

## **Chapter 22**

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**Part 1****Short Title****§22-101. Short Title.**

These regulations shall be known and may be cited as the “Tuscarora Township Subdivision and Land Development Ordinance.”

*(Ord. 13, 10/2/1992, Art. I)*



**Part 2****Purpose, Authority, Application and Interpretation****§22-201. Purpose of the Subdivision and Land Development Chapter.**

The purpose of this Chapter is to provide for harmonious development of the Township and County by:

- A. Ensuring the orderly and efficient integration of subdivisions into the development of Tuscarora Township.
- B. Ensuring sites suitable for building purposes and human habitation.
- C. Ensuring conformance of subdivision plans with public improvement plans.
- D. Ensuring coordination of inter-municipal public improvement plans and programs.
- E. Ensuring the protection of water resources and drainageways.
- F. Ensuring the efficient movement of traffic.
- G. Ensuring the management of stormwater run-off problem areas.
- H. Ensuring equitable handling of all subdivision plans by providing uniform standards and procedures.
- I. Ensuring the greater health, safety, and welfare of the citizens of the Township of Tuscarora.
- J. Ensuring the efficient and orderly extension of community services and facilities at minimum cost and maximum convenience.
- K. Ensuring the protection and preservation of the natural environment.

*(Ord. 13, 10/2/1992, §201)*

**§22-202. Authority.**

1. The Tuscarora Township Board of Supervisors shall have the authority to approve or disapprove all preliminary and final subdivision or land development plat applications as required herein.

2. The Tuscarora Township Planning Commission is hereby designated as the agency which shall review and make recommendations on all subdivision and land development plat applications as required herein, prior to action on same by the Board of Supervisors.

*(Ord. 13, 10/2/1992, §202)*

**§22-203. County Review.**

Applications for subdivision and land development located within Tuscarora Township shall be forwarded upon receipt, with the appropriate review fee, to the Perry County Planning Commission for review and report. The Board of Supervisors shall not approve such applications until the County review report is received or until the expiration of 30 days from the date the application was forwarded to the County Planning Commission. As evidenced of their review and report, officials of the County

Planning Commission will sign final plats which have been formally approved by the Township before such plats are presented for recording.

(*Ord. 13, 10/2/1992, §203*)

**§22-204. Application of Regulations.**

1. No subdivision or land development of any lot, tract or parcel of land located in Tuscarora Township 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 plat has been approved by the Board of Supervisors and publicly recorded in the manner prescribed herein; nor otherwise except in strict accordance with the provisions of this Chapter.

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 plat has been approved by the Board of Supervisors and recorded, and until construction of the improvements required in connection therewith has been guaranteed in the 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. Preliminary and final plats shall indicate the location of each existing structure and clearly define each unit and shall indicate public easements, common areas, and improvements, all easements appurtenant to each unit and improvements to public right-of-way.

(*Ord. 13, 10/2/1992, §204*)

**§22-205. Interpretation.**

In interpreting and applying the provisions of this Chapter, they shall be held to be minimum requirements for the promotion of public health, safety, comfort, convenience, and greater welfare. Where provisions of this Chapter impose greater restrictions than those of any statute, other ordinance, restriction, or regulation, the provisions of this Chapter shall be controlling. Where the provisions of a statute, other ordinance, resolution, or regulation imposes greater restrictions than this Chapter, the provisions of such statute, resolution, ordinance, or regulation shall be controlling.

(*Ord. 13, 10/2/1992, §205*)



**Part 3****Definitions****§22-301. Definitions.**

Unless otherwise expressly stated, the following words shall, for the purpose of this Chapter, have the meaning herein indicated:

*Accessory building or structure* - a building or structure subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the main building.

*Alley* - a public thoroughfare other than a minor street which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

*Applicant* - a landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

*Application for development* - every application, whether tentative, 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 plan, or for the approval of a development plan.

*Base flood elevation* - the 100-year flood elevation as indicated on the Flood Insurance Rate Map (FIRM), as revised, for the Township of Tuscarora, Perry County, Pennsylvania, prepared by the Federal Emergency Management Agency, Federal Insurance Administration.

*Block* - an area bound by streets.

*Board of Supervisors* - the Board of Supervisors of Tuscarora Township, Perry County, Pennsylvania.

*Building setback line* - the line within a property defining the required minimum distance between any principal or accessory structure and the adjacent right-of-way, and the line defining minimum side and rear yards, where required.

*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.

*Campground* - a tract or tracts of land, or any portions thereof, used for the purpose of providing sites for the temporary use of trailers, recreational vehicles, campers or tents, as hereinafter defined, for camping purposes with or without a fee being charged for the leasing, renting, or occupancy of such space.

*Cartway or roadway* - that improved portion of a street or alley within which vehicles are permitted, including travel lanes, but not including parking areas, shoulders, curbs, sidewalks or swales.

*Chairman* - the Chairman of the Tuscarora Township Planning Commission.

*Clear sight triangle* - a triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving

the intersection. (See Figure 22-1.)

*Commission* - the Tuscarora Township Planning Commission.

*Common elements* - land amenities, parts of buildings, central services and utilities, and any other elements and facilities owned and used by all unit owners and are designated as common elements. These elements may include but are limited to:

(1) The land on which the building is located and portions of the building which are not included in a unit.

(2) The foundation, structural parts, supports, main walls, roofs, basements, halls, corridors, lobbies, stairways and entrances and exits of the building.

(3) The yards, parking area and driveways.

(4) Portions of the land and building used exclusively for the management, operation or maintenance of the common elements.

(5) Installations of all central services and utilities.

(6) All other elements of the building necessary or convenient to its existence, management, operation, maintenance and safety or normally in common use.

(7) Such other facilities as are designated as common elements.

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

*Comprehensive plan* - a comprehensive long-range plan adopted as an official document to guide the growth and development of the Township. The plan includes analyses, recommendations, and proposals for the Township's population, economy, housing transportation, community facilities, and land uses.

*Condominium* - real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

*Condominium association* - the community association which administers and maintains the common property and common elements of a condominium.

*County* - County of Perry, Pennsylvania.

*Cross-walk* - a right-of-way, publicly or privately owned, intended to furnish access of pedestrians.

*Cul-de-sac* - a minor street open at one end for vehicular and pedestrian access with the opposite end terminating in a vehicular turnaround.

*Culvert* - a drain, ditch or conduit not incorporated in a closed system, that carries drainage water under a driveway, roadway, railroad, pedestrian walk or public way.

*Curb* - a stone or concrete 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 designated point of lower elevation on the final grade. Also, the material removed in excavation.

*Developer* - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

*Development* - any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, filling, grading, paving, excavation, mining, dredging or drilling operations and the subdivision of land.

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

*Drainage* - (1) surface water runoff; (2) the removal of surface water or groundwater from land 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 of alleviation of flooding.

*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, recreational areas, or any part of any subdivision or contiguous land areas.

*Drainage system* - pipes, swales, natural features and man-made improvements designed to carry drainage.

*Driveway* - a private roadway providing access for vehicles to a parking space, garage, dwelling, or other structures.

*Dwelling* - a building or structure designed for living quarters for one or more families, providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation; including manufactured homes which are supported either by a foundation or are otherwise permanently attached to the land, but not including hotels, boarding/rooming houses or other accommodations used for transient occupancy.

*Dwelling, earth 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, manufactured housing* - a factory-built structure that is manufactured or constructed under the authority of 42 U.S.C. §5401, the National Manufactured Home Construction and Safety Standards, and is to be used as a place for human habitation, but not to be constructed or equipped with a

permanent hitch or other device allowing it to be moved other than for the purpose of moving it to a permanent site, and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home, except as hereinafter provided.

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

*Dwelling, multi-family* - a building, including apartment houses, used by three or more families living independently of each other and doing their own cooking.

*Dwelling, single-family detached* - a dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means, excluding mobile home dwellings.

*Dwelling, single-family, semidetached* - a dwelling used by one family, having one side yard, and one party wall common with another dwelling.

*Dwelling, single-family, attached (townhouses)* - a one-family dwelling attached to two or more one family dwellings by common vertical walls.

*Dwelling, two-family, detached (duplex)* - a building used by two families, with one dwelling unit arranged over the other, and having two side yards.

*Dwelling, two-family, semidetached (double duplex)* - a building used by two families, with one dwelling unit arranged over the other, having one side yard, and one party wall in common with another building.

*Easement* - a grant of one or more property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

*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 the Engineer, Land Surveyor and Geologist Registration Law, 63 P.S. §148 *et seq.*; however, a professional engineer may perform engineering land surveys.

*Engineer, Township* - a registered professional engineer in Pennsylvania designated by the Township to perform the duties of engineer as herein specified.

*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 function 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 herein.

*Engineering specifications* - the engineering specifications of the Township regulating the installation of any required improvements or for any facility installed by any owner, subject to public use.

*Erosion* - the detachment and movement of soil or rock fragments, or the wearing away of the land surface by water, wind, ice and gravity.

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

*Existing grade* - the vertical location of the ground surface prior to excavation or filling.

*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 and shall include the conditions resulting therefrom. The difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade. The material used to make a fill.

*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, base (100-year flood)* - a flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1 percent chance of occurring each year, although the flood may occur in any year).

*Flood fringe* - that portion of the floodplain outside the floodway.

*Flood Hazard Boundary Map (FHBM)* - an official 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 1 percent or greater chance of flooding in any given year.

*Floodplain* - (1) a relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

*Floodproofing* - any combination of structural and nonstructural additions, changes or adjustments to proposed and existing structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodway* - the designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Chapter, the floodway shall be capable of accommodating a flood of the 100-year magnitude.

*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 Board of Supervisors of Tuscarora Township, Perry County, Pennsylvania.

*Grade, existing* - see definition “existing grade.”

*Grade, finished* - see definition “finished grade.”

*Impervious surface* - the lot surface on which any substance is placed 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 be impervious material: buildings, concrete sidewalks, paved driveways and parking areas, swimming pools and other nonporous structures or materials.

*Improvements* - any man-made, immovable item which becomes part of, placed upon, or is affixed to, real estate.

*Land development* - any of the following activities:

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

(a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.

(b) The division or allocation of land or space whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

(3) “Land development” does not include development which involves:

(a) The conversion of an existing single-family detached dwelling or single-family semidetached dwelling into not more than three 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.

(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 condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land, shall be deemed to be a landowner for the purpose of this Chapter.

*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 rights-of-way, but including the area of any easement.

*Lot coverage, maximum* - the maximum percentage of impervious cover on any

lot.

*Lot, double frontage* - an interior lot having frontage on two streets.

*Lot, nonconforming* - a lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of this Chapter or Zoning Ordinance [Chapter 27], but which fails by reason of such adoption, revision or amendment to conform to the present requirements.

*Lot, reverse frontage* - a lot extending between, and having frontage on an arterial streets and a minor street, and with vehicular access solely from the latter.

*Lot, through* - a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.

*Lot of record* - a lot which has been recorded in the Office of the Recorder of Deeds of Perry County, Pennsylvania.

*Lot width* - the horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the “street line” at the required minimum building setback line.

*Mobile home, dwelling* - see definition “dwelling, mobile home.”

*Mobile home lot* - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

*Mobile home park* - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

*Open space, common* - see definition “common open space.”

*Open space, public* - open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

*Parking area* - any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

*Person* - any individual or group of individuals, partnership, co-partnership, or corporation.

*Plan, Comprehensive* - the Development Policy Plan (Master Plan) and/or Future Land Use Plan and/or Official Map or other such plans, or portions thereof, as may be adopted, pursuant to statute, for the area of the Township in which the subdivision or land development is located.

*Plan, sketch* - an informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.

*Planning Code* - the Pennsylvania Municipalities Planning Code, Act 247, dated July 31, 1968, as reenacted and amended. [Ord. 33]

*Planning Commission* - Tuscarora Township Planning Commission, Perry County, Pennsylvania.

*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.

*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.

*Principal building or principal use* - the basic purpose for which a building or land area is occupied or intended to be occupied as opposed to accessory or incidental uses; usually classifiable as residential, commercial, manufacturing or public in nature.

*Private road* - a legally established right-of-way, other than a public street, which provides the primary pedestrian and vehicular access to one or more lots and constructed to the design standards contained in this Chapter.

*Profile line* - means the profile of the center line 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 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 this Act.

*Public meeting* - a forum held pursuant to notice under the Sunshine Act, Act of October 15, 1998, P.L. 729, No. 93, 65 Pa.C.S.A. §701 *et seq.* [Ord. 33]

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

*Real estate* - any fee, leasehold or other estate or interest in, over or under land, including structures, fixtures and other improvements and interests which by custom, usage or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. Real estate includes parcels with or without upper or lower boundaries, and spaces that may be filled with air or water.

*Recreational vehicle* - a vehicular type unit designed as temporary living quarters for recreational, camping, or travel use, which has its own motorized power or is mounted on or drawn by another vehicle, (including camping trailer, motor home, travel trailer and truck camper); and a body width of no more than 8 feet and a body length of not more than 35 feet when factory equipped for the road, and licensed as such by the Commonwealth.

*Recreational vehicle park or camp ground* - a parcel of land under single ownership 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 camp ground 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, together with such open space as is required under the provisions of this Chapter having not less than the minimum area and width required by this Chapter for a recreational vehicle park or camp ground lot.

*Reserve strip* - a strip of land adjacent to a street intended to control access to the street from an adjacent property.

*Reverse frontage lot* - see definition “lot, reverse frontage.”

*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 storm sewer and other similar uses; generally, the right of one to pass over the property of another.

*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.

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

*Sedimentation* - the process by which mineral or organic matter is accumulated or deposited by wind, water, or gravity. Once this matter is deposited (or remains suspended in water) it is usually referred to as “sediment.”

*Seepage bed* - a covered pit with perforated pipe through which the septic tank effluent may seep or leach into the surrounding soil.

*Septic system* - an underground system with a septic tank used for the decomposition of domestic wastes. Also referred to as an “on-lot system.”

*Septic tank* - a watertight tank in which raw sewage is broken down into solid, liquid, and gaseous phases to facilitate further treatment and final disposal.

*Service drive (private)* - a service way providing a secondary means of private access to abutting property and not intended for general traffic circulation.

*Setback line* - see definition “building setback line.”

*Sewage* - organic waste and waste water generated by residential and industrial and commercial establishments.

*Sewage disposal system (on-lot)* - any structures designated to dispose of sanitary sewage within the boundaries of a lot.

*Sewage disposal system (public)* - 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, operated by the Township, a governmental agency, or a public utility.

*Sidewalk* - a paved, surfaced or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

*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.

*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.

*Soil percolation test* - a field test conducted to determine the absorption capacity of soil to a specified depth in a given location for the purpose of determining suitability of soil for on-lot sewage disposal.

*Soil probe* - a field test conducted to determine the types and depths of soils located on a given lot and, or study area.

*Soil stabilization* - chemical or structural treatment of a mass of soil to increase or maintain its stability or otherwise to improve its engineering properties.

*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 detention basin* - a vegetated pond designed to drain completely after storing runoff only for a given storm event and release it at a predetermined rate. Also known as a dry pond.

*Stormwater Management Plan* - the planned control of runoff to allow water falling on a given site to be absorbed or retained on site to the extent that after development the peak rate of discharge leaving the site is not greater than if the site had remained undeveloped. A plan showing all present and proposed grades and facilities for stormwater management.

*Stream* - a watercourse having a source and terminus, banks and channel through which waters flow at least periodically.

*Street* - includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct or any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private, built according to Township specifications.

*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, major* -

(1) *Arterial street* - a major street or highway with fast or heavy traffic volumes of considerable continuity and used primarily as a traffic artery for intercommunications among large areas.

(2) *Collector* - a major street or highway which carries traffic from minor streets to the major system of arterial streets, including principal entrance streets of a residential, commercial or industrial development and streets for major circulation within such developments.

(3) *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.

*Streets, minor* - a street used primarily for access to abutting properties.

(1) *Marginal access street* - a minor street which is parallel and adjacent to limited access highways or arterial streets and which provides access to abutting properties and protection from through traffic.

(2) *Cul-de-sac* - see definition "cul-de-sac."

*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 shortest distance between the lines delineating the right-of-way of a street.

*Structure* - anything constructed or erected on the ground or attached to the ground, including but not limited to buildings, fences, factories, sheds, cabins, mobile homes, and other similar items.

*Subdivider* - the owner or authorized agent of the owner of a lot, tract or parcel of land to be subdivided for sale or development under the terms of this Chapter.

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

(1) *Major subdivision* - any subdivision involving more than six lots, parcels of land or other divisions of land whether or not they involve new streets, additional utilities or other facilities immediate or future.

(2) *Minor subdivision* - the subdivision of a single lot, tract or parcel of land into five or fewer lots, tracts or parcels of land, for the purpose, whether immediate or future, of transfer of ownership or of building development, providing lots, tracts or parcels of land thereby created having frontage on an improved public street or streets and providing further that there is not created by the subdivision any new street, street easement, easements of access or need therefore.

*Substantially completed* - where, in the judgment of the Township Engineer, at least 90 percent (based on the cost of the required improvements for which financial security was posted pursuant to the requirements of this Chapter) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

*Surface drainage plan* - a plan showing all present and proposed grades and facilities for stormwater drainage.

*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.

*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* - the Township of Tuscarora, Perry County, Pennsylvania, Board of Supervisors, its agents or authorized representatives.

*Tents* - a portable lodging unit usually made out of skins, canvas, plastic, or strong cloth stretched and usually sustained by poles, and is dependent upon separate toilet and lavatory facilities.

*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 temporary dwelling for travel, recreation, and vacation commonly known as travel trailers, pick-up coaches, motor homes, camping trailers, or recreational vehicles.

*Trip* - a single or one-way vehicle movement either to or from a subject property or study area.

*Trip ends* - the total of trips entering and leaving a specific land use or site over a designated period of time.

*Undeveloped land* - any lot, tract or parcel of land which has not been graded to in any other manner prepared for the construction of a building.

*Unit* - a part of the property, structure or building designed or intended for any type of independent use, which has direct exit to a public street or way or to an easement or right-of-way leading to a public street or way, and includes a proportionate undivided interest in the common elements, which is assigned to the property, structure or building.

*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.

*Watercourse* - a permanent stream, intermittent stream, river, brook, creek, or a channel or ditch for water, whether natural or man-made.

*Water facility* - any water works, water supply works, water distribution system, or part thereof designed, intended or constructed to provide or distribute potable water.

*Water pollution* - the addition of pollutants to water in concentrations or in sufficient quantities to result in measurable degradation of water quality.

*Water survey* - an inventory of the source, quantity, yield and use of creek, or a channel or ditch for water, whether natural or manmade.

*Water table* - the upper surface of groundwater, or that level below which the soil is seasonally saturated with water.

*Wetlands* - those areas that are inundated or saturated by surface or ground

water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. (The term includes but is not limited to wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and a wetland area designated by a river basin commission. This definition is used by the U. S. Environmental Protection Agency and the U. S. Army Corps of Engineers.)

*Wind energy conversion system (WECS)* - a device which converts wind energy to mechanical or electrical energy.

*Wind rotor* - the blades, plus hub to which the blades are attached, that are used to capture wind for purpose of energy conversion. The wind rotor is generally used on a pole or tower and, along with other generating and electrical storage equipment, forms a wind energy conversion system.

*Zoning* - the demarcation of the Township into zones or areas, and the application of the ordinance to establish regulations to govern the use of the land including the control of location, bulk, height, shape, use and coverage of structures within each zone in accordance with the purposes as given in §604 of the Municipalities Planning Code, 53 P.S. §10604.

(*Ord. 13*, 10/2/1992, §301; as amended by *Ord. 33*, 1/21/2010)



**Part 4****Plat Specifications and Processing Procedures****§22-401. General Requirements.**

Whenever a subdivision of land or land development is desired to be effected in Tuscarora Township, Perry County, Pennsylvania, a plat of the layout of such subdivision or land development shall be prepared, filed and processed according to the requirements of this Chapter.

(*Ord. 13, 10/2/1992, §401*)

**§22-402. Sketch Plans.**

1. Prior to the filing of a subdivision or land development plat for review and approval, the applicant is encouraged to submit a sketch plan to the planning commission for advice on the requirements necessary to achieve conformity with the standards of this and other applicable municipal ordinances, as well as, to alert the applicant to other factors which must be considered in the design of the subdivision or land development.

2. The plan shall be clearly labeled “sketch plan” and should include sufficient information to clearly indicate the character and extent of the proposed subdivision or land development and its relationship to existing conditions and facilities within the area in which it is to be located. It is recommended that sketch plan submissions include a map covering sufficient area to establish the location of the site and an informal plan of any existing or proposed streets, buildings, lot arrangement, utilities, significant natural features and other elements within the subdivision or land development including topographic contours.

3. Prior to the preparation of any plans, the applicant should consult the Perry County Conservation District representative concerning the preparation of plans for erosion and sedimentation control.

4. The applicant shall be advised of the accessibility of public sewerage and public water to the development site.

5. If on-site systems are applicable, soil suitability testing shall be required and verified by the local Sewage Enforcement Officer.

6. At this stage, the Commission shall assist the applicant in determining whether or not the site is located in an identified flood hazard area, in which case applicable floodplain management requirements shall be complied with.

(*Ord. 13, 10/2/1992, §402*)

**§22-403. Minor Subdivision and Land Development Application.**

Where five or fewer lots are proposed to be subdivided from a tract of land or where land is being transferred to be combined with an existing lot, the Board of Supervisors, being advised by the Planning Commission, in response to a written request by the applicant, may waive the requirements of preliminary plat requirements, provided such proposal is on an existing street and no new streets are involved. In such cases the

applicant shall submit a final plat as follows:

A. The final plat shall be submitted and processed as required by §22-406, "Final Plats Procedure," and contain the following data and plat specifications:

(1) Submit an erosion and sedimentation control plan as required by the Pennsylvania Clean Streams Law, 35 P.S. §691.1 *et seq.*, and the Pennsylvania Department of Environmental Protection's erosion control rules and regulations, 25 Pa.Code, Chapter 102, "Erosion Control." The plan content shall be prepared in accordance with the erosion control measures set forth in the "Erosion and Sediment Control Handbook" prepared by the Cumberland, Dauphin, and Perry County Conservation Districts. [*Ord. 33*]

(2) Ten copies and one reproducible mylar of the plat prepared by a registered surveyor or engineer on sheets no larger than 17 inches x 22 inches clearly labeled "final plat," shall be submitted containing the following information:

(a) Outline of the property from which the lot or lots are being subdivided.

(b) Bearings and distances of the property taken from the property deed including a referenced primary control point.

(c) Adjacent landowners' names.

(d) All existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant man-made features on or adjacent to the tract.

(e) A separate drawing of the proposed lot (scale 1" = 100') with lot area, lot number, lot dimensions, bearings and distances of lot lines, existing street right-of-way and street name and number, building setback lines and contours, with a minimum 5-foot interval.

(f) A location map on the plat (minimum scale 1" = 2,000') showing property location, streets and other pertinent information.

(g) Name of the zoning district in which the site is located.

(h) *Additional Data Required on the Plat:*

1) Name, address, and telephone number of owner or applicant.

2) Name, address, and telephone number and seal of professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey (as defined herein). (Example contained in Exhibit 22-I herein.)

(Example contained in Exhibit 22-I herein.)

3) Date of plat preparation.

4) Municipality where property is located.

5) North point and scale.

6) Certification of ownership and dedicatory statement signed by owner. (Example contained in Exhibit 22-I herein.)

7) Notary public and recording statement. (Example contained in Exhibit 22-I herein.)

8) Approval blocks to be signed by the Planning Commission



and the Board of Supervisors. (Example contained in Exhibit 22-II herein.)

9) Location and description of survey monuments shown on the plat.

10) Proposed protective covenants running with the land, if any.

11) Reference to recorded subdivision plats of adjoining platted land and by record name, date and number.

12) When applicable, a copy of the sewage module for land development or other equivalent documentation approved by the Department of Environmental Protection in compliance with the requirements of the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and 25 Pa.Code, Chapter 71. [*Ord. 33*]

13) Compliance with the floodplain section of this Chapter pertaining to applications located in a flood hazard area.

14) Such other data as may be required by the Planning Commission or Board of Supervisors in the enforcement of this Chapter.

(*Ord. 13*, 10/2/1992, §403; as amended by *Ord. 33*, 1/21/2010)

#### **§22-404. Preliminary Plats Procedure.**

1. The applicant, 14 days prior to the meeting of the Commission at which consideration is desired, shall file with the Code Enforcement Officer 10 copies of a preliminary plat of the proposed subdivision or land development and other required data and maps. The applicant shall submit concurrently, with the preliminary plat, four copies of the sewage plan revision module for land development.

2. The Commission shall submit copies to the Board of Supervisors, the County Planning Commission and Township Engineer and may submit copies to the public utilities, School Board, Perry County Conservation District, Pennsylvania Department of Environmental Protection and other public agencies. The Board of Supervisors, upon the recommendation of the Planning Commission shall act on any such preliminary plat not later than 90 days following the date of the regular meeting of the Board of Supervisors or the Planning Commission, (whichever first reviews the application) following the date the application is filed; provided, that should the said next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the thirtieth day following the day the application has been filed. In the event that any modification of requirements from this Chapter is requested by the applicant or is deemed necessary by the Commission for approval, the alteration and the reason for its necessity shall be entered in the records of the Commission. [*Ord. 33*]

3. The Perry County Planning Commission shall review the preliminary plat and data and shall return one copy of a written report stating their suggestions for modifications and design changes to the Planning Commission within 30 days of their receipt of same or forfeit their right to review.

4. The Board of Supervisors shall determine whether the preliminary plat shall be approved, or disapproved, and shall notify the applicant in writing thereof, including,

if approved with conditions or disapproved, a statement of reasons for such action, not later than 15 days following the decision.

5. Before acting on any subdivision plat, the Board of Supervisors, may hold a public hearing thereon after public notice.

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 this Chapter, statute or other ordinance relied upon.

7. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect. (A sample "Agreement to Extend the Time for Rendering and Communicating a Decision on Certain Preliminary and/or Final Subdivision Plans" is contained in Exhibit 22-III herein.)

8. Approval of the preliminary plat constitutes approval of the proposed subdivision or land development with respect to the general design, the approximate dimensions and other planned features. Preliminary approval binds the developer to the general scheme of the plat as approved. Preliminary approval does not authorize the recording, sale or transfer of lots or the installation of improvements.

9. Preliminary approval shall expire within 5 years after being granted. An extension of time may be requested by the applicant and approved by the Board of Supervisors in accordance with §508(4) of the Pennsylvania Municipalities Planning Code, Act 247, 53 P.S. §10508(4), as amended. Request for extension shall be submitted to the Township Secretary 30 days prior to any prevailing expiration date.

(*Ord. 13, 10/2/1992, §404; as amended by Ord. 33, 1/21/2010*)

#### **§22-405. Preliminary Plat Specifications.**

1. The following shall be submitted in application for review and approval of a preliminary plat:

A. Ten copies and one reproducible mylar of a map or series of maps or sheets not larger than (17" x 22") drawn to scale not smaller than 100 feet to 1 inch, unless otherwise specified herein, clearly labeled "preliminary plat," and showing the following:

- (1) The development or property name.
- (2) The owner's or applicant's name, address and telephone number.
- (3) The municipality's name in which the plat is located.

(4) Name, address, telephone number and seal of the professional engineer certifying engineering aspects and professional land surveyor certifying accuracy of plat survey (as defined herein.) (Example contained in Exhibit 22-I herein.)

- (5) North point and scale.

(6) A diagram, at a scale not less than 1,000 feet to 1 inch, covering sufficient area to establish the location of the site within the Township.

(7) Existing natural features, such as water courses, marshes, rock outcrops and wooded areas.

(8) All existing buildings, sanitary and storm sewers, water mains, culverts, fire hydrants and other significant man-made features on or adjacent to the tract.

(9) Existing contours at vertical intervals of 5 feet or less as required by the Planning Commission.

(10) The layouts, names, and widths of the rights-of-way, cartway and paving of proposed streets, alleys and easements.

(11) The layout of lots showing approximate dimensions, lot numbers, and approximate area of each lot.

(12) 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.

(13) A map showing the location of the proposed subdivision and/or land development with respect to any identified floodplain area or district, including information on the 100-year flood elevations.

(14) Where the subdivision and/or land development lies partially or completely within any identified floodplain area or district or where such activities border on any identified floodplain area or district, the preliminary plat shall include the following information:

(a) Location and elevation of benchmark, proposed roads, utilities, and building sites, fills, flood or erosion protection facilities.

(b) The 100-year flood elevations.

(c) Areas subject to special deed restrictions.

1) All such maps shall show contours at intervals of 2 or 5 feet depending upon the slope of the land and identify accurately the boundaries of the identified floodplain areas or districts.

2) The preliminary plat shall be accompanied by the following data and plans:

a) A profile of each street, including grades.

b) Location of existing and proposed utility mains.

c) Location plans of proposed sanitary, stormwater or combined sewers and of any proposed water distribution systems.

d) A profile of the proposed sanitary and storm sewers and water lines, with invert elevations and connections to existing systems.

E. A preliminary erosion and sedimentation control plan together with a report of the County Conservation District indicating whether a permit for earth moving activity is required from the Department of Environmental Protection under 25 Pa.Code, Chapter 102, "Erosion Control," and the Clean Stream Act, 35

P.S. §691.1 *et seq.* [Ord. 33]

F. A completed sewage “Plan Revision Module for Land Development” to comply with the planning requirements of the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and 25 Pa.Code, §71.16 for submission by the Township to the Department of Environmental Protection. [Ord. 33]

G. Evidence, in writing, where 150 or more dwelling units are proposed in a subdivision or land development, from the school district in which the subdivision or land development is located containing the review and comments of the school district on the proposed development.

H. A copy of a report, where deemed necessary by the Board of Supervisors and/or Township Engineer, indicating an estimated volume of vehicular traffic movement and the adequacy of the proposed and existing streets and highways to carry the traffic both within and beyond the proposed development including possible solutions to such problems as may be thereby identified.

I. A copy of a report, where deemed necessary by the Board of Supervisors and/or Township Engineer, indicating the general arrangement for stormwater drainage, the estimated volume of water to be generated and the effect of such volumes on the drainageways or streams within the development and that projected volumes can be accommodated by the existing drainage facilities or streams beyond the proposed development.

(Ord. 13, 10/2/1992, §405; as amended by Ord. 33, 1/21/2010)

#### **§22-406. Final Plats Procedure.**

1. The applicant shall, not later than 12 months after the date of approval of the preliminary plat, for that portion he intends to develop, file with the Township's Secretary a final plat. Such filing shall include as part of the formal submission all the material and other data required under the final plat specifications as listed in §§22-407.A(1) through 22-407.A(19) of this Chapter. Failure to comply with the time limitation herein provided shall make the approval of the preliminary plat null and void unless an extension of time is granted in accordance with §22-404.9 herein.

2. The final plat shall incorporate all the changes and modifications required by the Board of Supervisors; otherwise it shall conform to the approved preliminary plat, and it may constitute only that portion of the approved preliminary plat which the applicant proposes to record and develop at the time, provided that such portion conforms with all of the requirements of this Chapter.

3. One reproducible mylar (or other reproducible material of equal quality) copy of the final plat and 10 prints shall be filed by the applicant with the Township's Secretary 14 days prior to the meeting of the Planning Commission at which meeting consideration is desired.

4. *Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval.*

A. No plat shall be finally approved unless the streets shown on such plat have been improved to a mud-free or otherwise permanently passable condition, or improved as may be otherwise required by this Chapter and any walkways, curbs, gutters, water mains, sanitary sewers, storm sewers and other improvements as

may be required by this Chapter have been installed in accordance with this Chapter. In lieu of the completion of any improvements required as a condition for the final approval of a plat, including improvements or fees otherwise required by this Chapter, the developer may deposit with the Township financial security in an amount sufficient to cover the costs of such improvements or common amenities including basins and other related drainage facilities, recreational facilities, open space improvements, or buffer or screen plantings which may be required in accordance with any land use ordinance.

B. When requested by the developer, in order to facilitate financing, the Board of Supervisors, shall furnish the developer with a signed copy of a resolution indicating approval of the final plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 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.

C. Without limitation as to other types of financial security which the Township 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.

D. 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.

E. 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.

F. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110 percent of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said 110 percent. Any additional security shall be posted by the developer in accordance with this paragraph.

G. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate

of such cost. The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

H. If the party posting the financial security requires more than 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 10 percent for each 1 year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110 percent of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1 year period by using the above bidding procedure.

I. In the case where development is projected over a period of years, the Board of Supervisors may authorize submission of final plats 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.

J. 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 of Supervisors shall have 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 plat. Upon such certification the Board of Supervisors shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed or, if the Board of Supervisors fails to act within said 45 days period, the Board of Supervisors shall be deemed to have approved the release of funds as requested. The Board of Supervisors may, prior to final release at the time of completion and certification by its engineer, require retention of 10 percent of the estimated cost of the aforesaid improvements.

K. Where the Board of Supervisors 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 structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plat for a term not to exceed 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 15 percent of the actual cost of installation of said improvements.

L. If water mains or sanitary sewer lines, or both, along with apparatus or

facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or municipal authority separate and distinct from the Township, 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.

M. If financial security has been provided in lieu of the completion of improvements required as a condition for the final approval of a plat as set forth in this Section, the Township shall not condition the issuance of building, grading or other permits relating to the erection or placement of improvements, including buildings, upon the lots or land as depicted upon the final plat upon actual completion of the improvements depicted upon the approved final plat. Moreover, if said financial security has been provided, occupancy permits for any building or buildings to be erected shall not be withheld following: the improvement of the streets providing access to and from existing public roads to such building or buildings to a mud-free or otherwise permanently passable condition, as well as the completion of all other improvements as depicted upon the approved plat, either upon the lot or lots or beyond the lot or lots in question if such improvements are necessary for the reasonable use of or occupancy of the building or buildings.

5. *Release from Improvement Bond.*

A. 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 Township Engineer. The Board of Supervisors shall, within 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 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 nonapproval or rejection.

B. The Board of Supervisors shall notify the developer, within 15 days of receipt of the Engineer's report, in writing by certified or registered mail of the action of said Board of Supervisors with relation thereto.

C. 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 developer shall be released from all liability, pursuant to this performance guaranty bond or other security agreement.

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

E. Nothing herein, however, shall be construed in limitation of the developer's

right to contest or question by legal proceedings or otherwise, any determination of the Board of Supervisors or the Township Engineer.

F. Where reference is made to the Township Engineer within this Chapter, he shall be considered a consultant to the Township.

G. The applicant or developer 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 from time to time amended.

(1) In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, within 10 working days of the date of billing, notify the Township 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 engineer expenses.

(2) If, within 20 days from the date of billing, the Township and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant and the Township shall jointly, by mutual agreement, appoint another professional engineer licensed as such in the Commonwealth of Pennsylvania to review the said expenses and make a determination as to the amount thereof which is reasonable and necessary.

(3) The professional engineer so appointed shall hear such evidence and review such documentation as the professional engineer in his or her sole opinion deems necessary and render a decision within 50 days of the billing date. The applicant shall be required to pay the entire amount determined in the decision immediately.

(4) In the event that the Township and applicant cannot agree upon the professional engineer to be appointed within 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 5 years.

(5) 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 \$1,000 or more, the Township shall pay the fee of the professional engineer, but otherwise the Township and the applicant shall each pay one-half of the fee of the appointed professional engineer.

(6) Before acting on any subdivision plat, the Board of Supervisors may hold a public hearing thereon after public notice.

(7) The Board of Supervisors, upon the recommendation of the Planning Commission, shall act on the final subdivision or land development plat within



90 days and as prescribed in §§22-404.2, 22-404.4, 22-404.6, 22-404.7 and 22-404.8.

(8) Prior to final approval of plat, where the proposed subdivision and/or land development abuts a State highway (Legislative Route, Pennsylvania Route or United States Route), the applicant shall provide written evidence that the plat has been submitted to the Pennsylvania Department of Transportation for their review and concurrence with the proposed design for driveway access and drainage required for issuance of the Department's highway occupancy permits.

(9) No changes, erasures, modifications, or revisions shall be made on any final plat of a subdivision or land development after approval has been given by the Board of Supervisors, and endorsed in writing on the plat, unless the plat is first resubmitted to the Board of Supervisors.

(10) *Recording Plats and Deeds.*

(a) Upon the approval of a final plat, the developer shall within 90 days of such final approval record such plat in the office of the recorder of deeds of the county. The recorder of deeds shall not accept any plat for recording unless such plat officially notes the approval of the Board of Supervisors, and review by the County Planning Agency.

(b) The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

(11) *Effect of Change in this Chapter.* Changes in this Chapter shall affect plats as follows:

(a) From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Chapter, and while such application is pending approval or disapproval, no change or amendment of this Chapter, zoning or other governing ordinance or plan shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly approved. The applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulations.

(b) When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions no subsequent change or amendment in this Chapter, zoning or other governing ordinance or plan shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within 5 years from such approval.

(c) Where final approval is preceded by preliminary approval, the aforesaid 5-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary

approval, the terms shall be construed in the light of the provisions of this Chapter or the governing ordinance or plans as they stood at the time when the application for such approval was duly filed.

(d) Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid 5-year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of any ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat pertaining to zoning classification or density, lot, building, street or utility location.

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

(f) Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25 percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Board of Supervisors in its discretion. Provided, the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protection afforded by substantially completing the improvements depicted upon the final plat within 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 5-year period the aforesaid protection shall apply for an additional term or terms of 3 years from the date of final plat approval for each section.

(g) Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in this Chapter, zoning, and other governing ordinance enacted by the Township subsequent to the date of the initial preliminary plan submission.

(Ord. 13, 10/2/1992, §406)

#### **§22-407. Final Plat Specifications.**

The following shall be submitted in application for review and approval of a final plat:

A. Ten copies and one mylar of the final plat in the form of a map or series of maps on sheets no larger than 17 inches x 22 inches, drawn to scale not smaller than 100 feet to 1 inch and clearly labeled "Final Plat." When more than one sheet

is required, an index sheet of the entire subdivision or land development shall be shown on a sheet of the same size. The final plat shall be drawn in ink and in addition to all specifications required as part of the preliminary plan, shall show the following:

- (1) Subdivision name or identifying title.
- (2) Date of preliminary plan approval.
- (3) Primary control points, which shall be referenced by coordinates as shown on Pennsylvania's Place Coordinate System and to a locally known point, such as an intersection or utility pole, to which all dimensions, angles, bearings, and similar data on the subdivision or land development plat shall be referred.
- (4) Tract boundary lines, right-of-way lines of streets, easements, and other right-of-way, and property lines of residential lots or parcels in unit, cooperative or condominium subdivisions and other sites with accurate dimensions, bearing, or deflection angles, and radii, arcs, and central angles of all curves.
- (5) Locations and descriptions of survey monuments. All permanent reference monuments shown and described on the plat.
- (6) Certification of title showing that the applicant is the owner of land, agent of the landowner or tenant with permission of the landowner.
- (7) Statement by the owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated.
- (8) Proposed protective covenants running with the land, if any.
- (9) Name, address and telephone number of the owner/applicant.
- (10) Street lighting facilities, as applicable.
- (11) Location map, clearly depicting the location of the tract in Tuscarora Township.
- (12) Sequential numbers to identify each lot or parcel in unit, cooperative or condominium subdivisions and/or site.
- (13) Purpose for which sites other than residential lots or parcels in unit, cooperative or condominium subdivisions are dedicated or reserved.
- (14) Building setback lines on all lots or parcels in unit, cooperative or condominium subdivisions and/or sites.
- (15) Existing and proposed contours at vertical intervals of 5 feet or less as determined at the preliminary plat stage.
- (16) Names or record owners of adjoining unplatted land.
- (17) Reference to recorded subdivision plats of adjoining platted land by record name, date, and number.
- (18) The proposed placement of stop signs and all regulatory and warning signs including, but not limited to, stop signs, speed limit signs, "no parking" signs, "one-way" signs, chevron, arrow and curve signs.
- (19) Details of proposed regulatory or warning signs, consistent with Pennsylvania Department of Transportation regulations, Title 67, Pa.Code.

(20) The applicant shall submit a separate traffic study for each regular or warning sign proposed. The study shall conform to the guideline as set forth in Pennsylvania Department of Transportation rules and regulations, Title 67, Pa.Code.

(21) Information substantiating how the minimum sight distance criteria set forth in Technical Memorandum #1 of this Chapter will be met.

(22) Where required, a note stating a highway occupancy permit will be obtained prior to final subdivision approval (§22-603.1.E(2)).

(23) A final erosion and sedimentation control plan pursuant to the rules and regulations of the Pennsylvania Department of Environmental Protection, 25 Pa.Code, Chapter 102, and evidence that any required Erosion and sedimentation control permit has been issued. If an erosion and sedimentation control permit is not required, the applicant shall provide evidence that the erosion and sedimentation control plan has been reviewed and approved by the County Conservation District Office; however, if the District Office does not desire to review the plan, the Board of Supervisors may, at its discretion, have the plan reviewed by the Township Engineer. The cost of the review shall be paid by the applicant. [Ord. 33]

(24) Approval blocks to be signed by the appropriate officers of the Planning Commission, Board of Supervisors and Township Engineer. (Example contained in Exhibit 22-II herein.)

(25) *Other Data.* The final plat shall be accompanied by the following data and plans as prescribed by the Board of Supervisors or as required by the laws of the Commonwealth:

(a) Profiles of streets and alleys showing grades.

(b) Typical cross-sections of each type of street, minor streets, collector, etc., showing the width of right-of-way, width of cartway, location and width of sidewalks, if required, and location and size of utility mains.

(c) Plans and profiles of proposed sanitary and stormwater sewers, with grades and pipe size indicated, and a plan of any proposed water distribution system showing pipe sizes and location of valves and fire hydrants.

(d) Certificates of agreement to provide service from applicable utility companies.

(e) In the case of subdivision and land development plans proposed for the sale of lots only, the subdivider shall include on the final plat, a covenant with the land assuring the implementation by the lot owners of the erosion and sedimentation control plan.

(f) A copy of the sewage plan revision module for land development approved by the Department of Environmental Protection in compliance with the requirements of the Pennsylvania Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, and 25 Pa.Code §71.16. [Ord. 33]

(g) When any portion of the tract proposed for subdivision or land development is located within an identified flood district or floodplain area, the following information shall be required as part of the final plat

and shall be prepared by a registered engineer or surveyor:

1) The exact location and elevation of all proposed buildings, structures, roads, and public utilities to be constructed within any identified floodplain area or district. All such maps shall show contours at intervals of 2 feet and identify accurately the boundaries of the floodplain areas, and shall be verified by the Township Engineer.

2) Submission of the final plat shall also be accompanied by all required permits and related documentation from the Department of Environmental Protection, and any other Commonwealth agency, or local municipality where any alteration or relocation of a stream or watercourse is proposed. In addition, documentation shall be submitted indicating that all affected adjacent municipalities have been notified of the proposed alteration or relocation. The Department of Community and Economic Development, and the Federal Insurance Administrator shall also be notified whenever any such activity is proposed. [*Ord. 33*]

(h) A final stormwater management plan, approved by the Township Engineer.

(i) Such other certificates, affidavits, endorsements, or dedications as may be required by the Board of Supervisors in the enforcement of these regulations.

(*Ord. 13, 10/2/1992, §407; as amended by Ord. 33, 1/21/2010*)



**Part 5****Design Standards****§22-501. Streets.**

1. *General Standards.* The arrangement, character, extent, width, grade and location of all streets shall conform to the Official Map, if one exists, and to the Township Comprehensive Plan, if one has been adopted, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety and in the appropriate relation to the proposed uses of the land to be served by such streets. Where not shown on the Official Map or Township Comprehensive Plan, the arrangement and other design standards of streets shall conform to the provisions found herein.

A. The arrangement of streets in the new subdivision or land development shall make provisions for the continuation of existing streets in adjoining areas.

B. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets where deemed appropriate by the Board of Supervisors.

C. When a new subdivision adjoins unsubdivided land appropriate for subdivision, then the new streets shall be carried to the boundaries of the tract to be subdivided where deemed appropriate by the Board of Supervisors.

D. Private rights-of-way of 50 feet in width with no street surfacing requirements may be approved for three dwelling units or less. Further subdivisions in excess of the initial three dwelling units using private street(s) or private right(s)-of-way shall not be permitted unless the initial private street(s) and private right(s)-of-way and any extensions thereof are dedicated and improved in accordance with all applicable Township construction standards. The private rights-of-way shall with the exceptions of cartway widths meet the design standards for streets as specified in this Part. Only one such subdivision utilizing a private street or right-of-way shall be permitted on a lot, tract or parcel in existence at the time of passage of this Chapter.

F. Private streets for campgrounds or transient recreational vehicle parks are permitted with no less than a 50-foot right-of-way and a 20-foot cartway. Cartways may be of porous surface such as shale or small gravel. For permanent placement of RV's the requirements of Part 6 must be met. Campgrounds must be designed so that access to lots is from a private street(s). Ingress to or egress from any campground lot directly to or from public streets is prohibited.

2. *Alleys.* Alleys shall be prohibited in residential districts except where proved to be necessary.

3. *Intersections.* Intersections involving the junction of more than two streets are prohibited. Right-angle intersections must be used wherever possible, however, in no case shall streets intersect at less than 75 degrees.

4. *Intersection Curve Radii.* At intersections of streets the radius of the curb or edge of pavement radii shall not be less than the following:

<b>Intersection</b>	<b>Minimum Simple Curve Radius of Curb or Edge of Payment</b>
Collector with Collector Street	35 feet
Collector with Minor Street	25 feet
Minor Street with Minor Street	15 feet

5. *Intersection Sight Distance.* Proper sight lines must be maintained at all intersections.

A. Where intersections occur between streets there must be a clear sight triangle of 75 feet based on the measurement along the centerline of the streets 4 feet above the centerline. No building or obstruction shall be permitted in this area.

B. Sight distance at the intersection of a proposed street and an existing Township collector street shall be 300 feet in each direction along the township collector street measured from the point of intersection 4 feet above the centerline of the roadway.

C. Where intersections occur between proposed new streets or driveways providing access to separate parcels of land and State highway (legislative route, Pennsylvania routes and United States routes) on arterial streets, there must be a clear sight triangle provided in accordance with the requirements of the Pennsylvania Department of Transportation. (See Form 950 J., Rev. 4-68, attached to these regulations.)

6. *Streets Not in Alignment.* If streets are not in alignment, the distance between the center lines of streets opening on opposite sides of an existing or proposed street shall be no less than 125 feet.

7. *Sight Distance.* Sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center line, 4 feet above grade, this sight distance must meet the requirements shown in Technical Memorandum #1.

8. *Curves.* Where connecting street lines deflect from each other at any one point by more than 10 degrees, the line must be connected with a true circular curve. The minimum radius of the center line for the curve must be as follows:

<b>Type of Street</b>	<b>Minimum Radius</b>
Collector	300 feet
Minor	150 feet

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 100 feet between reverse curves.

9. *Street Widths.*

A. Minimum street right-of-way and cartway widths shall be as follows:



**Street Right-of-Way and Cartway Widths**

Street Type	Width	
	Single-family Detached on Lot Frontage 75 feet or Over	All Other Dwelling Types
Arterial Streets Right-of-way Shoulders Cartway	As determined by the Tuscarora Township Planning Commission in consultation with the Board of Supervisor's and the Pennsylvania Department of Transportation.	
Collector Street Right-of-way Shoulders Cartway	60 feet 16 (8' each side) feet 24 feet	60 feet ----- 36 feet
Minor Streets Right-of-way Shoulders Cartway	50 feet 16 (8' each side) feet 20 feet	50 feet ----- 34 feet
Cul-de-Sac Right-of-way Shoulders Cartway	50 feet 16 (8' each side) feet 18 feet	50 feet ----- 34 feet
Turn around of Cul-de-Sac (diameter) Right-of-way Cartway	100 feet 80 feet	100 feet 80 feet
Marginal Access Right-of-way Shoulders Cartway	50 feet 16 (8' each side) feet 18 feet	50 feet ----- 26 feet
Alley or Service Drive Right-of-way Cartway	20 feet 20 feet	20 feet 20 feet

B. Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Supervisors in specific cases for:

- (1) Public safety and convenience.
- (2) Parking in commercial and industrial areas and in areas of high density development.
- (3) Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

10. *Cul-de-Sacs or Dead End Streets.* Cul-de-sacs or dead end streets, designed to be so permanently, shall not exceed 1,000 feet in length, and shall be provided with a turn around having minimum dimensions for right-of-way and cartway widths as indicated in the preceding section, except in nonresidential areas where cul-de-sacs may exceed 1,000 feet in length when, under special circumstances, where the Supervisors

deems such additional length necessary.

11. *Street Grades.*

A. The grades of streets shall not be less than the minimum or more than the maximum requirements listed below:

Type Street	Minimum Grade	Maximum Grade
All Streets	0.75%	As determined by the Supervisors after consultation with the Pennsylvania Department of Transportation.
Arterial Streets		
Collector Streets		7 percent
Minor Streets		10 percent
Alleys		12 percent

B. On minor streets and alleys, grades greater than 10 percent shall be not more than 400 feet in length but in no case shall the grades be greater than 15 percent.

C. Vertical curves shall be used in changes of grade when the algebraic difference exceeds 1 percent, and shall be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grade exceeds 7 percent, such leveling areas shall have a minimum length of 60 feet (measured from the intersection of the center lines) within which no grade shall exceed a maximum of 4 percent.

12. *Slope of Banks along Streets.* The slope of banks along streets measured perpendicular to the street center line shall be no steeper than the following:

A. One foot of vertical measurement for 3 feet of horizontal measurement for fills.

B. One foot of vertical measurement for 2 feet of horizontal measurement for cuts.

13. *Partial and Half Streets.* The dedication of half-streets at the perimeter of new subdivisions is prohibited.

14. *Names of Streets.* Names of new streets shall not duplicate or approximate existing or platted street names, or approximate such names by the use of suffixes such as “lane,” “way,” “drive,” “court,” “avenue.” In approving the names of streets cognizance may be given to existing or platted street names within the postal delivery district served by the local post office. New streets shall bear the same name or number of any continuation or alignment with an existing or platted street.

(Ord. 13, 10/2/1992, §501)

**§22-502. Easements.**

Easements shall be provided for drainage facilities, overhead or underground public utility facilities in consultation with the Township Engineer, the electrical utility companies, the Pennsylvania Department of Transportation, and the telephone utility companies.

(Ord. 13, 10/2/1992, §502)

**§22-503. Blocks.**

Blocks shall not exceed 1,600 feet in length and shall be of sufficient depth to permit two tiers of lots, except as otherwise provided for herein.

(Ord. 13, 10/2/1992, §503)

**§22-504. Lots.**

The arrangement and other design standards of lots shall conform to the provisions of adequate sites for buildings of the type proposed as found in the Tuscarora Township Zoning Ordinance [Chapter 27], as well as the following regulations:

A. *Layouts of Lots.* Every lot shall abut a street. Side lot lines should be substantially at right angles or radial to street lines.

B. *Double Frontage.*

(1) Double frontage lots shall be avoided, except that, where desired along limited access highways, reverse frontage lots may face on an interior street, and back on such thoroughfares.

(2) Interior lots having frontage on two streets shall be avoided except where unusual conditions make it necessary.

C. *Dimensions and Areas of Lot.* The dimensions and areas of lots, unless regulated by the Tuscarora Township Zoning Ordinance [Chapter 27], shall conform to the following requirements:

(1) *Lots in Recreational Vehicle Parks or Camp Grounds.* On land laid out as a recreational vehicle park or campground for transient type camping (overnight, or weekly) the spaces should be not less than 30 feet wide or less than 2,400 square feet in area for each vehicle exclusive of streets and other public areas. Campgrounds must meet all DEP specifications in regard to toilet facilities, sewage dumping facilities water facilities and other requirements not covered in this Chapter. If a campground is to be laid out for more permanent placement of RVs or campers, the plan or ground must meet the requirements of Part 7 of this Chapter. [Ord. 33]

(2) *Space Between Buildings for Land Development.*

(a) With the exception of buildings used exclusively for agricultural purposes, the space between buildings where land development is proposed shall be provided in accordance with the following schedule:

(See Note)	Space Between Building in Feet
F to F	70 feet
F to S	50 feet
F to R	70 feet
S to R	30 feet
S to S	30 feet
R to R	50 feet
C to C	20 feet

**(See Note) Space Between Building in Feet**

Note: F=Front S=side R=Rear C=Corner

(b) The space between buildings shall be increased 1 foot for each additional foot that the height of the building exceeds 30 feet.

(3) The land upon which two single-family semidetached houses are situated may be considered for subdivision to divide the land at the party wall without the modification of requirements first being granted for substandard lot areas or lot widths, provided that the building was in existence prior to the date of this Chapter.

(4) *Accessory Buildings.*

(a) When the subdivision of lots is proposed, an accessory building may be erected within one of the side yards or rear yard provided such accessory building be located not less than 5 feet from the side or rear lot line or 10 feet from any building. When an accessory building is erected within the side or rear yard adjacent to a side street on a corner lot, the accessory building shall be not less than the required front yard depth from the exterior side lot line.

(b) When a land development is proposed, an accessory building shall not be permitted in the F to F, F to S, F to R, or C to C spaces between buildings.

Note: F=Front S=Side R=Rear C=Corner

(Ord. 13, 10/2/1992, §504; as amended by Ord. 33, 1/21/2010)

**§22-505. Erosion and Sedimentation Control.**

1. *General Standards.*

A. In the event that any person shall intend to make changes in the contour of any land or engage in earth moving activity, where earth moving effects 25 acres or more, whether for subdivision, land development, or any purpose, such person who is required to obtain a permit, shall obtain a permit from the Department of Environmental Protection in accordance with the requirements of the rules and regulations, 25 Pa.Code, Chapter 102, "Erosion Control," authorized under the Clean Stream Act, 35 P.S. §691.1 *et seq.* [Ord. 33]

B. Further, under the requirements noted above, any local governing body which issued building permits shall notify the Department immediately upon receipt of an application for a building permit involving earth moving activity which affects 5 acres or more of land.

C. A local governing body shall not issue a building permit to those engaged in earth moving activities requiring a Department of Environmental Protection permit until the Department has issued the permit. [Ord. 33]

D. An erosion and sedimentation control plan must be prepared for a single lot or more where subdivision, land development, or other earth moving activity is proposed. The plan must be submitted:

(1) As required by the rules and regulations of the Department of

Environmental Protection noted above. [*Ord. 33*]

(2) As required by the Pennsylvania Clean Stream Act, 35 P.S. §691.1 *et seq.*, as amended.

E. Such erosion and sedimentation control plan, where more than 5 acres of disturbed land are involved or new streets are proposed, must be submitted to the County Conservation District Directors for review, and a copy of the plan and Conservation District Directors' review shall be submitted to the Township as part of the final plat submission, §22-407.A(23).

F. In the preparation of erosion and sedimentation control plans, the person preparing such plans shall consult the County Conservation District to determine the erosion and control measures needed to control erosion and control measures needed to control erosion and reduce sedimentation. The *Erosion and Sedimentation Control Handbook*, prepared by the Conservation Districts, Cumberland, Dauphin, and Perry Counties, may be helpful in the preparation of such plans. Copies are available in the Conservation District office in each County.

(*Ord. 13*, 10/2/1992, §505; as amended by *Ord. 33*, 1/21/2010)



**Part 6****Improvement and Construction Requirements****§22-601. Required Improvements by Regulations.**

The subdivider shall provide all improvements required by these regulations.  
(*Ord. 13, 10/2/1992, §601*)

**§22-602. Monuments and Markers.**

1. Monuments must be set:
  - A. At the intersections of all street right-of-way lines.
  - B. At, at least two points where lines form angles in the remaining boundaries of the subdivision.
  - C. At such intermediate points as may be required by the Board of Supervisors.
2. Markers must be set:
  - A. At all lot corners except those monumented.
  - B. By the time the property is offered for sale.
3. Monuments and markers shall be made of the following size and material:
  - A. Monuments shall be 6 inches square or 4 inches in diameter and shall be 30 inches long. Monuments shall be made of concrete, stone, or by setting a 4-inch cast iron or steel pipe filled with concrete.
  - B. Markers shall be  $\frac{3}{4}$  of an inch square or  $\frac{3}{4}$  of an inch in diameter 15 inches long. Markers shall be made of iron pipes or iron or steel bars.
4. Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

(*Ord. 13, 10/2/1992, §602*)

**§22-603. Street Surfacing.**

1. *Pavements.* Private streets as permitted under §27-501.1.D, and public streets, when required to be dedicated, must be surfaced to the grades and dimensions drawn on the plan, profiles, and cross-sections submitted by the applicant and approved by the Township. Before paving the street surface, the applicant must install the required utilities and provide where necessary, adequate stormwater drainage for the street, acceptable to the Township Engineer and/or the Board of Supervisors. The pavement base and wearing surface must be constructed according to the following specifications:

A. *Minor and Private Streets.*

- (1) The base course shall consist of 8 inches of compacted crushed stone constructed according to specifications set forth in §310. "Crushed Aggregate

Base Course,” in the current applicable Pennsylvania Department of Transportation Specifications, 1987, Publication 408, or the base course shall consist of 5 inches of bituminous concrete base course construction according to the Pennsylvania of Transportation §305, Form 408, “Specifications.”

(2) Construction of the surface course shall comply with the specification set forth in §420, “Bituminous Wearing Course ID-2,” of the Pennsylvania Department of Transportation Specifications, 1987, Publication 408, as amended or the surface course shall be 1½ inches of FJ-1 in accordance with the requirements of the Pennsylvania Department of Transportation, §422, Form 408, “Specifications.”

*B. Collector Streets.*

(1) The base course shall consist of 10 inches of compacted crushed stone constructed according to the specifications set forth in §310, “Crushed Aggregate Base Course,” in the current applicable Pennsylvania Department of Transportation Specifications, 1987, Publication 408, or the base course shall consist of 6 inches of bituminous concrete base course construction according to the Pennsylvania Department of Transportation, §305, Form 408, “Specifications.”

(2) Construction of the surface course shall comply with the specifications set forth in §420, “Bituminous Surface Course ID-2,” of the Pennsylvania Department of Transportation Specifications, 1987, Publication 408, or the surface course shall be 1½ inches of FJ-1 in accordance with the requirements of the Pennsylvania Department of Transportation, §305, Form 408, “Specifications.”

*C. Arterial Streets.*

(1) For the construction of arterial roads or highways, the subdivider shall consult the Supervisors and be governed by the Pennsylvania Department of Transportation for the method of construction to be used.

(2) The Supervisors shall decide if a collector or arterial street is required as a direct result of the construction of his subdivision in which case the applicant is responsible for paving the additional width required.

*D. Shoulders.* The base course shall consist of 8 inches of compacted stone, gravel, or slag constructed according to the specifications set forth in §305, “Sub-base,” in the Pennsylvania Department of Transportation Specifications, 1987, Publication 408, as amended.

*E. Driveway Entrances.*

(1) Where a proposed driveway provides access onto a Township road a permit shall be required to connect said driveway. Construction shall be in accordance with the Township permit ordinance [Chapter 21, Part 1].

(2) Where a proposed driveway provides access onto a State highway, Legislative Route, Pennsylvania Route, or United States Route) the design of such driveway access and drainage shall be prepared in accordance with the requirements of the Pennsylvania Department of Transportation and shall be subject to the approval and issuance of permits by the Department.

Prior to approval of any subdivision requiring a Department of Transpor-



tation highway occupancy permit, a note shall be added suggesting: "No plat which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless the plat contains a notice that a highway occupancy permit is required pursuant to §420 of the Act of June 1, 1945, P.L. 1242, No. 428, known as the State Highway Law, before driveway access is permitted."

(*Ord. 13, 10/2/1992, §603*)

#### **§22-604. Sewers and Water.**

1. Where a public sanitary sewer system is within 1,000 feet of, or where plans approved by the Township provide for the installation of such public sanitary sewer facilities to within 1,000 feet of a proposed subdivision, the subdivider shall provide the subdivision with a complete sanitary sewer system if, in the Commission's opinion, it is feasible.

2. Where the installation of a sanitary sewer system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system. All such individual sewage disposal systems shall be constructed in accordance with the rules and regulations of the Pennsylvania Department of Environmental Protection. [*Ord. 33*]

3. Where a water main supply system is within 1,000 feet of, or where plans approved by the Township provide for the installation of such public water facilities shall provide the subdivision with a complete water main supply system to be connected to the existing or proposed water main system in accordance with the Township's specifications.

4. Where installation of a public water main supply system is not required, the subdivider or owner of the lot shall provide for each lot, at the time improvements are erected thereon, an individual water supply in accordance with the rules and regulations of the State Department of Environmental Protection, as to source and installation. [*Ord. 33*]

(*Ord. 13, 10/2/1992, §604; as amended by Ord. 33, 1/21/2010*)

#### **§22-605. Storm Drainage.**

1. Whenever the evidence available to the Board of Supervisors indicates that natural surface drainage is inadequate, the subdivider shall install storm sewers, culverts, and related facilities, to be reviewed by an engineer designated by the Board of Supervisors, as necessary to: [*Ord. 33*]

- A. Permit the unimpeded flow of natural water course.
- B. Ensure the drainage of all low points along the line of streets.
- C. Intercept stormwater runoff along streets at intervals reasonably related to the extent and grade of the area drained.
- D. Provide positive drainage away from on-site sewage disposal facilities.

2. Storm drainage facilities must be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in runoff that may occur when all the property, to a higher elevation, in the same

drainage basin is fully developed.

A. *Existing Facilities.* Where adequate existing storm sewers are readily accessible, the subdivider must connect his stormwater facilities to these existing storm sewers.

B. *Abutting Properties.* In the design of storm drainage facilities, special consideration must be given to preventing excess runoff onto adjacent developed properties. In no case may a change be made in the existing topography which would:

(1) Result in increasing any portion of the slope steeper than 1 foot of vertical measurement for 3 feet of horizontal measurement for fills, or 1 foot of vertical measurement for 2 feet of horizontal measurement for cuts within a distance of 20 feet from the property line unless an adequate retaining wall or other structure is provided.

(2) Result in a slope which exceeds the normal angle of slippage of the material involved.

All slopes must be protected against erosion.

C. *Drainage Upon and On Streets.*

(1) *Upon Streets.* In order to give proper surface water drainage upon streets, a structure on a lot must be at a grade in satisfactory relationship:

(a) With established street grade.

(b) With the existing street grade where none is established.

(2) *On Streets.* A street must be designed so as to provide for the discharge of surface water from its right-of-way. The slope of the crown on a street shall not be less than 1/8 inch per foot and not more than 1/3 inch per foot. Adequate facilities must be provided at low points necessary to intercept runoff.

(Ord. 13, 10/2/1992, §605; as amended by Ord. 33, 1/21/2010)

#### **§22-606. Curb and Gutters.**

Wherever a proposed subdivision or land development shall average two and one-half or more dwelling units or lots per gross area included in the subdivision, or where any subdivision is immediately adjacent to or within 1,000 feet of any existing or recorded subdivision having curbs and gutters, curbs and gutters shall be installed on each side of the street surface in accordance with the Township's specifications. The Township may require installation of curbs and/or gutters in any subdivision where the evidence indicates that such improvements are necessary for proper drainage.

A. When required by the Township curbs, gutters, or combination curbs and gutters shall be constructed according to the specifications set forth in §640, "Plain Cement Concrete Curb Gutter," in the Pennsylvania Department of Transportation Specifications, 1987, Form 408, Specifications.

B. Where vertical curbs are provided they shall be not less than 6 inches wide at the top and 7 inches wide at the bottom. The overall depth of the curb shall be not less than 20 inches. The curbs shall rest on a 6-inch crushed stone base.

C. The cross-section of gutters and combination curbs and gutters shall be

constructed in accordance with the details shown on approved drawings.

D. Curbs and gutters shall be set and finished to the lines and grades given on the approved drawings.

E. Rolled curbs shall not be permitted.

(*Ord. 13, 10/2/1992, §606*)

**§22-607. Sidewalks.**

Wherever a proposed subdivision shall average two and one-half or more lots per gross area included in the subdivision, or where any subdivision is immediately adjacent to or within 1,000 feet of any existing or recorded subdivision having sidewalks, sidewalks shall be installed on each side of the street in accordance with the Township's specifications, if applicable. The Township may require installation of sidewalks in any subdivision where the evidence indicates that sidewalks are necessary for the public safety.

A. Sidewalks shall be 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 4 feet wide. In the vicinity of shopping centers, schools, recreation areas and other facilities, sidewalks must be at least 5 feet wide and located within the street right-of-way.

C. Sidewalks shall be constructed according to the specifications as set forth in §676, "Cement Concrete Sidewalks," in the Pennsylvania Department of Transportation Specifications, 1987, Form 408, Specifications.

(*Ord. 13, 10/2/1992, §607*)



**Part 7****Mobile Home Park****§22-701. Grant of Power.**

The Board of Supervisors may regulate subdivisions and land developments 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, Article V, §501, 53 P.S. §10501 *et seq.*

(*Ord. 13, 10/2/1992, §701*)

**§22-702. 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 Chapter.

(*Ord. 13, 10/2/1992, §702*)

**§22-703. Definitions.**

For the definition of words related to land development as a mobile home park the definitions contained in Part 3 of this Chapter shall apply. For convenience the definitions related to mobile homes are repeated here:

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

*Mobile home lot* - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

*Mobile home park* - a parcel of land or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon mobile homes.

(*Ord. 13, 10/2/1992, §703*)

**§22-704. 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 Chapter.

(*Ord. 13, 10/2/1992, §704*)

**§22-705. Design Standards.**

The arrangement and other design standards of streets, easements, blocks, lots, recreation areas and erosion and sedimentation control shall be in accordance with the

requirements contained in Part 5 of this Chapter except as specified below:

A. *Street Widths in Mobile Home Parks.*

(1) The minimum street right-of-way and cartway widths of public or private streets shall be as follows:

**Street Right-of-Way and Cartway Widths**

<b>Street Type</b>	<b>Width</b>
Collector Streets	
Right-of-Way	60 feet
Cartway	24 feet
Minor Streets	
Right-of-Way	50 feet
Cartway	20 feet

(2) Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Board of Supervisors in specific cases for:

- (a) Public safety and convenience.
- (b) Where the number of mobile homes proposed to be located in a mobile home park exceeds 100 units.
- (c) Widening of existing streets where the width does not meet the requirements of the preceding clauses.

B. *Lots in Mobile Home Parks.*

(1) On land laid out as a mobile home park, not served by public or mobile home park water system and public or mobile home park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Protection, the lots shall not be less than 100 feet wide measured at the required setback line nor less than 1½ acres in area, per mobile home unit, exclusive of streets and other public uses. [Ord. 33]

(2) On land laid out as a mobile home park served by public or mobile home park water system and not by public or park sewerage collection and treatment system, the land meeting the necessary percolation and soil survey requirements and approved by the Department of Environmental Protection, the lots shall be not less than 85 feet measured at the required setback line nor less than 1½ acres in area per mobile home unit, exclusive of streets and other public uses. [Ord. 33]

(3) On land laid out as a mobile home park, served by both public or mobile home park water system and public or mobile home park sewerage collection and treatment system acceptable to the Department of Environmental Protection, the lots shall be not less then 60 feet wide measured at the required setback line nor less than 7,200 square feet in area, per mobile home unit, exclusive of streets and other public uses. [Ord. 33]

C. *Building Setback Lines.*

(1) In a mobile home park, the setback lines must conform to the Township Zoning Ordinance [Chapter 27]. [Ord. 33]

(2) In a mobile home park the setback lines on a private street shall be as follows:

<b>Street Type</b>	<b>Minimum Setback From the Required Right-of-Way</b>
Collector Street	15 feet
Minor Street	10 feet

**D. Side and Rear Building Lines.**

(1) In a mobile home park, side and rear building lines shall be not less than 15 feet from the side and rear lot lines of each mobile home lot and not less than 25 feet from the mobile-home park property lines on the sides and rear not adjacent to a dedicated public street right-of-way.

**E. Off-Street Parking Requirements.**

(1) In a mobile home park, paved off-street parking areas shall be provided at the rate of at least two vehicular parking spaces for each mobile home lot.

(2) Each such off-street parking space shall contain at least 180 square feet and shall be located within 300 feet of the mobile home lot it is intended to serve.

**F. Open Space Requirements.**

(1) In a mobile home park, not less than 10 percent of the total land area shall be provided for usable open space. Such space shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located and easily accessible to all park residents.

(2) Such open space shall be paved or protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

**G. Park Areas for Nonresidential Uses.**

(1) In a mobile home park no part of the park shall be used for a nonresidential purpose except such uses that are specifically required for the direct servicing and well being of park residents and for management and maintenance of the park.

(Ord. 13, 10/2/1992, §705; as amended by Ord. 33, 1/21/2010)

**§22-706. 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 6 of this Chapter and shall also provide the following additional improvements:

**A. Buffer Strips.**

(1) In a mobile home park, a suitable screen or landscaped buffer strip at least 10 feet wide, approved by the Board of Supervisors, shall be provided by the developer along all of the property lines separating the mobile home park from adjacent uses.

*B. Signs and Lighting.*

(1) Signs may be permitted subject to the approval of the Board of Supervisors, after review by the Township Zoning Officer.

(2) All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

*C. Other Site Improvements.*

(1) 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.

(2) Tie downs to prevent the movement of the mobile home by natural causes shall be provided for each mobile home.

(3) Each mobile home lot shall be provided with a 4-inch concrete slab on a stable surface at least 10 feet by 18 feet in size for use as a terrace and so located as to be adjoining and parallel to the mobile home and not extending into the front, side, or rear yards. Such slab shall contain an electrical outlet to which the electrical system of the mobile home shall be connected.

(4) Individual tenants at 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. Board of Supervisors approval shall be required in each case.

(5) Provision shall be made by the park operator to have garbage and waste collected at least once every week. Any refuse disposal site proposed within the mobile home park shall be subject to the approval of the State Department of Environmental Protection. [*Ord. 33*]

(6) There shall be provided in each mobile home park such other improvements as the Board of Supervisors may require whereby such requirements shall at all times be in the best interest of the park residents.

(*Ord. 13, 10/2/1992, §706; as amended by Ord. 33, 1/21/2010*)

**§22-707. Fees.**

1. At the time of filing the preliminary plat and final plat for the development of a tract of land for a mobile home park, the applicant shall be required to pay to the Commission fees in accordance with the requirements of Part 8 of this Chapter and secure a permit.

2. *Mobile Home Park Permits.* Any person intending to develop a tract of land as a mobile home park shall secure a permit from the Township for each such park, issued in accordance with the following requirements:

A. Such permit shall be issued by the Township upon proper application and submission of evidence of compliance with the provisions of this Chapter and all other applicable legal requirements and upon payment of a fee provided herein.



B. Each permit shall be valid for 1 year from the date of issue.

C. Each application for a permit shall be accompanied by a fee, payable to the Township, of \$15 plus \$1 for each mobile home park lot in the mobile home park. The permit fee shall constitute the license fee for the first year commencing with the date of notice of approval of the application. The Supervisors may, from time to time, modify the fee by resolution.

D. The first application for a permit for a mobile home park following the effective date of this Chapter, shall be made to the Township Code Enforcement Officer on a form provided by him and shall be submitted together with copies of the following:

(1) A copy of the approved final plat signed by the proper officials.

(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 Chapter 179, Title 25 rules and regulations, mobile home park. [Ord. 33]

E. The first application for a permit for a mobile home park proposed for development, following the effective date of this Chapter, shall be made to the Township on a form provided by the Township 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 25, rules and regulations, mobile home parks. [Ord. 33]

(2) A copy of the permit issued by the Department of Environmental Protection as required by Chapter 179, Title 25, rules and regulations, mobile home parks. [Ord. 33]

(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 two copies of the recorded plat.

F. Application for the annual renewal of a license shall be made by the holder of the license to the Township on a form provided by the Township within 14 days preceding expiration of the preceding license period shall be accompanied by a fee as required in paragraph .E(3) above, and by any change since the preceding license was issued.

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 or head of family occupying each said mobile home, showing date of entry on said land, license number of automobile, serial number, and make and size of trailer, the last permanent address of the person or head of family using said mobile home and the names of all persons using or living in said mobile home park.

H. Said register and mobile home park shall be subject to inspection by the Township annually or upon request of the Board of Supervisors.

(Ord. 13, 10/2/1992, §707; as amended by Ord. 33, 1/21/2010)

**§22-708. Modifications of Requirements.**

The application for any alteration of requirements shall be in accordance with the requirements of Part 9 of this Chapter.

*(Ord. 13, 10/2/1992, §708)*

**§22-709. Enforcement, Penalties, Severability and Amendments.**

The enforcement, penalties, severability, and amendments shall be in accordance with the rules and regulations of Part 10 of this Chapter.

*(Ord. 13, 10/2/1992, §709)*

**Part 8****Campgrounds****§22-801. Definitions.**

For the definition of words related to land development as a campground, the definitions contained in Part 2 of this Chapter shall apply. For convenience the definitions related to campgrounds are repeated here:

*Campground* - a tract or tracts of land, or any portions thereof, used for the purpose of providing sites for the temporary use of trailers, recreational vehicles, campers or tents, as hereinafter defined, for camping purposes with or without a fee being charged for the leasing, renting, or occupancy of such space.

*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.

*Person* - any individual, partnership, corporation, association, municipality, county, authority, Commonwealth of Pennsylvania, or any other private or public entity.

*Recreational vehicle* - a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use which has its own motive power or is mounted on or drawn by another vehicle (including camping trailer, motor home, travel trailer and truck camper); and a body width of no more than 8 feet and body length of no more than 32 feet when factory equipped for the road, and licensed as such by the Commonwealth.

*Tents* - a portable lodging unit usually made out of skins, canvas, plastic, or strong cloth stretched and usually sustained by poles, and is dependent upon separate toilet and lavatory facilities.

*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 temporary dwelling for travel, recreation, and vacation commonly known as travel trailers, pick-up coaches, motor homes, camping trailers, or recreational vehicles.

(Ord. 13, 10/2/1992, §801)

**§22-802. Plat Requirements and Processing Procedure.**

The plat requirements and processing procedure for land development as a campground shall be in accordance with the requirements contained in Part 3 of this Chapter. It is noted that the requirements of Department of Environmental Protection, 28 Pa.Code, Chapter 19, "Organized Camps and Campgrounds," must be fulfilled by the developer prior to the start of construction.

(Ord. 13, 10/2/1992, §802; as amended by Ord. 33, 1/21/2010)

**§22-803. Design Standards.**

The arrangements and other design standards of streets, easements, blocks, lots, recreation areas, and erosion and sedimentation control shall be in accordance with the requirements contained in Part 4 of this Chapter except as specified below:

A. *Street Widths in Campgrounds.*

(1) Design and construction standards for public streets shall be as contained in Parts 4 and 5 of this Chapter.

(2) *Private Streets and Roads.* Each camping site shall front upon an approved street or road:

(a) One-way streets and roads with camping site parking shall have an improved surface of no less than 12 feet.

(b) Two-way streets and roads with camping site parking shall have an improved surface of no less than 20 feet.

(c) Streets and roads shall be graded to provide positive drainage from the road surface. Drains and culverts shall be provided as necessary to maintain proper drainage.

(d) Streets and roads shall have a maximum grade of 10 percent except for sections of no more than 400 feet in length which may exceed 10 percent, but in no case shall exceed 12 percent.

(e) Streets and roads shall be all weather constructed. Road oil, calcium or other suitable material shall be applied in an amount and frequency as necessary to control dust.

B. *Lots in Recreational Vehicle Parks or Campgrounds.* On land laid out as a recreational vehicle park or campground, the lot shall be not less than 40 feet wide nor less than 3,000 square feet in area for each recreational vehicle or campground lot, exclusive of streets and other public areas, provided that water and sewers are provided in accordance with standards of, and, approved by, the Pennsylvania Department of Environmental Protection. Each camp site shall provide a clear, level, well-drained pad for accommodating the trailer, camper, or tent. Parking shall be provided on each camping site. Camping site parking shall provide a clean, level, well-drained area of no less than 8 feet by 20 feet dimensions. [Ord. 33]

C. *Building Setback Lines.* In a recreational vehicle park or campground, the minimum setback from the right-of-way line of a dedicated public street shall be as designated in §22-404 of this Chapter.

D. In a recreation vehicle park or campground, setback lines on private streets shall be not less than 25 feet from the edge of cartway of the private street.

E. *Side and Rear Building Lines.* In a recreational vehicle park or campground, side and rear building lines shall be not less than 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 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.

(Ord. 13, 10/2/1992, §803; as amended by Ord. 33, 1/21/2010)

**§22-804. Recreation Areas in Recreation Vehicle Parks and Campgrounds.**

1. In all parks, there shall be one or more recreation areas which shall be accessible to all park residents.

2. The size of such recreation areas shall be based upon a minimum of 500 square feet for each lot. No outdoor recreation area shall contain less than 20,000 square feet.

3. Recreation areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located.

4. *Park Areas for Nonresidential Uses.*

A. In a campground no part of the park shall be used for a nonresidential purpose, except such uses that are specifically required for the direct servicing and well being of park residents and for management and maintenance of the park.

(Ord. 13, 10/2/1992, §804)

#### **§22-805. Improvement and Construction Requirements.**

In a campground park all improvements, construction requirements, and engineering specifications for the improvements required shall be provided in accordance with Part 5 of this Chapter and shall also provide the following additional improvements:

A. *Buffer Strips.*

(1) In a campground, a suitably screened or landscaped buffer strip at least 20 feet wide, approved by the Commission shall be provided by the developer along all the property lines separating the campground from adjacent uses.

B. *Signs and Lighting.*

(1) Signs may be permitted subject to the approval of the Commission.

(2) All means of ingress, egress, walkways, streets, and parking lots shall be adequately lighted.

(Ord. 13, 10/2/1992, §805)

#### **§22-806. Fees.**

1. At the time of filing the preliminary plat and final plat for the development of a tract of land for a campground, the applicant shall be required to pay to the Township fees in accordance with the requirements of Part 8 of this Chapter and secure a permit.

2. *Campground Permits.* Any person intending to develop a tract of land as a campground in the Township shall have a permit from the Township for each campground issued in accordance with the following requirements:

A. Such permit shall be issued by the Township Code Enforcement Officer, upon proper application and submission of evidence of compliance with the provisions of this Chapter, and all other applicable legal requirements, and upon payment of a fee provided herein.

B. Each permit shall be valid for 1 year, from the date of issue.

C. Each application for a permit shall be accompanied by a fee payable to the Township, as established by the Township. The permit fee shall constitute the license fee for the first year commencing with the date of notice of approval of the application.

D. The first application for a permit for a campground following the effective

date of this Chapter, shall be made to the Township Code Enforcement Officer on a form provided by him and shall be submitted together with copies of the following:

- (1) A copy of the approved final plat signed by the proper officials.
- (2) A receipt signed by the Recorder of Deeds, showing that the campground plat has been publicly recorded.
- (3) A permit issued by the Department of Environmental Protection as required by Chapter 191, Title 25 rules and regulations, organized camps and campgrounds. [*Ord. 33*]

E. Application for the annual renewal of a license shall be made by the holder of the license, to the Township Code Enforcement Officer on a form provided by him, within 14 days preceding expiration of the preceding license period, shall be accompanied by a fee as required, and by any changes since the preceding license was issued. The Township Code Enforcement Officer shall inspect each campground prior to the issuance of a license for conformance with the provisions of this Chapter and all of the applicable legal requirements.

F. Each campground shall have an office in which shall be kept copies of all records pertaining to the management and supervision of the campground. Such records shall be available for inspection by the authorized officers of the Township and shall be on display in a conspicuous place on the premises at all times.

G. *Register.* It shall be the duty of the owner or his agent to keep a register of the “head of the family” accommodated in the campers or tents, their regular home address and the number and description of their automobiles or other vehicles. Said register shall be open at all times to the inspection by any authorized official of the Tuscarora Board of Supervisors. The owner or his agent shall prescribe rules and regulations for the management at the campground and make adequate provision for the enforcement of such rules.

H. *Revocation of Permit.* Whenever, upon inspection of any campground, it is determined that conditions or practices exist which are in violation of any provision of this Chapter, or any regulation adopted pursuant thereto, the Township Supervisors or their representative shall give notice in writing to the person to whom the permit was issued, such notice to consist of a listing of the violated paragraphs of this Chapter and shall advise them that unless such conditions or practices are corrected within the period of time specified in the notice, the permit to operate will be suspended. At the end of such period, such campground shall be reinspected and, if such conditions or practices have not been corrected, the Board of Supervisors shall give notice in writing of a hearing for the suspension of the campground permit to the person to whom the permit is issued.

(*Ord. 13, 10/2/1992, §806; as amended by Ord. 33, 1/21/2010*)

**Part 9****Fees****§22-901. Fee for Approval or Disapproval.**

1. *For Subdivision or Land Development Requiring Board of Supervisors Approval or Disapproval.* At the time of application for subdivision or land development (which is the time of the submission of both the preliminary plat and of the final plat) for a tract of land, either totally or partially located in a Tuscarora Township the applicant shall pay by a check payable to Tuscarora Township, a fee for the cost to the Township for review of each plat with the required maps and data. [Ord. 33]

2. The Tuscarora Township Board of Supervisors shall establish a schedule of fees for subdivision and land development reviews and approvals, mobile home parks, and engineer. The schedule of fees shall be payable to Tuscarora Township and until all fees have been paid in full, the applications shall be considered incomplete. Fee schedule is posted in the Township office.

(Ord. 13, 10/2/1992, §901; as amended by Ord. 33, 1/21/2010)

**§22-902. Engineering Fee.**

On or before the date on which the final plat is to be considered by the Township the applicant shall pay by a check, payable to the Township, an amount determined by the engineer of the local municipality sufficient to cover costs of:

- A. Reviewing the plat's engineering details.
- B. Inspecting the layout of the site for conformance to the survey and plan.
- C. Reviewing the results of the percolation tests.
- D. Preparing the cost estimates of required improvements.
- E. Inspecting required improvements during installation.
- F. Final inspection on completion of installation of the required improvements.

(Ord. 13, 10/2/1992, §902)

**§22-903. Perry County Planning Commission Fee for Review and Report.**

1. For subdivision or land development requiring review and report to Tuscarora Township by the Perry County Planning Commission when an application is made for preliminary or final approval of a required plat of subdivision or development, the Township shall promptly forward a copy of such plat and all attached or relate documents, which have been submitted to the Township. Each such plat shall be accompanied by a signed request by the Township for review report, indicating the name and address to which the review report can be mailed, and the name and telephone number of the Township official or representative who could provide or obtain additional information, if necessary.

2. Each such plat shall be accompanied by a check from the applicant, payable to the Perry County Planning Commission, in the amount of a fee for the cost of the Commission to review the plat and related documents. The fee shall be as required by

the schedule for land subdivision or land development as applicable as established by the Perry County Planning Commission.

*(Ord. 13, 10/2/1992, §903)*

**§22-904. Dispute of Fees.**

1. In the event the applicant disputes the amount of any such review fees, the applicant shall, within 10 days of the billing date, notify Tuscarora Township that such fees are disputed, in which case the Township shall not delay or disapprove a subdivision or land development application due to the applicant's request over disputed fees.

2. In the event that Tuscarora Township and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the fees shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

*(Ord. 13, 10/2/1992, §904)*



**Part 10****Modification of Requirements****§22-1001. Modifications.**

1. The Board of Supervisors may grant a modification of the requirements of one or more provisions of this Chapter, after a recommendation from the Township Planning Commission, if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modification will not be contrary to the Township Zoning Ordinance [Chapter 27] or public interest and that the purpose and intent of this Chapter is observed.

2. All requests for a modification shall be in writing and shall accompany and be a part of the application for development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of this Chapter involved and the minimum modification necessary.

3. The Board of Supervisors shall keep a written record of all action on all requests for modifications.

*(Ord. 13, 10/2/1992, §1001)*



**Part 11****Enforcement, Penalties, Amendments and Enactment****§22-1101. Preventive Remedies.**

1. In addition to other remedies, Tuscarora Township may institute and maintain appropriate actions by law or in equity to restrain, correct or abate violations, to prevent unlawful construction, to recover damages and to prevent illegal occupancy of a building, structure or premises. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the selling or transferring from such penalties or from the remedies herein provided.

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

A. The owner of record at the time of such violation.

B. The vendee or lessee of the owner of record at the time of such violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

C. The current owner of record who acquired the property subsequent to the time of violation without regard as to whether such current owner had actual or constructive knowledge of the violation.

D. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual or constructive knowledge of the violation.

3. As an additional condition for issuance of a permit of the granting of an approval to any such owner, current owner, vendee or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real property.

*(Ord. 13, 10/2/1992, §1101)*

**§22-1102. Enforcement.**

1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefor in a civil enforcement proceeding brought by the Township, pay a fine of \$500, court costs, and the Township's reasonable attorney fees for enforcement. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the magisterial district judge. 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 magisterial district judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership, or corporation violating this Chapter to have believed that there was no

such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the magisterial district judge and thereafter each day that a violation continues shall constitute a separate violation. [*Ord. 33*]

2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

3. Nothing contained in this Chapter shall be construed or interpreted to grant to any person or entity other than Tuscarora Township the right to commence any action for enforcement pursuant to this Chapter.

4. Magisterial district judges shall have initial jurisdiction in proceedings brought under this Chapter. [*Ord. 33*]

(*Ord. 13*, 10/2/1992, §1102; as amended by *Ord. 19*, 8/26/1996, §10; and by *Ord. 33*, 1/21/2010)

### **§22-1103. Effect of Change in this Chapter.**

1. From the time an application for approval of a plat, whether preliminary or final, is duly filed as provided in this Chapter, and while such application is pending approval or disapproval, no change or amendment of this Chapter, shall affect the decision on such application adversely to the applicant and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was duly approved. The applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in governing regulation.

2. When an application for approval of a plat, whether preliminary or final, has been approved without conditions or approved by the applicant's acceptance of conditions, no subsequent change or amendment in this Chapter, shall be applied to affect adversely the right of the applicant to commence and to complete any aspect of the approved development in accordance with the terms of such approval within 5 years from such approval.

3. Where final approval is preceded by preliminary approval, the aforesaid five-year period shall be counted from the date of the preliminary approval. In the case of any doubt as to the terms of a preliminary approval, the terms shall be construed in the light of the provisions of this Chapter or the governing ordinance or plans as they stood at the time when the application for such approval was duly filed.

4. Where the landowner has substantially completed the required improvements as depicted upon the final plat within the aforesaid 5-year limit, or any extension thereof as may be granted by the Board of Supervisors, no change of any ordinance or plan enacted subsequent to the date of filing of the preliminary plat shall modify or revoke any aspect of the approved final plat.

5. In case of a preliminary plat calling for the installation of improvements beyond the 5-year period, a schedule shall be filed by the landowner with the preliminary plat delineating all proposed sections as well as deadlines within which applications for final plat approval of each section are intended to be filed. Such

schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plat approval, until final plat approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval of the Board of Supervisors in its discretion.

6. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of 25 percent of the total number of dwelling units as depicted on the preliminary plan, unless a lesser percentage is approved by the Planning Commission in its discretion. Provided the landowner has not defaulted with regard to or violated any of the conditions of the preliminary plat approval, including compliance with landowner's aforesaid schedule of submission of final plats for the various sections, then the aforesaid protections afforded by substantially completing the improvements depicted upon the final plat within 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 5-year period the aforesaid protections shall apply for an additional term or terms of 3 years from the date of final plat approval for each Section.

7. Failure of landowner to adhere to the aforesaid schedule of submission of final plats for the various sections shall subject any such section to any and all changes in this Chapter and other governing ordinances enacted by Tuscarora Township or municipality where the plan is located subsequent to the date of the initial preliminary plan submission.

*(Ord. 13, 10/2/1992, §1103)*

#### **§22-1104. Recording Plats and Deeds.**

1. Upon the approval of a final plat, the developer shall, within 90 days of such final approval, record such plat in the Office of the Recorder of Deeds of the County. The recorder of deeds shall not accept any plat for recording unless such plat officially notes the approval of the Board of Supervisors.

2. The recording of the plat shall not constitute grounds for assessment increases until such time as lots are sold or improvements are installed on the land included within the subject plat.

*(Ord. 13, 10/2/1992, §1104)*

#### **§22-1105. Amendments.**

Amendments to this Chapter shall become effective only after a public hearing held pursuant to public notice as defined herein and in accordance with the Pennsylvania Municipalities Planning Code of 1968 as amended, Act 247, Article V, §505, 53 P.S. §10505.

*(Ord. 13, 10/2/1992, §1105)*

#### **§22-1106. Severability.**

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 effect any other section, clause, provision, or portion of these regulations.

*(Ord. 13, 10/2/1992, §1106)*



**EXHIBIT 22-I**

**SAMPLE CERTIFICATION AND DEDICATORY BLOCKS**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF PERRY

ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BEFORE ME THE UNDER-SIGNED PERSONALLY APPEARED

OWNER(S) \_\_\_\_\_

OWNER(S) \_\_\_\_\_

WHO BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THEY ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN AND THAT THEY ACKNOWLEDGE THE SAME TO BE THEIR ACT AND DEED AND DESIRE THE SAME TO BE RECORDED AS SUCH ACCORDING TO LAW.

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND DATE ABOVE WRITTEN,

\_\_\_\_\_  
MY COMMISSION EXPIRES

\_\_\_\_\_  
NOTARY PUBLIC

IT IS HEREBY CERTIFIED THAT THE UNDERSIGNED ARE THE EQUITABLE OWNERS OF THE PROPERTY SHOWN ON THIS PLAT AND THAT ALL STREETS, OR PARTS THEREOF, IF NOT PREVIOUSLY DEDICATED, ARE HEREBY TENDERED FOR DEDICATION TO PUBLIC USE.

OWNER(S) \_\_\_\_\_

OWNER(S) \_\_\_\_\_

OWNER(S) \_\_\_\_\_

OWNER(S) \_\_\_\_\_

I HEREBY CERTIFY THIS PLAN TO BE CORRECT AS SHOWN.

\_\_\_\_\_  
REGISTERED SURVEYOR

NAME OF SURVEYOR  
ADDRESS





**EXHIBIT 22-II**

**SAMPLE PLAT APPROVAL BLOCKS**

THIS PLAN REVIEWED BY THE PERRY COUNTY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

CHAIRMAN \_\_\_\_\_

SECRETARY \_\_\_\_\_

THIS PLAN REVIEWED BY THE TUSCARORA TOWNSHIP ENGINEER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

TOWNSHIP ENGINEER \_\_\_\_\_

THIS PLAN RECOMMENDED FOR APPROVAL BY THE TUSCARORA TOWNSHIP PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

CHAIRMAN \_\_\_\_\_

SECRETARY \_\_\_\_\_

THIS PLAN APPROVED BY THE BOARD OF SUPERVISORS OF TUSCARORA TOWNSHIP THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

PRESIDENT \_\_\_\_\_

SECRETARY \_\_\_\_\_

THIS PLAN RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR PERRY COUNTY THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

PLAN BOOK \_\_\_\_\_ VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_



**EXHIBIT 22-III**

**SAMPLE TIME EXTENSION AGREEMENT  
TUSCARORA TOWNSHIP**

**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 Board of Supervisors of Tuscarora Township, Perry County, Pennsylvania, (hereinafter called "Governing Body") and \_\_\_\_\_ (hereinafter called "Developer").

WHEREAS, the Developer submitted a preliminary/final plan of subdivision/land development for a development known as \_\_\_\_\_ to the Township on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_; and

WHEREAS, there are certain deficiencies, matters of incompleteness or other similar items by reason of which the Governing Body cannot approve said plan of subdivision/land development as more fully detailed in a letter delivered to Developer by the Governing Body dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, receipt of which is acknowledged by Developer; and

WHEREAS, the term within which the Governing Body 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 Developer 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 Township ordinances and regulations;

NOW THEREFORE, in consideration of the above recitals and the covenants hereinafter contained. The parties hereto agree as follows:

1. Developer hereby agrees to an extension of the time within which the Governing Body 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 Developer, the Governing Body 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 Governing Body agrees to consider the plan of subdivision/land development with such changes and corrections as the Developer 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:

\_\_\_\_\_

\_\_\_\_\_

Developer

\_\_\_\_\_

\_\_\_\_\_

Developer

Accepted by Tuscarora Township

BY: \_\_\_\_\_

Township Secretary

**EXHIBIT 22-IV**

**SAMPLE IRREVOCABLE LETTER OF CREDIT**

Township of Tuscarora

IRREVOCABLE LETTER OF CREDIT NO. \_\_\_\_\_

Gentlemen:

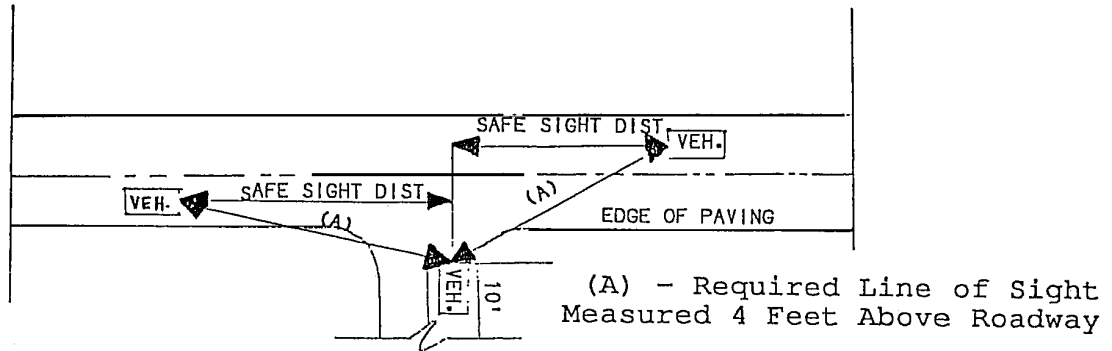
At the request of \_\_\_\_\_, we hereby authorize Tuscarora Township, Perry County, to draw on \_\_\_\_\_ up to an aggregate amount of \_\_\_\_\_ U.S. Dollars available by your drafts at sight accompanied by your written certification for the failure of \_\_\_\_\_ to complete improvements as required by the subdivision/land development plan of \_\_\_\_\_ dated \_\_\_\_\_, 20\_\_, and any related agreements between \_\_\_\_\_, and Tuscarora Township, particularly the Agreement to Establish Security, dated \_\_\_\_\_, 20\_\_.

Such certification must enumerate the amount payable to you from the account of \_\_\_\_\_. All drafts so drawn must be marked drawn under our credit number \_\_\_\_\_.

It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for one year from the expiration date provided hereinafter unless 30 days prior to such expiration date we shall notify you in writing by registered mail that we elect not to consider this Letter of Credit renewed for any such additional period. Upon receipt by you of such notice, you may draw hereunder, without having incurred liability by reason of the failure of \_\_\_\_\_ to construct and install the improvements as required by the above identified plans, profiles and agreements, by means of your drafts on us, at sight, accompanied by your written certification that certain installation and construction work remains to be completed and the proceeds of your drafts will be retained and used by you to make any payments which you might thereafter be required to make by reason of the failure of the said \_\_\_\_\_ to complete the construction and installation of said improvements, and further, that you will refund to us the amount paid, less any amounts which may have been paid by you for the construction and installation of said uncompleted improvements.



**Technical Memorandum #1**  
**SIGHT DISTANCE SPECIFICATIONS**



**REQUIRED SITE DISTANCE FOR PASSENGER CARS AND SINGLE UNIT TRUCKS EXITING FROM DRIVEWAYS AND STREETS ONTO . . .**

Posted Speed Limit	Two Lane Roads		Four and Six Lane Roads	
	Left	Right	Left	Right
25 mph	250	195	175	195
35	440	350	300	350
45	635	570	500	570
55	845	875	785	875

**REQUIRED SITE DISTANCE FOR BUSES AND COMBINATIONS EXITING FROM DRIVEWAYS AND STREETS ONTO . . .**

Posted Speed Limit	Two Lane Roads		Four and Six Lane Roads	
	Left	Right	Left	Right
25 mph	400	300	300	300
35	675	625	625	625
45	1225	1225	1225	1225
55	2050	2050	2050	2050

