

ARTICLE V. Required Improvements

§ 170-74. Improvement specifications and construction standards.

All required improvements completed by the subdivider/developer shall be constructed and/or installed in accordance with the design specifications and construction standards of this chapter and other applicable requirements of Middle Smithfield Township.

- A. Where there are no applicable Township specifications or construction standards, improvements shall be designed, constructed and/or installed in accordance with specifications and construction standards furnished by the Township Engineer and/or the Township Staff. Published PennDOT, DEP or utility provider standards regarding the same matter may be used in such case, as applicable, where a specific Township standard does not exist.
 - (1) If there are no applicable Township or other agency specifications or construction standards, the Township may authorize that such specifications and construction standards be prepared by the Township Engineer or by any other qualified consultant it may desire to engage.
 - (2) The cost of preparing such special specifications and construction standards shall be borne by the subdivider/developer and shall be paid prior to final plan approval.
- B. Specifications and/or construction standards submitted by the subdivider/developer shall be evaluated by the Township.

§ 170-75. Improvement construction and/or installation inspections.

- A. The Township Staff or Township Engineer shall have free and unhampered access to enter onto outdoor area of the subdivision or land development property at any time during normal working hours in order to inspect the construction and/or installation of required improvements. Inadequacies or lack of compliance shall be reported in writing to the subdivider/developer or the applicant(s) representative.
- B. Inadequate construction or installation. If the construction and/or installation of any required improvement is, in the opinion of the Township or Township Engineer, inadequate or not in conformance with any and all applicable specifications and construction standards, the Township may refuse in writing to approve the improvements and shall not endorse and release the final plan or release any security guaranties until the subdivider/developer complies with the applicable specifications and/or construction standards.
 - (1) When the Township finds the construction and/or installation of the required improvements inadequate or not in conformance with the approved plans, the subdivider/developer shall be notified by certified mail with a return receipt.
 - (2) When the subdivider/developer has rectified the reported inadequacy or nonconformity, he/she shall so notify the Township and request an inspection of the required improvement or improvements.

§ 170-76. Summary of required improvements.

- A. The accompanying schedule in Table 4-1[1] summarizes the required improvements for various types of subdivisions/land developments.

[1] Editor's Note: Said table is included at the end of this chapter.

- B. Additional improvements. Additional or higher type of improvements may be required in specific cases where, in the opinion of the Township, they are necessary to create conditions essential to the health, safety and general welfare of the citizens of Middle Smithfield Township and/or to protect the natural environment of the Township.

§ 170-77. Monuments and lot markers.

Monuments and lot markers shall be placed so that the center or marked point shall coincide exactly with the intersection of the lines being monumented or marked and shall conform with the following:

- A. Monuments. Monuments shall consist of one of the following:
- (1) A two-inch (inside diameter) galvanized pipe filled with concrete at least 36 inches in length (preferred 42 inches to 48 inches);
 - (2) A concrete monument at least four inches in diameter or square and at least 36 inches in length (preferred 42 inches to 48 inches); or
 - (3) Such other monuments as the Township Engineer may pre-approve.
- B. Monument placement. All monuments shall be placed under the direction of a registered professional land surveyor who shall take full responsibility for their accuracy and placement.
- C. Monument location.
- (1) Monuments shall be placed at all exterior subdivision/land development property corners where permanent markers do not exist.
 - (2) Existing monuments. Existing permanent monuments and/or markers shall not be removed or replaced but shall be noted on the plan as found and described as they exist.
- D. Lot markers. Lot markers shall consist of one of the following:
- (1) Solid steel rods or reinforcing bars not less than 1/2 inch in diameter and not less than 24 inches in length.
 - (2) Iron pipes not less than 3/4 inch in diameter and not less than 24 inches in length.
 - (3) Such other markers as the Township Engineer may pre-approve.
- E. Lot marker placement. All lot markers shall be placed under the direction of a registered professional land surveyor who will take full responsibility for their accuracy.
- F. Lot marker location. Lot markers shall be placed as follow:
- (1) At points where lot lines intersect street right-of-way lines.
 - (2) At points where lot lines intersect exterior subdivision/land development lines.
 - (3) At interior lot corners and angle points.
 - (4) At all street intersection points (each end of all intersection radii shall be marked).

§ 170-78. Street and sidewalk construction.

Streets shall be cleared, graded and improved to the grades and dimensions shown on approved plans, profiles and cross sections and the following construction standards. Middle Smithfield Township shall not be required or obligated to accept any streets for public dedication.

- A. Clearing and grubbing. The right-of-way and slope easements of all streets shall be cleared and grubbed to the extent necessary to install the street, required slopes and drainage.
 - (1) Unsuitable materials. All trees, stumps and root mats and other unsuitable materials shall be removed from the grading area.
 - (2) Backfill. Voids created by the removal of stumps or roots in fill areas within five feet of subgrade shall be backfilled and compacted to prevent soft spots.
- B. Cuts and fills. All cuts and fills shall be constructed as follows:
 - (1) Earth slopes.
 - (a) The maximum slope of any earth excavation or embankment shall not exceed one foot vertical to two feet horizontal.
 - (b) The slope may be modified upon approval by the Planning Commission of a written modification request setting forth adequate slope protection requirements. (Use modification form in Appendix D-8.)[1]
 - [1] Editor's Note: Appendix D-8 is included in Attachment 3.
 - (2) Rock slopes. The maximum slope of any solid rock excavation shall not exceed two feet vertical to one foot horizontal.
 - (3) Slope construction. All excavations and embankments shall have a continuous slope to the point of intersection with the natural grade with a rounding of the top of the slope of excavations to help prevent erosion.
 - (4) Embankment compaction. All embankments shall be satisfactorily compacted to a firm and unyielding surface.
- C. Drainage. Drainage systems shall be properly located, designed and installed to maintain proper drainage of all completed streets.
 - (1) Drainage systems. Drainage systems shall be designed in accordance with the Township Stormwater Management Ordinance.
 - (2) Minimum size pipe. The minimum diameter of any cross drainage or culvert pipe shall be 18 inches, and the minimum diameter of parallel drainage pipes (driveway, storm sewer, etc.) shall be 15 inches.
 - (3) Subgrade drainage. Consideration shall be given to subgrade drainage of those soils subject to frost heave.
 - (a) Design of the road bed in such locations may require that drainage facilities and/or underdrains or subgrade drains be installed to properly stabilize the subgrade.
 - (b) The design of such subgrade drainage facilities shall be subject to the review and comments of the Township Engineer.
- D. Subgrade.
 - (1) The design and construction of the roadbed shall take cognizance of the supporting capacities of the subgrade, with particular attention to those soils which are subject to frost heave.
 - (2) Unsuitable soils. Unsuitable soils shall be removed and replaced, drained (underdrains, subgrade drains, etc.) or otherwise stabilized to provide adequate support for the roadbed and anticipated loads.

- E. Base course. Base course material shall conform in type and be compacted to the depths shown in Table 4-2.[2]
[2] Editor's Note: Said table is included at the end of this chapter.
- F. Surface course. The bituminous surface course shall conform in type and be compacted to the depths shown in Table 4-2[3] and in accordance with the latest specifications of the PennDOT (Form 408).
[3] Editor's Note: Said table is included at the end of this chapter.
- G. Shoulders. Shoulders shall be constructed of the material and compacted to the depth shown in Table 4-2.[4]
[4] Editor's Note: Said table is included in Attachment 8.
- H. Alternative designs. Alternative roadbed designs submitted may be proposed through the Modification Process. The alternative design must provide load capabilities equivalent to or higher than the capabilities of the designs required by these regulations.
- I. Commercial/industrial subdivisions. All streets serving a commercial or industrial subdivision shall be designed on the basis of the requirements for a collector street.
- J. Cross sections. Design of street cross sections shall be as follows:
(1) Widths. Travelway and shoulder widths shall conform to the requirements set forth in Table 3-1.[5]
[5] Editor's Note: Said table is included in Attachment 4.
(2) Shoulder slope. Shoulder surfaces shall be graded at a slope of 3/4 inch per foot away from the travelway.
(3) Pavement crown. The finished paved travelway surface of tangent sections and curve sections not required to be superelevated shall be crowned at 1/4 inch per foot away from the center line.
(4) Super-elevation. A properly super-elevated travelway shall be required on connector and collector streets when the center line curve radii is less than 1,500 feet.
(5) Typical design. See Table 3-2[6] for typical street design.
[6] Editor's Note: Said table is included in Attachment 5.
- K. Bridges and stream crossings. Bridges and other stream crossing structures which are part of the proposed street system shall be designed and constructed in accordance with all current PennDOT specifications and shall be subject to any permitting requirements of DEP.
- L. Concrete curbs. Minimum concrete curb construction standards shall be as specified by PennDOT Publication No. 72 (Standards for Roadway Construction RC-64), or its successor publication.
- M. Driveway entrances. All driveway entrances, where provided by the subdivider/developer, shall make adequate provisions for parallel drainage facilities and shall maintain the required shoulder width and slope of the accessed street.
- N. Private access streets and private driveways. Construction of private access streets and private driveways shall be the responsibility of the buyer or buyers of the lot or lots served by such streets and/or driveways except as specified in Article IV. At least one proposed

driveway location shall be shown for each lot or lots on the plan in order to establish that the proposed driveway location meets required standards for sight distance.

- O. Sidewalks. Sidewalks shall be provided adjacent to streets where the Board of Supervisors determine they are needed for pedestrian travel. Sidewalks shall be located within the street right-of-way, unless the Board of Supervisors approve an alternative location generally parallel to the street within a pedestrian easement.
 - (1) Width. Sidewalks in single-family and two-family residential subdivisions shall have a minimum width of four feet. Sidewalks in multifamily, manufactured / mobile home parks and nonresidential subdivisions shall have a minimum width of 5 feet. However, portions of sidewalks shall have a 5 feet minimum width where required by the Americans With Disabilities Act.
 - (2) Construction. Sidewalks shall be constructed of cement concrete at least four inches in depth underlain with four inches of compacted crushed stone. As a modification, the Board of Supervisors may allow the following standard in place of concrete sidewalks: ID-2 macadam pavement (surface course) at least two inches in depth underlain with six inches of compacted gravel.
- P. Street name signs.
 - (1) The subdivider/developer shall provide the subdivision/development with street name signs at the intersections of all streets. See also Section 170-64.
 - (2) Sign style and characteristics, including color of lettering and background, shall be acceptable to the Board of Supervisors.
- Q. Traffic signals and signs.
 - (1) Traffic signals and/or signs shall be installed when required by PennDOT traffic safety regulations or by the Board of Supervisors to provide safe traffic and/or pedestrian circulation.
 - (2) Such traffic signals and/or signs shall meet design and placement standards as established by PennDOT.
- R. For all major subdivisions, a school bus/parent parking area shall be provided adjacent to the entrance to the development, at a Township-approved convenient and appropriate location, which area shall be sized sufficiently to provide or allow for a school bus to pull off the travelway, together with parking areas sufficient for the number of lots in the development. The School District Transportation Staff shall be consulted by the applicant.

§ 170-79. Landscaping and woodlands.

The following minimum landscaping shall be required whenever an application involves a subdivision or a land development:

- A. A minimum average of one deciduous shade street tree shall be required for every 50 feet of length along a street right-of-way. The trees are not required to be uniformly spaced. The location of the trees shall be subject to approval by the Township. If the Township or PennDOT does not allow placement of trees within a right-of-way, then the trees shall be planted with the trunks immediately outside of the right-of-way.

- B. A minimum of one deciduous shade tree shall be required for every 10 new parking spaces. These trees shall be within and around the parking area. In addition, one deciduous tree shall be required per dwelling unit, which shall be placed within the front yard, except that such tree is not required if the front yard will remain wooded. A minimum of 20% of each commercial or industrial lot shall be landscaped in trees and shrubs, or be maintained in existing trees and shrubs.
- C. If existing healthy trees will be preserved and protected, and those trees will serve essentially the same purpose as required trees, then the Board of Supervisors shall allow the requirement for new trees to be met by the existing trees.
- D. New deciduous shade trees shall have a minimum trunk width when planted of two inches, measured 3.5 feet above the ground level.
- E. Every site plan and every subdivision and land development plan shall show where existing woodlands exist, areas of trees proposed to be preserved or removed, and what methods will be used to protect the trees and their root systems during construction. Mapping of individual trees is not required, except that the approximate locations of existing trees with trunk diameter of over 18 inches measured 3.5 feet above the ground level may be required by the Township to be mapped by the applicant in areas where trees are proposed to be removed.
 - (1) Unless an alternative is approved by the Township, temporary wood fencing shall be required around the outline on the ground of the canopy of trees that are to be preserved as necessary to keep vehicles and equipment from damaging the trunks or compacting the root systems.
- F. If a required tree or shrub dies, is removed or is severely damaged, the current owner of the property shall be required to replace it with a tree or shrub meeting this section within a maximum of 150 days, unless otherwise another entity is given responsibility for replacement in a maintenance agreement with the Township.
- G. Any part of a commercial, industrial, institutional or apartment lot which is not wooded and is not used for structures, loading areas, parking spaces and aisles, sidewalks and designated storage areas shall be provided with an all-season, well-maintained vegetative groundcover and shall be landscaped with trees and shrubs. Landscaped areas shall be kept free of debris, rubbish and noxious weeds.
- H. Species. Trees required by this section shall meet the following standards:
 - (1) Type of trees permitted.
 - (a) Required trees in areas near streets and parking areas shall be chosen from the following list of approved trees, unless the applicant proves to the satisfaction of the Township that another type of tree would shade paved areas, be resistant to disease, road salt and air pollution and be attractive. Applicants are encouraged to plant species of landscaping that are native to Pennsylvania. See the publication by the State Department of Natural Resources entitled "Recommended Native Plants for Landscaping in Pennsylvania." For example, birches, sycamores and hemlocks can be suitable in locations that are not near streets and parking areas.

- (b) Types of deciduous trees permitted to meet requirements of this section. [Note: This section only regulates the species of trees that are used to meet requirements of the Township. The species of trees that are not required by Township ordinances are not regulated.]

- [1] *Acer rubrum* — red maple.
- [2] *Acer saccharum* — sugar maple.
- [3] *Celtis occidentalis* — common hackberry.
- [4] *Fagus sylvatica* — European beech.
- [5] *Fraxinus americana* — white ash.
- [6] *Fraxinus pennsylvanica* — green ash.
- [7] *Ginkgo biloba fastigiata* — maiden hair.
- [8] Tree (male only; female has noxious odor).
- [9] *Gleditsia triacanthos* — thornless locust.
- [10] *Liquidambar styraciflua* — sweet gum.
- [11] *Liriodendron tulipifera* — tulip poplar.
- [12] *Quercus* — all species of oaks.
- [13] *Sophora japonica* — scholar tree/pagoda tree.
- [14] *Tilia americana* — American linden.
- [15] *Tilia cordata* — little leaf linden.
- [16] *Tilia euchlora* — Crimean linden.
- [17] *Tilia petiolaris* — silver linden.
- [18] *Ulmus* hybrids — homestead or Sapporo autumn gold.
- [19] *Ulmus parviflora* — Chinese or lacebark elm, not including Siberian elm.
- [20] *Zelkova serrata* — Zelkova.

- (2) Quality of trees. Required trees shall be of symmetrical growth and free of insect pests and disease.
- (3) Minimum size. The trunk diameter (measured at a height of 6 inches above the finished grade level) shall be a minimum of two inches or greater.
- (4) Planting and maintenance. Required trees shall be:
 - (a) Planted in conformance with good landscaping practices, with adequate unpaved surface around each for water and air; and
 - (b) Properly protected, by curbs, curbstops, distance or other devices, from damage from vehicles.

- I. Change of use. If there is a change in the type of principal use on a lot, then the entire lot shall be brought into compliance with this § 170-79, including provision of landscaping and any applicable buffer. If there is an expansion of a use, then the expanded area shall be brought into compliance with this § 170-79.

§ 170-80. Ground cover requirements.

Exposed ground surface in all parts of the subdivision/land development shall be paved or covered with stone screenings or other solid material or protected with a nonpoisonous vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather.

§ 170-81. Sanitary sewage collection and water distribution facilities.

When sanitary sewage collection and water distribution facilities are to be installed by the subdivider/developer in a subdivision/land development, the following shall apply:

- A. Sanitary sewage collection system installation inspection. Where a subdivider/developer provides the subdivision/land development with a complete sanitary sewage collection system, the installation of the system shall be subject to inspection by the Township and by the utility provider at its discretion.
- B. Water distribution system installation inspection. Where the subdivider/developer provides the subdivision/land development with a complete water distribution system, the installation of the system shall be subject to inspection by the Township and the utility provider at its discretion.

§ 170-82. Stormwater management.

Stormwater management shall comply with the Township Stormwater Management Ordinance.

§ 170-83. Completion of required improvements prior to plan recording.

Prior to the endorsement and release for recording of an approved final major subdivision plan or land development plan, the subdivider/developer may complete the required improvements as set forth on the final major subdivision plan or land development plan.

- A. Completion of required improvements.
 - (1) The subdivider/developer may complete the required improvements in accordance with the approved plan, all standards of this chapter and all other applicable requirements of the Township.
 - (2) Completion of required improvements in future sections. Where submission of a final major subdivision or land development plan by sections or stages has been approved, the Township may require completion of improvements in any future section or sections that it may deem necessary for protection of any finally approved major subdivision or land development plan.
- B. Request for inspection. Where the subdivider/developer has completed all of the required improvements, he/she shall so notify the Board of Supervisors, in writing, by certified mail, and shall send a copy thereof to the Township Engineer.
 - (1) Inspection authorization. The Board of Supervisors shall, within 10 days of receipt of notice from the subdivider/developer that all of the required improvements have been completed, direct and authorize the Township Engineer or his/her designee to inspect the completed improvements. The utilities shall also be subject to inspections by the applicable utility provider.
 - (a) The Township Engineer after inspecting the completed improvements shall, within 30 days of receipt of the inspection authorization, submit a report, in writing, to the Board of Supervisors with a copy by certified mail to the subdivider/developer.
 - (b) The report shall indicate the status of the improvements and if any, either in whole or in part, are found not completed in accordance with the approved plan and all applicable requirements, the report shall contain, by reference to

- the section or sections of the approved plan or other applicable requirements, a statement of inadequacy or nonconformance.
- (2) Final plan release: within 15 days after the receipt of the report of the Township Engineer confirming that all required improvements are indeed complete and in accordance with the approved plan and all applicable requirements, endorse, seal and release the final major subdivision plan or land development plan.
 - (a) If the report of the Township Engineer finds all or part of the required improvements incomplete or not in accordance with the approved plan and all applicable requirements, the Supervisors shall so notify the subdivider / developer, in writing, by certified mail, of the incompleteness or nonconformance.
 - (b) When the report of the Township Engineer is negative and the subdivider/developer is so notified, all action time limitation requirements shall be considered satisfied.
 - (3) Completion, reconstructing or guaranteeing inadequate improvements. The subdivider/developer shall have the option of either completing and/or reconstructing the subject improvements and notifying the Board of Supervisors as in Subsection B(2) above which shall restart the action periods or he/she may guaranty the uncompleted or inadequate required improvements as per § 170-84.
 - (4) Improvements deemed accepted. Should the Board of Supervisors fail to act within the required time limitations, the required improvements so submitted as complete shall be deemed accepted and the final major subdivision plan or land development plan shall be endorsed, sealed and released.

§ 170-84. Guaranty of completion of the required improvements.

In lieu of completing the required improvements, the subdivider/developer may post a performance guaranty to assure the Township of the completion of all required improvements in accordance with the approved plan, all standards of this chapter and other applicable requirements of the Township.

A. Performance guaranty.

- (1) The performance guaranty acceptable to the Township, supported by financial security in one of the following forms, shall be provided by the subdivider/developer:
 - (a) Cash/certified check: cash or a certified check payable to Middle Smithfield Township.
 - (b) Escrow account: a restrictive or escrow account in a federal or Commonwealth of Pennsylvania chartered lending institution (accounts shall be under and subject to all applicable laws of Pennsylvania).
 - (c) Surety bond: an unconditional guaranty by a corporate surety company authorized and qualified for issuance of surety bonds in Pennsylvania.
 - (d) Letter of credit: an irrevocable unconditional letter of credit from a federal or Commonwealth of Pennsylvania chartered lending institution.
- (2) Any proposed corporate surety company or lending institution must have its principal offices located within Pennsylvania and must have its credit approved by the Board of Supervisors.

B. Township notification prior to the expiration of a performance guaranty. All performance guaranties submitted for approval that have an expiration date shall include a requirement

that the suretor shall notify the Township, in writing, of any change in surety and must also notify the Township, in writing, of the expiration of the surety 60 days prior to the expiration date.

§ 170-85. Amount of financial security.

The amount of financial security provided by a performance guaranty shall be equal to 110% of the total cost of the required improvements for which the financial security is being posted.

A. Cost estimate.

- (1) The cost of the required improvements shall be established by the submission by the subdivider/developer of an estimate prepared by a professional engineer (or other person acceptable to the Township), using the required improvements cost estimate form in this chapter.
- (2) Cost estimate prepared by the Township. In lieu of accepting a prepared cost estimate, the Township may establish the cost of the required improvements by an estimate prepared by the Township Engineer.

B. Performance guaranties. Performance guaranties shall be submitted in a form and with a surety approved by the Board of Supervisors assuring the satisfactory completion of all required improvements within a stated time which shall not exceed one year from the date of the endorsement and release of the final major subdivision/land development plan.

- (1) Time extension. Upon written application from the subdivider/developer, the Board of Supervisors may, at its discretion, extend the time limit for one additional year or less with or without additional financial surety being submitted.
- (2) Additional time extension. If the subdivider or developer requires more than one additional year from the original expiration date of the posted performance guaranty to complete the construction and/or installation of all required improvements, the amount of financial security may be fixed by one of the following methods:
 - (a) The amount of financial security shall be increased by an additional 10% for each one-year period beyond the expiration date of the current posted financial security.
 - (b) The required improvements that have been completed may be inspected and approved in accordance with § 170-83B, then a cost estimate and financial security submitted for the uncompleted improvements. The financial security submitted shall be 110% of the estimate.

§ 170-86. Partial release of performance guaranty.

The subdivider/developer may request, in writing, by certified mail, using the form in this article, of the Board of Supervisors the release of such portions of the financial security pertaining to any completed required improvements. The request shall be specific in regard to type, amount and actual location of the improvements completed; additional explanation and/or information shall be submitted when requested by the Township.

A. Inspection authorization. The Board of Supervisors shall, within 10 days of receipt from the subdivider/developer the request for partial release, direct and authorize the Township Engineer to inspect the completed improvements.

- (1) Inspection report. The Township Engineer shall, within 30 days of the above notice to inspect the completed improvements, endorse the above form or submit a report, in writing, to the Board of Supervisors with a copy of the same to the subdivider/developer by certified mail.
 - (2) The report shall indicate the status of the aforesaid improvements, either in whole or in part, and if the improvements or any portion thereof shall be found not to be constructed or installed in accordance with the approved plan, the report shall contain, by reference to the section or sections of this chapter or by reference to the portion of the approved plan, a statement of reasons of nonconformance.
- B. Notification of action. The Board of Supervisors shall notify the subdivider/developer within 15 days from receipt of the Township Engineer's report, in writing, by certified mail, of the action of the Board with relation thereto. At this point, all action time limitation requirements shall be considered satisfied.
- C. Completion or rectifying improvements. The subdivider/developer shall complete, reconstruct or reinstall the uncompleted or non-complying improvements and notify the Board of Supervisors, in writing, which shall restart the action periods.
- D. Deemed acceptance of improvements. Should the Board of Supervisors fail to act within the required action periods, the submitted completed improvements shall be deemed accepted, and all financial security and performance guaranties applicable to the improvements shall be released.

§ 170-87. Final release of performance guaranties.

When the subdivider/developer has completed all of the required improvements, he shall notify, in writing, by certified mail, including the form in this article, the Board of Supervisors of such completion and request a full and final release of all financial securities.

- A. Inspection authorization. The Board of Supervisors shall, within 10 days of receipt of such notification from the subdivider/developer direct and authorize the Township Engineer or his/her designee to inspect the completed improvements.
- (1) Inspection report. The Township Engineer shall, within 30 days of the above notice to inspect the completed improvements, submit a report, in writing, to the Board of Supervisors with a copy to the subdivider/developer by certified mail.
 - (2) The report shall indicate the status of the aforesaid inspected improvements, either in whole or in part, and if the improvements or any portion thereof shall be found inadequate or not constructed or installed in accordance with the approved plan, the report shall contain, by reference to the section or sections of this chapter or by reference to the portion of the approved plan, a statement of reasons of inadequacy or nonconformance.
- B. Notification of action. The Board of Supervisors shall notify the subdivider/developer within 15 days from receipt of the Township Engineer's report, in writing, by certified mail, of the action of the Board with relation thereto. At this point, all action time limitation requirements shall be considered satisfied.

- C. Completion or rectifying improvements. The subdivider/developer may complete, reconstruct or reinstall the uncompleted or noncomplying improvements and notify the Board of Supervisors, in writing, which shall restart the action periods.
- D. Deemed acceptance of improvements. Should the Board of Supervisors fail to act within the required action periods, the completed improvements shall be deemed accepted, and all financial security and performance guaranties shall be released.

§ 170-88. Probationary period for improvements dedicated to Township.

- A. When the Board of Supervisors accepts dedication of any or all of the improvements of the final subdivision plan or land development plan after completion, there shall be a probationary period of 18 months, or as designated in other regulations of the Township, from the date of acceptance and dedication, during which the subdivider/developer shall remain responsible for any and all repair, reconstruction and/or reinstallation of the dedicated improvements, except normal routine maintenance and snow removal.
- B. Guaranty of the structural integrity of dedicated improvements. When the Board of Supervisors accepts dedication of any or all of the improvements of the final major subdivision plan or land development plan after completion, it shall require the posting of an improvements guaranty to secure the structural integrity of the improvements in accordance with the design specifications and as depicted on the final plan for a term of 18 months, or as designated in other regulations of the Township, from the date of acceptance and dedication.
 - (1) Guaranty acceptability. Such improvements guaranty shall be in a form and with a surety acceptable to the Board of Supervisors.
 - (2) Amount of guaranty. The amount of the financial security submitted with the improvements guaranty shall be 15% of the total cost of the actual dedicated improvements or as designated in other regulations of the Township.

§ 170-89. Enforcement remedies for dedicated improvements.

If the dedicated improvements fail or are found to be structurally unsound during the guaranty period, the Supervisors shall notify the subdivider/developer of the failure and/or unsoundness, in writing.

- A. Unrepaired improvements. If the subdivider/developer fails or is unable to repair and/or remedy the subject dedicated improvements within 30 days of the notification, the Board of Supervisors may enforce the improvements structural integrity guaranty by appropriate and equitable action.
 - (1) Insufficient guaranties. If the proceeds of such bond or other security are insufficient to pay the cost of making repairs to all improvements covered by the security, the Board of Supervisors may, at its option, repair such unsound improvements and may institute appropriate action to obtain the balance of moneys necessary to complete the remaining repairs.
 - (2) Excess guaranties. In case the amount of the performance guaranty exceeds the actual cost of the repairs made, the Township shall return the unused sum to the suretor or person who has paid or deposited the performance guaranty financial security.

- (3) Use of guaranties. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the subdivider/developer, or both, shall be used solely for the repair or reinstallation of the required improvements covered by such security and not for any other municipal purpose.
- B. Repaired improvements. If the subdivider/developer completes the necessary repairs or does remedy the subject improvements and notifies the Board of Supervisors, the Board shall inspect the repairs or remedies and notify the subdivider/developer of the results of the inspection.

§ 170-90. Improvements agreement.

All subdividers/developers proposing any subdivision or development of land requiring the installation of improvements stipulated by this chapter shall be required to enter into a legally binding agreement with the Township in a form guaranteeing the construction and/or installation of the improvements in accordance with the approved final major subdivision plan/land development plan, prior to the plan endorsement by the Board of Supervisors.

- A. Agreement contents. The required improvements agreement shall address the following items:
- (1) Improvements construction: the construction and/or installation of all required improvements authorized by the approved plans (streets, stormwater management, etc.) in itemized format.
 - (2) Boundary monuments and lot markers: installation of boundary monuments and lot markers.
 - (3) Utilities: construction and/or installation of public and private utility facilities.
 - (4) Erosion and sediment pollution control: prevention of erosion, sediment pollution and water damage to subject, adjacent and downstream properties.
 - (5) Responsibility: subdivider/developer accepting full responsibility for all damages to the subject property and all other property resulting from the proposed subdivision/land development.
 - (6) Liability clause: a save harmless clause to protect the Township from any and all liability arising due to the subdivision/land development.
 - (7) Insurance. The subdivider/developer shall secure and maintain adequate public liability insurance for the duration of the improvements construction and/or installation.
 - (8) Excess costs. The subdivider/developer shall be responsible for all reasonable engineering and legal costs and expenses for inspection, consultations and preparation of agreements, to the extent that such costs and expenses exceed the moneys paid by the subdivider/developer in accordance with the standard fee schedule.
 - (9) Estimated costs: the estimated cost of improvements not completed, with a detailed breakdown including the amount of financial security required.
 - (10) Security guaranty: security in the form of a performance bond, escrow deposit, letter of credit, cash or certified check or any guaranty approved by the Township to ensure the construction and/or installation of the required improvements depicted on the approved subdivision/land development plan.
 - (11) (Reserved)
 - (12) (Reserved)

- (13) Structural integrity. The subdivider/developer shall agree to be responsible for the structural integrity of all dedicated improvements for the probationary period (18 months), except normal routine maintenance and snow removal (when applicable).
- (14) Maintenance guaranty: security in the form of maintenance bond or escrow deposit or any guaranty acceptable to the Township for the repair or reconstruction of all dedicated improvements (when applicable).
- (15) As-built drawings. The subdivider/developer shall agree to furnish to the Township three complete sets of paper prints and one set of reproducible Mylar print as-built drawings of all dedicated improvements, including but not limited to street plans and profiles, stormwater management plans, sewage systems and water systems (when applicable). Said as-built drawings shall be certified to by a registered professional engineer and/or a registered professional land surveyor.
- (16) Release of liens. The subdivider/developer shall agree to furnish the Township with a release of liens covering all labor and materials.
- (17) Changes to or deviation from plan. The subdivider/developer shall agree to submit any changes to or deviation from the approved plans to the Township for approval prior to implementing the changes or deviations.
- (18) Failure to perform or observe agreement. The subdivider/developer shall agree that the Township may declare the agreement to have been violated if the subdivider/developer fails to perform or observe the article in this agreement.
- (19) Assigning or transferring of agreement. The subdivider/developer shall agree not to assign or transfer any of the rights created by the agreement without prior written consent of the Township.
- (20) Violations: provisions for correcting violations of the subdivision/development required improvements agreement and compelling the subdivider/developer to complete all improvements in compliance with the approved plan.
- (21) Inspection access: subdivider/developer to grant free and unhampered access to the Township representatives at all times during normal working hours for the purpose of inspecting the construction and/or installation of improvements.
- (22) Adequacy of improvements. The subdivider/developer shall agree that nothing in the agreement shall be construed as approval by the Township of the adequacy of the subject improvements.
- (23) Severability: provisions for severability of any article or section.
- (24) Binding by agreement. The subdivider/developer shall agree that the subject agreement shall be binding on his heirs and assigns.

See the model format for an Improvements Agreement in Attachment 10.

ARTICLE VI. Subdivision Plan Requirements

§ 170-91. Sketch plan standards. See procedures for a sketch plan in Sections 170-16 and 170-17.

When a sketch plan is submitted for informal review and discussion, it should conform to the following:

- A. Scale. The sketch plan of a proposed subdivision shall be clearly and legibly drawn, using a scale that clearly shows the existing and proposed features.
- B. Sheet size. The sketch plan and all submitted plans shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the sketch plan requires more than one sheet, a key diagram clearly showing the relative location of the several sections shall be drawn on each sheet.
- D. Plan information. The sketch plan shall contain at least the following information but not necessarily showing precise dimensions:
 - (1) Name of the proposed subdivision.
 - (2) Name of landowner.
 - (3) Location map at a scale of one inch equals 2,000 feet.
 - (4) North arrow and scale of plan. The scale shall be both written and graphic.
 - (5) Proposed and existing street and lot layout on immediately adjacent tracts, including street and subdivision names.
 - (6) Existing features. Existing man-made and natural features, including but not limited to the following:
 - (a) Watercourses and lakes.
 - (b) Wetlands.
 - (c) One-hundred-year floodplain areas.
 - (d) Significant rock outcrops.
 - (e) Buildings and structures.
 - (f) Any and all other significant features.
 - (7) Tract boundaries.
 - (8) General street and lot layout showing approximate widths, depths and areas.
 - (9) Existing topography. (contour lines at an interval of not more than 20 feet).
 - (10) Location and extent of various soil types.
 - (11) Location and purpose of rights-of-way, easements and other restricted areas, existing and proposed, which affect the subdivision.
 - (12) Location and description of any certified historic site or structure.
 - (13) Site data. Site data, including but not limited to the following:
 - (a) Total acreage of subdivision.
 - (b) Total number of lots proposed.
 - (c) Total linear feet of new roads proposed.
 - (d) Type of water supply proposed.
 - (e) Type of sewage disposal proposed.
 - (f) Current County property identification number(s) (PIN).
 - (g) Existing zoning classification.
 - (h) Any and all other significant data.

§ 170-92. Preliminary subdivision plan requirements. See procedures in Sections 170-18 through 170-21.

Preliminary subdivision plans submitted shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law", as amended, [1] drawn in conformance with the following, contain all of the information listed and be accompanied by all documents, plans and data as follows:

- A. Scale. The preliminary subdivision plan shall be clearly and legibly drawn to a standard scale sufficient to clearly and accurately show the existing and proposed features.
- B. Sheet size. The preliminary subdivision plan and all plans submitted therewith shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the preliminary subdivision plan requires two or more sheets, a key diagram showing the relative location of the section shown shall be labeled on each sheet.
- D. Plan information. The preliminary subdivision plan shall contain at least the following information:
 - (1) Name of the proposed subdivision.
 - (2) Location map at a scale that clearly shows the site location and major surrounding roads.
 - (3) Existing property and lot layout immediately adjacent to the subject property.
 - (4) Names of adjoining property owners and the names of all adjoining subdivisions and land developments.
 - (5) Existing features: existing man-made and natural features, including but not limited to the following:
 - (a) Watercourses and lakes.
 - (b) Wetlands accurately shown. In all cases of wetlands containing 1/2 acre or more, a wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
 - (c) One-hundred-year floodplain areas, including floodway and flood-fringe boundaries (if available).
 - (d) Contour lines with intervals as follows, with elevations based on NAVD 88 datum.
 - [1] Slopes less than 5%: two-foot intervals.
 - [2] Slopes 5% to 25%: ten-foot intervals.
 - [3] Slopes 25% or greater: twenty-foot intervals.
 - (e) Steep slope areas (slopes over 25%).
 - (f) Location and extent of all soil types.
 - (g) Significant rock outcrops.
 - (h) Culverts, ditches and swales.
 - (i) Buildings, structures and all other improvements (roads, utilities, etc.).
 - (j) Location and description of any certified historic site or structure.
 - (k) All other significant man-made or natural features within the subdivision or immediately adjoining the property.
 - (6) Location, width and purpose of all existing rights-of-way or other easements.

- (7) Name, number, right-of-way width and location of all existing public or private streets within or immediately adjoining the property.
- (8) Total tract boundary lines of the area being subdivided.
- (9) Plan data. The full plan of the proposed subdivision, including but not limited to the following data:
 - (a) North arrow.
 - (b) Graphic scale and written scale.
 - (c) Street names.
 - (d) Street widths.
 - (e) Location, width and purpose of all proposed rights-of-way or other easements.
 - (f) Clear sight triangles shown at all street intersections.
 - (g) Lot numbers.
 - (h) Approximate lengths of lines, radii and arc lengths of all lots, street rights-of-way, easements, open space areas and areas to be reserved or dedicated.
 - (i) Approximate lot areas.
 - (j) All proposed building reserve (setback) lines set forth on the plan within each lot and in the protective covenants.
 - (k) Slope and drainage easements as required by the roadway cuts and fills and the stormwater management plan.
 - (l) A statement of the type of water supply proposed.
 - (m) A statement of the type of sewage disposal proposed.
 - (n) A statement of the total area of the property being subdivided.
 - (o) A statement of the total number of lots being proposed.
 - (p) Zoning district and other dimensional zoning information pertaining to the subdivision.
 - (q) Current County property identification number(s) (PIN) for the subject property.
 - (r) Excepted parcels, which shall be marked "Not included in this plan."
 - (s) A title block on the lower right corner of all plans, which shall list the date the preliminary subdivision plan was completed and the date of each revision.
 - (t) The boundaries of all existing and proposed lots shall be determined by accurate field survey, closed with an error not to exceed one in 10,000 and balanced. However, the boundaries of any residual tract of more than 30 acres that is not proposed for development may be determined by deed.

E. Plan certificates. The following certificates shall be labeled on the preliminary subdivision plan using the forms in Appendix D.[2]

- (1) Certificate of accuracy and compliance dated, signed and sealed by the plan preparer (D-1).
- (2) Certificate of preliminary subdivision plan review by the Planning Commission (D-2), to be located on the right or bottom edge of the plan.
- (3) Certificate of ownership and acknowledgment of plan which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-3).
- (4) Required permit certification which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-4).

[2] Editor's Note: Appendix D is included in Attachment 3.

- F. Plan notes. The following notes shall be set forth on all preliminary subdivision plans:
- (1) All required improvements designated on this plan are the responsibility of the landowner and shall be completed in full accordance with the requirements of this SALDO.
 - (2) By approval of this plan, the Township of Middle Smithfield has neither confirmed nor denied the existence and/or the extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the subdivider and/or developer, his heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
 - (3) When any street proposed on the subdivision plan requires access to a highway under the jurisdiction of the PennDOT, a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law,"[3] before access to a state highway is permitted.
[3] Editor's Note: See 36 P.S. § 670-101 et seq.
 - (4) When any street proposed on the subdivision plan requires access to a roadway under the jurisdiction of Middle Smithfield Township, a driveway permit is required pursuant to the Township Driveway Permit Ordinance[4] before access to a Township roadway is permitted.
[4] Editor's Note: See Ch. 102, Driveways.
- G. Existing resources and site analysis map. The following information shall be shown on one sheet. This same information may also be shown on other sheets.
- (1) Existing contour lines as required by Subsection D(5) above.
 - (2) The locations of watercourses (with any name), natural springs, ponds, lakes and wetlands.
 - (3) Rock outcrops, stone fields, sinkholes and topical depressions.
 - (4) Location of any areas within the one-hundred-year floodplain (with differentiation between floodway and flood-fringe if available from official federal floodplain maps).
 - (5) Approximate locations and abbreviated names of soil types, according to the County Soil Survey (or more detailed professional study) with identification of those that are alluvial, hydric, have a depth to bedrock of less than three feet or a seasonally high water table of less than three feet. If such soils do not exist, that shall be stated on the plan.
 - (6) Ridgelines and watershed boundaries.
 - (7) If any conservation or common open space is proposed, method of ownership and entity proposed to be responsible for maintenance.
 - (a) Area and location of common open space or conservation open space, with a description of the rationale used to locate the open spaces.
 - (b) Description of intended purposes, proposed improvements (such as rough grading) and any proposed recreation facilities.
 - (8) Any proposed recreation trails, existing trails and trail easements.
 - (9) Principal buildings estimated to be 80 years or older that could be impacted by the project, with name and description.
 - (10) Existing and proposed utility easements and restrictive covenants and easements for purposes which might affect development (stating which easements and rights-of-ways are proposed for dedication to the Township).

- (11) Locations of tree lines and existing forested areas, with a description of the approximate average trunk diameter of the older trees on the tract (such as "less than 12 inches").
 - (12) Locations of individual mature trees of greater than 18 inches trunk diameter measured at a height of 3.5 feet above the surrounding average ground level, other than trees within forested areas and tree lines (not required for areas that will not be affected by the proposed plan, if so noted on the plan).
 - (13) Any proposed evergreen screening, buffer yards or earthen berming.
 - (14) Areas of existing mature woods that are proposed to be protected and preserved or removed.
 - (15) General types, sizes and locations of any street trees, paved area landscaping and any other major proposed landscaping.
 - (16) An identification of major scenic views onto the tract and from the tract.
- [1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-93. Supporting documents, plans and information for a Preliminary Subdivision Plan.

The following supporting documents, plans and information shall be submitted with preliminary subdivision plans:

A. Center-line profiles.

- (1) Profiles along the center line of the proposed street, drawn at a scale or combination of scales (outlandish or extreme combinations shall be avoided) that will clearly and accurately show the following:
 - (a) Existing ground line.
 - (b) Proposed grade line with all percentages of grade shown.
 - (c) Printed elevations of the proposed grade line on standard fifty-foot stationing.
 - (d) Vertical curve locations and data.
 - (e) Calculated safe stopping distances (SSD) for all crest vertical curves.
 - (f) Street classification.
 - (g) A typical cross section for each proposed street showing at least the following:
 - [1] Cut sections.
 - [2] Fill sections.
 - [3] Superelevated sections.
 - [4] Parallel drainage.
 - [5] Construction materials.
 - [6] Dimensions.
- (2) The Township Engineer may, when he/she deems it necessary to determine compliance, require actual cross sections at fifty-foot intervals setting forth both existing ground and the proposed roadway cross section, drawn to a scale of one inch equals 10 feet both vertical and horizontal for any portion or all of the proposed streets.

B. Stormwater management plan: a stormwater management plan complete and in conformance with the Stormwater Management Ordinance.

- C. Soil erosion and sedimentation control plan: such plan shall be designed using measures that, at a minimum, meet the standards of Chapter 102 of Title 25, Rules and Regulations of DEP.
- D. Central water supply and distribution system plan: when the subdivision is to be served by a central water system, a plan of the proposed distribution system and supply location complete and in conformance with Appendix A in Attachment 1.[1]
[1] Editor's Note: Said Appendix is included at the end of this chapter.
- E. Central sewage disposal and collection system plan. When the subdivision is to be served by a central sewage system, the subdivider shall submit a plan of the proposed collection system and disposal facility location complete and in conformance with Appendix B.[2]
[2] Editor's Note: Said Appendix is included at the end of this chapter.
- F. Adjacent holdings: a sketch of the entire adjacent holdings of the subdivider indicating the area of the subdivision in relation to the other holdings.
- G. Deeds(s) of record: the latest deed(s) of record of the subdivision property.
- H. Special covenants: any and all special protective and or restrictive covenants referenced to the subdivision plan.
- I. Proposed documents: all proposed documents of dedication, reservation of rights-of-way, easements or land areas with conditions attached.
- J. Existing documents: all existing documents of dedication, reservation of rights-of-way, easements or land areas with conditions attached.
- K. Construction certification: a completed construction certification using the form in Appendix D-14[3] (the construction certification must be signed by the subdivider prior to unconditional approval and release of the preliminary plan).
[3] Editor's Note: Appendix D-14 is included at the end of this chapter in Attachment 3.
- L. Plan review application: a completed and signed application for review of preliminary subdivision plan and supporting data.

§ 170-94. Additional information.

The Planning Commission or Board of Supervisors may request any additional information and data it deems necessary to determine compliance with Township requirements, based on specific characteristics of the proposed subdivision site.

§ 170-95. Final major subdivision plan requirements.

Final major subdivision plans submitted shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law," as amended,[1] drawn in conformance with the following, contain all of the information listed and be accompanied by all documents, plans and data as follows:

- A. Scale. The final major subdivision plan shall be clearly and legibly drawn to a standard scale sufficient to clearly and accurately show the existing and proposed features.
- B. Sheet size. The final major subdivision plan and all plans submitted therewith shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the final major subdivision plan requires more than one sheet, a key diagram clearly showing the relative location of the section shown shall be depicted on each sheet.
- D. Plan information. The final major subdivision plan shall contain at least the following data and information:
 - (1) Name of the subdivision.
 - (2) A location map at a scale that clearly shows the site location and major surrounding roads.
 - (3) Existing property and lot layout immediately adjacent to the subject property.
 - (4) Names of adjoining property owners and the names of all adjoining subdivisions and land developments.
 - (5) Existing features: existing man-made and natural features, including but not limited to the following:
 - (a) Watercourses and lakes.
 - (b) Wetlands accurately shown. In all cases of wetlands containing 1/2 acre or more, a wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
 - (c) One-hundred-year floodplain areas, including delineation of floodway, if available.
 - (d) Steep slope areas (slopes of 15 to 25% and slopes over 25%).
 - (e) Contour lines with intervals as follows:
 - [1] Slopes less than 5%: two-foot intervals.
 - [2] Slopes 5% to 25%: ten-foot intervals.
 - [3] Slopes 25% or greater: twenty-foot intervals.
 - (f) Buildings, structures and all other significant features within the subdivision or immediately adjoining the property.
 - (g) Location and description of any certified historical site or structure.
 - (6) Location and purpose of all existing and newly created rights-of-way and easements.
 - (7) Name, number, right-of-way width and location of all existing public or private streets within or immediately adjoining the property.
 - (8) Total tract boundary lines of the area being subdivided. These boundaries shall have an error of closure not to exceed one foot in 10,000 feet. (Proof of closure shall be submitted with the plan.)
 - (9) Plan data: the full plan of the proposed subdivision, including but not limited to the following data:
 - (a) Sufficient bearings, length of lines, radii, arc lengths of all lots, street rights-of-way, easements, open space areas and areas to be reserved to accurately and completely reproduce each and every course on the ground.
 - [1] All dimensions shall be in feet and hundredths of a foot.
 - [2] Bearings shall be to the nearest one second of the arc.
 - (b) Street names.

- (c) Street widths.
- (d) Rights-of-way and easements.
- (e) Clear sight triangles shall be shown at all street intersections.
- (f) Lot numbers.
- (g) Lot area (where applicable, list net and gross acreage).
- (h) Location and description of monuments and lot markers. Monuments and markers shall be labeled as found or set in place.
- (i) North arrow.
- (j) Graphic and written scale.
- (k) All building reserve (setback) lines set forth on the plan within each lot and in the protective covenants.
- (l) Slope and drainage easements as required by roadway cuts and fills and the stormwater management plan.
- (m) A statement relative to the type of water supply.
- (n) A statement relative to the type of sewage disposal.
- (o) A statement of total area of the property being subdivided.
- (p) A statement of the total number of lots being proposed.
- (q) Deed or record book volume and page number(s), as assigned by the County Recorder of Deeds, of the latest source of title to the land being subdivided.
- (r) Zoning district and other dimensional zoning information pertaining to the subdivision.
- (s) Current County property identification number(s) (PIN) for the subject property.
- (t) Excepted parcels, which shall be clearly marked "Not included in this plan."
- (u) A title block on the lower right corner of all plans, which shall list the date the final major subdivision plan was completed and the date of each revision.
- (v) The boundaries of all existing and proposed lots shall be determined by accurate field survey, closed with an error not to exceed one in 10,000 and balanced. However, the boundaries of any residual tract of more than 30 acres that is not proposed for development may be determined by deed.

E. Plan certificates. The following certificates shall be labeled on the final major subdivision plan using the forms in Appendix D.[2]

- (1) Certificate of accuracy and compliance dated, signed and sealed by the plan preparer (D-1).
- (2) Certificate of review the Planning Commission (D-2), which shall be located along the right or bottom edge of the plan.
- (3) Certificate of approval by the Board of Supervisors (D-2), which shall be located along the right or bottom edge of the plan.
- (4) Certificate of ownership and acknowledgment of plan, which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-3).
- (5) Required permit certification, which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-4).
- (6) Affidavit of plan submission, with the date the plan was accepted by the County Planning Commission entered, signed by the person who oversaw the submittal to the County (D-5).

[2] Editor's Note: Appendix D is included at the end of this chapter.

F. Plan notes. The following general notes shall be on all final major subdivision plans, when applicable, unless alternative text is pre-approved by the Township:

- (1) Private access street. In the event that the subdivision incorporates a private access street, the following: "The improvement and maintenance of the private access street(s) shall be the responsibility of those persons benefiting by the use thereof."
- (2) Private access street serving two lots. In the event that the subdivision incorporates a private access street serving two lots or units, the following: "The private access street designated as parcel (parcel no.) shall be conveyed as an undivided one-half interest each to lots (lot no.) and (lot no.)."
- (3) Tract attached to adjacent lands. In the event that any lot in the subdivision qualifies under Subsection A(1)(c) of the definition of "subdivision" in § 170-14, the following: "Lot number _____ shall be joined to and become an inseparable part of the other lands of (grantee) as recorded in deed book volume _____, page _____ and cannot be subdivided, conveyed or sold separately or apart therefrom without prior Township approval."
- (4) Access to a state highway. In the event that the plan will require access to a highway under the jurisdiction of the PennDOT, the following: "A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law,"[3] before driveway access to a state highway is permitted."
[3] Editor's Note: See 36 P.S. § 670-101 et seq.
- (5) Access to a Township road. In the event that the plan will require access to a roadway under the jurisdiction of the Township, the following: "A driveway permit is required pursuant to the Middle Smithfield Township Driveway Permit Ordinance[4] before access to a Township road is permitted."
[4] Editor's Note: See Ch. 102, Driveways.

G. Restrictive covenants.

- (1) The following notes shall be set forth on all final major subdivision plans in the form of restrictive covenants:
 - (a) Building setback lines.
 - (b) Drainage and slope easements.
 - (c) Clear sight line easements with maintenance responsibilities when an easement affects any lot area.
- (2) All lots shown on this plan are subject to the rules and regulations as are set forth in this SALDO and the Zoning Ordinance, as both are amended.
- (3) Wells and sewage disposal systems shall be constructed in complete accordance with the standards of DEP (when applicable).
- (4) The Planning Commission and the Board of Supervisors have not passed upon the feasibility of any individual lot or location within any lot being able to sustain any type of water supply or sewage disposal system (when applicable).
- (5) By approval of this plan, the Township of Middle Smithfield has neither conformed nor denied the existence and/or extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the subdivider and/or developer, his/her heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
[1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-96. PennDOT (State Highway Law) occupancy permit.

When a street is proposed to be submitted for dedication to the Township that will connect to a highway under the jurisdiction of PennDOT, an occupancy permit for the subject intersection from the Department shall be submitted with the final major subdivision plan.

- A. Permit completion prior to release of guaranty. Prior to complete release of required improvement completion guaranties or dedication of any street that requires access to a state highway, the occupancy permit shall be completed as required and signed by the PennDOT.
- B. Permit completion prior to release of plan. When the required improvements are completed instead of being guaranteed, the requirement as set forth in Subsection A above shall apply prior to the release of the final major subdivision plan for recording.
- C. The Township shall not be required to accept dedication of any street hereunder.

§ 170-97. Improvements agreements.

A completed improvements agreement using the form in Article IV[1] shall be submitted with the final plan for an application that will involve Township-required improvements. (The improvements agreement must be signed and executed by the subdivider prior to release of the final plan for recording.) [1] Editor's Note: Said form is included at the end of this chapter.

§ 170-98. Plan review application.

An application for review of a final major subdivision plan and supporting data.

§ 170-99. Additional information.

The Planning Commission and/or the Board of Supervisors may request any additional information and/or data they deem necessary to determine compliance with Township ordinances.

§ 170-100. Minor subdivision plan requirements. See procedures in Sections 170-29 through 170-34.

Minor subdivision plans shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law", as amended,[1] drawn in conformance with the following, contain all of the information listed and be accompanied by all documents, plans and data as follows:

- A. Scale. Minor subdivision plans shall be drawn at a scale of one inch equals 50 feet or one inch equals 100 feet, provided that all bearings, distances and other information can be legibly and clearly presented on the plan.
- B. Sheet size.
 - (1) The minor subdivision plan and all plans submitted therewith shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.

- (2) When only one lot is involved, the plan may be a clear legible print on a sheet size that is allowed by the Recorder of Deeds for attachment to the deed of record.
- C. Plan information. The minor subdivision plan shall contain at least the following information:
- (1) Name of the proposed minor subdivision.
 - (2) A location map at a scale of one inch equals 2,000 feet.
 - (3) Existing property and lot layout immediately adjacent to the subject property line.
 - (4) Names of adjoining property owners and the names of all adjoining subdivisions and land developments.
 - (5) Existing features: existing man-made and natural features, including but not limited to the following:
 - (a) Watercourses and lakes.
 - (b) Wetlands accurately shown. A wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
 - (c) One-hundred-year floodplain areas, with floodway and flood-fringe shown if available.
 - (d) Steep slope areas (15% to 25%, and slopes over 25%).
 - (e) Buildings, structures and all other significant features within the subdivision or immediately adjoining the property.
 - (f) Location and description of any certified historic site or structure.
 - (6) Location and purpose of all existing and proposed rights-of-way and easements.
 - (7) Name, number, right-of-way width and location of all existing public or private streets within or immediately adjoining the property.
 - (8) The total tract boundary lines of the area being subdivided. These boundaries shall have an error of closure not to exceed one foot in 10,000 feet. (Proof of closure shall be submitted with the plan.)
 - (9) Plan data: the full plan of the proposed subdivision, including but not limited to the following data:
 - (a) Sufficient bearings, lengths of lines, radii, arc lengths of all lots, street rights-of-way, easements, open space areas and areas to be reserved to accurately and completely reproduce each and every course on the ground.
 - [1] All dimensions shall be in feet and hundredths of a foot.
 - [2] All bearings shall be to the nearest one second of the arc.
 - (b) Street names.
 - (c) Street widths.
 - (d) Rights-of-way and easements described.
 - (e) Clear sight triangles shall be shown at all street intersections.
 - (f) Lot numbers.
 - (g) Lot area (where applicable, list net and gross acreage).
 - (h) Location and description of lot markers. Lot markers shall be labeled as found or set in place.
 - (i) North arrow.
 - (j) Graphic and written scale.
 - (k) Contour lines sufficient to show slope of lot(s) or to show direction and average percentage of slope.
 - (l) Building reserve (setback) lines set forth within each lot and in the protective covenants.

- (m) Drainage easements as required.
- (n) A statement relative to the type of water supply.
- (o) A statement relative to the type of sewage disposal.
- (p) A statement of the total area of the property being subdivided.
- (q) A statement of the total number of lots being proposed.
- (r) Deed or record book volume and page number(s), as assigned by the County Recorder of Deeds, reference of the latest source of title to the land being subdivided.
- (s) Zoning district and all other zoning information pertaining to the subdivision.
- (t) Current County property identification number(s) (PIN) for the subject property.
- (u) Excepted parcels shall be clearly marked "Not included in this plan."
- (v) A title block on the lower right corner of all plans, which shall list the date the minor subdivision plan was completed and the date of each revision.
- (w) The boundaries of all existing and proposed lots shall be determined by accurate field survey, closed with an error not to exceed one in 10,000 and balanced. However, the boundaries of any residual tract of more than 30 acres that is not proposed for development may be determined by deed.

D. Plan certificates. The following certificates shall be labeled on the minor subdivision plan using the forms in Appendix D.[2]

- (1) Certificate of accuracy and compliance dated, signed and sealed by the plan preparer responsible for the minor subdivision plan (D-1).
- (2) Certificate of review and recommendation by the Planning Commission (D-2), which shall be located on the right or bottom edge of the plan.
- (3) Certificate of review and approval by the Board of Supervisors (D-2), which shall be located on the right or bottom edge of the plan.
- (4) Certificate of ownership and acknowledgment of plan, which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-3).
- (5) Required permit certification, which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-4).
- (6) Affidavit of plan submission, with the date the plan was accepted by the County Planning Commission entered, signed by the person who oversaw the submittal (D-5).

[2] Editor's Note: Said Appendix D is included at the end of this chapter in Attachment 3.

E. Required covenants.

- (1) The following covenants shall be set forth on all minor subdivision plans in the form of protective or restrictive covenants:
 - (a) Building setback lines.
 - (b) Drainage and slope easements.
 - (c) Clear sight line easements with maintenance responsibilities when easement affects any lot area.
- (2) All lots shown on this plan are subject to the rules and regulations as are set forth in this SALDO and the Zoning Ordinance, as amended.
- (3) Wells and sewage disposal systems shall be constructed in complete accordance with the standards of DEP (when applicable).

- (4) The Planning Commission and the Board of Supervisors have not passed upon the feasibility of any individual lot or location within any lot as being able to sustain any type of water supply or sewage disposal system (when applicable).
 - (5) By approval of this plan, the Township of Middle Smithfield has neither confirmed nor denied the existence and/or the extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the subdivider and/or developer, his heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
- F. Plan notes. The following general notes shall be on all minor subdivision plans, when applicable:
- (1) Private access street. When the subdivision plan incorporates a private access street as defined in this chapter: "The improvement and maintenance of the private access street(s) shall be the sole responsibility of those persons benefiting by the use thereof."
 - (2) Private access street serving two lots. When the subdivision plan incorporates a private access street serving two lots: "The private access street designated as parcel (parcel no. of street) shall be conveyed as an undivided one-half interest each to lots (lot no.) and (lot no.)."
 - (3) Attachment to adjacent lands. When any lot in the subdivision is to become an inseparable part of the adjoining lands: "Lot number _____ shall be joined to and become an inseparable part of other lands of (grantee) as recorded in deed book volume _____, page _____, and cannot be subdivided, conveyed or sold separately or apart therefrom without prior Township approval."
 - (4) State highway access. When any lot proposed on the subdivision plan requires access to a highway under the jurisdiction of PennDOT, a highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law", [3] before access to a state highway is permitted.
[3] Editor's Note: See 36 P.S. § 670-101 et seq.
 - (5) Township road access. When any lot proposed on the subdivision plan required access to a roadway under the jurisdiction of the Township, a driveway permit is required pursuant to the Township Driveway Permit Ordinance [4] before access to a Township road is permitted.
[4] Editor's Note: See Ch. 102, Driveways.
[1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-101. Supporting documents for a Minor Subdivision Plan.

The minor subdivision plan shall be accompanied by the following:

- A. Adjacent holdings: a sketch of the entire adjacent holding of the subdivider indicating the area of the subdivision in relation to the other holdings.
- B. Center-line profiles: profiles of the center line of all private access streets showing both the existing and possible final grades. The Planning Commission and/or the Board of Supervisors may, if they deem it advisable or necessary, require cross sections of any private access street setting forth both existing ground and the possible roadway cross section,

drawn at a scale of 1 inches equals 10 feet, both vertical and horizontal, for any portion or all of the private access street.

- C. Deed(s) of record: the latest deed(s) of record for the minor subdivision property.
- D. Plan review application: a completed and signed application for review of a minor subdivision plan and supporting data.

§ 170-102. Recording of approved plan attached to deed.

Approved minor subdivision plans shall be prepared for recording on a sheet size meeting current requirements of the Recorder of Deeds.

ARTICLE VII. Manufactured/Mobile Home Park Standards and Required Improvements

§ 170-103. Application.

The standards, regulations and requirements contained in this article are intended as a minimum for the preservation of the environment and promotion of the public health, safety and general welfare and shall be applied as such by the Planning Commission and the Board of Supervisors in reviewing and evaluating applications for manufactured/mobile home parks that are in single ownership and provide manufactured/mobile home sites for lease or rental. A manufactured home park shall also meet the requirements for a Land Development. Residents may own or lease each individual manufactured home. Projects that propose manufactured/mobile home sites for fee-simple sale must meet all Township requirements of this chapter for single-family detached residential subdivisions, instead of this Article VII.

§ 170-104. Other regulations.

Compliance with any and all regulations of DEP is the responsibility of the applicant, and any approvals granted by the Township shall not relieve the applicant of said responsibility.

§ 170-105. Modifications. Section 170-182 shall apply.

§ 170-106. Constrained and hazardous land. Section 170-38 shall apply.

§ 170-107. Stormwater management.

Stormwater management for all manufactured/mobile home parks shall in conformance with the Township Stormwater Management Ordinance and the following:

- A. Site grading. The entire area shall be properly graded to ensure drainage and freedom from standing pools of water.

§ 170-108. Soil protection.

Prior to land proposed as a manufactured/mobile home park being developed or changed by grading, excavation or by removal or destruction of the natural topsoil, trees or other vegetative cover, the developer shall be required to submit a DEP earth disturbance permit approval or an erosion and sediment control plan that has been found adequate by the County Conservation District.

§ 170-109. Access.

- A. The proposed manufactured/mobile home park shall have adequate access to the public street system.
- B. Private street access. Existing private streets providing access to proposed manufactured/mobile home parks shall have adequate right-of-way widths and be designed and constructed to provide safe and convenient access to the manufactured/mobile home park.

- (1) Existing access street classification. Classification of any existing access street shall be in conformance with Article IV.
- (2) Adequate access streets. Adequate right-of-way widths and safe and convenient design and construction requirements shall be construed as those set forth in Table 3-1 and Table 3-2[1] unless specifically modified by the Board of Supervisors.
[1] Editor's Note: Said tables are included at the end of this chapter.
- (3) Determination of adequacy of access streets. The Board of Supervisors shall determine the adequacy of such private streets and may require such improvements as it may deem necessary or advisable to provide safe and convenient access to the proposed manufactured/mobile home park.

§ 170-110. Plan submission, review and action.

All provisions of Article IX shall apply with respect to plan submission, distribution, review and Township action on the manufactured/mobile home park land development plan, except for any provision specifically modified by this Article VII.

§ 170-111. Manufactured home park zoning requirements.

See the minimum lot size and maximum density in Section 044-20.B. of the Zoning Ordinance.

§ 170-112. Manufactured home park design standards and requirements.

All proposed manufactured/mobile home parks shall conform with the design standards and provisions of this section.

- A. Site dimensions. See also Section 044-020.B. of the Zoning Ordinance. Each manufactured/mobile home site shall have the following dimensions.
 - (1) Minimum width: 50 feet.
 - (2) Minimum depth: 90 feet.
 - (3) Minimum area: 6,000 square feet.
- B. Buffer zone.
 - (1) A 25 feet wide landscaped buffer zone shall be provided next to the exterior property line of the manufactured/mobile home park.
 - (2) Buffer zone screening. This buffer zone shall have sufficient [planted trees and shrubbery to separate the park from adjacent lands and serve as a buffer zone.
 - (3) This buffer zone shall not be used for any purpose whatsoever in connection with the manufactured/mobile home park (such as storage, parking, intense recreation areas, and drives except for main street crossings).
- C. Adjacent residences. No manufactured / mobile home shall be located closer than 150 feet from a permanent residence existing at the time the plan for the manufactured/mobile home park is submitted and located on property owned by a person or entity other than the owner of the manufactured/mobile home park.
- D. Setbacks. In addition to the setbacks of the Zoning Ordinance (which as of 2017 were in Section 044-020.B.), manufactured/mobile homes and on-site accessory buildings shall be placed to provide the following setbacks:

- (1) 75 feet from any public street right-of-way.
 - (2) 75 feet from any stream, lake or wetland.
 - (3) 50 feet from any exterior manufactured/mobile home park property line (30 feet for on-site accessory buildings).
- E. Open space. All manufactured/mobile home parks shall provide not less than 10% of the total gross land area for open space purposes.
- (1) Use of open space. Open space areas may be used for recreation purposes by families residing within the manufactured/mobile home park. No less than 50% of the required open space shall be of adequate size, shape, slope, soil type and other physical characteristics suitable for outdoor recreational use or be improved to ensure suitability for such use.
 - (2) Such area provided for open space shall be in addition to the 25 feet wide buffer strip around the perimeter of the manufactured/mobile home park.
 - (3) Required open space areas shall not include any areas containing sewage disposal facilities (including but not limited to disposal fields, septic tanks and pump stations) nor any area within 25 feet of such facilities.
- F. Access. Park and site access shall be as follows:
- (1) Park access. Access to manufactured/mobile home parks from existing public streets shall be designed to minimize congestion and hazards at the entrance and exit and allow free movement of traffic on the accessed street.
 - (2) Site access. Access to all sites shall be from interior streets only.
- G. Street design. All streets within a manufactured/mobile home park shall conform with the following design specifications:
- (1) Intersections. Intersections of streets shall be designed in accordance with the following:
 - (a) Center lines of streets shall intersect as nearly at right angles as possible.
 - [1] Any center-line intersections of less than 75° shall be allowed only upon approval by the Township of a modification request from the developer.
 - [2] Center-line angles of less than 60° shall not be allowed under any conditions.
 - (b) Intersections of more than two streets at one point shall be allowed only upon approval by the Township a modification request from the developer.
 - (c) The right-of-way lines of streets shall be rounded by arcs with a radii of not less than 25 feet.
 - (2) Street right-of-way widths. Minimum street right-of-way widths in all manufactured / mobile home parks shall be 40 feet.
 - (3) Street travelway widths. Minimum street travelway or pavement widths shall be 20 feet, except 12 feet for a one-way street.
 - (4) Street shoulder widths. Minimum crushed stone street shoulder widths on each side shall be three feet, which shall be required on streets carrying traffic to 10 or more dwellings.
 - (5) Street alignment. Street alignment in all manufactured/mobile home parks shall be designed as follows:
 - (a) When horizontal street center lines are deflected in excess of 5° within 100 feet feet, connection shall be made by horizontal curves.

- (b) The minimum center-line radius for all horizontal curves shall be 100 feet.
- (6) Street grades. Street gradients shall be designed as follows:
 - (a) Center-line grades shall not exceed 12%.
 - (b) The minimum center-line grades shall not be less than 0.5%.
 - (c) The grade across the turnaround of a cul-de-sac street shall not exceed 10%.
 - (d) A leveling area for all street intersections shall be provided as follows:
 - [1] The tangent grade of the connecting street shall be a minus 2% (1/4 inch per foot) within the right-of-way lines of the accessed street.
 - [2] Minimum length of vertical curves set forth in Subsection G(7)(b) shall not pertain to curve designs subject to stop street intersections when the algebraic difference in grades within 50 feet of the street right-of-way line is 10% or less.
 - [3] Grade differences of over 10% within 50 feet of the right-of-way line of the accessed street shall require a vertical curve of at least 30 feet with the point of vertical curvature (PVC) at the right-of-way line.
- (7) Vertical curves. Vertical curves shall be designed at changes in grade exceeding 1% within 100 feet and shall be designed as follows:
 - (a) Crest vertical curves shall be designed to provide a vertical sight distance of 100 feet. Required sight distances shall not pertain to vertical curves at stop street intersections.
 - (b) Sag vertical curves shall have a minimum length of 10 feet for each one-percent algebraic difference in tangent grade with an absolute minimum length of 50 feet. (Example: 1% to 5% equals 50 feet vertical curve, 5.1% to 6% equals 60 feet vertical curve, etc.) Minimum length of sag curves shall not pertain to vertical curves at stop street intersections.
- (8) Intersection sight distances (clear sight triangle). At intersections, all obstructions of any type, including vegetation and earth, shall be removed (by excavation if necessary) so that clear and unobstructed sight is provided from a point 10 feet from the nearest edge of the travelway pavement of the through street and 3 1/2 feet above the proposed surface at that point to a point 4 1/2 feet above the center of the approaching lane of the through street at a distance of 150 feet as measured along the center of the approaching lane of the accessed street from the center line of the intersecting street.

§ 170-113. Requests for modifications. Section 170-182 shall apply.

§ 170-114. Speed limit within manufactured/mobile home park.

- A. A maximum speed limit of 15 miles per hour shall be posted throughout the manufactured / mobile home park on every street, with signs a maximum of 300 feet apart.
- B. Speed limit signs. All speed limit signs shall conform to the standards of PennDOT.

§ 170-115. Street names.

- A. All streets in the manufactured/mobile home park shall be named. See Section 170-64.
- B. Street name signs. Legible street name signs shall be installed at all intersections.

§ 170-116. Street dedication.

No manufactured/mobile home park street shall be offered to or accepted for dedication by Middle Smithfield Township as a part of the public street system.

§ 170-117. Required improvements.

All manufactured/mobile home parks shall contain the following improvements:

- A. Parking. Each dwelling site shall be provided with a minimum of two paved off-street parking spaces within the site lines as follows:
 - (1) Parking space design. Each parking space shall have a minimum width of 9 feet and a minimum length of 18 feet.
 - (2) Parking space access. Each parking space shall have a paved access from the street travelway.
- B. Manufactured/mobile home stand. Each manufactured/mobile home site shall be graded to provide a level well-drained stand for the manufactured/mobile home.
- C. Site utilities. All manufactured/mobile home sites in the manufactured/mobile home park shall be provided with the following connections:
 - (1) Water supply. All water supply systems shall be provided in conformance with the current standards of DEP. All water distribution and storage facilities shall supply a continuous year-round frost-free water supply to each manufactured/mobile home site.
 - (2) Sewage. A system of sewage collection and disposal shall be provided in conformance with the current standards of DEP.
 - (a) All sewer connections shall be provided with fittings so that a watertight and gastight connection can be made between the manufactured/mobile home sanitary drain and the sewer connections.
 - (b) Cleanouts and manholes shall be provided in the sewer collection system.
 - (c) The sewage treatment facilities shall be located and maintained so that it shall not create a health or odor nuisance to the park or adjacent properties.
 - (3) Electric. A weatherproof electric power outlet supplying 220 to 230 volts shall be provided on each manufactured/mobile home site.
 - (a) An individual meter base shall be provided for each manufactured/mobile home site. The meter base shall be installed in accordance with the utility company's requirements.
 - (b) All main power lines within the site shall be installed underground.
- D. Streetlights.
 - (1) Streetlights sufficient in number and intensity to provide an intensity of not less than 1/4 footcandle power on the surface of all areas used for pedestrian or vehicular travel shall be installed and maintained by the operator of the developer.
 - (2) Streetlights shall be automatically lighted from dusk to dawn.
- E. Walkways. All manufactured/mobile home parks shall be provided with all-weather surfaced pedestrian walkways of adequate width for intended use (minimum five feet), durable and convenient to maintain, between individual manufactured/mobile home sites, the park streets and all community facilities provided for park residents.

F. Garbage collection.

- (1) Garbage shall be collected at least once a week, either individually at each manufactured/mobile home site or at waste collection stations. In either case, the park operator shall be responsible for providing a clean and efficient collection service.
- (2) Waste collection stations. If waste collection stations are used, the following provisions will prevail:
 - (a) A waste collection station shall be provided for every 12 manufactured/mobile home sites.
 - (b) No such collection station shall be further than 250 feet from any site served by the collection station.

§ 170-118. Responsibility for maintenance.

Construction and maintenance of all required improvements, recreational areas, buffer strips and general appearance of the manufactured/mobile home park shall be the responsibility of the developer and/or park operator.

§ 170-119. Skirting.

All manufactured/mobile homes in the manufactured/mobile home park shall be required to be enclosed from the bottom of the manufactured/mobile home to the ground or stand using fire-resistant skirting material, unless the home is designed to sit on an enclosure that has the appearance of a perimeter foundation .

§ 170-120. Manufactured home park exceptions.

None of the provisions of this article shall be applicable to the following:

- A. Manufactured/mobile home sales: the business of manufactured/mobile home sales, provided that the manufactured/mobile homes displayed on such sites shall not be occupied as a dwelling unit.
- B. Manufactured/mobile home storage: the storage or garaging of manufactured/mobile homes not being used for living purposes.
- C. Private residence: the use of a manufactured/mobile home as a residence when it is located on an individual recorded lot under separate ownership.
- D. Construction office: the use of a manufactured/mobile home located on the site of a construction project solely as a field office or tool and material storage in connection with such project.

§ 170-121. Manufactured/mobile home park development plan.

All manufactured/mobile home park development plans shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law," as amended,[1] drawn

in full compliance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, data and material as follows:

- A. Scale. The manufactured/mobile home park development plan shall be clearly and legibly drawn to a scale of one inch equals 50 feet or larger.
- B. Sheet size. The manufactured/mobile home park development plan and all plans submitted therewith shall be on standard-sized sheets that are no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the manufactured/mobile home park development plan requires two or more sheets, a key diagram showing the relative location of the sheets shall be labeled on each sheet.
- D. Plan information. The manufactured/mobile home park development plan shall contain at least the following data and information:
 - (1) Name of the manufactured/mobile home park.
 - (2) Location map drawn at a scale of one inch equals 2,000 feet.
 - (3) Existing property or lot layout immediately adjacent to the subject property.
 - (4) Names of adjoining property owners and the names of all adjoining subdivisions and land developments.
 - (5) Existing features: existing man-made and natural features, including but not limited to the following:
 - (a) Watercourses and lakes.
 - (b) Wetlands accurately shown. In all cases of wetlands containing 1/2 acre or more, a wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
 - (c) One-hundred-year floodplain areas.
 - (d) Contours with intervals as follows (with elevations based upon NAVD 88 datum):
 - [1] Slopes less than 5%: two-foot intervals.
 - [2] Slopes 5% to 25%: ten-foot intervals.
 - [3] Slopes 25% or greater: twenty-foot intervals.
 - (e) Steep slope areas (slopes over 25%). If manufactured/mobile home sites are proposed on steep slope areas, the proposed grading and drainage for the sites must be clearly detailed on separate site plans drawn at a scale of one inch equals 20 feet.
 - (f) Location and extent of all soil types.
 - (g) Significant rock outcrops.
 - (h) Culverts, ditches and swales.
 - (i) Buildings, structures and all other improvements (roads, utilities, etc.).
 - (j) Location and description of any certified historical site or structure.
 - (k) All other significant man-made or natural features within or immediately adjoining the property.
 - (6) Location, width and purpose of all existing and new rights-of-way and easements.
 - (7) The name, number and right-of-way width of all existing public or private street within or immediately adjoining the property.
 - (8) Location of all proposed permanent buildings and/or structures.

- (9) Location and design of all off-site parking areas.
- (10) Location of any proposed development signs.
- (11) Location and arrangement of streets and manufactured/mobile home sites with center-line data of all streets set forth on the plan.
- (12) Location of all required speed limit signs.
- (13) Location of proposed water supply facilities.
- (14) Location of proposed sewage disposal facilities.
- (15) Sufficient description or information to determine the boundaries of the property affected by the proposed manufactured/mobile home park.
- (16) Plan data. The manufactured/mobile home park development plan shall include, but not be limited to, the following data:
 - (a) North arrow.
 - (b) Graphic and written scale.
 - (c) Street names.
 - (d) Street widths.
 - (e) Clear sight triangles shown at all street intersections.
 - (f) Slope and drainage easements as required by the roadway cuts and fills and the stormwater management plan.
 - (g) Site numbers.
 - (h) All sites shall be labeled with enough information for each site to be reproduced on the ground.
 - (i) Building setback lines shall be set forth on each manufactured/mobile home site.
 - (j) The total number of proposed manufactured/mobile home sites.
 - (k) Existing zoning district designation of the affected property.
 - (l) The total acreage of the proposed manufactured/mobile home park.
 - (m) The current County property identification number(s) (PIN) of the property from the latest tax records.
 - (n) A title block on the lower right corner of all plans, which shall list the date the manufactured/mobile home park development plan was completed and the date of each revision.
 - (o) A listing of open space percentage that is provided, recreation area percentage that is provided, etc.

E. Plan certificates. The following certificates shall be labeled on the manufactured/mobile home park development plan using the forms in Appendix D.[2]

- (1) Certificate of accuracy and compliance dated and signed by the plan preparer (D-1).
- (2) Certificate of review by the Planning Commission (D-2) which shall be located on the right or bottom edge of the plan.
- (3) Certificate of review and approval by the Board of Supervisors (D-2) which shall be located on the right or bottom edge of the plan.
- (4) Certificate of ownership and acknowledgment of plan which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-3).
- (5) Required permit certification which shall be accurately completed and signed by the owner(s) of the property with signatures dated and notarized (D-4).
- (6) Affidavit of plan submission, with the date of plan acceptance by the County Planning Commission, signed by the person who oversaw the submittal (D-5).

[2] Editor's Note: Appendix D is included at the end of this chapter, in Attachment 3.

F. Plan notes. The following notes shall be set forth on all manufactured/mobile home park development plans:

- (1) All water supply systems and sewage disposal systems shall be designed and constructed in complete accordance with the current standards of DEP.
 - (2) By approval of this plan, the Township of Middle Smithfield has neither confirmed nor denied the existence and/or extent of any wetland areas, whether or not delineated on the plan, and any encroachment thereon for any reason whatsoever shall be the sole responsibility of the developer, his heirs and assigns and shall be subject to the jurisdiction of the Army Corps of Engineers and/or DEP, and the encroachment shall conform to the rules and regulations of the jurisdictional agencies.
 - (3) All streets shall remain private, not open to public through-travel, and shall not in the future be offered for dedication to the Township.
 - (4) In the event that the plan will require access to a highway under the jurisdiction of PennDOT, an approved and completed highway occupancy permit shall be required prior to occupancy of any manufactured/mobile home site.
 - (5) In the event that the plan will require access to a roadway under the jurisdiction of Middle Smithfield Township, an approved and completed Township driveway permit shall be required prior to occupancy of any manufactured/mobile home site.
- [1] Editor's Note: See 63 P.S. § 148 et seq.

§ 170-122. Supporting documents, plans and information.

The following supporting documents, plans and information shall be submitted with all manufactured/mobile home park plans.

A. Center-line profiles. Profiles along the center line of the proposed streets, drawn at a scale or combination of scales (outlandish or extreme combinations of scales are to be avoided) that will clearly and accurately show the following:

- (1) Existing ground line.
- (2) Proposed grade line with all percentages of grade shown.
- (3) Printed elevations of the proposed grade line on standard fifty-foot stationing.
- (4) Vertical curve locations and data.
- (5) Calculated safe stopping distances (SSD) for all crest vertical curves.
- (6) Cross sections.

(a) Typical cross sections for each proposed street showing the following:

- [1] Cut sections.
- [2] Fill sections.
- [3] Parallel drainage.
- [4] Construction materials.
- [5] Dimensions.

(b) The Township Engineer may, when he/she deems it necessary, require actual cross sections setting forth both existing ground and the proposed roadway cross section, drawn to a scale of one inch equals 10 feet, both vertical and horizontal, for any portion or all of the proposed streets.

B. Stormwater management: a stormwater management plan complete and in conformance with the Stormwater Management Ordinance.

- C. Soil erosion and sedimentation control: a soil erosion and sedimentation control plan designed using measures that shall, at a minimum, meet the standards of Chapter 102 (Erosion and Sediment Pollution Control) of Title 25, Rules and Regulations of DEP.
- D. Central water supply and distribution system plan.
 - (1) A plan of the proposed distribution system and location of the supply well(s) complete and in conformance with Appendix A[1] (including evidence of supply).
[1] Editor's Note: Appendix A is included at the end of this chapter.
 - (2) Water supply certificate. If an existing water supply system is to be utilized, a completed water supply certificate (using the form in Appendix D-15).[2]
[2] Editor's Note: Appendix D-15 is included at the end of this chapter in Attachment 3.
- E. Central sewage collection and disposal system plan.
 - (1) A plan of the proposed sewage collection system and location of the disposal facility complete and in conformance with Appendix B.[3]
[3] Editor's Note: Appendix B is included at the end of this chapter.
 - (2) Sewage disposal certificate. If an existing sewage disposal system is to be utilized, a completed sewage disposal certificate (using the form in Appendix D-15)[4]
[4] Editor's Note: Appendix D-15 is included at the end of this chapter in Attachment 3.
- F. Adjacent holdings: a sketch of the adjacent holdings of the developer indicating the area of the manufactured/mobile home park in relation to the other holdings.
- G. Deed(s) of record: the latest deed(s) of record for the manufactured/mobile home park property.
- H. Construction certification: a completed construction certification using the form in Appendix D-14[5] (the construction certification must be signed prior to unconditional approval of the manufactured/mobile home park plan).
[5] Editor's Note: Appendix D-14 is included at the end of this chapter in Attachment 3.
- I. Plan review application: a completed and signed application for review of a manufactured/mobile home park development plan and supporting data.

§ 170-123. Recording of manufactured/mobile home park development plans.

All manufactured/mobile home park development plans shall be recorded by the applicant after final land development approval and after receiving authorization from the Township for recording, in the office for the County Recorder of Deeds. The recording process shall comply with Section 170-151.

ARTICLE VIII. Campground Development Standards and Required Improvements

§ 170-124. Application.

- A. The standards, regulations and requirements contained in this article are intended as a minimum for the preservation of the environment and promotion of the public health, safety and general welfare and shall be applied as such by the Planning Commission and the Board of Supervisors in reviewing and evaluating applications for campgrounds that are in single ownership and provide campsites on a rental basis only.
- B. Campgrounds that propose campsites on individual fee-simple lots must instead meet all requirements of this chapter for single-family detached residential subdivisions and be in complete accordance with the Zoning Ordinance.
- C. Permanent occupancy of a recreational vehicle or other structure situated on a campsite, as a dwelling unit, will not be permitted in any campground, and the campground owner shall have complete and full responsibility for ensuring compliance with this requirement. All violation citations relating to permanent occupancy shall be issued in the name of the campground owner, the owner of the recreational vehicle or other structure and the occupant of the recreational vehicle or other structure. However, a single household that includes a resident manager or maintenance staff-person may live on the property on a year-round basis.
- D. A Campground shall meet the requirements for a Land Development, except for provisions specifically modified by this Article VIII.

§ 170-125. Other regulations.

Compliance with any and all regulations of DEP is the responsibility of the applicant, and any approvals granted by Middle Smithfield Township shall not relieve the applicant of the responsibility.

§ 170-126. Modifications. Section 170-182 shall apply.

§ 170-127. Constrained and hazardous land. Section 170-38 shall apply.

§ 170-128. Stormwater management.

Stormwater management for campgrounds shall conform to the requirements of the Township Stormwater Management Ordinance.

§ 170-129. Soil protection.

Prior to land proposed as a campground being developed or changed by grading, excavation or by removal of the natural topsoil or destruction of vegetative cover, the developer shall be required to submit a DEP earth disturbance permit approval or an erosion and sedimentation control plan that has been found adequate by the County Conservation District.

§ 170-130. Access.

- A. The proposed campground shall have adequate access to the Township public street system.
- B. Private street access. Existing private streets providing access to proposed campgrounds shall have adequate right-of-way widths and be designed and constructed to provide safe and convenient access to the campground.
 - (1) Existing access street classification. Classification of any existing access street shall be in conformance with Article IV.
 - (2) Access street design. Adequate right-of-way widths and safe and convenient design and construction requirements shall be construed as those set forth in Table 3-1 and Table 3-2[1] unless specifically modified by the Board of Supervisors.
[1] Editor's Note: Said tables are included at the end of this chapter.
 - (3) Determination of adequacy of access. The Board of Supervisors shall determine the adequacy of such private streets and may require such improvements as it may deem necessary or advisable to provide safe and convenient access to the proposed campground.

§ 170-131. Plan submission and Township action.

Provisions of Article IX regarding Land Developments shall apply with respect to plan submission and Township action on the plan.

§ 170-132. General standards and requirements.

Campgrounds shall conform to the following general standards and requirements:

- A. Total area. Campgrounds shall have a total land area of not less than 10 acres.
- B. Density. There shall be no more than 10 campsites per gross acre in any campground.

§ 170-133. Design standards and requirements.

Proposed campgrounds shall conform with the design standards and provisions of this section.

- A. Campsite dimension. Each campsite shall have the following minimum dimensions:
 - (1) Minimum width: 30 feet (measured at the front and rear of the actual camper parking pad).
 - (2) Minimum depth: 60 feet (measured along the center line of the site).
 - (3) Minimum area: 2,400 square feet (exclusive of street or access drive rights-of-way and walkways).
 - (4) Corner sites:
 - (a) Minimum width: 45 feet.
 - (b) Minimum area: 3,600 square feet.
- B. Tent site dimensions. Each tent site shall have the following minimum dimensions:
 - (1) Minimum width: 30 feet.
 - (2) Minimum depth: 30 feet.
 - (3) Minimum area: 1,200 square feet (exclusive of street or access drive rights-of-way and walkways).

- (4) Corner sites:
 - (a) Minimum width: 40 feet.
 - (b) Minimum area: 1,600 square feet.
- C. Cluster campsites. Cluster campsites will be permitted when the following design requirements are met for each proposed cluster.
 - (1) Reserved area. An average minimum area of 5,000 square feet shall be reserved for each campsite in a cluster and shall be located immediately adjacent to the proposed cluster site. (The reserved area shall be exclusive of street or access drive rights-of-way and cannot be counted as required open space.)
 - (2) Number of sites in each cluster. No cluster campsite area shall contain more than 10 campsites.
- D. Buffer zone. No individual campsite may be located closer than 100 feet to any exterior property line of the campground.
 - (1) Buffer zone separation. Land between the campsites and the exterior property lines shall have sufficient existing or planted trees to separate the campground from adjacent lands and serve as a buffer zone.
 - (2) This buffer zone shall not be used for any purpose whatsoever in connection with the campground (storage, parking, intense recreation areas, drives, etc.).
- E. Adjacent residences. No campsite shall be located closer than 200 feet from a permanent residence existing at the time the plan for the campground is submitted and located on property owned by a person or entity other than the owner of the campground.
- F. Setbacks. Recreation vehicle parking spaces shall conform to the following setbacks:
 - (1) Public streets. No recreation vehicle parking space shall be located closer than 100 feet from any public street right-of-way line.
 - (2) Streams, lakes and wetlands. No recreation vehicle parking space shall be located closer than 75 feet from the edge of any stream, lake or wetland area.
- G. Open space. At least 20% of the campground area shall be reserved as open space, and 50% of this open space area shall be suitable for active recreational use.
 - (1) Active recreational use. Such active recreational use may include, but is not limited to, swimming pools, playgrounds, play fields, ball fields, courts of all types, non-motorized trails, community buildings and similar structures.
 - (2) Such area provided for open space shall be in addition to the one-hundred-foot buffer zone around the perimeter of the campground.
- H. Access. Access to all campsites shall be from interior streets only.
- I. Street design. Streets within a campground shall be in conformance with the following design specifications.
 - (1) Intersections. Intersections of streets shall be designed in accordance with the following:
 - (a) Center lines of streets shall intersect as nearly at right angles as possible.
 - (b) Any center line intersections of less than 60° shall be allowed only upon approval of a written request for a modification using the form in appendix D-8.[1]

- [1] Editor's Note: Appendix D-8 is included in Attachment 3.
- (c) Intersections of more than two streets at one point shall be allowed only upon approval of a written request for a modification using the form in Appendix D-8.[2]
- [2] Editor's Note: Appendix D-8 is included at the end of this chapter.
- (d) The right-of-way lines of streets shall be rounded by arcs with a radii of not less than 40 feet.
- (2) Street right-of-way widths. Minimum street right-of-way or easement widths in all campgrounds shall be as follows:
- (a) One-way streets: 20 feet.
- (b) Two-way streets: 30 feet.
- (3) Street travelway widths. Minimum street travelway widths in campgrounds shall be as follows:
- (a) One-way streets: 12 feet.
- (b) Two-way streets: 18 feet.
- (4) Street alignment. Street alignment in all campgrounds shall be designed as follows:
- (a) Whenever street center lines are deflected in excess of 5° in 100 feet, connection shall be made by horizontal curves.
- (b) The minimum center-line radius for horizontal curves shall be 50 feet.
- (5) Street grades. Street gradients shall be designed as follows:
- (a) Center-line grades shall not exceed 15%.
- (b) A leveling area for all street intersections shall be provided as follows:
- [1] The tangent grade of the connecting street shall not exceed 6% within the right-of-way lines of the through street.
- (6) Vertical curves. Vertical curves shall be used at changes in grade that exceed 1% within 100 feet and shall be designed as follows:
- (a) Crest vertical curves shall be designed to provide a vertical sight distance of 100 feet. Required sight distances shall not pertain to vertical curves at stop street intersections.
- (b) Sag vertical curves shall have a minimum length of 10 feet for each one-percent algebraic difference in tangent grade with an absolute minimum length of 50 feet. (Example: 1% to 5% equals 50 feet, 5% to 6% equals 60 feet, etc.) The above minimum length shall not pertain to vertical curves at stop street intersections.
- (7) Intersection sight distances (clear sight triangle). At intersections, all obstructions of any type, including vegetation and earth, shall be removed (by excavation if necessary) so that clear and unobstructed sight is provided from a point 10 feet from the nearest edge of the travelway pavement of the through street and 3 1/2 feet above the proposed surface at that point to a point 4 1/2 feet above the center of the approaching lane of the through street at a distance of 150 feet as measured along the center line of the accessed street from the center of the intersecting street.

§ 170-134. Requests for modifications of requirements.

Section 170-182 shall apply.

§ 170-135. Speed limit within campgrounds.

A maximum speed limit of 10 miles per hour shall be posted throughout the campground with signs a maximum of 300 feet apart, unless the Board of Supervisors approve an alternative speed limit on a road.

§ 170-136. Street names.

All streets in the campground shall be named with legible signs posted at each intersection. See also Section 170-64.

§ 170-137. Street dedication.

No internal campground street or access shall be offered to or accepted for dedication by the Township as a part of the public street system.

§ 170-138. Required improvements.

All campgrounds shall contain the following improvements:

- A. Parking. All campsites designed for recreational vehicles shall have an all-weather surfaced off-street on-site parking space for the largest vehicle that will utilize the site. There shall also be parking provided in convenient locations for vehicles that were towed by an RV and visitors.
 - (1) Recreation vehicle parking space. The recreation vehicle space shall normally be a minimum of 40 feet in length and 12 feet in width unless a site will be used by a larger vehicle or be limited to a smaller vehicle in which case an alternative size may be approved by the Township.
 - (2) Passenger vehicle parking spaces shall be a minimum of 18 feet in length and 9 feet in width.
- B. Electric. Electric service shall be provided to each campsite, unless it is approved to be a primitive campsite.
- C. Sewage. All campgrounds shall be equipped with a sewage dumping station designed and constructed in accordance with requirements of DEP. Installation of the facility shall be completed prior to occupancy of any nonsewered campsite.
- D. Bathhouse/toilet facilities. All campsites which are not provided with both sewage and water hookups shall be located within 500 feet of a bathhouse/toilet facility which shall be equipped with toilets, urinals, lavatories and shower heads in accordance with the requirements of DEP.
 - (1) Non-sewered campsites. All campsites which are provided only with a water hookup shall be located within 750 feet of such facilities.
 - (2) Full service campsites. Campsites which are provided with both sewer and water hookups shall be located within 1,000 feet of such facilities.

§ 170-139. Responsibility for maintenance.

Construction and maintenance of all required improvements, recreational areas, buffer strips and general appearance of the campground shall be the responsibility of the developer and/or campground operator.

§ 170-140. Elements of campground development plan.

All campground development plans shall be prepared in accordance with the "Professional Engineers and Professional Land Surveyors Registration Law," as amended,[1] and drawn in full compliance with the following, contain all of the applicable information listed and be accompanied by all pertaining documents, plans, data and material as follows:

- A. Scale. The campground development plan shall be clearly and legibly drawn to a scale of one inch equals 50 feet or larger.
- B. Sheet size. The campground development plan and all accompanying plans shall be submitted on standard-sized sheets no smaller than 11x17 inches and no larger than 36x48 inches.
- C. Key diagram. If the campground development plan requires two or more sheets, a key diagram clearly showing the relative location of the section shown shall be labeled on each sheet.
- D. Plan information. The campground development plan shall contain at least the following data and information:
 - (1) Name of the campground.
 - (2) Location map at a scale of one inch equals 2,000 feet.
 - (3) Existing property or lot layout immediately adjacent to the subject property.
 - (4) Names of adjoining property owners and the names of all adjoining subdivisions and land developments.
 - (5) Existing features: existing man-made and natural features, including but not limited to the following:
 - (a) Watercourses and lakes.
 - (b) Wetlands accurately shown. In all cases of wetlands containing 1/2 acre or more, a wetlands delineation shall be presented, prepared by a trained professional, which shall be performed within three years of the date of submittal of the plan.
 - (c) One-hundred-year floodplain areas.
 - (d) Contours with intervals as follows (with elevations based upon NAVD 88 datum):
 - [1] Slopes less than 5%: two-foot intervals.
 - [2] Slopes 5% to 25%: ten-foot intervals.
 - [3] Slopes 25% or greater: twenty-foot intervals.
 - (e) Steep slope areas (slopes over 25%). If campsites are proposed on steep slope areas, the proposed grading and drainage for the sites must be clearly detailed on separate site plans drawn at a scale of one inch equals 20 feet.
 - (f) Location and extent of all soil types.
 - (g) Significant rock outcrops.
 - (h) Culverts, ditches and swales.
 - (i) Buildings, structure and all other improvements (roads, utilities, etc.).

- (j) Location and description of any certified historical site or structure.
- (k) All other significant man-made or natural features within or immediately adjacent of the property.
- (6) Location, width and purpose of all existing and new rights-of-way and easements.
- (7) The name, number and right-of-way width of all existing public or private street within or immediately adjoining the property.
- (8) Location of all proposed permanent buildings and/or structures.
- (9) Location and design of all off-site parking areas.
- (10) Location of any proposed development signs.
- (11) Location of all streets with the center-line data set forth on the plan.
- (12) Location and arrangement of all campsites with a typical campsite set forth on the plan.
- (13) Location of all required speed limit signs.
- (14) Location of proposed water supply facilities.
- (15) Location of proposed sewage disposal facilities.
- (16) Sufficient description or information to determine the boundaries of the property affected by the proposed campground.

E. Plan data. The campground development plan shall contain but not be limited to the following data:

- (1) North arrow.
- (2) Graphic and written scale.
- (3) Street names.
- (4) Street widths.
- (5) Clear sight triangles shown at all street intersections.
- (6) Slope and drainage easements as required by the roadway cuts and fills and the stormwater management plan.
- (7) Site number.
- (8) The total number of proposed campsites.
- (9) Existing zoning district designation of the affected property.
- (10) The total acreage of the proposed campground.
- (11) Current County property identification number(s) (PIN) of the property from the latest tax records.
- (12) A title block on the lower right corner of all plans, which shall list the date the campground development plan was completed and the date of each revision.
- (13) A listing of open space percentage that is provided, recreation area percentage that is provided, etc.

F. Plan certificates. The following certificates shall be labeled on the campground development plan using the forms in Appendix D.[2]

- (1) Certificate of accuracy and compliance dated and signed by the plan preparer (D-1).
- (2) Certificate of review and recommendation by the Planning Commission (D-2) which shall be located on the right or bottom edge of the plan.
- (3) Certificate of review and approval by the Board of Supervisors (D-2) which shall be located on the right or bottom edge of the plan.
- (4) Certificate of ownership and acknowledgment of plan which shall be accurately completed and signed by the owner(s) of the property with signature(s) dated and notarized (D-3).