CHAPTER 22

SUBDIVISION AND LAND DEVELOPMENT

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§22-101. Short Title.

This Chapter shall be known and may be cited as the "Sugarloaf Township Subdivision and Land Development Ordinance," as amended.

§22-102. Purpose.

This Chapter is enacted for the purpose of assuring suitable sites for building purposes and human habitation and to provide for the harmonious development of Sugarloaf Township, for the proper coordination of proposed streets parks or other facilities with existing streets, parks or other facilities; for insuring adequate open space for traffic, recreation, light and air and for the proper distribution of population, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of Sugarloaf Township. The approval of any subdivision and/or land development plan shall be based upon considerations set forth as follows:

A. Recognition of a desirable relationship of the development proposed to the general land form, topographic and geologic character, to natural drainage and surface water runoff and to the ground water table.

B. Recognition of a desirable standard of subdivision design, including adequate provision for pedestrian and vehicular traffic, and for suitable building sites for the contemplated land use.

C. Preservation of such natural assets as ponds, streams, shrubs, trees and watershed areas.

D. Provisions for adequate and safe water supply sewage disposal, storm drainage and other utilities.
§22-103. Authority and Jurisdiction.

The authority of the Township Supervisors to adopt this Chapter regulating subdivision and land development within Sugarloaf Township is granted by Article V of the Pennsylvania Municipalities Planning Code of June 31, 1968, Act No. 247, as amended. No subdivision or land development of any lot, tract or parcel of land shall be made, 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 Chapter.

§22-104. Interpretation.

The provisions of this Chapter shall be interpreted to be the minimum requirements to meet the purposes of this Chapter. Where the provisions of this Chapter conflict with, or are inconsistent with the provisions of any other ordinance, regulation or requirements, the more restrictive provisions shall apply.

§22-105. Township Liability.

The grant of a permit or approval of a subdivision and/or land development plan shall not constitute a representation, guarantee or warranty of any kind by the Township or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon the Township, its officials or employees.
PART 2

DEFINITIONS

§22-201. Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meaning as given in this Part. Words in the present tense include the future. The singular include the plural. The word "shall" is mandatory, the word "may" is optional. The word "person" means an individual, corporation, partnership, firm, association, company or any other similar entity.

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

APPLICATION, FINAL - All required documents and fees in accordance with the approved Preliminary Application. Except as follows, no action shall be undertaken on the land covered by the subject application, until the Board of Supervisors has approved the Final Application and all conditions of approval have been met by the applicant:

a. Construction of approved site improvements, including grading
b. Implementation of soil erosion and sedimentation control plan

APPLICATION, PRELIMINARY - A complete set of plans, drawings and other documents, including fees, as required herein. The approved Preliminary Application shall depict the final plan to be implemented by the subdivider/developer.

BLOCK - an area bounded by streets, rights-of-way, waterways or other definite boundaries.

BUILDING SETBACK LINES - lines parallel to and set back from the lot line a distance equal to the depth of the yard required.

CARTWAY - the surface of a street or road available for vehicular traffic.

CALIPER - The diameter of the main trunk of a tree. Caliper measurement shall be taken at a point on the trunk six (6) inches above natural ground line for trees up to four (4) inches in caliper and at a point twelve (12) inches above the natural ground line for trees over four (4) inches in caliper.
COMMON OPEN SPACE - a parcel or parcels of land or an area of water, or a combination of land and water within a development site designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas and areas set aside for public facilities.

CLEAR SIGHT TRIANGLE - an area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street centerlines.

COUNTY - the County of Luzerne, Commonwealth of Pennsylvania.

CUL-DE-SAC - a dead end street having one end open to traffic, and one end terminated by a vehicular turnaround.

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 or resubdivision (see "applicant").

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, the placement of mobile (manufactured) homes, streets and other paving, utilities, mining, dredging, filling, grading, excavation, or drilling operations, and the subdivision of Land.

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

DWELLING - a building or a portion thereof designed for and used exclusively for residential occupancy. For the purpose of this Chapter, types of dwelling units shall be as defined in the Zoning Ordinance [Chapter 27].

EASEMENT - A defined right of use or privilege granted for the limited use of public, quasi-public, or private purposes.

ENGINEER, TOWNSHIP - a registered professional engineer in Pennsylvania designated by the Township to perform the duties of engineer as herein specified. The Township Engineer or other qualified person designated by the Governing Body to perform all administrative and/or supervisory duties required of the Municipal Engineer by the provisions of this Ordinance; provided, however, that the Municipal Engineer shall not represent any Developer/ Applicant or be employed by a firm representing a Developer/ Applicant
ENGINEERING SPECIFICATIONS - the engineering specifications of the Township regulating the installation of any required improvement or for any facility installed by any owner, subject to public use.

EROSION - the removal of surface materials by the action of natural elements

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

EXCESSIVE SLOPE - Areas with a slope of 20% or more which are deemed by the Planning Commission as unsuitable for development, and thereby deducted from the gross site area for purposes of calculating residential densities.

FILL -

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

(2) The difference in elevation between a point on the original ground and a designed point of higher elevation of the final grade.

(3) The material used to make fill.

FIRE CHIEF - The Fire Chief of Sugarloaf Township.

FLOOD -

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

(2) FLOODWAY - the designated area of a floodplain required to carry and discharge flood water of a given magnitude. For the purposes of this Chapter, the floodway shall be capable of accommodating a flood of the 100 year magnitude.

(3) ONE HUNDRED YEAR FLOOD - a flood that, on the average, is likely to occur every 100 years (i.e., that has a 1% chance of occurring each year although the flood may occur in any year).
**IMPERVIOUS SURFACES** - Those surfaces that do not absorb rain. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt, and packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Sugarloaf Township Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

**IMPERVIOUS SURFACE RATIO** - A measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the net site area.

**IMPERVIOUS SURFACE RATIO (example)**

\[
\text{Total area of impervious surfaces} = 0.80 \text{ acres} = 0.087 \\
\text{Net Site Area} = 9.17 \text{ acres}
\]

**IMPROVEMENTS** - Those physical additions, installations, and changes required to render land suitable for the use intended, including but not limited to, grading, paving, curbing, street lights and signs, fire hydrants, water mains, electric service, gas service, sanitary sewers, storm drains, sidewalks, cross-walks, driveways, culverts, and street shade trees.

**LAND DEVELOPMENT** - any of the following activities:

(I) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
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(a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure.

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

(2) A subdivision of land.

(3) Excluded from this definition of land development are the following:
   (a) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
   (b) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.
   (c) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For the purposes of this subsection, an amusement park is defined as a tract or area used principally as the 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.

LANDOWNER - the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not the holder of an option or contract is subject to any conditions), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in the land, shall be deemed to be a landowner for the purpose of this Chapter.

LEVEL OF SERVICE - As described in the Highway Capacity Manual, Special Report 209 (Washington, D.C.: Transportation Research Board, National Research Council, 1985, as may be amended from time to time), the quality of traffic movement on a particular street or through a particular intersection.

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 and having frontage on a dedicated street or road.

LOT, THROUGH or DOUBLE FRONTAGE - a lot with front and rear street frontage.
LOT AREA - the area contained within the property lines of a lot as shown on a subdivision plan excluding space within any street right-of-way, but including the area of any easement.

LOT, REVERSE FRONTAGE - a lot extending between and having frontage on an ailerial street and a minor street, and a vehicular access solely from the latter.

MAINTENANCE GUARANTEE - any security, other than cash, which may be accepted by the Township of Sugarloaf for the maintenance of any improvements required by this Ordinance.

MAJOR INTERSECTION - Any intersection of one (1) or more collector or arterial streets.

MEDIATION - a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MOBILE (MANUFACTURED) 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 (MANUFACTURED) 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 (manufactured) home.

MOBILE (MANUFACTURED) 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 (manufactured) homes.

MONUMENT - a concrete, stone, or other permanent object placed to designate boundary lines, corners of property, and rights-of-way of streets and utilities, for the purpose of reference in land and property survey.

OFFICIAL FILING DATE - For the purpose of these regulations, the official filing date shall be the date of the regular meeting of the Planning Commission next following the date the properly completed application and plans are received in the Municipal Building. Provided that should said regular meeting occur more than thirty (30) days following the submission of the application, the official filing date shall be the thirtieth day following the day the application has been submitted.
OPEN SPACE -

(1) OPEN SPACE, COMMON - A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of the residential development, not including streets, off-street parking areas, and areas set aside for public facilities. Common open space includes both developed (active) and undeveloped (passive) open space.

(2) OPEN SPACE, DEVELOPED (ACTIVE) - Land that is set aside for use as active recreational areas, such as playfields, playgrounds, skating rinks, swimming pools, tennis courts, and areas for water management (storm, waste, potable supply).

(3) OPEN SPACE, UNDEVELOPED (PASSIVE) - Land used for passive recreation, agriculture, resource protection, amenity, or buffers and protected from future development by the provisions of this Ordinance to ensure that it remains as open space.

PARCEL - a parcel shall be any piece of land, including all adjacent pieces of land held in single and separate ownership by the same owner(s) regardless of the fact that such ownership may be described in separate deeds.

PEAK HOUR TRAFFIC - The highest number of vehicles found or expected to be found during the a.m. or p.m. hours, passing over a section of street in sixty (60) consecutive minutes.

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

PLAN, PRELIMINARY - a tentative subdivision or land development plan, in lesser detail than the final plan, indicating the approximate proposed layouts of a subdivision or a land development as a basis for consideration prior to preparation of the final plan.

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

PLAN, SOIL EROSION AND SEDIMENTATION CONTROL - a plan for controlling erosion and sediment during construction which shall provide all steps, including scheduling, to assure erosion and sediment control during all phases of construction, including final stabilization.

PLANNING COMMISSION - the Sugarloaf Township Planning Commission.
PLANNING COMMISSION- LUZERNE COUNTY - the agency charged with the responsibility of reviewing all Subdivision and Land Development applications, and proposed Subdivision and Land Development ordinances and amendments.

PLAT - the map or plan of a subdivision or land development, whether preliminary or final, delineating the location and boundaries of individual properties.

PROFESSIONAL CONSULTANTS - Persons who provide expert or professional advise, including, but not limited to architects, attorneys, certified public accountants (CPA), engineers, geologists, land surveyors, landscape architects, or planners.

PUBLIC GROUNDS - includes the following:
A. Parks, playgrounds, trails, paths and other recreational areas and other public areas.
B. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
C. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING - a formal meeting held pursuant to public notice by the Board of Supervisors, Zoning Hearing Board or Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter.

PUBLIC MEETING - a forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

PUBLIC NOTICE - notice published once a week for 2 successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time, place and date of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than 30 days nor less than 7 days prior to the date of the hearing.

PUBLIC TRANSPORTATION - Transportation service for the general public provided by a common carrier of passengers generally on a regular route basis.

RECEIPT OF APPLICATIONS AND NOTICES - No application or notice referred to herein shall be deemed to be received by the Township prior to the date of the regular monthly meeting of the Board of Supervisors or the Township Planning Commission, as the case may be; provided, however, that in the event that a regular meeting is not held within thirty (30) days of delivery to the Township, the date of receipt shall be deemed the 30th day following delivery to the Township. Incomplete applications shall not be considered as received.
RENEWABLE ENERGY SOURCE - any method, process or substance whose supply is rejuvenated through a natural process and, subject to those natural processes, remains relatively constant including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

RESUBDIVISION - Any replatting or new division of land. Replattings shall be considered as constituting a new subdivision of land. See definition of" subdivision".

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

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

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

SIGHT DISTANCE - The maximum extent of unobstructed vision (in a horizontal or vertical plane) along a roadway from a vehicle located at any given point on the roadway when the view is unobstructed by traffic.

SITE CAPACITY CALCULATION - A computation intended to determine the appropriate intensity of use for a given tract.

SLOPE - the face of an embankment or cut section; the surface of any ground which makes an angle with the plan of the horizon. Slopes are usually expressed in a percentage based upon vertical difference in feet per 100 feet of horizontal distance.

STEEP SLOPES - Areas where the slope exceeds fifteen percent (15%) that, because of this slope, are subject to high rates of storm water runoff and, therefore, erosion.

STREET - A public or private thoroughfare with a right-of-way not less than thirty (30) feet in width if in existence prior to the passage of this ordinance or a right-of-way of not less than fifty (50) feet in width if established subsequent to the passage of this ordinance which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfares.
PRINCIPAL ARTERIALS - Major regional highways, with full or partial access control, designed for a large volume of through traffic, with an expected average daily traffic count of four thousand one (4,001) trips or greater.

MINOR ARTERIALS - Routes providing interstate and inter-county service with an expected average daily traffic count of three thousand one (3,001) to four thousand (4,000) trips.

MAJOR COLLECTORS - Streets designed to provide access between local, feeder or minor collector streets and arterials and expressways. Access is controlled by limiting curb cuts and providing marginal access areas. An average daily traffic count of two thousand one (2,001) to three thousand (3,000) trips is expected.

MINOR COLLECTORS - Streets that primarily serve to connect feeder and local streets with major collectors and arterials. An average daily traffic count of twelve hundred one (1,201) to two thousand (2,000) trips is expected.
(e) **FEEDER STREETS** - Streets providing connection between local streets and collectors having an average daily traffic count of from six hundred fifty-one (651) to twelve hundred trips and designed for an operating speed of twenty-five (25) miles per hour.

(f) **LOCAL STREETS** - Streets used primarily to provide access to more heavily traveled streets for abutting properties in internally developed areas. An average daily traffic count of up to six hundred fifty (650) trips is expected and designed for an operating speed of twenty-five (25) miles per hour.

(g) **SIDE STREET** - Any street, the length of which shall be not more than 50 percent of the length of the largest street line of the Municipality's blocks of which it is part.

(h) **RESIDENTIAL STREET** - A street between two intersecting streets upon which an R-District abuts, or where 50 percent or more of the abutting street frontage is in predominantly residential use.

**STREET LINE** - The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way provided that where an ultimate right-of-way width for a street has been established, that width shall determine the location of the street line.

**STREET, PRIVATE** - All streets and rights-of-way not dedicated, accepted and maintained as public streets.

**STREET, PUBLIC** - A street dedicated to public use.

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

**STUDY AREA** - An area extending one-half (0.5) mile along a street adjacent to the site, in both directions from all proposed or existing access points; or to and including a major intersection with a collector or arterial, whichever area is greater.

**STRUCTURE** - Anything constructed or erected, the use of which requires location on the ground or attachment to something having a fixed location on the ground. Among other things, structures include buildings, manufactured homes, carports, walls, fences and billboards.

**SUBDIVIDER** - The owner, or authorized agent of the owner, of a subdivision.
SUBDIVISION AND LAND DEVELOPMENT

**SUBDIVISION** - the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or of other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership, or of building or lot development. Provided, however, that the division of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access, shall be exempted.

(1) **Subdivision - Major:** A major subdivision shall be the division of any lot, tract or parcel of land or parcels of land which abut a street of insufficient width or requires that a street be laid out through unimproved land, or the division of any lot, tract or parcel of land into an aggregate of six (6) or more lots, tracts, or parcels of land, including changes in street lines or lot lines, for the purpose, whether immediate or future, of transfer of ownership or of building development. Any subdivision which is not a minor subdivision shall be considered as a major subdivision; and, all land developments shall be considered as major subdivisions.

(2) **Subdivision - Minor:** A minor subdivision shall be the division of any lot, tract, or parcel of land, or a part thereof into less than six (6) lots, tracts or parcels of land, including changes in street lines or lot lines, for the purpose, whether immediate or future, or transfer of ownership or of building development, where such division, change or transfer is located on an existing improved street and does not involve installation of improvements as required by this Ordinance; extension of utilities; adverse effect to the development of the remaining parcel; adverse effect to adjoining properties; and conflict with the Township of Sugarloaf’s Comprehensive Plan, Zoning Ordinance, any portion of this Ordinance or other State, County or Sugarloaf Township ordinances, laws or regulations. No parcel of land held in single or separate ownership at the time of application for a minor subdivision may be further subdivided into an aggregate of five (5) or more lots, tracts, or parcels of land, at any time subsequent to that date except in accordance with the requirements for a major subdivision.

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

**SURFACE DRAINAGE PLAN** - a plan showing all present and proposed grades and facilities for storm water drainage.

**SURVEYOR** - A registered land surveyor, as defined by the Registration Act of the Commonwealth of Pennsylvania.

**SWALE** - a low lying stretch of land which gathers or carries surface water runoff.
TRIP GENERATION RATES - The total count of trips expected to and from a particular land use.

TOP SOIL - surface soils and subsurface soils which presumably are fertile soils and soil material ordinarily rich in organic matter or humus debris. Top soil usually found in the uppermost soil layer called the "A" horizon.

TOWNSHIP-

A. Sugarloaf Township, Luzerne County, Pennsylvania.

B. The Board of Supervisors of Sugarloaf Township, Luzerne County, or its designated representative.

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

VOLUME/CAPACITY ANALYSIS - A procedure, as described in the Highway Capacity Manual, Special Report 209 (Washington, D.C.: Transportation Research Board, National Research Council, 1985, as may be amended from time to time), that compares the volume of a street or intersection approach to its capacity (maximum number of vehicles that can pass a given point during a given time period).

WATERCOURSE - a stream of water, river, brook, creek or a channel of a perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

WARRANTS FOR TRAFFIC SIGNAL INSTALLATION - A series of justifications that detail the minimum traffic or pedestrian volumes or other criteria necessary for the installation of a traffic signal. These warrants are contained in the Manual on Uniform Traffic Control Devices for Streets and Highways, United States Department of Transportation, Federal Highway Administration, 1971, §4C-1 through 4C-10, as may be amended from time to time.

WETLANDS - Those areas that are inundated or saturated by the surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas. The term includes but is not limited to wetlands areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan, and any wetland area designated by the River Basin Commission.
WOODLAND ASSOCIATION - Areas, groves, or stands of mature or largely mature trees [i.e., greater than six (6) inches caliper as measured at a point four (4) feet above grade] covering an area greater than one-quarter (1/4) acres; or groves of mature trees [greater than twelve (12) inches caliper as measured at a point four (4) feet above grade] consisting of more than ten (10) individual trees. Woodlands consist of three (3) different associations that can be determined by field survey in combination with aerial photo interpretation:

1. **FLOODPLAIN ASSOCIATION** - A woodland association that occurs primarily on floodplain soils. Mature trees within this association consist of:
   
   (a) Silver maple/black walnut/sycamore;
   (b) Ash/red maple/elm;
   (c) Red maple/white oak/pin oak;
   (d) Silver maple/red birch; or
   (e) Silver maple/sycamore/elm.

2. **MEISIC ASSOCIATION** - A woodland association that occurs on poorly drained soils, and that will, over time, consist mainly of beech trees. Mature trees within this association consist of:

   (a) Sweet gum/red maple;
   (b) Red maple/ash/tulip poplar;
   (c) Oak/sweet gum/red maple;
   (d) Oak/red maples/ash/tulip poplar; or
   (e) Oak/hickory/beech.

3. **UPLAND ASSOCIATION** - A woodland association that occurs on slightly drier and more well drained soils, and that will, over time, consist mostly of mixed oaks. Mature trees within this association consist:

   (a) Black locust, or
   (b) Oak/hickory.
   (c)
§22-301. Pre-application Procedures.

1. Copies of this Chapter shall be available for use by any person seeking information concerning land development and/or subdivision standards and procedures in effect within the Township. Any prospective developer or subdivider may meet with the Township Planning Commission and/or the Township Engineer to discuss and review tentative plans and/or any provisions of this Chapter. Should the developer wish to confer with the Township Engineer, a Township representative shall be present, and the costs for such conference shall be paid by the developer.

2. The prospective developer must comply with the planning requirements of the Pennsylvania Sewage Facilities Act as administered by the Pennsylvania Department of Environmental Protection. Any planning modules required by that Act shall be completed and submitted at the time the sketch plan is submitted. It is suggested that the prospective developer consult the Township Sewage Enforcement Officer or the Wilkes-Barre Regional Office of the Pennsylvania Department of Environmental Protection as to the requirements of that Act.

3. Prospective developers shall consult the County Conservation District representatives concerning erosion and sediment control and the effect of geologic conditions on the proposed development. At the same time, a determination should be made as to whether or not any flood hazards either exist or will be created as a result of the subdivision or development. Land that is subject to flooding shall not be platted for residential occupancy or for any other use that may endanger health, life or property. Such land within a subdivision shall be set aside for such uses as shall not be endangered by periodic or occasional flooding and shall not produce unsatisfactory living conditions.


Prior to submission of a preliminary application, a subdivider/developer may submit a sketch plan to the Sugarloaf Township Secretary for distribution to the Township Planning Commission for review.

Time for Filing. All preliminary plans and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary. Applications submitted up to and including the first day of a month shall be considered by the Planning Commission at their regular monthly meeting of the month following the month of submission. Applications filed after the first day of the month will not be considered by the Planning Commission until their regular monthly meeting two (2) months following the month of submission.

2. Minor Subdivision Procedure

   A. Submission

   The subdivider/developer shall submit twenty (20) copies of a plot plan of any minor subdivision to the Township Secretary with required Township and County fees. The Township Secretary shall submit copies to the Township Planning Commission, and two (2) copies to the Luzerne County Planning Commission (LCPC) with appropriate fees. Said Plan shall outline the developer's proposals in sufficient detail to permit a determination by the Planning Commission that the proposed subdivision conforms with the provisions of the Ordinance. Where a minor subdivision provides for on-site sewage disposal, the applicant shall provide the Commission with evidence of the approval of such by the Township's Sewage Enforcement Officer.

   B. Review and Approval

   In the event that the initial subdivision of five (5) lots or less does not involve new streets or other public improvements, the plan will be reviewed as a Preliminary - Final Submission. Subdivisions of this nature will be titled Preliminary - Final Minor Subdivision Plan and include all of the information required as set forth in Sections 22-308, 22-309, 22-406, and 22-407. Submissions and resubmissions must be submitted to the Sugarloaf Township Secretary for distribution to all appropriate agencies, compiled in twenty (20) separate packets. The Township will not assemble submission paperwork. Distribution of copies to all appropriate agencies shall be the responsibility of the Township.

   C. Recording

   The Board of Supervisors shall retain one (1) copy of the approved plot plan in its files; one (1) copy shall be provided to the Secretary of the Planning Commission; and two (2) copies shall be returned to the Subdivider/Developer, who shall file one (1) copy in the Office of the Recorder of Deeds of the County within ninety (90) days of the approval thereof; such approval shall be nullified unless so filed or unless an extension of time is granted by the Board of Supervisors upon the written request of the subdivider/developer. Such an extension shall be granted
automatically by the Board of Supervisors for a period of thirty (30) days; provided, however that only one (1) extension shall be authorized. The applicant shall provide a copy of the receipt of recording from the Recorder of Deeds office is required as written evidence of filing.

§22-304. Submission of the Preliminary Application

Submission shall consist of the following:

A. Twenty (20) completed copies of the appropriate application form and one (1) copy of the recorded deed which is being subdivided/developed.

B. Twenty (20) blue-line or black-line paper prints of the preliminary plan showing all the information required in §22-308 and §22-309.

C. Twenty (20) copies of all other required documentation.

D. A filing fee as established by resolution of the Township Board of Supervisors and the necessary review fees as required by the Luzerne Conservation District, the Luzerne County Planning Commission, the Luzerne County Engineering Department, and the PA Department of Environmental Protection (DEP).

E. All submissions and resubmissions shall be submitted to the Sugarloaf Township Secretary for distribution to all appropriate agencies, compiled in twenty (20) separate packets. The Township will not assemble submission paperwork. Distribution of copies to all appropriate agencies shall be the responsibility of the Township.

§22-305. Action on Preliminary Application by the Planning Commission.

1. Action on a preliminary application shall be taken by the Planning Commission not later than 45 days following the first meeting at which the application is considered.

2. All actions by the Planning Commission shall be taken at a public meeting whether it be a regularly scheduled or special meeting. If the application is to be considered at a special meeting, the developer shall be so notified. In addition, the Planning Commission may also schedule a public hearing pursuant to public notice before making their recommendation to the Supervisors.

3. Review by Conyngham Borough, and other adjoining municipalities, where applicable.

When an application adjoins or extends across mutual municipal boundary lines of Sugarloaf Township and Conyngham Borough, or other adjoining municipalities, where applicable, the Township shall submit a copy of the application to the Borough for their review and approval. Disapproval by the Borough shall be based solely on the grounds of noncompliance with the provisions of the Borough's Zoning Ordinance and/or their
Subdivision and Land Development Ordinance. Such disapproval by the Borough shall be accompanied by a report to the Township specifying the provisions of the ordinance(s) lacking compliance. If the application extends into the Borough, the Township will not approve any application that will conflict with Borough regulations; but, it may approve applications that are wholly within the Township and adjoin the shared municipal boundaries. In the event that the latter condition exists, the Township will make appropriate efforts to resolve such conflicts with the Borough and with the applicant.

§22-306. Action on Preliminary Application by the Board of Supervisors.

1. The decision of the Board of Supervisors concerning the application shall be in writing and shall be rendered not later than 90 days following the date of the next regular Planning Commission meeting after the application was filed, or after a final order of the court remanding an application, provided that should the said next regular meeting occur more than 30 days following the filing of the application, or the final order of the court, the said 90-day period shall be measured from the 30th day following the day the application is filed. If an application is not approved, or approved subject to certain conditions, the written decisions shall specify the defects and describe the requirements which have not been met, citing in each instance the applicable provisions of this Chapter. The decision of the Board shall be communicated directly to the applicant personally or mailed to him at his last known address not later than 15 days following the decision.

2. Failure of the Board of Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented unless the applicant has agreed, in writing, to an extension of time or change in the prescribed manner of presentation of the 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.

3. The Board of Supervisors shall not approve such application until the County Planning Commission and County Conservation District, and the Luzerne County Engineering Department reports are received or until the expiration of 30 days from the date the application was forwarded to the County.

4. In the event the Board of Supervisors grant conditional approval to the applicant's submission, such approval shall be automatically rescinded upon the applicant's failure to accept or reject any and all of the conditions. The applicant's acceptance or rejection shall be given to the Board of Supervisors in writing within 15 days after receipt of the Board of Supervisor's written notification to the applicant of the imposition of said conditions.

5. When a preliminary application has been approved, or approved subject to certain conditions acceptable to the developer, no subsequent change or amendment in this or any other applicable ordinance shall be applied to affect adversely the right of the developer to commence and to complete any aspect of the approved development within
5 years from such approval. The five-year period shall be extended for the duration of any litigation, including appeals, which prevent the commencement or completion of the development, and for the duration of any sewer or utility moratorium or prohibition which was imposed subsequent to the filing of an application for preliminary approval of a plat. In the event of an appeal filed by any party from the approval or disapproval of a plat, the five-year period shall be extended by the total time from the date the appeal was filed until a final order in such matter has been entered and all appeals have been concluded and any period for filing appeals or requests for reconsideration have expired. Provided, however, no extension shall be based upon any water or sewer moratorium which was in effect as of the date of the filing of a preliminary application. Where final approval is preceded by preliminary approval, the 5 year period shall be counted from the date of preliminary approval, the terms shall be construed in the light of the provisions of the governing ordinances or plans as they stood at the time when the application for such approval was duly submitted.

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

   a. No plat which will require access to a highway under the jurisdiction of the Luzerne County Road & Bridge Department shall be finally approved unless the plat contains a notice that a highway occupancy permit was obtained before access to the County highway is permitted.

7. No plat shall be approved unless the planning module for that plat shall have been approved by the Pennsylvania Department of Environmental Protection (PaDEP). Applications disapproved for this reason may be resubmitted with no fee at the time PaDEP approval is obtained.


The preliminary application submission shall be prepared by a registered surveyor.

A. Scale.

   (1) Tracts of one acre or less shall be drawn at a scale of no less than 1 inch equals 50 feet.

   (2) Tracts of one to ten acres shall be drawn at a scale of no less than 1 inch equals 100 feet.

   (3) Tracts in excess of ten acres shall be drawn at a scale of no less than 1 inch equals 200 feet.
(4) Tracts to be used for commercial, industrial or high density housing development shall be drawn at a scale of no less than 1 equals 50 feet.

B. Size.

All preliminary plans shall be drawn on a reproducible mylar or other stable transparency 24 inches by 36 inches in size, using black ink for all data including approval signatures.

§22-308. Information Required.

The preliminary plan shall show:

A. Name of proposed subdivision and of the municipality in which it is located.

B. Name and address of owner and subdivider.

C. Name, address, license number, signature and seal of the registered surveyor who prepared the subdivision or land development plan and, if applicable, the professional engineer who designed the improvements.

D. Date of original submission and of each subsequent revised submission.

E. True or magnetic north point.

F. Graphic scale.

G. Written scale.

H. Certification by the registered professional surveyor that the topography shown resulted from either U.S.G.S. information or an actual survey and the date of that survey.

I. An accurate location map, drawn at a scale of 1 inch equals 2,000 feet and showing the relation of the subject property to adjoining property and to all streets, roads, and Township boundaries within 4,000 feet of any part of the proposed subdivision. In addition, a title, scale and north point shall be indicated.

J. The total tract boundary lines of the area being subdivided accurate to hundredths of a foot and bearings to 1/4 of a minute. These boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with an error of closure not to exceed 1 foot in 10,000 feet; provided, however, that the boundary(ies) adjoining additional unplatted land of the subdivider (for example, between separately submitted final plan sections) are not required to be based upon field survey, and may be calculated. The location of all boundary line (perimeter) monuments shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the registered surveyor shall certify to the accuracy of the survey, the drawn plan and the placement of the monuments.
SUBDIVISION AND LAND DEVELOPMENT

K. A plot drawn to a legible scale showing the entire existing tract boundary and the location of the lots being subdivided from said tract.

L. Boundaries of adjacent properties and recorded name and deed reference. When adjacent properties are part of a recorded plat, only the lot number and subdivision name used need be shown.

M. Contour lines at vertical intervals of not more than 2 feet. In areas of steep slopes (greater than 15%), five (5) foot intervals may be used.

N. Location and elevation of the datum to which contour elevations refer; where practicable, datum used shall be an established or assumed bench mark.

O. The name (or number) and cartway width and lines of all proposed and existing public streets and the name and location of all other roads within the property.

P. If the subdivision proposes a new street intersection with a State legislative route, a copy of the intersection occupancy permit shall be supplied for all such intersections.

Q. Location of existing streets and alleys adjoining the tract including name, width, width of cartway, sidewalks.

R. The location (and elevation, if established) of all existing and proposed street monuments.

S. Location of existing and proposed right-of-ways and easements.

T. Lot numbers and a statement of the total number of lots and parcels.

U. Lot lines with approximate dimensions and areas.

V. The building setback lines for each lot, or other sites, and one (1) lot showing dimensions, noted "typical."

W. For developments where onsite sewage disposal systems will be used, the location where the soils evaluation test was conducted for each lot.

X. A statement of the intended use of all nonresidential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if recorded, including the book and page number.

Y. Location and size of existing and proposed utility structures above-ground and underground and/or transmission lines including water, gas, electric, petroleum, etc., and all easements or right-of-ways connected with such structures and/or lines, and all utility poles with I.D. numbers.
Z. The location of any existing bodies of water or watercourses, tree masses, buildings or structures (including the location of wells and onsite sewage facilities for such buildings or structures), public facilities and any other manmade or natural features within or near the proposed subdivision.

AA. Location, size and invert elevation of all existing and proposed sanitary sewers (including any and all proposed and/or existing capped sewer lines) and location of all manholes, inlets and culverts.

BB. Location, size and invert elevation of all existing and proposed storm sewers (and other drainage facilities), with the size and material of each indicated, and any proposed connections with existing facilities.

CC. Location of drainage structures, including marshes, ponds, streams or similar conditions.

DD. Parks, playgrounds and other areas to be dedicated or reserved for public use, with any conditions governing such use.

EE. At the time of the initial submission an applicant shall present written evidence to the Board of Supervisors, that the subdivision or land development is to be supplied water by either:

   (1) A certified public utility.

   (2) A bona fide cooperative association of lot owners.

   (3) A municipal corporation, authority or utility.

      (a) A copy of a certificate of public convenience from the Pennsylvania Public Utility Commission or an application for such certification, a cooperative agreement or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence for satisfying the requirements of this subsection.

      (b) The requirement of this subsection is to be applicable only in those instances when water is to be provided to the subdivision or land development by means other than by private wells owned and maintained by the individual owners of lots within the subdivision or land development.

FF. Location of all wetlands within the property being subdivided/developed. GG.

Location of all floodplains within the property being subdivided/developed.

HH. PA one call system incorporated, (before you dig note), and telephone number. Developer to include note - Compliance with PA One Call.
II. The following Americans With Disabilities Act of 1990 (ADA) disclaimer note must be added to each subdivision/land development plan submitted to the Luzerne County Planning Commission.

NOTE: This permit and/or plan has not been reviewed to determine its compliance with Title III of the Americans With Disabilities Act of 1990 (ADA) which prohibits discrimination on the basis of disability in public accommodations and commercial facilities. Compliance with Title III of this Act with regard to public accommodations and commercial facilities is the responsibility of the applicant/developer.

§22-309. Supplementary Data Required.

The preliminary application shall be accompanied by the following supplementary data where applicable:

A. A planning module for land development as required by the Pennsylvania Department of Environmental Protection.

B. A plan for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act. The Erosion & Sedimentation Plan must display a PA One Call System incorporated symbol including the site identification number.

C. Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

D. Typical street cross section drawings for all proposed streets.

E. Tentative profiles along the centerline of the cartway (pavement) or along the top of the curb for both sides of each proposed street shown on the preliminary Application. Such profiles shall show natural and finished grades.

F. The applicant shall, if requested, submit a feasibility report concerning the availability and adequacy of sewer and water facilities in or near a proposed land development. Said report shall be prepared by a registered professional engineer and be submitted in conjunction with the preliminary application for review and recommendations by the local office of the Pennsylvania Department of Environmental Protection.

G. The applicant shall also submit a storm drainage plan and storm drainage calculations. All stormwater detention ponds are required to be fenced with not less than a 4-foot chain linked fence with locked gate.
H. Where the preliminary application covers only a pal1i of the entire landholdings, a sketch of the future street system of the unsubmitted part shall be submitted. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.

I. Where the land included in the subject application has an electric transmission line, a gas pipeline, or a petroleum (or petroleum products) transmission line located within the tract, the application shall be accompanied by a letter from the owner or lessee of such right-of-way stating any conditions on the use of the land and the minimum building setback and/or right-of-way lines. This requirements may also be satisfied by submitting a copy of the recorded agreement.

J. Notarized Certificate of Ownership located on plan.

K. 3" x 5" approval blocks for the following:
   Sugarloaf Township Planning Commission
   Sugarloaf Township Supervisors
   Luzerne County Planning Commission

L. All waiver requests (modification request) must be noted on plans.

M. A stormwater plan and calculations are required to support a stormwater waiver request per Sugarloaf Township Stormwater Management Ordinance, Chapter 21, Section 213.3(1.), dated 1990.

N. Transportation Impact Study
   a) A transportation impact study may be required of all major subdivisions and land developments. This study, if required, will enable Sugarloaf Township to assess the impact of a proposed development on the local transportation system. The study purpose is to ensure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access from the site to the existing transportation network. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development. The study will assist in the protection of air quality, the conservation of energy, and the encouragement of public transportation use.
   
   b) Subdivisions and land developments for which a transportation impact study will be required.

   [I] A transportation impact study shall be required for all subdivisions and land developments that meet one (1) or more of the following criteria:
[a] A residential subdivision/land development of one hundred (100) or more or more dwelling units.

[b] A nonresidential land development of one hundred thousand (100,000) square feet or more of gross leasable floor space.

[c] A development which will generate an ADT of at least 1500 vehicles; provided, however, that the Municipal Engineer may determine that a study shall be required for an ADT of less than 1500 vehicles on heavily traveled roads or roads with poor sight distances; and, provided further that all vehicular traffic projections shall be based on ultimate build-out, and shall be subject to verification by the Municipal Engineer.

[d] For any Conditional Use as specified in the Sugarloaf Township Zoning Ordinance, for which an environmental assessment is required.

[2] The governing body, upon the recommendation of the Sugarloaf Township Engineer, shall have the discretion to require the preparation of a traffic impact study for any other subdivision or land development if, in their opinion, such a study is required.

c) Sugarloaf Township shall select a qualified engineer and/or transportation planner with previous traffic study experience to review the applicant's transportation impact study. Sugarloaf Township may utilize applicant's fees, placed in escrow, to fund such studies. The procedures and standards for the traffic impact study, which shall be adhered to by the consultant.

d) The transportation impact study shall contain, but not be limited to, the following information:

[1] General site description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed land development. If the development is residential, types of dwelling units and number of bedrooms shall also be included. A brief description of other major existing and proposed land developments within the study area shall be provided and shall be addressed by the traffic impact study. The general site description shall also include probable socioeconomic characteristics of potential site users to the extent that they might affect the transportation needs of the site (for example, the number of senior citizens).
Transportation facilities description.

The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelization, and any traffic signals or other intersection control devices within the site. The site design shall be shown to maximize potential public transportation usage to and from the development, such as providing adequate turning radii at all access points to allow a bus to enter the development. Bus shelters and sign locations shall be designated where appropriate.

The report shall describe the entire external roadway system within the study area. Major intersections in the study area shall be identified and sketched. All existing and proposed public transportation services and facilities within a one-mile radius of the site shall also be documented. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from the Pennsylvania Department of Transportation 12-Year Highway Capital Improvements Program, and from the Municipality's Comprehensive Plan. The applicability of current updates prior to the application under consideration shall be determined by the Municipal Engineer. Any proposed roadway improvements resulting from proposed surrounding development shall also be recorded.

Existing traffic conditions.

Existing traffic conditions shall be measured and documented on all streets and intersections in the study area. Traffic volumes shall be recorded for existing average daily traffic, existing peak hour traffic and for the land development's peak hour traffic. Complete traffic counts at all major intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s), and documentation shall be included in the report. A volume/capacity analysis based upon existing volumes shall be performed for the peak hour(s) and the peak development-generated hour(s) for all roadways and major intersections in the study area. Levels of service shall be determined for each location.

This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or intersections experiencing levels of service E or F shall be noted as congestion locations.
Transportation impact of the development. Estimation of vehicular trips to result from the proposed development shall be completed for both the street system and the development-generated peak hours. Vehicular trip generation rates to be used for this calculation shall be obtained from the Institute of Traffic Engineering (I.T.E.) or other recognized traffic authorities. These development-generated traffic volumes shall be provided for the inbound and outbound traffic movements as estimated. The reference source(s) and methodology followed shall be cited. These generated volumes shall be distributed to the study area and assigned to the existing streets and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to all access points.

Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of that site that will cause unusual trip generation rates and/or traffic flows shall be noted.

Analysis of Transportation Impact

[a] The total future traffic demand based on full occupancy of the proposed subdivision or land development shall be calculated. This demand shall consist of the combination of existing traffic expanded to the completion year, the development-generated traffic, and the traffic generated by other proposed developments in the study area. A volume/capacity analysis shall also be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed using the peak highway hour(s) and peak development-generated hour(s) for all streets and major intersections in the study area. Volume/capacity calculations shall be completed for all major intersections.

[b] All access points and pedestrian crossings shall be examined as to the feasibility of installing traffic signals. This evaluation shall compare the projected traffic and pedestrian volumes to the warrants for traffic signal installation. Levels of service for all streets and intersections shall be listed.
Conclusions and Recommended Improvements

[a] All streets and/or intersections showing a level of service below C shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to the following elements: internal circulation design; site access location and design; external street and intersection design and improvements; traffic signal installation and operation, including signal times; and transit design improvements.

[b] Existing and/or future public transportation service shall also be addressed. A listing of all actions to be undertaken to increase present public transportation usage and improve service, if applicable, shall be included.

[c] The listing of recommended improvements for both streets and transit shall include, for each improvement, the party responsible for the improvement, the cost and funding of the improvement and the completion date for the improvement.

[d] The Planning Commission shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the subdivision or land development and make recommendations to the governing body.

[e] The governing body may decide that certain improvements contained in the study within the study area are required for preliminary application approval and may attach these conditions to the preliminary approval.
PART 4

FINAL APPLICATION PROCEDURES AND REQUIREMENTS

§22-401. Final Application Procedures.

1. Submission of a final application for approval shall occur not more than 3 years following the date of approval of the preliminary application. Failure to submit the final application within this period of time shall make the approval of the preliminary application null and void unless an extension of time has been granted. In any case, the applicant shall demonstrate his ability to substantially complete the required improvements within the 5 year period provided by Act 247, as amended by Act 170 of 1988, the Municipalities Planning Code, by providing the Township with a proposed schedule of completion.

2. Except for any modifications or changes required, the final application shall conform basically to the approved preliminary application. Where significant modifications or changes, other than those required, are made to an approved preliminary application, the application shall be submitted again as a preliminary application.

§22-402. Submission of the Final Application.

1. All final applications and all required accompanying documentation shall be submitted by a developer or his authorized representative to the Township Secretary. Applications submitted up to and including the first day of a month shall be considered by the Planning Commission at their regular monthly meeting of the month following the month of submission. Applications filed after the first day of the month will not be considered by the Planning Commission until their regular monthly meeting two (2) months following the month of submission.

2. Submission shall consist of the following:

   A. Twenty (20) copies of the appropriate application form and one (1) copy of the recorded deed which is being subdivided/developed.

   B. Twenty (20) blue-line or black-line paper prints of the final application showing all the information required in §22-406 and §22-407.

   C. Twenty (20) copies of all other required documentation.

   D. A filing fee as set forth in the Sugarloaf Township Schedule of Fees.

   E. All submissions and resubmissions must be submitted to the Sugarloaf Township Secretary for distribution to all appropriate agencies, compiled in twenty (20) separate packets. The Township will not assemble submission paperwork. Distribution of copies to all appropriate agencies shall be the responsibility of the Township.
§22-403. Action on Final Application.

1. Action on the final application shall be taken in the same manner as for preliminary applications. If a final application is approved, the Chairman of the Board of Supervisors and the Township Secretary shall sign the record application and all prints.

2. Failure of the Board of Supervisors to render a decision and communicate it to the developer within the time and in the manner required by this Chapter shall be deemed an approval of the application in terms as presented unless the developer has agreed to an extension of time.

3. The Board of Supervisors shall not approve such application until the County Planning Commission and the County Conservation District reports are received or until the expiration of 30 days from the date the application was forwarded to the County.

4. In the event the Board of Supervisors grants conditional approval to the applicant's submission, such approval shall be automatically rescinded upon the applicant's failure to accept or reject any and all of the conditions. The applicant's acceptance or rejection shall be given to the Board of Supervisors in writing within 15 days after receipt of the Board of Supervisors written notification to the applicant of the imposition of said conditions.

5. Before any final application is approved, the developer shall either install all the required improvement or shall provide for deposit with the Township, a corporate bond or other security acceptable to the Township in the amount of 110% of the cost of such improvements as estimated (itemized estimate) by the applicant's engineer for review and approval by the Township Engineer. Such bond or security shall provide for the completion of all required improvements within a stated period which shall not be longer than the date specified in the approval of the final application.

§22-404. Limitations of Final Application Approval.

The approval of the final application by the Board of Supervisors shall be deemed an acceptance of the application and shall authorize the Recorder of Deeds to record the same, but shall not impose any duty upon the County or the Township concerning maintenance or improvements of any streets, highways, or other portions of the same until the Township Supervisors shall have accepted same by dedication for public use.

§22-405. Final Application Requirements.

The final application submission shall be prepared by a registered surveyor and be drawn on reproducible mylar or other stable transparency, using black ink for all data including approval signatures.
SUBDIVISION AND LAND DEVELOPMENT

A. Scale

(1) Tracts of one acre or less shall be drawn at 2 scale of no less than 1 inch equals 50 feet.

(2) Tracts of one to ten acres shall be drawn at a scale of no less than 1 inch equals 100 feet.

(3) Tracts in excess of ten acres shall be drawn at a scale of no less than 1 inch equals 200 feet.

(4) Tracts to be used for commercial, industrial or high density housing development shall be drawn at a scale of no less than 1 inch equals 50 feet.

B. Size.

All final plans shall be drawn on a reproducible mylar or other stable transparency 24 inches by 36 inches in size, using black ink for all data including approval signatures. If the final application requires more than one sheet, a key diagram showing the relative location of the several sections shall be drawn on each sheet.

§22-406. Information Required.

The final application shall show the following:

A. All those items required to be shown on the preliminary application as enumerated in §22-308 and §22-309.

B. Bearings in degrees, minutes and seconds and distances to hundredths of a foot for all lot lines, and thousandths of an acre for all lot areas.

C. The location of approved sewage percolation sites.

D. A certification of ownership, acknowledgment of an application and offer of dedication shall be lettered on the application and shall be duly acknowledged and signed by the owner(s).

E. 3” x 5” approval blocks for the following: Sugarloaf Township Planning Commission Sugarloaf Township Supervisors Luzerne County Planning Commission
§22-407. Supplementary Data Required.

Unless previously submitted, the final application shall be accompanied by the following supplementary data where applicable:

A. Typical street cross section drawing(s) for all proposed streets. Cross section drawing(s) may be shown either on the final application or on the profile sheets.

B. Profile sheets for all proposed streets within the tract. Such profiles shall show at least the following information, property labeled:
   1. Existing (natural) profile along both cartway edges or along the centerline of each street.
   2. Proposed finished grade of the centerline, or proposed finished grade at the top of both curbs or proposed finished grade at both cartway (pavement) edges.
   3. The length of all vertical curves.
   4. Existing and proposed sanitary sewer mains and manholes.
   5. Existing and proposed storm mains, inlets, manholes and culverts.

C. Whenever a subdivider proposes to establish a street which is not offered for dedication to public use, the Board of Supervisors may require the subdivider to submit, and also to record with the application, a copy of an agreement made with the Township on behalf of his heirs and assignees, and signed by the Township Solicitor, and which shall establish the conditions under which the street may later be offered for dedication and shall stipulate among other things:
   1. That the street shall conform to the Township specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Township Engineer, to restore the street to conformance with Township specifications.
   2. That an offer to dedicate the street shall be made only for the street as a whole.
   3. That the method of assessing repair costs be as stipulated.
   4. That agreement by the owners of more than 50% of the front footage thereon shall be binding on the owners of the remaining lots.

D. An agreement that the applicant will install all underground utilities before paving streets or constructing sidewalks.
SUBDIVISION AND LAND DEVELOPMENT

E. Final designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of the Pennsylvania Department of Environmental Protection and the Pennsylvania Department of Transportation.

F. Where the final application covers only a part of the entire land holdings, a sketch of the future street system of the unsubmitted part shall be furnished. The street system of the submitted part will be considered in light of adjustments and connections with future streets in the part not submitted.

G. Water and sewer feasibility report as may be required including any updated information which may have become available since the submission of the preliminary application.

H. A application for the control of erosion and sedimentation for review by the County Conservation District Office as required by the Pennsylvania Clean Streams Act. The Erosion & Sedimentation Plan must display a PA One Call System incorporated symbol, including the site identification number.

I. A storm drainage plan and storm drainage calculations. All stormwater detention ponds are required to be fenced with not less than a 4-foot chain linked fence with locked gate.

J. A map showing the location of the proposed development with respect to flood prone areas, including information of the regulatory flood elevation, the boundaries of the flood prone areas, proposed lots and sites, fills, flood or erosion protection facilities and areas subject to special restrictions. In addition, where the proposed development lies partially or completely in any flood prone area, or borders on any flood prone area, such map shall also show the location and elevation of proposed roads, public utilities and building sites.

K. An approved planning module as required by the Pennsylvania Department of Environmental Protection.

L. Such private deed restrictions, including building setback lines, as may be imposed upon the property as a condition to sale, together with a statement of any restrictions previously imposed which may affect the title of the land being subdivided.

M. Any other certificates, affidavits, endorsements or dedications, etc., that may be required by the Board of Supervisors.

N. When a proposed plan has been submitted to the County Conservation District Office for review and recommendations, a plan and/or other documentation to show what has been, or will be done in response to their recommendations.
§22-408. Recording of Final Applications and Dedication of Property Improvement.

Upon approval of a final application, the developer shall, within 90 days of such final approval, or 90 days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed for such approval, whichever is later record such application in the office of the Recorder of Deeds of the County, and the streets and public grounds on such plat shall be, and become, a part of the official map of the Township without public hearing.

Offers of dedication of such public improvements to the Township shall be submitted on a written, recordable document setting forth by metes and bounds the offer; or the owner may note on the applications that such improvements have not been offered for dedication to the Township. Every street, park, erosion and sediment facility or other public improvement shown on a recorded subdivision or land development application shall be deemed to be a private street, park or improvement until such time as the same has been accepted by ordinance or resolution.

The applicant shall provide a copy of the receipt of recording from the Recorder of Deeds office as written evidence of filing.

Any replatting or resubdivision, including changes to a recorded plan, shall be considered as a new application, and shall comply with all requirements of this Chapter.

§22-502. Additions to Existing Lots.

A parcel of land may be added to an existing recorded lot for the sole purpose of increasing the lot size provided that:

A. The parcel to be added must be contiguous to the existing lot.

B. The addition must maintain or improve the overall straightness of lot lines.

C. The plan prepared for the addition of this parcel shall follow the procedures outlined in this Chapter.

D. The plan shall stipulate that the parcel is for the sole purpose of enlarging an existing lot and may not be separately sold.
§22-601. Application Standards.

The following standards shall be applied by the Township Planning Commission and Board of Supervisors in evaluating plans submitted for review and/or approval. It is intended that these standards be considered the minimum requirements and may be modified as necessary to protect the health, safety and general welfare of the public.

§22-602. General Site Standards.

The following requirements and guiding principals of subdivisions and land developments shall be observed with respect to factors affecting the suitability of the site for such development:

A. The land development plan shall conform to the Township Comprehensive Plan and Official Map, or to such parts thereof as shall have been officially prepared and adopted by the Township.

B. A land development must be coordinated with existing land development in the neighborhood so the entire area may be developed harmoniously.

C. Land proposed for land development shall not be developed or changed by grading, excavating or by the removal or destruction of the natural top soil, trees or other vegetative cover unless provisions for minimizing erosion and sedimentation are provided as required by the erosion control regulations of the Pennsylvania Department of Environmental Protection.

D. In a development where the average slope exceeds 15%, the Township may require a suitable area for a second sewage system to be provided in case the first fails.

E. In all developments, every precaution shall be taken to preserve all natural and historic features determined to be worthy of preservation. Examples of such features would include, but not be limited to, large trees and stands of trees, watercourses, historic areas and structures, scenic view, etc. To insure the protection of such features, the Board of Supervisors may require the following additional information to be submitted:

22-39
(1) A grading plan showing the existing and proposed ground elevations relative to the features

(2) The accurate location of the features to be protected.

(3) An explanation of the precautions to be taken by the developer to protect such features.

F. Land subject to hazards of life, health or property as may arise from fire, floods, disease, excessive noise, odor, failing aircraft or considered uninhabitable for other reasons may not be developed unless the hazards have been removed or the plans show adequate safeguards against them.

§22-603. **Street and Highway Standards.**

1. **General.** All streets proposed to be constructed shall conform to the following general design requirements:

   A. Streets shall be logically related to topography so as to produce reasonable grades, satisfactory drainage and suitable building sites.

   B. Residential streets shall be so laid out as to discourage through traffic; however, proposed streets shall be planned with regard to the existing street system, topographical conditions, public convenience in terms of fire protection and pedestrian traffic, probable volumes of traffic, existing and proposed use of land on abutting properties and future extensions of the street.

   C. When a subdivision abuts or contains an existing or proposed primary or secondary highway, the Township may require a marginal access street, reverse frontage or other treatment which will provide protection for abutting properties, reduction of the number of intersections and separation of local from through traffic.

   D. No street shall terminate into a dead end. Any street dead ended for access to adjoining property or because of authorized staged construction shall be provided with a temporary all-weather turnaround with a radius of not less than 50 feet, and the use of such turnaround shall be guaranteed to the public until such time as the street is continued.

   E. The proposed street system shall extend existing or recorded streets at the same width but in no case at less than the required minimum width.
2. Street Widths. Minimum street right-of-way and cartway widths shall be as follows, and in accordance with Exhibit "C":

<table>
<thead>
<tr>
<th>Street Type</th>
<th>Right-of-Way</th>
<th>Cartway</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Streets</td>
<td>As determined by the Township after consultation with the Pennsylvania Department of Transportation.</td>
<td></td>
</tr>
<tr>
<td>Minor Streets</td>
<td>50 feet</td>
<td>34 feet minimum plus curbing, which is 8 inches wide plus 2 feet of grass area between the curbing and 4 foot sidewalks on each side.</td>
</tr>
<tr>
<td>Collector Streets</td>
<td>50 feet</td>
<td>34 feet minimum plus curbing, which is 8 inches wide plus 2 feet of grass area between the curbing and 4 foot sidewalks on each side.</td>
</tr>
</tbody>
</table>

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

A. Public safety and convenience.
B. Parking in commercial and industrial areas and in areas of high density development.
C. Widening of an existing street where the width of alignment does not meet the requirements of the preceding subsections.

3. Street Grades.

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

<table>
<thead>
<tr>
<th>Type Streets</th>
<th>Minimum Grade</th>
<th>Maximum Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Streets</td>
<td>As determined after consultation with the Pennsylvania Department of Transportation.</td>
<td></td>
</tr>
<tr>
<td>Collector Streets</td>
<td>0.5% When Curbs are Used 1.0% Without Curbs</td>
<td>7%</td>
</tr>
<tr>
<td>Minor Streets</td>
<td>0.5% When Curbs are Used 1.0% Without Curbs</td>
<td>10%</td>
</tr>
</tbody>
</table>
B. Visual curves shall be used in charges of grade when the difference exceeds 1%, and shall be designed for maximum visibility.

C. On permission of the Planning Commission, minor street grade under special topographic condition may exceed 10% for distances of less than 100 feet provided the grade does not in any case exceed 15%.


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

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Minimum Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collector</td>
<td>300 feet</td>
</tr>
</tbody>
</table>

B. Straight portions of the street must be tangent to the beginning or end of curves. Except for minor streets, there must be a tangent of at least 100 feet between reverse curves.

5. Sight Distance.

A. Proper sight distances shall be provided with respect to both horizontal and vertical road alignments. The minimum sight distance measured from the centerline, 4.5 feet above grade, shall be as follows:

<table>
<thead>
<tr>
<th>Type of Street</th>
<th>Sight Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial</td>
<td>600 feet</td>
</tr>
<tr>
<td>Collector</td>
<td>300 feet</td>
</tr>
<tr>
<td>Minor</td>
<td>300 feet</td>
</tr>
</tbody>
</table>

B. There shall be provided and maintained at all intersections a clear sight triangle with a line of sight between points 100 feet from the intersection of the street centerlines. No building or other obstruction that would obscure the vision of a motorist shall be permitted within these areas.

C. Proper sight distance shall be provided with respect to both horizontal and vertical road alignments at all intersections.

6. Cul-de-sac Streets

A. Cul-de-sacs in residential developments shall be provided at the closed end with a paved turn-around having a minimum radius to the outer pavement edge or curb line of fifty (50') feet
SUBDIVISION AND LAND DEVELOPMENT

B. Cul-de-sacs in commercial and industrial developments shall be provided with a paved turn-around having a minimum radius to the outer pavement edge or curb line of sixty-five (65') feet.

C. When the Planning Commission determines it necessary for adequate access and egress to the subject property and/or adjacent property, the right-of-way shall be placed adjacent to a property line and a right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.

D. Temporary dead end streets, on approved plans, may be used, provided that the developer, on his own land, constructs a stabilized all weather turn-around of the same radius as would be required for a permanent street, and the turn-around shall be removed when the street is continued.

E. Permanent cul-de-sac streets shall not exceed one thousand (1,000') feet unless topographic conditions warrant increase when approved by the Planning Commission.

7. Intersections.

A. No intersection shall involve the junction of more than two streets.

B. Right-angle intersections shall be used wherever possible. In no instance, however, shall streets intersect at an angle or less than 75 degrees.

C. Intersections shall be approached on all sides by leveling areas. The maximum grade for all leveling areas will be four percent (4%). Intersecting grades of less than seven percent (7%) will have a minimum leveling area length of seventy-five feet (75') measured from the intersections of centerlines. Intersecting grades over seven percent (7%) will have a minimum leveling area length of one hundred feet (100') measured from the intersections of centerlines.

D. All streets intersecting a State road (US, PA or SR) shall be subject to the approval of the Pennsylvania Department of Transportation. The developer shall furnish evidence of such approval in the form of a PennDOT highway occupancy permit or other written form. In addition, any proposed street intersecting a County Road shall require evidence of permit approval from the Luzerne County Road and Bridge Department.

E. Design of curb or edge of pavements must take into account such factors as types of turning vehicles, likely speeds of traffic, angle of turn, etc., but in no instance shall the radius of the curb or edge of pavement be less than the following:
<table>
<thead>
<tr>
<th>Intersection</th>
<th>Curve Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor with Minor Street Minor</td>
<td>15 feet</td>
</tr>
<tr>
<td>with Collector Collector with</td>
<td>25 feet</td>
</tr>
<tr>
<td>Collector</td>
<td>35 feet</td>
</tr>
</tbody>
</table>

F. Minor and collector streets shall not intersect arterial streets on the same side at less than 800 foot intervals and shall be in alignment with any existing or proposed streets intersecting from the opposite side. If two streets that intersect from opposite sides cannot be aligned, then a distance of at least 150 feet shall be provided between the two intersecting centerlines.

G. All proposed streets intersecting a County road shall require evidence of permit approval from the County Engineering Department.

8. **Slope of Bank Along Streets.** The slope of banks along streets measured perpendicular to the street centerlines shall be no steeper than the following:

   A. One foot of vertical measurement for 3 feet of horizontal measurement for fills.
   
   B. One foot of vertical measurement for 2 feet of horizontal measurement for cuts.

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

§22-604. **Off-Street Parking.**

1. **Standards.** Off-street vehicular parking facilities shall be provided in accordance with the requirements of the Sugarloaf Township Zoning Ordinance [Chapter 27].

§22-605. **Access Drives.**

1. **Residential.** Residential access drives shall be designed in accordance with the Sugarloaf Township Zoning Ordinance [Chapter 27].

2. **Commercial and Industrial.** Commercial and industrial access drives shall be designed in accordance with the Sugarloaf Township Zoning Ordinance [Chapter 27].

3. **Private.** Private access drives shall be designed in accordance with the Sugarloaf Township Zoning Ordinance [Chapter 27].
§22-606. **Blocks.**

1. **General.** The length, width and shape of blocks shall be determined with due regard for
   
   A. The provision of adequate sites for buildings of the type proposed.
   
   B. Topography.
   
   C. Any other codes, plans and ordinances.
   
   D. Requirements for safe and convenient vehicular and pedestrian circulation, including the reduction of intersections with major streets.

2. **Residential Block Length.** The length of blocks shall not exceed 1,600 feet or be less than 800 feet.

3. **Commercial and Industrial Blocks.** Adequate provision shall be made for off-street parking and loading areas as well as for traffic circulation and parking for employees and customers.

§22-607. **Lots.**

1. **General.**

   A. No lot shall be created in any manner whatsoever which does not meet the minimum requirements of this Chapter.

   B. If, after subdividing, there exist remnants of land, they shall be incorporated into existing or proposed lots.

2. **Lot Frontage.**

   A. Double or reverse frontage lots shall be avoided except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography, orientation or location.

3. **Lot Soils Evaluation Tests.**

   A. Soil percolation tests shall be performed in accordance with the Pennsylvania Department of Environmental Protection rules and regulations for a proposed subdivision wherein buildings at the time of construction will not be connected to a public sewage disposal system. Each lot must be found satisfactory for onsite sewage disposal prior to approval of the preliminary plan.
B. The soils tests called for above shall be performed in accordance with the regulations of the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer will observe the tests and certify the results.

C. A land planning module for any new subdivision or land development shall be prepared by the developer and approved by the Township and the Pennsylvania Department of Environmental Protection prior to approval of the preliminary plan.

4. **Lot Sizes on Slopes.** Minimum lot area requirements shall be increased based on reports from the Pennsylvania Department of Environmental Protection and the Soil Conservation Service indicating that, because of slope, surface runoff or subsurface drainage of septic tank effluents are likely to result in hazardous conditions.

5. **Unique Lots.**
   
   A. In the case of wedge-shaped lots, no lot shall be less than 35 feet in width measured along the arc at the front street right-of-way line.
   
   B. Flag lots or panhandle lots or lots having a narrow strip of property for the sole purpose of providing access to a public road from a lot which would not otherwise front on a public road are prohibited unless no other reasonable methods for providing access are available. In no case should this be used as a method of avoiding construction of a street. Minimum width of the panhandle, including frontage, shall be 25 feet.

6. **Lot Dimensions.** Minimum lot area, width, setbacks and other dimensional requirements shall be as set forth in the Sugarloaf Township Zoning Ordinance [Chapter 27].

§22.608 **Mobile (Manufactured) Home Parks**

1. Grant of Power. Provisions regulating mobile (manufactured) home parks as set forth in this Part 11 are those pursuant to Section 501 of the Municipalities Planning Code.

2. Purpose, Authority and Jurisdiction. The purpose, authority and jurisdiction for land development as a mobile (manufactured) home park are the same as contained in Part 1 of this Ordinance.

3. General Procedures and Plan Requirements. The General Procedure and Plan Requirements for land developments as a mobile (manufactured) home park shall be in accordance with the requirements contained in Parts 3 and 4 of this Ordinance.
4. Design Standards. The arrangements and other design standards of streets, easements, blocks, lots, stormwater management, erosion and sedimentation control, and flood plain regulations shall be in accordance with the requirements contained in Part 6 of this Ordinance, and the Sugarloaf Township Zoning Ordinance.

5. Improvements and Construction Requirements. In a mobile (manufactured) home park all improvements, construction requirements, and engineering specifications for the improvements required, shall be provided in accordance with Part 6 and Part 7 of this Ordinance.

6. Fees. The fee schedule for filing, inspection and engineering fees for land development as a mobile (manufactured) home park shall be in accordance with the requirements as set forth in the Sugarloaf Township Schedule of Fees.

§22.609 Open Space Designation

A. All land held for open space shall be so designated on the plans. The plans shall contain the following statement for lands in the categories listed in subsection B below:

"Open space land may not be separately sold, nor shall such land be further developed or subdivided."

B. In designating the use of open space and the type of maintenance to be provided on the plan, the following classes may be used:

(1) Lawn. A grass area with or without trees that may be used by the residents for a variety of purposes and that shall be mowed regularly to insure a neat and tidy appearance.

(2) Natural area. An area of natural vegetation, undisturbed during construction or related activities. Such areas may contain pathways. Meadows shall be maintained as such and not left to become weed infested. Maintenance may be minimal, but shall prevent the proliferation of weeds and undesirable plants such as honeysuckle and poison ivy. Litter, dead trees and brush shall be removed, and streams shall be kept in free-flowing condition.

(3) Recreation area. An area designated for a specific recreation use, including, but not limited to, tennis, swimming, shuffleboard, playfield and tot lot. Such areas shall be maintained so as to avoid creating a nuisance, and shall perpetuate the proposed use.
Agricultural area. An area designated for the preservation of Class I, II and III agriculture soils for agricultural usage, as may be required by the Zoning Ordinance. Such open space areas shall be designed to provide the maximum amount of farmland for usable fields or garden plots.

§22.610 Conveyance and Maintenance of Open Space

All open space shall be shown by a metes and bounds plan and description on the final plan as filed with the municipality and subsequently recorded in the Office of the Recorder of Deeds of Luzerne County and must be conveyed in accordance with the following procedures:

A. Open space to be provided in accordance with certain Sections of this ordinance may be offered for dedication to the municipality, although the municipality need not accept any such offers. Provision for ownership and maintenance of the open space shall be made in a manner so as to ensure its effectiveness. No zoning permit for any development which provides for a open space shall be issued until there has been an acceptable disposition of the open space. This shall be accomplished in one of the following manners:

1. The municipality may accept dedication of the open space or any interest therein for public use and maintenance, but the municipality need not accept a dedication of the open space if offered;

2. With permission of the municipality, and with appropriate deed restrictions in favor of the municipality and in language acceptable to the municipality's Solicitor, the developer may transfer the fee simple title in the open space or a portion thereof to a private, not-for-profit organization, provided that:
   a. The organization is acceptable to the municipality and is a bona fide organization with a perpetual existence;
   b. The conveyance contains appropriate provision for proper retransfer or reverter in the event that the organization becomes unable or unwilling to continue to carry out its functions, and;
   c. A maintenance agreement acceptable to the municipality is entered into by the developer, the organization and the municipality;

3. The developer shall provide for and establish an organization for the ownership and maintenance of the open space consistent with the requirements for unit owners' associations found in the Pennsylvania Uniform Condominium Act, 68 Pa. C.S.S. 33101 et seq. If such an organization is created, the deeds for the open space and for all individual lots within the development shall contain the following requirements in language acceptable to the municipality's Solicitor.
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a. Such organization shall not dispose of the open space by sale or otherwise except to the municipality or other government body unless the municipality has given prior approval. Such transfer shall be made only to another organization that shall maintain the open space in accordance with the provisions of this Ordinance;

b. The organization and all lot owners within the development shall agree to maintain the open space. If private ownership fails to do so, the municipality may proceed to maintain an open space and may assess and lien the properties within the development accordingly;

c. All lot owners shall be required to become members of the organization and pay assessments for the maintenance of the open space, which may be increased for inflation and which may provide for professional management.
IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

§22-701. Monuments and Markers.

Monuments and markers must be placed so that the scored or marked point coincides exactly with the point of intersection of the lines being monumented. They must be set so that the top of the monument or marker is level with the finished grade of the surrounding ground. Monuments must be marked on top with a copper or brass plate or dowel set in the concrete.

A. Monuments.

(1) Monuments shall be set:

   (a) At the intersections of all right-of-way lines.

   (b) At the intersection of lines forming angles in the boundaries of the development.

   (c) At such intermediate points as may be required by the Engineer.

B. Markers.

(1) Markers shall be set:

   (a) At all lot corners except those monumented.

   (b) Prior to the time the lot is offered for sale.

(2) Marker shall be 3/4 of an inch square or 3/4 of an inch in diameter, 15 inches long. Markers shall be made of iron pipes or iron or steel bars.

C. Removal. Any monuments or markers that are removed must be replaced by a registered surveyor at the expense of the person removing them.

§22-702. Streets.

Streets may be surfaced to the grades and dimensions drawn on the plans, profiles and cross sections submitted by the subdivider and approved by the Township. Before paving the street surface, the subdivider must install the required utilities and provide, where necessary, adequate stormwater drainage for the streets, as acceptable to the Township. Streets shall be constructed in accordance with Exhibit C, and in accordance with Sugarloaf Township Ordinance No. 68 of 1996, and as follows:
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A. Public Streets.

(1) Minor Street. Minor streets shall be constructed with a 6-inch stone base, 4-inch BCBC, and 1.5 inch ID-2A in accordance with current PennDOT specifications.

(2) Collector Street. Collector streets shall be constructed with a 6-inch stone base, 4-inch BCBC, and 1.5 inch ID-2A in accordance with current PennDOT specifications.

(3) Arterial Streets. For the construction of arterial roads or highways, the subdivider shall consult with and be governed by the Pennsylvania Department of Transportation for the method of construction to be used. The Township shall decide if a collector or arterial street is required as a direct result of the construction of this subdivision in which case the subdivider is responsible for paving the additional width required.

B. Private Streets.

(I) Streets not offered for dedication shall be provided with a surface adequate to prevent erosion and deposition of sediment on intersecting public streets.

(2) Whenever a subdivider proposed to establish a street which is not offered for dedication to public use, the Board of Supervisors may require the subdivider to submit, atld also to record with the plan, a copy of an agreement made with the Township on behalf of his heirs and assigns, and signed by the Township Solicitor, and which shall establish the conditions under which the street may later be offered for dedication atld shall stipulate among other things:

   (a) That the street shall conform to appropriate specifications or that the owners of the abutting lots shall include with the offer of dedication sufficient money, as estimated by the Township Engineer, to restore the street to conformance to specifications.

   (b) That an offer to dedicate the street shall be made only for the street as a whole.

   (c) That the method of assessing repair costs be as stipulated.

   (d) That agreement by the owner or more than 50% of the front footage thereon shall be binding on the owners of the remaining lots.

§22-703. Curbs and Gutters.

1. In any new or proposed subdivision, curbs shall be installed on each side of the street along with catch basins, stormwater pipes and sidewalks as required by the Township.
2. Curbs, catch basins and sidewalks are also required along each side of a street in any new subdivision where the subdivision was approved prior to the effective date of this amendatory ordinance but work has not commenced on the paving of the street by the time of enactment hereof.

3. Curbs and catch basins may also be required along any existing street regardless of lot size where curbs are necessary to control the flow of surface water and regulate traffic, and/or where lot widths are 80 feet or less.

4. Curbs, catch basins and sidewalks shall be provided in all streets and parking compounds located within multifamily development projects.

5. All curbs shall be vertical curbs constructed of Portland cement concrete. The construction of curbs shall conform to the requirements of §715, Plain Cement Concrete Curb, Type A of the Pennsylvania Department of Transportation, or to the plans attached hereto as Exhibit "A". The construction of catch basins shall conform to Exhibit "A" attached hereto. Sidewalks shall be constructed of Portland cement concrete.

§22-704. Sidewalks.

1. The Township may require installation of sidewalks in any subdivision or development where the evidence indicates that sidewalks are necessary for public safety.

   A. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curb line.

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

   C. Sidewalks shall be constructed according to Pennsylvania Department of Transportation standards, and in accordance with Exhibit "A" hereof.


1. Private and Onsite Sewer System.

   A. All properties shall be connected to a public sanitary sewer system if the development submitted is located within 1,000 feet of an existing line and provided that treatment capacity is available or can be developed assuming reasonable/feasible cost as determined by the Township Engineer. Sanitary sewers shall be constructed in accordance with the specifications set forth in Exhibit "E" hereof.
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B. If connection to a public system is not possible, a report on the feasibility of constructing a separate sewage system may be required by the Township, and a report shall be submitted by the developer setting forth the findings. The plans for installation of a private water supply system shall be prepared by the developer and approved by the Pennsylvania Department of Environmental Protection.

C. Where none of the above alternatives are possible or feasible, an individual sewage disposal system consisting of a septic tank and tile absorption field or other approved sewage disposal system shall be provided for each lot at the time improvements are erected or installed thereon. All such individual sewage disposal systems shall be constructed in accordance with the Pennsylvania Department of Environmental Protection regulations.

2. **Private and Onsite Water Systems.** Where a water supply system is within 1,000 feet of a proposed development, the developer shall provide the development with a complete water supply system to be connected to the existing water supply system. If connection to a public water supply system is not possible, a report on the feasibility of constructing a separate water supply system may be required by the Township and a report shall be submitted setting forth the findings. The plans for installation of a private water supply system shall be prepared by the developer, and approved by the Pennsylvania Department of Environmental Protection. Upon completion of any water supply system, the plan for the system built shall be filed with the Township. Where none of the above alternatives are possible or feasible, an individual water supply system shall be installed.

A. The water supply yield shall be adequate for the type of development proposed.

B. The installation of such systems shall not endanger or decrease groundwater supplies of adjacent properties.

C. Any such individual systems shall meet any applicable Pennsylvania Department of Environmental Protection regulations.

§22-706. **Stormwater Management.**

Stormwater management facilities shall be designed and constructed in accordance with the rules, regulations and requirements of the Sugarloaf Township Stormwater Management Ordinance [Chapter 21]. All stormwater detention ponds are required to be fenced with not less than a 4-foot chain linked fence with locking gate.

§22-707. **Erosion and Sedimentation.**

All development applications which involve grading or excavation shall conform to the requirements of the rules and regulations of the Pennsylvania Department of Environmental Protection pertaining to erosion and sedimentation. It shall be the responsibility of the applicant to secure approval of the Department of Environmental Protection. Approval of plans by the Township shall not be construed as approval under such regulations.
§22-708. **Floodplain.**

1. The floodplain corridor shall be defined and established as the area of inundation which functions as a storage or holding area for flood water to a width required for a 100 year flood, as delineated in one of the following reports:

   A. A hydrologic report prepared by an individual registered in the Commonwealth of Pennsylvania to perform such duties.

   B. A hydrologic report prepared by an agency of the U.S. Government.

2. In case of any dispute concerning the boundaries of a floodplain corridor, the Township shall determine the ultimate location.

3. Whenever a floodplain is located within or along a proposed land development, the plan shall include the location of the floodplain with a plan note that:

   A. The floodplain shall be kept free of structures, fill and other encroachments.

   B. Any structure located within the floodplain shall be flood proofed to the limits of the floodplain corridor.

4. All floodplain lands shall be excluded in the minimum lot area calculations. Additionally, the floodplain area shall be identified by elevation or by approximate distance from the centerline of the stream channel. Floodplain lines need not be identified by distances and bearings.

5. No subdivision and/or land development, or part thereof, shall be approved if the proposed development and/or improvements will, individually or collectively, increase the 100 year flood elevation more than 1 foot at any point.

6. If it is determined that only a part of the proposed subdivision can be safely developed, the Township shall limit development to that part and shall require that development proceed consistent with this determination.

§22-709. **Fire Hydrants.**

Fire hydrants shall be installed in all subdivisions or land developments which are served by a public water system. The type and the location of such hydrants shall be subject to the approval of the Township Engineer.
§22-710.  **Wetlands.**

Any crossing, destruction, and replacement of wetlands will be under the Jurisdiction of the Department of Environment Protection (DEP) and the United States Army Corp of Engineers.

All permits shall be obtained before any subdivision approval is granted.
§22-801. Securities.

No plan shall be finally approved unless evidence has been provided that the subdivider or developer has installed the necessary street and other improvements as required in Part 7 in accordance with Township standards and specifications; or that the subdivider or developer has furnished the Township with the following assurances that said improvements will be installed:

A. A written agreement concerning improvements not yet completed in a form provided by the Township that the subdivider or developer will lay out and improve roads and streets, erosion and sediment control facilities, underground utilities and construct all of the improvements required in Part 7 as a condition of the approval of the plan by the Board of Supervisors within the time or times specified therein.

B. Deposit with the Township of financial security in an amount sufficient to cover the costs of such improvements or common amenities including, but not limited to, roads, stormwater detention and/or retention basins and other related drainage facilities, open space improvements or buffer or screen plantings which may be required.

C. When requested by the applicant, in order to facilitate financing, the Township will furnish the applicant with a signed copy of a resolution identifying approval of the plat contingent upon the developer obtaining a satisfactory financial security. The final plat or record plan shall not be signed nor recorded until the financial improvements agreement is executed. The resolution or letter of contingent approval shall expire and be deemed to be revoked if the financial security agreement is not executed within 90 days unless a written extension is granted by the Township.

D. The amount of financial security to be posted for the completion of the required improvements shall be equal to 110% of the cost of completion estimated as of 90 days following the date scheduled for completion by the developer. Annually, the Township may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the execution of the 90th day after either the original date scheduled for completion or the rescheduled date of completion. Subsequent to said adjustment, the developer shall post additional security in order to assure that the financial security equals 110%. Any additional security shall be posted by the applicant in accordance with the requirements of this Part.
E. 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 bonding institution is authorized to conduct said business within the Commonwealth. In lieu of a bond, the subdivider or developer may deposit cash or securities with the Township or with a bank or trust company to guarantee performance of said contract and to secure completion of the improvements under an escrow agreement approved by the Township Solicitor and Board of Supervisors. The amount of the bond or other guarantee shall be sufficient to cover the cost of required improvements as estimated by the Engineer. The escrow agent for the deposits of such cash or securities shall be designated and selected by the Board of Supervisors.

F. Such bond or other security shall provide for, and secure to the public, the completion of any improvements which may be required on or before the date fixed in the formal action of approval or accompanying agreement for completion of the improvements.

G. Federal or Commonwealth chartered lending institutions irrevocable letters of credit and restrictive or escrow accounts in such lending institutions are acceptable forms of financial security which may be utilized by an applicant to comply with the requirements of this Part.

H. The amount of financial security required shall be based upon an estimate of the cost of completion of the required improvements, submitted by an applicant or developer and prepared by a professional engineer licensed as such in this Commonwealth and certified by such engineer to be a fair and reasonable estimate of such cost. The applicant shall not be required to provide financial security for the costs of any improvements for which financial security is required by and provided to the Department of Transportation in connection with the issuance of a highway occupancy permit pursuant to Section 420 of the act of June 1, 1945 (P.L.1242, No. 428) known as the "State Highway Law." The Township, upon the recommendation of the Township Engineer, may refuse to accept such estimate for good cause shown. If the applicant or developer and the Township are unable to agree upon an estimate, then the estimate shall be recalculated and recertified by another professional engineer licensed as such in this Commonwealth and chosen mutually by the Township and the applicant or developer. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of said engineer shall be paid equally by the Township and the applicant or developer.

I. If the party posting the financial security requires more than 1 year from the date of posting of the financial security to complete the required improvements, the amount of financial security may be increased by an additional 10% for each 1 year period beyond the first anniversary date from posting of financial security or to an amount not exceeding 110% of the cost of completing the required improvements as reestablished on or about the expiration of the preceding 1 year period by using the above bidding procedure.
In the case where development is projected over a period of years, the Township may authorize submission of final plats by section or stages of development subject to such requirements or guarantees as to improvements in future sections or stages of development as it finds essential for the protection of any finally approved section of the development.

K. As the work of installing the required improvements proceeds, the party posting the financial security may request the Township to release or authorize the release, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the Township, and the Township shall have 45 days from receipt of such request within which to allow the Township Engineer to certify, in writing, to the Township that such portion of the work upon the improvements has been completed in accordance with the approved plat. Upon such certification the Township shall authorize release by the bonding company or lending institution of an amount as estimated by the Township Engineer fairly representing the value of the improvements completed, or if the Township fails to act within said 45 day period, the Township shall be deemed to have approved the release of funds as requested. The Township may, prior to final release at the time of completion and certification by its Engineer, require retention of 10% of the estimated cost of the aforesaid improvements.

L. 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 plat for a term not to exceed 18 months from the date of acceptance of dedication. Said financial security shall be of the same type as otherwise required in this Section with regard to installation of such improvements, and the amount of the financial security shall not exceed 15% of the actual cost of installation of said improvements.

M. If water mains or sanitary sewer lines, or both, along with apparatus or facilities related thereto, are to be installed under the jurisdiction and pursuant to the rules and regulations of a public utility or Municipal Authority separate and distinct from the Township, financial security to assure proper completion and maintenance thereof shall be posted in accordance with the regulations of the controlling public utility or Municipal Authority and shall not be included within the financial security as otherwise required by this Part.

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

O. Release from Improvement Bond. When the developer has completed all of the necessary and appropriate improvements, the developer shall notify the Township in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Township Engineer. The Township shall within 10 days after receipt of such notice, direct and authorize the Township Engineer to inspect all of the aforesaid improvements. The Township Engineer shall, thereupon, file a report, in writing, with the Township, and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed within 30 days after receipt by the Township Engineer of the aforesaid authorization from the Township. Said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part, and if said improvements, or any portion thereof, shall not be approved or shall be rejected by the Township Engineer, said report shall contain a statement of reasons for such nonapproval or rejection.

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

Q. If the Township or the Township Engineer fails to comply with the time limitation provisions contained herein, all improvements will be deemed to have been approved and the Developer shall be released from all liability, pursuant to its performance guarantee bond or other security agreement.

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

S. Nothing herein, however, shall be construed in limitation of the developer's right to contest or question by legal proceeding or otherwise, any determination of the Township or the Township Engineer.

T. Where herein reference is made to the Township Engineer, he shall be as a consultant thereto.

U. The applicant shall reimburse the Township for expenses incurred for the inspection of improvements. Such reimbursement shall be in accordance with the Sugarloaf Township Subdivision and Land Development Fee Schedule which is in effect at the time the inspection(s) is performed.
V. Remedies to Effect Completion of Improvements. In the event that any improvements which may be required have not been installed as provided by this Chapter or in accordance with the approved final plat the Township may enforce any corporate bond, or other security by appropriate legal or equitable remedies. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the Township may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other Township purpose.
PART 9

MODIFICATIONS

§22-901. General.

Where literal enforcement of the provisions of this Chapter would exact undue hardship because of peculiar conditions pertaining to the land in question, the Board of Supervisors may, upon the request of the applicant in accordance with the provisions of §22-902, grant a modification of the requirements of one or more provisions of this Chapter, provided that such modification will not be contrary to the public interest and that the purpose and intent of this Chapter is observed.

§22-902. Procedure.

1. All requests for a modification shall be in writing and shall accompany and be a part of the submission of the plan, preliminary and/or final, to which it refers. All requests shall be shown on the plan. The request shall state in full the grounds and facts unreasonableness or hardship on which the request is based or an alternative standard that can be demonstrated to provide equal or better results. The provisions unreasonableness or provision of this Chapter involved shall allow the minimum modification requested as necessary.

2. All requests for modification(s) to provisions(s) of this Chapter may be referred to the Township Planning Commission for advisory comments.

3. All requests for modification(s) to provision(s) of this Chapter shall be reviewed by and shall have effect only when approved by the Board of Supervisors.

4. A record of the action on all modifications from the provisions of this Chapter shall appear in the official minutes of the Board of Supervisors.
PART 10

ADMINISTRATION, ENFORCEMENT AND PENALTIES

§22-1001. Administration and Enforcement.

1. The Sugarloaf Township Supervisors shall have the duty and authority for the administration and general enforcement of the provisions of this Chapter as specified or implied herein.

2. Permits required by the Township for the election or alteration of buildings, the installation of sewers or sewage disposal systems, or for other appurtenant improvements to, or use of, the land, shall not be issued by any Township official until he has ascertained that the site for such building, alteration, improvement or use is located in a development approved and publicly recorded in accordance with the provisions of this Chapter. Also, such permits shall be issued only after it has been determined that the site for such building, alteration, improvement or use conforms to the site description as indicated by the approved and recorded final plat or other land description acceptable in accordance with the provisions of this Chapter and that it is in compliance with all applicable provisions of this Chapter.

3. The Township Building Permit Officer shall require that applications for building permits contain all the information necessary for him to ascertain that, and he shall not issue any building permit until he determines that, the site and plan for the proposed building, alteration or other improvement is acceptable in accordance with the provisions of this Chapter. The Township Sewage Enforcement Officer shall require that applications for sewage disposal system permits contain all the information for him to ascertain that and he shall not issue any sewage disposal system permit until he determines that the site for the proposed system is acceptable in accordance with the provisions of this Chapter.

§22-1002. Enforcement Remedies.

Any person, partnership or corporation who or which has violated any provision of this Chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the 5th day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a respective violation.
§22-1003. Preventative Remedies.

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

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

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

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

§22-1004. Fees.

1. Review Fees.

   A. Review fees may include reasonable and necessary charges by the municipality's professional consultant for review and report thereon to the municipality. Such review fees shall be based upon a schedule established by a resolution of the Township Supervisors. Such review fees shall be reasonable and in accordance with the ordinary and customary charges for similar service in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant for comparable services to the Township for services which are not reimbursed or otherwise imposed on applicants. Fees charged to the Township
SUBDIVISION AND LAND DEVELOPMENT

relating to any appeal of a decision shall not be considered review fees and may not be charged to the applicant

B. The Township shall submit to the applicant an itemized bill showing work performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such review fees, the applicant shall, no later than 45 days after the date of transmittal of the bill to the applicant, notify the Township and the Township's professional consultant that such fees are disputed and shall explain the basis of their objections to the fees charged, in which case the Township shall not delay or disapprove applicant's project due to such dispute over fees. Failure of the applicant to dispute a bill within 45 days shall be a waiver of the applicant's right to arbitration of that bill under Section 22.1004. 2C, 2D, 2E and 2F hereof.

C. In the event that the Township's professional consultant and the applicant cannot agree on the amount of review fees which are reasonable and necessary, then the applicant and the Township shall follow the procedure for dispute resolution set forth in Section 22.1004. 2C, 2D, 2E and 2F hereof, provided that the arbitrator resolving such dispute shall be of the same profession or discipline as the professional consultant whose fees are being disputed.

D. Subsequent to a decision on an application, the Township shall submit to the applicant an itemized bill for review fees, specifically designated as a final bill. The final bill shall include all review fees incurred at least through the date of the decision on the application. If for any reason additional review is required subsequent to the decision, including the conditions of the approval, the review fees shall be charged to the applicant as a supplement to the final bill.

2. Inspection Fees

The applicant shall also reimburse the municipality for the reasonable and necessary expense incurred in connection with the inspection of improvements. The applicant shall not be required to reimburse the governing body for any inspection which is duplicative of inspections conducted by other governmental agencies or public utilities. The burden of proving that any inspection is duplicative shall be upon the objecting applicant. Such reimbursement shall be based upon a schedule established by resolution of the Township Supervisors. Such expense shall be reasonable and in accordance with the ordinary and customary fees charged by the municipality's professional consultant for work performed for similar services in the community, but in no event shall the fees exceed the rate or cost charged by the professional consultant to the municipality for comparable services when fees are not reimbursed or otherwise imposed on applicants.

A. The Township shall submit to the applicant an itemized bill showing the work performed in connection with the inspection of improvements performed, identifying the person performing the services and the time and date spent for each task. In the event the applicant disputes the amount of any such expense in connection with the inspection of improvements, the applicant shall, no later than
30 days after the date of transmittal of a bill for inspection services, notify the Township and the Township's professional consultant, that such inspection expenses are disputed as unreasonable or unnecessary and shall explain the basis of their objections to the fees charged, in which case the municipality shall not delay or disapprove a request for release of financial security, a subdivision or land development application or any approval or permit related to development due to the applicant's dispute of inspection expenses. Failure of the applicant to dispute a bill within 30 days shall be a waiver of the applicant's right to arbitration of that bill under this section.

B. Subsequent to the final release of financial security for completion of improvements for a subdivision or land development, or any phase thereof, the professional consultant shall submit to the Township a bill for inspection services, specifically designated as a final bill. The final bill shall include inspection fees incurred through the release of financial security.

C. If the professional consultant and the applicant cannot agree on the amount of expenses which are reasonable and necessary, then the applicant shall have the right, within 45 days of the transmittal of the final bill or supplement to the final bill to the applicant, to request the appointment of another professional consultant to serve as an arbitrator. The applicant and professional consultant whose fees are being challenged, shall, by mutual agreement, appoint another professional consultant to review any bills the applicant has disputed and which remain unresolved the said expenses and make a determination as to the amount thereof which is reasonable and necessary. The arbitrator shall be of the same profession as the professional consultant whose fees are being challenged.

D. In the event that the Township's professional consultant and applicant cannot agree upon the arbitrator to be appointed within 20 days of the request for appointment of an arbitrator, then, upon application of either party, the President Judge of the Court of Common Pleas (or if at the time there be no President Judge, then the senior active judge then sitting) shall appoint such arbitrator, who, in that case, shall be neither the Township's professional consultant nor any professional consultant who has been retained by, or performed services for, the Township or the applicant within the preceding five years.

E. The arbitrator so appointed shall hear such evidence and review such documentation as the arbitrator in his or her sole opinion deems necessary and render a decision no later than 50 days after the date of appointment. Based on the decision of the arbitrator, the applicant or the professional consultant whose fees were challenged shall be required to pay any amounts necessary to implement the decision within 60 days. In the event the Township has paid the professional consultant an amount in excess of the amount determined to be reasonable and necessary, the professional consultant shall within 60 days reimburse the excess payment.
F. The fee of the arbitrator shall be paid by the applicant if the review fee charged is sustained by the arbitrator, otherwise it shall be divided equally between the parties. If the disputed fees are found to be excessive by more than $5,000, the arbitrator shall have the discretion to assess the arbitration fee in whole or in part against either the applicant or the professional consultant. The Township Supervisors and the consultant whose fees are the subject of the dispute shall be parties to the proceeding.
MAINTENANCE BOND

§22-1101. Dedication of Improvements.

Upon installation by the developer and subsequent inspection by the Township Engineer, the developer shall take final steps to dedicate the improvements and have them accepted by the Township. The recording of the final plan, following approval by the Board of Supervisors has the effect of an irrevocable offer to dedicate all streets and other public ways and areas to public use. The offer, however, does not impose any duty on the Township concerning maintenance or improvements until the proper authorities of the Township have made actual acceptance, either by ordinance or resolution.

§22-1102. Maintenance Bond and Repairs.

1. Maintenance Bond.

A. At the time of acceptance of the improvements by the Township, and as a condition to the acceptance of the improvements, the developer shall deposit with the Township a corporate bond, or other security acceptable to the Planning Commission with the advice of the Township, in an amount equal to 1/2 of the completion bond, which bond or security shall be held by the Township for a minimum period of 1 year and a maximum period of 2 years as a maintenance bond. Such bond or other security shall provide for and secure to the public the maintenance of any improvements in the development and the correction of any defects found in the improvements during the maintenance bond period.

B. In the event of failure of such improvements because of faulty materials, faulty workmanship or for any reason during the maintenance bond period the Township shall notify the developer, in writing, by certified or registered mail of the defect.

C. Upon notification of the defect, the developer shall have 30 days, if notified before November 1 or after March 15, within which to being correction of the defect. If the defect if reported to the developer after November 1 and before March 15, the developer shall have until April 15 to begin correction of the defect. The correction of said defect shall be completed within 60 days after start of the correction.
D. If the developer fails to being to correct said defect within the time period set forth in subsection (C), above, and/or fails to correct said defect within 60 days of the start of said work, the Township is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If the proceeds of such bond or other security are sufficient to pay the cost of making repairs or connections to all the improvements covered by such security the Township may, at its option, institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the repairs and corrections. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the correction and repairs to the improvements covered by such security and not for any other Township purpose.

E. Nothing in this Section, however, shall be construed in limitation of the developer's right to contest or question by legal proceedings or otherwise and determination of the Township or the Township Engineer as to the defects.

2. Repairs.

A. The repairs and corrections to be done by the developer shall be completed in a good and workmanlike manner.

B. Before the Township shall accept said repairs and corrections they shall be inspected by the Township Engineer.

C. When the developer has completed all the necessary and appropriate corrections and repairs, the developer shall notify the Township in writing, by certified mail, of the completion of the aforesaid repairs and corrections and shall send a copy thereof to the Township Engineer. The inspection and notification procedure shall then follow that outlined in §22-1002 until the repairs and corrections are accepted by the Township.
PART 12

Amendments; Severability; Repealer

§22-1200 Amendments

The regulations set forth in this Ordinance may, from time to time, be amended by the governing body, pursuant to Article V of the Municipalities Planning Code, as amended.

§22-1201 Severability

It is hereby declared to be the legislative intent that:

A. If a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions that are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

B. If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to a lot, building, or other structure, or tract of land, to be invalid or ineffective, in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the controversy, and the application of any such provision to other persons, property or situations shall not be affected.

§22-1202 Repealer

All ordinances and resolutions of the Township of Sugarloaf inconsistent herewith or with any part thereof are hereby repealed to the extent of such inconsistency.

§12-1203 Effective Date

This Ordinance shall become effective at the earliest period allowed by law.
§12-1204 Enactment

Enacted and ordained into an Ordinance this 9th day of August 2005.

BOARD OF SUPERVISORS OF THE TOWNSHIP OF SUGARLOAF

Chairman
ROBERT M. STANZIOLA

ATTEST:

Secretary
EARL T. MILLER
ORDINANCE __1__ OF 2016

AN ORDINANCE AMENDING THE SUGARLOAF TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND CREATING A LOT CONSOLIDATION SUBDIVISION PROCEDURE

THE SUGARLOAF TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE IS AMENDED AS FOLLOWS:

CHAPTER 22 SUBDIVISION AND LAND DEVELOPMENT

AMEND INDEX AS FOLLOWS:

PART3
PROCEDURES AND PLAN REQUIREMENTS

§22-302.A Lot Consolidation
§ 22-302.B Sketch Plan

AMEND PART 2 AS FOLLOWS:

PART2
DEFINITIONS

§22-201. Definitions. Add Lot Consolidation:

Lot Consolidation: A subdivision which involves the combination of a maximum of three (3) adjoining lots of record as shown in the Office of the Recorder of Deeds in and for Luzerne County and which eliminate, move or adjust lot lines but do not involve the creation of any additional lot or lot lines. (See subdivision - minor)

AMEND PART 3 AS FOLLOWS:

PART3
APPLICATION PROCEDURES AND PLAT REQUIREMENTS

§22-302. Is amended as follows:

§22-302.A. Lot Consolidation

A subdivision which involves the combination of a maximum of three (3) lots of record as shown in the Office of the Recorder of Deeds in and for Luzerne County. The applicant shall certify, by affidavit, to the Planning Commission

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that the subject lots are, in fact, on record. The subdivision does not involve the creation of any new lot lines but eliminates, moves or adjusts lot lines. The lot consolidation plan as prepared by a Pennsylvania Licensed Professional Land Surveyor with all necessary surveys and legal descriptions shall be submitted to the Township for review and approval by the Sugarloaf Township Planning Commission.

A new map, deed and affidavit for such lot consolidation shall be recorded. The "owner's affidavit" shall be in such form as required by the Planning Commission and shall include a reference to the parcel identification numbers of the subject lots and the book and page or other information as to where the original lot information is recorded.

All documents to be recorded to effect any "Lot Consolidation" shall be in such form as approved by the Planning Commission. The fee for a Lot Consolidation subdivision shall be established by resolution of the Board of Supervisors.

§ 22-302.B Sketch Plan

Balance of sketch plan and section remains unchanged.

The remainder of the Ordinance is confirmed and remains unchanged.

ENACTED, ORDAINED AND APPROVED by the Supervisors of Sugarloaf Township, Luzerne County, Pennsylvania on this 8th day of March, 2016.

Rick Weaver, Chairman

John C. Wittig, Vice Chairman

Richard E. Yost, Sec/Treasurer

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APPENDIX “A”
ROAD CONSTRUCTION SPECIFICATIONS
AND
SANITARY SEWER SPECIFICATIONS
CURB AND SIDEWALK SPECIFICATIONS
(Exhibit 'A')

CURB - SIDEWALK DETAIL
NO SCALE

NOTE: ROAD CONSTRUCTION PER SUGARLOAF TOWNSHIP
AND PENNDOTT FORM 408

NOTES:
1. ALL CONCRETE TO BE 4000 PSI.
2. AREA TO BE SEALED HOT BITUMINOUS

DATE: 5-4-2004
TYPE C INLET SPECIFICATIONS
(EXHIBIT 'B')

ALL CONSTRUCTION TO CONFORM TO PENN DOT FORM 408

DATE: 5-4-2004
ROAD SPECIFICATIONS
(EXHIBIT 'C')

TYPICAL ROAD CROSS-SECTION
CURB STREET PARKING ONE SIDE WITH SIDEWALKS
NO SCALE

NOTE: ROAD CONSTRUCTION PER SUGARLOAF TOWNSHIP
AND PENNDOT FORM 408
DATE: 5-4-2004
DRIVEWAY - DROP CURB SPECIFICATIONS
(EXHIBIT 'D')

NOTE: ROAD CONSTRUCTION PER SUGARLOAF TOWNSHIP AND PENNDOT FORM 408.

DATE 5-4-2004
FINISHED
GRADE

40' O.D. MINIMUM

MANHOLE FRAME & COVER
QUIRIN MODEL (MHR-70)-10
OR APPROVED EQUAL.

NOTE: COURSES OF
GRADE RINGS
SHALL BE USED TO ADJUST FRAME & COVER
TO FINISHED GRADE.

NOTE: MANHOLE FRAME SHALL BE
SET IN A BED OF MORTAR SO THAT
THE TOP OF THE FRAME CONFORMS
WITH THE SLOPE OF PAVED STREET
SURFACES.

NOTE: MANHOLE SECTIONS SHALL BE
TONGUE AND GROOVE WITH MORTAR
JOINTS OR APPROVED RUBBER RING
GASKET.

NOTE: AFTER MANHOLE IS SET, THE
ENTIRE OUTER SURFACE SHALL BE
COATED WITH BITUMASTIC.

NOTE: ALL SEWER LINE CONNECTIONS
TO MANHOLES SHALL BE ENCASED
WITH CLASS I CONCRETE FOR A
MINIMUM DISTANCE OF FIVE FEET
OR UNTIL THE SPECIFIED WIDTH
OF TRENCH IS REACHED.

10' X 12'
POLYPROPYLENE PLASTIC
MH STEPS
INSTALLED BY MH MFG.

& 12' G.G. INDUSTRIES, INC. OR EQUIV.

5'

48' DIA

6' MINIMUM

CHANNEL

SECTION A-A

DETAIL NO. S.D.-23
SCALE: NONE

POUR ON
UNDISTURBED EARTH.
S2R5K-1
NOTE: DROP CONNECTIONS SHALL BE INSTALLED WHEN THE PIPE INVERTS IN ARE 2'-0' OR MORE ABOVE THE INVERT OUT OF THE MANHOLE.

NOTE: FOR DIMENSIONS AND SPECIFICATIONS SEE DETAIL NO. S.D.-23

CONCRETE ENCASEMENT 6" MINIMUM

60° INVERTED WYE BRANCH

30° BEND

FINISHED GRADE

SECTION B-B

DETAIL NO. S.D.-24
SCALE: NONE
SOURCER-2
NOTE: MANHOLE INVERTS PR CHANNELS TO BE FORMED IN BASE BY THE INSTALLATION OF CHANNEL PIPE AND FITTINGS. CHANGES IN SIZE, GRADE, AND DIRECTION TO BE MADE SMOOTHLY AND EVENLY WITH AS LARGE A RADIUS POSSIBLE. PRECAST REINFORCED CONCRETE TO BE IN ACCORDANCE WITH ASTM C478-61T.
INFLOW PROTECTOR COVER
SIZE            STOCK #
21" TO 26" O.D.  46520
26" TO 30" O.D.  46522
30" TO 40" O.D.  46524

USABluebook OR EQUIVALENT
(SHOWN)
ABS PLASTIC

MANHOLE COVER
MANHOLE BASE

GAS RELIEF VALVE
INFLOW PROTECTOR COVER

MANHOLE INFLOW PROTECTOR

DETAIL NO. SD-34
SCALE: NONE
SHEET-4
RESTORE WITH 4" TOPSOIL AND RESEED W/PA.DOT FORMULA "B" @ 2# PER 1000 SQ.YRS. MULCH WITH STRAW @ 1200# PER 1000 SQ.YRS.

COMPACTED AASHTO #8 (2-B) BEDDING MATERIAL

UNDISTURBED EARTH

TRENCH DETAIL IN UNIMPROVED AREAS
DETAIL NO. S.D.-28
SCALE: NONE
SERNR-6
SUBDIVISION AND LAND DEVELOPMENT

BEDDING DETAILS

WATER MAINS, STORM SEWERS
AND FORCE MAINS

CONCRETE OR CRUSHED STONE

TRENCH SUB-GRADE

CONCRETE OR CRUSHED STONE

GRAVITY SANITARY SEWERS

CONCRETE ENCASEMENT DETAIL
NOTE: CONCRETE BEDDING OR ENCASEMENT
SHALL NOT BE USED WITH TRUSS PIPE

DETAIL NO. SD-32
SCALE: NONE
SPEA-7

6" DIA. TO 15" DIA. = 4'
10" DIA. TO 42" DIA. = 6'

6" DIA. TO 24" DIA. = 6'
27" DIA. TO 39" DIA. = 9'
42" DIA. = 10'
TYPICAL HOUSE CONNECTION
SANITARY SEWER
detail no. S.D.-26
scale: none
SEWER-3
SUBDIVISION AND LAND DEVELOPMENT

RIGHT-OF-WAY LINE, CURB LINE OR PROPERTY LINE IF THERE IS NO EXISTING CURB LINE OR DESIGNATED CURB LINE.

DIRECTION OF FLOW
8" X 4" WYE BRANCH
4" PIPE
30° BEND

4" X 5" DOUBLE HUB REDUCER
1 STANDARD PIPE LENGTH
5' X 4" RUNNING TRAP

PLAN

12" MIN.
TOP OF CURB
STREET GRADE

ROUND VENT BOX WITH SOLID COVER.

ROUND VENT BOX WITH VENTED COVER.

4" PIPE SLOPE
1/4" PER FOOT

45° 0' 0"

NOTE: ALL JOINTS TO BE CALKED IN ACCORDANCE WITH LOCAL PLUMBING CODE.

4" X 5" DOUBLE HUB REDUCER
4" WING NUT TEST PLUG
5' X 4" RUNNING TRAP

ELEVATION
TYPICAL HOUSE CONNECTION WITH TRAP DETAIL NO. S.D.-27
SCALE: NONE
SPECER-9
SPECIFICATIONS FOR SEWER LINE CONSTRUCTION
SEWER PIPES, MANHOLES, LATERALS ETC.

A. MATERIALS

ALL PROPOSED PIPE AND FITTINGS SHALL BE POLYVINYL CHLORIDE (P.V.C.) GRAVITY SEWER ASTM 3034 SDR.35 WITH RUBBER GASKET JOINTS OR AS SHOWN ON DRAWINGS.

B. CONSTRUCTION

(a) LAYING PIPE FOLLOWING THE TRENCH PREPARATION AND INSTALLATION OF THE REQUIRED 'BEDDING', PIPE LAYING SHALL PROCEED UP-GRAD WITH THE BELL AND SPIGOT PIPE. THE BELL END SHALL BE LAID UP-GRAD. THE GRADE AND ALIGNMENT OF EACH LENGTH OF PIPE SHALL BE CAREFULLY CHECKED. EVERY PIPE SHALL BE CAREFULLY INSPECTED BEFORE LAYING AND ANY CONTAINING CRACKS OR DEFECTS SHALL NOT BE USED. EXTREME CARE MUST BE EXERCISED TO PREVENT BREAKAGE WHEN THE PIPE IS HANDLED. THE PIPES SHALL BE SO LOWERED AS TO AVOID UNNECESSARY HANDLING IN THE TRENCH. EACH SECTION OF PIPE SHALL REST UPON THE PIPE BED FOR THE FULL LENGTH OF ITS BARREL, WITH RECESSES EXCAVATED SO THAT THE INVERT FORMS A CONTINUOUS GRADE WITH THE INVERT OF THE PIPE PREVIOUSLY PLACED. THE INTERIOR OF ALL PIPE AND THE INSIDE OF THE BELL AND OUTSIDE OF THE SPIGOT SHALL BE THOROUGHLY CLEANED OF ALL FOREIGN MATTER BEFORE BEING LOWERED INTO THE TRENCH, AND SHALL BE KEPT CLEAN DURING LAYING OPERATIONS BY MEANS OF PLUGS OR OTHER APPROVED DEVICES. UNDER NO CONDITIONS SHALL PIPE BE LAID IN WATER OR ON SUBGRADE CONTAINING FROST, AND NO PIPE SHALL BE LAID WHEN TRENCH CONDITIONS ARE UNSUITABLE FOR SUCH WORK. IN ALL CASES, WATER SHALL BE KEPT OUT OF THE TRENCH UNTIL CONCRETE CRADLES, ENCASEMENTS, OR SUPPORTS WHERE USED HAVE HARDENED.

ANY PIPE THAT IS NOT TRUE TO REQUIRED ALIGNMENT OR GRADE OR HAS ITS JOINTS DISTURBED AFTER LAYING SHALL BE TAKEN UP AND RELAID. ANY SECTION OF PIPE ALREADY LAID AND FOUND TO BE DEFECTIVE SHALL BE TAKEN UP AND REPLACED WITH NEW PIPE WITHOUT EXPENSE TO THE OWNER.

(b) IN ADDITION TO THE REQUIREMENTS SPECIFIED IN THE PROCEEDING PARAGRAPHS, INSTALLATION OF PVC PIPE SHALL CONFORM TO THE REQUIREMENTS SPECIFIED IN THE STANDARD RECOMMENDED PRACTICE FOR UNDERGROUND INSTALLATION USING CLASS I MATERIAL. IN LAYING PVC PIPE CARE SHALL BE TAKEN TO ASSURE THAT SUFFICIENT 'BEDDING' MATERIAL IS WORKED UNDER THE HAUNCHING OF THE PIPE TO PROVIDE ADEQUATE SIDE SUPPORT. PRECAUTIONS SHALL BE TAKEN TO PREVENT MOVEMENT OF THE PIPE DURING PLACING THE MATERIAL UNDER THE PIPE HAUNCH. WALKING OR STANDING ON THE PIPE SHALL NOT BE USED TO HOLD THE PIPE IN PLACE. EXCESSIVE TAMGING OF THE INITIAL STONE BACKFILL OVER THE TOP OF THE PIPE WILL NOT BE PERMITTED, AS EXCESSIVE TAMPING MAY RESULT IN DISTORTION OF THE PIPE. ROLLING EQUIPMENT OR HEAVY TAMPERs USED TO CONSOLIDATE THE BACKFILL SHALL NOT BE USED UNTIL AT LEAST TWO (2) FEET OF THE BACKFILL MATERIAL HAS BEEN PLACED OVER THE TOP OF THE PIPE. AFTER THE PIPE IS LAID AND THE TRENCHES COMPLETELY BACKFILLED, IT WILL BE INSPECTED BY THE ENGINEER.
SEWER MANHOLES

A. DESCRIPTIONS
THIS WORK SHALL CONSIST OF POURING A CONCRETE BASE AND USING PRECAST CONCRETE SECTIONS.

B. MATERIALS

C. CONSTRUCTION
POURED IN PLACE CONCRETE BASES: POURED IN PLACE CONCRETE BASES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DESIGN AND DIMENSIONS SHOWN ON THE DRAWINGS. CONCRETE FOR POURED IN PLACE BASES SHALL BE VIBRATED WITH A MECHANICAL VIBRATOR.

THE TOP OF POURED MANHOLES BASES SHALL BE ACCURATELY FORMED TO RECEIVE THE TONGUE OF THE BOTTOM PRECAST CONCRETE MANHOLE SECTION BY MEANS OF A TEMPLATE TO BE PROVIDED BY THE MANUFACTURER OF THE BOTTOM PRECAST CONCRETE MANHOLE SECTION AND SHALL BE POURED MONOLITHICALLY WITH THE BASE SLAB.

PRECAST CONCRETE BASES: ALL PRECAST CONCRETE BASES SHALL BE INSTALLED ON A LAYER OF CRUSHED STONE WHICH SHALL HAVE A MINIMUM DEPTH OF SIX (6) INCHES. THE CRUSHED STONE SHALL CONFORM TO THE QUALITY AND GRADING REQUIREMENTS SPECIFIED IN SECTION 703 OF THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR 408 FOR NO. 8 CRUSGED STONE COARSE AGGREGATE.

WHERE RUBBER GASKET PIPE SEALS USED FOR CONNECTING PIPE SEWER PIPING TO PRECAST ON THE INTERIOR AND EXTERIOR OF THE WALL OF THE BASE AFTER THE PIPE CONNECTION HAS BEEN MADE, THESE ANNULAR SPACES SHALL BE COMPLETELY FILLED WITH PREFORMED PLASTIC SEALING COMPOUND. THE SEALING COMPOND SHALL BE TIGHTLY CAULKED INTO THE ANNULAR SPACES IN SUCH MANNER SO AS TO COMPLETELY FILL THE ANNULAR SPACES AND PROVIDE A COMPLETELY WATERTIGHT INSTALLATION. THE SEALING COMPOND SHALL BE TROWELLED SMOOTH AT THE INSIDE FACE OF THE MANHOLE BASE.

LENGTH OF PIPE CONNECTIONS TO MANHOLES WHERE PIPE CONNECTIONS TO MANHOLES ARE MADE TO RUBBER GASKET PIPE SEALS, THE PIPE SEWER PIPING AT THE POINT OF SUBDIVISION AND LAND DEVELOPMENT SHALL NOT BE MORE THAN FIVE (5) FEET IN LENGTH. WHERE ALL OTHER PIPE CONNECTIONS SHALL BE OF SUCH LENGTH THAT A JOINT IS PROVIDED AT THE OUTSIDE EDGE OF THE MANHOLE BASE OR WALL AS APPLICABLE, ALSO THE FIRST PIPE JOINED THERETO SHALL NOT BE MORE THAN SIX (6) FEET IN LENGTH.


MANHOLE WALLS: ALL PRECAST REINFORCED CONCRETE RISERS AND SECTIONS NECESSARY TO BUILD A COMPLETED MANHOLE SHALL BE FURNISHED, AND THE DIFFERENT SECTIONS SHALL FIT TOGETHER READILY TO PERMIT EFFECTIVE JOINTING.

RUBBER GASKET JOINTS BETWEEN ADJACENT SECTIONS SHALL BE CAREFULLY MADE IN ACCORDANCE WITH THE WRITTEN INSTRUCTIONS OF THE MANUFACTURER OF THE PRECAST CONCRETE MANHOLE SECTIONS.
PREFORMED PLASTIC SEALING COMPOUND JOINTS BETWEEN ADJACENT SECTIONS SHALL BE CAREFULLY MADE IN ACCORDANCE WITH THE WRITTEN INSTRUCTIONS OF THE MANUFACTURER OF THE PERFORMED PLASTIC SEALING COMPOUND.

PIPE CONNECTIONS TO MANHOLE WALLS SHALL BE MADE IN THE SAME MANNER AS SPECIFIED HEREINBEFORE FOR PIPE CONNECTIONS TO MANHOLE BASES.

LIFTING HOLES SHALL BE SEALED WITH PROPERLY DESIGNED TAPERED RUBBER PLUGS. THE PLUGS SHALL BE DRIVEN INTO THE LIFTING HOLES IN SUCH MANNER SO AS TO MAKE THE HOLES COMPLETELY WATER AND AIR TIGHT.

ADJOINING RISER AND CONICAL TOP SECTIONS SHALL BE FITTED TOGETHER IN SUCH MANNER AS TO ASSURE TRUE VERTICAL ALIGNMENT OF MANHOLE STEPS.

FRAMES AND COVERS: WHERE REQUIRED, FINAL ADJUSTMENT OF FRAME TO ELEVATION SHALL BE MADE BY PRECAST CONCRETE MANHOLE GRADE RINGS.

JOINTS BETWEEN GRADE RINGS FOR LEVELING UNITS SHALL BE MADE WITH PREFORMED PLASTIC SEALING COMPOUND, AND SHALL BE ½ INCH THICK. THE JOINT BETWEEN THE BOTTOM OF THE FRAME AND GRADE RING LEVELING UNITS OR THE TOP MANHOLE SECTIONS AS APPLICABLE, SHALL BE MADE WITH PREFORMED PLASTIC SEALING COMPOUND.

MORTAR
A. MATERIALS
MORTAR SHALL CONFORM TO THE REQUIREMENTS OF PENN-DOT SPECIFICATIONS, FORM 408, DATED 1987, SECTION 705.

B. CONCRETE ENCASEMENT
CONCRETE SHALL CONFORM TO THE REQUIREMENTS OF PENN-DOT SPECIFICATIONS, FORM 408, DATED 1987 FOR CLASS A CONCRETE.

TESTING
ALL SANITARY SEWER LINES TO BE DEDICATED TO SUGARLOAF TOWNSHIP MUST BE AIR PRESSURE TESTED PER SUGARLOAF TOWNSHIP SPECIFICATIONS.