

ARTICLE VI

IMPROVEMENTS, DEDICATION AND RESERVATION

§ .601 Monuments and Markers

- a) Specifications - Monuments and markers must be constructed as follows:

	<u>Material</u>	<u>Minimum Size</u>
Monument	concrete or stone	6" x 6" x 30"
Marker	iron pipes or iron or steel bars	15" x 3/4' dia.

- b) Placement and Marking - Monuments and markers must be placed by a Registered Engineer or Surveyor 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 surface of the surrounding ground. Monuments must be marked on top with a copper or brass dowel.
- c) Location of Monuments - Monuments must be set:
- At the intersection of lines forming angles in the boundaries of the development.
 - At the intersection of street lines.
- d) Location of Markers - Markers must be set:
- At the beginning and ending of curves along street property lines.
 - At points where lot lines intersect curves either front or rear.
 - At angles in property lines of lots.
 - At all other lot corners.
- e) Removal - Any monuments or markers that are removed must be replaced by a Registered Engineer or Surveyor at the expense of the person removing them.

§. 602 Streets

Streets must be surfaced to the grades and dimensions drawn on plans, Profiles, and cross-sections submitted by the developer and approved by the Township. Before paving the street surface, the

developer must install required utilities and provide, where necessary, adequate subsurface drainage for the streets, as acceptable to the Township. The pavement base and wearing surface must be constructed according to the Pennsylvania Department of Transportation Specifications. The Township shall neither accept nor adopt any new roads after midnight October 31 or before midnight April 1.

The construction of all roads for acceptance by Penn Township shall comply with Township specifications.

The Township shall decide if a collector or arterial street is required as a direct result of the construction of the development in which case the developer is responsible for paving the additional width required.

§. 603 Curbs, Gutters, and Sidewalks

Curbs, Gutters and Sidewalks shall be required as provided by the First Class Township Code and in accordance with Township specifications and curb ordinance.

§. 604 Street Name Signs

The land development shall be provided with street name signs at all intersections. Such signs shall conform to Township specifications and shall be installed by the developer in a manner specified by the Township Engineer.

§. 605 Landscaping and Bufferyards

In developments of 6 or more lots, the developer shall provide street trees. The trees should be:

- Of a minimum caliper of 1-1/2 inches.

In residential subdivisions of six (6) or more lots, or units and in all commercial and industrial subdivisions and land developments, the developer shall provide bufferyards and landscaping in accordance with this section. Planting plans shall be required; such plans shall be prepared by a Landscape Architect registered by the State of Pennsylvania to engage in the practice of Landscape Architecture. Plantings shall consist of clusters of evergreens interspersed with groupings of deciduous trees and shrubs selected from the 'Recommended Plant List'. Single species planting is prohibited. Use of native species is encouraged.

Plant Materials

Species selected by the applicant shall reflect the following considerations:

(1) Existing site conditions and their suitabilities for plant materials, based upon the site's geology, hydrology, soils, existing vegetation and microclimate.

(2) Specific functional objectives of the plantings, which may include, but not necessarily be limited to: visual screening, noise abatement, protective or safety barriers and aesthetic values.

(3) Maintenance and replacement considerations such as hardiness, resistance to insects and disease, longevity and availability and cost of plant materials.

Bufferyard illustrations one through six depict the bufferyards required between two uses (see figures 2-4). The type of bufferyard required is shown on Table 1. The number of plant units required per one hundred linear feet of yard are specified. The number of plant units per one hundred linear feet are allowed to vary in accordance with the width of the bufferyard and plant-unit-multiplier. The types of plants for each bufferyard are also specified. The requirements may be satisfied by any of the options illustrated within each bufferyard type. Canopy trees may be selected from the list of street trees, shade trees, evergreen trees and ornamental trees included herein.

Those trees listed under the street tree category are recommended for use in the vicinity of streets because of their tolerance to pollutants associated with urban conditions.

The plant-unit multiplier is a factor by which the basic number of plant units are permitted to increase or decrease, given a change in the width of the yard. Existing plants may be used to satisfy the requirements.

When a wall, fence or berm is required within a bufferyard it is specified as a "structure required" and its specifications are given on Figure 1.

Within a bufferyard containing a fence or masonry wall:

- at least fifteen percent (15%) of the total plants required shall be between the fence or wall and the high intensity use;
- suitable species and varied heights of plants shall be chosen to effectively break up and absorb sound; and
- the wall or fence shall be located between the berm and the higher intensity use.

Site Maintenance and Guarantee

1. All landscape and bufferyard requirements shall be installed and

maintained by accepted practices as recognized by the American Association of Nurserymen. Planting and maintenance of vegetation shall include, but not necessarily be limited to, provisions for surface mulch, guy-wires and stakes, irrigation, fertilization, insect and disease control, pruning, mulching, weeding, and watering.

2. The applicant shall make arrangements acceptable to the Township for the property's long-term landscape maintenance. The applicant shall provide the names, addresses, and telephone numbers of those persons or organizations who will be assuming such responsibilities.
3. At the Township's discretion, the applicant may be required to escrow sufficient funds for the maintenance and/or replacement of the proposed vegetation during an 18 month replacement period. In addition, an escrow may be required for the removal and replacement of specimen trees damaged during construction.

§. 606 Street Lights

For the safety, convenience, and attractiveness of the development, on-site or public streetlights shall be installed in accordance with the Township's current street lighting ordinance.

Where electric service is supplied by underground methods, and prior to the installation of streets, curbs, sidewalks and driveways, the subdivider shall provide and install conduits where necessary to accommodate the installation of a street lighting system. Installation and location of conduits will comply with the specifications of the appropriate public utility.

§. 607 Sewage Disposal

- a) Where a public sanitary sewer system is accessible to or plans approved by the Board of Commissioners provide for the installation of such public sanitary sewer facilities within four (4) years, the developer shall provide the development with a complete sanitary sewer system ready to be connected to the existing or proposed sanitary sewer system.
 - The plan for the installation of a sanitary sewer system must be prepared for the development and approved by the Township Engineer and the Pennsylvania Department of Environmental Resources. The Township Engineer must inspect the sewer line before it is covered over. Upon completion of the sanitary sewer installation, the plan for the system as built must be filed with the Township.
 - Any sewer pipe main must be at least 8 inches in diameter and any sewer lateral must be at least 4 inches. Storm sewers may not be connected with sanitary sewers.

- Manholes shall be located generally at intervals of 250 feet and in no case more than 400 feet. Manholes are also required at all points of change of course or grade and at all points of intersection of sewer lines.
- b) Where installation of a sanitary sewer system is not required, the developer or owner of the lot shall provide for each lot, at the time improvements are erected thereon, a private sewerage disposal system consisting of a septic tank and tile absorption field and an approved replacement absorption field or other approved sewerage disposal system in accordance with applicable Township and PA DER regulations and guidelines. The Township and/or the Pennsylvania Department of Environmental Resources must inspect and approve each on-site sewage disposal system.

§. 608 Water Supply

- a) The plan for the installation of the mains of a water supply system must be prepared for the development with cooperation of the appropriate water utility company and approved by the Township Engineer.

Upon the completion of the water supply system, one copy of the plan for the system as built must be filed with the Township.

- b) Where the connection to a public water supply system is not possible or feasible, each lot must be provided with an individual water supply system prior to the issuance of a building permit for dwelling units. All such individual systems shall meet all applicable regulations of the Pennsylvania Department of Environmental Resources.

§. 609 Storm Drainage

Whenever the evidence available to the Board of Commissioners indicates that natural surface drainage is inadequate, the developer shall install a storm water sewer system in accordance with the Penn Township Stormwater Management Ordinance. The system shall be designed by a Registered Engineer and be approved by the Township Engineer.

§. 610 Fire Hydrants

- a) Fire hydrants shall be installed if their water supply source is capable to serve them in accordance with the requirements of the local fire authority.
- b) Fire hydrants, if Provided, shall be located within six hundred (600) feet of any dwelling unit or structure open to

the public as measured along the centerline of abutting streets. Fire hydrants shall be installed in accordance with all applicable regulations.

§. 611 Completion of Improvements or Guarantee Thereof Prerequisite to Final Plan Approval

No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by this Ordinance and any walkways, curbs, gutters, street lights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains and other improvements as may be required by this Ordinance have been installed in accordance with such Ordinance. In lieu of the completion of any improvements required as a condition for the final approval of a plan, the developer may deposit with the Township a corporate bond, or other security acceptable to the Board of Commissioners in an amount sufficient to cover the costs of any improvements which may be required. Such bond, or other security shall provide for, and secure to the public, the completion of any improvements which may be required within this Ordinance. In the case where development is Projected over a period of years, the Board of Commissioners may authorize submission of Final Plans by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

§. 612 Release From Improvement Bond

When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Board of Commissioners, 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 Commissioners shall, within ten 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 Commissioners, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within thirty days after receipt by the Township Engineer of the aforesaid authorization from the Board of Commissioners, said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

The Board of Commissioners shall notify the developer, in writing by certified or registered mail of their action with relation thereto. If the Board of Commissioners 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 its performance guarantee bond.

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

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 Commissioners or the Township Engineer.

Where herein reference is made to the Township Engineer, he shall be a duly Registered Professional Engineer employed by the Township or engaged as a consultant thereto.

To cover inspection costs, the developer must pay a fee to be established by the Board of Commissioners. Any unused portion of this fee will be refunded to the developer upon completion of the inspections.

§. 613 Remedies to Effect Completion of Improvements

In the event that any improvements which may be required have not been installed as provided in this Ordinance or in accord with the approved Final Plan the Board of Commissioners may enforce any corporate bond, or other security by appropriate legal and equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Board of Commissioners may, at its option install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements.

All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.

§. 614 Offers of Dedication

The offer to dedicate streets, parks, or other areas or portions of them, does not impose any duty upon the Township concerning maintenance or improvement until the proper authorities of the Township have made actual appropriation by ordinance or resolution or by entry or improvement. If land is dedicated for a public site and its use for this purpose is not imminent, the developer may be permitted to dedicate the land with the privilege of using the surface rights until the Township is ready to use the land. Such

dedication with the temporary privilege of use must be noted on the Final Plan.

Prior to dedication the developer must submit to the Township a maintenance bond in the amount of 10% of the total construction costs for any and all improvements such as those listed in Section 611. The bond shall be in force for a period of eighteen (18) months. The purpose of this bond is to guarantee the Township correction of deficiencies that may arise following acceptance of improvements. The bond will be returned to the developer following inspection/certification by the Township.

§. 615 Land Reservation

On sites reserved for eventual public acquisition, no building development is permitted during the period of reservation, said period of time not to extend more than 18 months without consent of the developer. Such land reservations shall be noted on the Final Plan.

§. 616 Effect of Plan Recording on Dedication and Reservations

Recording the Final Plan after approval of the Board of Commissioners has the effect of an irrevocable offer to:

- Dedicate all streets and other public ways to public use.
- Dedicate all neighborhood parks and other public areas to public use.
- Reserve for possible future public acquisition such additional areas as may be required by the Township.