *Engineering Manual by* Corps of Engineers. U.S. Army.

•Reference: Research report "Recommended Hydrologic Procedures for Computing Urban Runoff from Small Watersheds in Pennsylvania". Penn State University. January 1982.

Exhibit 5.3 - Time of Concentration Nomograph (Rational Method)

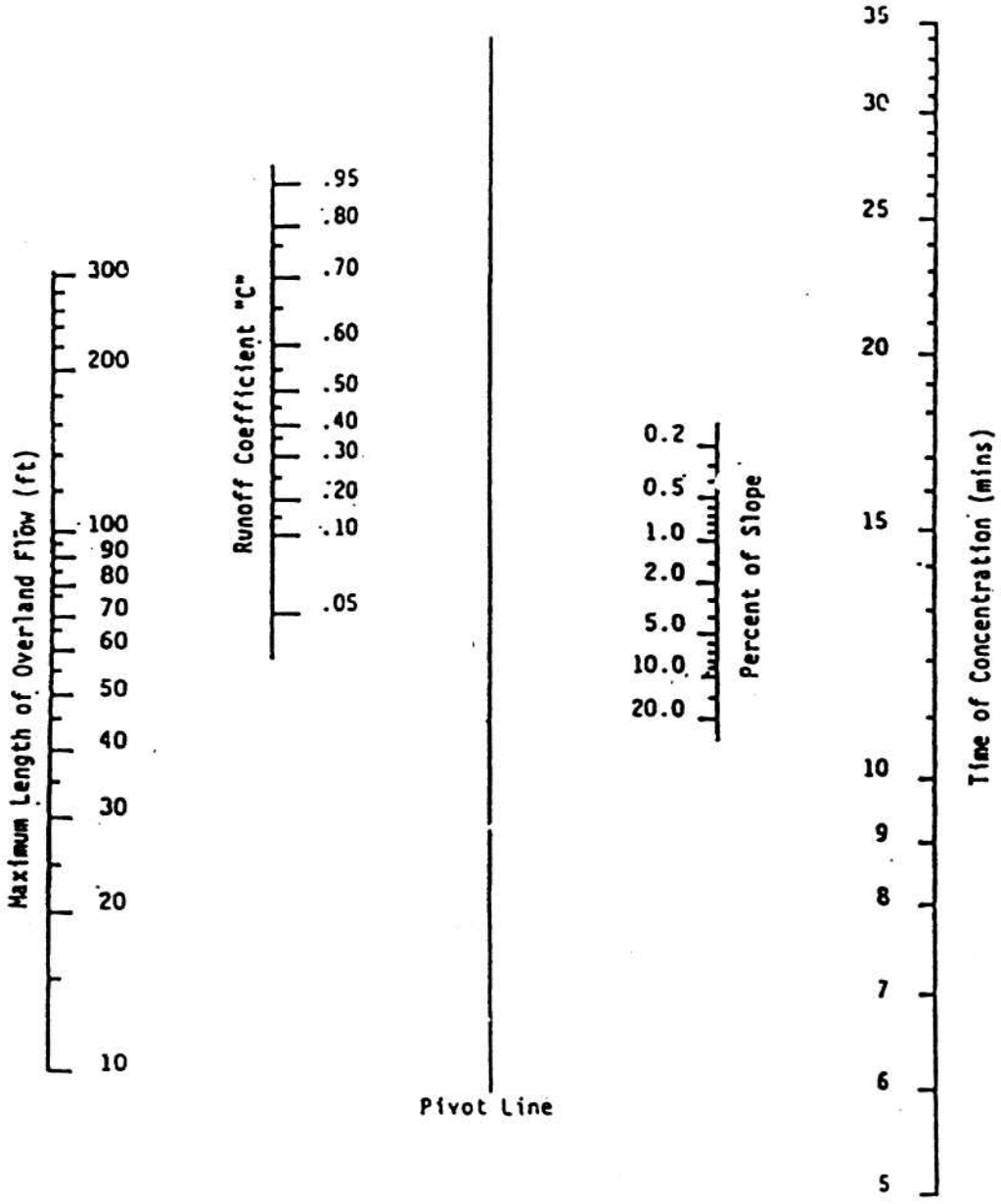


Exhibit 5.4 - Runoff Coefficients for the Rational Formula versus Hydrologic Soil Group (A, B, C, D) and Slope Range

	A			B			C			D		
Land Use	**0-2%**	**2-6%**	**6%+**	**0-2%**	**2-6%**	**6%+**	**0-2%**	**2-6%**	**6%+**	**0-2%**	**2-6%**	**6%+**
a Cultivated land	0.08	0.13	0.16	0.11	0.15	0.21	0.14	0.19	0.26	0.18	0.23	0.31
b	0.15	0.18	0.22	0.16	0.21	0.28	0.20	0.25	0.34	0.24	0.29	0.41
Pasture	0.12	0.20	0.30	0.18	0.28	0.37	0.24	0.34	0.44	0.30	0.40	0.50
	0.15	0.25	0.37	0.23	0.34	0.45	0.30	0.42	0.52	0.37	0.50	0.62
Meadow	0.10	0.16	0.25	0.14	0.22	0.30	0.20	0.28	0.36	0.24	0.30	0.40
	0.14	0.22	0.30	0.20	0.28	0.37	0.26	0.35	0.44	0.30	0.40	0.50
Forest	0.05	0.08	0.11	0.08	0.11	0.14	0.10	0.13	0.16	0.12	0.16	0.20
	0.08	0.11	0.14	0.10	0.14	0.18	0.12	0.16	0.20	0.15	0.20	0.25
Residential lot	0.25	0.28	0.31	0.27	0.30	0.35	0.30	0.33	0.38	0.33	0.36	0.42
- 1/8 acre	0.33	0.37	0.40	0.35	0.39	0.44	0.38	0.42	0.49	0.41	0.45	0.54
Residential lot	0.22	0.26	0.29	0.24	0.29	0.33	0.27	0.31	0.36	0.30	0.34	0.40
- 1/4 acre	0.30	0.34	0.37	0.33	0.37	0.42	0.36	0.40	0.47	0.38	0.42	0.52
Residential lot	0.19	0.23	0.26	0.22	0.26	0.30	0.25	0.29	0.34	0.28	0.32	0.39
- 1/3 acre	0.28	0.32	0.35	0.30	0.35	0.39	0.33	0.38	0.45	0.36	0.40	0.50
Residential lot	0.16	0.20	0.24	0.19	0.23	0.28	0.22	0.27	0.32	0.26	0.30	0.37
- 1/2 acre	0.25	0.29	0.32	0.28	0.32	0.36	0.31	0.35	0.42	0.34	0.38	0.48
Residential lot	0.14	0.19	0.22	0.17	0.21	0.26	0.20	0.25	0.31	0.24	0.29	0.35
- 1 acre	0.22	0.26	0.29	0.24	0.28	0.34	0.28	0.32	0.40	0.31	0.35	0.46
Industrial	0.67	0.68	0.68	0.68	0.68	0.69	0.68	0.69	0.69	0.69	0.69	0.70
	0.85	0.85	0.86	0.85	0.86	0.86	0.86	0.86	0.87	0.86	0.86	0.88
Commercial	0.71	0.71	0.72	0.71	0.72	0.72	0.72	0.72	0.72	0.72	0.72	0.72
	0.88	0.88	0.89	0.89	0.89	0.89	0.89	0.89	0.90	0.89	0.89	0.90
Streets	0.70	0.71	0.72	0.71	0.72	0.74	0.72	0.73	0.76	0.73	0.75	0.78
	0.76	0.77	0.79	0.80	0.82	0.84	0.84	0.85	0.89	0.89	0.91	0.95
Open space	0.05	0.10	0.14	0.08	0.13	0.19	0.12	0.17	0.24	0.16	0.21	0.28
	0.11	0.16	0.20	0.14	0.19	0.26	0.18	0.23	0.32	0.22	0.27	0.39
Parking	0.85	0.86	0.87	0.85	0.86	0.87	0.85	0.86	0.87	0.85	0.86	0.87
	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97	0.95	0.96	0.97

a. Runoff coefficients for storm recurrence intervals less than 25 years.
b. Runoff coefficients for storm recurrence intervals of 25 years or longer.

Exhibit 5.5 - PA Region 4 IDF Values (Source PennDOT)

Duration (mın)	Rainfall Intensity (in/hr)						
	1-Yr	2-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr
1	5.21	5.80	6.39	6.90	7.60	8.20	9.00
2	4.66	5.27	5.92	6.43	7.10	7.81	8.61
3	4.24	4.83	5.52	6.04	6.68	7.37	8.15
4	3.91	4.48	5.18	5.70	6.31	6.97	7.71
5	3.65	4.19	4.89	5.41	5.99	6.61	7.32
6	3.42	3.94	4.63	5.15	5.71	6.29	6.97
7	3.23	3.73	4.40	4.92	5.46	6.00	6.66
8	3.06	3.55	4.19	4.72	5.23	5.75	6.38
9	2.92	3.38	4.01	4.53	5.02	5.52	6.13
10	2.79	3.24	3.84	4.36	4.84	5.31	5.90
11	2.67	3.11	3.69	4.21	4.67	5.12	5.69
12	2.56	2.99	3.56	4.07	4.51	4.95	5.50
13	2.47	2.89	3.43	3.94	4.36	4.79	5.33
14	2.38	2.79	3.32	3.81	4.23	4.64	5.16
15	2.30	2.70	3.21	3.70	4.10	4.51	5.01
16	2.23	2.62	3.11	3.60	3.99	4.38	4.87
17	2.16	2.54	3.02	3.50	3.88	4.26	4.74
18	2.09	2.47	2.94	3.41	3.77	4.15	4.62
19	2.03	2.40	2.86	3.32	3.68	4.05	4.50
20	1.98	2.34	2.78	3.24	3.59	3.95	4.39
21	1.93	2.28	2.71	3.16	3.50	3.86	4.29
22	1.88	2.22	2.65	3.08	3.42	3.77	4.19
23	1.83	2.17	2.59	3.01	3.34	3.69	4.10
24	1.79	2.12	2.53	2.95	3.27	3.61	4.02
25	1.74	2.08	2.47	2.89	3.20	3.53	3.93
26	1.71	2.03	2.42	2.83	3.13	3.46	3.85
27	1.67	1.99	2.37	2.77	3.07	3.40	3.78
28	1.63	1.95	2.32	2.71	3.01	3.33	3.71
29	1.60	1.91	2.28	2.66	2.95	3.27	3.64
30	1.57	1.87	2.24	2.61	2.90	3.21	3.58
31	1.54	1.84	2.20	2.56	2.85	3.16	3.51
32	1.51	1.80	2.16	2.52	2.80	3.10	3.45
33	1.48	1.77	2.12	2.47	2.75	3.05	3.40
34	1.45	1.74	2.08	2.43	2.70	3.00	3.34
35	1.43	1.71	2.05	2.39	2.66	2.95	3.29
36	1.40	1.68	2.02	2.35	2.61	2.91	3.24
37	1.38	1.66	1.98	2.31	2.57	2.86	3.19
38	1.36	1.63	1.95	2.27	2.53	2.82	3.14
39	1.33	1.60	1.92	2.24	2.49	2.78	3.10
40	1.31	1.58	1.90	2.20	2.45	2.74	3.05
41	1.29	1.56	1.87	2.17	2.42	2.70	3.01
42	1.27	1.53	1.84	2.14	2.38	2.66	2.97
43	1.25	1.51	1.82	2.11	2.35	2.63	2.93
44	1.23	1.49	1.79	2.08	2.32	2.59	2.89
45	1.22	1.47	1.77	2.05	2.29	2.56	2.85
46	1.20	1.45	1.74	2.02	2.25	2.53	2.82
47	1.18	1.43	1.72	1.99	2.23	2.50	2.78
48	1.17	1.41	1.70	1.96	2.20	2.46	2.75
49	1.15	1.39	1.68	1.94	2.17	2.44	2.72
50	1.14	1.37	1.66	1.91	2.14	2.41	2.69
51	1.12	1.36	1.64	1.89	2.12	2.38	2.65
52	1.11	1.34	1.62	1.86	2.09	2.35	2.62
53	1.09	1.32	1.60	1.84	2.06	2.32	2.60
54	1.08	1.31	1.58	1.82	2.04	2.30	2.57
55	1.07	1.29	1.56	1.80	2.02	2.27	2.54
56	1.05	1.28	1.55	1.78	1.99	2.25	2.51
57	1.04	1.26	1.53	1.75	1.97	2.23	2.49
58	1.03	1.25	1.51	1.73	1.95	2.20	2.46
59	1.02	1.23	1.50	1.72	1.93	2.18	2.44
60	1.01	1.22	1.48	1.70	1.91	2.16	2.41
75	0.86	1.05	1.28	1.46	1.65	1.88	2.11
90	0.76	0.92	1.12	1.30	1.48	1.68	1.89
120	0.62	0.75	0.92	1.07	1.23	1.40	1.59
180	0.46	0.57	0.70	0.81	0.94	1.08	1.23
240	0.38	0.46	0.57	0.67	0.78	0.90	1.03
360	0.28	0.34	0.42	0.51	0.60	0.69	0.79
480	0.23	0.28	0.34	0.42	0.50	0.57	0.65
720	0.17	0.21	0.25	0.32	0.38	0.43	0.50
1080	0.12	0.15	0.19	0.24	0.29	0.33	0.38
1440	0.10	0.12	0.15	0.19	0.24	0.27	0.31

Exhibit 5.6 – Sample Stormwater Management Report

1. **Table of Contents**

2. **Stormwater Management Summary**

3. **Project Narrative**

4. **Pre-Development Hydrograph Calculations**

   A. Weighted CN Calculations

   B. Tc Calculations

   C. Hydrographs – 2, 10, 25, 50 and 100 Year Frequencies

5. **Post-Development Hydrograph Calculations** (for each Drainage Area)

   A. Design Point 1 (Drainage Area 1)
      1). Weighted CN Calculations
      2). Tc Calculations
      3). Hydrographs – 1, 2, 10, 25, 50 and 100 Year Frequencies

   B. Design Point 2 (Drainage Area 2)
      1). Weighted CN Calculations
      2). Tc Calculations
      3). Hydrographs – 1, 2, 10, 25, 50 and 100 Year Frequencies

6. **Post-Development Hydrograph Combinations – Drainage Area 1 and 2**

7. **Detention Basin Calculations**

   A. Basin Characteristics
      1). Basin Stage Storage – Elevation Data
      2). Outlet Structure Configuration
         a).Schematic Details: Orifice, Elevation, Cross-Section, Trash Rack, Anti-Seep Collar, Clay Core
      3). Basin Routing Table

   B. Outflow Hydrographs – 1, 2, 10, 25, 50 and 100 year Frequencies

   C. Outfall Protection/Level Spreader Design Calculations

   D. Emergency Spillway Calculations
      1). Orifice Blocked Outflow Hydrograph – 100 Year Frequency

2). Spillway Sizing – Weir Equation

E. Anti-Seep Collar Calculations

8. Extended Detention of 1 Year Frequency Hydrograph Calculations

9. Basin Empty Time Analysis – 100 Year Storm

10. Best Management Practices (BMP) Calculations and Details

A. Water Quality
1). Volume Calculations
2). BMP Design and Application

B. Groundwater Recharge
1). Geologic Analysis
2). Volume Calculations – 2-Year 24 Hour rainfall
3). BMP Design and Application

11. Conveyance Calculations

A. Pipe Design Calculations
1). Weighted CN Calculations
2). Tc Calculations
3). Peak Flow or Hydrographs, 10, 25 and 100 Year Frequencies
4). Hydraulic Grade Line Calculations, using 10, 25 and 100 Year Frequency Peak Flows
5). Pipe Outlet Lining Calculations – rip-rap or matting

B. Culvert Design Calculations

C. Swale Design Calculations
1). Weighted CN Calculations
2). Tc Calculations
3). Peak Flow or Hydrographs, using 10, 25 and 100 Year Frequencies
4). Capacity Calculations – permanent/lined condition
5). Stability Calculations – temporary and permanent conditions

Appendix A: Pre-Development Drainage Area Map, including Tc information
Appendix B: Post-Development Drainage Area Map, including Tc information
Appendix C: Off Site Drainage Area Map, including Tc information
Appendix D: Inlet Drainage Area Map
Appendix E: SCS Runoff Curve Numbers
Appendix F: Regional Rainfall Curve Chart
Appendix G: C Values for Rational Method
Appendix H: Hydrologic Soil Group Listing

Assumptions:

1. If off-site runoff drains to design point, include calculations under Pre-Development Hydrograph Calculations.

2. If an existing detention facility discharges to the site, the hydrograph analysis to document discharge rate will be added to Pre-Development Hydrograph Calculations using the same format as Post-Development.

3. Hydraulic Grade Line Calculations use a program that considers inlet efficiency and bypass, and ponding over inlets (depth at curb line).

Exhibit 5.7 – Sample Stormwater Management Summary

Project: _____ **Date:** _____

Drainage Area: ID Number_____ **Acres**_____ **Release Rate:** _____
Note: Use a separate sheet for each Drainage Area.

	Design Year Storm Event					
Discharge Rates: cubic feet per second (cfs)	**2**	**5**	**10**	**25**	**50**	**100**
Pre-development discharge						
Allowable post-development discharge (per release rate)						
Post-development discharge to SWM facility						
Post-development bypass						
Post-development discharge from SWM facility						
Post-development combined routed discharge						

WATER QUALITY REQUIREMENTS

Computed Water Quality Volume: _____ cubic feet

Proposed BMP(s) to meet the WQ requirements: _____

GROUNDWATER RECHARGE REQUIREMENTS

Computed Groundwater Recharge Volume: _____ cubic feet

Proposed BMP(s) to meet GR requirements:

_____

GENERAL PROTECTION REQUIREMENTS

Dewatering Time: 1-year storm event: _____ hours

SWM Facility Maximum Capacity: _____ hours

Exhibit 5.8 – Sample Operation and Maintenance Plan for Stormwater BMPs

A. INSPECTIONS

1. Stormwater facilities and permanent BMPs must be inspected, at a minimum on an annual basis, or as requested by the Township, in accordance with this O & M Plan. The property owner has two options:

   i. Employing a qualified registered professional to conduct the inspections and prepare reports; or

   ii. Entering into an agreement with the Municipality for the Municipality to conduct the inspections and prepare reports. This can be included in the Stormwater Facilities and Best Management Practices (BMP) Maintenance and Monitoring Agreement (M & M Agreement).

2. If Option i. is chosen, the entity conducting the inspection shall be required to submit a report to the Municipality within thirty days following completion of the inspection. The report shall document the condition of the facilities and recommend needed repairs. Recommended repairs and other corrective actions shall be implemented by the property owner within thirty days of the report date.

3. If Option ii. is chosen, the property owner shall be responsible for reimbursing the Township for the costs involved in accordance with the M & M Agreement.

4. Inspections of open basins shall include but not be limited to:

   i. Structural integrity and operation of outlet structures and appurtenances.

   ii. Stability of embankments and other soil areas.

   iii. Integrity, condition and recharge capacity of vegetation.

   iv. Collection, storage and release of stormwater in accordance with the facility design.

   v. Sediment accumulation.

   vi. Safety.

5. Inspections of subsurface storage facilities shall include but not be limited to:

   i. Structural integrity and operation of outlet structures and appurtenances.

ii. Stability of soil over and adjacent to the facility.

iii. Collection, storage and release of stormwater in accordance with the facility design.

iv. Sediment accumulation.

v. Safety.

B. MAINTENANCE

1. Vegetation in and adjacent to basins shall be maintained in accordance with the approved plan, applicable watershed management plans and in accordance with Township Ordinances.

2. Debris shall be removed from basins on a quarterly basis. Floatable debris that may impact operation of the outlet structure shall be removed immediately.

3. Groundwater Recharge and Water Quality BMPs shall be observed quarterly during runoff events to insure operation as designed. BMPs shall be cleaned as required to insure continued operation as designed.

4. Maintenance and observation activities shall be documented in the Inspection Report.

PART 6

IMPROVEMENT AND MAINTENANCE GUARANTEES

SECTION 601. GENERAL STATEMENT

1. No final plat shall be approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be required by the subdivision and land development ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm sewers and other improvements as may be required by the subdivision and land development ordinance have been installed in accordance with such ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees required pursuant to Section 502, the subdivision and land development ordinance shall provide for the deposit with the municipality of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required. The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to Section 420 of the act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law."

2. If water mains and/or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this section.

3. No Final Plan shall be signed by the Board of Supervisors for recording in the Office of the Perry County Recorder of Deeds unless:

    A. Financial security in accordance with the requirements of Section 602 is accepted by the Board of Supervisors, and/ or;

    B. The improvements required by this Ordinance have been properly guaranteed or completed in accordance with this ordinance.

SECTION 602. FINANCIAL SECURITY FOR IMPROVEMENT GUARANTEE

1. General

   A. The administration of the financial security shall comply with the provisions of Article V, Section 509 of the PA Municipalities Planning Code, Act 247, as amended, and other applicable laws of the Commonwealth of Pennsylvania.

   B. Such financial security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or in the Developer's Agreement for completion of the improvements. (See Appendix #2)

2. Submission of Improvements Guarantee

   Final plan applications that include public improvements that have not been installed shall include an improvement guarantee in the form of financial security.

   A. Type of Financial Security

      Without limitation as to other types of financial security which the municipality may approve, which approval shall not be unreasonably withheld, Federal or Commonwealth chartered lending institution irrevocable letters of credit and restrictive or escrow accounts in such lending institutions shall be deemed acceptable financial security for the purposes of this section.

      Such financial security shall be posted with a bonding company or Federal or Commonwealth chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.

      Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

   B. Amount of Financial Security

      1). The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten (110) percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer.

Annually, the Board of Supervisors may adjust the amount of the financial security by comparing the actual cost of the improvements, which have been completed and the estimated cost for the completion of the remaining improvements, which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the municipality may require the developer to post additional security in order to assure that the financial security equals said 110%. Any additional security shall be posted by the developer in accordance with this subsection.

2). The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by the Applicant prepared by a professional engineer licensed as such in Pennsylvania and certified by such engineer to be a fair and reasonable estimate of such cost. The estimate submitted to the Board of Supervisors shall be organized and itemized to provide a detailed line by line estimate of costs of all public improvements required. The Board of Supervisors, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the Applicant and the Township Engineer are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in Pennsylvania and chosen mutually by the Board of Supervisors and the Applicant. The estimate certified by the third (3rd) engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third (3rd) engineer is so chosen, fees for the services of said engineer shall be paid equally by the Board of Supervisors and the Applicant.

3). If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional ten (10) percent for each one (1) year period beyond the first anniversary date from posting of financial security, or to an amount not exceeding one hundred and ten (110) percent of the cost of completing the remaining required improvements as reestablished on or about the expiration of the preceding one (1)-year period.

4). In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plans by section or stages of development subject to such requirements

or guarantees as to improvements in future section or stages of development as it finds essential for the protection of any finally approved section of the development.

C. Developer's Agreement

The applicant shall declare the intent to provide an improvement guarantee by executing the Developer's Agreement satisfactory to the Miller Township Board of Supervisors and their solicitor. The Developer's Agreement shall be executed prior to the recordation of the final plan.

3. Plan Approval Conditioned Upon Financial Security

When requested by the developer, in order to facilitate financing, Board of Supervisors, shall furnish the developer with a signed copy of a resolution indicating approval of the final plan contingent upon the developer obtaining a satisfactory financial security. The final plan or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Board of Supervisors; such extension shall not be unreasonably withheld and shall be placed in writing at the request of the developer.

4. Release of Financial Security

A. As the work of installing the required improvements proceeds, the party posting the financial security may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Board of Supervisors, and the Board shall have forty-five (45) days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Board of Supervisors that such portion of the work upon the improvements has been completed in accordance with the approved plan. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Perry County Engineer fairly representing the value of the improvements completed or, if the Board of Supervisors fails to act within said forty-five (45) day period, the Board of Supervisors shall be deemed to have approved the release of funds, as requested. The Board of Supervisors shall always, prior to final release at the time of completion and certification by the Township Engineer, require retention of a minimum of ten (10) percent of the estimated cost of the aforesaid improvements. Such funds will be released only after certification by the Township Engineer that all required public improvements so guaranteed

have been completed satisfactorily.

B. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Supervisors in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the municipal engineer. The Board of 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 Board of Supervisors, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty (30) days after receipt by the Township Engineer of the aforesaid authorization from the Board of 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 non-approval or rejection.

   1). The Township Secretary shall notify the Applicant, within fifteen (15) days of receipt of the Township Engineer's report, in writing by certified or registered mail of the action of said Board of Supervisors with relation thereto.

   2). If the Board of Supervisors or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the Applicant shall be released from all liability, pursuant to this performance guaranty bond or other security agreement.

   3). If any portions of the said improvements are not approved or are rejected by the Board of Supervisors, the Applicant shall proceed to complete the same, with the required corrections and, upon completion, the same procedure of notification, as outlined herein, shall be followed.

   Upon the satisfactory completion of all required improvements, after consultation with the Municipal Manager (where applicable) and the Township Engineer, the Board of Supervisors may release to the Applicant any remaining financial security, including by not limited to, the withheld ten (10) percent minimum.

C. Nothing herein shall be construed as a limitation of the Applicant's right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township Engineer.

5. Remedies to Effect Completion of Improvements

   In the event that any improvements, which may be required have not been installed as provided in Article 5 or in accordance with the approved final plan, the Board of Supervisors is hereby granted the power to enforce any financial security by appropriate legal and equitable remedies. If proceeds of the financial security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Supervisors may, at its option, install all or part of such improvements and may institute appropriate legal or equitable action to recover the funds 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 applicant, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

6. Other Effects of Financial Security

   If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plan as set forth in this Section, the Board of Supervisors shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plan upon actual completion of the improvements depicted upon the approved final plan. Moreover, if said financial security has been provided, occupancy permits for any building or buildings shall not be withheld following: (1) the application of the asphalt binder course the streets providing access to and from existing public roads to such building or buildings as well as (2) the completion of all other improvements as depicted upon the approved plan, either upon the lot or lots or beyond the lot or lots in question, if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

SECTION 603. INSPECTION OF IMPROVEMENTS DURING CONSTRUCTION

1. Prior to the initiation of construction, the developer shall notify the Township in order to coordinate an inspection schedule with the construction schedule. Additionally, the Township Engineer shall be notified four (4) working days in advance of any intended date of construction. The provisions stated herein shall be construed as mandating periodic inspections and the undertaking of periodic inspections shall not be construed as an acceptance of the work during construction or as a final inspection of the construction.

2. Reimbursement for Inspections

   The applicant shall reimburse the Township for the reasonable and necessary expense incurred for the inspection or improvements according to a schedule of fees adopted by resolution of the Board of Supervisors and as amended from time to time.

   A. In the event the Applicant disputes the amount of any such expense in connection with the inspection of improvements, the Applicant shall, within ten (10) working days of the date of billing, notify the Board of Supervisors that such expenses are disputed as unreasonable or unnecessary, in which case the Township shall not delay or disapprove a subdivision or land development application or any approval or permit related to development due to the Applicant's request over disputed Perry County Engineer expenses.

   B. If, within forty-five (45) days from the date of billing, the Perry County Planning Commission and the Applicant cannot agree on the amount of expenses which are reasonable and necessary, then the Applicant and the Perry County Planning Commission shall jointly, by mutual agreement, appoint another professional engineer licensed as such in Pennsylvania to review said expenses and make a determination as to the amount thereof which is reasonable and necessary.

   C. The professional engineer, so appointed, shall hear such evidence and review such documentation as the professional engineer in his sole opinion deems necessary and render a decision within fifty (50) days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

   D. In the event that the Township and Applicant cannot agree upon the professional engineer to be appointed within twenty (20) days of the billing date, then, upon application of either party, the President Judge of the Court of Common Pleas of the judicial district in which the Township is located (or if at the time there be no President Judge, then the senior

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

E. The fee of the appointed professional engineer for determining the reasonable and necessary expenses shall be paid by the Applicant if the amount of payment required in the decision is equal to or greater than the original bill. If the amount of payment required in the decision is less than the original bill by one-thousand ($1,000) dollars or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the Applicant shall each pay one-half (1/2) of the fee of the appointed professional engineer.

SECTION 604. DEDICATION OF IMPROVEMENTS

All improvements shall be deemed to be private improvements and only for the specific project until such time as the same have been offered for dedication and formally accepted by the municipal governing body. No responsibility of any kind with respect to improvements of the final plan shall be transferred until the improvements have been formally accepted. No improvements shall be accepted for dedication except upon submission of as-built drawings by the developer and inspection of the final construction by either the municipal engineer in accordance with the provisions of this Ordinance.

SECTION 605. MAINTENANCE GUARANTEE

1. Where the Township accepts dedication of all or some of the required improvements following completion, the Board of Supervisors may require the posting of financial security to secure the structural integrity of said improvements, as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term not to exceed eighteen (18) months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed fifteen (15%) percent of the actual cost of installation of said improvements.

2. If water mains or sanitary sewer lines, or both, along with appurtenances or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Municipality, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or municipal authority and shall not be included within the financial security as otherwise required by this Article.

SECTION 606. AS BUILT PLANS

Within ninety (90) of construction completion of all required improvements including facilities proposed for dedication to the municipality and prior to final inspection by the Miller Township Engineer of all improvements and site grading for which an improvement guarantee has been posted, the developer shall submit a plan labeled "As- Built Plan," which shall depict the actual location, dimensions and elevations of all existing improvements and site grading. In addition, the plan shall indicate that the existing grading, drainage structures and/or drainage systems and erosion and sediment control practices, including vegetative measures, are in substantial conformance with the previously approved drawings and required specifications. The plan shall note all deviations from the previously approved drawings. The applicant's engineer shall certify that the construction of the stormwater management facility was completed in accordance with the plans and specifications as originally submitted and approved by the Board of Supervisors. Four (4) copies of the "As-Built Plan" shall be submitted to the Township, which shall retain one copy and distribute copies to the Perry County Engineer (1) and two (2) copies to the Perry County Register and Recorders Office.

PART 7

MOBILE HOME PARKS

Section 701. GRANT OF POWER

The governing body of each municipality may regulate subdivisions and land development within the municipality by enacting a subdivision and land development ordinance. Provisions regulating mobile home parks shall be set forth in separate and distinct articles of any subdivision and land development ordinance adopted pursuant to the "Pennsylvania Municipalities Planning Code" Act 247, as reenacted and amended, Article V, §501, as reenacted and amended.

Section 702. PURPOSE, AUTHORITY AND JURISDICTION

The purpose, authority, and jurisdiction for land development as a mobile home park are the same as contained in PART 2 of this ordinance.

Section 703. PLAT REQUIREMENTS AND PROCESSING PROCEDURE

The plat requirements and processing procedure for land development as a mobile home park shall be in accordance with the requirements contained in PART 4 of this Ordinance.

Section 704. DESIGN STANDARDS

The arrangement and other design standards of streets, easements, blocks, lots, stormwater management and erosion and sedimentation control shall be in accordance with the requirements contained PART 5 of this Ordinance except as specified below:

1. Street Widths

   A. The minimum street right-of-way and cartway widths of public or private streets shall be as follows:

Collector Streets	Width
Right-of Way	60 feet
Cartway	24 feet

Minor Streets	Width
Right-of-way	50 feet
Cartway	20 feet

B. Where a subdivision or land development fronts on an existing street, the provision for additional street width (right-of-way, cartway, or both) may be required when determined necessary by the Miller Township Planning Commission in specific areas to address:

(1) Public safety and convenience;

(2) Where the number of mobile homes proposed to be located in the mobile home park exceeds one hundred (100) units;

(3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

2. Lots

A. Lots in a mobile home park shall be served by both public or community water supply and sanitary sewerage collection systems.

B. Minimum lot widths and areas shall conform to applicable provisions of the municipal zoning ordinance.

or,

Mobile home lots shall be not Less than sixty (60) feet wide measured at the minimum required setback line nor less than seventy-two hundred (7,200) square feet in area, per mobile home unit exclusive of streets and other public areas.

3. Front Yard Building Setback Lines

In a mobile home park, the minimum front yard building setback line from the right-of-way of a street shall conform to applicable provisions of the municipal zoning ordinance.

or,

The minimum front yard building setback line from the right-of-way of a street shall be as follows:

Street Type	Minimum Setback Distance
Arterial	40 feet
Collector	25 feet
Minor	20 feet

4. Side and Rear Yard Building Setback Lines

A. In a mobile home park, the side and rear building lines shall conform to applicable provisions of the municipal zoning ordinance.

or,

The minimum side yard building setback lines for interior lots shall be ten (10) feet from the side lot lines of each mobile home lot.

B. The minimum rear yard building setback lines shall be fifteen (15) feet measured from the rear lot line of each mobile home lot.

C. Mobile home units shall not be located closer than twenty-five (25) feet from the mobile home park property lines on the sides and rear not adjacent to a street right-of-way.

5. Off-street Parking Requirements

A. Off-street parking areas shall be provided at the rate of at least two (2) vehicular parking spaces for each mobile home lot.

B. Each such off-street parking space shall contain at least two-hundred (200) square feet of area and shall be located on the lot it is intended to serve.

6. Open Space Requirements

A. All mobile home parks shall provide and so indicate on the plan of the mobile home park, suitable areas for recreation and open space uses by using the standard of ten (10%) per cent of the total area of the mobile home park of which one-half (1/2) of the area shall be in one place. The remainder may be used to provide pedestrian walkways, or connecting links to recreation areas.

1). The recreation and open space shall be located as centrally as possible within the mobile home park.

2). The open space shall be landscaped with a water absorbent surface except for recreational facilities and walkways utilizing a hard surface.

3). The open space must be maintained by a mobile home park operator or the open space can be dedicated to Miller Township provided Miller Township is willing to accept and maintain the open space.

7. Park Areas for Non-Residential Uses

A. No part of the mobile home park shall be used for a non-residential purpose, except such uses that are specifically required for the direct servicing and well being of park residents, for management and maintenance of the park, or those

uses permitted by applicable provisions of the municipal zoning ordinance, where one exists.

Section 705. IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

In a mobile home park all improvements, construction requirements, and engineering specifications for the improvements required, shall be provided in accordance with PART 5 of this Ordinance and shall also provide the following additional improvements:

1. Buffer Strips

   A suitably screened or landscaped buffer strip at least ten (10) feet wide, shall be provided by the developer along all of the property lines separating the mobile home park from adjacent land uses

2. Signs and Lighting

   A. Signs may be permitted subject to the approval of the Board of Supervisors.

   B. All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

3. Other Site Improvements and Requirements

   A. Each mobile home site shall be provided a concrete slab, constructed to current municipal building code standards, so as to provide a structurally stable pad for mobile home placement.

   B. An enclosure of compatible design and material shall be erected around the entire base of each mobile home. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration of the structure.

   C. Each mobile home lot shall be provided with a four (4) inch concrete slab on a stable surface at least ten (10) feet by eighteen (18) feet in size for use as a terrace and so located so as to be adjoining and parallel to the mobile home and not extend into the front, side, or rear yard. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected, and shall be constructed in compliance with the municipal building and electrical codes.

   D. Individual tenants of the mobile home park may construct attached enclosures or covered patios to individual mobile homes, provided that such enclosure does not encroach into the front, side or rear yard areas.

   E. Tie downs shall be installed at strategic locations so as to prevent movement of the mobile home by natural causes.

F. Provision shall be made by the Park operator to have garbage and waste collected at least once every week, and shall be deposited at an approved disposal site.

4. Mobile Home Parks in Floodplain Areas

A. Within any identified floodplain area, all mobile homes and any additions thereto shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse (Floodway).

B. Where permitted within any identified floodplain area, all mobile homes and additions thereto shall be:

1) Anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards as specified in the Standard for the Installation of Mobile Homes Including Mobile Home Park Requirements (NFPA No. 501A-1974 ANSI A119.3-1975) as amended for Mobile Homes in Hurricane Zones or other appropriate standards such as the following:

a) Over-the-top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and one (1) additional tie per side for units less than fifty (50) feet in length.

b) Frame ties shall be provided at each corner of the mobile home, with five (5) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and four (4) additional ties per side for units less than fifty (50) feet in length.

c) All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.

2) Elevated in accordance with the following requirements:

a) The stands or lots shall be elevated on compacted fill, or on pilings so that the lowest floor of the mobile home will be one and one-half (1.5) feet or more above the elevation of the one hundred (100) year flood.

b) Adequate surface drainage is provided.

c) Adequate access for a hauler is provided.

d) Where pilings are used for elevation, the lots shall be large enough to permit steps; piling foundations shall be placed in stable soil no more than ten (10) feet apart; reinforcement shall be provided for pilings that will extend for six (6) feet or more above the ground level.

C. An evacuation plan indicating alternative vehicular access and escape routes shall be filed with the Perry County Emergency Management Agency.

Section 706. FEES AND PERMITS

1. Fees

   At the time of filing the Preliminary Plat and/ or the Final Plat for the development of a tract of land for a mobile home park, the Applicant shall be required to pay to the Miller Township fees in accordance with the requirements of Article 8 of this Ordinance and secure a permit.

2. Mobile Home Park Permits

   Any person intending to develop a tract of land as a mobile home park shall have a permit from the municipality for each such park, issued in accordance with the following requirements:

A. Such permit shall be issued by the Municipal Code Enforcement Officer upon proper application and submission of evidence of compliance with the provisions of this Ordinance and all other applicable legal requirements, and upon payment of a fee provided herein.

B. Each permit shall be valid for one (1) year, from the date of issue.

C. Each application shall be accompanied by a fee, payable to Miller Township in accordance with the fee schedule established for land developments found in Appendix A.

D. The first application for a permit for a mobile home park proposed for development, following the effective date of this Ordinance, shall be made to the Municipal Code Enforcement Officer on a form provided and shall be submitted together with copies of the following:

   1) A copy of the approved final plat signed by the Miller Township Board of Supervisors.

   2) A receipt signed by the recorder of deeds, showing that the mobile home park plat has been publicly recorded.

   3) A permit issued by the Department of Environmental Protection as required by the Chapter 179, Title 25, Rules and Regulations, Mobile home Park.

E. The first application for a permit for a mobile home park existing on the effective date on this Ordinance shall be made to the Municipal Code Enforcement Officer on a form provided and shall be submitted together with copies of the following.

1) A copy of the plan submitted to the Pennsylvania Department of Environmental Protection as required by Chapter 179, Title 24, Rules and Regulations, Mobile home Parks.

2) A permit issued by the Department of Environmental Protection as required by Chapter 179, Title 25, Rules and Regulations, Mobile home Parks.

3) A receipt signed by the recorder of deeds showing that the mobile home park plat has been publicly recorded together with the Deed Book and page number indicated and a copy of the recorded plat.

F. Application for the annual renewal of a permit shall be made by the holder of the permit, to the Municipal Code Enforcement Officer on a form provided, within fourteen (14) days preceding expiration of the preceding permit period, and shall be accompanied by a fee as required in Paragraph C above and any changes since the preceding permit was issued.

The Municipal Code Enforcement Officer shall inspect each mobile home park prior to the issuance of a permit for conformance with the provisions of this Ordinance and all other applicable legal requirements.

G. It shall be incumbent upon the proprietor of a mobile home park to keep a register and to report therein the name of the person of head of family occupying each mobile home; the date of entry on said land; license number of automobile; serial number, make and size of trailer; and the names of all persons living in the mobile home park.

H. The register and mobile home park shall be subject to inspection by the Municipal Code Enforcement Officer annually, or upon the request of the Board of Supervisors.

Section 707. MODIFICATION OF REQUIREMENTS

The application for a modification of any requirements shall be in accordance with the provisions of PART 9 of this Ordinance.

Section 708. ENFORCEMENT, AMENDMENTS, VIOLATIONS, APPEALS, PENALTIES, SEVERABILITY, AND REPEALER

The enforcement, amendments, violations, appeals, penalties, severability, and repealer shall be in accordance with the provisions of PART 10 of this Ordinance.

PART 8

FEES

Section 801. FILING FEE

At the time of filing, all plats shall be accompanied by a check payable to the Miller Township, in the amount specified herein, to defray the cost of reviewing the proposed plats and required data.

Section 802. ADMINISTRATIVE FEE SCHEDULE

1. The fee schedule is established and may be amended periodically by resolution of the Miller Township Board of Supervisors.

2. The Miller Township Board of Supervisors shall establish a schedule of fees for subdivision and land development reviews and approvals, and mobilehome parks. The schedule of fees shall be payable to Miller Township. The fee schedule is posted in the Commission's Office.

Section 803. ENGINEERING REVIEW FEES

1. Municipal Engineering Review Fee

   As costs are incurred, the Applicant shall pay by a check, payable to Miller Township, in an amount established, and may be amended periodically by resolution of the Township Board of Supervisors. Proof of such payment is required to be provided to the PCPC. Said fee should be determined or approved by the Township Engineer and sufficient to cover the costs of:

   A. Reviewing the plat's engineering details.

   B. Inspecting the site layout for conformance with the plat.

   C. Reviewing cost estimates of required improvements (as applicable).

   D. Inspecting required improvements during installation.

   E. Final inspection on completion of installation of the required improvements.

   F. Other engineering verifications required by this Ordinance.

2. The engineering fees required to be paid by this Article shall be promptly paid to the municipality by the Applicant, as such fees are billed to the municipality or

Municipal Authority by its or their engineers. The Applicant is required to pay said bill within 30-days of receipt.

3. Township Engineering Review Fee.

   Where it has been determined the municipality does not have a municipal engineer, the applicant shall pay Miller Township the township engineering review fee made payable to Miller Township for reimbursement for the Township's expenses for the use of the Township Engineer's services.

Section 804. OTHER FEES

1. County Review/ Report. At the time of filing with the County Planning Commission, all plats shall be accompanied by a check payable to the Perry County Planning Commission, to cover the costs of County Planning Commission review and report back to Miller Township. The fee is set by the fee schedule of the Perry County Board of Commissioners.

2. Fees for all other permits required by Miller Township for opening roads, connecting to municipal sewers, building construction, etc. shall also be paid by a check payable to Miller Township or its municipal authority.

3. The Applicant at the time of application shall agree to cover the cost of advertising any ordinance accepting the deed of dedication of applicable required improvements and its recording costs.

PART 9

MODIFICATION OF REQUIREMENTS

Section 901. APPLICATION OF MODIFICATION PROVISIONS

Where, owing to special conditions, a literal enforcement of the provisions of these regulations will result in unreasonable hardship, the Board of Supervisors, may make such reasonable modification thereto as will not be contrary to the public interest and so that the spirit of these regulations shall be observed and substantial justice done.

Section 902. REQUESTS FOR MODIFICATION

Applications for a modification of requirements shall be submitted in writing by the Applicant at the time the Preliminary Plat or Final Plat is filed with the Miller Township.

The written modification request shall include the following:

1. The section number(s) for which the modification(s) is/ are being requested.

2. The written request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based. The request is required to cite the particular conditions associated with the land in question.

3. An explanation of how this constitutes the minimum modification necessary and how the modification is not contrary to the public interest.

Section 903. GRANTING OF MODIFICATION

In granting any modification, the Board of Supervisors shall record its action in its meeting minutes and the grounds for granting any modification to the Applicant.

Section 904. DENIAL OF MODIFICATION

Whenever a request for a modification of requirements is denied, the Board of Supervisors shall record its action and the grounds for such denial in its minutes. The Board shall transmit a copy of its action and the grounds for such denial of any modification to the applicant.

Section 905. DISPLAYING ON PLANS

All subdivision or land development plans must display all granted modifications prior to their approval.

PART 10

ENFORCEMENT, AMENDMENTS, VIOLATIONS, APPEALS, PENALTIES, SEVERABILITY, AND REPEALER

Section 1001. ADMINISTRATION AND ENFORCEMENT

1. The Miller Township Board of Supervisors and the Planning Commission shall have the duty and authority for the administration and general enforcement of the provisions of this Ordinance, as specified or implied herein. Township officials having regulatory duties and authorities connected with or appurtenant to the subdivision, use, or development of land shall have the duty and authority for the controlling enforcement of the provisions of this Ordinance, as specified or implied herein or in other Ordinances of Miller Township.

2. The approval of a subdivision and/ or land development plat or of any improvement installed, shall not constitute a representation, guarantee or warranty of any kind or nature by the Township or any official, employee, or appointee thereof, of the safety of any land, improvement, property or use from any cause whatsoever, and shall create no liability upon, or a cause of action against the Township or such official, employee or appointee for any damage that may result pursuant thereto.

Section 1002. AMENDMENTS

1. Amendments to this Ordinance shall become effective only after a public hearing held pursuant to public notice as defined, and in accordance with the Pennsylvania Municipalities Code, Act 247, Article V, §505(a), as reenacted and amended.

2. All amendments to the Ordinance after their enactment shall be affixed to the Miller Township Subdivision and Land Development Ordinance and all Ordinance copies offered to the public and all municipalities.

Section 1003. VIOLATIONS

1. If any person being the owner or agent of the owner of any lot, tract or parcel of land lays out, constructs, opens or dedicates any street, sanitary sewer, storm sewer, water main or other improvements for public use, travel or other purposes, they shall be held in violation of this ordinance. Moreover the common use of occupants of buildings abutting thereon, or who sells, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development whether by reference to or by other use of a plat of such subdivision or land development or erect any building thereon shall also be held in violation. This unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and of the regulations adopted hereunder and has been recorded as provided herein.

Section 1004. APPEALS

1. Any Applicant aggrieved by a finding, decision or recommendation of either the Miller Township Board of Supervisors or the Planning Commission, may within thirty (30) days, request and receive opportunity to appear before either the Board or Commission, present additional relevant information and request reconsideration of the original finding, decision or recommendation, provided an appropriate extension of time is granted by the Applicant, to the Board of Supervisors, to insure adequate time is available for the Board to act on the application.

2. Any individual aggrieved by a finding, decision or recommendation of the Commission, may appeal to the Court of Common Pleas. All appeals shall be filed not later than thirty (30) days after the issuance of a finding, decision or recommendation by either the Board of Supervisors or the Planning Commission.

Section 1005. PENALTIES

1. Any person, partnership, or corporation who or which has violated the provisions of this ordinance, upon being found liable therefore in a civil enforcement proceeding commenced by Miller Township, shall pay a judgment of not more than five hundred dollars ($500.00) plus all court costs, including reasonable attorneys fees incurred by the Township as a result thereof.

2. No judgment shall commence or be imposed, levied, or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township 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 (5^{th}) day following the date of the determination of the violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

3. 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. The Commission may also enjoin such transfer, sale, or agreement by action for injunction brought in any court of equity jurisdiction in addition to the penalty herein provided.

Section 1006. SEVERABILITY

1. If any section, clause, provision, or portion of these regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision

shall not affect any other section, clause, provision, or portion of these regulations. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted if such invalid or unconstitutional section, clause, provision or portion had not been included herein.

Section 1007. REPEALER

1. Any Ordinance or part thereof inconsistent herewith is hereby repealed to the extent of such inconsistency.

2. Subdivision and Land Development Ordinance (Ordinance # 2002-1) of March 27, 2002, as amended, is hereby repealed.

3. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or legal proceeding now pending in any court, or any rights accrued or liability incurred, or any cause of action accrued or existing under any Ordinance hereby repealed; nor shall any right or remedy of any character be lost, impaired or affected.

Section 1008. RIGHT-OF-ENTRY

1. Upon presentation of proper credentials, duly authorized representatives of the Township of Miller may enter at reasonable times upon property within the Township to investigate or ascertain the condition of the subject property in regard to any aspect regulated by this Ordinance. The landowner shall grant the Township, or its agents, access to the site of the work at all times, while under construction, for the purposes of inspecting the work.

In the event of a situation requiring immediate action which threatens the health and safety of residents of Miller Township, the right of entry shall include the right to make improvements to avert a potential health or safety hazard. Upon completion of the remedial activity, the Township or its authorized agent shall return the property to its former condition as soon as possible provided no further maintenance is required.

The Township or its authorized agents shall provide a written notice, seventy-two hours in advance, by certified mail to the property owner prior to entry onto the property for inspections. Upon arrival, the Township agent shall present identification and request that the owner, manager, lessee, or occupant legally in control of the property sign a release granting the inspection. The inspection shall be completed in a courteous and timely manner, and the signatory of the release shall be given a copy of the inspection report.

A. In the event that a release to inspect the property is denied, the following steps shall be taken.

1). The matter will be officially referred to the Board of Supervisors for action.

2). The Board may schedule a review at the next scheduled meeting of the Board of Supervisors, or, if the situation threatens the health or safety of the residents of Miller Township, the Board may commence a procedure to obtain a search warrant from the District Justice.

3). The provisions of this Section for obtaining a search warrant may be waived only when the Township Board of Supervisors and its authorized agents have good cause that the situation poses an immediate and substantial safety, water pollution, or health hazard.

4). The Township may require the correction or altercation of a use or structure in the event that the inspection reveals a code deficiency or violation. The agent of the Township shall provide a written notification requiring specific remedial action to be completed within a reasonable period of time as is deemed necessary according to the severity of the deficiency or violation.

PART 11

EFFECTIVE DATE AND ENACTMENT

Section 1101. EFFECTIVE DATE

This Ordinance shall take effect on the _____ day of _____ 20_____.

Section 1102. ENACTMENT

Enacted and ordained into an ordinance this _____ day of _____, 20_____.

MILLER TOWNSHIP BOARD OF SUPERVISORS

ATTEST : _____ _____
(Secretary) (Chairman)

_____

_____

(Municipal Seal)

APPENDICES

APPENDIX 1

MILLER TOWNSHIP
SUBDIVISION & LAND DEVELOPMENT PLAN APPLICATION

MILLER TOWNSHIP
SUBDIVISION & LAND DEVELOPMENT PLAN APPLICATION

Please complete entire form before submission

GENERAL INFORMATION						
Municipality:		Plat Title:				
Plan Classification (Check one) ☐ Subdivision ☐ Land Development ☐ Combination Subdivision and Land Development		☐ Preliminary ☐ Final ☐ Preliminary/Final		☐ Lot Addition		
Landowner(s):				Telephone Number:		
Address(s):						
Landowner'(s) Agent:				Telephone Number:		
Address:						
Surveyor				Telephone Number:		
Address:						
Engineer				Telephone Number:		
Address:						
Landscape Architect				Telephone Number:		
Address:						
SUBDIVISION RELATED QUESTIONS						
Total lot area before subdivision:		Subdivided area in acres: (Only the portion of the lot being subdivided)				
Remaining (ie. residual) lot area:						
Existing # of developable lots:		Proposed # of developable lots:		Proposed # of new dwelling units:		
Existing sewerage	☐ Public ☐ On-lot sewage system ☐ None	☐ Proposed Municipal Sewerage	☐ Public	☐ On-lot sewage system	☐ Private, community /package sewage system	☐ None
Existing water	☐ Public ☐ Individual well(s) ☐ None	☐ Proposed municipal water	☐ Public	☐ Individual well(s)	☐ Community water system	☐ None
Existing # of non-developable lots:		Proposed # of non-developable lots:		Reason for not showing lot developability:		

LAND DEVELOPMENT RELATED QUESTIONS			
Proposed Impervious Area:		Developed Area: (Area of land proposed to be disturbed)	
Proposed Building Floor Area:			
Proposed Structural Improvements:			
OTHER RELEVANT QUESTIONS FOR DISCLOSURE AND DIRECTION			
Is this property enrolled in the Clean and Green Program? ___YES ___NO			
If you answered yes to the previous question, please contact the Perry County Assessment Office.			
Is this property located in an Agricultural Security Area? ___YES ___NO			
Have the development rights been purchased on this property for any easement purchase program? ___YES ___NO			
Have any deed restrictive covenants been placed on the present deed for the property? ___YES ___NO			
If you answered yes to either of the previous two questions, please provide a copy of the deed with your application.			
Fees Submitted: $	Check Number:	Signed by:	Date:

NOTE: *The Miller Township Planning Commission meeting is held on the 2nd Tuesday of every month at 7:00 PM. Please contact the Township to be considered on the monthly agenda.*

Signature of person completing this application: _____Date: _____

Printed name of person completing the application: _____

The following authorization statement must be completed by the landowner(s) when he, she, or they will not be handling their application for subdivision and land development.

I am/ We are the exclusive landowner(s) of record for the land involved in this Subdivision or Land Development and do hereby authorize _____(Print Name of Entrusted Agent) to be my/our agent and to handle this application on my/our behalf. We also entrust all formal correspondence, including written acceptance of conditions should the need arise, after discussing such matters with me/us.

*Signed:*_____ *Date:*_____

*Signed:*_____ *Date:*_____

*Signed:*_____ *Date:*_____

*Signed:*_____ *Date:*_____

APPENDIX 2

SAMPLE FINANCIAL SECURITY STATEMENT

SAMPLE FINANCIAL SECURITY STATEMENT

KNOW ALL MEN BY THESE PRESENT, That we, _____
_____, as Principals, _____ and the
_____ Lending Institution/Surety-Bond Company, a corporation authorized to do business in the Commonwealth of Pennsylvania, having an office and place of business at
_____
_____ as Surety, are held and firmly bound unto the municipality, as Obligee, in the sum of DOLLARS ($) lawful money of the United States of America, for the payment whereof to the oblige, the Principal and Surety bind themselves, their heirs, executers, administrators, successors, and assigns, jointly and severally, firm to these presents:

SIGNED, SEALED, AND DATED, this _____ day of _____, 20____

WHEREAS, application was made to the Obligee for the approval of a subdivision shown on the plat entitled and numbered #"_____" filed with _____ on (Date), said final plat was approved upon certain conditions, once of which is that a Financial Security in the amount of ($).

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION in such that the above named Principal shall complete the said improvements, outlined in the construction schedule, and will truly make and perform the required improvements and construction of public improvements in said subdivision/ land development in accordance with the local government specifications and the Resolution of _____, 20____, then this obligation to be void, otherwise to remain in full force and effect.

It is hereby understood and agreed that in the event that any required improvements have not been installed as provided by said Resolution, within the term of Statement of Financial Security, _____ may thereupon declare this bond to be in default and collect the sum remaining payable there under and upon receipt of the proceeds thereof, _____ shall install such improvements as are covered by this bond and commensurate with the extent of building development that has taken place in the subdivision/land development but not exceeding the amount of such proceeds.

_____
Principal

_____
Principal

_____Lending Institution/Surety-Bond Company

By _____
Attorney-In-Fact

BOND NUMBER: _____

APPENDIX 3

SAMPLE PERFORMANCE BOND

<u>SAMPLE</u> PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we, _____ _____, as the Principal and, a _____ corporation authorized to do business in the Commonwealth of Pennsylvania, as a Surety, are held and firmly bound unto Miller Township, 554 Old Lime Kiln Lane, Newport, PA 17074, as Obligee, in the penal sum of _____ ($) for the payment which we bind ourselves, our legal representatives, administrators, executers, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounded Principal has been granted Final Approval by the above-mentioned Obligee for the completion of Required Improvements found on the subdivision/land development plan #_____ as set forth at the _____, 20____ meeting of the Miller Township Board of Supervisors.

NOW, THEREFORE, the condition of the above obligation is such, that if said Principal shall complete the said improvements in accordance with subdivision/land development shown on the plan entitled _____, numbered _____ and filed with _____ on the_____ day of _____, 20____ and shall fully indemnify and save harmless the _____ Perry County from all costs and damages which it may suffer by reason of failure to do so, and fully reimburse and repay the Obligee any outlay and expense which it may incur in making good on any such default, then this obligation shall be null and void, otherwise to remain in full force and effect.

THE FOREGOING OBLIGATION, however, is limited by the following express conditions, the performance of which shall be a condition precedent to any rights of claims or recovery hereunder:

1. Upon discovery of the Obligee, or by the Obligee's agent or representative, of any act or omission that shall or might involve a loss hereunder, the Obligee shall endeavor to give written notice thereof with the fullest information obtainable at the time to its Surety at its office in _____.

2. Legal proceedings for recovery hereunder may not be brought unless begun within twenty-four (24) months from the date of the discovery of the act or omission of the Principal on the account of which claim is made.

3. The Principal shall be made a party of any suit or action for recovery hereunder, and no judgment shall be rendered against the Surety in excess of the penalty of this instrument.

4. No right of action shall accrue hereunder to or for the use or benefit of anyone other than the Obligee, and the Obligee's right hereunder may not be assigned without the written consent of the Surety.

IN WITNESS WHEREOF, this instrument has been executed by the duly authorized representative of the Principal and Surety.

SIGNED, SEALED AND DATED By: _____

Date: _____

APPENDIX 4

SAMPLE OFFER OF IRREVOCABLE DEDICATION

SAMPLE OFFER OF IRREVOCABLE DEDICATION

AGREEMENT made this _____ day of _____, 20____, by and between _____ and _____, having its office and place of business at _____, herein designated as Developer, and the Miller Township Board of Supervisors, having its principle office at 554 Old Lime Kiln Lane, Newport, PA 17074, herein designated as Miller Township,

WHEREAS, the _____ is in the process of approving a subdivision/land development plan entitled _____, dated _____, 20_____, prepared by _____, and

WHEREAS, said map designates certain public improvements consisting of _____
_____
_____
_____
to be dedicated to the local government free and clear of all encumbrances and liens, pursuant to the regulations and requirements of Miller Township, and

WHEREAS, the Developer, simultaneously herewith shall post a Performance Bond with the municipality for the construction, maintenance, and dedication of said improvements in the amount of 15% of the construction costs to the developer for a term of 18 months, and

WHEREAS, the developer is desirous of offering for dedication the said improvements and/or land to Miller Township more particularly described in Schedule _____ attached hereto, and

WHEREAS, the developer has delivered deeds of conveyance to Miller Township for the said land and improvements as described herein,

NOW, THEREFORE, in consideration of the sum of ($) lawful currency of the United States of America paid by the local government to the developer and other good and valuable consideration, it is mutually AGREED as follows:

1. The Developer herewith delivers to Miller Township deeds of conveyance for the premises described in Schedule _____ attached hereto, said delivery being a formal offer of dedication to Miller Township to be held by Miller Township until the acceptance or rejection of such offer of dedication by the Governing Body.

2. The Developer agrees that said formal offer of dedication is irrevocable and cannot be accepted by Miller Township at any time.

3. The Developer agrees to complete the construction and maintenance of the land improvements pursuant to the Performance Bond and the requirements of Miller Township and any ordinances, regulations, requirements, covenants, and agreements that may be imposed by Township with respect thereto and upon acceptance by Township. With the offer of dedication, the developer/ owner shall furnish to the local government a title insurance policy issued by a licensed title insurance company authorized to do business in the Commonwealth of Pennsylvania in a minimum amount of ($), certifying that the premises

are free and clear of all liens and encumbrances and shall furnish to the local government a check for all necessary fees and taxes to record the deeds hereto delivered.

4. That this irrevocable offer of dedication shall run with the land and shall be binding upon all assigns grantees, successors, or heirs of the Developer.

(SEAL)
Attest: _____
Township/Borough/City

_____ By: _____
(Recorder of Deeds)

_____ _____ _____
(Developer/Landowner) (Developer/Landowner) (Date)

Commonwealth of Pennsylvania)
County of _____) SS:

On the _____ day of _____, 20_____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she is the individual described in and who executed the foregoing instrument, and he duly acknowledgement to be that he executed the same.

_____
Notary Public

Commonwealth of Pennsylvania)
County of _____) SS:

On the _____ day of _____, 20_____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she is the individual described in and who executed the foregoing instrument, and he duly acknowledgement to be that he executed the same.

_____
Notary Public

APPENDIX 5

LISTING OF PLAN NOTES

LISTING OF PLAN NOTES

MILLER TOWNSHIP BOARD OF SUPERVISORS APPROVAL STATEMENT:

On this the _____ day of _____, 2_____ the Miller Township Board of Supervisors approved this plan.

_____ _____
Chairman Secretary

MILLER TOWNSHIP PLANNING COMMISSION REVIEW STATEMENT:

On this the _____ day of _____, 2_____ the Miller Township Planning Commission reviewed this plan.

_____ _____
Chairman Secretary

COUNTY PLANNING COMMISSION REVIEW STATEMENT:

On this the _____ day of _____, 20____ the Perry County Planning Commission approves this plan.

_____ _____
Chairman Secretary

EROSION AND SEDIMENTATION CONTROL (FINAL MINOR PLANS):

The following note may be affixed to all minor subdivision plans where less than 1 acre of earth disturbance is proposed for the property.

"The owners of Lot #_____ shall be responsible for the implementation of erosion and sedimentation control measures."

HYDRIC SOILS NOTE:

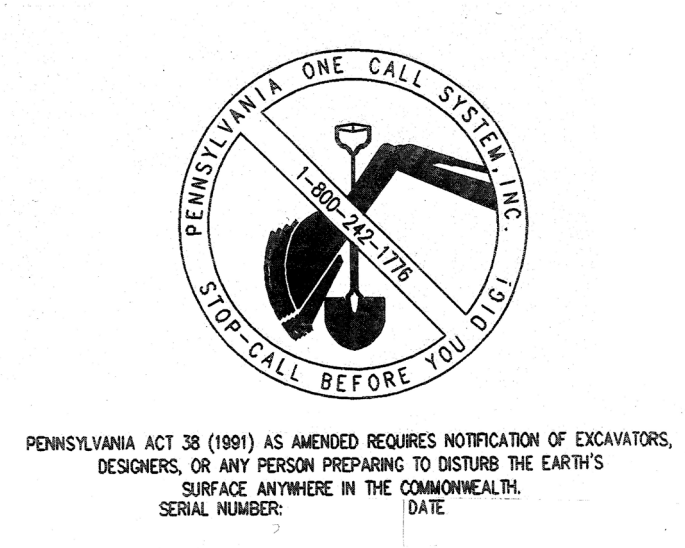
If hydric soils are found on the property the following note is required to be displayed.

"According to the Cumberland-Perry Soils Survey the subject property contains hydric soils. Such soils may contain wetlands and a detailed study to determine the presence of wetlands is recommended prior to any earth disturbance on the described property to avoid the potential of a violation."

LOT ADDITION NOTE:

"Lot # ___ has been proposed as a lot addition to the adjoining lands of _____ to form a single lot consisting of _____ acres. Lot #____ may not be sold or retained as a stand-alone lot."

PA ONE CALL NOTE



PENNDOT HIGHWAY OCCUPANCY 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."

PRIVATE DRIVE/RIGHT-OF-WAY CONSTRUCTION AND MAINTENANCE NOTE:

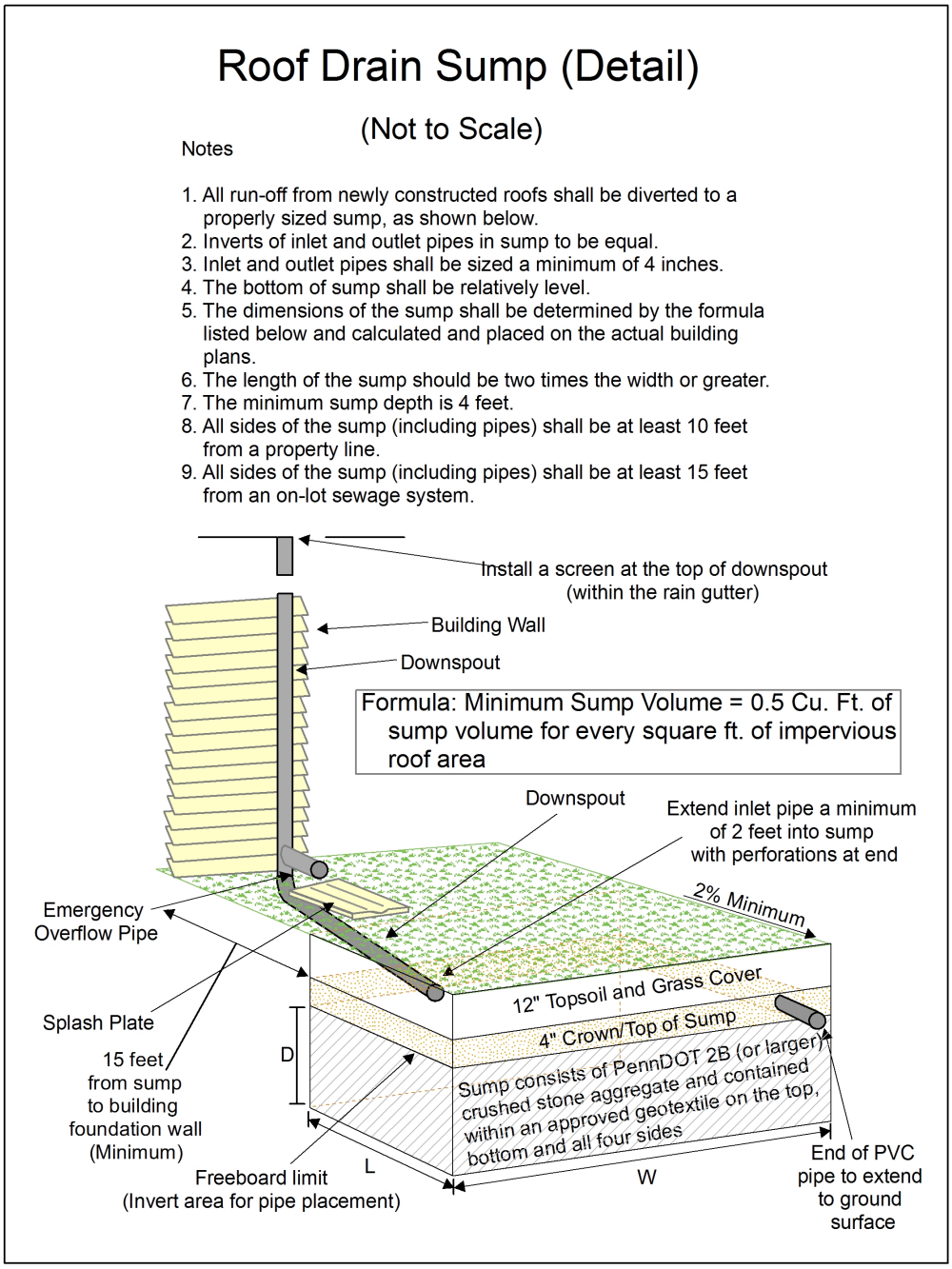
"The construction, repair, and maintenance of the private street and facilities within the described right-of-way will be the responsibility of _____, _____ and _____, their heirs and/or assigns. Each party shall be responsible for their respective share(s) construction, street sign(s), maintenance, repair, stormwater management facilities, and snow plowing and removal if necessary."

If the number of lots, serviced by the private drive reaches three, the following note is required to be added.

"No additional lots may access the private driveway until such time as the private drive has been brought up to the minimum required street standards."

STORMWATER MANAGEMENT NOTE (FINAL MINOR PLAN)

"The owners of Lot #_____ their heirs and assigns shall be responsible for the implementation of stormwater mitigation measures to prevent post development stormwater runoff from exiting the property. The accompanying diagram is offered to provide a standardized approach for correctly sizing stormwater mitigation controls for minor plans with less than 1 acre of land disturbance."



NATURAL FEATURES PROTECTION NOTE

"According to the Pennsylvania Natural Diversity Index (Project ID#_____), there are no threatened or endangered species indentified in the project area."

FLOODPLAIN NOTE:

If FEMA's current flood insurance rate map does not display floodplain information for the subject property, the following note is required.

"According to the Federal Emergency Management Agency's Flood Insurance Rate Map for the subject property, no flood-prone areas are mapped."

WETLANDS NOTE:

If there are no wetlands on the property and no wetlands will be impacted off-site, then the following certification note must be placed on the plan:

"By certification of this plan there are no wetlands on the subject property, the proposed project will not impact off-site wetlands, and wetland permits are not required from the state or federal government."

APPENDIX 6

SAMPLE EASEMENT AGREEMENT FOR FACILITIES CONSTRUCTION, REPAIR, AND MAINTENANCE

<u>SAMPLE</u> EASEMENT AGREEMENT FOR FACILITIES CONSTRUCTION, REPAIR, AND MAINTENANCE

This INDENTURE, made this _____ day of _____, 20____, between _____ and _____ and _____ and _____ and _____ and _____,

WHEREAS, _____ and _____ hereto is/are the owner(s) of a parcel of land in Miller Township, Perry County, Pennsylvania, described as lot # _____ on survey plat number _____, prepared by _____, dated, the _____ day of _____, 20____;

WHEREAS, _____ and _____ are willing to grant _____ and _____ the use of their land by way of an easement described on aforesaid survey for the purpose

WHEREAS, the parties desire to enter into an agreement regarding the establishment of an easement further described below, reserving the right of _____ to construct, repair, and maintain the facilities found within said easement;

NOW THEREFORE, the parties hereto agree as follows:

1. The _____ foot wide easement is described as follows:

(INSERT LEGAL DESCRIPTION)

2. It is agreed the construction, repair and maintenance of all facilities within the easement area will be the responsibility of _____ and _____ and _____, their heirs and assigns. Each party shall be responsible for their respective share(s) described of construction, repair, and maintenance. The parties agree the easement shall be maintained in its present condition as of the date of this agreement.

3. The parties agree that <u>no</u> party will commit any of the other parties to an expense for maintenance or repairs without the consent of all parties concerned, however, if a repair or maintenance is necessary to facilities within the easement, and one party will not agree, the other parties shall be entitled to proceed to maintain or repair said facilities and shall be entitled to take whatever appropriate legal action is necessary to collect the other party's share of the expense of the maintenance or repair.

4. This agreement shall be binding upon the heirs, successors, and assigns.

IN WITNESS WHEREOF, the said parties have hereto set their hands and seals the day and year written above.

SIGNATURES

_____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

Commonwealth of Pennsylvania)
County of _____) SS:

On the _____ day of _____, 20_____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she is the individual described in and who executed the foregoing instrument, and he duly acknowledgement to be that he executed the same.

_____
Notary Public

Commonwealth of Pennsylvania)
County of _____) SS:

On the _____ day of _____, 20_____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she is the individual described in and who executed the foregoing instrument, and he duly acknowledgement to be that he executed the same.

_____
Notary Public

APPENDIX 7

MODIFICATION REQUEST FORM

MODIFICATION REQUEST FORM

As the landowner of the property, I _____ hereby request the following waivers to the Miller Township Subdivision and Land Development Ordinance.

Or,

Acting on the landowner's behalf, as permitted by authorization on my client's current subdivision/land development application for which this form is intended, I _____ hereby request the following waivers to the Miller Township Subdivision and Land Development Ordinance.

In the following spaces provided, please list the appropriate section of the Miller Township Subdivision and Land Development Ordinance for which you are requesting a modification and answer each question in the space provided.

Section Number: _____

What requirement of this Section cannot be achieved?

_____
_____
_____

What non-financial reason(s) can you offer as hardship for why this requirement cannot be achieved?

_____
_____
_____
_____
_____
_____
_____

Section Number: _____

What requirement of this Section cannot be achieved?

_____
_____
_____

What non-financial reason(s) can you offer as hardship for why this requirement cannot be achieved?

_____
_____
_____
_____
_____
_____
_____

Section Number: _____

What requirement of this Section cannot be achieved?

_____
_____
_____

What non-financial reason(s) can you offer as hardship for why this requirement cannot be achieved?

_____
_____
_____
_____
_____
_____
_____

Section Number: _____

What requirement of this Section cannot be achieved?

_____
_____
_____

What non-financial reason(s) can you offer as hardship for why this requirement cannot be achieved?

_____
_____
_____
_____
_____
_____
_____

Section Number: _____

What requirement of this Section cannot be achieved?

_____
_____
_____

What non-financial reason(s) can you offer as hardship for why this requirement cannot be achieved?

_____
_____
_____
_____
_____
_____

APPENDIX 8

SAMPLE AGREEMENT TO EXTEND THE TIME FOR RENDERING AND COMMUNICATING A DECISION ON CERTAIN PRELIMINARY AND/OR FINAL SUBDIVISION/LAND DEVELOPMENT PLANS

<u>SAMPLE</u> AGREEMENT TO EXTEND THE TIME FOR RENDERING AND COMMUNICATING A DECISION ON CERTAIN PRELIMINARY AND/OR FINAL SUBDIVISION/LAND DEVELOPMENT PLANS

This Agreement made the day of 20___; by and between the Miller Township Planning Commission, Perry County, Pennsylvania, (hereinafter called "Planning Commission") and _____ (hereinafter called "Applicant").

WHEREAS, the Applicant submitted a preliminary/final plan of subdivision/land development for a development known as _____to the Planning Commission on the ___day of _____, 20___ ; and

WHEREAS, there are certain deficiencies, matters of incompleteness or other similar items by reason of which the Planning Commission cannot approve said plan of subdivision/land development as more fully detailed in a letter delivered to Applicant by the Planning Commission dated the day of 20___ , receipt of which is acknowledged by Applicant; and

WHEREAS, the term within which the Planning Commission must render a decision approving or disapproving said plan of subdivision/land development pursuant to the provisions of Section 508 of the Pennsylvania Municipalities Planning Code, as amended, expires the day of 20___ ; and

WHEREAS, the Applicant wishes to have an additional period of time within which to attempt to bring said plan of subdivision/land development into compliance with all applicable municipal ordinances and regulations;

NOW THEREFORE, in consideration of the above recitals and the covenants hereinafter contained. The parties hereto agree as follows:

1. Applicant hereby agrees to an extension of the time within which the Planning Commission must render a decision and communicate its decision relative to the above-mentioned plan of subdivision/land development to the Developer which extended time period shall expire the day of 20___.

2. In consideration of the extension of time granted by Applicant, the Planning Commission agrees that it will not disapprove the plan of subdivision/land development submitted as aforesaid at this time as it would otherwise be bound to do; rather, the Planning Commission agrees to consider the plan of subdivision/land development with such changes and corrections as the Applicant shall make and to render a decision within the time as extended by this Agreement.

IN WITNESS WHEREOF, the parties intending to be legally bound have hereunto set their hands and seals the day and year first above written.

WITNESS: _____ Applicant: _____

Accepted by Perry County Planning Commission by: _____

Title: _____

APPENDIX 9

TIMING PROVISIONS FOR SUBDIVISION & LAND DEVELOPMENT IN THE MUNICIPALITIES PLANNING CODE

TIMING PROVISIONS FOR SUBDIVISION & LAND DEVELOPMENT IN THE MUNICIPALITIES PLANNING CODE

ARTICLE V Subdivision and Land Development			
Section	**Subject**	**Time Period**	**Description**
502(b)	County planning agency review of municipal subdivisions & land developments	30 days	Time allotted to the county planning agency to for review and report on applications for subdivisions or land developments in municipalities with their own S&LD ordinance. Municipalities shall not approve such applications until receipt of the county report or expiration of the 30 days.
503(1)(i)	Applicant dispute of S&LD review fees	14 days	Time from the applicant's receipt of the bill for the S&LD fees within which the applicant shall notify the municipality that such fees are disputed (in which case the municipality shall not delay approval or disapprove the application).
504(a)	Municipal and county planning agency review of proposed S&LD ordinance	At least 45 days	Time prior to a public hearing on a proposed S&LD ordinance in which the governing body shall submit the proposed ordinance to the planning agency (unless the proposed ordinance was prepared by the planning agency) and the county planning agency (where one exists) for recommendations.
504(b)	Forwarding an adopted S&LD ordinance to the county	30 days	Time after adoption within which a municipal (not including county) governing body shall forward a certified copy of the S&LD ordinance to the county planning agency (or county governing body where no county planning agency exists).
505(a)	Municipal and county planning agency review of proposed S&LD amendments	At least 30 days	Time prior to a public hearing on a proposed S&LD amendment in which the governing body shall submit the proposed ordinance to the planning agency (unless the proposed ordinance was prepared by the planning agency) and the county planning agency (where one exists) for recommendations.
505(b)	Forwarding an adopted S&LD amendment to the county	30 days	Time after adoption within which a municipal (not including county) governing body shall forward a certified copy of a S&LD amendment to the county planning agency (or county governing body where no county planning agency exists).
506(a)	Publication and advertisement of proposed S&LD ordinance or amendment	60 days / 7 days	Time no more than (60 days) nor less than (7 days) prior to passage of a proposed S&LD ordinance or amendment during which the governing body shall publish the proposed ordinance or amendment (or the title and a brief summary prepared by the municipal solicitor) in a newspaper of general circulation in the municipality.
506(b)	Readvertisement of proposed S&LD ordinance or amendment in the event of changes	At least 10 days	In event substantial amendments are made to the proposed S&LD ordinance or amendment, time prior to enactment in which the governing body shall readvertise in a newspaper of general circulation a brief summary of all the provisions in reasonable detail together with a summary of the amendments.

Section	Subject	Time Period	Description
508	Decision on applications for plat approval	No later than 90 days	Time during which the governing body or planning agency shall render its decision on an application for plat approval and communicate the decision to the applicant. The 90-day time period begins following the date of the regular meeting of the governing body or planning agency (whichever first reviews the application) next following the date the application is filed, or after a final order of court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application has been filed.
508(1)	Decision on applications for plat approval	No later than 15 days	Time following a decision on an application for plat approval in which the governing body or planning agency shall communicate a written decision to the applicant personally or by mail to the last know address.
508(3)	Decision on applications for plat approval	No later than 90 days; no later than 15 days	Time frames, in accord with 508 and 508(1), within which if the governing body or planning agency fails to render or communicate a decision the plat shall be deemed approved unless the applicant agrees to a time extension or a change in the manner of presentation/communication of the decision.
508(4)(ii)	Application of S&LD ordinance changes to approved plat	5years	Time from approval of a plat within which no subsequent change or amendment in the zoning, subdivision, or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and complete any aspect of the approved development in accordance with the terms of such approval. (NOTE: Please refer to Sections 508(4)(iii), (iv), (v), (vi), and (vii) for additional criteria and provisions related to the 5-year vested interest in an approved plat.)
508(6)	Action on state high occupancy permit	60 days	Time from the date of an application for a state highway occupancy permit for driveway access (presumably for a proposed subdivision or land development, though the MPC is silent on this) within which the PA Department of Transportation shall act on the permit application by either approval, denial, return of the application for more information or correction, or determination that no permit is required.
509(b)	Resolution of contingent approval of a final plan	90 days	Time after which a resolution of the governing body or planning agency indicating approval of a final plat contingent on the developer obtaining satisfactory financial security shall expire unless a written extension, not to be unreasonably withheld, is granted in writing by the governing body.
509(f)	Estimate of cost of completion of required improvements	90 days following scheduled completion date	Date on which a cost estimate for required improvements in a subdivision or land development is based for purposes of determining the amount of required financial security (110% of said cost estimate)

Section	Subject	Time Period	Description
509(h)	Increase in amount of financial security	1year	Time after posting of financial security in which, if more time is needed to complete required improvements, the amount of financial security may be increased by an additional 10% for each one-year period or to an amount not exceeding 110% of the cost of completing improvements as reestablished on the expiration of the preceding one-year period.
509(j)	Partial release of financial security	45 days	Time, after receipt of a request to release such portions of financial security necessary for payment to contractors performing work on required improvements, which the municipal engineer shall have to certify in writing to the governing body that such portion of work has been completed in compliance with the approved plat, and after which the governing body if failing to act shall be deemed to have approved the release of funds as requested. (The governing body may require retention of 10% of the estimated cost of said work.)
509(k)	Financial security for performance	Not to exceed 18 months	Term permissible for financial security which may be required to secure the structural integrity and functioning of required improvements.
510(a)	Release from improvement bond	10 days	Time, after receipt of notice by registered mail of the completion of required improvements, within which the municipality shall direct the municipal engineer to inspect said improvements.
510(a)	Release from improvement bond	30 days	Time, after receipt by the municipal engineer of the notice of completion of improvements, within which the engineer shall file with the governing body and make and mail to the developer by registered mail a written report indicating approval or rejection of said improvements.
510(b)	Release from improvement bond	15 days	Time, after receipt of the engineer's report, in which the governing body shall notify the developer in writing by registered mail of the governing body's action (presumably with regard to approval or rejection). (NOTE: If the governing body or engineer fail to comply with the specified time limitations, all improvements will be deemed to have been improved and the developer shall be released from liability pursuant to its financial security.
510(g)(1)	Developer reimbursement of inspection expense	10 working days	Time, after date of billing for reimbursement of expenses incurred for inspection of required improvements, within which an applicant shall notify the municipality that such expenses are disputed as unreasonable or unnecessary (in which case the municipality shall not delay approval or disapprove the subdivision or land development or related permit).

Section	Subject	Time Period	Description
510(g)(2)	Failure to agree on amount of inspection expenses	20 days	Time, from the date of billing, within which, if the municipality and the applicant cannot agree on the amount of expenses that are reasonable and necessary, the applicant and municipality shall be mutual agreement appoint another licensed professional engineer to make a determination of the amount of reasonable and necessary expenses.
510(g)(3)	Decision on disputed amount of inspection expenses	50 days	Time, from the date of billing, within which the mutually appointed engineer shall hear evidence, review documentation, and render a decision on the amount of reasonable and necessary expenses.
510(g)(4)	Failure to agree on amount of inspection expense and appointed engineer	20 days	Time, from the date of billing, within which, if the municipality and applicant cannot agree on an engineer to resolve disputed inspection expenses, the President Judge of the Court of Common Pleas shall appoint such engineer who shall not be the municipal or applicant's engineer.
513(a)	Recording of plats	90 days	Time, after final approval or the date the approval is noted on the plat, whichever is later, within which the developer shall record such plat in with the county recorder of deeds.

CV-OR-2014-909
ROAD DOCKET # 2014

ADMITTED TO RECORD
2014 NOV -7 AM 8:00

MILLER TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Recommended by the Miller Township Planning Commission: 10-14-14

Adopted by the Miller Township Board of Supervisors: 10-28-14

October 14, 2014

Miller Township Board of Supervisors
554 Old Limekiln Lane
Newport, PA 17074

Re: Revised Subdivision and Land
Use Planning Ordinance

Dear Supervisors,

Over the past year the Miller Township Planning Commission has been reviewing the Subdivision and Land Use Planning Ordinance (S&LDO) that was enacted in 2002. During this time the Ordinance was revised, corrected and updated to reflect the changes that have taken place over the last 12 years. In addition Jason Finnerty, Planning Coordinator for the Tri-County Regional Planning Commission provided assistance to insure that the revisions were in compliance with existing land use planning requirements.

The resulting document will bring Miller Township into compliance with current regulations and form a basis to make sound land use planning decisions. The Miller Township Planning Commission strongly recommends that the final, prepared version of the S&LDO be enacted by the Miller Township Board of Supervisors.

Sincerely,

Michael Zentichko

Justan Turnbaugh

Donna Speis

MILLER TOWNSHIP
SUBDIVISION
AND
LAND DEVELOPMENT
ORDINANCE

Recommended by the Miller Township Planning Commission: 10-

Adopted by the Miller Township Board of Supervisors: 10-28-

PLANNING COMMISSION: