

**NORTH LEBANON TOWNSHIP  
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

Ordinance No. **XXX** of 2024



725 Kimmerlings Road  
Lebanon, PA 17046  
(717) 273-7132  
<https://northlebanontwppa.gov/>

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**NORTH LEBANON TOWNSHIP**  
**Lebanon County, Pennsylvania**

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

**AN ORDINANCE SETTING FORTH RULES, REGULATIONS, AND STANDARDS REGULATING SUBDIVISION AND LAND DEVELOPMENT WITHIN THE TOWNSHIP OF NORTH LEBANON, LEBANON COUNTY, PENNSYLVANIA, PURSUANT TO THE AUTHORITY GRANTED IN ARTICLE V OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, AS AMENDED AND REENACTED BY ACT 170 OF 1988, AND ESTABLISHING THE PROCEDURE TO BE FOLLOWED BY THE NORTH LEBANON TOWNSHIP PLANNING COMMISSION AND THE NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS IN THE APPLICATION AND ADMINISTRATION OF SAID RULES, REGULATIONS AND STANDARDS, AND PROVIDING PENALTIES AND REMEDIES FOR THE VIOLATION THEREOF.**

**BE AND IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of **North Lebanon** Township, Lebanon County, Pennsylvania, as follows:

**ARTICLE I**

**TITLE/AUTHORITY**

**Section 101     Short Title**

This Ordinance shall be known as "The North Lebanon Township Subdivision and Land Development Ordinance of 2023 (Ordinance No. **XXX**)."

**Section 102     Purpose**

This Subdivision and Land Development Ordinance is adopted for the following purposes:

- A.     To promote and protect the public health, safety, morals, and welfare.
- B.     To promote orderly, efficient, integrated, and harmonious development in the Township.
- C.     To promote compatibility of subdivision and land development plans with the Cornwall-Lebanon Regional Comprehensive Plan, the North Lebanon Township Zoning Ordinance, the North Lebanon Township Stormwater Management Ordinance, and public improvements plans, and to ensure coordination of intergovernmental improvement plans and programs.
- D.     To protect sensitive and important natural features (e.g., floodplains, wetlands, unique geologic features, steep slopes, woodlands, game lands, wildlife habitats, etc.) from indiscriminate development.
- E.     To coordinate proposed streets and other improvements with existing or proposed streets, parks, or other features of the comprehensive plan; and to provide for drainage, water supply, sewage disposal, and other appropriate utility services.
- F.     To require sites for building purposes and human habitation to be suitably improved for their

intended use and to minimize the peril from fire, flood, erosion, excessive noise, smoke, or other menace.

- G. To encourage preservation of adequate open spaces for recreation, light, air and maintenance of the natural amenities characteristic of the Township and its residential, commercial, agricultural, industrial, and public areas.
- H. To secure equitable treatment of all subdivision and land development plans by providing uniform procedures and standards.
- I. To ensure that developments are environmentally sound by requiring preservation of the sensitive and important natural features of the areas to be developed to the greatest extent practicable.
- J. To maintain the economic well-being of the Township and to prevent unnecessary or undesirable blight and pollution.
- K. To secure the protection of water resources and drainageways.
- L. To establish provisions governing the standards by which streets shall be designed and improved, and by which walkways, curbs, gutters, streetlights, fire hydrants, water and sewage facilities, and other improvements shall be installed as required for final approval of plans.

### **Section 103 Authority and Jurisdiction**

- A. No land development or subdivision of any lot, tract, or parcel of land shall be made, and no street, sanitary sewer, storm sewer, water main, or other improvements in connection therewith shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of buildings abutting thereon, except in accordance with the provisions of this Ordinance.
- B. The authority for the control and regulation of subdivision and land development within the Township shall be as follows:
  - 1. The North Lebanon Township Board of Supervisors shall be vested with the authority to approve or disapprove all subdivision and land development plans.
  - 2. Plans for subdivision and land development shall be submitted to the North Lebanon Township Planning Commission for its review. The Planning Commission will provide the Board of Supervisors with a recommendation for plan approval, conditional approval or disapproval. Said submission shall take place before approval of any plans by the Township Supervisors.
  - 3. Plans for subdivision and land development located within North Lebanon Township shall be submitted to the Lebanon County Planning Department for review and report. Said submission shall take place before approval of any plans by the Township. However, if a report is not received from the Lebanon County Planning Department within thirty (30) days after submission, the Board of Supervisors may proceed without the report.
- C. Except as specifically provided by the Pennsylvania Storm Water Management Act of October 4, 1978, P.L. 864, Act No. 167, as amended, 32 P.S. §608.1 et seq., the making of any administrative decision by the Township or any of its officials or employees shall not constitute a representation, guarantee or warranty of any kind of the Township of the practicability,

constructability and/or safety of any proposed structure or use with respect to damage from erosion, sedimentation, stormwater runoff, flood, or any other matter, and shall create no liability upon or give rise to any cause of action against the Township and its officials and employees. The Board of Supervisors, by enacting and amending this Ordinance, does not waive or limit any immunity granted to the Township and its officials and employees by the Governmental Immunity Act, 42 Pa. C.S. §8541 *et seq.*, and does not assume any liabilities or obligations.

#### **Section 104      Conflict**

It is not intended by this Ordinance to repeal, abrogate, annul, or interfere with any existing ordinances or enactment, or with any rule, regulation, or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance, provided that where this Ordinance imposes greater restrictions upon the use of buildings or land, or upon the height and bulk of buildings, or prescribed larger open spaces than are required by the provisions of other such ordinance, enactment, rule, regulation or permit, then the provisions of this Ordinance shall control. Furthermore, if a discrepancy exists between any regulations contained within this Ordinance, that regulation which imposes the greater restriction shall apply.

## ARTICLE II

### INTERPRETATION AND DEFINITIONS

#### Section 201 General Interpretations

In this Ordinance, the following rules of interpretation shall be used:

- A. The word "lot" includes the word "plot" or "parcel".
- B. Words in the present tense imply the future tense.
- C. Words used as singular imply the plural.
- D. The masculine gender includes the feminine and neuter genders.
- E. The word "person" includes a partnership, corporation, association, trust, estate, or any other legally recognized entity as well as an individual.
- F. The word "shall" is to be interpreted as mandatory; the words "may" or "should" as discretionary.
- G. References to any document, official, or entity (i.e., codes, ordinances, resolutions, plans, maps, governmental bodies, commissions, agencies, or officials) are references to North Lebanon Township documents, officials, or entities in effect at the time, unless the text indicates that another reference is intended.

#### Section 202 Definitions

Unless otherwise stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this section:

**AASHTO** – The American Association of State Highway Transportation Officials.

**Access Drive**. A type of driveway designed and constructed to provide for pedestrian and vehicular movement between a public or private street and the off-street parking and/or loading area for any use other than one single-family or two-family dwelling unit or farm. Access Drives shall comply in all respects with the Zoning Ordinance, the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, and any other Ordinance regulating the placement and/or construction of access drives which may be enacted by the Board of Supervisors.

**Access Point**. The location of the intersection of an access drive, driveway, or street with a street.

**Accessory Building**. A building detached from and subordinate to the principal building or use on the same lot and used for purposes customarily incidental to the principal building, but not including vehicles, mobile homes, travel trailers, truck trailers, or any parts thereof. An accessory building may not house a principal use nor may it stand alone on a lot as a principal building.

**ACT 537**. The Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. (1965) 1535, No. 537, as amended, 35 P.S. Section 750.1 et seq.

**Adjacent or Adjoining**. The state of being side by side, next to or abutting one another.

**Agent**. Any person, other than a landowner or developer, who, acting for the landowner or developer, submits to the Planning Commission and Township Supervisors subdivision or land development plans for the purpose of obtaining approval thereof.

**Agriculture**. The cultivation of the soil for food products or other marketable products, not including animal husbandry or storage and/or processing of products grown on other premises.

**Agricultural Operation**. An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products and in the production, harvesting and



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

**Aisle.** A private drive within a parking compound providing pedestrian and vehicular access between an access drive and a parking space which is located within the parking compound.

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

**Application for Development.** Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development, including but not limited to, an application for a zoning approval, for the approval of a subdivision plat or plan, for the approval of a land development plat or plan, or a stormwater management site plan.

**Area.** The two-dimensional measurement of space between known lines or boundaries.

- A. **Building Area:** The total areas of outside dimensions on a horizontal plane at ground level of the principal building and all accessory buildings exclusive of cornices, eaves, gutters, or chimneys projecting not more than 18 inches; bay windows not extending more than one story and not projecting more than five feet; and steps and balconies.
- B. **Gross Floor Area:** The sum of the floor areas of a building as measured to the outside surfaces of exterior walls and/or all areas intended for the conduct of a use.
- C. **Habitable Floor Area:** The sum of the floor area of all heated, finished rooms, within a dwelling unit, used on a daily basis for habitation. Such area may include: living rooms; recreation rooms; kitchens; dining rooms; bedrooms; bathrooms; hallways; closets; heated and finished basements, cellars, and attics; attached garages which have been converted into an integral part of the living quarters; but does not include: garages; porches, whether roofed, unroofed or enclosed; roofed terraces; unfinished and unheated basements, attics, cellars, or garages, etc.
- D. **Lot Area:** An area of land which is determined by the limits of the property lines bounding that area and express in terms of square feet or acres.
- E. **Minimum Lot Area:** The least amount of lot area required to be associated with a principal use as specified within the Zoning Ordinance. As per the provisions of Zoning Ordinance, the minimum lot area within any district shall be calculated by excluding any area where a structure or a portion of a structure is not permitted, excluding the applicable set back lines (e.g., area within public or private street rights-of-way, floodway, easement, wetland, etc.).

**Area of Disturbance.** The total land area proposed to be used for and/or within any property for development.

**As-Built Drawings.** Set of drawings of the original land development facilities showing all changes made during construction.

**Authority (Municipal).** The North Lebanon Township Municipal Authority (NLTMA) and its successors, or a municipality or other public utility.

**Authority (Water).** The City of Lebanon Authority (CoLA) or the North Lebanon Township Municipal Authority (NLTMA) and its successors, or a municipality or other public utility.

**Average Daily Traffic (ADT) Volume.** The number of vehicles passing a single point on a roadway in a 24-hour period adjusted by day of the week and monthly factors.

**Base Flood.** A flood which has a one (1) percent chance of being equaled or exceeded in any given year (also called the one hundred (100) year flood).

**Best Management Practices (BMPs).** Activities, facilities, measures, planning, or procedures used to manage stormwater impacts from Regulated Activities, to meet State Water Quality Requirements, to promote groundwater recharge and to otherwise meet the purposes of this Ordinance. Stormwater BMPs are commonly grouped into one of two broad categories or measures: "non-structural" or "structural". "Non-structural" BMPs are measures referred to as operational and/or behavior-related practices that attempt to minimize the contact of pollutants with stormwater runoff whereas "structural" BMPs are measures that consist of a physical device or practice that is installed to capture and treat stormwater runoff. "Structural" BMPs include, but are not limited to, a wide variety of practices and devices, from large-scale wet ponds and constructed wetlands to small-scale underground treatment systems, infiltration facilities, filter strips, low impact design, bioretention, wet ponds, permeable paving, grassed swales, riparian or forested buffers, sand filters, detention basins, and manufactured devices. "Structural" stormwater BMPs are permanent appurtenances to the project site.

**Block.** An area bounded by streets.

**Board of Supervisors (Board).** The North Lebanon Township Board of Supervisors.

**Building.** A structure which has a roof supported by columns, piers, or walls, which is intended for the shelter, housing, or enclosure of persons, animals, or chattel, or which is to house a use of a commercial or manufacturing activity.

- A. Detached: A building which has no party wall.
- B. Semi-detached: A building which has only one party wall.
- C. Attached: A building which has two or more party walls.

**Building, Accessory.** A building detached from and subordinate to the principal building or use on the same lot and used for purposes customarily incidental to the principal building, but not including vehicles, mobile homes, travel trailers, truck trailers, or any parts thereof. An accessory building may not house a principal use nor may it stand alone on a lot as a principal building.

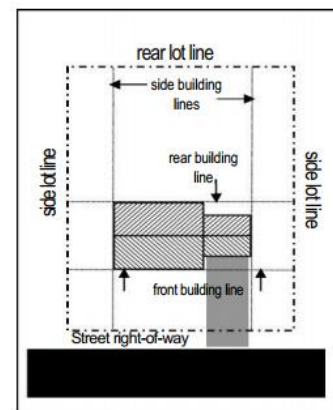
**Building Addition.** An increase in floor or building area or attached expansion of an existing building or structure.

**Building Envelope.** The area of a lot that is available for development and free of restrictions as specified in this Ordinance and shall not include required yard areas (i.e., setback areas), rights-of-way, easements, floodplains, wetlands, steep slopes, and all similar restrictions.

**Building Line.** The actual distance between the closest part of a building and:

- A. in the case of a front yard, the adjoining street right-of-way line;
- B. in the case of a side yard, all side lot lines; and,
- C. in the case of a rear yard, all rear lot lines.

The building line shall be located along and drawn parallel to a wall or other exterior supporting member of a structure or portion thereof, excluding self-supportive projecting architectural features that project five feet or less.



**Building, Principal.** A building or structure which is constructed, designed to be constructed, or intended to be constructed as the primary use of the lot on which it is located.

**Cartway.** The surface of a street or alley intended and available for vehicular use.

**Clear Sight Triangle Easement.** An area of unobstructed vision at the intersection of two (2) or more streets, access drives, driveways, or alleys or any combination of the foregoing. It is defined by lines of sight

between points at a given distance from the intersection of the centerlines of both streets, access drives, driveways, or alleys.

**COE.** United States Army Corps of Engineers.

**Common Open Space.** Any area of land or water, or a combination of land and water, within a development site designed and intended for use by all residents of the development or the general public. Common open spaces shall not include areas devoted to driveways, access drives, parking lots, street rights-of-way, stormwater detention basins, areas set aside for public facilities, required setbacks, and private yards.

**Community Sewage System.** A sewage disposal system, other than a public sewer system, which provides sewage disposal for two (2) or more units of occupancy which shall comply with all applicable regulations of the Department of Environmental Protection or other regulatory agency.

**Community Water Supply System.** A water supply system, other than a public water system, providing water for more than two (2) units of occupancy which shall comply with all applicable regulations of the Department of Environmental Protection or other regulatory agency.

**Comprehensive Plan.** The Cornwall-Lebanon Regional Comprehensive Plan of June 6, 2013, as amended or replaced.

**County Planning Department.** The Lebanon County Planning Department or its successor.

**Cross Access Drive/Driveway.** A service drive that provides vehicular access between two or more contiguous sites so that the driver need not re-enter the public street system.

**Curb.** The raised edge of a pavement to confine surface water to the pavement and to protect the abutting land from vehicular traffic.

**Dedication.** The deliberate appropriation of land, utilities, and facilities by its owner for general public use.

**Deed.** A legal document conveying ownership in real property.

**Department of Environmental Protection (DEP).** The Department of Environmental Protection of the Commonwealth of Pennsylvania or any agency successor thereto.

**Department of Transportation (PennDOT).** The Department of Transportation of the Commonwealth of Pennsylvania or any agency successor thereto.

**Design Speed.** The design speed for streets designed in accordance with this Ordinance shall equal the proposed posted speed plus five (5) miles per hour.

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

**Development.** Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

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

**Drainage Easement.** A right granted by a landowner to a grantee, allowing the use of private land for stormwater management purposes.

**Driveway.** An improved cartway designed and constructed to accommodate vehicular movement between a public road and a tract of land serving one single-family or two-family dwelling unit or a farm; or joint use driveways as defined herein. Driveways shall comply in all respects with the Zoning Ordinance, the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, and any

other Ordinance regulating the placement and/or construction of driveways which may be enacted by the Board of Supervisors.

**Dwelling.** Any building or portion thereof designed and used exclusively for residential occupancy, including those listed below:

- A. **Single-Family Detached:** A freestanding detached (separate) building designed for or occupied exclusively by one family on an individual lot. However, this definition shall not include single unit mobile homes which are defined separately. Modular homes shall be considered single-family detached dwellings so long as they are designed and constructed in accordance with the applicable construction code. (Figure 1)
- B. **Single-Family Semi-Detached:** A freestanding building with one dwelling unit from the ground to roof and only one party wall in common with another dwelling unit. Commonly described as half a duplex, the semi-detached, single-family dwelling is on an individual lot, is connected on one side to a similar dwelling on an adjacent lot and is usually owner-occupied. (Figure 2)
- C. **Two-Family:** A freestanding building on an individual lot with two dwelling units from ground to roof (one unit over the other). These units are normally renter-occupied and are not designed for further subdivision. (Figure 3)
- D. **Two-Family Semi-Detached:** A building with two dwelling units from ground to roof (one unit over the other) and only party wall in common with another, connected to a building which may contain one or two dwelling units. The two-family semi-detached dwelling is on an individual lot and may be rental or owner-occupied. (Not Pictured).
- E. **Multiple Family:** A building containing three or more dwelling units, at least one of which must be located above or below the remaining units. (Figure 4)
- F. **Garden Apartment:** Multi-family apartment buildings located on a plot of land under one ownership. Garden apartments are two stories high, with individual apartments on each story. (Not Pictured).
- G. **Townhouse:** A single-family dwelling located on an independent lot and constructed as a part of a series of three or more connected single-family dwellings with one dwelling unit from floor to roof. Townhouses are typically two stories high, and units are considered attached dwellings, except for the end units of a building series which are semi-detached. Townhouses are generally owner-occupied and provide residents with individual yards, parking, and utility access. Common areas and facilities, including parking areas, may be designed for joint utilization by all residents of the townhouse development. (Figure 5)

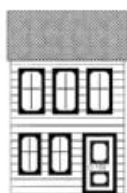


Figure 1

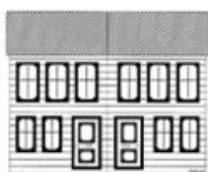


Figure 2



Figure 3

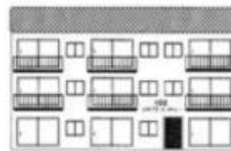


Figure 4



Figure 5

**Dwelling Unit.** One or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities for one family.

**Easement.** A limited right of use granted in private land for a public, quasi-public, or private purpose.

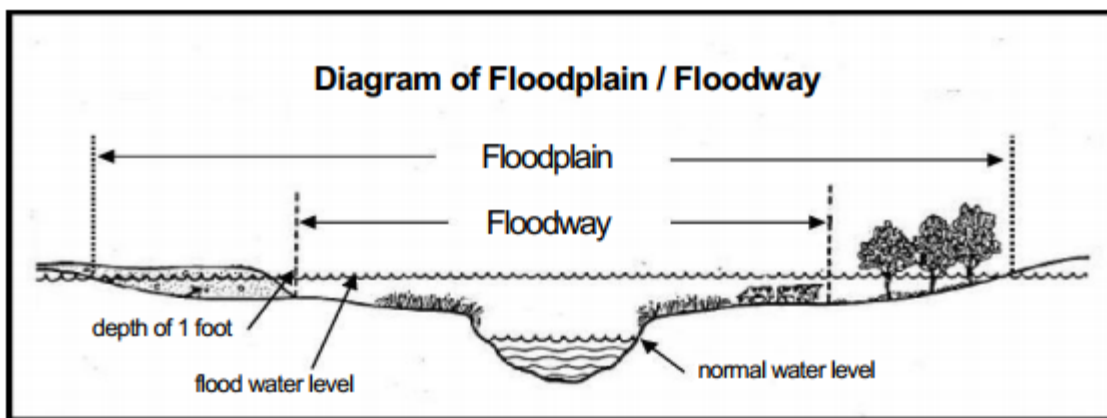
**Easement of Access.** Any driveway or other entrance from a public or private road. A field road providing access to agriculturally used fields and not providing access to any residential, commercial, or industrial structure is not considered an easement of access.

**Engineer.** A professional engineer licensed in the Commonwealth of Pennsylvania.

**Financial Security.** A letter of credit or other form of monetary guarantee provided in accordance with the requirements of Article V of the Municipalities Planning Code posted by a developer to secure the completion of improvements indicated on an approved plan.

**Flood.** A general and temporary inundation of normally dry land areas by water from waterway overflows or the unusual and rapid accumulation or runoff of surface waters from any source.

**Floodplain.** A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river, or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.



**Flood Elevation.** The projected heights, in relation to the North American Vertical Datum of 1988 (NAVD), reached by floods of various magnitudes and frequencies in the floodplain areas.

**Flood Insurance Rate Map (FIRM).** The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**Floodway.** The channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation of that flood more than one (1) foot at any point.

**Floor Area.** The total floor area of a building or structure, excluding unimproved cellars or basements used only for storage, storage attics, open porches, garages used for vehicle storage, and similar uses.

**Frontage.** The line of a lot coincident with an abutting right-of-way line of a street that can be used for vehicular access to the site.

**GIS.** Geographic Information Systems.

**Grade.** The slope expressed in a percent that indicates the rate of change of elevation in linear feet per one hundred linear feet.

**Hardship.** A condition, not economic in nature and not caused by the applicant or developer, for which a modification may be requested.

**Homeowners' Association.** An unincorporated association or not-for-profit corporation whose membership consists of the lot owners of a residential development. A homeowners' association shall also include a condominium unit owners' association. All such associations shall comply with the requirements for unit

owners' associations contained in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S. Section 3101 et seq., or the Uniform Planned Communities Act, 68 Pa. C.S. Section 5101 et seq.

**Impervious Surface.** Any surface that prevents the percolation of water into the ground. All structures, buildings, parking areas, driveways, roads, sidewalks and any areas of concrete, asphalt stone or gravel shall be considered impervious surface. In addition, all other areas as determined by the Township Engineer to be impervious within the meaning of this definition shall also be considered impervious surface.

**Improvement.** Any structure or paving placed upon land, including the provision of underground or above-ground utilities, as well as any physical change to the surface of the land, including but not necessarily limited to grading, paving, the placement of stormwater management facilities, sidewalks, street signs, traffic control devices, and monuments. This definition shall expressly exclude the tilling of soil.

**Individual On-Lot Sewage System.** A system of piping, tanks, or other facilities located on and serving a single lot by collecting and disposing of sewage, in whole or in part, into the soil or into any waters of the Commonwealth of Pennsylvania or by means of conveyance to another site for final disposition.

**Joint Use Access Drive/Driveway.** An access drive or driveway connecting two or more contiguous properties or development sites to a street.

**Land Development.** Any of the following activities:

- A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
  - 1. a group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
  - 2. the division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
- B. A subdivision of land.
- C. The following activities are excluded from this term:
  - 1. the conversion of an existing single-family detached dwelling into not more than three (3) residential units, unless such units are intended to be a condominium;
  - 2. the addition of an accessory building/use, including farm buildings, on a lot or lots subordinate to an existing principal residence or farm; and
  - 3. the addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purpose of this sub clause, an amusement park is defined as a tract of land, or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

**Land Disturbance.** Any activity involving grading, tilling, digging, or filling of ground; stripping of vegetation; or any other activity which causes land to be exposed to the danger of erosion.

**Landowner.** The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner or other person having a proprietary interest in land.

**Landscape Architect.** A professional landscape architect licensed as such in the Commonwealth of Pennsylvania.

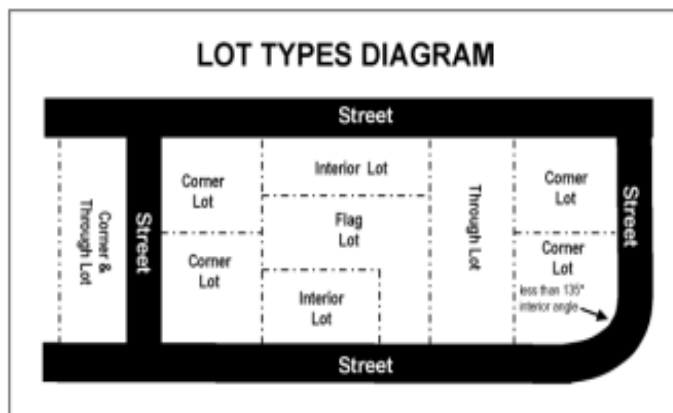
**Lateral.** Conduits connecting individual buildings to utility services that are generally located within the street. Ownership and maintenance of the lateral within the public right-of-way or utility easement shall be the responsibility of the agency or utility servicing the property.

**LIDAR.** Light Detection and Ranging.

**Location Map.** A map showing the site with relation to adjoining areas.

**Lot.** A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit. A "lot" shall include one or more contiguous pieces, parcels, or plots of land of record, all under the same ownership.

- A. **Lot, Corner:** A property having street frontage along two (2) or more contiguous sides or along a single curved street with an interior angle of less than 135 degrees as measured along the interior edge of the street right-of-way, or in the event of no right-of-way, along the interior edge of the cartway. Corner lots shall have one required front yard, one required rear yard and two required side yards (all required yards being measured from either the road right-of-way or the adjacent interior lot line). The yard toward which the front entrance of the building faces shall be designated as the front yard.



- B. **Lot, Flag:** A lot that relies upon a thin strip of land for street access whose frontage does not satisfy the minimum width requirements for the respective Zone, but that said lot has the required lot width away from the street frontage.
- C. **Lot, Interior:** A lot with only one (1) street frontage, the sides of which do not abut a street.
- D. **Lot, Double Frontage / Through / Reverse Frontage:** An interior lot having frontage on two parallel or approximately parallel streets with vehicular access solely from the street of lesser functional classification. These lots shall have one front yard and one rear yard; the area of frontage providing primary access to the lot shall be designated as the front yard.

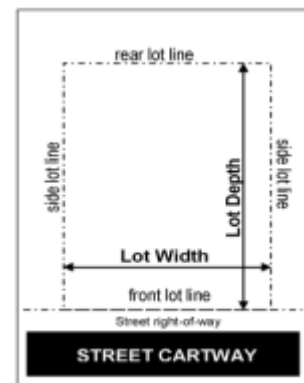
**Lot Area.** (See "Area.")

**Lot Depth.** A mean horizontal distance between the front and rear lot lines measured in the general direction of its side lot lines.

**Lot Line.** A recorded boundary line of a lot; however, any line that abuts a street or other public, quasi-public, or private right-of-way shall be interpreted as the lot line for the purposes of determining the location of the required setbacks.

- A. **Lot Line, Front:** The lot line coincident with the right-of-way line of a street.
- B. **Lot Line, Rear:** Lot lines that are formed at the outermost edge of any rear yard as defined herein.
- C. **Lot Line, Side:** Lot lines that are formed at the outermost edge of any side yard as defined herein.

**Lot Width.** The mean horizontal distance measured between side property lines measured at right angles to its depth. Required lot width shall be measured



at the most forward allowable building line or setback line; however, in the case where one side lot line is not parallel to the other side lot line, or for pie-shaped lots, the required lot width shall be measured at a point equal to fifty (50) percent of the lot depth.

**Minor Land Development Plan.** A land development plan proposing: 1) The construction of one (1) non-residential building not exceeding 10,000 square feet of building area; 2) The construction of an addition to a non-residential building not exceeding 5,000 square feet of additional building area; 3) The construction of a new non-residential building on existing impervious area; or 4) The construction of a non-residential building addition on existing impervious area.

**Minor Subdivision Plan.** A subdivision plan of five (5) lots or less, including the residual tract, either initially or cumulatively since July 20, 1989, and does not require provisions for a new street.

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

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

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

**Modification.** The granting of an exception to these regulations which in the opinion of the Township Supervisors will not be detrimental to the general welfare or impair the intent of those regulations.

**Modular Home.** A sectional, single family dwelling, intended for permanent occupancy, contained in two or more units designed to be permanently joined into one integral unit, which arrives at a site complete and ready for occupancy except for assembly operations and construction of the necessary permanent foundation. For the purposes of this Part, modular homes shall be treated the same as conventional stick-built single-family dwellings.

**MS4.** The Municipal Separate Storm Sewer System. Those urbanized areas of the Township as identified by the United States Census and as recognized by PADEP.

**Municipality.** The Township of North Lebanon, Lebanon County, PA.

**Municipalities Planning Code (MPC).** The Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as reenacted and amended.

**MUTCD.** Manual on Uniform Traffic Control Devices for Streets and Highways.

**Non-Residential.** Any use other than single or multi-family dwellings. An institutional use in which persons may reside on a temporary basis, such as a dormitory, prison, nursing home, or hospital, shall be considered a non-residential use.

**NWI.** National Wetland Inventory.

**On-Lot Sewage Disposal.** The disposal of sewage by use of septic tanks, or other safe and healthful means within the confines of the lot on which the use is located as approved by the Pennsylvania Department of Environmental Protection.

**On-Lot Water Service.** The provision of water to a single user from a private well located on the user's lot.

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



**100-Year Flood Boundary.** The outer boundary of an area of land that is likely to be flooded once every 100 years (i.e., flood that has a one percent (1%) chance of being flooded each year). A study by the Federal Insurance Administration, the United States Army Corps of Engineers, the United States Department of Agriculture's Soil Conservation Service, the United States Geological Survey, the Susquehanna River Basin Commission, or a licensed surveyor or professional engineer, registered by the Commonwealth of Pennsylvania is necessary to define this boundary.

**100-Year Flood Elevation.** The water surface elevations of the 100-year flood.

**On-Site Stormwater Management.** The control of runoff to allow water falling on a given site to be absorbed, detained, or retained on-site to the extent that after development the peak rate of discharge leaving the site is not significantly greater than if the site had remained undeveloped.

**Owner.** The owner of record of a parcel of land.

**PA.** Commonwealth of Pennsylvania

**Parking Area.** An area on a lot utilized for the parking of vehicles for a single unit of occupancy, a farm or two (2) vehicles within a land development.

**Parking Compound.** An area on a lot containing any use other than an agricultural use or one (1) single-family detached dwelling for the parking of three (3) or more vehicles.

**Parking Lot.** An accessory use in which required and additional off-street parking spaces are provided subject to the parking requirements of the Zoning Ordinance.

**Parking Space.** An open space or enclosed area accessible from a street or alley for parking of motor vehicles for owners, occupants, employees, customers or tenants of the principal building or use.

**Peak Hour Volume.** The numbers of vehicles passing a single point during one hour during a defined peak period of a day, usually the morning or evening commuter peak or the Saturday shopping peak.

**Plan.** The map or plan of a subdivision or land development, as follows:

- A. **Final Plan.** A complete and exact subdivision and/or land development plan, including all supplementary data specified in Article IV of this Ordinance.
- B. **Lot Add-On Plan.** A complete and exact subdivision plan including all supplementary data specified in Article IV of this Ordinance.
- C. **Minor Subdivision.** A complete and exact subdivision plan including all supplementary data specified in Article IV of this Ordinance.
- D. **Preliminary Plan.** A subdivision and/or land development plan including all required supplementary data specified in Article IV of this Ordinance.
- E. **Record Plan.** A final plan which contains the original endorsement of the local municipality and the Planning Commission which is intended to be recorded with the Lebanon County Recorder of Deeds.
- F. **Revised Final Plan.** Any subdivision or proposed land development plan that changes or proposes to change property lines and/or public rights-of-way not in strict accordance with the approved plan.
- G. **Separation Subdivision.** A complete and exact subdivision plan including all supplementary data specified in Article IV of this Ordinance.
- H. **Sketch Plan.** An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings, with the general layout of a proposal prepared in accordance with Article IV of this Ordinance.

**Planning Commission.** The North Lebanon Township Planning Commission.

**Planning Module.** A revision to the Township's Official 537 Plan submitted in connection with the request for approval of a subdivision or land development in accordance with DEP regulations.

**Plat.** The map or plan of a subdivision or land development, whether preliminary or final.

**PNDI.** The Pennsylvania Natural Diversity Inventory.

**Premises.** The property upon which the activity is conducted as determined by physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incidental to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses.

**Project Site.** An area of land subject to land disturbance or development and within the jurisdiction of this Ordinance.

**Public Sewer System.** A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems can serve multiple users.

**Public Water System.** A municipal water supply system, or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems can serve multiple users.

**Quadrant.** A circular or square plot of a given area used to determine the dominant plant species within a site.

**Qualified Design Professional.** A professional engineer, landscape architect or land surveyor licensed in the Commonwealth of Pennsylvania.

**Recorder of Deeds.** The Recorder of Deeds in and for Lebanon County, Pennsylvania.

**Replacement Location.** A location designated as the future location of an individual on-lot sewage system that shall be installed should the initial individual on-lot system installed or to be installed fail or otherwise become inoperable and which shall meet all the regulations of DEP and all applicable Township Ordinances for an individual on-lot sewage system.

**Right-of-Way.** An area secured for public use, and which may, but need not, be improved with streets, utilities, stormwater management facilities, traffic control facilities, curbs, sidewalks, bicycle lanes or paths, streetlights, and similar improvements for public benefit or enjoyment.

**Right-Of-Way, Legal.** The existing width or area of land currently owned by the Township, the Commonwealth of Pennsylvania, or some other public agency or authority.

**Right-Of-Way, Required.** The width or area of land necessary to accommodate present or future public improvements.

**Screening.** A landscaped buffer consisting of a mixture of coniferous trees or shrubs, shade trees, ornamental trees, hedges, earth mounding, walls, or a combination thereof established at a minimum height of six feet. Such buffer shall separate and protect uses from noise, odor and dust, as well as moderating the effects of winter winds and summer heat and/or provide a solid visual, noise and pollutant barrier between potentially incompatible uses.

**Setback.** The required horizontal distance between a setback line and a property or street line.

- A. **Setback, Front:** The distance between the street line and the front building setback line projected the full width of the lot. Commonly, called "required front yard."
- B. **Setback, Rear:** The distance between the rear lot line and the rear setback line projected the full width of the lot. Commonly called "required rear yard."
- C. **Setback, Side:** The distance between the side lot line and the side setback line projected from the

front yard to the rear yard. Commonly called “required side yard.”

**Setback Line.** A line within a property and parallel to a property or street line which delineates the required minimum distance generally between buildings/structures and that property or street line. Setbacks can also be applied specifically to off-street parking, off-street loading, outdoor storage, access drives and driveways, outdoor lighting, towers, antennas and other improvements, activities and uses as listed throughout this Ordinance.

**Sight Distance.** The length of road visible to the driver of a passenger vehicle at any given point in the road when viewing is unobstructed by traffic, or any other natural or manmade object or feature.

**Soil Survey.** The latest published version of the United States Department of Agriculture's soil survey for Lebanon County, Pennsylvania.

**Special Flood Hazard Area (SFHA).** An area in the floodplain subject to a 1% or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or AH.

**Storm Sewer.** A system of pipes, conduits, swales, or other similar structures including appurtenances which carries intercepted runoff, and other drainage, but excludes domestic sewage and industrial wastes. All storm sewers shall be designed and constructed in accordance with the North Lebanon Township Stormwater Management Ordinance.

**Stormwater.** Drainage runoff from the surface of the land resulting from precipitation, snow melt, or ice melt.

**Stormwater Management.** A program of controls and measures designed to regulate the quantity and quality of stormwater runoff from a development while promoting the protection and conservation of groundwater and groundwater recharge. All stormwater management facilities shall be designed in accordance with the North Lebanon Township Stormwater Management Ordinance.

**Stormwater Management Facilities.** Any structure, natural or man-made, that, due to its condition, design, or construction, conveys, stores, or otherwise affects stormwater runoff. Typical stormwater management facilities include, but are not limited to, detention and retention basins, open channels, road gutters, swales, storm sewers, pipes, and infiltration structures.

**Street.** A strip of land, including the entire right-of-way, intended primarily as a means of vehicular and pedestrian travel. Street includes avenue, boulevard, road, roadway, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians, whether public or private. Unless the existing streets within the Township are officially classified, the following general classifications will prevail:

- A. **Alley.** A minor right-of-way, privately owned, primarily for service access to the rear or sides of properties.
- B. **Arterial Street; Highway.** A street or road that is used primarily for fast or heavy traffic including all roads classified as main and secondary highways by the Department of Transportation.
- C. **Collector Street.** A street which carries traffic from minor streets to the major system or arterial streets, including the principal entrance or circulation streets of a residential development and all streets within industrial and/or commercial subdivisions or developments.
- D. **Cul-de-sac.** A street intersecting another street at one end and terminating at the other in a vehicular turnaround. A looped street which intersects itself is not considered a cul-de-sac.
- E. **Local Street.** A low-capacity street which provides direct access to abutting lands and connects to a higher order street. Local roads serve travel over relatively short distances and discourage through-traffic.
- F. **Private Street.** A street which is constructed in accordance with the applicable provisions of this Ordinance which is not owned by a public entity. North Lebanon Township shall not be

responsible for any type of maintenance or snow removal on any private street.

**Street Centerline.** A line laterally bisecting a street right-of-way into equal widths. Where the street right-of-way cannot be determined, the cartway centerline shall be deemed the street centerline.

**Street Line or Right-of-Way Line.** The line defining the limit of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the legal right-of-way line currently in existence.

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

**Subdivider.** A landowner that subdivides his/her land; a developer.

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

**Surveyor.** A professional land surveyor licensed in the Commonwealth of Pennsylvania.

**Township.** North Lebanon Township, Lebanon County, Pennsylvania, as represented by the Board of Supervisors, or its duly authorized agents.

**Township Engineer.** A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for North Lebanon Township

**Tract, Subject.** Any portion or portions of the area, lot, parcel, project, property, site, or any piece of land that is the subject of an application under the jurisdiction of this Ordinance.

**Transect.** A line along which quadrants are placed at intervals.

**Undeveloped Land.** Land in parcels which is of sufficient size that could allow for the future subdivision and/or development in accordance with the terms of the zoning and subdivision ordinance.

**Unit of Occupancy.** A unit, the use of which is not subordinate or customarily incidental to a principal unit. A unit of occupancy can be either residential or non-residential and can be an independent unit within a structure or a separate detached structure. Types of units are as follows:

- A. **Single Detached Unit.** A unit that is completely surrounded by open space.
- B. **Semi-Detached Unit.** A unit within a structure in which two (2) units are side by side, each having open space on three (3) sides (e.g., a twin or semi-detached dwelling).
- C. **Horizontally Attached Unit.** A unit within a structure in which three (3) or more units are attached by vertical walls and do not have horizontal divisions between units (e.g., town houses, row houses, shopping center with multiple store fronts).
- D. **Vertically Attached Unit.** A unit within a structure in which two (2) or more units are attached by horizontal divisions (e.g., multi-story apartment building or multi-story office building).

**Wastewater Treatment Facility.** A system of piping and appurtenances, whether municipally or privately owned, designed for the collection and transmission of liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions to a central wastewater treatment plant for treatment and discharge (not including septic tanks or sub-surface disposal systems).

**Watercourse.** A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake, or other body of surface water carrying or holding surface water, whether natural or artificial.

**Water Supply, Community.** The provision of water to multiple users from a single, common, privately-owned water facility that shall be approved and permitted by the Pennsylvania Department of Environmental Protection.

**Water Supply, On-Lot.** The provision of water to a single user from a private well located on the user's lot.

**Water Supply, Public.** The provision of water to multiple users from a single, common water facility owned by a municipality or a municipal authority that shall be approved and permitted by the Pennsylvania Department of Environmental Protection.

**Wetlands.** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas, and which shall be identified using that method of the following that delineates the greatest area of wetlands:

- A. The United States Army Corps of Engineers Technical Report Y87-1, Corps of Engineers Wetlands Delineation Manual;
- B. The United States Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology, as most recently updated or modified; or,
- C. The Pennsylvania Department of Environmental Protection's Resources Wetlands Identification and Delineation, Chapter 105 Dam Safety and Waterways Management Rules and Regulations, as most recently updated or modified.

**Wooded Area.** Any area or stands of trees, the majority of which are greater than 6 inches in caliper at grade and covering an area greater than one-quarter acre, or any stand or grove of mature trees without regard to minimum area.

**Zoning Ordinance.** The North Lebanon Township Zoning Ordinance, as enacted by the Board of Supervisors and as may be amended from time to time.

## ARTICLE III

### PLAN PROCESSING PROCEDURES

#### Section 301 General

This Article sets forth the application requirements for obtaining approval of subdivision and land developments. The form of the various plans referred to in this Article and information required to be forwarded with such plans shall be as specified in Article IV.

#### Section 302 Compliance with Zoning Ordinance and Zoning Hearing Board Decisions

Whenever the Zoning Ordinance provides that the use proposed by the applicant for subdivision or land development approval shall constitute a use by special exception or conditional use, or when a variance from the terms of the Zoning Ordinance is required to develop in accordance with the plan, the applicant shall obtain such special exception, variance, or conditional use approval from the Township Zoning Hearing Board or Board of Supervisors, as applicable, prior to the submission of the preliminary plan. The plan shall be designed and developed in accordance with any conditions which have been imposed upon the grant of such special exception, variance, or conditional use by the Township Zoning Hearing Board or Board of Supervisors, as applicable. The land development or subdivision plan shall also be prepared in accordance with the applicable zoning plan submitted in support of such special exception, variance, or conditional use application request. Deviation from the applicable zoning plan as noted above shall result in disapproval of the land development or subdivision plan.

#### Section 303 Application and Processing Requirements

All applications shall follow these application and processing requirements (except Sketch Plans as provided hereafter).

- A. Formal Application/Submission Deadlines. Applications for approval of a subdivision plan, land development plan, or lot add-on plan may be filed with the Township on any business day. However, the Planning Commission may review a plan at a particular meeting only if the plan was initially filed at least fifteen (15) calendar days prior to the first meeting following the application submission.
- B. Application Requirements. Plan applications shall include the following, as applicable (see Section 303.C below for plan distribution list):
  - 1. Full size plan(s) at twenty-four inches by thirty-six inches (24" x 36") and reduced-size plan(s) at eleven inches by seventeen inches (11" x 17"). All plans shall be either black on white or blue on white paper prints and prepared in conformance with the provisions of Article IV of this Ordinance.
  - 2. All required reports (e.g., Water Service Feasibility Report, Transportation Impact Study, Wetland Study, etc.).
  - 3. All notifications and certifications which are not provided on the preliminary and/or final plan.
  - 4. If applicable, documentation of conditional use approval(s) by the Board of Supervisors and/or special exception and/or variance decision(s) by the Zoning Hearing Board.

5. A completed “Application for Consideration of a Subdivision and/or Land Development Plan,” as provided in the Appendix.
  6. If applicable, a completed “Application for Consideration of a Modification,” as provided in the Appendix.
  7. Filing and Review Escrow fees in the amounts as specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Office.
  8. Documentation that the plans have been properly filed with the Lebanon County Planning Department, and all other required approving agencies (local, state, and federal agencies, water and sewer authorities, utilities, etc.).
  9. Applicant may schedule a meeting with Township staff prior to submission of plan application information to confirm requirements for a complete submission.
- C. Distribution. The applicant shall submit one (1) full-size copy of the plan(s), six (6) reduced-size copies of the plan(s), and one (1) copy of all supporting documents listed in Section 303.B directly to the Township. In addition, the applicant shall submit one (1) full-size copy each of the plan(s) and supporting documents directly to the Township Engineer, NLTMA (if applicable), the NLTMA Engineer (if applicable), CoLA (if applicable), and the Lebanon County Planning Department.
1. If directed by the Township Engineer, applicant shall submit one (1) copy each of the plan(s) to the Township’s Solicitor, the Township’s Parks & Recreational Board, and designated Fire Company for their respective reviews.
  2. Portable document format (PDF) copies of the plan(s), reports, and other supporting information required by Section 303.B shall be transmitted to the distribution roster listed in Section 303.C.
  3. Plan resubmissions shall be distributed the same as the initial submission except that resubmission to the Lebanon County Planning Department is not required.
- D. Initial Application. The Township staff shall have seven (7) business days from the date of submission of an application to check the plans and documents to determine if on their face they are in proper form and contain all information required by this Ordinance. If defective, the application shall be returned to the applicant with a statement explaining the reason(s) of rejection, within twelve (12) business days following the date of submission by the applicant; otherwise, it shall be deemed accepted for filing as of the date of submission. Acceptance for filing shall not, however, constitute a waiver of any deficiencies or irregularities. Under this section, the applicant may appeal a decision by the Township staff to the Board.
- E. Amendments or Corrections to an Application. The Township staff shall have seven (7) business days from the date of submission of an amended or corrected application or plan to determine whether such amended or corrected application results in a substantial amendment to the plan or if the application or plan filed changed so as to be considered a new plan. If the Township staff determines that the amended or corrected application constitutes a substantial amendment, the applicant shall be informed of the determination within twelve (12) business days from the date of the submission of the amended or corrected application and the Township staff shall further inform the applicant that the Township shall consider the ninety (90) day review procedure to have been restarted as of the date of the filing of the substantial amendment. If the Township staff determines that the amended or corrected application constitutes a new plan, they shall so inform the applicant,

and shall inform the applicant that a new application and new fees are required. Under this section, the applicant may appeal a decision by the Township staff to the Board.

F. Plan Review Process.

1. Review by the Township Staff and Consultants.

- a. The Township Zoning Officer and any Township personnel, as directed by the Board, may review the application documents to determine if they are in compliance with this Ordinance, the Zoning Ordinance, the Comprehensive Plan, the Township's planning objectives, and accepted planning standards. These personnel may provide comments and recommendations, including written findings.
- b. The Township Engineer and/or other consultants designated by the Board of Supervisors shall review the application documents to determine compliance with this Ordinance, and any other applicable Township Ordinances, Township standards, and good engineering practices. He/she shall prepare a written draft report of his/her findings and recommendations which shall be presented to the Township and the applicant.

2. Planning Commission Review.

- a. The Planning Commission will review the application with the developer and/or the developer's agent at a regular meeting after comments are received from the Township Zoning Officer, Township staff, Township Engineer, and the Lebanon County Planning Department. The Planning Commission will review the application to determine if it meets the standards set forth in the Township's Ordinances. The application shall then be submitted by the Planning Commission, together with its analysis and recommendations, including those of the Township staff and Engineer, to the Board of Supervisors. Generally, the plan shall not be forwarded to the Board until all zoning and design issues have been resolved and only administrative items remain to be addressed, at which time the plan can be recommended for conditional approval or disapproval.
- b. If the Planning Commission's regular meeting is scheduled prior to the issuance of comments by the Zoning Officer (if applicable), Township staff (if applicable), Township Engineer, and Lebanon County Planning Department, the applicant may request to be placed on the Planning Commission's meeting agenda to brief the Planning Commission on the plans and any requested waivers or modifications. However, no official review will be conducted, and no recommendations will be issued by the Planning Commission until after issuance of comments by the Zoning Officer (if applicable), Township staff (if applicable), Township Engineer, and Lebanon County Planning Department.

3. Board of Supervisors Review Process

- a. Generally, following review and recommendation by the Planning Commission, the Board of Supervisors will place the plan on its agenda for review and action at the next regularly scheduled Board of Supervisors' meeting.
- b. All applications for approval of a plan shall be acted upon by the Board. The Board



shall render its decision and communicate it to the applicant not later than ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that should the said next regular meeting occur more than thirty (30) days following the filing of the application, the said ninety (90) day period shall be measured from the thirtieth (30th) day following the day the application has been filed.

- c. Notification of Board of Supervisors Action. The decision of the Board shall be in writing and shall be communicated to the applicant personally or mailed to him/her at his/her last known address not later than fifteen (15) days following the decision.
  - 1) When the application is not approved in terms as filed, the decision shall specify the defects found in the application and describe the requirements which have not been met and shall, in each case, cite the provisions of the Ordinance relied upon.
  - 2) Failure of the Board to render a decision and communicate it to the applicant within the time and in the manner required herein, unless a greater period of time has been authorized by the Municipalities Planning Code, shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner or presentation of communication of the decision; in which case, failure to meet the extended time or change in manner of presentation of communication shall have like effect.
- d. Compliance with the Board of Supervisors Action. If the Board conditions its plan approval upon receipt of additional information, third party agency approvals, plan revisions, and/or notifications, such data shall be submitted and/or alterations noted the revised plan to be submitted to the Township for confirmation that all conditions of approval are satisfied. Such data shall be submitted to the Board within ninety (90) days of their conditional approval unless the Board grants a modification by extending the effective time period.
- e. Board of Supervisors Approval and Certification. The Board will acknowledge the satisfactory compliance with all conditions, if any, of the plan approval at a regularly scheduled public meeting. After receipt of plan approval and compliance with all conditions of such approval, the plans shall be presented to the Township for acknowledgement through a formal approval certification statement to be signed by members of the Board of Supervisors on the plan as provided in the Appendix.

#### **Section 304    Pre-Application Review (Sketch Plan)**

Applicants are strongly urged to review possible subdivision and land development plans with the Township prior to formal submission of any plan. The purpose of the pre-application meeting or sketch plan review is to afford the applicant an opportunity to receive the advice and assistance of the Township Engineer, Zoning Officer, Planning Commission, Board of Supervisors, and staff. Submission of a sketch plan is optional and will not constitute formal filing of a plan with the Township.

- A. Pre-Application Plans and Data Procedure. Prior to the preparation and filing of the preliminary plan for subdivision or land development, the applicant may submit to the Township plans and data which shall be forwarded to the Planning Commission and Board of Supervisors for consideration. The plans should include those elements that should be considered in the design of the subdivision or land

development.

- B. Submission of Pre-Application (Sketch) Plans. Prospective applicants submitting a pre-application (sketch) plan for review by the Township shall include those items listed in Section 402 of this Ordinance. Plans shall be considered for informal review and discussion and shall not constitute formal filing of the plan with the Township. Plans shall be submitted seven (7) business days prior to the regularly scheduled monthly meeting of the Planning Commission. All plan submittals shall be accompanied by a completed "Application for Consideration of a Subdivision and/or Land Development Plan," as provided in the Appendix and a filing fee and escrow in an amount as specified on the fee schedule adopted by resolution of the Board of Supervisors and available at the Township Office. The applicant may proceed to the preliminary plan process following meetings with the Planning Commission and Board of Supervisors. The applicant shall incorporate the comments or concerns of the Township Engineer, Zoning Officer, Planning Commission, Board of Supervisors, and staff and make every effort to address these items in the preliminary plan.

### **Section 305 Preliminary Plan Application**

- A. Preliminary Plan Application. With the exceptions noted in Section 307 of this Ordinance, a preliminary plan is required for applications that propose the opening, widening, extension, or improvement of a street, any subdivision or land development involving more than five (5) lots or dwelling units, or any subdivision or land development on a property after five (5) or more lots or dwelling units have previously been subdivided from or developed on that property. Multi-family, mobile home park, commercial, and industrial applications shall require a preliminary plan regardless of the number of lots or units created.
- B. Approval of a Preliminary Plan Application. Approval of a preliminary plan application shall constitute approval of the proposed subdivision and/or land development as to the character and intensity of development and the general arrangement of streets, lots, structures, and other planned facilities, but shall not constitute final plan approval. The preliminary plan may not be recorded in the office of the Recorder of Deeds.
- C. Preliminary Plan Certification.
1. Upon compliance with all conditions of plan approval, as verified by the Township Engineer, the applicant shall prepare at least three (3) paper copies of the preliminary plan at twenty-four inches by thirty-six inches (24" x 36") for signatures by the Board of Supervisors, Planning Commission, and Township Engineer (if applicable).
  2. Preliminary plans will not be signed by the Board if submitted more than ninety (90) days from the Board's preliminary approval action unless the Board grants a modification by extending the effective time period of the approval.
  3. The approved and signed preliminary plans shall be distributed to the applicant, Township, Township Engineer, NLTMA (if applicable), and CoLA (if applicable).
  4. A digital copy of the approved preliminary plan shall be transmitted to the Township, Township Engineer, and the Lebanon County Planning Department in a format compatible with GIS shape files (.shp) and AutoCAD drawing files (.dwg or .dxf files).

## **Section 306     Final Plan Application**

- A.     Prerequisites to Filing Final Plan Application. An application for final plan approval can be submitted only after the following has been completed:
1.     The receipt of an unconditional preliminary plan approval in accordance with Section 303.F.3.e of this Ordinance, when a preliminary plan approval is required, and/or,
  2.     The completion of the improvements required by this Ordinance in accordance with the preliminary plan, when the improvements are not guaranteed by the posting of financial security as provided in Section 703 of this Ordinance.
- B.     Final Plan Applications.
1.     The final plan may be submitted in sections (i.e., phases), each section covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plan; provided that each section, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of units of occupancy as depicted on the approved preliminary plan, unless a lesser percentage is approved by the governing body in its discretion.
  2.     The Township may accept a final plan modified to reflect a change to the site or its surroundings that occurs after the preliminary plan review. The Board, with a recommendation from the Township Planning Commission, shall determine whether a modified final plan will be accepted or whether a new preliminary plan shall be submitted.
- C.     Final Plan Certification.
1.     Upon compliance with all conditions of plan approval, as verified by the Township Engineer, the applicant shall proceed to prepare at least four (4) paper copies of the final plan sets at twenty-four inches by thirty-six inches (24" x 36") for signatures by the Board of Supervisors, Planning Commission, and Township Engineer (if applicable).
  2.     Final plans will not be signed by the Board if submitted more than ninety (90) days from the Board's final approval action unless the Board grants a modification by extending the effective time period of the approval.
  3.     The signed paper copies of the plan shall be submitted to the Lebanon County Planning Department for signatures. The County typically retains one (1) copy of the plan for recording.
  4.     Remaining copies of the approved and signed final plans shall be distributed to the applicant, Township, Township Engineer, NLTMA (if applicable), and CoLA (if applicable).
  5.     A digital copy of the approved final plan shall be transmitted to the Township, Township Engineer, and the Lebanon County Planning Department in a format compatible with GIS shape files (.shp) and AutoCAD drawing files (.dwg or .dxf files).
- D.     Final Plan Recording.
1.     Upon approval and certification of a final plan and payment of any and all outstanding fees, the applicant shall record the plan in the office of the Recorder of Deeds.

2. Should the applicant fail to record the final plan within ninety (90) days of the Board's final plan approval, the Board's action on the plan shall be null and void unless the Board grants a modification by extending the effective time period of the approval.
  3. Proof of final plan recording shall be provided to the Township before proceeding with the sale of lots.
  4. The final plan shall be filed with the Recorder of Deeds before proceeding with the construction of any improvement unless construction is authorized via preliminary plan approval.
  5. No subdivision or land development plan may be recorded unless it bears the endorsement of the Planning Commission, Township Engineer, and Board of Supervisors.
- E. Effect of Recording of Final Plan. Recording the final plan, after approval of the Board, shall have the effect of an irrevocable offer to dedicate all streets and other areas designated for public use, unless reserved by the landowner as provided in Section 306.F and 404.4.E of this Ordinance. However, the approval of the Board shall not impose any duty upon the Commonwealth, County, or Township concerning acceptance, maintenance, or improvement of any such dedicated areas or portion of same until the proper authorities of the Commonwealth, County, or Township actually accept same by ordinance or resolution, or by entry, use, or improvement.
- F. Non-Dedication Clause. The landowner may place a notation on the final plan to the effect that there is no offer of dedication to the public of certain designated areas, in which event the title to such area shall remain with the owner, and neither the Commonwealth, County, Township, nor any applicable authorities shall assume any right to accept ownership of such land or right-of-way.

### **Section 307     Plans Exempted from Preliminary Plan Procedures**

Plans that meet the criteria as listed hereafter shall be exempt from the requirement to process a preliminary plan and may process a final plan prepared in accordance with Article IV.

#### **A.     Minor Subdivision and Land Development**

1. In the case of a subdivision plan of five (5) lots or less, either initially or cumulatively from the date of the adoption of this Ordinance, which does not require provisions for a new street, the applicant may, at their discretion, submit a final plan for review and approval by the Township. For the purpose of interpreting this section of the Ordinance, a subdivision of not more than five (5) lots shall include the residual tract.

Except for lot add-on plans, multi-family, mobile home parks, commercial, and industrial land developments/subdivisions shall require a preliminary plan regardless of the number of lots or units created. However, in the case of a land development plan proposing: 1) The construction of one (1) non-residential building not exceeding 10,000 square feet of building area; 2) The construction of an addition to a non-residential building not exceeding 5,000 square feet of additional building area; 3) The construction of a new non-residential building on existing impervious area; or 4) The construction of a non-residential building addition on existing impervious area the applicant may, at their discretion, submit one plan that addresses the preliminary and final plan requirements of this ordinance. The plan shall be titled a "Preliminary/Final Land Development Plan."

2. A lot add-on plan, as described in Section 405.A.
  3. In every case where a plan conforms to the above, the applicant shall follow the plan processing and recording procedures for a Final Plan as outlined in Section 306 of this Ordinance.
  4. All other plans shall be submitted in accordance with Section 305 of this Ordinance.
- B. Revised Subdivision and/or Land Development Plans. Any replatting, revision, or re-subdivision of recorded plans or any replatting, revision, or re-subdivision of any approved final plan which has not been recorded, excluding lot grading plans in subdivisions, shall be considered as a new application and shall comply with all requirements of this Ordinance, except that plans may be changed, provided that in making such changes:
1. No lot or tract of land shall be created that does not meet the minimum design standards required by this Ordinance and existing Township regulations.
  2. No structure shall be relocated which does not meet the minimum design standards required by this Ordinance and existing Township regulations.
  3. No increase is made in the overall density and no additional lots are created.
  4. The site and/or stormwater management facilities are not altered in a manner that affects the discharge of stormwater to an adjacent property or significantly relocates a major stormwater management facility within the project.
  5. Street locations and block sizes shall not be changed.
  6. The character and land use of the original application shall be maintained.
  7. In every case where a plan alteration conforms to the above, the applicant shall follow the plan processing and recording procedures for a Final Plan as outlined in Section 306 of this Ordinance.

**Section 308      Procedure for Requesting the Consideration of a Modification of the Provisions of this Ordinance**

- A. Application Requirements. A request to modify the provisions of this Ordinance may be submitted to the Township at any time. All requests shall include a completed “Application for Consideration of a Modification,” as provided in the Appendix and accompanied by a plan prepared at least to the minimum standards of a sketch plan (see Section 402). The written request shall identify:
1. The specific section of this Ordinance which is requested to be modified.
  2. The provisions proposed as an alternative to the requirements. The alternate provisions must be equal to or better than the requirements of, and consistent with, the intents of this Ordinance and shall not be contrary to the general public interest.
  3. Justification for the modification. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based.

B. Township Action.

1. A modification request that is submitted as part of an application for subdivision plan, land development plan, or lot add-on plan shall be processed along with that application of which it is a part.
2. If a modification request is not submitted with an application for subdivision plan, land development plan, or lot add-on plan, then the processing procedures outlined in this Article III shall apply.

## ARTICLE IV

### INFORMATION TO BE SHOWN ON OR SUBMITTED WITH SUBDIVISION AND LAND DEVELOPMENT PLANS

#### Section 401     General

This article sets forth the plan and report preparation standards. The following standards shall apply to the preparation of all sketch plans, subdivision, and land development plans and reports. All plan information reports shall be provided in an easy-to-read format and shall be legible in every detail to the satisfaction of the Township.

#### Section 402     Sketch Plans

##### A.     General

1.     For major development or unusual circumstances that could benefit from the pre-planning process, applicants are encouraged to submit Sketch Plans as a means of facilitating the approval process. Although Sketch Plan comments are not binding on either the Township or the applicant, the Township has identified the Sketch Plan process as one which allows for the exchange of information that is important in the planning process.
2.     Sketch Plans should include any features shown on any of the Township's future land use plans or related subdivision and land development plans, including but not limited to, proposed streets, recreation areas, drainage reservation, future school sites and public areas. A specific site analysis should be provided which highlights man-made and natural features. The analysis should include information pertaining to soil types and stability, wetlands, scenic vistas, water courses, drainage patterns, slope, and transportation patterns and systems including deficiencies of existing roadways, public utilities, recreational facilities, and any other features of the project site and nearby areas which may be affected or impacted by the proposed development and land use.

##### B.     Drafting Standards. The scale and sheet size of sketch plans shall be as required for subdivision and land development plans in Section 403.1. The sketch plan may be prepared by qualified landowner or individual, or an engineer, land surveyor, or landscape architect licensed to practice in the Commonwealth of Pennsylvania. The sketch plan shall show or be accompanied by the following data, legible in every detail and drawn to scale, but not necessarily containing precise dimensions:

1.     Name and address of the developer (if applicable) and landowner.
2.     Name of the individual and/or the firm that prepared the plan.
3.     Location map with sufficient information to locate the property.
4.     North arrow.
5.     Written and graphic scales.
6.     Identification of the applicable zoning district along with the lot size and/or density and yard requirements of the district.

7. Approximate tract boundaries with the name(s) of adjacent landowner(s), if known.
8. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within the vicinity of the tract.
9. Significant topographical and man-made features e.g., structures, streets, buildings, tree masses, sloped areas, quarries, bodies of water, floodplains, and potential wetland areas. GIS/LIDAR contours may be used.
10. Location of all proposed streets, alleys, street names, rights-of-way, and easements; proposed lot lines with approximate dimensions; proposed minimum building lines for each street; playgrounds; public buildings; public areas; historical sites; and parcels of land proposed to be dedicated or reserved for public use.
11. Proposed land use. If several land uses are proposed, the location of each land use shall be indicated.
12. Statement explaining the methods of water supply and sewage disposal to be used.
13. Any modifications, variances, special exception, or conditional use approvals required for the plan as presented.

#### **Section 403      General Requirements for Preliminary and Final Subdivisions and Land Development Plans**

Preliminary and final subdivisions and land development plans shall be prepared by an engineer, land surveyor, or landscape architect licensed to practice in the Commonwealth of Pennsylvania. The plans shall be prepared in accordance with the Standard Plan Format as provided in the Appendix and shall be accompanied by an executed application for preliminary or final plan review as appropriate and accompanied by, or prepared in accordance with the following:

##### **Section 403.1    Drafting Standards**

All subdivision and land development plans shall be prepared in accordance with the following drafting standards.

- A. Plans shall be clearly and legibly drawn at a horizontal scale of 10 feet, 20 feet, 30 feet, 40 feet, or 50 feet to the inch. Plans illustrating overall tract boundaries for larger properties may be drawn at a horizontal scale of 100 feet to the inch.
- B. All profiles of stormwater management facilities and streets shall be drawn at a horizontal scale of 1" = 50' and at a vertical scale of 1" = 10' or 1" = 5'. Sanitary sewer facilities and water supply facilities shall be drawn at the scale requirements of the applicable authority. In the absence of authority scale requirements, sanitary sewer facilities and water supply facilities shall be drawn at a horizontal scale of 1" = 50' and at a vertical scale of 1" = 10' or 1" = 5'.
- C. A north arrow, graphic scale, and written scale shall be provided.
- D. All plans shall include a sheet index which includes a description of each sheet in the plan set (e.g., Sheet 1 – Cover Sheet, Sheet 2 – Existing Conditions Plan, Sheet 3 – Subdivision Plan, etc.).
- E. Dimensions shall be in feet and decimals; bearings shall be in degrees, minutes, and seconds. Lot



line descriptions shall read in a clockwise direction.

- F. The survey shall not have an error of closure greater than one (1) foot in ten thousand (10,000) feet.
- G. The sheet size shall be twenty-four by thirty-six (24 x 36) inches. If the plan is prepared in two (2) or more sections, a key map showing the location of the sections shall be placed on each sheet. If more than one (1) sheet is necessary, each sheet shall be the same size and numbered to show the relationship to the total number of sheets in the plan (e.g., Sheet 1 of 5).

### **Section 403.2 Project Location and Identification**

The following information shall be included on all subdivision and land development plans:

- A. The proposed project name or identifying title.
- B. Name of the municipality or municipalities in which the project is located, including the location of any municipal boundaries if located within 200 feet of the subject tract.
- C. The names and addresses of the owner of the tract (or authorized agent), the developer/subdivider or equitable owner, and the firm that prepared the plans.
- D. The file or project number assigned by the firm that prepared the plan, the plan date, and the date(s) of all plan revisions.
- E. The entire existing tract boundary with bearing and distances. If it is the intention of the landowner to retain a single lot with a lot area in excess of ten (10) acres, the boundary of the residual lot may be identified as a deed-plotting and may be drawn at any legible scale; if the residual lot has a lot area of ten (10) or less acres, it must be described to the accuracy of the requirements of this Ordinance. In the case of lot add-on plans, and revised final plans, the boundary of the receiving tract may also be identified as a deed plotting and may be drawn at any legible scale if the receiving lot area exceeds ten (10) acres.
- F. The total acreage of the entire existing tract.
- G. The location and type of existing boundary markers and monuments along the perimeter of the entire existing tract except where a deed plotting is permitted. The type of boundary marker or monument shall be described and labeled as "found" (e.g., Iron Pin (found)).
- H. The zoning district, lot size, and/or density requirements of the Township Zoning Ordinance.
- I. When applicable, a statement on the plan indicating any variances or special exceptions granted by the Zoning Hearing Board, along with any modifications to sections of this Ordinance approved by the Board of Supervisors. Any conditions associated with the variances, special exceptions, and modifications shall also be indicated on the plan. The statement shall include applicable Zoning Hearing Board case numbers and hearing dates, as well as meeting dates of the Board of Supervisors for any modifications that are approved.
- J. The names of all landowners of neighboring properties; both adjoining and across existing rights-of-way along with the deed book/page number, tax parcel identification number, and plan book/page numbers (if applicable) for each neighboring property. Lot numbers shall be provided for lots previously subdivided from the same parent tract as the proposed subdivision. These existing lot numbers shall be enclosed within a triangle to distinguish them from proposed lots.

- K. A location map, drawn to scale, relating the subdivision or land development to at least two (2) intersections of street centerlines, including the approximate distance to the intersection of centerlines of the nearest improved street intersection.
- L. Source of title, deed, book, page, plan book (if applicable), and tax parcel identification number.

### Section 403.3 Existing Features

The following features shall be shown on all subdivision and land development plans, unless otherwise specified by this Ordinance, and shall be shown on *a separate sheet* titled "Existing Conditions Plan". No proposed features shall be included on this sheet.

- A. Existing contours shall be shown at the following minimum vertical intervals:

<u>Average Natural Slope</u>	<u>Required Contour Interval</u>
0 to 3 %	1-foot contour interval
4 to 20%	2-foot contour interval
21% and greater	5-foot contour interval

1. Contour interval may be adjusted based upon horizontal scale with concurrence of the Township Engineer.
  2. Contours shall be accompanied by the location of the benchmark and a notation indicating the vertical datum used. The vertical datum used by an Authority shall be used in all plans indicating connection to an Authority's public sewer system or public water system, or a note shall be provided to establish the difference between the vertical datum used and the Authority's datum.
  3. Contours plotted by interpolation of Lebanon County GIS and/or LIDAR mapping will only be accepted when there is no new construction or earth disturbance proposed by the plan.
  4. Contours plotted by interpolation of the United States Geodetic Survey 7.5' mapping will not be accepted.
- B. The following items *when located upon or within fifty (50) feet of the tract or where otherwise deemed necessary by the Township Engineer*:
    1. The location, name, and dimensions of existing rights-of-way and cartways for private or public streets, alleys, and driveways.
    2. The location of street name and traffic control signals and signs.
    3. The location and size of the following features: sanitary sewer mains, water supply mains, on-lot sewage systems and wells, fire hydrants, buildings and stormwater collection, conveyance, and management facilities.
    4. Existing easements and rights-of-way:

- a. The locations of any right-of-way related to sanitary sewer mains, water supply mains and fire hydrants along with any conditions on the use of the land within a right-of-way shall be noted on the plan.
  - b. The location of existing rights-of-way and easements for any public utility, electric, gas and oil transmission lines, and railroads along with any minimum building setbacks or other limitations on development placed by the easements. The applicant or lessee of the right-of-way shall notify the owner of the right-of-way of his intentions.
  - c. Where the land included in the subject application has an agricultural, woodland, or other natural resource easement located within the tract, the application shall be accompanied by a letter from the party holding the easement stating any conditions on the use of the land. Boundaries, if applicable, of such an easement(s) shall be shown on the plan and a note indicating the presence of the easement(s) and any conditions on the use of the land shall be included on the plan.
- 5. Environmental and topographic features, including, but not limited to, floodplains and floodways; waterways; wetlands; quarry sites; solid waste disposal areas; historic structures; cemetery or burial sites; archaeological sites; soils; or wooded areas.
  - 6. Planned facilities as contained in the Cornwall-Lebanon Regional Comprehensive Plan, Lebanon County Comprehensive Plan, Cornwall-Lebanon School District plans, North Lebanon Township Official Map, and other related plans; including, but not limited to intersection improvements, parks, roads, schools, sidewalks, trails, and utilities.
  - 7. Zoning district boundaries.
- C. The following items *when located within* the subject tract:
- 1. The use of existing buildings and other man-made features.
  - 2. Significant environmental or topographic features, including, but not limited to, archaeological sites; cemetery or burial sites; drainage features; floodplains, including SFHA's, floodways, flood fringes, and base flood elevations (if available); soils, including highly erosive and prime agricultural; historic structures/sites; exposed bedrock; quarry sites; solid waste disposal areas; steep slopes; waterways; wetlands; wooded areas; underlying geology with any hazardous geology and potential impacts to groundwater noted.

#### **Section 403.4 Proposed Features and Plan Information**

The following proposed features and plan information shall be provided for all subdivision and land development plans and shall be shown on a separate sheet(s). Where applicable, proposed features and plan information shall be superimposed upon the existing features plan. Proposed features shall be distinguishable from existing features on proposed features plan.

- A. Lot numbers in consecutive order (e.g., Lots 1 through 10; Lots 11 through 22).
- B. A table indicating the following information shall be provided on the cover sheet in accordance with the standard plan format as provided in the Appendix:
  - 1. Existing zoning district.

2. Proposed land use(s) and accessory use(s).
  3. Required maximum and proposed number of lots/units of occupancy to be created, and/or uses to be developed.
  4. Required minimum and proposed lot area(s).
  5. Required minimum and proposed setbacks/yards.
  6. Required minimum and proposed lot width(s).
  7. Required maximum and proposed development density.
  8. Required maximum and proposed building height(s)
  9. Required maximum and proposed lot coverage(s).
  10. Required minimum and proposed number of off-street parking spaces.
- C. If multiple land uses are proposed, the location of each land use shall be indicated.
- D. The layout of lots with approximate dimensions, gross lot area, and net lot area. Proposed lot labels shall be numerical and encircled. Lot addition labels shall be alphabetical and encircled.
- E. Building setback lines and building envelopes.
- F. Easements and rights-of-way. The purpose and width of each easement and right-of-way shall be identified on the plan.
- G. The location and configuration of proposed buildings, parking compounds, common open space, recreational areas, and all other significant planned facilities.
- H. Identification of existing buildings or other man-made features to be demolished.
- I. The location and configuration of proposed streets, alleys, driveways, and sidewalks including right-of-way and cartway widths.
- J. Typical street cross-section for each proposed public or private street and typical cross-section for any existing street which will be improved as part of the application. Each cross-section shall include the entire right-of-way width.
- K. Street centerline for each proposed public or private street shown on the preliminary plan including corresponding centerline stationing.
- L. Proposed street names.
- M. Stormwater management plans and data designed in accordance with the North Lebanon Township Stormwater Management Ordinance. This information may be provided on a sheet with other data or on separate sheets.
- N. The preliminary design of the proposed sanitary sewer mains and water distribution mains and facilities, including the type, approximate size, vertical and horizontal locations, as applicable.

- O. Preliminary vertical and horizontal alignment for proposed public or private streets and alleys, sanitary sewer, and water distribution systems. Street profiles shall show at least the existing ground surface profile along the centerline, proposed finish grade along the centerline, and the length and rate of vertical curvature “K” value for all proposed vertical curves. All water distribution and sanitary sewer systems shall provide manhole and valve locations and size and type of material. This information may be provided on separate sheets.
- P. Where a proposed subdivision is in the Agricultural Zoning District, either in whole or part, a deed plotting of the parent tract as it existed on June 4, 1984, or the date of an amendment to the North Lebanon Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District, shall be provided. The deed plotting shall include (1) All parcels subdivided from the parent tract after June 4, 1984, or the date of an amendment to the North Lebanon Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District; (2) The deed reference for each lot subdivided after June 4, 1984, or the date of an amendment to the North Lebanon Township Zoning Ordinance that classified the tract as part of the Agricultural Zoning District; and (3) The recording date and subdivision plan book reference of the subdivision. In addition to the foregoing, the following note shall be included for all subdivisions which are in the Agricultural Zoning District, either in whole or part:
- "As provided for by Section 27-303.1.A of the North Lebanon Township Zoning Ordinance, a total of \_\_\_\_\_ lots are permitted to be subdivided from, and/or principal uses established upon, the parent tract and all lots subdivided from it as of June 4, 1984, or the date the Township's Official Zoning Map was amended to re-zone the tract to Agricultural. This (subdivision) (land development) plan allocates \_\_\_\_\_ of the parent tract's remaining \_\_\_\_\_ lots which may be subdivided and/or principal uses which may be established. Following this (subdivision) (land development) plan, a total of \_\_\_\_\_ lots and/or principal uses shall be reserved for future subdivision and/or development.*
- Q. Where the proposed subdivision or land development is located partially or wholly within an area prone to frequent flooding (either by impoundment or conveyance) as indicated by the FEMA FIRM, profiles, soil type, local historical records, and/or other supporting data; the developer shall supply the location and elevation of all proposed roads, fills, utilities, buildings, stormwater management, and erosion control facilities.
- R. Any proposed disturbance, encroachment, or alteration to the existing environmental or topographic features as noted in Section 403.3.C.2.
- S. Location of proposed well(s) and on-lot sewage disposal system(s), including locations of all percolation tests and soil probe holes.
- T. Easements for locations of the replacement on-lot sewage disposal systems.
- U. Clear sight triangles and sight distances for all intersections as described in Section 502.10 of this Ordinance shall be shown on the plan. Clear sight triangles shall be depicted as an easement.
- V. Where the preliminary plan covers only a part of an intended larger development, a sketch plan of the future development, in a form suitable to the Township and in compliance with the requirements of this Ordinance, including the logical extension of the sewer and water facilities for the future development part shall be furnished. The street system for the plan under consideration may require adjustments based on proposed connections with streets and utilities in the future development part.
- W. In the case of a preliminary plan calling for the installation of improvements beyond a five (5) year

period, a schedule delineating all proposed sections (i.e., phases) as well as deadlines within which applications for final approval of each section are intended to be filed shall be provided. The schedule shall be updated annually by the applicant on or before the anniversary of the preliminary plan approval, until final plan approval of the final section has been granted and any modification in the aforesaid schedule shall be subject to approval by the Township at its sole discretion. Each section in any residential subdivision or land development, except for the last section, shall contain a minimum of twenty-five (25) percent of the total number of dwelling units as depicted on the preliminary plan.

- X. Statement of deed restrictions or covenants, which may be a condition of sale of the property.
- Y. A detailed schedule of inspections, as generally outlined by Section 711 of this Ordinance, which is tailored for the project site under consideration.

### **Section 403.5 Certificates**

The following certifications shall be included on all subdivision and land development plans:

- A. Certificate of review by the Township Planning Commission as provided in the Appendix.
- B. Certificate of approval by the Township Board of Supervisors as provided in the Appendix.
- C. Certificate for review by the Township Engineer as provided in the Appendix.
- D. Certificate of review by the Lebanon County Planning Department as provided in the Appendix.
- E. Certificate of Ownership, Acknowledgement of Plan, and Offer of Dedication, as provided in the Appendix. This certificate must be dated following the last change or revision to said plan.
- F. Certificate, signature, and seal of the land surveyor registered in the Commonwealth of Pennsylvania to the effect that the survey is correct as provided in the Appendix.
- G. Certificate, signature, and seal of a qualified design professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, to the effect that the plan is correct as provided in the Appendix.
- H. If applicable, certificate, signature, and seal of a qualified design professional registered in the Commonwealth of Pennsylvania and qualified to perform such duties, indicating compliance with the provisions of the stormwater management requirements of the North Lebanon Township Stormwater Management Ordinance as provided in the Appendices of the North Lebanon Township Stormwater Management Ordinance.

### **Section 403.6 Reports**

The following reports, as applicable, shall be included with all subdivision and land development plans, unless otherwise specified by this Ordinance:

- A. A post-construction stormwater management (PCSM) report as required by the North Lebanon Township Stormwater Management Ordinance.
- B. A water feasibility report as described in Section 407.1 of this Ordinance.

- C. A sewer feasibility report as described in Section 407.2 of this Ordinance.
- D. A transportation impact study or transportation impact assessment as described in Section 407.3 of this Ordinance.
- E. A wetland report as described in Section 407.4 of this Ordinance.

### **Section 403.7 Additional Requirements**

The following notes shall be provided on all subdivision and land development plans, as applicable:

- A. Contractors and landowners must keep streets, dedicated and undedicated, free of construction equipment, materials, and debris. Streets shall not be used for the storage of materials during site construction.
- B. If it is necessary to place or store construction material, equipment, dumpsters, etc. in the street, this obstacle must be clearly marked with working blinking barricade(s). If the contractor fails to do so, there will be a separate penalty established by the Board of Supervisors. The Board of Supervisors shall be able to have the area properly marked and barricaded and to have the costs and penalty paid from the financial security posted with the Township.
- C. The developer shall maintain undedicated streets.
- D. All mud from construction activities that is tracked onto streets shall be cleaned by the responsible contractor or landowner at the end of each workday.
- E. Stormwater inlets or drainage pipes which become filled with mud or debris from construction activities shall be cleaned by the responsible contractor, developer, or landowner.
- F. Construction of sewer laterals shall comply with the rules, regulations, and specifications of NLTMA. Do not backfill sewer lateral trench until inspected by an authorized NLTMA representative.
- G. Construction of water laterals shall comply with the rules, regulations, and specifications of the Water Authority (CoLA or NLTMA).
- H. In accordance with North Lebanon Township Ordinance No. 2-2010 (as amended), all multi-family residential, commercial, industrial, and institutional buildings are required to have a rapid entry system (Knox lock box) installed prior to issuance of use and occupancy permits.
- I. Where existing Township rights-of-way are proposed to be excavated for the connection to public utilities or other construction related to this plan, a street occupancy permit is required from North Lebanon Township. Financial security to guarantee proper street restoration shall be included as a line item with other financial security required for the project.

### **Section 404 Specific Requirements for Final Plans**

In addition to the requirements listed in Section 403, the following additional information shall be included on all final subdivision and land development plans.

## **Section 404.1 Drafting Standards**

- A. All sheets to be recorded by the Recorder of Deeds shall be twenty-four inches by thirty-six inches (24" x 36").
- B. Final Plans shall include a sheet index with a notation designating which sheets are to be recorded.

## **Section 404.2 Proposed Features and Plan Information**

The following proposed features and plan information shall be shown on the proposed features sheet(s).

- A. Complete description of all proposed street centerlines and rights-of-way, whether public or private, including alleys. This description shall include distances and bearings with curve segments comprised of radius, tangent, arc, and chord.
- B. Complete description of all other proposed rights-of-way and easements, including distances and bearings with curve segments comprised of radius, tangent, arc, and chord.
- C. Plans which require access to, propose construction of and/or connection to stormwater management facilities or in any other way require the approval for activities within any street or highway under the jurisdiction of PennDOT, shall include two (2) copies of the plans prepared to support the application for a Highway Occupancy Permit.
- D. Lot lines with accurate bearings and distances and lot areas for all parcels. Curve segments shall be comprised of arc, chord, bearings, and distances. Along existing street rights-of-way the description may utilize the existing deed lines or street centerlines; along all proposed street rights-of-way, the description shall be prepared to the right-of-way lines.
- E. A plan or table indicating an approved street address, including street name and number, for all proposed lots or units of occupancy.
- F. Final vertical and horizontal alignment for proposed public or private streets and alleys, sanitary sewer, and water distribution systems. Street profiles shall show at least the existing ground surface profile along the centerline, proposed finish grade along the centerline, and the length and rate of vertical curvature "K" value for all proposed vertical curves. Profiles of water distribution and sanitary sewer systems shall include manhole and valve locations and size and type of material. This information may be provided on separate sheets and is not subject to recording with the final plans.
- G. Final street names.
- H. Location and type of all permanent monuments and lot line markers. The monuments and lot markers shall be labeled as "to be set" (e.g., Iron Pin (to be set)).
- I. A detailed grading plan. The grading plan shall include finished grades and ground floor elevations. This information may be provided on separate sheets.
- J. Identification of any lands to be dedicated or reserved for public, semi-public or community use.
- K. In the case of a plan which requires access to a highway under the jurisdiction of PennDOT, the inclusion of the following plan note:

*"A Highway Occupancy Permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L.*



1242, No. 428), known as the 'State Highway Law', before access to a state highway is permitted. Access to the state highway shall be as authorized by a Highway Occupancy Permit, and the Board of Supervisors' approval of this plan in no way implies that such a permit can be acquired."

- L. All final plans proposing residential development or residential uses within or adjoining the Agricultural Zoning District or agricultural uses must contain in conspicuous form the following Agricultural Nuisance Disclaimer note:

*"AGRICULTURAL NUISANCE DISCLAIMER: The property described herein is located within an area where land is used for agricultural production. Owners, residents, and other users of this property may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal accepted agricultural practices and operations, including but not limited to, noise, odors, dust, operation of machinery of any kind including aircraft, storage and disposal of manure, and application of fertilizers, soil amendments, herbicides, and pesticides. Owners, occupants, and users of this property should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations, and are hereby put on official notice that Section 4 of Pennsylvania Act 133 of 1982 'The Right to Farm Law' may bar them from obtaining a legal judgement against such normal agricultural operations."*

A copy of the final plan shall be issued to the purchaser of each lot within the subject subdivision. The Agricultural Nuisance Disclaimer note shall be included on all deeds of the subject subdivision.

- M. A complete landscape plan, prepared by a qualified design professional, as defined herein, and qualified to perform such duties, showing the location, size and type of all plant material required by provisions of this Ordinance, the North Lebanon Township Zoning Ordinance, or any other applicable Township regulations, including but not limited to, screening, buffer planting, parking lot landscaping, replacement trees, and street trees. The landscape plan should be provided on separate sheets.
- N. In the case of Land Development Plans, final horizontal building dimensions shall be illustrated.

### **Section 404.3 Certificates**

The certificates listed in Section 403.5 shall be provided on final plans, as applicable, as well as a certificate to accommodate the recorder of Deeds information as provided in the Appendix.

### **Section 404.4 Notifications**

- A. Notification from DEP, or DEP's delegated local agent, that approval of the sewage facility plan revision, supplement, exemption, or planning waiver and non-building declaration has been granted or notice from DEP, or DEP's delegated local agent, that such approval is not required.
- B. Notice from the United States Postal Service, Address Management Systems Manager stating that the proposed private and/or public street names are acceptable.
- C. Notice from North Lebanon Township Manager stating the proposed street addresses are acceptable.
- D. Notice from the Lebanon County Conservation District of the approval of the Erosion and Sedimentation Pollution Control Plan and National Pollutant Discharge Elimination System (NPDES) Permit (if applicable).
- E. A note shall be placed on the plan indicating any area that is not to be offered for dedication, if

applicable.

- F. Written notice from the Township Engineer that all proposed improvements have been designed to the standards of the Township and that financial security in a form suitable to the Board of Supervisors have been received.
- G. When the applicant posts financial security in lieu of completion of the improvements, the Final Plan shall be accompanied by a completed Developer's Improvement Guarantee Agreement.
- H. Such written notices of approval as may be required by this Ordinance, including written notices approving the water supply systems, sanitary sewage systems, and stormwater runoff to adjacent properties.
- I. The submission of a controlling Ownership & Maintenance Agreement in accordance with Section 502.2.B.2 when an application proposes to establish a street which is not offered for dedication to public use or is not accepted for dedication by the Township.
- J. Notification from the appropriate state and federal agencies that permits have been issued, or are not required, for any proposed activities within streams, wetlands or any other state or federally regulated body of water. These permits include, but are not limited to, Floodplain Encroachment Permits, Dam Safety Permits, NPDES Permits, Stream Encroachment Permits, and General Permits.
- K. Emergency Services Provider Review.
  - 1. When deemed necessary by the Township Engineer, the applicant shall submit the proposed project to the Emergency Services Provider(s) responsible for providing protection in that area of the Township for their review and comment.
  - 2. The purpose of this review shall be to provide notice to the Emergency Services Provider of the type and extent of the proposed use; to allow the Emergency Services Provider the opportunity to provide the Township and the applicant with comments on their ability to adequately respond to the proposed use; to recommend appropriate locations for fire hydrants; and, to allow the Emergency Services Provider to comment on the proposed horizontal and vertical geometry to insure adequate access for emergency response equipment.
  - 3. The Emergency Services Provider shall respond, in writing, to the applicant's request within 30 days of the receipt of the applicant's submission. Failure of the Emergency Services Provider to respond within the above prescribed time period shall be deemed their concurrence with the proposed project.
  - 4. The applicant shall address the Emergency Services Provider's comments to the satisfaction of the Township.

#### **Section 404.5 Reports**

- A. A final post-construction stormwater management report as required by the North Lebanon Township Stormwater Management Ordinance.
- B. A final transportation impact study or transportation impact assessment as described in Section 407.3 of this Ordinance.

## **Section 405     Lot Add-On Plans**

- A.     Lot Add-On Plans shall meet the following criteria:
1.     A lot add-on plan shall only be prepared for the conveyance of land for the sole purpose of increasing the size of an existing tract or lot.
  2.     A lot add-on plan shall not create any additional lot(s).
  3.     A lot add-on plan shall not result in any nonconformity with the design standards found in Article V of this Ordinance
  4.     A lot add-on plan shall not alter the project site and/or existing stormwater management facilities in a manner that affects ownership and maintenance of the facilities, the discharge of stormwater to an adjacent property or significantly relocates a major stormwater management facility within the project.
  5.     A lot add-on plan shall not alter a recorded plan or revise any approved final plan which has not yet been recorded.
  6.     The alteration of a recorded plan or an approved final plan which has not been recorded shall be by a revised final plan.
- B.     In every case where a plan conforms to the above, the applicant shall follow the plan processing and recording procedures for a Final Plan as outlined in Section 306 of this Ordinance. A lot add-on plan shall be filed with the Recorder of Deeds prior to the execution of a deed for the conveyance of land.
- C.     Lot add-on plans shall be prepared by qualified design professional as defined herein. However, lot add-on plans shall be certified by a land surveyor licensed to practice in the Commonwealth of Pennsylvania. The plan shall be accompanied by, or prepared in accordance with the following:
1.     Drafting Standards. The same standards shall be required for a lot add-on plan as specified in Sections 403.1 and 404.1 of this Ordinance.
  2.     Project Location and Identification. The same standards shall be required for a lot add-on plan as specified in Section 403.2 of this Ordinance.
  3.     Existing Features. The same standards shall be required for a lot add-on plan as specified in Section 403.3 of this Ordinance with the exception of topography required by Section 403.3.A.
  4.     Proposed Features and Plan Information. The same standards shall be required for a lot add-on plan as specified in Sections 403.4 and 404.2 of this Ordinance.
  5.     Notifications. The same standards, where applicable, shall be required for a lot add-on plan as specified in Section 404.4 of this Ordinance.

### **Section 405.1     Certificates**

The certificates listed in Section 403.5 shall be provided on lot add-on plans, as applicable, as well as a certificate to accommodate the recorder of Deeds information as provided in the Appendix.

## **Section 406     Separation Subdivision Plans**

- A. Separation subdivision plans may be used to divide one lot into two lots whose common boundary is one of the following:
  - 1. The centerline of an existing street; or,
  - 2. The centerline of an existing creek or stream; or,
  - 3. A municipal boundary.
- B. The proposed lots to be created by the separation subdivision plan shall conform to all the following:
  - 1. The proposed lots shall be separated by the common boundary along its entire length through the parent tract; and,
  - 2. The proposed lots shall conform to the design standards found in Article V of this Ordinance; and,
  - 3. The proposed lots shall conform to the requirements of the Zoning Ordinance.
- C. In every case where a plan conforms to the above, the applicant shall follow the plan processing and recording procedures for a Final Plan as outlined in Section 306 of this Ordinance.
- D. Separation subdivision plans shall be prepared by a qualified design professional as defined herein. However, separation subdivision plans shall be certified by a land surveyor licensed to practice in the Commonwealth of Pennsylvania. The plan shall be accompanied by, or prepared in accordance with the following:
  - 1. Drafting Standards. The same standards shall be required for a separation subdivision plan as specified in Sections 403.1 and 404.1 of this Ordinance.
  - 2. Project Location and Identification. The same standards shall be required for a separation subdivision plan as specified for subdivision and land development plans in Section 403.2 of this Ordinance.
  - 3. Existing Features. The same standards shall be required for a separation subdivision plan as specified in Section 403.3 of this Ordinance with the exception of topography required by Section 403.3.A. For any separation subdivision proposing new construction, existing and proposed contours shall be provided for all areas of proposed earth disturbance at the vertical interval as specified for subdivision and land development plans in Section 403.3.A of this Ordinance.
  - 4. Proposed Features and Plan Information. The same standards shall be required for a separation subdivision plan as specified in Sections 403.4 and 404.2 of this Ordinance.
  - 5. Notifications. The same standards, where applicable, shall be required for a separation subdivision plan as specified in Section 404.4 of this Ordinance.

## **Section 406.1 Certificates**

The certificates listed in Section 403.5 shall be provided on separation subdivision plans, as applicable, as well as a certificate to accommodate the recorder of Deeds information as provided in the Appendix.

## **Section 407 Required Reports**

The following reports, as applicable, shall be included with all subdivision and land development plans, unless otherwise specified in this Ordinance, as stipulated herein:

### **Section 407.1 Water Service Feasibility Report**

- A. The applicant shall submit a feasibility report concerning the availability of a public water system in or near the proposed subdivision or land development. Said report shall be prepared by a qualified design professional licensed to practice this type of work and be submitted in conjunction with the preliminary plan for review by the Township and the Water Authority (e.g., CoLA or NLTMA); and, for recommendations by the local office of DEP if determined applicable by the Township.
  - 1. All lots created, and any land development plan that requires water supply shall be served by public water as required by the Water Authority's requirements, or other applicable Township ordinances in effect.
  - 2. The applicant shall connect to the existing public water system as determined feasible and necessary by the Board of Supervisors or as required by other Township ordinances in effect. Feasibility will be determined by the Board and be based upon the applicable water connection ordinance and/or the applicable standards requiring connection and the analysis provided by the water feasibility study required by this Article.
  - 3. For those areas not located within any area that the 537 Plan identifies to be served by public utilities, the feasibility report is not required for residential subdivisions of five (5) lots or less, including remaining lands; and land development plans which propose flows less than four hundred (400) gallons per day although extending public water to lots may be required by the Water Authority's requirements, or other applicable Township ordinances in effect.
- B. If the applicant proposes connection to the public water system, the locations and kind of fire hydrants shall be in accordance with the specifications of the Water Authority or public utility that operates such water system and meeting the local fire department's thread requirements. A copy of the approval of such system by the Water Authority or the public utility shall be submitted.
- C. If the applicant proposes connection to the public water system, the installation and construction shall be in accordance with the specifications of the Water Authority or the public utility. The Water Authority or the public utility shall establish requirements for the ownership and maintenance of such system.
- D. If connection to an existing public water system is proposed, the subdivider or developer shall submit an agreement committing the public water system to provide such water as will be utilized by the subdivision or land development for such period of time and under such terms and conditions as the public water system provides water service elsewhere in its service area.
- E. If the applicant proposes connection to the public water system, the final plan approval shall be predicated upon a statement from the Water Authority or the public utility indicating the approval

of the water distribution system extension and/or connection plans and applicable financial security.

- F. If the water supply system proposed involves the utilization of water obtained from the tract being subdivided or developed (irrespective of whether that water is being distributed as a part of a community water supply system), that water supply source may be utilized only when the following conditions apply:
1. The feasibility study establishes and the engineer performing the study certifies that withdrawal rates and amounts will be managed to balance natural recharge rates and amounts on a site-specific basis to ensure that the potential of interference with adjacent properties is minimized as follows:
    - a. The groundwater recharge on the specific tract in question will exceed the anticipated water withdrawal during a one (1) in ten (10) year drought or a forty (40) percent below normal reduction in precipitation for recharge based upon the following:
      - 1) The area available for recharge shall be based upon post-developed impervious conditions;
      - 2) The recharge rate may include estimated recharge from on-lot sewage disposal systems;
      - 3) The recharge rate shall include an analysis of the impact of the post-developed stormwater management system; and,
      - 4) The recharge rate may include estimated recharge from stormwater management infiltration facilities.
    - b. For residential developments, the withdrawal rate shall be based upon a rate of four hundred fifty (400) gallons per day per three (3) bedroom dwelling. A credit and/or waiver of this withdrawal rate may be granted if the applicant can demonstrate that water is captured on-site by cisterns or other means acceptable to the Township or if the applicant provides a study prepared by a qualified professional that substantiates another amount for the withdrawal rate. The withdrawal rate shall be increased by one-hundred (100) gallons per day for each additional bedroom over three (3) bedrooms.
    - c. Commercial, industrial, agricultural or any other non-residential withdrawal rates shall be calculated by increasing the sewage flows as provided in the Pennsylvania Code, Title 25 Department of Environmental Protection Chapter 73, Standards for Sewage Disposal Facilities, Section 73.17, Sewage Flows by twenty (20) percent. For commercial, industrial, agricultural, or other non-residential use intended, the feasibility study shall include a description of the proposed use, the proposed number of employees and whether or not water will be used for cleanup and/or processing or otherwise in connection with the use. The applicant shall in addition set forth the proposed allocation of available water supply between or among the proposed uses and shall set forth a plan or proposal pursuant to which such allocation can reasonably be monitored and enforced by the Township or Water Authority.

- d. Withdrawal rates for all other uses not provided for by the above shall be based upon the maximum anticipated peak demand increased by twenty (20) percent. The feasibility study shall include a description of the proposed use, the proposed number of employees and whether or not water will be used for cleanup and/or processing or otherwise in connection with the use. The applicant shall in addition set forth the proposed allocation of available water supply between or among the proposed uses and shall set forth a plan or proposal pursuant to which such allocation can reasonably be monitored and enforced by the Township or Water Authority.
  - e. A preliminary groundwater computer model shall be developed to produce a plot of the anticipated drawdown within the groundwater system to demonstrate that the installation of the proposed water system (s) will not lower the groundwater table in the area so as to endanger or decrease the water supplies necessary for properties adjacent to the proposed project;
2. The study is approved by the Township Engineer.
- G. If water is to be provided by means other than private wells owned and maintained by the individual owners of lots within the subdivision or land development, the applicant shall present evidence that the subdivision or land development is to be supplied by a certified public utility, a bona fide cooperative association of lot owners or by the Water Authority. A copy of a certificate of public convenience or an application for such certificate, a cooperative agreement, or a commitment to serve the area in question, whichever is appropriate, shall be acceptable evidence.
  - H. In all cases the applicant shall demonstrate that the water to be supplied shall be potable and shall meet all applicable standards of DEP or the United States Environmental Protection Agency.
  - I. If community water systems are proposed, these systems shall be in compliance with the above requirements as well as the regulations of DEP and the Water Authority. The applicant shall obtain all permits and approvals required by the Water Authority, the public utility or DEP prior to final plan approval.

#### **Section 407.2 Sewer Service Feasibility Report**

- A. The applicant shall submit a feasibility report concerning the availability of a public sewer system in or near the proposed subdivision or land development. Said report shall be prepared by a qualified design professional licensed by the Commonwealth of Pennsylvania to practice such work and be submitted in conjunction with the preliminary plan for review by the Township and NLTMA; and, for recommendations by the local office of DEP if determined applicable by the Township.
  - 1. All lots created, and any land development plan that proposes sewage flows shall be served by public sewer within any area that the 537 Plan identifies to be served by public sewer or as required by other applicable Township ordinances in effect.
  - 2. The applicant shall connect to the existing public sewer system where determined as feasible and necessary by the Board of Supervisors or as required by other Township ordinances in effect. Feasibility will be determined by the Board and be based upon applicable connection ordinance and/or the Authority/Township standards requiring connection and the analysis provided by the sewer feasibility study required by this Article.
  - 3. For those areas not located within any area that the 537 Plan identifies to be served by public

sewer, the feasibility report is not required for residential subdivisions of five (5) lots or less, including remaining lands; and land development plans which propose flows less than four hundred (400) gallons per day although extending public sewers to lots may be required per other Township ordinances and/or NLTMA requirements in effect.

- B. If the applicant proposes connection to the public sewer system, the final plan approval shall be predicated upon a statement from the NLTMA Engineer indicating the approval of the sewer system extension and/or connection plans and applicable financial security.
- C. If the applicant proposes connection to the public sewer system, the sewerage installation shall be in accordance with the specifications of the NLTMA. The NLTMA shall establish requirements for the ownership and maintenance of such system.
- D. If connection to an existing public sewer system is proposed, the subdivider or developer shall submit an agreement committing the public sewer system to provide such sewage disposal as will be utilized by the subdivision or land development for such period of time and under such terms and conditions as the public sewer system provides sewage disposal service elsewhere in its service area.
- E. If the applicant proposes to provide a community sewer system, its construction and installation shall be in accordance with applicable Township and/or NLTMA specifications and all regulations of DEP. The applicant shall obtain all permits and approvals required by the Township, NLTMA, and DEP prior to final plan approval. Such community sewer system shall be sized only to accommodate the flow from the currently proposed development unless otherwise approved by formal agreement with the Board of Supervisors.
- F. On-Lot Sewage Disposal. If the applicant proposes installation of on-lot sewage disposal and has presented documentation satisfactory to the NLTMA and the Board of Supervisors proving the infeasibility of connection to public or community sewer systems, the following documentation shall be provided:
  - 1. Hydrogeologic Evaluation Requirements. In all cases, the siting and testing for on-lot sewage disposal shall be in compliance with the standards and requirements of Chapter 18, Part 1 of the Municipal Code, providing the procedures and requirements for assessing the geologic and hydrogeological conditions associated with on-lot sewage disposal systems.
  - 2. Sewage Testing Required for all Proposed Lots. Each lot or lots to be created shall contain a suitable location for the installation of an initial individual on-lot sewage system except when such lot or lots to be created are to be served by a community sewage system. The Sewage Enforcement Officer shall perform or observe all tests required by DEP and this Ordinance for the location of an individual on-lot sewage system to confirm the suitability of the location.
  - 3. Replacement Location for On-Lot Sewage Systems Required. Each lot or lots to be created and each existing lot or lots to be revised or altered in size or intensity of use shall contain a suitable location for the installation of a replacement individual on-lot sewage system. The Sewage Enforcement Officer shall perform or observe all tests required by DEP and this Ordinance for the location of an individual on-lot sewage system to confirm the suitability of the replacement location. The replacement location shall comply with all regulations issued by DEP concerning individual on-lot sewage systems, including isolation distances, and with the terms of this Ordinance and any other applicable Township Ordinances. Open land



allowed for the replacement location without such testing shall not constitute compliance with the requirements of this section.

4. Identification of Replacement Location.

- a. The location of each initial individual on-lot sewage system and each replacement location shall be noted on the plans. An appropriate easement shall be provided around the replacement location and shown on the final plan. The purchaser of each lot shall be provided with a copy of the plans. A note shall be added to the plans stating that no improvements shall be constructed upon the replacement location easement, and the deed to each lot created as a part of the subdivision or land development shall contain language reflecting this limitation.
- b. Any revisions to a permit or plan affecting a replacement location that previously has been approved pursuant to the provisions of this Ordinance shall be approved by the Township or its authorized representative.

5. Construction of Improvements Upon or Disturbance of Replacement Location Prohibited.

The replacement location shall not be excavated, graded, filled, or otherwise disturbed in any manner that would prevent its use as a future location for an on-lot sewage disposal system during development of the lot. No permanent or temporary improvements of any character other than the planting of trees, shrubs or other plant matter shall be constructed upon the replacement location unless the person who desires to construct such improvements shall demonstrate to the satisfaction of the Sewage Enforcement Officer that an alternate replacement location which complies with all applicable Township Ordinances exists upon the lot. If such an alternate replacement location shall be identified, the alternate replacement location may be considered to be the replacement location required by this Ordinance, shall be designated as the replacement location, and the plans shall be accordingly revised and submitted to the Planning Commission. The newly designated replacement location shall thereafter be considered the replacement location for the purposes of this Ordinance.

6. The limits of both the initial individual on-lot sewage system and the replacement system location easement for each lot must be staked and roped off, or other acceptable measures, prior to issuance of building permits for each lot and properly maintained during construction until the issuance of an occupancy permit.

- G. As a part of the feasibility study, the applicant shall state the type of sewage disposal desired for each of the proposed lots. If other than connection to a public sewer system or the installation of a conventional on-lot sewage disposal system is intended on any of the lots, that fact shall be indicated on the plan itself. Subdivisions proposing a lot or lots utilizing alternate or experimental on-site sewage disposal systems must provide evidence of approval of such system by the Sewage Enforcement Officer and/or the DEP.

- H. When the Township, in accordance with the Pennsylvania Sewage Facilities Act, Act 537 of 1966, as amended, determines the necessity for a sewer facilities plan revision (plan revision module for land development), or supplement, the Board shall require that notice of approval from DEP be submitted as a condition of final plan approval.

### **Section 407.3    Transportation Impact Study / Transportation Impact Assessment**

#### **A.     Transportation Impact Study (TIS) Warrants.**

The Township and/or PennDOT shall require a TIS for all subdivision and/or land development plan applications meeting any one of the following characteristics:

1.     The development is expected to generate 3,000 or more average daily trips or 1,500 vehicles per day.
2.     During any one-hour time period of any day of the week, the development is expected to generate 100 or more vehicle trips entering the development or 100 or more vehicle trips exiting the development.
3.     For existing sites being redeveloped the site is expected to generate 100 or more additional trips entering or exiting the development during any one-hour time period of any day of the week.
4.     In the opinion of the Township and/or PennDOT, the development or redevelopment is expected to have a significant impact on highway safety or traffic flow, even if Study Warrants 1, 2, or 3 above are not met.

#### **B.     In determining the need for a TIS, the applicant is to assume only one access point. If the development has multiple stages, sections, or phases, the warrant for a TIS shall be based on new trips generated at full build out of the development.**

#### **C.     Transportation Impact Assessment (TIA) Warrants.**

1.     If the warrants for a TIS are not met, the Township Engineer and/or PennDOT may require the preparation of a TIA.
2.     Factors in determining if a TIA is necessary include but are not limited to, location of proposed access and site configuration, congestion, and delay of surrounding roadway network, and/or safety concerns.
3.     The purpose of a TIA is to assess the impact of the application on specific intersections or elements of the state transportation system.
4.     As such, the scope of a TIA will be limited and targeted to the concern of the Township and/or PennDOT; it would generally be limited to an opening year analysis. An example of a TIA would be to determine the best access plan for a corner property that would not generate traffic sufficient to warrant a TIS but could impact queuing patterns at the intersection.

#### **D.     The applicant is responsible for assessing the transportation impacts associated with a proposed development that meets any warrant set forth above. The Township or its designee will review the applicant's assessment and supply available data upon request to aid the applicant in preparing the TIS or TIA. The applicant shall be responsible for all data collection efforts required in preparing a TIS or TIS including peak period turning movement counts. In addition, the applicant is responsible for ensuring that any submitted development plans meet the minimum state and local standards for geometric design.**

#### **E.     The TIS or TIA shall be conducted only by a professional engineer that has verifiable experience in**

traffic engineering. Upon submission of a draft study, the Township or its designee may review the data sources, methods and findings and provide comments in written form. The applicant shall be responsible for all costs for such review. The applicant will then have the opportunity to incorporate necessary revisions prior to submitting a final study.

- F. The TIS or TIA shall be prepared in accordance with PennDOT Publication 282, Highway Occupancy Permit Operations Manual and Transportation Impact Analyses for Site Development, an Institute of Transportation Engineers' (ITE) Recommended Practice.
- G. A scoping meeting shall be conducted with the Township Engineer and/or PennDOT prior to preparation of the TIS or TIA.
- H. Construction of Required Improvements. The applicant shall enter into an agreement with the Township setting forth the required roadway improvements that shall be the responsibility of the applicant to construct as part of the applicant's development in accordance with provisions of the MPC. At the sole discretion of the Township, the applicant may enter into an agreement with the Township setting forth the contribution to be made in lieu of the applicant's construction of the roadway improvements that are the responsibility of the applicant. All such agreements shall be in a form satisfactory to the Township Solicitor.
- I. Contribution in Lieu of Preparation of Studies. If an applicant believes that the preparation of TIS or TIA required herein is not warranted, he may request the Board to waive the preparation of such study.
  - 1. The applicant shall enter into an agreement with the Township setting forth the contribution in lieu of preparation of studies to be paid and the studies to be waived by the Township. All such agreements shall be in a form satisfactory to the Township Solicitor.
  - 2. All contributions in lieu of preparations of fees shall be paid prior to approval of the final plan by the Township Supervisors.
  - 3. All developments receiving a modification of preparation of a TIS or TIA in accordance with this section may be required to submit trip generation information as deemed necessary by the Township Engineer.

#### **Section 407.4 Wetlands Study**

- A. The applicant shall submit a wetland study with the submittal of all subdivision and land development plans proposing any land disturbance or construction activities. The purpose of the study shall be to determine the presence and extent of wetlands on the project site.
- B. The study shall be performed by a qualified wetland scientist. Qualified individuals should possess a minimum of a bachelor's degree in biology, botany, zoology, ecology, or environmental sciences. In general, other professionals, such as engineers, landscape architects, land surveyors, planners, and geologists are not considered fully qualified to perform wetland delineations, unless they possess special ecological training and experience beyond their discipline. The Township reserves the right, in as much as no recognized certification program exists for wetland scientists, to determine the qualification of those preparing wetland delineations. Should a state or federal wetland scientist certification program be established, the Township will consider only those certified individuals qualified to perform delineations.
- C. For project sites on which no wetlands occur, an abbreviated report may be submitted. The

abbreviated report should contain the results and discussion and conclusions information as required by Section 407.4.D.2 of this Ordinance. Site location, NWI and soil maps shall be provided.

D. Requirements for Wetland Studies.

1. Delineations should follow the procedures outlined in the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands, and any subsequent amendments.
2. Delineations shall be supported by reports. The reports shall contain the following sections:
  - a. Introduction. Description of the physical features of the project site, its location and the proposed plans for the project site.
  - b. Methods. Description of the methods used for the survey, with particular emphasis on any deviation from the outlined federal method. Relevant information includes the date of the field studies, the number of transects and plots used, the size of vegetation quadrants employed, the size of soil pits used, taxonomic references used, and the disposition of any voucher specimens.
  - c. Results and Discussion. Description of the findings of the study. Soils, vegetation and hydrology for wetland and upland areas of the project site should be discussed. Any problem areas should be thoroughly treated.
  - d. Conclusions. The extent of wetlands on the project site should be discussed. The impact of the proposed project on these wetlands should also be considered.

E. The following appendices or tables shall be included in the report:

1. Project site location map (USGS 7.5' quadrangle will suffice).
2. NWI map.
3. Soil survey map with soil descriptions.
4. Data sheets for each plot.
5. Wetland boundary map. Wetland boundaries shall be surveyed by a registered professional land surveyor and shown on a plan of appropriate scale. The limits of the wetland study shall be clearly shown. The plan shall also show the location of all plots and/or transects used in the study, the date of the delineation, a statement of the method used for the study, the name of the consulting firm which performed the delineation, the name of the land surveyor, and a disclaimer statement indicating no wetland boundary is considered jurisdictional until approved by DEP and COE.
6. Color photos of wetlands areas on the project site, with locations and directions of view keyed to the wetland boundary map.
7. Resumes of the wetland scientist(s) who performed the delineation.

F. All subdivision and land development plans which contain wetlands shall contain notes for future lot owners. The wetland boundary on each lot will be clearly marked. Each lot which contains wetlands, or to which access may be restricted by wetlands, shall have a note which states that state

and federal laws require permits for all activities which result in a deposition of fill into delineated wetlands. The note shall also state that refusal of such a permit may restrict some uses of all or portions of the lot.

- G. Compensatory mitigation projects required as part of state or federal permits shall be shown on the subdivision plans. Future lot owners whose property encompasses all or part of a mitigation area shall be notified that the portion of their property that includes the mitigation area may not be altered and is considered a jurisdictional wetland by the state and federal governments. Lot owners may be responsible for maintenance of mitigation areas. In order to help ensure the long-term viability of wetland mitigation efforts, the Township discourages multiple ownership of mitigation areas. Ownership by one individual or a homeowners' association is encouraged. Owners of the wetland mitigation areas must be clearly identified to the Township.
- H. The Township reserves the right to reject any submitted wetland delineations. Should the Township feel the actual wetland area differs from that shown on the subdivision plan, the Township shall, no later than thirty (30) days after the date of submittal of the Wetlands Study delineation, notify the developer and its professional wetlands consultant, that it disputes the wetland delineation contained in the Study. Having so notified the developer and its professional wetlands consultant, the Township shall have the right, at its own expense, to secure qualified personnel to check the delineation and redraw the boundary as necessary. The Township's wetlands delineation shall be submitted to the developer and its professional wetlands consultant no later than thirty (30) days after the Township has notified the developer that it disputes the developer's delineation. Should the developer subsequently disagree with the Township's delineation, and so notify the Township and its professional wetlands consultant no later than thirty (30) days after the date of submittal of the Township's delineation, a jurisdictional delineation by DEP and COE will be requested. Either or both party(ies) whose delineation is determined to be incorrect by the jurisdictional delineation shall be responsible for any charges associated with the jurisdictional delineation. Failure of either party to hold to the required time frames for delineation dispute and submittal shall constitute a waiver of either party's delineation dispute resolution rights under this subsection.
- I. Where the study shows the existence of wetland areas, the delineated boundary shall be properly fenced off to prevent encroachment. Snow fence or other acceptable material shall be used (the use of silt fence is not acceptable). The fence shall be properly installed, at a minimum distance of five (5) feet outside the delineated boundary, prior to any construction or issuance of building permits. The fence must be properly maintained until all occupancy permits have been issued and for the extent of all construction.

**ARTICLE V**  
**DESIGN STANDARDS**

**Section 501     General**

The standards and requirements contained in this Article shall apply as minimum design standards for subdivision and/or land developments in the Township.

**Section 502     Streets**

**Section 502.1   General Design Standards**

- A.     Proposed streets shall conform to such township, county, and state street and highway plans as have been prepared, adopted and/or filed as prescribed by law.
- B.     New streets shall be connected with streets of similar function, to form continuations thereof.
- C.     Wherever there exists a dedicated or platted area reserved for future street usage along the boundary of a tract being developed, the adjacent street shall be extended into the proposed project.
- D.     Local streets shall be laid out to discourage use by through traffic.
- E.     For new subdivisions, a rigid rectangular (i.e., grid) street pattern need not be adhered to; the use of curvilinear streets may be provided when their use will result in a more desirable layout.
- F.     Where a development abuts an existing or proposed major street, the Board of Supervisors may require the use of marginal access streets, reverse frontage lots or such other treatment that will provide protection for abutting properties, reduce the number of intersections with the major street and separate the local and through traffic.
- G.     If lots resulting from original subdivision are large enough to permit re-subdivision or if a portion of the tract is not subdivided, adequate rights-of-way for streets and other required improvements shall be provided as necessary to permit further subdivision.
- H.     All streets shall be designed to conform as closely as possible to the original topography to the extent practicable.
- I.     Streets shall be laid out to provide convenient and safe access to the property.
- J.     Streets shall be logically related to the topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.
- K.     As a minimum, all new streets shall be graded to the right-of-way line. All cut and fill slopes associated with the construction of the streets, within or beyond the limits of the street right-of-way, shall not exceed a maximum of a 3:1 slope.
- L.     The design speed and proposed speed limits for new streets shall be noted on the plan and shall be approved by the Township.

- M. Snow removal stockpile easements shall be provided at the terminal end of cul-de-sacs and along other streets where deemed necessary by the Township.
1. The snow removal stockpile easement shall be a minimum of 40 feet in length along the cartway.
  2. The depth shall be a minimum of thirty (50) feet measured from the edge of the cartway.
  3. No on-street parking, driveway, structure, any above ground part of any utility, landscaping, or any other use shall be permitted along and within the snow removal stockpile easement that would interfere with the intended purpose of the easement.
  4. All snow removal stockpile easements shall be delineated on all plans and the restrictions on their use shall be noted on the plans.
- N. Permanent concrete monuments shall be accurately placed to monument the right-of-way line along at least one (1) side of each street at the beginning and end of all curves and at all angles. When the outside perimeter of a tract falls within or along an existing road right-of-way, then the right-of-way of that roadway shall be monumented at the above referenced points.
1. Monuments shall be of concrete, with a flat top having a minimum width or diameter of four (4) inches and a minimum length of thirty (30) inches. Cast-in-place or pre-cast concrete monuments shall be marked with center punch mark in a three-quarter (3/4) inch copper or brass dowel.
  2. All existing and proposed monuments shall be delineated on the final plan.
  3. All monuments shall be placed by a registered land surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being marked.
  4. All monuments shall be inscribed with a proper inscription indicating the name of the surveyor responsible for the survey.
- O. Landscape islands and/or boulevards may be permitted within existing or proposed public streets at the sole discretion of the Board of Supervisors. Any request for landscape islands and/or boulevards within any existing or proposed public street shall include an agreement, in a recordable form acceptable to the Township, to provide for the perpetual maintenance of the landscape islands and/or boulevards.
- P. Pavement base drains shall be required when the street subgrade is subject to an elevated ground water table. See the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended, for pavement base drain specifications.

## **Section 502.2 Private Streets**

- A. All proposed streets shall be offered for dedication and are subject to acceptance at the discretion of the Township.
- B. Where a modification of this section is granted by the Township, all private streets shall conform to the following requirements:

1. Private streets shall meet all the design standards for public streets as required by this Ordinance and the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
2. Applications that propose a private street shall include an agreement, in a form acceptable to the Township, which shall be recorded with the Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the street will be constructed and maintained, as well as conditions controlling an offer of dedication, and shall stipulate:
  - a. That the street shall be constructed and maintained to conform to the provisions of this Ordinance.
  - b. The method of assessing maintenance and repair costs.
  - c. That an offer for dedication of the street shall be made only for the street as a whole.
  - d. That the owners of the abutting lots will include with any offer of dedication sufficient funds, as estimated by the Township, to restore the street to the prevailing standards.
  - e. That an agreement by the owners of fifty-one (51) percent of the front footage thereon shall be binding on the owners of the remaining lots.

#### **Section 502.3 Street Names, Street Name Signs, and Street Addresses**

- A. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets.
- B. Street names shall not be repeated within the township and all street names shall be subject to the approval of the Board of Supervisors, Lebanon County Department of Emergency Services, Lebanon County GIS Department, and the Postmaster.
- C. Street names shall be limited to fourteen (14) characters for signage purposes.
- D. Street signs shall be fabricated and installed in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- E. Street name signs shall be provided and installed by the developer at all intersections and shall identify both intersecting streets, and their design shall be approved by the Township.
- F. Street address plans shall be approved by the Township for all new subdivisions.

#### **Section 502.4 Guiderail**

- A. Streets shall be designed to preclude or minimize the need for guide rail. However, the Township may require guide rail to be placed for protection on embankments when a barrier is indicated as warranted in PennDOT Publication 13M, Design Manual Part 2 Highway Design, as amended.
- B. The design and selection of guide rail shall generally be in accordance with the standards in PennDOT Publication 13M, Design Manual Part 2 Highway Design, as amended, however, the Township shall approve all guide rail systems.



## **Section 502.5 Reconstruction of Existing Streets**

- A. Existing streets in and bordering a subdivision or land development shall be of such widths and grades and in such locations as deemed necessary to accommodate prospective traffic and facilitate fire protection. Existing streets in and bordering a subdivision or land development shall be reconstructed according to Township or PennDOT specifications where the following circumstances apply:
  - 1. If the existing street does not meet current Township or PennDOT specifications or requires restoration as determined by the Township or PennDOT; and,
  - 2. If an existing street borders or lies through the subdivision and development, it shall be reconstructed to the full width of the street as required by Township or PennDOT specifications and design standards.
- B. Where a temporary cul-de-sac is being extended, the turnaround area (i.e., bulb) shall be removed and the street reconstructed to current the Township's street standards and any existing sidewalk shall be extended through the area, and the remaining areas shall be regraded and seeded.
- C. When the proposed development requires construction within an existing street right-of-way, such as sewer, water or stormwater lines, the Township may require construction of a new base and/or wearing course along the entire frontage and/or disturbed area. The extent of the new base and/or wearing course shall be approved by the Township.
- D. The extension of existing streets which are presently constructed with a cartway different from current Township standards shall be provided with a transition area, the design of which is subject to Township approval.
- E. If a subdivision or land development abuts an existing Township and/or State street which has a right-of-way width of less than the required right-of-way width, the applicant shall dedicate to the Township or Commonwealth, as applicable, that amount of land necessary so that the distance from the centerline of the street to the edge of the right-of-way abutting the proposed development is one-half the ultimate right-of-way width.
- F. Any disturbance in the North Lebanon Township right-of-way, including street cuts, shall adhere to requirements of the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.

## **Section 502.6 Construction Standards**

- A. Except streets owned and maintained by PennDOT, all streets shall be constructed, and all existing streets shall be reconstructed, in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- B. Appropriate Skid Resistance Levels (SRLs) for the subject street(s) shall be in accordance with Skid Resistance Level (SRL) determination standards required by PennDOT based on Average Daily Traffic (ADT) counts on the subject street(s).
- C. If subgrade compaction requirements cannot be achieved during construction, alternative stabilization measures such as lime stabilization, additional aggregate depth, geotextile fabric or geogrid reinforcement shall be specified as needed.

- D. Compaction test results shall be submitted to the Township at the discretion of the Township Engineer.

#### **Section 502.7 Right-of-Way and Cartway Width Standards**

- A. The minimum street right-of-way and paved cartway widths shall be as specified in the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- B. At the discretion of the Township, paved and marked bicycle lanes shall be provided for all collector and arterial streets and shall maintain the following minimum widths:
  - 1. Six (6) feet total width for shared bike lane and paved shoulder on streets with no curb and no parking.
  - 2. Five (5) feet total width for shared bike lane and paved shoulder on streets with curb and no parking.
  - 3. Eleven (11) feet total width for shared bike lane and parking lane on streets with no curb.
  - 4. Twelve (12) feet total width for shared bike lane and parking lane on streets with curb.
- C. Signage and pavement markings shall be provided for bicycle lanes in accordance with current MUTCD, as amended, standards.

#### **Section 502.8 Horizontal Alignment**

- A. Horizontal street alignments shall be measured along the centerline.
- B. Horizontal curves shall be used at all angle changes.
- C. The centerline of the street cartway shall correspond with the centerline of the street right-of-way.
- D. Plans with street locations along the perimeter of a property shall be required to show building setback lines and clear site triangles within the adjacent properties. Written permission from the effected adjacent landowner shall be provided prior to preliminary plan approval.
- E. There shall be a tangent of at least one hundred (100) feet between reverse curves for all local and collector streets.
- F. Horizontal curve centerline radii shall be designed in coordination with vertical geometry, subject to the approval of the Township Engineer. The minimum acceptable centerline radii shall be five hundred (500) feet for arterial streets, three hundred (300) feet for collector streets, and one hundred fifty (150) feet for local streets.

#### **Section 502.9 Vertical Alignment**

- A. Vertical curves shall be used in all changes of grade.
- B. The minimum vertical grade for all streets shall be one (1) percent, the maximum vertical grade shall be seven (7) percent for arterial and collector streets, and ten (10) percent for local streets.

- C. The minimum length of vertical curve for all streets shall be seventy-five (75) feet.
- D. Intersections shall be designed with a flat grade. In hilly or rolling topography, a leveling area shall be provided for seventy-five (75) feet on all sides preceding the intersection, measured from the edge of cartway of the intersection street. The leveling area shall have a maximum grade as follows:
1. Local streets and cul-de-sacs – four percent (4%).
  2. Arterial and collector streets – two percent (2%).
- E. No side street shall intersect a through street when the through street exceeds seven (7) percent in grade.
- F. Notwithstanding the above minimum length of vertical curve, the actual length of vertical curve shall be based on the formula  $L = KA$ ; where "L" is the minimum length of curve in feet, "K" is the length of vertical curve per percent change in "A", and "A" is the algebraic difference in grade (in percent). Values for "K" shall be based on the following criteria:

Table 5.1 – Vertical Curve Rate of Vertical Curvature "K" Standards

Design Speed (in miles per hour)	"K" Crest Vertical Curves	"K" Sag Vertical Curves
20	10	20
25	20	30
30	30	40
35	45	50
40	70	70
45	100	90
50	150	110
55	220	130

#### Section 502.10 Intersections

- A. Intersections involving the junction of more than two (2) streets are prohibited.
- B. Right angle intersections shall be used to the extent practicable for at least 100' approaching the cartway intersection. No street shall intersect another at less than 75 degrees.
- C. All streets intersecting a state highway shall be subject to the approval of PennDOT.
- D. Clear sight triangles shall be provided and maintained at all intersections as follows:
1. A clear sight triangle seventy-five (75) feet in length measured along the centerline of each approach to an intersection shall be provided except for an intersection involving an arterial street or the intersection of two alleys.
  2. A clear sight triangle one-hundred fifty (150) feet in length measured along the centerline of each approach to an intersection shall be provided if an arterial street is involved.
  3. A clear sight triangle fifty (50) feet in length measured along the centerline of each approach to an intersection shall be provided for the intersection of two alleys.

4. Clear sight triangles shall be indicated as easements on all plans.
  5. No building, structure, landscaping, or other obstruction higher than thirty (30) inches above the roadway grade, or which would otherwise obscure the vision of a motorist, shall be permitted within the clear sight triangle.
- E. Proposed new intersections along one side of an existing street shall coincide with any existing intersections on the opposite side of the street. Where intersections cannot be practically connected, the following minimum separation distances should be followed:

Table 5.2 – Minimum Intersection Separation Distances

Through Street Classification	Minimum Intersection Separation Distance
Arterial	400 feet
Collector	400 feet
Local	150 feet

- F. The cartway edge at street intersections shall be rounded by a tangential arc with a minimum radius as follows:
1. Arterial street – thirty (30) feet.
  2. Collector street – thirty (30) feet.
  3. Local street – twenty (20) feet.
  4. Alleys – ten (10) feet.
  5. The right-of-way radii at intersections shall be substantially concentric with the edge of the cartway.
  6. The Township may require larger radii based on the largest anticipated vehicle using the intersection.
  7. Intersection radii shall be designed to prohibit the largest anticipated vehicle using the intersection from encroaching upon adjoining lanes while using the intersection.
- G. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections.
1. The required and available sight distance shall be included on the plans for all existing and proposed intersections.
  2. Street intersections shall be located at a point that provides optimal sight distance in both directions.
  3. Sight distance at street intersections shall be provided in accordance with the requirements of PennDOT Publication 13M, Design Manual Part 2 Highway Design, Chapter 2.17.F, as amended, and the AASHTO Green Book, Chapter 9, Section 9.5, "Intersection Sight Distance," as amended. If it is impossible to achieve required sight distance in both directions the Township may:

- a. Prohibit left turns by entering or exiting vehicles.
- b. Require alteration of the horizontal or vertical geometry of the roadway or access; all such work shall be at the expense of the applicant.
- c. Require removal of physical obstruction from the line of sight, at the expense of the applicant.
- d. Require installation of a separate left turn standby lane.
- e. Deny access to the roadway.

#### **Section 502.11 Curbing**

- A. For any residential, commercial, office, institutional, industrial, or other non-residential use, excluding agricultural uses, curbs shall be required along all proposed streets in subdivisions; along all proposed streets, access drives, and all interior landscaping and traffic control islands within parking compounds in land developments; and along all existing streets in and abutting both subdivisions and land developments. The developer shall submit the location and grade of all curbs to the Township for consideration.
- B. Curbs shall be constructed and installed in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- C. Standard vertical curb or roll curb shall be required along all state highways and along all Township streets that the Township has classified as an arterial or collector street, and where adjacent vertical or roll curbs exist. Standard slant curb shall be permitted along all other streets.
- D. The requirement to provide curbing may be waived by the Township if reasonable justification is provided by the applicant.

#### **Section 502.12 Sidewalks**

- A. For any residential, commercial, office, institutional, industrial, or other non-residential use, excluding agricultural uses, the Township shall require installation of sidewalks in any subdivision and/or land development as provided herein.
  - 1. Sidewalks are required to provide access from the adjoining streets to and/or within the uses noted above.
  - 2. Sidewalks that are provided as part of such non-residential facilities shall be designed and constructed to service the projected pedestrian needs.
  - 3. All public areas shall be designed barrier free in accordance with applicable federal and state standards, including but not limited to, the Americans with Disabilities Act.
  - 4. Appropriate construction details shall be provided on the plans.
  - 5. For a proposed infill subdivision and/or land development, the applicant may request the Township defer the requirement to install sidewalk to a future date when sidewalk on adjoining developed properties is installed. In such instances, the applicant shall be required

to execute a Deferment Agreement with the Township to guarantee installation of the sidewalk by the landowner and any future successors or assigns.

- B. Sidewalks shall be installed on both sides of all streets in all commercial, office, institutional, industrial, and other similar non-residential subdivisions and/or land developments, excluding agricultural subdivision and/or land developments, as herein specified.
- C. For residential subdivisions and/or land developments, sidewalks shall be installed as follows:
  - 1. Where the minimum lot width is greater than 110', no sidewalk is required unless the residential subdivision and/or land development is located within one-quarter (1/4) mile of a public school or public park, then sidewalk shall be installed on at least one side of the street.
  - 2. Where the minimum lot width is less than or equal to 110' but greater than or equal to 85', a sidewalk shall be installed on at least one side of the street.
  - 3. Where the minimum lot width is less than 85', sidewalks shall be installed on both sides of the street.
- D. Sidewalks shall be located, if possible, within the street right-of-way line.
  - 1. Pedestrian easements, a minimum of six (6) feet in width, shall be provided when the sidewalk is not located entirely within the street right-of-way.
- E. Sidewalks shall be constructed in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- F. Driveways constructed in areas where sidewalks are provided shall have a concrete apron between the curb, or the edge of cartway when no curb is provided and the edge of the sidewalk furthest from the street. The concrete sidewalk apron shall be constructed in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- G. All utility service laterals and mains shall be extended to the building side of the sidewalk.
- H. Sidewalks shall be constructed with a cross slope of one-quarter (1/4) inch per foot towards the street with a construction tolerance of one quarter (1/4) inch in ten (10) feet.
- I. At corners and pedestrian street-crossing points, curb cuts and ramps shall be designed and constructed in accordance with ADA accessibility requirements. See PennDOT Publication 72M, Standards for Roadway Construction, RC-67M, as amended.
- J. Sidewalks shall not exceed eight (8) percent grade. All sidewalk and ramp slopes greater than five (5) percent shall be designed in accordance with ADA accessibility requirements.

### **Section 502.13 Street Lighting**

- A. Streetlights shall be designed and installed to illuminate all major subdivisions and land developments. Streetlights shall be placed at all proposed street intersections. Streetlights shall be spaced at intervals which provide adequate illumination at all points along the street without causing light pollution or glare.

- B. All street lighting shall be installed in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.

#### **Section 502.14 Cul-de-sac and Dead-End Streets**

- A. A cul-de-sac street shall not be permitted when a through street is feasible.
1. The feasibility of a through street will be based on the following:
    - a. Physical features of the tract proposed for development;
    - b. The potential for extension of the street to adjoining lands;
    - c. Restrictions imposed by other government regulations; and,
    - d. The ability of the design to meet all other requirements of this Ordinance.
  2. When cul-de-sac streets are proposed, the application shall be accompanied by a written analysis of the merits of the design and the reasons that a through street would not be feasible.
  3. Approval of cul-de-sac streets shall be at the sole discretion of the Board of Supervisors.
- B. Permanent cul-de-sac streets shall be designed as follows:
1. The minimum length shall be two hundred fifty (250) feet and the maximum length shall be six hundred (600) feet.
  2. A cul-de-sac street's length shall be measured along its centerline from the centerline of the intersecting street to the center of the cul-de-sac street's turnaround.
  3. A maximum of twelve (12) lots or units of occupancy shall be permitted with access to the cul-de-sac street.
  4. The turnaround portion of permanent cul-de-sac streets must be provided with a minimum diameter of one hundred (100) feet to the face of curb or edge of paving and of one hundred twelve (112) feet to the street right-of-way.
  5. Unless future extension is clearly impractical or undesirable, the turnaround's right-of-way shall be placed adjacent to the tract boundary with sufficient additional right-of-way width provided along the boundary line to permit extension of the street at full width.
  6. Drainage of cul-de-sac streets shall preferably be toward the open end. If drainage is toward the closed turnaround, water shall be conveyed away in an underground storm sewer or by other means approved by the Township. The minimum grade on cul-de-sacs shall be designed to ensure a minimum of one (1) percent along the curb line to the designed low points. The maximum grade on cul-de-sacs shall not exceed five (5) percent at the turnaround.
- C. Temporary cul-de-sac streets shall be designed as follows:

1. Temporary cul-de-sac streets shall only be allowed when future continuation of the street is planned into an adjoining phase of the same development or onto an adjoining property that is also undergoing development.
2. Temporary cul-de-sac streets shall be designed with the same criteria as permanent cul-de-sac streets except that the paved turnaround shall not require installation of a wearing course and the right-of-way width at the turnaround shall be equivalent to rest of the street.
3. Temporary easements shall be provided for the portions of the paved turnaround that extend beyond the street's right-of-way and encroach onto adjoining properties until such time when the street is extended. The developer extending the street shall be responsible for removing the paved turnaround within the temporary easements and restoring any areas disturbed in the process. The cost to remove the temporary paved turnaround shall be part of the financial security posted by the developer extending the street.
4. The developer extending the street shall be responsible for all improvements associated with extending the street, including but not limited to, curbing, sidewalk, and paved cartway installation.
5. A temporary cul-de-sac street shall not be considered for dedication by the Township unless the Board of Supervisors agrees that future extension of the street is no longer practical or desirable, the necessary permanent rights-of-way are secured, the temporary cul-de-sac street is constructed to the same standards required for a permanent cul-de-sac street, and all other requirements for street dedication are satisfied.

D. Dead-end streets shall be designed as follows:

1. Dead-end streets are prohibited unless designed as cul-de-sac streets.
2. Any street with a temporary dead-end intended for future continuation of the street into an adjoining phase of the same development or onto an adjoining property that is also undergoing development shall be designed to the same standards required for a temporary cul-de-sac street.
3. The Township may waive the requirements of providing a temporary cul-de-sac for streets which are planned for future extension if the street will be no longer than the depth of one (1) lot and the street is fully constructed with all utilities installed.
4. A barricade to prevent vehicular access to adjoining property shall be constructed at the termination point of the street. The barricade shall be designed and constructed in accordance with PennDOT Publication 72, Standards for Roadway Construction, RC-63M, as amended.

E. Snow removal stockpile easements shall be provided at the closed end of cul-de-sac streets.

1. The snow removal stockpile easement shall be a minimum of forty (40) feet in length along the cartway.
2. The depth shall be a minimum of thirty (50) feet measured from the edge of the cartway.



3. No on-street parking, driveway, structure, any above ground part of any utility, landscaping, or any other use shall be permitted along and within the snow removal stockpile easement that would interfere with the intended purpose of the easement.
4. All snow removal stockpile easements shall be delineated on all plans and the restrictions on their use shall be noted on the plans.
5. All locations shall be approved by the Board of Supervisors.

## **Section 502.15 Alleys**

### **A. Alleys are private streets and shall have the following characteristics:**

1. Any property that adjoins an alley shall maintain frontage along another public or private street other than an alley.
2. No part of any structure, fence, hedge, tree, or other landscaping shall be located within four (4) feet of the edge of the cartway of an alley.
3. The minimum right-of-way width shall be 33 feet and the minimum cartway width shall be 16 feet.
4. The vertical and horizontal alignments of alleys shall be in accordance with the local street specifications of this Ordinance and the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
5. Except where specific standards for alleys are otherwise provided, alleys shall be designed in accordance with the local street standards of this Ordinance.
6. Alleys with dead-ends or cul-de-sac turnarounds are prohibited.
7. Applicants proposing private alleys within a development may request that the Township reduce the width requirements of the private streets proposed within the development. The request shall be in the form of a modification request and shall be accompanied by adequate justification.

### **B. Applications that propose a private alley shall include an agreement, in a form acceptable to the Township, which shall be recorded with the Recorder of Deeds as part of the final plan. This agreement shall establish the conditions under which the alley will be constructed and maintained and shall stipulate:**

1. That the alley shall be constructed and maintained to conform to the provisions of this Ordinance and the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended; and,
2. The method of assessing maintenance and repair costs.
  - a. If the use of an alley is limited to the common use of two (2) properties, the applicant shall provide for the maintenance of such alley;
  - b. If the use of an alley is for more than two (2) properties, the applicant shall provide for private maintenance through the formation of a homeowners' association or

through the setting forth of the maintenance responsibilities in easements and in the deeds to the lots which have the right to use the alley. If a homeowners' association is formed, a document setting forth the maintenance responsibilities of such association and the right of such association to assess lots within the development shall be recorded at the same time as the final plan is recorded. All such documents shall be in a form acceptable to the Township Solicitor; and,

- c. All persons who shall purchase a lot abutting or having the right to use an alley shall be given a copy of the final plan, and, if a homeowners' association has been formed, shall be given a copy of all such documents relating to the maintenance responsibilities of such homeowners' association.
- C. The final plan, for recordation with the Recorder of Deeds, shall include a plan note which identifies the following:
- 1. The recorded Maintenance Agreement for private alleys; and,
  - 2. Notification that the private alleys do not qualify for dedication to the Township and that the Township will not assume any responsibility for their maintenance.

#### **Section 502.16 Traffic Signals and Traffic Control Signs**

- A. Where the developer has entered into an agreement with the Township setting forth the required roadway improvements, including traffic signals, that shall be the responsibility of the developer to construct as part of the development, and in accordance with provisions of the MPC, the developer shall be responsible to design, permit, and install any traffic signals, traffic signal upgrades, traffic signal accessories, pavement markings, and related roadway improvements in accordance with PennDOT regulations and requirements of the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- B. Traffic control signs shall be approved by the Township and shall be supplied and installed by the developer in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended; PennDOT Publication 212, Official Traffic Control Devices, as amended; PennDOT Publication 236, Handbook of Approved Signs, as amended; and the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD), as amended.
- C. Traffic control signs shall be installed by the developer prior to the occupancy of any buildings within the project.
- D. All traffic control signs shall be repaired/replaced to the satisfaction of the Township by the developer prior to the Township accepting dedication of any streets or prior to the final reduction in the project's financial security.

#### **Section 503 Access Drives and Driveways**

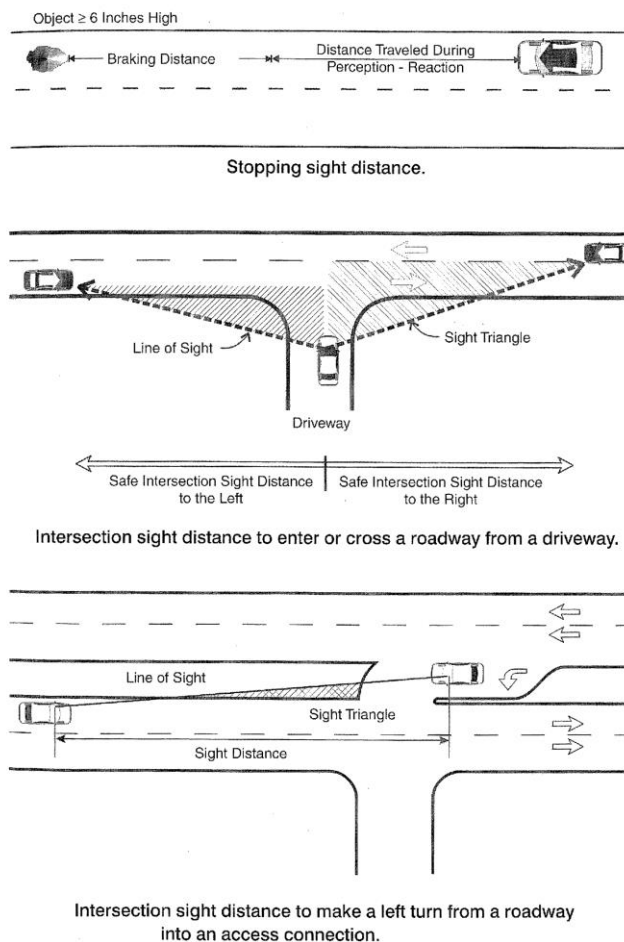
##### **Section 503.1 Applicability**

The regulations and standards presented in this section shall apply to the design and construction of all access drives and driveways in the Township.

## Section 503.2 General Standards

- A. Whenever other Township regulations impose more restrictive standards and requirements than those contained herein, such other regulations shall prevail; otherwise, the standards and requirements of this section shall apply.
- B. Access drives and driveways shall conform to the design requirements of PennDOT Publication 13M, Design Manual – Part 2 – Highway Design, Chapter 7 – Driveways, as amended, and as supplemented by this Section.
- C. Proper sight distance shall be provided at all intersections of access drives and driveways with public and private streets in accordance with the following:
  1. An illustration of sight distance is provided in Figure 5.1.

Figure 5.1 – Sight Distance



2. Adequate sight distance shall be available for all permitted turning movements at all access drives and driveways onto public and private streets and shall be documented on the site plans.

3. Title 67 Pa. Code § 441.8(h) shall be referenced to determine minimum required safe sight distance at access drives and driveways.
  4. All access drives and driveways shall be designed and located so that the sight distance is optimized to the degree possible without jeopardizing other requirements such as intersection spacing.
  5. No waivers or modifications of the safe sight distance requirements shall be permitted.
- D. Access drives and driveways shall provide for the adequate conveyance of the stormwater along the street. Where a street is curbed, a depressed curb approach may be required adjacent to the street to maintain property drainage along the curb.
- E. Access drives and driveways shall not be in direct line with existing or proposed stormwater inlets along the street. However, stormwater inlets may be located on either side of an access drive or driveway along the tangent of a curb return or pavement return for a non-curbed street.
- F. Access drives/driveways that do not conform to the regulations in this ordinance, and were constructed before the adoption of this ordinance, shall be considered legal nonconforming access drives/driveways. However, nonconforming access drives/driveways shall be reconstructed to comply with this ordinance if there is a change in use or intensity of the land use, such that the use of the access increases peak hour or ADT volume by 10 percent or more and by 100 daily trips, based on the latest edition of the Trip Generation Manual published by the Institute of Transportation Engineers, or other data approved by the Township.
- G. A joint use or cross access drive/driveway with an adjoining landowner or use may be required to achieve the intersection separation distances standards of the Zoning Ordinance.
- H. An Ownership, Use and Maintenance Easement Agreement, in a recordable form acceptable to the Township, shall be provided for all joint use or cross access drives/driveways. The agreement shall include the following provisions:
1. Allow uninterrupted cross access to and from other properties served by the joint use or cross access drive/driveway and the adjoining public street(s).
  2. Define the maintenance responsibilities of the landowners along and using the joint use or cross access drive/driveway.
  3. Ensure future access rights along the joint use or cross access drive/driveway are granted at the discretion of the Township.
- I. Requirements for Access Drives Only. The following requirements shall only apply to access drives.
1. Access drives shall be paved with flexible asphalt or rigid cement concrete. Pavement design shall be in accordance with accepted engineering standards based upon subgrade type, anticipated wheel loads, traffic volumes, design speeds, etc.
  2. Access drive horizontal alignment standards shall be as follows:
    - a. Horizontal alignments shall be measured along the centerline.
    - b. Horizontal curves shall be used at all angle changes.

- c. There shall be a tangent of at least fifty (50) feet between reverse curves.
    - d. The minimum acceptable centerline radii shall be seventy-five (75) feet.
  - 3. The vertical alignment and grade of access drives shall be in accordance with the standards of PennDOT Publication 13M, Design Manual – Part 2 – Highway Design, Chapter 7 – Driveways, as amended, and as follows:
    - a. Except for changes in grade between access drives and intersecting streets vertical curves shall be required at all changes in grade greater than one (1) percent. The rate of vertical curvature shall be designed to provide the minimum required stopping sight distance for the design speed (see Table 5.1). The minimum design speed shall be 20 miles per hour.
    - b. The maximum grade shall be ten (10) percent.
  - 4. The Township may require developers to extend an access drive through the subject property when doing so will result in fewer access points directly accessing the higher order roadway.
- J. Requirements for Driveways Only. The following requirements shall only apply to driveways.
- 1. Driveways shall be paved with flexible asphalt or rigid cement concrete from the edge of public or private street's paved cartway to the right-of-way line. Driveways with a grade in excess of 10 percent at any point shall be paved for the entire length of the driveway. Pavement design shall be in accordance with accepted engineering standards based upon subgrade type, anticipated wheel loads, traffic volumes, design speeds, etc. The surface of unpaved driveways shall be constructed with stone compacted to a minimum of six (6) inches in depth.
  - 2. Except for driveways along local streets in residential developments, and unless specifically prohibited by the Zoning Ordinance, driveways shall include an off-street turnaround area so that vehicles do not exit by backing onto a street.
  - 3. The vertical alignment and grade of driveways shall be in accordance with the standards of PennDOT Publication 13M, Design Manual – Part 2 – Highway Design, Chapter 7 – Driveways, as amended, and as follows:
    - a. The maximum grade shall be ten (10) percent for an unpaved driveway and fifteen (15) percent for a paved driveway.

### **Section 503.3 Access Drive Lighting**

All access drive lighting shall be provided in accordance with the design criteria within the Zoning Ordinance.

- A. All lighting shall be delineated on the plan and shall include photometrics.
- B. Appropriate footer, fixture, and mounting details shall be included on the plans.

#### **Section 503.4 Number of Access Point Required**

All subdivisions or land developments containing fifty (50) or more units of occupancy initially or cumulatively, or non-residential buildings or buildings containing twenty-five thousand (25,000) or greater square feet of gross floor area initially or cumulatively shall be provided with at least two (2) separate and distinct means of access to the subdivision or land development. In a phased development, the second access point shall be constructed as part of that phase which creates the 51st lot or unit of occupancy. This requirement will apply cumulatively to any subdivisions commenced on a tract or tracts by phases or otherwise on or after the date of adoption of this Ordinance.

- A. Access may be provided through the location of two (2) or more public or private streets, each of which intersects with an existing public street. Such public or private streets shall meet all the requirements of this Ordinance concerning design and construction.
- B. Access for a land development may be provided through two (2) or more access drives into the land development. Such access drives shall be separated by a distance of at least one hundred fifty (150) feet and shall comply with all requirements of this Ordinance.
- C. If the applicant is unable to provide access to the subdivision or land development through two (2) or more public or private streets, each of which intersect with an existing public street, or two (2) or more access drives which intersect with one (1) or more existing public streets, an emergency access drive shall be provided.
  - 1. The emergency access shall be improved so that emergency vehicles may safely transverse it and shall be indicated on the plans.
  - 2. The emergency access shall be acceptable to the providers of emergency services within the Township. Applicants proposing to provide emergency access shall submit evidence of such approval.
  - 3. The emergency access may be located so that access to the subdivision or land development is gained from a public street at a location unsuitable for regular access with an existing public street.
  - 4. The emergency access may be located so that access is gained from an adjacent tract. For example, a subdivision or land development adjoining a parking lot of another use may provide emergency access through a point with a break chain. Applicants with plans indicating emergency access through an adjoining private tract shall provide evidence that the adjoining landowner has consented to such emergency access location.

#### **Section 504 Access Management**

For certain roadways, access drives, and driveways shall be designed in strict conformity with the requirements of the Township's Access Management Ordinance (Ord. 5-2007). Refer to the Access Management Ordinance for a list of roadways where access management standards shall apply.

#### **Section 505 Vehicular Parking Facilities**

- A. Off-street vehicular parking facilities shall be provided in accordance with the Zoning Ordinance.

- B. Parking stall dimensions shall be no less than those listed in the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended, and Zoning Ordinance.
- C. Landscaping and screening shall be provided in accordance with the Zoning Ordinance.
- D. Not less than a five (5) foot radius of curvature shall be permitted for horizontal curves in parking lots.
- E. All dead-end parking lots shall be designed to provide sufficient back-up area for all end stalls.
- F. Painted lines, arrows, and dividers shall be provided and maintained to control parking when necessary to direct vehicular circulation.
- G. All parking lot lighting shall be provided in accordance with the design criteria within the Zoning Ordinance.
  - 1. All lighting plans shall be delineated on the plan and shall include photometrics.
  - 2. Appropriate footer, fixture, and mounting details shall be included on the plans.
- H. All parking compounds shall be paved with flexible asphalt or rigid cement concrete. Pavement design shall be in accordance with accepted engineering standards based upon subgrade type, anticipated wheel loads, traffic volumes, design speeds, etc.

#### **Section 506     Utilities**

- A. Telephone, electric, gas, TV cable, and such other utilities shall be installed underground and, with the exception of service connections, shall be within the public right-of-way or be provided with easements to be dedicated for such utilities.
- B. Lots which abut existing easements or public rights-of-way where above ground utility lines have been previously installed may be supplied with electric and telephone service from those overhead lines, but service connections from the utilities overhead lines shall be installed underground.
- C. Where road widening and other conditions resulting from subdivision and land development necessitate replacement or relocation of overhead utility lines, new facilities shall be installed underground. The cost of any relocation of public utilities shall be the responsibility of the developer.
- D. In accordance with the provisions of PA Act 38, as amended, the applicant shall contact applicable utilities and accurately determine and show the location and depths of all underground utilities within the boundaries of the tract proposed for development and in the vicinity of any proposed off-site improvement, prior to excavation.

#### **Section 507     Blocks**

- A. The configuration of blocks and lots shall be based upon the lot area requirements, the salient natural features, the existing man-made features, and the proposed type of structure.

- B. Lot configurations should provide for flexibility in building locations while providing safe vehicular and pedestrian circulation.
- C. Proposed lots that are two (2) or more times larger than the minimum required lot area shall, wherever feasible, be designed with configurations that allow for additional subdivision.
- D. Block length in a residential subdivision shall not exceed one thousand five hundred (1,500) feet.
- E. Blocks in non-residential areas may vary from the above requirement for residential blocks as necessary for the type of the use. Adequate provisions shall be made for off-street parking, loading areas, and traffic circulation.

## **Section 508 Lot and Parcel Configuration**

### **Section 508.1 General Design Standards**

- A. Lot and parcel size, configuration, density, and/or intensity shall conform to the requirements of the Zoning Ordinance.
- B. Whenever practical, side lot lines shall be radial to street lines.
- C. To avoid jurisdictional problems, lot lines shall, wherever feasible, shall be contiguous with municipal boundaries rather than cross them. Where a lot is divided by a municipal boundary, the minimum standards of both municipalities shall apply.
- D. All lots shall front on an approved public or private street and maintain a minimum lot width as required by the Zoning Ordinance. Subdivision of lots along unimproved/unpaved streets or rights-of-way is prohibited unless the lot is a corner lot with access to an approved public or private street.
- E. Double frontage lots are prohibited except where provided as reverse frontage lots.
  - 1. Reverse frontage lots (i.e., through lot) are only permitted when a reduction of driveway intersections along a street with a high volume of vehicular movements is desired.
  - 2. All reverse frontage lots shall include an identification of the frontage to be used for road access.
  - 3. All reverse frontage lots shall have a rear yard in accordance with the Zoning Ordinance; the area of frontage providing primary access to the lot shall be designated as the front yard.
  - 4. Reverse frontage lots shall, within each rear yard and immediately adjacent to the street right-of-way, have a planted buffer at least ten (10) feet in width, across which there shall be no vehicular access.
    - a. Buffer areas shall include a suitable and uninterrupted evergreen planting of a minimum planting height of thirty-six (36) inches designed to reach sufficient height and density to give maximum screening.
    - b. Such screening shall be permanently maintained and be replaced where necessary to present an attractive appearance.
    - c. Reverse frontage lots shall be approved at the sole discretion of the Township.



- F. All remnants of land (areas remaining after subdivision) shall conform to the lot area and configuration requirements.
- G. Metallic markers shall be set at all points where existing or proposed lot lines intersect with any street right-of-way line, curves, other property lines and any other right-of-way or easement.
  - 1. Metallic markers shall consist of solid steel bars at least thirty (30) inches along and not less than one-half (½) inch in diameter. Alternative monumentation methods will be at the discretion of the Township Engineer.
  - 2. All existing and proposed markers shall be delineated on the final plan.
  - 3. All markers shall be placed by a professional land surveyor so that the scored or marked point shall coincide exactly with the point of intersection of the lines being marked.

## **Section 508.2 Specific Building Setback Requirements**

- A. On any lot abutting a railroad or railroad right-of-way, no dwelling shall be placed within twenty-five (25) feet of any portion of the railroad right-of-way.
- B. On any lot abutting or traversed by a high voltage transmission line, no dwelling shall be placed within twenty-five (25) feet of any portion of the right-of-way.

## **Section 509 Easements**

### **Section 509.1 General Standards**

- A. Easements for utilities, such as sewer, water, electric, cable, telephone, and gas, stormwater, or pedestrian access shall meet the following standards:
  - 1. To the fullest extent possible, easements shall be adjacent to property lines.
  - 2. Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the Easement Agreement.
    - a. This requirement shall be noted on the final plan.
    - b. This requirement shall be included in all deeds for lots that contain an easement.
  - 3. Utility easements shall have a minimum permanent width of twenty (20) feet or as specifically required by the utility company or authority. However, utility easements shall have a minimum width of thirty (30) feet during initial construction.
  - 4. Utility companies are encouraged to use common easements.
- B. Where any petroleum product, electrical, or communication transmission line traverses a subdivision or land development, the applicant shall confer with the applicable Transmission or Distribution Company to determine the minimum distance which shall be required between each structure and the centerline of such petroleum or petroleum product transmission line.

- C. The Township will require, with the final plan application, a letter from the owner of the transmission line stating any conditions on the encroachment of the easement which shall contain the above.

### **Section 509.2 Stormwater Easements**

- A. The applicant shall reserve easements where stormwater or surface water drainage facilities are existing or proposed, whether located within or beyond the boundaries of the property.
- B. Stormwater easements shall have a minimum width of twenty (20) feet.
- C. Stormwater easements shall be adequately designed to provide area for the following:
  - 1. The collection and discharge of water;
  - 2. The access, maintenance, repair, and reconstruction of the drainage facilities and the passage of machinery for such work; and,
  - 3. The stormwater easements shall clearly identify who has the right-of-access and responsibility of maintenance.
    - a. This requirement shall be noted on the final plan.
    - b. This requirement shall be included in all deeds for lots that contain an easement.
- D. Where a subdivision or land development is adjacent to or traversed by a water course, drainageway, channel, or stream, there shall be provided a drainage easement conforming substantially with the line of such water course, drainageway, channel, or stream of such width as will be adequate to preserve the unimpeded flow from a one hundred (100) year design rainfall. In the absence of a mapped SFHA, as delineated on the applicable FIRM, it shall be the responsibility of the applicant to provide the required drainage easement limits conforming to the calculated 100-year flood boundary, which shall be certified as accurate by a registered professional engineer.

### **Section 509.3 Pedestrian Easements**

Pedestrian easements shall have a minimum width of six (6) feet.

### **Section 509.4 Access Easements – Attached Dwelling Unit**

When a subdivision proposes attached dwelling units, such as townhouses, the plans shall include access easements to allow all lot owners access to front and rear yards as necessary for maintenance and non-licensed vehicles as follows:

- A. Along the front and rear property lines of all units.
- B. The side property lines of the end units.
- C. The access easement shall have a minimum width of six (6) feet.
- D. This requirement shall be noted on the final plan and shall be included in all deeds for lots that contain the easement.

## **Section 510 Landscaping and Miscellaneous Site Requirements**

### **Section 510.1 Commercial, Industrial, and Mobile Home Park Landscaping**

- A. A vegetative screen designed in accordance with the screening requirements of the Zoning Ordinance shall be provided between any commercial, industrial, or mobile home park use and any contiguous properties which are residentially zoned, or which are used for residential purposes.
- B. Any portion of the commercial or industrial tract, which is not used for buildings, structures, parking, etc. shall be planted or landscaped in accordance with an overall plan to be approved by the Township.

### **Section 510.2 Existing Wooded Areas**

- A. Existing wooded areas, consisting of a collection of trees of varying species and sizes, shall be protected to the extent practicable to prevent unnecessary destruction. Maintenance and removal of dead and diseased trees shall be permitted.
- B. At least fifty (50) percent of the number of trees within any wooded area that exist at the time of plan submission shall be maintained or replaced immediately following construction.
- C. At time of planting, replacement trees shall be a minimum trunk caliper of two (2) inches at a height of six (6) inches above finished grade and located within unbuildable sections of the site (i.e., steeper-sloped and setback areas).

### **Section 510.3 Street Trees**

- A. Street trees shall be required by the Township with the following standards:
  - 1. The trees shall be nursery grown in a climate like that of the locality of the project.
  - 2. All trees shall have a normal habit of growth and shall be sound, healthy, and vigorous; they shall be free from disease, insects, insect eggs, and larvae.
  - 3. At time of planting, the caliper of the trunk, measured at a height of six (6) inches above finished grade, shall be a minimum of two (2) inches.
  - 4. Trees shall be planted in the front yard located between the street right-of-way line and the building setback line except where the Township has authorized placement of trees within the street right-of-way.
  - 5. Trees shall be located a minimum of ten (10) feet from the right-of-way line, underground utilities and/or easements, and laterals serving buildings. Tree growth shall not interfere with the street cartway, sidewalk, or utility line.
  - 6. All planting shall be performed in conformance with good nursery and landscape practice including proper guying and staking.
  - 7. Requirements for the measurements, branching, grading, quality, balling, and burlapping of trees shall follow the code of standards recommended by the American Association of

Nurserymen, Inc., in the American Standard for Nursery Stock, ANSI Z60.1-2014, as amended.

8. Street shade tree selections shall be subject to approval by the Township.
- B. Street Trees shall be provided as follows:
1. In residential developments, one (1) street tree shall be provided for each building containing two (2) or less dwelling units and two (2) trees for buildings containing three (3) or more dwelling units
  2. A minimum of one (1) street tree shall be provided for each residential lot and spaced not less than forty (40) feet or more than sixty (60) feet apart along the entire length of each existing or proposed street. In residential subdivisions which propose attached dwellings (townhouses) and have lot widths less than forty (40) feet, the additional trees not able to be located at the above spacing may be distributed at appropriate locations throughout the remainder of the subdivision.
  3. In commercial and industrial zoning districts, street trees shall be provided with each subdivision and/or land development plan and spaced not less than forty (40) feet or more than sixty (60) feet apart along each street frontage.
- C. The developer may request that the Township permit the installation of the required numbered street trees in locations other than those required by this section. The Township may also require alternate tree planting locations.
1. The request shall be accompanied by a planting plan clearly showing the proposed alternate location(s) and an explanation demonstrating why the required location(s) would not be suitable for street trees.
  2. The decision to accept an offer to permit installation in alternate locations shall be at the sole discretion of the Board of Supervisors.
- D. The developer may request that the Township not require the provision of street trees and offer to pay a fee-in-lieu-of street trees in an amount equal to the cost for the developer to provide all materials, installation, and one year's maintenance of street trees required by this Section. The decision to accept an offer of a fee-in-lieu-of the required installation of street trees shall be at the sole discretion of the Board of Supervisors.

#### **Section 511 Refuse and Recyclable Collection Stations**

- A. Refuse and recyclable collection stations shall be located and screened in accordance with the requirements of the Zoning Ordinance.
- B. Outdoor refuse collection stations shall be provided for garbage, trash, and recyclables removal when individual collection is not made, and indoor storage is not provided.
- C. Refuse and recyclable collection stations shall be located to be separated adequately from habitable buildings to avoid being offensive, but at the same time be convenient for both collectors and residents and shall be screened and landscaped adequately.

- D. Refuse and recyclable collection stations shall be fully enclosed with a self-latching gate to prevent the escape of refuse by wind, water, or other natural elements and prevent animals, rodents, etc. from entering.

#### **Section 512 Mailboxes and Cluster Mailboxes**

- A. All residential subdivisions and land developments shall include freestanding, pedestal-style outdoor centralized mailboxes referred to as cluster box units or CBUs. CBUs shall be located and specified in accordance with the U. S. Postal Service – National Delivery Planning Standards – A Guide for Builders and Developers.
- B. Developers, homeowners’ associations, or landowners shall be responsible for the purchase, installation, maintenance, repair, and replacement of mailbox equipment.
- C. The subdivision and/or land development plan shall provide dedicated areas for CBUs. CBUs shall be centrally located with sufficient parking and access or at various locations throughout the development if there are too many dwelling units for one centralized location to support.

#### **Section 513 Stormwater Management**

All stormwater management, collection, conveyance, and erosion control facilities shall be provided in accordance with the requirements of the North Lebanon Township Stormwater Management Ordinance, as amended.

#### **Section 514 Floodplains**

- A. Floodplain areas shall be established and preserved as provided by the Zoning Ordinance.
- B. Whenever a floodplain is located within or along a lot, the plan shall include the following:
  - 1. The boundary of the floodplain and the elevation or locational dimensions from the centerline of the watercourse;
  - 2. A plan note stating that the floodplain shall be kept free of structures, fill, and other encroachments; and,
  - 3. A plan note stating that floor elevations for all structures encroaching or touching the floodplain shall be two (2) foot above the one hundred (100) year flood elevation.

#### **Section 515 Public Dedication of Park and Recreation Land**

In accordance with the recommendations of the North Lebanon Township Recreation, Parks, and Open Space Plan, all residential subdivisions and land developments shall be provided with park and recreation land that shall be dedicated to the Township.

- A. The land reserved for park, recreation, and open space usage shall be a single lot accessible to the public and shall comply with the requirements of this Ordinance, the North Lebanon Township Zoning Ordinance, and Chapter 16, Part 2 of the North Lebanon Township Code of Ordinances concerning the mandatory dedication of park and recreation land.

- B. The minimum area of land to be reserved as park or recreational land for each residential lot created in a subdivision or each dwelling unit created in a land development shall be established by resolution of the Board of Supervisors.
- C. The developer may request that the Township not require the dedication of land, and any such request shall be accompanied by one of the following: (1) the payment of a fee in lieu of dedication of all or a portion of the amount of land required to be dedicated; (2) the construction of recreational facilities; (3) the private reservation of land for park or recreation purposes; or (4) any combination of dedication, fees, construction of recreational facilities, or private reservation of land.
- D. Procedures for satisfying the provisions of park, recreation, and open space land other than through public dedication of land are presented in Chapter 16, Part 2 of the North Lebanon Township Code of Ordinances.

## ARTICLE VI

### MOBILE HOME PARKS

#### Section 601 Mobile Home Parks

##### Section 601.1 General

- A. Mobile home park plans shall be processed in accordance with Article III of this Ordinance.
- B. The design of mobile home parks shall comply with applicable design standards of this Ordinance and the Zoning Ordinance.
- C. Mobile home parks shall comply with the design standards set forth in this Article, with the exception that any specific design standard will be superseded by any other Township ordinance, resolution, or regulation containing a different specific standard. Where another Township standard applies, the more stringent standard shall apply, and the plan shall note that item will be designed to such specific Township standards.

##### Section 601.2 Lot Size and/or Density

Lot size and density shall comply with the Zoning Ordinance.

##### Section 601.3 Building Setbacks and Separations

Mobile homes shall conform to the building setback and separation requirements of the Zoning Ordinance.

##### Section 601.4 Water Supply

- A. Source. All mobile home parks shall be connected to the public or a community water system. Additionally, all water supply systems shall be provided in accordance with Section 407.1 of this Ordinance.
- B. Connection. Individual water riser pipes having an inside diameter of not less than three fourth (3/4) inches shall be provided for each mobile home stand and shall terminate no less than four (4) inches above the ground. All water facilities shall be constructed with materials and by methods approved by the Water Authority.
- C. Protection of Water Lines. Adequate provisions shall be made to protect water service lines from damage including a shut off valve installed below the frost line at the curb line for each mobile home space.
- D. Fire Hydrants. Fire hydrants or yard hydrants shall be installed in accordance with the provisions of the Middle Department Association of Fire Underwriters and the Authority regulations. The land development plans shall be submitted to the Fire Department that will provide service to the site, to review the locations and number of fire hydrants proposed. The Board of Supervisors may require additional fire hydrants to be installed if the Fire Department determines the number provided is insufficient to provide adequate fire protection for the site. Fire hydrants shall be marked in accordance with requirements of the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.

### **Section 601.5 Sewage Disposal**

- A. Approved System. All mobile home parks shall conform to Section 407.2 of this Ordinance with respect to establishing an acceptable sanitary sewage disposal facility.
- B. Connection. All mobile homes and service buildings shall be connected to a public or community sewer system. Individual riser pipes having a minimum inside diameter of four (4) inches shall be located on each mobile home lot and shall extend four (4) inches above ground level. The sewer riser pipe shall be sealed with a securely fastened plug when the site is unoccupied. Positive surface drainage away from the plug shall be provided to ensure no infiltration of surface water will occur. All sewer lines shall be constructed with materials and by methods approved by the Sewer Authority and DEP.
- C. Protection. Adequate provision shall be made to protect sanitary sewers from stormwater infiltration and damage.

### **Section 601.6 Storm Drainage, Erosion and Sedimentation, and Floodplain Controls**

All mobile home parks shall conform to the North Lebanon Township Stormwater Management Ordinance, as amended.

### **Section 601.7 Streets**

- A. All streets in the mobile home park shall be privately owned and maintained, shall be lighted, shall be paved with a bituminous or concrete surface a minimum of twenty-four (24) feet wide, and each mobile home lot shall abut and access a mobile home park street. Mobile home lots shall not access perimeter public streets.
- B. Except for the minimum required paved street width, mobile home park streets shall meet all the design standards of the Zoning Ordinance and the design standards for local streets as required by Section 502 of this Ordinance and the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications, as amended.
- C. A clear sight triangle shall be provided and maintained at all internal and perimeter street intersections in accordance with the requirements of Section 502.10.D of this Ordinance. Clear sight triangles shall be kept free of all obstructions.

### **Section 601.8 Vehicular Parking Facilities**

Off-street parking spaces shall be provided in all mobile home parks in accordance with the requirements of the Zoning Ordinance.

### **Section 601.9 Sidewalks and Curbs**

- A. Location. All mobile home parks shall have sidewalks and curbs along parking compounds and park streets.
- B. Sidewalks and Paved Walkways. Sidewalks or paved walkways shall be provided in accordance with the requirements of the Zoning Ordinance.
- C. Construction. Curbs and sidewalks shall comply with the requirements of Sections 502.11 and 502.12 of this Ordinance.



### **Section 601.10 Lighting**

- A. All streets and parking compounds shall be lighted in accordance with the requirements of Section 502.13 of this Ordinance, the Zoning Ordinance, and/or the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications.
- B. All lighting shall be so arranged as to reflect the light away from adjoining premises and public rights of way.

### **Section 601.11 Landscaping**

- A. Landscaping shall be provided in accordance with the requirements of the Zoning Ordinance. In addition to those requirements listed in the Zoning Ordinance, the following requirements shall also be required:
  - 1. Screening. Screening shall be provided between mobile home parks and adjoining residential uses in accordance with Section 510.1 of this Ordinance.
  - 2. Surface Protection. Ground surfaces in all parts of the mobile home park shall be paved, covered with other solid material, or protected with vegetative growth that can prevent soil erosion and the emanation of dust during dry weather.

### **Section 601.12 Service and Accessory Buildings**

- A. Accessory Buildings. Service and accessory buildings shall be erected in conformance with the requirements of the Zoning Ordinance.
- B. Construction. All service and accessory buildings, including management offices, storage areas, laundry buildings, and indoor recreation areas shall be adequately constructed, ventilated, and maintained so as to prevent decay, corrosion, termites, and other destructive elements from causing deterioration.
- C. Mobile Home Park Office. If a mobile home park office is proposed, the structure shall be designed for and clearly identified as the office of the mobile home park manager on the Development Plan.
- D. Storage Space. Occupants of each mobile home lot shall be provided with at least one hundred (100) cubic feet of weather-tight and secure enclosed storage space. The type of storage facility shall be approved by the Township and shall have a maximum height of ten (10) feet.
- E. Use of Service and Accessory Buildings. Service and accessory buildings shall be used only by the occupants of the mobile home park or their guests.

### **Section 601.13 Solid Waste Disposal**

Generally, individual mobile homeowners shall be responsible for contracting their own solid waste and recyclable disposal. In the event the mobile home park operator is responsible for solid waste and recyclable disposal for the mobile home park, the following requirements shall apply:

- A. Solid waste and recyclable disposal shall be performed in accordance with the requirements of the Township.

- B. All solid waste and recyclables shall be stored in dumpsters located throughout the facility, but in no case more than three hundred (300) feet from any unit served.
- C. Each dumpster shall be located within a fenced enclosure, including self-latching gates, to prevent the escape of refuse by wind or other means and to prevent rodents from entering.
- D. Solid waste and recyclables pickup shall occur, at a minimum, on a weekly basis by a qualified solid waste removal firm and shall be disposed of at licensed solid waste disposal and recycling facilities.

## **ARTICLE VII**

### **ADMINISTRATION**

#### **Section 701     Fees**

A.     Fee Resolution.

1.     The Board of Supervisors shall establish by resolution a collection procedure and schedule of fees to be paid by the applicant at the time of submission of all plans.
2.     Fees for all other permits required for and by the Township shall be established by the resolution.
3.     Said schedule of fees shall be available at the Township's Office or on the Township's website.

B.     Engineering Fees. Engineering fees required to be paid in accordance with this Ordinance shall be paid to the Township by the applicant for the below listed services:

1.     Reviewing all information submitted in conformance with provisions of this Ordinance. This includes all originally submitted and revised plans, reports, and specifications.
2.     Inspecting the layout of the site for conformance to the submitted survey, plan, and specifications.
3.     Reviewing planning modules for land development.
4.     Reviewing cost estimates of required improvements as submitted by the developer.
5.     Inspecting required improvements during construction.
6.     Final inspections of completion of installation of the required improvements.
7.     Such other technical services as deemed necessary or required by the Township.

C.     Lebanon County Recording Fees. The applicant shall be responsible for all recording fees to be paid directly to Lebanon County Recorder of Deeds.

#### **Section 702     Completion of Improvements**

- A.     No plan shall be finally approved unless the streets shown on such plan have been improved as may be required by this Ordinance, and any walkways, curbs, gutters, streetlights, fire hydrants, shade trees, water mains, sanitary sewers, storm drains, stormwater management facilities, or other improvements as may be required by this Ordinance have been installed in accordance with this Ordinance, except that the surface course of streets shall not be completed until such time when at least one (1) year has elapsed since installation of the base course pavement and ninety (90) percent of the lots in the subdivision or land development have been improved by the construction of a dwelling if approved for residential development or by the construction of the proposed commercial or industrial structures if the lots are approved for such uses.

- B. At such time when at least one (1) year has elapsed since installation of the base course pavement and ninety (90) percent of the lots in the subdivision have been improved as set forth above, or when the expiration of the time agreed to by the applicant and the Board of Supervisors for completion of all improvements excepting the surface course has elapsed with less than ninety (90) percent of the lots having been improved, the Township may notify the developer to complete the surface course within sixty (60) days from the date of such notice. In computing the sixty (60) day requirement, the period from October 1 to April 1 shall not be counted.
- C. In addition to any other structural integrity bond that is required by the Township, if at the time the surface course is completed, less than ninety (90) percent of the lots are improved as set forth above, the developer shall post with the Township financial security in an amount equal to fifteen (15) percent of the reasonable cost of the surface course as security to guarantee that damages to the road or street would not occur during the completion of the improvements on the unimproved lots in such developer's subdivision or land development. The Township shall hold such financial security and utilize it to pay for the repair of any damage occurring to the road during the period between the commencement of improvements on any particular unimproved lot and the completion of such improvements, irrespective of whether or not it can be established that the damage to the road was caused by contractors or other persons working in and about the construction of such improvements. The financial security shall be in a form acceptable to the Township.

### **Section 703      Guarantee in Lieu of Completion of Improvements Prior to Final Plan Approval**

- A. In lieu of the completion of any improvements required for final or preliminary/final plan approval, and as a condition prerequisite for final or preliminary/final plan approval, the developer shall execute a Developer's Improvement Guarantee Agreement prepared by the Township and/or the Authority's Solicitor and the developer shall deliver to the Township and/or Authority financial security, in a form and manner deemed acceptable to the Board of Supervisors and/or Authority, to guarantee the construction and installation of the required improvements.
- B. The Developer's Improvement Guarantee Agreement shall, inter alia, include provisions whereby the developer agrees:
  - 1. To construct or cause to be constructed, at developer's own expense, all streets, curbs, sidewalks, sanitary sewers, water supply and distribution systems, fire hydrants, stormwater management facilities, monuments and markers, street lights, street signs, street trees, buffer or screen plantings and landscaping, recreation and open space facilities, or any other improvements shown on the approved final or preliminary/final plan as depicted on the plan and in accordance with the requirements of this Ordinance, the Township's Stormwater Management Ordinance and the Township's and/or Authority's design/construction standards and specifications.
  - 2. To maintain, at developer's own cost, the said streets, curbs, sidewalks, sanitary sewers, water supply and distribution systems, fire hydrants, stormwater management facilities, streetlights, street signs, street trees, buffer or screen plantings and landscaping, recreation and open space facilities, and any other improvements shown on the final or preliminary/final plan until the same are accepted by resolution of the Board of Supervisors and/or Authority.
  - 3. To repair, at developer's own expense, the required improvements for reasons of lack of structural integrity, failure to properly function, defective workmanship, or materials, or

otherwise, as directed by the Township for a period of eighteen (18) months after the Township's and/or Authority's inspection and certification of acceptance of the developer's completed improvements.

4. To pay all of the Township's and/or Authority's reasonable administrative, inspection, engineering, and legal fees as related to the review and processing of the subdivision or land development and the creation and enforcement of the Developer's Improvement Guarantee Agreement.
5. To obtain any easements or releases which may be necessary for the construction of any improvement which traverses lands of persons other than the developer. Any such easement or release shall inure to the benefit of the Township and/or Authority, as well as to the developer.
6. To exonerate, indemnify, and hold harmless the Township and/or Authority, its officers, engineers and solicitors, its appointees and employees, and its other agents, independent contractors, and assigns, from liability arising from the developer's construction or development of the subdivision or land development.
7. To prevent soil erosion, sedimentation, and water damage to the subject and adjacent properties.
8. To make provisions and be responsible, at developer's own cost and expense, for removing all mud, litter and/or debris on roads in the Township resulting from any vehicles and equipment leaving the subdivision or land development and entering onto streets within the Township.
9. To be responsible for and repair, at the developer's own cost and expense, any damage done to any existing streets within the Township and the Township's and/or Authority's water and sewer systems as a result of, or in connection with, the performance of any work related to the subdivision and land development.
10. To maintain general liability, property damage and any other required insurance in forms and amounts deemed acceptable to the Township and/or Authority, naming the Township and/or Authority, its agents, building/zoning inspectors, officials, employees, and authorized representatives, as an additional insured.
11. To dedicate to the Township by deed, in a form and manner deemed acceptable to the Township Solicitor, any streets, stormwater management areas and facilities, open space areas or other lands, intended for dedication to, and accepted by, the Township.
12. To transfer to the Township and/or Authority by deed of dedication or other method of conveyance, in a form and manner deemed acceptable to the Township and/or Authority Solicitor, any water, sanitary sewer and storm sewer mains, lines and facilities, and to provide to the Township and/or Authority as-built plans certified by the developer's engineer for any constructed streets, water, sanitary sewer, storm sewer mains and lines, and storm sewer drainage facilities to be conveyed or transferred to the Township and/or Authority, as well as any other underground utilities constructed in or for the subdivision or land development.

#### **Section 704      Contingent Plan Approval**

When requested by the developer, in order to facilitate financing, the Board of Supervisors, may furnish the developer with a signed copy of a resolution indicating approval of the final or preliminary/final plan contingent upon the developer obtaining a satisfactory financial security.

#### **Section 705      Release of Plan**

The final or preliminary/final plan shall not be signed by the Board of Supervisors and shall not be released by the Township to the developer for recording until the developer has executed the required Developer's Improvement Guarantee Agreement and has delivered the required financial security deemed acceptable to the Township and/or Authority.

#### **Section 706      Expiration of Contingent Plan Approval**

- A. The Board of Supervisors' resolution of contingent final or preliminary/final plan approval shall expire and be deemed to be automatically rescinded and revoked upon developer's failure to accept or reject the conditions of approval within such time as shall be established by the Township.
- B. The Board of Supervisors' resolution of contingent final or preliminary/final plan approval shall expire and be deemed to be automatically rescinded and revoked if the Developer's Improvement Guarantee Agreement is not executed and financial security posted by the developer within 90 days after contingent final or preliminary/final plan approval by the Board, unless a written extension is granted by the Board, which extension shall not be unreasonably withheld and which extension request shall be initiated and placed in writing by the developer.

#### **Section 707      Form and Amount of Financial Security**

- A. In lieu of the construction and completion of the improvements required by this Ordinance as a condition for final or preliminary/final plan approval, the developer shall deposit with the Township and/or the Authority, as applicable, an irrevocable letter of credit, or other financial security authorized by the MPC and acceptable to the Board of Supervisors and/or the Authority in an amount equal to one hundred ten (110) percent of the estimated cost of the required improvements estimated for a time ninety (90) days following the date scheduled for completion of the respective improvements by the developer.
- B. Such financial security shall be posted with a bonding company or federal- or Commonwealth-chartered lending institution chosen by the party posting the financial security, provided said bonding company or lending institution is authorized to conduct such business within the Commonwealth.
- C. In evaluating the reasonableness of accepting financial security proposed to be posted by the developer with a bonding company, which financial security the Township and/or Authority may approve, the Township and/or Authority shall make the determination that the bonding company satisfies at least the following criteria:
  - 1. The bonding company is financially sound.
  - 2. The bonding company is reputable, reliable, and reasonably prompt in performance on its surety bonds and any claims made on its surety bonds.
  - 3. The bonding company has a Best rating of A, or better.

4. The bonding company is in good standing with and authorized to transact business in the Commonwealth of Pennsylvania.
- D. Such letter of credit or other financial security shall provide for, and secure to the public, the completion of all required improvements within the time period specified in the Developer's Improvement Guarantee Agreement. If the developer fails to complete the required improvements within the time period specified in the Developer's Improvement Guarantee Agreement, said improvements shall continue to be secured by the letter of credit or other financial security until such time when the improvements are verified as complete by the Township.
- E. The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred and ten percent (110%) of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the developer.
1. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the ninetieth (90th) day after either the original date scheduled for completion or a rescheduled date of completion.
  2. Subsequent to said adjustment, the Township may require the developer to post additional security in order to assure that the financial security equals said one hundred and ten percent (110%) of the estimated cost of the remaining improvements. Any additional security shall be posted by the developer in accordance with this subsection.
  3. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a licensed professional as such in this Commonwealth and certified by such licensed professional to be a fair and reasonable estimate of such cost. The Township Engineer shall review and approve the cost estimate or, for good cause, refuse to accept the estimate.
  4. If the party posting the financial security requires more than one (1) year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased to an amount not exceeding one hundred and ten percent (110%) of the cost of completing the required improvements as reestablished on or about the expiration of the preceding one (1) year period by using the above cost estimate preparation procedure. A developer who fails to complete the improvements within the allotted time specified in the financial security shall, at least sixty (60) days in advance of the security expiration date, renew or resubmit a financial security. Failure to keep financial security in effect until the completion and approval of all improvements shall be a violation of this Ordinance.

#### **Section 708     Reduction and Release of Financial Security**

- A. In general, as the work of installing the required improvements proceeds, the developer may request the Board of Supervisors to release or authorize the release, from time to time, of such portions of the financial security necessary for payment to the contractor or contractors performing the work.
- B. Notice of Completion. When the developer has completed the improvements, or any portion thereof, the developer shall, in writing, notify the Board of Supervisors of such completion and send a copy

of said notice to the Township Engineer. The Board shall, within ten (10) days after receipt of such notice, direct and authorize the Township Engineer to inspect all the aforesaid improvements. The Board shall have forty-five (45) days from receipt of notice from the developer within which to allow the Township Engineer to certify, in writing, to the Board that such portion of the work upon the improvements has been completed in accordance with the approved final or preliminary/final plan.

1. All notices of final completion shall include a certification by the qualified design professional responsible for the design of the improvements that the improvements have been installed as designed in accordance with the approved plan.
2. All notices of final completion shall also include as-built plans as specified in Section 715 and of any other improvements to be dedicated to the Township and/or the Authority and of all streets, whether or not such streets shall be dedicated.

C. Engineer's Report.

1. Within thirty (30) days of the receipt of such request from the Board of Supervisors, the Township Engineer shall submit a written report certifying which improvements have been completed in accordance with the approved plan to the Board and mail or email a copy of such report to the developer.
  2. This report shall be based on the inspections made according to the approved plan, shall be detailed, and shall recommend approval or rejection of the improvements, either in whole or in part.
  3. If the Township Engineer finds any or all the improvements to lack conformity with the approved plan or to be deficient, he shall include in the report a statement of the reasons for recommending non-approval or rejection of the improvements, or any portion thereof.
  4. The Board of Supervisors shall notify the developer within fifteen (15) days of the receipt of the Township Engineer's report, in writing by certified or registered mail, of the action of the Board with relation thereto.
  5. If the improvements, or any portion thereof, shall not be approved or shall be rejected by the Board of Supervisors, the developer shall proceed to complete the same as directed by the Township and, upon completion, the same notification procedure outlined above shall be followed.
- D. Upon certification of the completion of the improvements by the Township Engineer and the approval of same by the Board of Supervisors, the Board shall authorize a reduction in the amount of the financial security as estimated by the Township Engineer fairly representing the value of the improvements completed.
- E. If the Board of Supervisors fails to act within the aforesaid forty-five (45)-day time period, or such other time period specified in the MPC, the Board shall be deemed to have approved the improvements and the release of financial security as requested.
- F. The Board of Supervisors may, prior to final release of the financial security at the time of completion and certification by the Township Engineer, require retention of 110% of the estimated cost of the remaining improvements.



## **Section 709      Indemnification and Insurance**

- A. The written Developer's Improvement Guarantee Agreement entered into by the developer with the Township and/or Authority shall include therein an Indemnification Agreement whereby the developer agrees to indemnify and hold the Township and/or Authority harmless from any and all liability, including, but not limited to, any and all aspects of construction, water management, site grading, utility line trenching and construction, and street excavation. The Developer's Improvement Guarantee Agreement entered into by the developer with the Township and/or Authority shall also require the developer to provide to the Township and/or Authority insurance and insurance coverages in form and amounts deemed acceptable to the Board of Supervisors and/or Authority.
- B. If the developer opts to employ blasting for construction, all DEP regulations shall apply, and the developer shall provide the Township with evidence of a Blasting Activity Permit or Permit-By-Rule. In addition, the Township shall require the developer to enter into a separate Blasting Identification Agreement if the Township determines that such blasting activity could potentially damage its and/or the Authority's infrastructure located near to the proposed blasting activity. The Blasting Identification Agreement shall include provisions for pre- and post-blasting inspections, financial security, and additional insurance requirements.

## **Section 710      Remedies to Effect Completion of Improvements**

- A. In the event that any required improvements have not been installed as provided in this Ordinance in accordance with the approved final or preliminary/final plan, the Board of Supervisors may draw upon or enforce any posted financial security as specified in the Developer's Improvement Guarantee Agreement or by any appropriate legal or equitable remedies.
- B. If the proceeds of such financial security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said financial security, the Board of Supervisors may, at its option, elect to install part of such improvements in all or part of the subdivision or land development, and may institute appropriate legal or equitable action to recover the money necessary to complete the remainder of the improvements.
- C. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or other surety, shall be used solely for the installation of the improvements covered by such financial security, and not for any other Township purpose.

## **Section 711      Inspection During Construction**

- A. The Township and/or the Authority, or their authorized agents, at their discretion, shall inspect the improvements during construction. The developer shall pay the cost of any such inspection in accordance with the provisions of Article V of the MPC. The developer shall provide at least twenty-four (24) hours' notice prior to the start of construction of any improvements that are subject to inspection. All inspections of completed items shall be requested, in writing, at least forty-eight (48) hours in advance of the inspection time and date.
- B. It is generally required that the following phases of site construction have mandatory inspections. This general list of phases may be amended by mutual agreement of the Township and developer when the site requires special construction procedures. The inspection schedule must be recorded with the final plan or shown on the approved preliminary plan.

- 1. General Site Construction.

- a. Pre-construction meeting prior to the start of earth-moving activities.
- b. Upon completion of preliminary site preparation, including stripping of vegetation, stockpiling of topsoil and construction of temporary erosion and sedimentation control devices.
- c. Upon completion of rough grading, but prior to placing topsoil, permanent drainage, or other site development improvements and ground covers.
- d. During the construction of permanent stormwater management and BMP facilities.
- e. Upon the final completion of permanent stormwater management and BMP facilities, including the establishment of ground covers and plantings.
- f. After review of the as-built drawings, required by this Article, but prior to final release of the financial security for completion of final grading, vegetative controls required by the BMP standards, or other site restoration work.

2. Street Construction.

- a. Preparation of Road Subgrade. At the time of this observation, the subgrade should be proof rolled and the proposed crown and grade should be checked. It is recommended that a developer's/contractor's representative accompany the observer when the crown and grade are checked. Proof rolling shall be performed with a fully loaded, tandem-axle dump truck.
  - 1) Based on this observation, in the event of unstable soil conditions that would affect the long-term integrity of the proposed road, North Lebanon Township reserves the right to require geotechnical evaluation of the soils in the proposed street right-of-way. Such evaluation shall be conducted in that portion of the right-of-way deemed by the Township Engineer to be an area of concern for instability. The evaluation shall verify road subgrade compaction in accordance with the North Lebanon Township Standards for Right-of-Way Improvements and Other Related Specifications.
  - 2) For those road subbase sections that do not meet the above minimum densities or present soil conditions such as excessive moisture or resilience that would lead to instability in the opinion of the Township Engineer, the Township reserves the right to require alternative stabilization measures such as lime stabilization, additional aggregate depth, geotextile fabric, or geogrid reinforcement to ensure a stable foundation upon which the road subbase shall be placed.
- b. Placement and Compaction of Road Subbase. At the time of this observation, the depth of subbase should be checked after compaction, the subbase should be proof rolled in the same manner as the subgrade and the crown and grade should be checked again. This observation must occur prior to any binder or base course being placed.

- c. Placement and Compaction of the Binder/Base Course. At the time of this observation, the depth of the binder/base course should be checked, ambient temperature should be monitored (this is important in early spring and late fall days when the temperature can go below acceptable limits), the temperature of the bituminous material should be checked (if possible), and it is recommended that copies of the weight slips for each truckload are obtained. The crown and grade should also be checked again. This observation must occur prior to the wearing course being placed.
  - d. Placement and Compaction of the Wearing Course. At the time of this observation, the guidelines for the placement and compaction of the binder/base course should be followed.
3. Additional Inspections. In addition to the above outlined observations, additional observations will be made at the request of the developer for reduction of financial securities. Random observations should be made at the frequency desired by the municipality. At the time of any of the above-listed observations, all ongoing construction (i.e., storm drainage, erosion control, etc.) should also be checked for compliance with the approved plans and the findings reported. Since the above inspections are mandatory, it is recommended that requests for a reduction of financial security be submitted to coincide with the above inspections.

## **Section 712    Offers of Dedication**

- A. Any offer to dedicate any street or portion thereof shall be made in writing, along with all required supporting documentation and required fees (if any). Offers for dedication may be submitted to the Township at any time during the calendar year; however, the Township will not formally act upon any offer of dedication prior to April 15 or later than September 1 of any calendar year.
- B. The offer to dedicate streets or portions thereof in no way obligates the Township and/or Authority to accept said offer, and the Township and/or Authority has no duty to accept what it offered.
- C. The offer to dedicate streets, parks or other areas or portions thereof does not impose any duty upon the Township and/or the Authority concerning maintenance or improvement until the proper authorities of the Township and/or the Authority have made actual acceptance of the dedication by ordinance or resolution or by entry or improvement.
- D. The developer shall maintain all streets and related improvements or portions thereof in the subdivision or development in travelable condition, including the prompt removal of snow, and shall be responsible for the operation and maintenance of all street lights, until such time as the streets and related improvements or portions thereof are accepted by the Township as part of the Township highway system by ordinance or resolution or, if such streets are not to be dedicated, until a homeowners' association or other entity responsible for the maintenance of the streets has been formed. Nothing in this paragraph shall waive or otherwise modify the rights granted to the Township by the MPC.
- E. Where the Township accepts dedication of all or some of the required improvements following completion, the Township may require the posting of financial security to secure structural integrity of said improvements as well as the functioning of said improvements in accordance with the design and specifications as depicted on the final plan for a term of eighteen (18) months from the date of

acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Article with regard to installation of such improvements, and the amount of such financial security shall not exceed fifteen (15) percent of the actual cost of the installation of the said improvements. Payment under this financial security will be available to the Township by the draft accompanied by certification, in writing, signed by any member of the Board of Supervisors, its officers or its authorized representative, that Developer has failed to correct any structural deficiency of said street and/or related improvements or portion thereof as well as the functioning of said street and/or public improvements or portion thereof to a condition and manner as set forth in the Final Plan and in accordance with Township standards.

- F. When a developer requests the Township to consider the acceptance of dedication of any street and related improvements or portion thereof and less than ninety (90) percent of the total number of lots or units of occupancy of the project are complete, and in exchange for such consideration, the developer shall enter into a Developer's Street Damage Agreement with the Township and shall be required to provide financial security, in addition to that required by Section 712.E above, to secure against street damage caused by construction of the remaining lots or units of occupancy. Said agreement shall be in a form acceptable to the Township, and the financial security shall be of the same type as otherwise required in the Pennsylvania MPC with regard to installation of such improvements, and the amount of such financial security shall be fifteen (15) percent of the actual cost of the installation of the said street and related improvements or portion thereof. The form of the Developer's Street Damage Agreement as well as the conditions to be included therein shall be developed and agreed upon by the Township and the developer at such time as the developer requests the Township to consider the acceptance of dedication of any street and related improvements or portion thereof and less than ninety (90) percent of the total number of lots or units of occupancy of the project are complete. The Township shall hold such financial security and utilize it to pay for the repair of any damage occurring to the street and related improvements or portion thereof during the period between the commencement of construction of any particular lot or unit of occupancy and the completion of such construction, irrespective of whether or not it can be established that the damage to the road was caused by contractors or other persons working in and about the lot or unit of occupancy.
- G. All offers for dedication shall include the following:
1. As-built plans in paper and digital format (i.e., AutoCAD, GIS and PDF) depicting all constructed improvements within the right-of-way, including, but not limited to storm sewer pipes and structures, sanitary sewers and manholes, water distribution pipes and valves, fire hydrants, gas mains and valves, services laterals, signage, pavement markings, curbs, sidewalks, street lights (location of poles and pole numbers), utility poles, buried wire locations, transformer boxes, trees, monuments, and markers.
  2. Written confirmation from the water and sewer Authorities (if applicable) confirming there are no outstanding water or sewer related issues.
  3. Confirmation of functioning streetlights.
  4. Legal Descriptions for each street right-of-way and centerline or portion thereof or other real property offered for dedication.
  5. Graphic exhibit for each street or portion thereof or other real property offered for dedication. Exhibits for street dedications shall detail the street centerline length, right-of-way width and cartway width.

6. Realty Tax Statement of Value for each street or portion thereof or other real property offered for dedication.
  7. Maintenance Agreement for each street or portion thereof offered for dedication.
  8. Street Damage Agreement, if required per Section 712.F.
  9. All outstanding inspection, engineering, and attorney fees due and owing related to the development shall be paid in full prior to dedication.
  10. All applicable dedication fees as established by the Board of Supervisors and recording fees sufficient to record each deed of dedication; and
  11. Deed of Conveyance titled “Deed of Dedication”, containing the following clause after the legal description:
    - a. “The Board of Supervisors of North Lebanon Township, Lebanon County, Pennsylvania, in consideration of the within Deed of Dedication for the streets described above and having been satisfied that the above-described streets have been constructed in accordance with the specifications for streets within the Township, do hereby accept dedication of the above streets.
    - b. TOWNSHIP OF NORTH LEBANON
    - c. By:\_\_\_\_\_
    - d. Chairman
    - e. Attest:\_\_\_\_\_
    - f. Secretary

“SEAL”
  12. Following submission of all required documents, plans, etc., a final inspection upon the street, park or other area offered for dedication will be conducted by the Township Engineer to assess the condition of the street, park or other area offered for dedication. The Township Engineer shall provide a report indicating the need for any repairs to the improvements or that the street has been properly constructed in accordance with applicable requirements of this Ordinance, the Developer’s Improvement Guarantee Agreement, and the approved plan, and is generally acceptable for dedication by the Township.
  13. Upon completion of the review of the documents, the final inspection, and the completion of any necessary repairs, the request for dedication will be scheduled for official action by the Board of Supervisors at a public meeting held between April 15 and September 1.
- H. Where the Authority accepts dedication of some or all of the required improvements, the Authority may require the posting of financial security in accordance with its rules and regulations and applicable law.

### **Section 713      Effect of Plan Recording on Dedication and Reservations**

Recording of the final plan after approval of the Board of Supervisors has the effect of an irrevocable offer to:

- A.      Dedicate all streets and other public ways to public use unless such streets are indicated on said plan as private streets.
- B.      Dedicate all neighborhood parks and all areas shown on the plan as being local recreation sites to public use.

### **Section 714      Maintenance of Streets**

The developer shall maintain all streets in the subdivision or development in travelable condition, including the prompt removal of snow there from, until such time when the streets are accepted by the Township as part of the Township highway system; or, if such streets are not to be dedicated, until a homeowners' association or other entity responsible for the maintenance of the streets has been formed.

### **Section 715      As-Built Plan**

Prior to the final release of the financial security and dedication of any street, park or other area, the developer shall provide the Township with two (2) paper prints and one (1) geo-referenced digital copy in a format acceptable to the Township of the final as-built plan showing the following:

- A.      Actual location of all concrete monuments which were set at all angle breaks and points of curvature along one side of the right-of-way.
- B.      When the outside perimeter of a tract falls within or along an existing road right-of-way, then the right-of-way of that roadway shall be monumented at the above referenced points.
- C.      Actual location of all iron pins or drill holes in curbs for all individual lot lines.
- D.      Actual location of paved cartway, shoulders, curbs, sidewalks, and pavement markings of streets offered for dedication.
- E.      Actual location of all streetlights and street signs, including identification numbers.
- F.      Actual cul-de-sac radius.
- G.      Actual horizontal and vertical location of cartway centerline versus right-of-way centerline.
- H.      Actual location of floodplain by elevation and dimension from property line.
- I.      Actual location and cross-section of swales and accompanying easements.
- J.      Actual horizontal and vertical location of stormwater management facilities including type and size of storm drainage pipes and structures (e.g., inlets, manholes, endwalls, etc.).
- K.      Stormwater basin:
  - 1.      Actual contours of the stormwater basin.

2. Actual outlet structure details including type, size, and inverts of outlet pipes.
  3. Actual elevation of the embankment and emergency spillway.
  4. A table showing the stage/storage/discharge curve for the constructed conditions.
  5. A table providing a comparison of the approved design vs. the as-built discharge rates from all detention facilities, signed and sealed by a professional engineer and land surveyor.
- L. Actual horizontal and vertical location of water distribution pipes and related structures (e.g., valves, fire hydrants, etc.).
- M. Actual horizontal and vertical location of sanitary sewer pipes and related structures (e.g., manholes, pumps, etc.).
- N. Actual horizontal and vertical location of all other underground utilities and related structures, including electric, gas, and telecommunications.
- O. Actual location of all utility poles and boxes, including identification numbers.
- P. Actual location of all wiring and disconnect switches.

#### **Section 716 Enforcement**

- A. The Board of Supervisors shall administer and enforce the provisions of this subdivision and land development ordinance as herein provided.
- B. The Zoning Officer shall direct, and the applicant shall be required to submit an application for a zoning permit that contains all information necessary to enable the Zoning Officer to ascertain whether the proposed building, alteration, or use is located in an approved subdivision or land development and whether the proposed building, alteration or use is in compliance with the applicable subdivision or land development plan. No zoning permit shall be issued until the Zoning Officer has determined that the site for the proposed building, alteration or use complies with all the provisions of this Ordinance and conforms to the site description as indicated on the approved and recorded final plan.

#### **Section 717 Modifications**

- A. The Board of Supervisors may grant a modification of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land and/or plan in question, provided that such modification will not be contrary to the public interest and that the purpose and intent of the Ordinance is observed.
- B. All requests for a modification shall be in writing and shall accompany and be a part of the application for subdivision and/or land development. The request shall state in full the grounds and facts of unreasonableness or hardship on which the request is based, the provision or provisions of the Ordinance involved and the minimum modification necessary.
- C. The request for modification(s) shall be referred to the Township's Planning Commission for

advisory comments.

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

#### **Section 718 Preventive and Enforcement Remedies**

- A. Any person, partnership, corporation, or the members of such partnership or the officers of such corporation who or which has violated the provisions of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred dollars (\$500.00) plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the District Justice determines that there was a good faith basis for the person, partnership or corporation violating the Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth (5th) day following the date of determination of a violation of the District Justice, and thereafter each day that a violation continues shall constitute a separate violation.
- B. In addition to other remedies, the Township may institute and maintain appropriate actions at law or in equity to restrain, correct, or abate violations of this Ordinance, to prevent unlawful construction, to recover damages and/or to prevent illegal occupancy of a building, structure, or premises.
- C. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor from such penalties or from the remedies herein provided.
- D. The Township may further refuse to issue any permit or grant any approval necessary to further improve or develop any real property which has been developed or which has resulted from a subdivision of real property in violation of this Ordinance. The authority to deny such permit or approval shall apply to any of the following applicants:
  - 1. The owner of record at the time of such violation.
  - 2. The vendee or lessee of the owner of record at the time of such violation without regard to whether such vendee or lessee had actual or constructive knowledge of the violation.
  - 3. The current owner of record who acquired the property subsequent to the time of the violation without regard as to whether such current owner had actual or constructive knowledge of the violation.
  - 4. The vendee or lessee of the current owner of record who acquired the property subsequent to the time of violation without regard as to whether such vendee or lessee had actual constructive knowledge of the violation.
  - 5. As an additional condition for the issuance of a permit or the granting of an approval to any such owner, current owner, vendee, or lessee for the development of any such real property, the Township may require compliance with the conditions that would have been applicable to the property at the time the applicant acquired an interest in such real estate.



- E. The Township will not accept new applications for subdivisions or land developments from applicants with past due or unpaid fees until all such payments in arrears are made in full including accrued interest.
- F. The Township shall not approve applications for subdivision or land developments submitted by applicants with past due or unpaid fees until such payments in arrears are made in full including any accrued interest.

### **Section 719 Appeals**

All appeals from decisions of the Board of Supervisors in the administration of this Ordinance shall be made in accordance with the provisions of the MPC.

### **Section 720 Interpretation and Application of Provisions**

In the interpretation and application of the provisions of this Ordinance, said provisions shall be deemed to be the minimum requirements necessary for the promotion and protection of public health, safety, and welfare. Where the provisions of this Ordinance and all standards and specifications implementing it impose greater restrictions upon subdivision or land development than those of any other Township Ordinance or any regulation or any applicable land development agreement, the provisions of this Ordinance and its standards and specifications shall be controlling. Where the provisions of any statute, regulation, other Township Ordinance, or applicable land development agreement impose greater restrictions upon subdivision or land development than this Ordinance, the provisions of such statute, regulation, other Ordinance, or applicable land development agreement shall be controlling.

### **Section 721 Application of Ordinance**

- A. Except for Section 721.B, the provisions of this Ordinance shall apply to and control all subdivisions and/or land developments whose plans have not been recorded in the Office of the Recorder of Deeds prior to the effective date of this Ordinance.
- B. If an applicant has received approval of a preliminary or final plan prior to the effective date of this Ordinance, no provision of this Ordinance shall be applied to adversely affect the right of the applicant to commence and complete any aspect of the approved development in accordance with the terms of such approval within five (5) years from the date of such approval. When approval of the final plan has been preceded by approval of a preliminary plan, the five (5) year period shall be counted from the date of preliminary plan approval. If there is any doubt as to the terms of approval, the terms shall be construed in light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly filed.

### **Section 722 Construction**

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights or liability incurred, or any permit issued, or any approval granted, or any cause or causes of action existing prior to the enactment of this Ordinance.

### **Section 723 Repealer**

All prior Subdivision and Land Development Ordinances and amendments thereto are hereby repealed.

**Section 724     Severability**

The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision hereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

**Section 725     Effective Date**

This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of North Lebanon, as provided by law.

**NORTH LEBANON TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

**ORDINANCE NO. \_\_\_\_\_**

**DULY ORDAINED AND ENACTED** by the Board of Supervisors of the Township of North Lebanon, Lebanon County, Pennsylvania, on the \_\_\_\_ day of \_\_\_\_\_, in lawful session duly assembled.

**TOWNSHIP OF NORTH LEBANON**

\_\_\_\_\_  
Edward A. Brensinger, Chairman

\_\_\_\_\_  
Gary R. Heisey, Vice Chairman

\_\_\_\_\_  
Arden A. Snook, Sr. Treasurer

Attest:

SEAL

\_\_\_\_\_  
Lori A. Books, Secretary

## **APPENDIX**

<b>PAGE NO.</b>	<b>TITLE</b>
A-2	Certification of Plan Accuracy
A-2	Certification of Survey Accuracy
A-3	Certificate of Ownership, Acknowledgement of Plan, and Offer of Dedication
A-6	North Lebanon Township Board of Supervisors Preliminary Plan Approval Certificate
A-6	North Lebanon Township Board of Supervisors Final Plan Approval Certificate
A-7	North Lebanon Township Board of Supervisors Approval Certificate for a Lot Add-On Plan
A-7	North Lebanon Township Engineer Review Certificate
A-7	North Lebanon Township Planning Commission Review Certificate
A-8	Lebanon County Planning Department Review Certificate
A-8	Recorder of Deeds Certificate
A-9	Application for Consideration of a Subdivision and/or Land Development Plan
A-11	Request for Review of a Subdivision of Land Development Plan by the Lebanon County Planning Department
A-12	Notice of Completion and Approval of Improvements
A-13	Application for Consideration of a Modification
A-14	Irrevocable Standby Letter of Credit
A-16	Demand for Final Payment
A-17	Standard Plan Format

### **CERTIFICATION OF PLAN ACCURACY**

I hereby certify that, to the best of my knowledge, the plan shown and described hereon is true and correct to the accuracy required by the North Lebanon Township Subdivision and Land Development Ordinance.

\_\_\_\_\_, 20\_\_\_\_

\*

\_\_\_\_\_  
Print registered professional's name and license number below signature line.

- \* Signature and seal of a professional registered in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the plan.

### **CERTIFICATION OF SURVEY ACCURACY**

I hereby certify that, to the best of my knowledge, the survey shown and described hereon is true and correct to the accuracy required by the North Lebanon Township Subdivision and Land Development Ordinance.

\_\_\_\_\_, 20\_\_\_\_

\*

\_\_\_\_\_  
Print professional licensed surveyor's name and license number below signature line.

- \* Signature and seal of a professional licensed surveyor in the Commonwealth of Pennsylvania qualified to perform such duties and responsible for the preparation of the plan.

**CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN,  
AND OFFER OF DEDICATION**

**(INDIVIDUAL)**

**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF LEBANON**

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, who being duly sworn according to law, deposes and says that he is the (1) \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at his direction, that he acknowledges the same to be his act and plan, [(2) that he desires the same to be recorded], and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby offered for dedication to the public use.

(3) \_\_\_\_\_

(4) \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_

- (1) Identify Ownership or Equitable Ownership
- (2) Remove this statement if a Preliminary Plan
- (3) Signature of the Individual
- (4) Signature and Seal of Notary Public or Other Authorized to Acknowledge Deeds.

**CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN,  
AND OFFER OF DEDICATION**

**(PARTNERSHIP)**

**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF LEBANON**

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_ being the members of the firm of \_\_\_\_\_ who being duly sworn according to law, deposes and says that the partnership is the (1) \_\_\_\_\_ of the property shown on this plan, that the plan thereof was made at its direction, that it acknowledges the same to be its act and plan [(2) and desires the same to be recorded], and that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby offered for dedication to the public use.

(3) \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_

- (1) Identify Ownership or Equitable Ownership
- (2) Remove this statement if a Preliminary Plan
- (3) Signatures of the Partnership Members
- (4) Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds.

**CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN,  
AND OFFER OF DEDICATION**

**(CORPORATE)**

**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF LEBANON**

On this, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned officer, personally appeared \_\_\_\_\_, being (1) \_\_\_\_\_ of (2) \_\_\_\_\_ who being duly sworn according to law, deposes and says that the corporation is the (3) \_\_\_\_\_ of the property shown on this plan, that he is authorized to execute said plan on behalf of the corporation, that the plan is the act and deed of the corporation, [(4) that the corporation desires the same to be recorded], and on behalf of the corporation further acknowledges that all streets and other property identified as proposed public property (excepting those areas labeled "NOT FOR DEDICATION") are hereby offered for dedication to the public use.

(5) \_\_\_\_\_

(6) \_\_\_\_\_

(7) \_\_\_\_\_

My Commission Expires \_\_\_\_\_, 20\_\_\_\_

- (1) Individual's Title
- (2) Name of Corporation
- (3) Identify Ownership or Equitable Ownership
- (4) Remove this statement if a Preliminary Plan
- (5) Signature of Individual
- (6) Corporate Seal
- (7) Signature and Seal of Notary Public or Other Officer Authorized to Acknowledge Deeds



**NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS  
PRELIMINARY PLAN APPROVAL CERTIFICATE**

At a meeting held on \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors of North Lebanon Township, Lebanon County, Pennsylvania approved the PRELIMINARY (1) \_\_\_\_\_ PLAN of the property as shown hereon. Approval includes all documentation, including the comments or requirements of official reviewing individuals or agencies. Approval is based on compliance with applicable ordinances, rules, and regulations, and shall not be construed as a guarantee to any person or organization that the design of any part of the plan will function as anticipated under any or all conditions or situations. Additionally, that by review and/or approval of the plan, the Township expressly declines the assumption of liability errors, omissions, or mistakes in judgement in the design, engineering, construction, or expected function of the matters reviewed and/or approved. This plan shall not be recorded in the office of the Lebanon County Recorder of Deeds.

(2) \_\_\_\_\_

(2) \_\_\_\_\_

(2) \_\_\_\_\_

(1) Indicate type of plan (e.g., SUBDIVISION, LAND DEVELOPMENT, OR SUBDIVISION AND LAND DEVELOPMENT)

(2) Signatures of the Board of Supervisors.

**NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS  
FINAL PLAN APPROVAL CERTIFICATE**

At a meeting held on \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors of North Lebanon Township, Lebanon County, Pennsylvania approved the FINAL (1) \_\_\_\_\_ PLAN for the property as shown hereon. No other plan or plans shall be recognized. Approval includes all documentation, including the comments or requirements of official reviewing individuals or agencies. Approval is based on compliance with applicable ordinances, rules, and regulations, and shall not be construed as a guarantee to any person or organization that the design of any part of the plan will function as anticipated under any or all conditions or situations. Additionally, that by review and/or approval of the plan, the Township expressly declines the assumption of liability errors, omissions, or mistakes in judgement in the design, engineering, construction, or expected function of the matters reviewed and/or approved.

(2) \_\_\_\_\_

(2) \_\_\_\_\_

(2) \_\_\_\_\_

(1) Indicate type of plan (e.g., SUBDIVISION, LAND DEVELOPMENT, OR SUBDIVISION AND LAND DEVELOPMENT)

(2) Signatures of the Board of Supervisors.

**NORTH LEBANON TOWNSHIP BOARD OF SUPERVISORS  
APPROVAL CERTIFICATE FOR A LOT ADD-ON PLAN**

At a meeting held on \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors of North Lebanon Township, Lebanon County, Pennsylvania approved this LOT ADD-ON PLAN.

(1) \_\_\_\_\_ (1) \_\_\_\_\_

(1) \_\_\_\_\_

(1) Signatures of the Board of Supervisors.

**NORTH LEBANON TOWNSHIP ENGINEER  
REVIEW CERTIFICATE**

Reviewed by the North Lebanon Township Engineer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(1) \_\_\_\_\_

(1) Signature of the North Lebanon Township Engineer.

**NORTH LEBANON TOWNSHIP PLANNING COMMISSION  
REVIEW CERTIFICATE**

At a meeting held on \_\_\_\_\_, 20\_\_\_\_, the Planning Commission of North Lebanon Township, Lebanon County, Pennsylvania reviewed this plan, and a copy of the review comments is on file in the Township office.

(1) \_\_\_\_\_

(1) Signature of the Chairman or Vice Chairman or their designee.

**LEBANON COUNTY PLANNING DEPARTMENT  
REVIEW CERTIFICATE**

The Lebanon County Planning Department, as required by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, reviewed this plan on \_\_\_\_\_, 20\_\_\_\_, and a copy of the review is on file at the office of the Planning Department. This certificate does not indicate approval or disapproval of the plan by the Lebanon County Planning Department, and the Department does not represent nor guarantee that this plan complies with the various ordinances, rules, regulations, or laws of the local municipality, the Commonwealth, or the Federal government.

(1) \_\_\_\_\_  
Executive Director

(1) Signature of the Executive Director.

**RECORDER OF DEEDS CERTIFICATE**

Recorded in the office for Recording of Deeds, in and for Lebanon County, Pennsylvania, in Subdivision Plan Book \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_. Witness my hand and seal of office this day of \_\_\_\_\_, A.D., 20\_\_\_\_\_.

(1) \_\_\_\_\_  
Recorder of Deeds

(1) Signature and seal of the Recorder of Deeds.

**APPLICATION FOR CONSIDERATION OF A  
SUBDIVISION AND/OR LAND DEVELOPMENT PLAN**

**NLT FILE NO.** \_\_\_\_\_

**DATE OF RECEIPT/FILING** \_\_\_\_\_  
**(FOR TOWNSHIP USE ONLY)**

The undersigned hereby applies for approval under the North Lebanon Township Subdivision and Land Development Ordinance for the plan submitted herewith and described below:

1. Plan Name \_\_\_\_\_ Plan No. \_\_\_\_\_ Plan Date \_\_\_\_\_
2. Project Location \_\_\_\_\_
3. Name of Applicant (if other than owner) \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_ Email \_\_\_\_\_
4. Name of Landowner(s) \_\_\_\_\_  
\_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_ Email \_\_\_\_\_
5. Land Use and Number of Lots and/or Units (indicate answer by number):  

___ Single-Family (Detached)	___ Commercial	___ Agricultural
___ Multi-Family (Attached-Sale)	___ Industrial	___ Other
___ Multi-Family (Attached-Rent)	___ Institutional	
6. Total Acreage: \_\_\_\_\_
7. Application Classification: (Check One)  

_____ Preliminary Plan	_____ Final Plan
_____ Lot Add-On Plan	_____ Revised Subdivision and/or Land Development Plan
_____ Minor Plan	_____ Sketch Plan
_____ Other (specify): _____	

8. Surveying/Engineering Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone No. \_\_\_\_\_ Email \_\_\_\_\_  
 Person Responsible for Plan \_\_\_\_\_
9. Have all zoning approvals been obtained? \_\_\_Y\_\_\_N Please specify approvals:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
10. Type of water supply proposed: \_\_\_ Public \_\_\_ Community \_\_\_ Individual
11. Type of sanitary sewer disposal proposed: \_\_\_ Public \_\_\_ Community \_\_\_ On-Lot
12. Lineal feet of new street: \_\_\_\_\_  
 Identify all street(s) not proposed for dedication: \_\_\_\_\_  
 \_\_\_\_\_
13. Acreage proposed for park or other public use: \_\_\_\_\_
14. Have plans been submitted to the Lebanon County Planning Department? \_\_\_ Y \_\_\_ N
15. Have plans been submitted to the Lebanon County Conservation District? \_\_\_ Y \_\_\_ N \_\_\_ N/A
16. Have plans been submitted to DEP? \_\_\_ Y \_\_\_ N \_\_\_ N/A
17. Is a Stormwater Management Site Plan, Report and Application attached? \_\_\_ Y \_\_\_ N \_\_\_ N/A
18. Have plans been submitted to any other review agency? \_\_\_ Y \_\_\_ N. If so, please specify?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I (we) am (are) aware that I (we) cannot commence development of the property and cannot commence excavation, earthmoving, grading, or construction of any kind until a plan has been recorded in the office of the Recorder of Deeds or until a Preliminary Plan has been approved by the Board of Supervisors of the Township of North Lebanon, Lebanon County, Pennsylvania. By signing this application, I (we) certify that all facts in the application and all accompanying documentation are true and correct. This application is being made by me (us) to induce official action on the part of North Lebanon Township, and I (we) understand that any false statements made herein are being made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature of Landowner(s) or Applicant(s)

**REQUEST FOR A REVIEW OF A SUBDIVISION OR LAND DEVELOPMENT PLAN BY THE  
LEBANON COUNTY PLANNING DEPARTMENT  
(To be Submitted by Applicant)**

**LCPD FILE NO.** \_\_\_\_\_

**DATE OF RECEIPT/FILING** \_\_\_\_\_  
**(FOR LCPD USE ONLY)**

**TO:** Lebanon County Planning Department  
Room 206, Municipal Building  
400 South 8th Street  
Lebanon, PA 17042-6794

**SUBJECT:** Request for Review of a Subdivision or Land Development Plan, North Lebanon Township

We do hereby request the Lebanon County Planning Department to review the enclosed plan in accordance with the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, Article V, Section 502.

Plan Identification (check or complete the following items):

_____ Preliminary Plan	_____ Final Plan
_____ Lot Add-On Plan	_____ Revised Subdivision and/or Land Development Plan
_____ Minor Plan	_____ Sketch Plan
_____ Other (specify): _____	

Name of Plan: \_\_\_\_\_

Name of Landowner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Additional Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Title

## NOTICE OF COMPLETION AND APPROVAL OF IMPROVEMENTS

**DATE:** \_\_\_\_\_

North Lebanon Township  
Board of Supervisors  
725 Kimmerlings Road  
Lebanon, PA 17046

**SUBJECT:** Approval of Improvements

Dear Supervisors:

The developer of the project known as \_\_\_\_\_ has completed the installation of the following improvements in accordance with the improvement construction plan:

\_\_\_ Roadway Improvements    \_\_\_ Storm Sewer Facilities    \_\_\_ Stormwater Management Facilities  
\_\_\_ Sanitary Sewer Facilities    \_\_\_ Water Supply Facilities    \_\_\_ Fire Hydrants  
\_\_\_ Other (specify) \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Print Full Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Authority or Utility

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

**APPLICATION FOR CONSIDERATION OF A MODIFICATION**

**NLT FILE NO.** \_\_\_\_\_

**DATE OF RECEIPT/FILING** \_\_\_\_\_  
**(FOR TOWNSHIP USE ONLY)**

\_\_\_\_\_  
**(FOR TOWNSHIP USE ONLY)**

The undersigned hereby applies for approval of modification, submitted herewith and described below:

1. Name of Project: \_\_\_\_\_
2. Project Location: \_\_\_\_\_
3. Name(s) of Applicant (if other than owner): \_\_\_\_\_  
\_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone No: \_\_\_\_\_
4. Name of Landowner(s): \_\_\_\_\_  
\_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone No: \_\_\_\_\_
5. Specify section(s) of the North Lebanon Township Subdivision and Land Development Ordinance for which modification is requested: \_\_\_\_\_  
\_\_\_\_\_
6. The proposed alternative to the requirement: \_\_\_\_\_  
\_\_\_\_\_
7. Justification for the modification: \_\_\_\_\_  
\_\_\_\_\_
8. Identification of plans, reports or supplementary data which is part of the application: \_\_\_\_\_  
\_\_\_\_\_

The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct and complete.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



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

Issue Date: \_\_\_\_\_

Initial Expiry Date: \_\_\_\_\_

Amount: \$ \_\_\_\_\_ USD

Beneficiary: North Lebanon Township  
Board of Supervisors  
725 Kimmerlings Road  
Lebanon, PA 17046

Applicant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ladies and Gentlemen:

We hereby establish our Irrevocable Standby Letter of Credit No. \_\_\_\_\_ up to an aggregate amount of \$[*letter of credit amount in numbers*] (*letter of credit amount in words U.S. Dollars*) in favor of North Lebanon Township for the account of [*name of applicant*]. This standby letter of credit is established to guarantee site improvements on the Subdivision and/or Land Development for [*project name and location*], North Lebanon township, Lebanon County, Pennsylvania.

In the event that [*name of applicant*] does not install, or cause to be installed, the required site improvements as shown on the approved plan, we hereby agree that the submission of a statement purportedly signed by North Lebanon Township certifying that: “[*name of applicant*] has failed to install the improvements required by the Subdivision and/or Land Development for [*project name and location*], and North Lebanon Township is entitled to receive payment up to \$[*amount*], as necessary to complete the installation” accompanied by a sight draft marked “drawn under [*name of bank*] Standby Letter Of Credit No. \_\_\_\_\_ dated [*issue date*]” will be duly honored if presented to [*name of bank and address*] on or before [*initial expiry date*], by [*specific time*] (“expiration date”) or any automatically extended expiration date.

This standby letter of credit shall remain in effect for a period of one (1) year, with an initial expiration date of [*initial expiration date*]. This standby letter of credit is automatically extended without written amendment annually for one (1) year from the expiration date or any automatically extended expiration date provided herein, unless at least sixty (60) days prior to such expiration date [*name of bank*] notifies North Lebanon Township by overnight courier that [*name of bank*] elects not to consider this standby letter of credit extended for any such additional period. Upon receipt of such notice, North Lebanon Township may draw against this standby letter of credit prior to expiration, in the manner described herein, if the required improvements are incomplete.

The stated amount of this standby letter of credit shall be increased by ten percent (10%) of the outstanding balance upon each automatic one-year extension of the expiration date but increases shall not exceed a total of more than 20% of the amount of this letter of credit in the aggregate in any event.

The original of this standby letter of credit must be presented to us with any drawings hereunder for our endorsement of any payments effected by us.

Irrevocable Standby Letter of Credit Number: \_\_\_\_\_  
Page 2

If cancellation of this standby letter of credit is required before the expiry date herein or any extended expiry date, the original of this standby letter of credit and all amendments, if any, must be returned to us with the beneficiary's letter requesting cancellation.

Payment of this letter of credit shall be made without determination of conditions or facts pertaining to related contractual agreements between North Lebanon Township Board of Supervisors and *[name of applicant]*.

Any correspondence regarding this standby letter of credit should be addressed to *[name of bank and address]*. Telephone inquiries regarding this standby letter of credit should be directed to *[name of department and phone number]*.

Except as otherwise expressly stated herein, this standby letter of credit is subject to the uniform customs and practice for Documentary Credits (2007 Revision) International Chamber of Commerce Publication No. 600.

Very Truly Yours,  
*[Name of bank]*

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AUTHORIZED SIGNATURE

**DEMAND FOR FINAL PAYMENT**

TO: \_\_\_\_\_ Bank

\_\_\_\_\_

\_\_\_\_\_

Attention: \_\_\_\_\_

We hereby demand payment to the Township of North Lebanon, Lebanon County, Pennsylvania the sum of \_\_\_\_\_ Dollars and \_\_\_\_\_ Cents (\$\_\_\_\_\_) and certify that this demand is due to failure of \_\_\_\_\_ to complete to our satisfaction improvements on \_\_\_\_\_, Drawing No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_, for the subdivision and/or development known as \_\_\_\_\_, recorded in Plan Book \_\_\_\_\_, Page \_\_\_\_\_, Office for Recording of Deeds, Lebanon County, Pennsylvania.

ATTEST:

**NORTH LEBANON TOWNSHIP SUPERVISORS**

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

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

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

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

DATE: \_\_\_\_\_

<b>CERTIFICATES</b> <hr/> PLAN CERTIFICATE  CERTIFICATE OF SURVEY ACCURACY  STORM WATER MANAGEMENT CERTIFICATE  OWNERSHIP CERTIFICATE  BOARD OF SUPERVISORS CERTIFICATE  NORTH CORNWALL TOWNSHIP PLANNING COMMISSION CERTIFICATE  LEBANON COUNTY PLANNING COMMISSION CERTIFICATE  RECORDER OF DEEDS		<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">   <b>SUBDIVISION AND/OR LAND DEVELOPMENT PLAN</b> </div> <div style="text-align: center;"> <p>THIS GENERAL LAYOUT/ORIENTATION SHALL BE USED FOR ALL PLAN SUBMITTALS IN NORTH CORNWALL TOWNSHIP.</p> </div> </div>				<div style="text-align: center;"> <b>LOCATION MAP</b>  <small>(MIN. 1"=2000')</small> </div> <div style="text-align: center;"> <b>ZONING DATA</b> </div> <div style="text-align: center;"> <b>SITE DATA</b> </div> <div style="text-align: center;"> <b>OWNER</b> </div> <div style="text-align: center;"> <b>EQUITABLE OWNER</b> </div> <div style="text-align: center;"> <b>TABLE OF CONTENTS</b> </div>																					
<b>NOTES:</b> <hr/> <div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> <b>GENERAL NOTES.</b>            1 2 3 4         </div> <div style="width: 20%;"> <b>STORM WATER NOTES.</b>            1 2 3 4         </div> <div style="width: 20%;"> <b>UTILITY NOTES.</b>            1 2 3 4         </div> <div style="width: 20%;"> <b>INSPECTION SCHEDULE.</b>            1 2 3 4         </div> </div>		<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p style="text-align: center;">PRELIMINARY OR FINAL SUBDIVISION OR LAND DEVELOPMENT PLAN</p> <p style="text-align: center;">NORTH CORNWALL TOWNSHIP      LEBANON COUNTY</p> </div> <div style="width: 10%;"> <p style="text-align: center;">FIRM THAT PREPARED PLAN</p> </div> <div style="width: 10%;"> <p style="text-align: center;">CLIENT</p> </div> <div style="width: 15%;"> <p style="text-align: center;">SCALE</p> </div> <div style="width: 25%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2">REVISION</th> </tr> <tr> <td>NO.</td> <td>REVISION</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table> </div> </div>				REVISION		NO.	REVISION																		
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